KYRGYZSTAN

1. Definitions and stipulated rights of children with disabilities in Kyrgyzstan

a. Definition of disability as per the law of the Kyrgyz Republic

The new law 'On the rights and guarantees of persons with disabilities' in Kyrgyzstan replaces references to 'a disabled person' with 'a person with disabilities' and thus recognizes the need to see the person first and the disability last. At the same time, other legislative regulations use a large variation of terminology and definitions. For example, the Child Code (new version of 2012) defines children with disabilities as children "with limited health possibilities as children with functional impairments caused by disease, trauma or deficiencies that cause disabilities as a result of physical and (or) mental shortcomings and requires social protection for the child". The regulations of medical and social expert commissions defines persons with disabilities as "incapable citizens – minors under 16 years and disabled citizens recognized as incapable, as well as citizens who reached pension age".

b. Changes in the legislative and policy framework stipulating the rights of children with disabilities in Kyrgyz Republic

The Government of Kyrgyzstan proclaims itself to be against discrimination against children with disabilities and is in favour of their inclusion into society. In the last five years, two new laws were introduced that specifically stipulate the rights of children with disabilities. While, as mentioned above, one included important changes in language to be used to refer to children with disabilities, the second new law which has been introduced 'On State benefits in the Kyrgyz Republic' stipulates the provision of monthly social benefits for children with disabilities.

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1 All data in this country profile are, unless otherwise specified, provided by the Government of Kyrgyz Republic based on a country profile template in preparation for the 4th Child Protection Forum for Central Asia. Data from this submission comes from the Demographic Yearbook of the Kyrgyz Republic NSC KR, the Government of the KR, Republican Health Information Center (RHIC) of MoH KR, Ministry of Social Development of KR, City and Districts Departments of Social Development (2012). Based on this data, the analysis and conclusions were made by UNICEF Regional Office for CEE/CIS.
Otherwise there are a number of laws in the Kyrgyz Republic, stipulating the rights of children with disabilities to education and social services. Many specific rights of children with disabilities are stipulated in the Child Code, 2012 of the Kyrgyz Republic. This includes for example the right to live and be raised in a family, right to rest, right to health care, right to education, right to freedom of expression, right to maintaining individuality, housing rights, right of the child to choose a professional training and employment, right to the protection of honour, dignity and inviolability of the person.

The right to social protection is ensured by the Law "On Social Protection of Disabled Persons in the Kyrgyz Republic", 1991, and the right to social services by the Law "On the basis of social services in the Kyrgyz Republic", 2011. These laws stipulate rights to services in social residential institutions, provision of technical and special equipment, and provision of rehabilitation services. Other social guarantees are ensured by the Law "On the rights and guarantees of persons with disabilities", 2008. Additionally, as per Law "On state benefits in the Kyrgyz Republic", 2010, children with disabilities have the right to monthly social benefits. Moreover, through the legislation on the Social Protection of the Disabled in the Republic of Kyrgyzstan of 1991 the government committed itself to removing the barriers to life activities of people with disabilities and to providing them with equal opportunities. Finally, the 2011 state programme on guarantees to ensure the citizens of the Kyrgyz Republic access to health care provides the right to free health care for children with disabilities.

c. Remaining challenges in the law

Despite the positive changes in the legislative framework of the Kyrgyz Republic several laws still provide basis for creating separate services for children with disabilities and do not systematically enforce social inclusion. There are also important variations in definitions and language between older and newer legislation.

2. Assessment and identification of disability by different sectors

In accordance with the WHO programme on safe motherhood, there has been a greater focus on prevention and outreach of health services. Coverage of pregnant women with anti-anaemic drugs and folic acid has been increased by 60 per cent. Antenatal support is provided to pregnant women in all regions of the country according to a Package of Antenatal Services; in all health organizations there are schools for preparing pregnant women to give birth, schools for future mothers and fathers. In all maternity wards, effective perinatal technologies (Effective Perinatal Care, first resuscitation of newborns) were introduced. In all medical organizations, perinatal screening was introduced for pregnant women (ultrasound examination) for all pregnant women from 18 to 20 weeks of pregnancy, whereas serological screening for Down syndrome and blood analysis for prenatal screening is carried out from 14-16 weeks of pregnancy for risk groups.

Identification of children with disabilities at the level of health care organizations is carried out through referrals to medical institutions (hospitals), whereby a specialist or a family doctor register children and provide medical care in accordance with the child’s needs. Upon identification of a disability by medical institutions, the child is referred to Medical Social Expert Commission (MSEC) through an assessment of the health status and ‘functional disorders’ and regardless of the severity of the condition; the category of ‘a child with a disability’ is prescribed.
The registration and categorization that the MSEC provides gives the child right to access various supports and can be both costly, and bureaucratic.

Finally, in the education sector, the Psychological- Medical- Pedagogical Consultation (PMPC) conducts a comprehensive in-depth examination of children by experts in various fields to identify possible disabilities, the potential of the child and to provide advice to teachers, parents and children themselves on the development, integration, and the child’s learning. Thus, depending on the capacities of the child a particular programme of study is recommended by the PMPC. In the limited time spent with each child during the assessment meetings (10-15 min), the Commission cannot take into consideration all the factors that may have affected a child’s ability to manage tasks considered normal for his/her age. Children who are slow to learn to read or write or who have repeatedly failed a year are usually identified as “mentally deficient”. Thus, children with mid-level learning disabilities such as dyslexia, or with different learning styles, or with social problems that interfere with their ability to learn or concentrate, may end up in the special school system or in correctional classes.

Number of registered children with disabilities below 18 years in the country

In 2012, the Ministry of Social Development reported that they had registered 25,346 children with disabilities in Kyrgyzstan. This number reflects children with disabilities who are eligible for social benefits. Since 2005 the number of children registered with disabilities has increased by 36 per cent.

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3. Services and support to children with disabilities and their families in Kyrgyzstan

a. Social welfare and support to families of children with disabilities

There are still various types of institutions under the supervision of various ministries in Kyrgyzstan, where children with disabilities are admitted according to age and type of disability. There are two specialized children's infant homes under Ministry of Health that host children with disabilities between 0 and 4 years. There are 15 specialized school institutions under the supervision of the Ministry of Education and Science, where children are admitted from 7-18 years old based on PMPC's conclusion and in accordance with the diagnosis and recommended learning programme: these include institutions following general programmes for the care and development of children with learning difficulties and delayed psychological development; institutions that educate children who are blind or visually impaired; institutions for children who are deaf or auditorily impaired; and finally institutions for children with severe speech difficulties. There are also 15 pre-school organizations, as well as 4 special schools for children with mental disabilities in Bishkek and Osh cities; these are educational organizations, where children do not live.

Besides, there are three residential institutions for children with severe disabilities under the Ministry of Social Development. These include psycho-neurological institutions for children from 4 to 18 years with severe mental and physical development disabilities. Children are referred to these types of institutions by the Ministry of Social Development based on the MSEC’s conclusion.

Children with disabilities have also become part of the reforms undertaken by the government of Kyrgyzstan in childcare system lately. The urgency of child care reform in Kyrgyzstan is guided by the need to ensure that children without parental care and who are in difficult life situations are provided with effective state care and support, founded on implementation of the right to live and grow in a family environment. The overall goals are: a) to ensure children who are under state care grow up in an environment close to family type; b) to decrease the number of children in residential care institutions, who are in a difficult life situation; c) to decrease the number of child care residential institutions; d) to decrease the number of cases of child abandonment; e) to develop a system of alternative forms of family care and provision of quality social services.
Proportion of children with disabilities below 18 years of all children below 18 years in residential care

There has been a slight increase over the last seven years in the number of children below 18 years of age in residential care. By 2012 there were 18,763 children below 18 placed in residential care in Kyrgyzstan. Out of this there were 6,051 children with disabilities below 18 years in residential care in Kyrgyzstan which represents 32 per cent of the total population of children in residential care.
Out of all children below 18 years in residential care, there were 129 children below 3 years placed in residential care in Kyrgyzstan in 2012. Of these, 22 per cent were children with disabilities.

b. Social assistance to Children with Disabilities

Monthly benefits for children with disabilities in Kyrgyzstan are defined based on the medical indicators used to categorize children by different conditions and types of disability. Depending on the 'pathological condition' the child is entitled to benefits for 6 months to 2 years, 2-5 years or until age 18. Thus, children with disabilities receive monthly social benefits which are allocated regardless of the gross family income. The monthly social benefit is KGS 3,000 (Kyrgyz Som) and is equivalent to USD 63. A regulation is currently being developed on introducing a pay system to parents caring for children with disabilities. Over the last few years, (since 2001) there has been a constant increase in disability benefits\(^3\). However, at a time of widespread poverty and high unemployment in Kyrgyzstan, this allowance is in many cases inadequate to cover the additional expenses incurred by having a child with a severe disability. Besides this, families of children with disabilities are also entitled to a number of discounts and services: for gas and electricity; discounts on medicines, social and personal services, services in hospitals, provision of technical and professional resources, and on rehabilitation. There are also provisions for mothers of a child with a disability to be retired at age 52. To implement social protection rights for children provided for

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\(^3\) Assessment of the situation of children with disabilities in Kyrgyzstan, UNICEF, 2008
in the period 2002 to 2008, there have been made the following corresponding changes: the payment period for the monthly social benefits for children with disabilities is extended to the age of 18 (previously, it had been till the age of 16); monthly social benefits for children with disabilities up to the age of 18 are assigned from the date of issuance of the MSEC certificate when applying for aid followed not later than six months instead of the previous period of three months; and as per the Decree of the President of the Kyrgyz Republic of 2009, social benefits have been increased by more than 50 per cent, as of January 1, 2010.

Proportion of registered children with disabilities in the country where family/child receive state financial assistance

![Bar chart showing the number of registered children with disabilities and those receiving a disability allowance from 2010 to 2012]

The data suggest that the number of children with disabilities below 18 years registered in Kyrgyzstan is equal to the number of children and/or families with children with disabilities receiving 'a disability allowance'. This number has increased steadily in the last three years.

c. Early childhood development and education for children with disabilities

The tradition of providing education for children with disabilities in segregated settings persists although there are recent policy changes to make education more inclusive in boarding schools or through home schooling. To obtain home education a Psychological-medical pedagogical consultation provides a conclusion with recommendation on home schooling. Parents will then write a letter to the director of a community school which then should assign a teacher to the child and visit him/her at home. Children who receive home education study private lessons with a
teacher for one to three hours a day according to a reduced programme consisting of only three subjects.\textsuperscript{4}

Inclusive education is a provision in the new Education Development Strategy of the Kyrgyz Republic 2012-2020, in the Action Plan 2012-2014 for the implementation of the Education Development Strategy of the Kyrgyz Republic 2012 – 2020. The purpose of the policies in the education sector is to provide access to education for children with disabilities in pre-school and secondary school and is the outcome of a number of pilot initiatives that took place in the country. For example, since 1999, with financial and technical support of Save the Children (UK) and UNESCO and in cooperation with the Ministry of Education and Science of the Kyrgyz Republic and local education department in Naryn province, an inclusive education project was piloted in Naryn province. Also, in 2009 with technical support from the Asian Development Bank, the Ministry of Education and Science of the Kyrgyz Republic in the framework of the project 'Increase access to basic quality education for children with disabilities', 40 pilot educational organizations were identified in seven regions of the country to ensure children with disabilities are included in the educational process.

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Number of children with disabilities in special pre-school facilities compared to children with disabilities in regular pre-school facilities
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\begin{itemize}
\item Total number of children with disabilities in special pre-school facilities
\item Total number of children with disabilities in regular pre-school facilities (with or without support)
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\textsuperscript{4} Assessment of the situation of children with disabilities in Kyrgyzstan, UNICEF, 2008
The number of children with disabilities in special pre-school facilities has increased by 80 per cent since 2005. The number of children with disabilities in regular pre-school facilities has also increased at a similar steady pace.

Proportion of children with disabilities receiving education services through home-schooling, in boarding schools and in regular schools

Currently, there are 1,000 children with disabilities who are covered by a home-schooling programme. There are 15 specialized boarding schools and 4 special schools in Kyrgyzstan, mainly situated around Bishkek and Osh. 2,477 children with disabilities attend 15 specialised boarding schools.