



Child Trafficking in Kyrgyzstan

unite for children

unicef 

Child Trafficking in Kyrgyzstan

**УДК 341
ББК 67.91
Т 60**

T 60 Child Trafficking in Kyrgyzstan B.: 2008 - 90 p.

ISBN 978-9967-24-771-0

This report is addressed to the heads of government administration; institutions of local self-government, child rights and legal protection specialists; educational, social, and legal service providers for children; and shelter providers for children in difficult life situations.

The following text contains the results of the research on Child Trafficking in Kyrgyzstan, conducted by “El-Pikir” Public Opinion Study Center. The report has been prepared by the International Expert on Child Trafficking, Dr. Zosa De Sas Kropiwnicki. The opinions expressed are those of the research contributors and author of the report, and do not necessarily reflect the policies or views of UNICEF. The designations employed in this publication and the presentation of the material do not imply on the part of UNICEF the expression of any opinion whatsoever concerning the legal status of any country or territory, or of its authorities, or the delimitation of its frontiers.

**T 1207000000-08
ISBN 978-9967-24-771-0**

**УДК 341
ББК 67.91
© UNICEF, 2008**

Table of contents

Introduction.....	5
Background.....	5
Methodology and Analysis.....	5
Research hypothesis and questions.....	6
Structure.....	9
Part A: The Trafficked Child.....	11
Contextualising child trafficking in Kyrgyzstan.....	11
Definitions.....	11
Mechanisms and processes.....	14
Key Informants' Perspectives.....	18
Definitions of Child Trafficking.....	18
Summary.....	25
Part B: Children at-risk of being trafficked.....	26
The Migrant Child.....	26
Contextualising Migration.....	26
Key Informants' Perspectives.....	29
Decision-making.....	29
The migration of parents.....	31
Migration and trafficking risks.....	33
Inadequate Services and Support.....	34
Recommendations.....	36
The Working Child.....	37
Contextualising child labour.....	37
Key Informants' Perspectives.....	39
Defining labour exploitation.....	39
Causes.....	41
Labour exploitation and trafficking.....	42
Services and Support.....	43
The institutionalised child.....	44
Contextualising children's institutions.....	44
Key informants' Perspectives.....	47
Children's institutions and trafficking risks.....	50
The school-drop out.....	50
Contextualising education.....	50
Key informants' perspectives.....	51
School drop-out and trafficking risk.....	54
Summary.....	54
Part C: Evidence-based Policy and Programming.....	56
Policy and legal framework.....	56
Key Informants' Perspectives.....	58
Law enforcement and prosecution.....	58
Identification of children at-risk.....	60
Prevention.....	62
Awareness-raising.....	63
Assistance, referral and reintegration.....	65
Summary.....	67
Conclusion.....	69

Hypothesis 1: Incidence and Prevalence.....	69
Hypothesis 2: Children ‘at risk’ of being trafficked	70
Hypothesis 3: Evidence based policy	71
Recommendations.....	73
Law enforcement and prosecution	73
Identification	73
Prevention	74
Prevention activities for child migrants and children affected by migration:.....	75
Prevention activities for working children.....	75
Prevention activities for institutionalised children	76
Prevention activities for school drop-outs	77
Assistance, referral and reintegration to child victims of trafficking:	77
Appendix 1: Bibliography.....	79
Appendix 2: List of Respondents.....	87

Introduction

Background

In response to rising reports about child trafficking in Central Asia, UNICEF designed and coordinated a regional research project which sought to overcome the gaps in data that exist on this topic. This regional study was conducted in Kyrgyzstan, Kazakhstan, Tajikistan and Uzbekistan and was coordinated by the regional UNICEF office in Geneva, Switzerland. As a general objective, UNICEF sought to take advantage of the increasing recognition by states in this region that trafficking is prevalent. All of the states have participated in the 2005 ‘Yokohama Review on Combating Sexual Exploitation and Abuse in Children’, and have committed to developing programmes and policies that protect children. Furthermore, government representatives from the four countries reiterated their commitment to child protection at the Central Asia Child Protection Forum held by UNICEF in December 2006. So through this research, UNICEF hoped to gather information about the incidence and prevalence of child trafficking in this sub-region, with the intention of providing recommendations to state and non-state actors on how to develop counter-trafficking programmes in the area of prevention, rescue and protection, repatriation and ‘reintegration’.¹

Methodology and Analysis

Field data was collected by the “El-Pikir” Public Opinion Study Center (hereinafter referred to as El-Pikir) on the basis of a questionnaire created by the UNICEF regional office, which provided training to all researchers in May 2007. Interviews were conducted by nine researchers in either Russian or Kyrgyz and in the South, in Uzbek. Each interviewer conducted on average around thirteen interviews. These interviews were conducted with the following state and non-state actors²:

- Government Officials: Ministry of Internal Affairs, Ministry of Labour and Social Development, Ministry of Justice
- National structures and Commissions on children and people trafficking
- Inspectorate on Minors’ Affairs
- Local structures: Oblast (Provincial) administrations, local administrations, local self-governments
- Courts - Judges; Prosecutor; Attorneys
- Border Guards
- Law enforcement authorities
- International organizations: IOM, ILO-IPEC, OSCE, Save the Children, ECPAT International.
- Kyrgyz NGOs working with children, women, human trafficking or child trafficking, etc.

¹ UNICEF (2007), Terms of Reference for Regional Trafficking Research

² See Appendix 2 for a breakdown of respondents

- Child Care Centers, Crisis Centers and Protection Centers: Organizations working with children (director, or the support staff, including the staff of patronage service, healthcare staff, physiologists, etc.)
- Different Centers which provide diverse range of legal services (NGOs, young lawyers of Kyrgyzstan, etc.)
- Charity organizations which provide charity donations to child trafficking victims
- Others including teachers, scholars, local staff of Embassies, journalists and local leaders.

Researchers were instructed not to interview children or victims of trafficking for the purposes of this study due to the ethical challenges and additional training and monitoring that would be required.

In addition to interviews, a literature review was conducted on the basis of the following:

- State and NGO reports on human trafficking generally and child trafficking specifically in Kyrgyzstan.
- Articles from the following newspapers: Vechernyi Bishkek (in Russian), Slovo Kyrgyzstana (Russian, Kyrgyz), Aki Press (Russian, English) (E-newspaper).
- National legislation and other legal and policy documents

This report is compiled on the basis of background literature which pertains to child trafficking and to related topics including child labour, children in institutions, education, gender-based violence etc. in Kyrgyzstan.

Research hypothesis and questions

UNICEF structured the research project around three hypotheses:

- There is more child trafficking in Central Asia than is currently acknowledged
- Child trafficking is closely linked to other societal issues
- Current systems are failing to adequately prevent and respond to child trafficking

Broadly speaking, in this report these hypothesis have been interpreted in light of four main questions:

- What is the extent of child trafficking incidence and prevalence?
- What are the mechanisms and processes by which children are trafficked?
- Why are some children more at risk of being trafficked?
- What policies and programmes exist to protect children who are at-risk and/or have been trafficked?

In brief, this conceptual framework rests on a number of components. First with regards to risk and resiliency, many children are subject to abuse, exploitation and

trafficking and in this sense they are victims of gross violations of their rights. However, it cannot be ignored that even children who may be victims or at-risk of various violations of their rights, are decision-makers and social agents. On a daily basis they seek to survive and cope with adversities. Their decisions are not made in isolation. They are influenced by a range of factors at macro, interpersonal and individual levels. The macro level includes socio-economic, political and cultural factors, all of which are influenced by time and social processes. The interpersonal level includes children's relationships with their parents, relatives, peers and other members of the community. The individual level refers to children's age, gender, personality, physical appearance, self-confidence and so forth. Children who are risk are influenced by a complex combination of these factors, such that stressors that include poverty and violence for example, will have different effects on different children. In fact, some children may prove to be resilient in the short and/or long term in the face of these hardships. Any notion of risk and resiliency must therefore account for the cumulative effect of these factors, with the recognition that risk is highly individual, situational and contextual.

Second, with regards to mechanisms and processes, the notion of child trafficking is not well-understood by many state and non-state actors, as this report will show. Many respondents feel that it is too far removed from their own experience and it is therefore not applicable to their country or community. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (also known as the Palermo Protocol) (2000) defines trafficking as

“the act of recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

While this definition is sufficiently broad to provide a framework for the protection of large numbers of children under the age of 18, this definition is still not widely understood or used in many communities. So in order to understand whether child trafficking occurs and/or is prevalent, it is necessary to break this concept into various components namely, forced migration, deception/coercion and exploitation. These concepts are more widely understood as will be shown in this report. So for analytical purposes, the following will need to be present if boys and girls under the age of 18 are to be classified as trafficking victims:

- The movement of children internally or across borders
- Exploitation for the purposes of forced labour and services and begging, sexual exploitation, adoption, sale of bodily organs etc.
- The presence of other actors, who may be known or unknown to the child, and who have an intention to derive financial profits and/or other benefits from the recruitment, transportation, harbouring, and exploitation of children

Despite the fact that these components are more widely utilise, each can be ambiguously interpreted. With regards to forced migration, it is important to

recognise that ‘force’ according to Palermo Protocol requires the presence of another actor or third party who has an intention to benefit from the transport, receipt, harbouring and exploitation of children. This force does therefore not necessarily include children who migrate because they are ‘forced’ to do so by poverty for instance.

The issue of deception and coercion is equally complex because coercion may not necessarily be physical, it may be psychological, emotional, economic or other. However, this leads us to question whether children who feel that they have a duty to support their families and fulfil their interpersonal duties are being coerced. Many accounts describe children being forced or coerced by their parents to work or migrate. This notion of coercion is difficult to define since many children make an active decision to comply with their parent’s wishes or not. Countless examples of children running away from home or disobeying parents, suggest that children actively evaluate their parent’s instructions. So comments such as children are ‘forced’ by their parents to work or migrate may downplay children’s decision-making processes, especially when physical coercion is not present. However, in the process of migration, children may be exploited and/or trafficked.

Furthermore, this notion of deception is often used to downplay children’s decision-making. Although a trafficker may deceive a child through the offer of work or affection for instance, children still make a decision to believe and/or go with this trafficker because they have a particular need that they would like to fulfil. Poor children for instance, need employment and therefore may be more likely to believe ‘false promises’. Children who have few recreational outlets may need and want entertainment, and therefore may be more likely to believe promises of an adventure abroad. Children who do not receive warmth and individualised care in institutions may need or want attention and affection; traffickers may manipulate their needs. So while deception definitely occurs, one cannot downplay the degree of children’s decision-making. In order for us to prevent child trafficking, we need to understand why children may believe and/or go with a trafficker when physical coercion is not present. We can then develop interventions that target these needs and wants, in order to prevent trafficking from occurring.

Exploitation is also a complex notion, which many children or adults do not understand or do not use in their daily lives. Despite various international definitions, many children may not regard the work that they do as exploitative either because they do not have alternative options or do not perceive themselves to have alternative options. In addition, they may consider themselves to be in control of their working relationships and/or deriving some benefit. What is important is that we understand in greater the depth the relationships between an exploiter and a child, and how this is influenced by the social context. The Palermo protocol mentions an ‘abuse of power or vulnerability’. In order to understand what this means, it is important to understand how children perceive their own power in relation to others, and how they negotiate power relationships on a daily basis. The relationship between these concepts is even more difficult to understand: for instance, does a child who migrates ‘voluntarily’ in the face of poverty and is then subject to labour exploitation, count as a victim of child trafficking?

Hence, when broken down into its components, child trafficking appears to some respondents as a phenomenon that is too ‘elusive’ and ‘vague’ to be practically useable in child protection programmes. It will be shown that a lack of clarity around these issues hinders awareness-raising, identification and reporting procedures. As this phenomenon is so complex, many people in local communities feel that legal expertise is necessary to identify children at risk or child victims of trafficking. Given these complexities, a range of state and non-state actors do not use this term but prefer to use ‘child migration’ or ‘child exploitation’ instead. Any counter-trafficking programme will need to address these definitional complexities, as will be argued in this report.

Structure

In order to cover the research questions and do justice to the findings the report will be divided into three main sections: The first section entitled the ‘Trafficked Child’ will attempt to address the first hypothesis related to the incidence and prevalence of child trafficking with reference to secondary literature and key informant interviews.

The second section will be divided around certain categories of children which encompass children who are at-risk of being trafficked as defined by key informants:

- ‘The Migrant Child’
- ‘The Working Child’
- ‘The Institutionalised Child’
- ‘The School Drop-out’.

It is important to bear in mind that these categories are largely artificial constructs and are not exclusive. For instance, many children who migrate have dropped out of school and have runaway from institutions where they have been placed. In the process of migration and seeking work, these children may be trafficked. For analytical purposes however, it is important to focus on each category individually with the caveat that they overlap; many children in these categories are not at risk; and these categories do not necessarily include all children who are at risk of being trafficked.

Under each category, sub-sections will be structured as follows:

- Contextualisation: An analysis of existing literature and policy documents on this topic
- Definitions and identification: A description of respondents’ understanding of the relevant terms
- Risk and resiliency: An analysis of the causes and risk factors at macro, interpersonal and individual levels as described by respondents
- The risk of trafficking: An analysis of the relationship between the topic (e.g. school-drop out) and trafficking as mentioned by key informants.

- Support and services: A description of the services and support available to these children at state, NGO and community levels, as well as recommendations on how these can be improved according to respondents.

The third section will focus on ‘evidence-based policy and programming’. It will first review what policies and programmes exist in the area of child trafficking in Kyrgyzstan as identified in the literature and in interviews. It will highlight the gaps and provide a set of recommendations on what steps need to be undertaken in order to develop counter-trafficking policies and programmes in Kyrgyzstan.

Part A: The Trafficked Child

This component of the report will attempt to respond to the first hypothesis guiding this regional research project namely, that children are being trafficked in far greater numbers than is currently being acknowledged. This component will first review definitions and incidence and prevalence figures in Kyrgyzstan as it appears in existing literature and policy documents on this issue. It will then analyse the perspectives of the key informants interviewed in this study with regards to these issues. It will argue that the absence of definitional clarity around the issue of child trafficking has rendered it impossible to reach a decisive conclusion about the whether child trafficking is increasing in Kyrgyzstan. On the other hand, the fact that key informants do not understand or use the term ‘child trafficking’ could mean that many cultural practices and identified cases of child labour exploitation and child migration do in fact constitute cases of child trafficking, as will be argued in this section. As a tentative conclusion, it is concluded that the first hypothesis is correct in that children might be trafficked in greater numbers than is acknowledged; however, further research is needed in order to make a stronger case for this argument.

Contextualising child trafficking in Kyrgyzstan

Definitions

Child trafficking is defined in the Criminal Code of the Kyrgyz Republic and in the Code on Children. In terms of the former, the term used for human trafficking is “trade in humans” and in terms of the latter, child trafficking is described as “trade in children”.

“Trade in persons” means the recruitment (hiring), transportation, transfer, harbouring, or receipt of a person, as well as other actions or agreements with respect to the person, executed with violence or threat thereof, or with other forms of force, fraud, deceit, or kidnapping, for the purpose of exploitation or material or other profit.³

“Exploitation” involves involving a person into criminal activities, prostitution or other sexual activities, forced labour, slavery, adoption for commercial purposes and use in armed conflict⁴.

“Trade in children” – any act or transaction through which a child is transferred to any person or a group of persons for remuneration or any other compensation.⁵

³ Criminal Code of the Kyrgyz Republic, Article 124

⁴ Criminal Code of the Kyrgyz Republic, Article 124

⁵ Code of the Kyrgyz Republic on Children, Article 2

“A child (children)” is a physical person(s) who has(ve) not reached 18 years of age.⁶ It will be argued that the lack of clarity around the definition of trafficking and what components and children it includes, have hindered efforts to quantify its incidence and prevalence, There are no reliable statistics on the incidence and prevalence of human trafficking generally, and child trafficking in particular in Kyrgyzstan. This is related to the difficulties associated with defining child trafficking at state, NGO and local levels and the absence of any reliable means of identification, reporting and recording of cases of child trafficking. Communities, families and children may not know what trafficking means and may find it difficult to identify a victim of trafficking. They may not want to report that they know of or have been subject to trafficking for fear of being blamed and subject to an associated stigma. They do not want to risk being further persecuted and victimised by traffickers, law enforcement authorities, and other actors in their communities.

OSCE data cited in Save the Children’s Situational Analysis on Child Trafficking in Central Asia, suggests that 200,000 people, mostly women and young girls are trafficked annually from Eastern Europe and Central Asia, of which a third are younger than 25 years of age and 10-15% are minors.⁷ It is not clear what proportion of these trafficking victims have been trafficked from or through Kyrgyzstan.

IOM’s statistic that 4000 Kyrgyzstan women are trafficked abroad every year, of which 10% are underage, is referred to frequently in official, NGO and media reports despite the fact that there is no reliable evidence to support this figure, and this figure dates back to 1999⁸. Official statistics provide little information about trafficking *per se*, but more about crimes that are related directly and indirectly to kidnapping, exploitation and illegal border migration. In the period 2001-2003, the Ministry of Internal Affairs and Prosecutor’s Office registered the following crimes:

- 37 crimes of kidnapping (according to Article 23 of the Criminal Code of the Kyrgyz Republic)
- 17 crimes of exploitation (Article 124)
- 7 crimes for trade in children (Article 159)

In the same period, the Prosecutor’s Office registered the following:

- 73 cases of illegal border crossing with forged passports
- 33 cases of kidnapping and smuggling of humans

In 2003 the Prosecutor’s office revealed cases of illegal trafficking of Kyrgyz citizens abroad by 9 legal and physical entities and moved to court, 2 criminal cases in relation to 2 people under Article 123 of the Criminal Code.

⁶ Ibid

⁷ Save the Children UK (2004) “A situation analysis of children at risk of trafficking in Central Asia” Funded by the Embassy of Switzerland Tashkent

⁸ For example see “How much does a person cost” Slovo Kyrgyzstana newspaper, 15 December 2005 (“Сколько стоит человек”, «Слово Кыргызстана», 15 декабря 2005г.)

According to a monitoring report on gender equality in Kyrgyzstan, 98% of trafficking victims are women. The majority are between 15 and 30 years of age, of which the youngest are ethnic Kyrgyz women. 49% are of Slavic ethnic origin, 23% ethnic Kyrgyz and 28% other ethnic groups. No information is provided about why those from Slavic backgrounds form the majority.⁹

The Report on Implementation by the Ministry of Internal Affairs on the UN Convention on the Elimination of All Forms of Discrimination against Women, states that as of 1 November 2004 law enforcement bodies have raised 50 criminal cases related to trafficking in persons, the majority of whom are young women or underage girls trafficked to Russia and Kazakhstan for sexual exploitation. According to the information of the General Consul in Istanbul, Turkey applies visa regime only to people staying in the country for over one month. There are 200-250 Kyrgyz girls working in the sex industry in the Istanbul City alone. In this report, no details were provided about whether these girls have been trafficked.¹⁰

According to the most recent Trafficking in Persons Report published by the United States Department of State (2007), government investigations of human trafficking increased from 24 in 2005 to 39 in 2006. No data on trafficking prosecutions and convictions were provided by the Kyrgyz state.¹¹

Apart from the few statistics mentioned above, there is little quantified information about the incidence and prevalence of child trafficking in Kyrgyzstan. For the most part, these figures are not accurate or reliable, or disaggregated on the basis of age, gender, ethnicity etc. Nevertheless, these figures are often repeated, exaggerated and used to support various agendas who argue either that (a) trafficking has increased or (b) that trafficking does not exist. These opposing viewpoints will be described in a later section. However, it is important to note that when reviewing the figures available, it is necessary to understand the relationship between the actors collecting this data, and children, their families and local communities. Mistrust of law enforcement authorities will have an impact upon statistics as individuals will not want to come forward. The fact that many victims of trafficking are involved in 'illegal' practices such as prostitution or have crossed a border without papers is also likely to deter them from approaching law enforcement officials for fear of detention or deportation.

Hence, the figures provided by law enforcement authorities and the judicial system are likely to be flawed. This report will reveal how the lack of clarity in definitions at state, NGO and local levels has hindered attempts to identify victims, quantify and document this phenomenon. Furthermore, the absence of disaggregated data on the

⁹ Results of the monitoring in 2002-2003 and first six months of 2004 of the Presidential Decree "National Action Plan on achievement of gender equity in the Kyrgyz Republic for 2002-2006" no.52 of 2 March 2002.

¹⁰ Alternative report to the CEDAW Committee (2004) and materials on implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women in the Kyrgyz Republic.

¹¹ United States Department of State (2007) Trafficking in Persons Report. USA.

basis of age hinders attempts to identify the incidence and prevalence of child trafficking specifically. As such, there are no reliable data sets in Kyrgyzstan which establish the number of identified or suspected child victims of trafficking, which makes it difficult from the perspective of ‘numbers’ to prove or disprove the hypothesis that the incidence of child trafficking is greater than has been currently acknowledged.

Mechanisms and processes

The situational analysis of child trafficking in Central Asia conducted by Save the Children and the Embassy of Switzerland (2004) is one of the few sources that provide information about the mechanisms and processes by which children are trafficked from, through and into Kyrgyzstan¹². The authors of this report argue that Kyrgyzstan is both a ‘source’ and transit country for countries in CIS. The Ferghana valley has also been described as a site where traffickers recruit children from Uzbekistan and Tajikistan. With regards to transit, it is argued that children are trafficked from Tajikistan and Uzbekistan through Kyrgyzstan to destination countries including the United Arab Emirates, Turkey, Russia, Kazakhstan, Ukraine, China, Germany, Syria and Cyprus. Given the low cost of travel and absence of visa requirements, it is said that many children are trafficked from Kyrgyzstan into Kazakhstan and Russia, before they are trafficked to other countries in Western Europe and Asia¹³. This is supported by the account of a trafficking survivor in an Alternative Report to the CEDAW Committee¹⁴ (2004) and the latest Trafficking in Person’s Report (2007). It is said that Kyrgyzstan is a transit country because there is little control over land and air borders. Osh city was highlighted as a key point in traffickers’ networks because the airport has a weak security system, it is close to the border with Uzbekistan and there are weekly flights to the UAE and Russia.

A remarkable feature of data was the difficulty to determine child’s age, since record was made on the basis of the age of child victim after identification not after recruitment. Thus among all child victims, who were supported by programmes of IOM during the period of 2002-2007, 13 % were under 18 during identification, however during recruitment 31 % were under 18. Therefore, the actual number of children, who became victims of trafficking, is seemingly higher than according to statistics. During the period of 2002-2007 within the projects of IOM “Supporting victims of human traffic” more than 600 people have been identified and brought back to homeland.

Internal trafficking was also described in Save the Children’s (2004) report. It is held that children are trafficked from villages to cities and from Southern regions to the

¹² Save the Children UK (2004) “A situation analysis of children at risk of trafficking in Central Asia” Funded by the Embassy of Switzerland Tashkent

¹³ “Lost children of Central Asia”, Kamil Ashurov, Natalia Domagalskaya and others (Потерянные дети Центральной Азии, Камил Ашуров, Наталия Домагальская и др.)

¹⁴ Alternative report to the CEDAW Committee (2004) and materials on implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women in the Kyrgyz Republic.

capital, Bishkek and its surrounds. The report cites an example from a June 2003 seminar on trafficking in Talas oblast, which involves women deliberately deceiving groups of girls in rural areas, with the promise of employment in Bishkek. According to this report, many of these girls have disappeared.¹⁵

This report suggests that traffickers may not necessarily be strangers, but may be known by trafficking victims. In fact many may be friends or relatives of the victim. For instance, the authors provide an example of a child who was sold by her father to an older man in Issyk-Kul region, after the death of her mother. This girl was subject to sexual exploitation, and was rescued after the man died. The authors even suggest that people may collaborate with traffickers to deceive or coerce the children of neighbours, whom they envy. Third parties who are involved in the trafficking process include minibus drivers who offer transport to neighbouring countries, or tourist agencies that facilitate employment offers, arrange foreign passports and assist children to cross borders illegally.¹⁶

According to this report, children are trafficked into various forms of exploitation:

- Forced labour
- Commercial sexual exploitation
- Bride kidnapping/ early marriages
- Collateral/debt bondage
- Sexual servicing of relatives

With regards to forced labour, Save the Children (2004) states that 1000 adult illegal migrants who were being exploited and subject to sexual violence and harassment on tobacco plantations, signed a petition which was sent to the Ombudsman in Kyrgyzstan. This petition included reference to teenage girls who are beaten and raped¹⁷. They also highlighted an example of two children and five adults who were subject to labour exploitation in Ukraine. With the IOM's assistance they were returned to Kyrgyzstan and the organizers of their trip received five year prison sentences.¹⁸

Save the Children (2004) also provides examples of trafficking for the purposes of sexual exploitation. Girls from Kyrgyzstan are deceived by false offers of employment in Bishkek or abroad, often advertised in newspapers. Once their transport has been arranged their passports are taken from them and they are

¹⁵ Save the Children UK (2004) "A situation analysis of children at risk of trafficking in Central Asia" Funded by the Embassy of Switzerland Tashkent

¹⁶ Save the Children UK (2004) "A situation analysis of children at risk of trafficking in Central Asia" Funded by the Embassy of Switzerland Tashkent. See also Trainer's Manual on issues of preventing trade in persons in the Kyrgyz Republic, Women Support Center NGO, in the framework of the Winrock International project "Prevention of Trade in Persons", 2005

¹⁷ Save the Children (2004) referring to Press Release of the Office of the Ombudsman of the Kyrgyz Republic, 21 November 2003. See also "Runaway from slavery" Delo No. Newspaper, 15.05.2002 (Сбежавшие из рабства, газета "Дело№" от 15.05.2002)

¹⁸ Save the Children UK (2004) "A situation analysis of children at risk of trafficking in Central Asia" Funded by the Embassy of Switzerland Tashkent

transported internally or abroad. Recruiters receive 10 USD for the internal trafficking of a child, and 100 USD for those trafficked abroad.¹⁹

In this report, the authors describe the practice of bride kidnapping as a form of trafficking, which involves both deception and forced displacement. Other practices involving sexual exploitation that were mentioned in this report include the ‘sexual servicing of relatives and rich neighbours’. It is held that community members only bring this to the attention of the police if girls fall pregnant at a very early age or if their lives are in danger. A Women Support Center cited in this study, also referred to the sexual abuse of boys who are given by poor families to wealthier villagers to work in fields or tend herds. It is said that the community does not intervene or take action against offenders.²⁰

The notion of debt bondage was also listed as a form of exploitation in Save the Children’s (2004) report. The outcomes of a round table organised by Winrock International in Naryn region were described in which it was said that children are left with Chinese businessmen as collateral for goods taken by their Kyrgyz parents. Children are only released once the debt has been repaid. They cite estimates that 40-100 Kyrgyz citizens (including children) are held as collateral in China. It is important to note that the authors state that it was difficult, if not impossible, to verify many of the examples listed in their report because much of the evidence is anecdotal or based on hearsay²¹.

El-Pikir and the Association of Independent Lawyers of Kyrgyzstan (2004) conducted a study on sexual exploitation for ECPAT International²². In this study they include a section on trafficking. They argue that internal trafficking is more common than cross-border trafficking. They cite an example of a village in Osh where a pimp was approached by parents to employ their daughters in return for a portion of their earnings. This report states that pimps in Bishkek are approached by parents who pay them between 500 and 1000 som (14 to 28 US dollars). Nevertheless, it is unclear whether this constitutes trafficking as no information is provided about the origin of the girls and the manner in which they are brought to the pimps. In other words, it is unclear if the children were moved with the intention to exploit them. On the other hand, the authors state that adult prostitutes may return to their villages and ‘bring back’ new girls for pimps. They provide examples of sexual exploitation as identified by the IOM, including a case of a 12 year old girl who was trafficked to the UAE, and a case of two 15-year old girls who are trafficked from Bishkek to Azerbaijan. Furthermore, they describe cases where children and adults who were seeking employment with the assistance of middle-men, found themselves exploited and locked up in the Ukraine. A number of other examples are provided in this report,

¹⁹ Ibid

²⁰ Ibid

²¹ Save the Children UK (2004) “A situation analysis of children at risk of trafficking in Central Asia” Funded by the Embassy of Switzerland Tashkent

²² Ilibezova, E., Ilibezova, L., Toktosunov, R., Selezneva, E. (Center for the Study of Public Opinion “El-Pikir” Public Opinion Study Center) and Kurmanova, G (NGO Tais Plus), Sydykova, L. (Association of Independent Lawyers of Kyrgyzstan) (2004), Situational Analysis of the Commercial Sexual Exploitation of Children in the Kyrgyz Republic. Bishkek for ECPAT International, Thailand.

which appear in Save the Children's (2004) situational analysis including Winrock International's roundtable meeting about dept hostages in China, the case of the father who sold his daughter to an old man, and the family exploited in the Ukraine etc²³.

The fact that the same examples are cited in both reports suggests that only a very small number of child trafficking cases have been brought to light and received. It is evident that little new updated information is available. Bearing in mind that these cases are based on hearsay, one can even argue that there is little, updated, *valid and reliable* information about the incidence and prevalence of child trafficking in Kyrgyzstan.

There are only a few media reports about child trafficking in Kyrgyzstan. According to the El-Pikir and the Association of Independent Lawyers of Kyrgyzstan this does not mean that child sexual exploitation (and child trafficking) is not seen as an important social problem, but that it is a 'closed topic' that is not open to public discussion²⁴. Save the Children's (2004) situational analysis suggests that it may be closed because there are few reliable statistics on this issue and stories are therefore difficult to verify. Children may be reluctant to publicise their victimisation for fear of stigma or further victimisation. Crisis and rehabilitation centers may not want to enhance the trauma that children face. The dearth of official data disaggregated by age hinders this further, as does the fact that children's biological age is often manipulated or hidden to facilitate border crossings which have restrictions on the migration of children. For instance, Save the Children (2004) suggests that children may cover their skin with egg white to make themselves look older so that they can enter the UAE illegally.²⁵ Furthermore, victims may fear law enforcement officers and border officials, who have been linked with corruption and have been accused on more than one account, of assisting traffickers. Hence, it is held that reports about child trafficking cases are rarely publicised.

As a result, trafficking cases appear as isolated instances. For instance, an article entitled 'Aida's Hell' published in Vechernyi Bishkek on 31 October 2003 described the experiences of 17 year old Alina and 15 year old Dinara who were trafficked from Jalalabad to Bishkek, from where they escaped. This article stated that the Department of Foreign Affairs in the Ministry of Internal Affairs in Bishkek blocked a channel of human trafficking to the United Arab Emirates, where it is said that girls from all over the former Soviet Union are kept in migration camps.²⁶ An article entitled 'Runaway from Slavery' published in Delo No. Newspaper (15.02.2002) describes the sexual violence that women and girls experience on tobacco plantations in the Ukraine. In a recent article entitled, "Trafficking in humans endemic in Central Asia" (Bishkek Standard 29/10/2007), John Krob describes the arrest of a trafficker who sent a 36 year old woman from Tokmok to the United Arab Emirates for prostitution. He also refers to a book written by Marinka Franulovic entitled "Two Kyrgyz Women",

²³ Ibid

²⁴ Ibid

²⁵ Save the Children UK (2004) "A situation analysis of children at risk of trafficking in Central Asia" Funded by the Embassy of Switzerland Tashkent

²⁶ "Hell from Aida", Vechernyi Bishkek Newspaper, 31 October 2003, page 13. (Ад от Аиды, газета Вечерний Бишкек, 31 октября 2003 г., стр.13)

which describes the experiences of two women who are trafficked and are then placed in an IOM shelter. Apart from a few other newspaper articles, human trafficking and child trafficking in particular rarely appear in the press, despite the fact that it is said to be so “endemic” and rife in Central Asia.

The only exception is trafficking of children from maternity houses, which have received extensive publicity in Bishkek. It is said that these children are trafficked for the purposes of organ transplantation or adoption. This was verified by a Ministry of Health investigation in April 2007, where a mother was told by hospital staff that her child had died, but he had in fact been taken away from her in the maternity home of the National Hospital.²⁷

In general however, few NGO and media reports exist on the issue of child trafficking in Kyrgyzstan and the cases that are publicised, often appear too far removed from the public’s beliefs and experiences. This is one of the reasons why discussions about child trafficking are laden with scepticism and disbelief by state, NGO and local actors who were interviewed in this study.

Key Informants’ Perspectives

Definitions of Child Trafficking

Many respondents were not able to define child trafficking. Some stated that they are familiar with this term but it is not applicable or relevant to the context of Kyrgyzstan. For instance, a representative from the Oblast Structure of the Ministry of Justice (Department of Justice) in Chui Oblast stated, “Sometimes I have come across this term but I don’t know if it’s true or not. There are no facts available”²⁸. A representative from the Migration Committee of the Kyrgyz Republic echoed this sentiment: “Child trafficking? Who told you that we have child trafficking? This is too much”²⁹.

According to some respondents, the mass media have exaggerated the prevalence of trafficking through sensationalised stories, as a school director in Bishkek City states, “It is a problem blown out of scale. It is blown out of scale by mass media that need hot news to raise ratings and NGOs that do it to receive grants from international organizations. I have not faced child trafficking cases in my experience and surrounding”³⁰. This was reiterated by a representative from the Regional Education Department in Talas³¹. The head of a Detention Unit of the Interior Department in the

²⁷ Aziza Turdueva, Maternity hospital staff are suspected in trade in children, IWPR staff in Bishkek (RCA no.489, 13 April 2007)

²⁸ Interview with key informant from the Oblast Structure of the Ministry of Justice in Chui Oblast

²⁹ Interview with key informant from the Migration Committee of the Kyrgyz Republic

³⁰ Interview with School Director, Bishkek City

³¹ Interview with key informant from the Regional Education Department in Talas

Talas oblast was familiar with adult trafficking after having seen a public-awareness raising film about it, but had never heard about the trafficking of children³².

Only a few respondents were able to describe cases of child trafficking, although most had only heard about these cases from relatives or seen them on television. A respondent highlighted a case where a father sold his three children to families in Batken for adoption³³. A representative from a family-type institution stated that he knew of a case where a boy and a girl were trafficked. No further details were provided³⁴. The Deputy Editor of a newspaper said that a boy was taken to Almaty by a distant relative with the promise of finding a good job; this boy disappeared but was found and returned home after three months³⁵. Some respondents referred to parents ‘selling’ their babies for adoption. A representative of an international NGO stated, “I visited by grandmother and heard about an absolutely appalling story that a mother unable to feed her newborn baby sold the baby for 500 soms (13 US dollars). Fortunately this is only one case that I heard about.”³⁶

However, what emerged quite clearly was that most of these cases were based on hearsay and were not grounded in fact or direct experiences. According to the Editor-in-Chief of a newspaper in Bishkek, this prevents the media from publishing stories about child trafficking: “I heard about child trafficking, but it is all anecdotal: somebody said, another retold. Nobody can confirm accuracy of data. If you write an article based on such facts, of course some official will call the newspaper and ask for hard facts. What will we say? We can get sued for that. There will be more problems after such article”³⁷. In other words, there are so few media articles on this issue, because stories cannot be verified.

A key informant from Committee on the Affairs of the Minors in the Naryn oblast highlighted the incidence of one case of trafficking, but was quick to add “we cannot build a trend based on one single case”³⁸. In other words, we cannot make assumptions about prevalence when there is so little evidence that trafficking actually occurs. As a result, many officials do not use or work with the term ‘child trafficking’.³⁹ Furthermore, as many officials do not deal with child trafficking cases, they have difficulties defining it. A representative for the Department of Social Protection in Chui Oblast stated that instead of using the term ‘child trafficking’ one should refer to homeless children, children from low income families and children at risk⁴⁰.

³² Interview with key informant from Detention Unit of the Interior Department in the Talas oblast

³³ Interview with key informant from Crisis Center in Jalalabad oblast

³⁴ Interview with key informant from family-type institution in Chui oblast

³⁵ Interview with Deputy Editor of regional newspaper, Chui oblast

³⁶ Interview with key informant from INGO, Chui oblast

³⁷ Interview with Editor-in-Chief of regional newspaper, Bishkek

³⁸ Interview with key informant from Committee on the Affairs of the Minors, Naryn oblast

³⁹ Interview with key informant from the Ministry of Labour and Social Development, Bishkek

⁴⁰ Interview with key informant from Department of Social Protection, Chui Oblast

Respondents who provided a definition of child trafficking referred to the existence of at least one of the following components: deception, coercion, migration and labour exploitation, but rarely referred to the presence of all components. Many could not explain the relationship between these components and/or whether a case which only contains one aspect can be considered child trafficking. With regards to mechanisms and processes it is said that recruiters target children who work on the streets or are not attending school⁴¹. In later sections that focus on the ‘working child’ and the ‘school drop-out’ it will be argued that traffickers might deceive working children through the offer of employment or may offer children who are unhappy with conditions at school, an opportunity to find alternative opportunities which may include travel abroad, employment and/or entertainment.

According to a staff member of an NGO in Bishkek, children can be easily deceived: “Recruiters usually promise easy life in a warm house, good clothing, school, shorts, mounds of gold. And the child follows”⁴². What is not clear is whether it is believed that this is related to the children’s age and biological (in) capacities, or whether this is related to a need or want in children’s lives. For instance, children want and need a warm house because they have runaway from home and are living on the street. Traffickers manipulate this need or want. The respondents’ accounts make passing reference to ‘deception’ but are not able to explain how exactly a child is deceived, and how traffickers seem to adopt targeted methods to recruit particular children.

Some respondents were unclear about the relationship between migration and child trafficking. In the section on the ‘migrant child’, numerous examples are provided of children migrating alone, with family members, peers and other actors. Respondents rarely described these cases as trafficking, particularly when a child travelled with a parent or with another child. What type of migration or what elements need to be present to constitute child trafficking was often not clear. For example, a key informant from the Inspectorate Minors’ Affairs in Tokmok stated that although he has not encountered a specific case of child trafficking, recently he assisted a family to trace their 16 year old daughter who decided to travel to Kazakhstan to find work in a car-wash center. So this daughter migrated voluntarily abroad. This example was followed by a comment that he “knows of several cases where the employers make children wade across the river”⁴³. This river refers to the natural border that divides Kazakhstan and Kyrgyzstan. The manner in which employers ‘make’ children migrate was not clear. This example was not cited as an example of trafficking but as an example of exploitation.

Many researchers were not able to explain the particular relationship that exists between migration and trafficking. This often makes it difficult to distinguish between ‘forced migration’ and trafficking. For instance, a key informant from an NGO in Osh City provided the following example:

⁴¹ Interview with key informant from regional newspaper, Jalalabad Oblast

⁴² Interview with key informant from NGO, Bishkek

⁴³ Interview with key informant from the Inspectorate of the Affairs of Minors in Tokmok

“Because of poverty and inability to feed one’s family, parents often force the child to go from the village to the capital city, work in bazaars, and do not worry too much into what trouble the child gets into. One boy lived in an apartment with an adult man, worked in the bazaar and eventually there was an act of sodomy. Unlike the adult, the child did not have an alternative. He finds himself in the hands of bad people and this is it for him. He has no way out. He is helpless”⁴⁴.

This example clearly involves sexual and labour exploitation as well as coercion; however, the child seemed to migrate on his own, but under pressure from his parents. Whether his parents forced him to migrate with the intention of exploiting him, is unclear. If his parents were collaborating with this man (who abused the child) when they forced their child to migrate to the city, this would amount to trafficking. However, as it stands without additional information it is unclear whether this is simply a case of migration or constitutes a case of trafficking.

A far more clear-cut case of trafficking is the example provided by a representative from a children’s shelter in Bishkek City:

“We had a boy from Tokmok. He was picked up by a man in a posh car who promised him good living conditions and took him to his (the man’s) parents in Sokuluk district (of Chui oblast). The man’s parents took him (the boy) to the mountains where he was supposed to tend livestock and work on the farm. Whenever he tried to run away he was cruelly beaten. He spent several days in the barn recovering from the beating, then he succeeded in running away, and we found him near the Narodnyi shop”⁴⁵.

This example contains all the necessary components of trafficking including deception/ coercion, forced migration and exploitation.

Most of the respondents who used the term ‘child trafficking’ interpreted it in terms of the illegal exploitation of child labour⁴⁶. The nature of the relationship between exploitation and trafficking was also difficult to define for many respondents. Numerous cases of labour exploitation were provided in which parents, peers or other actors force children to work. For instance, it is said that poor parents ‘force’ children to work on family plots or for neighbours during harvest time.⁴⁷ Once again, it was not clear from the respondents’ accounts, whether a child who works because he is brought up to believe that it is his role to assist his family, amounts to ‘force’ in the context of exploitation.

Some of the examples of labour exploitation that were provided by the respondents can also be defined as cases of trafficking, despite the insistence by many respondents

⁴⁴ Interview with key informant from NGO, Osh Oblast

⁴⁵ Interview with key informant from children’s shelter, Bishkek

⁴⁶ Interview with key informant from the Inspectorate of the Affairs of Minors, Chui oblast

⁴⁷ Interview with key informant from local self-government, Batken Oblast

that this term does not apply to Kyrgyzstan. For instance, the following example contains deception, coercion, forced migration and labour exploitation:

“Go, visit Osh bazaar. You will see many children there. It is those children that are taken by deceit to work in the farm or tend the cattle. They are more frequently deceived and are paid nothing. The problem is when the child falls sick. The owner will cure him, but that would put the child into traps of slavery – he has to work off the money spent on his treatment”⁴⁸.

This is clearly an example of internal child trafficking because it involves children being ‘taken’ (recruited and transported) by means of deception and coercion for the purposes of labour exploitation. This suggests that arguments that make the case that child trafficking does not happen in Kyrgyzstan may be false, because many cases that are interpreted as exploitation, may in fact also constitute cases of trafficking.

Another example of child labour exploitation abroad was provided by an NGO in Osh City:

“I heard that many children from Kyrgyzstan can be found working in the fields of Kazakhstan. It is an easy destination point in terms of transportation. Children are held as free labour for harvesting. They are held in terrible conditions but are fed and given shelter, very small money is being paid. Some are paid 10 soms per day because the master deducts the cost of food and shelter. Of course, an adult from Kyrgyzstan, and certainly a Kazakh citizen would be paid much more”⁴⁹.

While this is definitely an example of labour exploitation, it is not clear whether it could be classified as an example of child trafficking. The reason for this is because little information is provided about the way in which the children migrated to Kazakhstan. If they migrated ‘voluntarily’ across the border on their own, without assistance from anyone, and then found work on the fields it is a case for labour exploitation. If another individual or a third party with the intention of exploiting children and selling them to farmers in Kazakhstan, transported the child or helped the child procure documents to cross the border, while deceiving the child about his/her motives, then this would be a case of child trafficking. Hence, it is important to understand not only the process of migration and the nature of the ‘force’ (deception/coercion) but the intentions of all the actors involved in the migration, exploitation and/or trafficking process.

According to an NGO in Issyk-Kul region, there are a number of persons involved in the organisation of child trafficking including people who recruit, transport, arrange papers, harbour or house the child, meet the child abroad, and exploit them. Hence, classifying a case as child trafficking requires an in-depth understanding of children’s decision-making and how it is influenced by various individuals at the interpersonal

⁴⁸ Interview with key informant from NGO, Bishkek

⁴⁹ Interview with key informant from NGO, Osh Oblast

level and by social factors at the macro level. It also requires an understanding of the “trafficking system” and the motives of the actors operating in it⁵⁰.

The importance of understanding social factors related to socio-cultural norms and the motives of so-called ‘victims’ and ‘traffickers’ emerged as particularly important, when respondents answered questions about cultural practices such as the dowry and bride kidnapping. A community leader in the Osh region was incensed that the dowry could be linked to, or described as a form of sexual exploitation and trafficking:

“How can you call the dowry as the sale of a girl? It is an ancient tradition. If no dowry is given for the girl, it means she is not respected, her parents are not respected, and she is not valued. Not a single wedding takes place without a dowry, whether it involves a rich official in Bishkek or a poor man in the village. So would you say that all parents sell their daughters?”⁵¹

In other words, the definitions of trafficking that are used to identify and assist victims need to be adapted and sensitive to the particular social context and the norms and values that underpin it. Classifying all these cultural practices as examples of trafficking is problematic because it implies that all children in these communities require assistance and intervention without addressing children who are at particular risk of maltreatment, exploitation and trafficking. Furthermore, it serves to alienate local communities who feel that these definitions and subsequent interventions are criticizing and denigrating highly respected local traditions. Without the support of local communities, counter-trafficking interventions will not work as will be discussed in a later section. On the other hand, the awareness of communities need to be raised that these practices are often exploitative and violate the rights of women and children. In fact, as many cases of bride kidnapping do involve forced migration, coercion/deception and exploitation, these cultural practices do often constitute cases of child trafficking. The failure to classify many of these cultural practices as child trafficking ensures that incidence figures are in fact higher than is currently acknowledged.

Key informants argued that when trying to decide whether a cultural practice is an example of child trafficking, one of the central issues to consider is that of consent. This classification does not correspond with international definitions of child trafficking, which do not require illicit means to be used. According to an NGO in Bishkek, ‘bride kidnapping’ has increased in contemporary Kyrgyzstan since it was banned during the Soviet era. However, it is now often arranged by young couples themselves: “kidnapping often takes place at the consent of the young people, and not forcefully. The young people do it because it reduces time and less customs have to be observed. Secondly, it is cheaper and not disgraceful because it is our tradition”⁵². So when attempting to identify victims of trafficking, it is important to account for the cultural and socio-economic context.

⁵⁰ Interview with key informant from NGO, Issyk-Kul Oblast

⁵¹ Interview with community leader, Osh Oblast

⁵² Interview with key informant in NGO, Bishkek

‘Bride kidnapping’ may be the way that young couples cope with high levels of economic deprivation. It may also be one way of pacifying their elders and trying to manage or control the transition from a traditional to modern society with associated roles and values. Outsiders might focus on coercion and the appearance of ‘force’ but given the social context, young people may make a decision to partake in this practice. A blanket classification of all these traditions as examples of trafficking fails to account for the macro, interpersonal and individual complexities around this issue. Similarly, failing to classify many of these practices as exploitative or examples of trafficking, ensures that one downplays the occurrence of these obvious violations of human rights.

The age of consent complicates matters further when defining a cultural practice as trafficking. A community leader in Chui oblast stated that bride kidnapping and the dowry *per se*, cannot be classified as examples of trafficking because these practices often rest on the consent of both bride and groom, and involve a lengthy negotiation process of both marital parties and their families. However, the fact that younger children are getting married makes us question whether their consent is freely given in this negotiation process or whether they are being ‘forced’ into it by their families and spouses. In order to make this judgment, the following questions need to be posed: Do these children have the power to say no to being married? Do they have the capacities to make such a decision? Do they have access to all the information necessary for them to make an informed choice? Do they know that these practices are a violation of their rights? This issue is complicated by the fact that this force might not involve physical coercion, but may involve social pressure exercised by parents, peers, relatives and other community members. The manner in which childhood is constructed might ensure that some children do not have the power and/or the means to defy their elders. This community leader was not sure whether these practices can be classified as examples of trafficking:

“I am not against the dowry and bride kidnapping at the consent of the bride. It became a norm and doesn’t hurt anybody, because both the young people and their parents take part in it, they negotiate until each party is satisfied. What is troubling is the falling age of marriage after the collapse of the USSR. For instance, my neighbours say that a 19 year old girl is already too old and that is why nobody wants to marry her. 16-17 is the prime age for finding a husband. I am not a lawyer and cannot say whether it can be classified as trafficking or not, but I still find it appalling”.⁵³

The final sentence from this quote is interesting because it suggests that only certain individuals who have legal training or a certain level of expertise can classify a case as child trafficking. It follows that many people in local communities feel that they cannot identify cases of children who are at-risk of being trafficked or children who are victims of trafficking, because they do not understand the definition of trafficking and do not have the experience needed to make this judgement. Lack of awareness and understanding of what constitutes child trafficking at all levels - state, NGO and community - are likely to hinder identification and reporting procedures.

⁵³ Interview with community leader, Chui oblast

In general, the notion of child trafficking seemed to be very far removed from most of the respondents' experience. Most respondents did not understand the meaning of the term and the children who it applies to. For many, this term seemed to have been developed and applied from above, with little input or consultation with local communities. As a representative of an Aiyi Okmotu (Local Self-Government body) in the Batken region states, "There might be some definitions of child trafficking agreed between government and international organizations, but we, the masses are not aware of them yet"⁵⁴.

Summary

- There are no reliable and up-to-date statistics on the incidence and prevalence of child trafficking in Kyrgyzstan
- There are only a few reports that address this issue. These reports suggest that child trafficking occurs frequently in Central Asia, and in, through or to Kyrgyzstan in particular. However, these reports often duplicate cases and examples. This suggests either that no new cases of child trafficking have occurred, child traffickers are doing a better job in circumventing the police, identification procedures are inadequate, there is insufficient or inadequate research on this issue, or new cases are not receiving any publicity or exposure
- The fact that child trafficking is rarely brought to the public's attention has led to doubts at state, NGO and community levels, that child trafficking does occur in Kyrgyzstan.
- Examples of child trafficking provided by key informants were based on hearsay and not grounded in evidence or direct experience. This is one reason why the media does not report on the issue of child trafficking
- The definition of child trafficking is not well understood or used by respondents, who preferred to use the term labour exploitation
- Respondents were unclear about the relationship between migration, exploitation and trafficking particularly
- Some of the examples that respondents provided as cases of trafficking were in fact exploitation, and vice versa.
- Cultural practices and constructions of childhood in relation to decision-making and agency, also affect whether a case is regarded as an example of exploitation and/or trafficking
- The fact that many examples of exploitation and migration could amount to trafficking, and that many cultural practices do fall under the Palermo Protocol as constituting cases of child trafficking suggest that perhaps child trafficking is occurring in greater numbers than is currently acknowledged
- Further research is needed to confirm these tentative conclusions

⁵⁴

Interview with key informant from local government, Batken oblast

Part B: Children at-risk of being trafficked

Some respondents argued that in addition to being at risk of violence and exploitation, certain groups of children are also at risk of being trafficked. Once again, it is important to emphasise that many respondents only mentioned child trafficking when asked specific questions about this issue, largely because this is not a term that they understand or use regularly. In addition, most have not come across cases of child trafficking. They used the general category of ‘children at risk’ to refer to children who are:

- from low-income households
- emerge from single-parent families where a parent is divorced or deceased
- children from households with high levels of alcoholism
- children who witness intimate partner violence
- child orphans
- children who attend school irregularly and are likely to drop out
- children who may be subject to violence and exploitation
- children who engage in activities that counter social norms or laws (so-called ‘delinquent’ behaviour)

These different groups of children will be discussed with reference to four categories of children who it is said are ‘at risk’:

- The Migrant Child
- The Working Child
- The Institutionalised Child
- The School-drop out

Through an in-depth discussion of these categories of children in Kyrgyzstan this report seeks to provide an analysis of why some children are more likely to be trafficked than others in this context. This analysis will show that the second hypothesis is correct, namely child trafficking is closely linked to other societal issues. It will show that factors at the macro level, namely poverty and socio-economic inequalities, social dislocation caused by a dramatic political transition, norms that support the use of violence against women and children, and cultural constructions of childhood, have had a significant impact upon the relationships that children engage in and negotiate on a daily basis. They also impact upon children’s decision-making and levels of risk in relation to trafficking.

The Migrant Child

Contextualising Migration

Reports suggest that both adult and child migration is highly prevalent in Kyrgyzstan.

In 2006 “El-Pikir” Public Opinion Study Center conducted research on adult labour migration in the Kyrgyz Republic⁵⁵. In this survey, in addition to key informants, 200 adult external migrants from Bishkek and Chui oblast were interviewed. Nine focus group discussions were also held with migrants leaving for Russia and Kazakhstan. This research was commissioned out of concern for the escalating numbers of labour migrants. The authors cite a National Statistics Committee figure which states that between 1990 and 2005, the total volume for out migration was 516,000, in 2005 it was 26,700 people and in 2004 19,300 people. Other sources suggest that 350,000 Kyrgyz citizens work outside the Kyrgyz Republic in countries such as Russia and Kazakhstan.⁵⁶

The Russian Ministry of Internal Affairs stated that in January 2005, there were 17,200 Kyrgyz citizens with permanent residence, and 47,300 citizens with temporary residence in Russia. The data from the Russian Embassy in Kyrgyz Republic suggests that at least 250,000 working citizens are in Russia, of which only 7,700 were granted permanent residence. In terms of Kazakhstan, the Kazakh Ministry of Internal Affairs stated that in 2004 4,600 and 47,100 Kyrgyz citizens had permanent and temporary residence respectively. The Kyrgyz Embassy in Kazakhstan stated that there are at least 80,000 Kyrgyz citizens in Kazakhstan of which only 7,500 have work permits, many of whom are working in the tobacco farms in the south. In order to curb illegal migration and trafficking into Kazakhstan, in April 2004 the Ministry of Internal Affairs issued a resolution no.38 on ‘Counteracting Illegal Migration and Eradication of Recruitment of Citizens for Labour Migration to the Republic of Kazakhstan.’⁵⁷

El-Pikir’s (2006) study focused largely on external migration, so the authors do not provide statistics that attest to the incidence and prevalence of internal migration from rural areas in Kyrgyzstan to the urban areas, which they argue is growing. 57.5% of their respondents migrate to Russia and 28% to Kazakhstan. Other countries included Korea, Turkey, Cyprus, Germany, Arab Emirates, China, the United States of America and Italy. 34% of these migrants work in construction, 26% in trade, 24% in services, 11% in public food catering and 5% in agriculture. With regards to causes, this study highlights rising unemployment and socio-economic deprivation, which has roots in the shifting and highly unstable socio-political climate from Soviet rule to independence in 1995. Dissatisfaction with state policies and programmes in rural and urban regions emerged as a recurrent theme in their study. The respondents in El-Pikir’s (2006) study were adults from 18 years of age⁵⁸.

There are no existing studies on child migration in Kyrgyzstan. One of the few studies that touch on this issue, is another report conducted by El-Pikir for UNESCO on street

⁵⁵ "El-Pikir" Public Opinion Study Center, (2006) Problems of Labour Migration in the Kyrgyz Republic (E, Ilibezova, L. Ilibezova, E Seleznova, R Toktosunov)

⁵⁶ Ibid

⁵⁷ "El-Pikir" Public Opinion Study Center, (2006) Problems of Labour Migration in the Kyrgyz Republic (E, Ilibezova, L. Ilibezova, E Seleznova, R Toktosunov)

⁵⁸ Ibid

children in cities in Kyrgyzstan (2003)⁵⁹. The researchers interviewed 809 people aged 5 to 25 years in urban centers across Kyrgyzstan. They found that 99% of their young respondents came from the Kyrgyz Republic, and the remaining 2% came from Tajikistan (0.9%), the Russian Federation (0.5%), Kazakhstan, Uzbekistan and Chechnya (0.6%). They found that the predominant form of migration was internal as street children sought a better life in various places depending on the climate, season, work opportunities and interpersonal obligations. 24% did not live permanently in the cities, 27% migrated to the country for harvesting, and 2% had arrived from other countries. Many of these children migrated alone or with their families. In terms of the former, this report found that children left their homes because they have been abandoned by their parents; they were seeking to escape violence and mistreatment from adults, many of whom were abusing alcohol; they were dissatisfied with their schools; they were seeking entertainment with friends; and they were hoping to assist their families with income generation. In terms of the latter, some children migrated with their parents and siblings as an economic household survival strategy. Poverty was found to be the underlying factor behind this migration.⁶⁰

UNICEF's (2007) recent *'Plus 5' review of the 2002 Special Session on Children and World Fit for Children Plan of Action* provides detailed information about child poverty in Kyrgyzstan.⁶¹ It states that the Kyrgyz Republic is one of the poorest in the CIS, with only a GDP per capita of about \$440. It highlights the reduction of poverty by 15% since 1999 but emphasises that 41% of the population lives below the poverty line and severe poverty affects 10% of the population. The state has attempted to reduce this poverty with its National Comprehensive Development Framework (2001-2010), and its first phase National Poverty Reduction Strategy (2003-2005). Referring to the National Plan of Action (NPA) for realising Children's Rights (2001-2010), the state has recognised that "poverty among children has greater adverse consequences for society than does adult poverty". This issue was discussed at a conference organised by UNICEF in 2004, entitled 'Child Poverty: Strategies towards its Elimination in Kyrgyzstan' and at the 2005 National Children's Forum 'State of the Kyrgyzstan Children: Realities and Perspectives' organised under the President's office. The second phase 2006-2010 Country Development Strategy will build upon this approach with regards to budget allocation and service provision for children in the areas of health, education, social welfare and child protection.⁶² Nevertheless, as the section on 'children at risk' will show, despite some improvements, on the whole these policy developments have not had much impact upon many children's lives, particularly in rural and remote upland areas.

High levels of unemployment hinder parents' ability to generate sufficient income to support their households. On 1 January 2006, levels of registered unemployment have grown by 0.7% since 1 January 2005, from 165,500 to 201,800 people. This figure is

⁵⁹ Ilibezova, L. Ilibezova, A. Chekirov, G., Musakozhaeva, G., Toktosunov, R., Center for Public Opinion Study & Forecast, (2003) "Problems of Street Children in Cities in Kyrgyzstan". UNESCO Cluster Office, Almaty, Kazakhstan: Bishkek

⁶⁰ Ibid

⁶¹ UNICEF (2007) "Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

⁶² Ibid

significantly lower than a door-to-door survey of the workforce conducted by the State Committee of the Kyrgyz Republic on Migration and Employment in July and November 2006, which found that the unemployment rate was 493,800, 2.5 times higher than official figures. This has been exacerbated by the rise in consumer prices. El-Pikir states that the average monthly salary of 2,612.5 som (73 US dollars) cannot support unemployed family members since the minimum consumer budget has increased to 1,836.6 som (51 US dollar) and 1,624.20 som (45 US dollars) for adults and children⁶³. As a result, there is heightened economic pressure for the majority of family members (including children) to generate income, and to migrate temporarily or permanently to seek employment and other economic opportunities. 27 of the 50 children in the cities of Bishkek, Osh and Bazar-Korgon that El-Pikir interviewed in their study on child labour were migrants⁶⁴.

The issue of child labour will be discussed in the next section, but it is important to emphasise that many children make a rational decision to migrate to another city or country to fulfil their needs and wants. This decision is made under the influence of a range of actors including parents and peers, and in the face of social pressures such as socio-economic deprivation. Poverty is not a fixed characteristic but is relative and subjective, in that adults and children constantly make comparisons about what their socio-economic positioning was in the past (in Soviet times in particular) and what it could be in other comparatively wealthier or better-off communities and countries. The latter is related to expectations, which are themselves constructed under the influence of a range of actors and factors such as images of a better life in the media, conversations with migrants, rumours and myths about the successes and challenges faced by migrants etc. El-Pikir's (2006) study found that migrants leave without obtaining relevant information about migration processes and risks.

On the basis of key informant interviews, this study will show that many child migrants leave on the basis of socially constructed expectations and a sense of relative poverty, without having access to or seeking out information about services and supports that could prevent them from being trafficked. Some key informants attribute this to a lack of education, ignorance or so-called 'irrational' adolescent behaviour. Others attribute this to desperation in the face of chronic poverty, attempts to escape interpersonal violence in the family, the negative effects of parental migratory patterns on children's behaviour and the dearth of services and support for child migrants.

Key Informants' Perspectives

Decision-making

According to some respondents, children migrate without weighing up the risks because they are not capable of rational decision-making. It is said that they do not

⁶³ "El-Pikir" Public Opinion Study Center (2007) Child Labour in Kyrgyzstan. Unpublished document. Work in Progress. Do not cite.

⁶⁴ Ibid

have access to all the necessary information available, they do not have the skills needed to weigh up the merits of each option available, and they do not know how to act with forethought. On the one hand, it is said that this is a factor of their age and cognitive development such that persons in early or middle childhood do not have the capacities needed to make these decisions. This is also related to problems in the education system that will be discussed in a later section. According to a representative of a crisis center, many of these children “did not get a proper education and were not brought up properly. They don’t know what they are doing. They are just concerned about living, that’s it”⁶⁵.

It is also held that adolescents are more likely to be reckless and choose the risky option, partly because “they feel themselves adults”⁶⁶ or because they are seeking outlets for boredom⁶⁷. This is related to social factors in that it is argued that there are few recreational opportunities for children in many communities, so they seek entertainment elsewhere. Summer camps for example, are said to be too expensive for many impoverished parents, leaving children to play on the streets, often under the influence of peers who encourage them to engage in ‘risky’ behaviour such as alcohol and drug abuse⁶⁸. These peers might also encourage them to migrate: “it can be like teenagers get together, they agreed to leave and then they leave”⁶⁹.

Hence, many respondents in this study believe that child migration is related to irrational decision-making, which when analysed within the social context cannot be seen apart from poverty, an inadequate education system, and the absence of recreation and play for many children. These social factors are played out at the interpersonal level where children are influenced by their peers and other actors, and in turn make a decision to migrate.

On the other hand, some respondents argue that the decision to migrate is rational as children are seeking to escape violence in their homes. The nature of this violence will be discussed in greater depth in a later section, but for now it is important to note that these children are described as survivors who adopt migration strategies in order to protect themselves, often because adults have violated their rights and failed to protect them. A representative from the Department of Justice of Chui oblast stated that “sometimes they leave if they become victims of violent treatment of parents”⁷⁰. A key informant from an NGO-run children’s home stated that they are seeking to escape an “unhealthy situation in the family”⁷¹. They may migrate in order to seek “hide-outs” and protection⁷². A lawyer provided an example of a case in which a father frequently used physical violence against his son who in turn decided to

⁶⁵ Interview with key informant from crisis Center, Jalalabad Oblast

⁶⁶ Interview with deputy editor of a newspaper, Bishkek

⁶⁷ Interview with key informant from the Oblast Department of Ministry of Justice, Chui oblast

⁶⁸ Interview with lawyer, Batken Oblast

⁶⁹ Interview with key informant from the Oblast Department of Ministry of Justice, Chui oblast

⁷⁰ Interview with key informant from the Department of Justice, Chui oblast

⁷¹ Interview with key informant from an NGO-run children’s home, Chui oblast

⁷² Interview with key informant from Prosecution Office, Issyk-Kul oblast

runaway. He was found and returned home after three weeks of searching by the village.⁷³

In these quotes it is evident that these children are described as agents who make decisions in order to cope and survive with adversities. They may be aware of the risks of migration, but may be so desperate to leave a situation of violence and abuse they ignore or downplay the risks associated with migration. Migration is therefore the result of rational decision-making strategies, for children who seek to protect themselves from neglect, maltreatment and various other violations of their rights. This applies to children from all socio-economic backgrounds. For instance, a representative from a Rehabilitation Center in Bishkek stated,

“Children from well-families can also be neglected. When a child runs away from home it can be that such child feels unwanted and abandoned even having rich parents. We had one such child. His parents were preoccupied with business, buying expensive things for the child, but they never asked him about his problems, dreams and life. In such situation the child finds a company of kids and runs away from home”.⁷⁴

Hence, poverty may not be the central risk factor that increases the likelihood that a child will migrate alone, but interpersonal factors may be more salient in children’s lives and therefore more likely to have an impact upon children’s decision-making and levels of risk.

Furthermore, many respondents stated that migration might be a rational decision to find a better life given dissatisfaction with current socio-economic conditions, as a representative from the Ministry of Labour and Social Development states, “People lose belief in the future of Kyrgyzstan. From ethnic Kyrgyz, especially the younger generation, don’t want to tie their future with Kyrgyzstan and go to Russia, live as illegal migrants, dream of becoming citizens of another country.”⁷⁵ Like adults, children have hopes and dreams that they are seeking to fulfil. The economic and political systems in Kyrgyzstan seem to frustrating or inhibiting the realisation of these dreams on the part of adults and children. The expectation that life abroad is better, may motivate children to migrate alone or with the support of others.

The migration of parents

Many of the respondents emphasised the effects of parents’ migratory patterns on children. From their accounts it is evident that the migration of parents and children cannot be seen in isolation, in that the decisions taken by parents have a significant impact upon children’s desire to migrate. On the whole, it was believed that children whose parents migrate, face greater risks. There were, however, divergent opinions

⁷³ Interview with lawyer, Batken oblast

⁷⁴ Interview with key informant from children’s institution, Bishkek

⁷⁵ Interview with key informant from the Ministry of Labour and Social Development , Chui oblast

about whether these parents can be blamed for their decision to migrate, or whether they were responding reasonably to high levels of socio-economic deprivation.

The risks that respondents attribute to children of migrant parents include school-drop out, abandonment, abuse, exploitation and trafficking. Although many parents leave their children with members of the extended family, grandparents in particular, it is said that if elderly relatives die or if there is some intergenerational tension and difficulties communicating with elder relatives, children may be abandoned or decide to runaway to the streets where they are more at risk of trafficking. This is supported by the State Administration in Naryn Region:

“Imagine if the daughter goes abroad to earn money and leaves her child with her mother (an old woman). What can the grandmother of these children do? Maximum what you can expect from her is that children are fed and dressed. But these children also find themselves wondering in the streets and can easily fall victims of child trafficking. In other words, children whose parents do not pay attention to caring for them are neglected children and represent one of the high risk groups”⁷⁶.

Although many parents send money back to pay for their children’s education, it is suggested that some relatives do not use it for this purpose, or children themselves do not take responsibility for their education. A representative from a newspaper stated, “When there are no parents next to children there can be gaps in education and nurturing because there is no sufficient control”⁷⁷. A key informant from the Oblast Education department explained that when children start breaking the rules at school or stop attending school, there are no parents or relatives for teachers to discuss their concerns with⁷⁸. Instead, it is held that these children are exposed to what often amounts to a negative influence exercised by their peers⁷⁹. A key informant from the Ministry of Education stated that the situation of having migrating parents, gives children more freedom on the one hand, but it can easily become a negative situation: “Every child dreams about freedom. They want to decide everything themselves. They don’t want to report to anyone. That’s why when their parents migrate they feel this freedom and do whatever they want”⁸⁰.

A representative from the Ministry of Labour and Social Development stated that children who do not grow up with their parents but stay with relatives or other community members will not be treated as well as if they were living with their parents.⁸¹ Respondents argued that not only do some of these children not get enough affection and attention, but they may be exploited and abused by relatives and strangers tasked with looking after them⁸². Hence, many of the respondents stated that

⁷⁶ Interview with key informant from State Administration, Naryn Oblast

⁷⁷ Interview with key informant from public newspaper, Chui Oblast

⁷⁸ Interview with key informant from Oblast Education Department, Naryn Oblast

⁷⁹ Interview with key informant from Crisis Center, Batken Oblast

⁸⁰ Interview with key informant from Ministry of Education, Bishkek

⁸¹ Interview with key informant from Ministry of Labour and Social Development, Bishkek

⁸² Interview with key informant from NGO-run children’s institution, Chui oblast

children whose parents migrate are particularly vulnerable to maltreatment, exploitation and even trafficking.

Some of the respondents did, however, argue that parents cannot be blamed for leaving their children to migrate abroad. A key informant from a public newspaper highlighted the fact that returning migrants to Kyrgyzstan bring valuable skills. For many of these parents, migration is the only way in which they can support their families.⁸³ It is often only a temporary situation, which children understand and empathise with if it is explained to them. This might depend on the nature and quality of the parent-child relationship, and the ability of parents to communicate with their children. A representative of Chui Oblast Department of Justice stated that we cannot assume that this situation will have negative effects on children, as it may enable them to become more independent and enhance their decision-making power and skills: “Children whose parents are migrating, they grow up much faster and they become more independent earlier. I wouldn’t say they don’t have enough affection and love”⁸⁴. So this could turn out to be a potentially empowering situation for some children.

Risk is therefore influenced by both interpersonal and individual factors; one cannot assume that a particular factor is risky for all children regardless of contextual and individual differences. On the other hand, this sense of independence may imbue the children with more confidence in their ability to migrate on their own, often with the intention of joining their parents abroad. It might also place more pressure on children to earn their own income, particularly if parents do not send back remittances. In the next section, it will be argued that having parents who migrate might enhance the risk of trafficking, although this is mediated by a range of individual, interpersonal and contextual factors.

Migration and trafficking risks

Many of the respondents stated that migrant children are at risk of maltreatment, exploitation and trafficking. A number of explanations were provided to make this case. According to a lawyer in Osh oblast, children can be easily deceived by the offer of entertainment or employment to go abroad. A third party is often involved in this deception. As it is illegal for children to migrate abroad unaccompanied or without permission from their parents, children rely on third parties to find them papers or to transport them across the border or to other towns⁸⁵. It is held that these third parties might turn out to be traffickers who exploit them⁸⁶. For instance, a representative of the Inspectorate Minors’ Affairs in Tokmok explained the mechanism by which this would occur:

⁸³ Interview with key informant from public newspaper, Bishkek

⁸⁴ Interview with key informant from Department of Justice, Chui oblast

⁸⁵ Interview with private lawyer, Osh oblast

⁸⁶ Interview with key informant from NGO-run crisis Center, Chui oblasty

“They come from the remote regions of the country...It is natural to want some food despite the season of the year. Some children can travel without hitchhiking, some would stop the car and cry about their mother being sick in Bishkek and they have to get to Bishkek. There are such cases where drivers would provide a ride to such children”⁸⁷.

This quote suggests that children play on drivers’ sympathy in order to invoke assistance. So on the one hand, these children develop a clear strategy in order to deceive people who could assist them with transport; however, these drivers could deceive them through the offer of a lift, and traffic them instead.

A representative of the Department of Justice of Chui oblast stated that migrant children are exposed to violence, economic, physical and psychological abuse.⁸⁸ A representative from the Department of Social Protection explained that children who migrate without adults face greater difficulties in terms of finding accommodation, employment and food and may end up sleeping on the streets.⁸⁹ They become desperate and rely on the assistance of strangers who could deceive or coerce them into a trafficking situation. A key informant from the Ministry of Education stated that Kyrgyz children who migrate abroad often end up on the streets with other street children who may abuse or exploit them⁹⁰. The risks are enhanced by the fact that many migrant children cannot speak the local language, do not know about legal processes and services available and/or do not access existing services for fear of being deported or detained.

Inadequate Services and Support

The respondents discussed the issue of services and support in relation to three categories of migrant children:

- Kyrgyz children who are in the process of or have migrated abroad
- Foreign children who have migrated from neighbouring countries into Kyrgyzstan
- Kyrgyz nationals who migrate internally.

In terms of Kyrgyz children who migrate abroad, a number of services were highlighted both in Kyrgyzstan and in the foreign country. In foreign countries, it was said that children could seek and receive assistance at various contact points including embassies, consulates, migration centers, associations of countrymen and law enforcement authorities. For instance a representative from the Department of Justice stated that children can approach migration centers who will arrange and pay for their deportation back to Kyrgyzstan, or assist them to find work or seek recourse from an

⁸⁷ Interview with key informant from the Inspectorate of the Affairs of Minors, Tokmok

⁸⁸ Interview with key informant from the Department of Justice, Chui

⁸⁹ Interview with key informant from the Department of Social Protection, Chui Oblast

⁹⁰ Interview with key informant from the Ministry of Education, Bishkek

exploitative employer (if they are legal).⁹¹ Other key informants stated that within Kyrgyzstan there are employment centers on migration who inform people about what types of jobs are in demand abroad, what conditions they can expect and where they can seek assistance.⁹² It is unclear if these services are available to child migrants.

In cities such as St. Petersburg and Moscow there are representative offices of the Kyrgyz Committee on Migration and Employment which provide information to legal migrants. Once again, it is not clear if these services can be accessed by children, many of whom migrate illegally. If children are not registered they will not receive any support or services. Many may fear approaching these centers given the risk of deportation.⁹³ As a result, many children do not seek consultations that these migration services offer. A respondent from Bishkek states that instead of deportation many illegal migrants are kept in temporary detention centers, which the Kyrgyz Ombudsman discovered on a visit to Moscow.⁹⁴ Fear of deportation or detention inhibits children from seeking support when confronted with violence, exploitation and even trafficking.

The second category of children that the respondents referred to is foreign children who migrate to Kyrgyzstan from other countries such as Tajikistan and Uzbekistan. Many of the respondents were quick to point out that these children are treated better in the Kyrgyz Republic than in their own countries, and that they have full access to the same range of services and same rights as Kyrgyz children. However, an interesting quote by a representative of the Department of Justice of Chui oblast states that certain migrants from particular ethnic groups are discriminated against:

“To be honest, I badly treat foreign migrants in our country. On the one side I feel pity to them, but the gypsies they walk around, they steal things. They are very mean. You try to help them to do something, but they are very indifferent to all this kind of efforts. If the person does not have any citizenship they don't have access to services”.⁹⁵

By referring to ‘gypsies’ he is referring specifically to the Roma population, many of whom have migrated from Kyrgyzstan. It is evident that not all groups of child migrants are treated in the same manner; discrimination could hinder their access to services or the quality of services that they receive. A respondent stated that most migrants from Tajikistan receive citizenship and enjoy the same rights as any citizen; this has been facilitated by an agreement with Tajikistan to simplify the procedures required to obtain citizenship.⁹⁶

According to a representative from an NGO-run crisis center, children who migrate alone or with their families to Kyrgyzstan may not have access to the same services

⁹¹ Interview with key informant from the Department of Justice, Chui oblast

⁹² Interview with key informant from newspaper, Bishkek

⁹³ Interview with key informant from NGO crisis Center, Batken oblast

⁹⁴ Interview with key informant, Bishkek

⁹⁵ Interview with key informant from Department of Justice , Chui oblast

⁹⁶ This needs to be verified

and supports because they are not registered.⁹⁷ A representative from the Department of Social Protection stated that many foreign children cannot study in their own language and face far worse living conditions in Kyrgyzstan⁹⁸. Although there are no special facilities for migrant children, many are referred to ‘transit centers’ that are found in the Osh oblast, which are generally used for street children who are collected in law enforcement raids. Fear of law enforcement authorities who may detain or deport children who have migrated illegally into Kyrgyzstan may prevent them from seeking support in times of trouble; instead they may rely on individuals who may ultimately exploit or traffic them.

The third category of children that cannot be neglected is internal migrants. According to a representative of the Tokmok municipality it is necessary to obtain a residence permit if one would like migrate from one region to another within Kyrgyzstan. Many children from remote areas migrate without temporary residence permits and therefore do not have official papers and do not have access to public services. He stated that this places children at risk of being trafficked.⁹⁹

Recommendations

The respondents made a number of recommendations on how to reduce the risks that migrant children face, particularly in relation to trafficking. Some respondent recommended the prohibition of all migration. A representative from Chui oblast Administration stated that in order to ensure that children benefit from childhood, we need to restrict their migration: “We have to make children not migrate, because they have to have a good childhood”.¹⁰⁰ It was held more efforts must be made to ensure that children can only migrate if they are accompanied by their parents.¹⁰¹ This was echoed by a key informant from Chui oblast Department of Social Protection who emphasised the role and responsibility of parents in ensuring the safe migration of children.¹⁰²

A representative from the Department of Justice stated that instead of prohibiting child migration, which is unrealistic and impossible given high rates of legal and illegal migration, we need to ensure that migration is safer for children. He stated that international NGOs together with local self-governments should develop such programmes. This will involve monitoring and recording the migration of children more closely¹⁰³.

Taking it one step further, some respondents stated that more favourable conditions for migration need to be developed: “Migration was there before, is there and we will never eliminate migration. So in order to make migration much safer we must

⁹⁷ Interview with key informant from NGO crisis Center, Batken oblast
⁹⁸ Interview with key informant from Department of Social Protection, Osh Oblast
⁹⁹ Interview with key informant from Tokmok municipality
¹⁰⁰ Interview with key informant from Oblast administration, Chui oblast
¹⁰¹ Interview with key informant from NGO, Batken oblast
¹⁰² Interview with key informant from Department of Social Protection, Chui oblast
¹⁰³ Interview with key informant from Ministry of Justice, Chui oblast

conclude intergovernmental agreements. We have to create all possible conditions for migrants to reach their destination points and migrate safely”.¹⁰⁴ Greater collaboration between governments should therefore be encouraged through bilateral agreements. In addition, migration services of different countries must work together to address migration issues.¹⁰⁵ These programmes should not only target children but also adults, since the experiences of adults who migrate and face violence, exploitation and trafficking will have an effect upon their children’s lives, who may have remained in the community of origin or may have migrated with their parents.

The Working Child

Contextualising child labour

In 2007, an ILO/IPEC supported study on child labour in Kyrgyzstan was conducted jointly by the Ministry of Health of the Kyrgyz Republic and NGO “Positive Help”¹⁰⁶. The methodology involved interviews with 305 children involved in agricultural work at tobacco, rice and cotton plantations of Osh and Jalalabad provinces. It found that child labour cannot be seen apart from a social context characterised by high socio-economic deprivation and inadequate social protection as was described in the previous section. Reference was also made to the effects of privatisation of land and the fact that families rely on their children’s labour to plant, irrigate and harvest crops whereas in Soviet times they could rely on agricultural equipment that was provided by the state, and other community members who worked together on collective farms¹⁰⁷.

These social factors have an impact upon interpersonal relationships, with the authors of the aforementioned study arguing that most working children come from low-income families. They found that children start working in the fields at the age of 5-10. They either work on the family land plot or with other family members on larger plots. The former categories of children do not get paid and the latter do not earn as much as adults for the same work, or do not get paid if they are hired with relatives. The majority of children working in tobacco production worked for more than 11 hours a day, while in the rice and cotton production children worked for 3-10 hours a day. Field work posed a number of health hazards for children. For instance, after working for many hours in water in rice paddies, children complained about pain in their arms and legs. Other injuries included cuts and bruises. Only a small percentage of children (4% in tobacco and 6% in cotton production) stated that they worked to “buy toys, video games, etc.” for themselves, while the majority were either “forced

¹⁰⁴ Interview with narcologist, Batken oblast

¹⁰⁵ Interview with Rayon Administration

¹⁰⁶ ILO/IPEC/Ministry of Health of the Kyrgyz Republic/NGO “Positive Help” (2007) Worst Forms of Child Labour in the Kyrgyz Republic: hygiene assessment of the working and health conditions of the children working in cotton, rice and tobacco production. Bishkek, Kyrgyzstan. (at the moment available only in Russian).

¹⁰⁷ Ibid

by the parents” or “wished to improve their family’s financial situation” (which the authors consider to be also a result of family pressure). The majority of children did not like their work on rice, tobacco and cotton plantations, and would prefer to be involved in other activities, including playing (32%) and studying (31%)¹⁰⁸.

The study conducted by El-Pikir (2003) on behalf of UNESCO on the issue of street children also provides information about children who work. Younger children earn money through the collection and sale of bottles, adolescents may carry heavy loads in markets, engage in petty theft or prostitution. 70% of the children earn money to survive and fulfil their basic needs such as food and clothing. 10% lived with their parents on the street, and used their income to contribute to household survival. With regards to employment conditions, 18% described their treatment at the hands of their employers in a positive light, 41% described it as normal, 27% stated that they were ignored by their employers and 14% were treated negatively.¹⁰⁹

In a study conducted by El-Pikir and the Association of Independent Lawyers of Kyrgyzstan (2004) for ECPAT International on commercial sexual exploitation in the Kyrgyz Republic, it was stated that children who work are not only at risk of exploitation by employers, but may be exploited by older children and adults, including parents, to work. They cite a Director of a Child Center who stated that children only get around 10% of what they collect through begging. The authors argue that children have few supports and few means of ensuring that they are paid, and that their rights are protected¹¹⁰.

This is supported by El-Pikir’s review of the legislation on child labour. It highlighted the following in relation to child labour: the section on “Working Children” in the State Program for child rights; ‘New Generation’ programme planned until 2010 which includes a subprogram ‘Child Labour’; and reforms to the Labour Code. Article 446 of the Kyrgyz Republic Labour Code did not invoke sanctions against employers exploiting children, whereas the Labour Code regulates child labour by obliging employers to ensure that children’s education is not disrupted, they receive mandatory medical examinations, are remunerated for half-day work and that their parents and custodians consent to their work. However, the authors of this report argue that these reforms are still inadequate because the worst forms of child labour are not specified, and the ILO Convention 182 does not include many forms of labour undertaken in agrarian societies. The authors also argue that this Convention does not regulate the informal sector where most children work. Furthermore, the Kyrgyz Republic legislation which includes the Children’s Code sets the minimal employment age at 14; this contradicts the 15 years set by ILO Convention 138. In

¹⁰⁸ Ibid

¹⁰⁹ Ilibezova, L. Ilibezova, A. Chekirov, G., Musakozhaeva, G., Toktosunov, R., Center for Public Opinion Study & Forecast, (2003) “Problems of Street Children in Cities in Kyrgyzstan”. UNESCO Cluster Office, Almaty, Kazakhstan: Bishkek

¹¹⁰ Ilibezova, E., Ilibezova, L., Toktosunov, R., Selezneva, E. (Center for the Study of Public Opinion “El-Pikir” Public Opinion Study Center) and Kurmanova, G (NGO Tais Plus), Sudykova, L. (Association of Independent Lawyers of Kyrgyzstan) (2004), Situational Analysis of the Commercial Sexual Exploitation of Children in the Kyrgyz Republic. Bishkek for ECPAT International, Thailand.

general, it concludes that reforms have been made, the state has admitted to the existence of labour exploitation and is exhibiting some political will to remedy the situation by means of various decrees, workshops and institutional bodies, but it is hindered by an inadequate legislative framework, lack of interdepartmental coordination, limited awareness, capacity and skills of personnel working in government officials or as practitioners and front-line workers (e.g. social workers).

The 2004 Alternative Report on the Implementation of the UNCRC highlights the efforts that have been made in the area of child labour. In 2004 a Coordination Council on Child Labour was created in the Ministry of Labour and Social Development. A full-time employee of the ministry was tasked with providing assistance to the Council. However, this report concludes that these efforts at coordination are not sufficient. This section will reveal that there are significant gaps in the awareness of respondents in relation to the definition of labour exploitation, and a dearth of understanding and capacity to assist working children.

Key Informants' Perspectives

Defining labour exploitation

It is important to note that none of the respondents raised the issue of sexual exploitation. Instead, the issue of child labour exploitation was described at length as a major social problem in Kyrgyzstan. Many of the respondents found it difficult to come up with a precise definition of labour exploitation that included all aspects of ILO Convention 182. Some of the respondents only placed emphasis on the child's earnings such that labour exploitation was described as 'insufficient payment for child labour'¹¹¹ or when 'others earn money at the cost of the child'¹¹². Many respondents referred to 'hazardous conditions' but the nature of these conditions were rarely explained. For instance, how many hours of work are children permitted to do? What types of work can children do? A representative from Chui Oblast Administration referred briefly to the absence of health and safety standards in exploitative labour conditions¹¹³. Another key informant from the Inspectorate on Minors' Affairs stated that an element of coercion is involved in labour exploitation, where children are "forced to work that is not good given their age and capabilities"¹¹⁴. The specific age and capabilities were not described. A spokesperson from a Prosecution Office emphasised that this issue was far more complex than simple coercion: "the child can be forced to work but in practice some children ask and look for a job themselves"¹¹⁵. In other words, can one describe child labour as exploitative if a child consents to work? Despite the difficulties defining labour exploitation and the lack of clarity

¹¹¹ Interview with key informant from NGO-run children's institution, Chui Oblast

¹¹² Interview with key informant from NGO-run children's institution, Chui Oblast

¹¹³ Interview with key informant from Chui Oblast Administration, Chui Oblast

¹¹⁴ Interview with key informant from the Inspectorate on Minors' Affairs, Batken Oblast

¹¹⁵ Interview with key informant from Prosecution Office, Issyk-Kul Oblast

around acceptable and unacceptable working conditions, all respondents agreed that child labour exploitation is prevalent across Kyrgyzstan.

Incidence

A number of examples of child labour were provided by the respondents. These include the following:

- Children pulling carts in local markets (e.g. Osh market in Bishkek)
- Children working at petrol filling stations in Bishkek
- Children working at the Tokmok yarn producing factory
- Children working in coal mines
- Children collecting tobacco leaves
- Children collecting apricots in plantations
- Children begging or cleaning shoes in urban centers
- Children working as domestic servants

A number of examples of abuse and exploitation were provided in these contexts. For instance, a respondent stated, “I witnessed the case where the child was pulling the cart at the market and they didn’t pay for the service he provided. This happens often”.¹¹⁶ Many of these children are physically abused. A border guard provided an example of a child who was exploited on a coffee plant in Russia: “A son of my relative, 7th grade student, worked at a coffee plant in Kaluga (Russia) for a year. He was severely exploited and in the end he was paid only \$US 300 and kicked out.”¹¹⁷ A representative from Chui oblast Prosecution Office described the case of a child who was younger than 15 years of age, who was working overtime at a yarn producing factory every night, without being compensated.¹¹⁸

In terms of effects, a respondent stated that children work very long days in the tobacco plantations, and often turn to smoking, alcohol and drug abuse as a means of coping.¹¹⁹ A key informant from the Ministry of Labour and Social Development highlighted the health hazards faced by working children who for instance pick apricots that have been treated with chemicals.¹²⁰ Others referred to exploitation at the hands of teachers who force children to work for them by threatening to give them poor grades, or at the hands of parents who often through the use of physical violence force their children to work. This exploitation often goes unnoticed by the public because employers hide the fact that they have children working for them¹²¹. Furthermore, as no labour agreements or contracts are made with such children it is difficult to identify and detect cases where children may be at risk of exploitation¹²².

¹¹⁶ Interview with key informant from human rights NGO, Jalalabad

¹¹⁷ Interview with border guard, Bishkek

¹¹⁸ Interview with key informant from Chui Oblast Prosecution Office, Chui Oblast

¹¹⁹ Interview with key informant from Rayon Prosecution Office, Batken Oblast

¹²⁰ Interview with key informant from the Ministry of Labour and Social Development, Bishkek

¹²¹ Interview with key informant from newspaper, Bishkek

¹²² Interview with key informant from Chui Oblast Prosecution Office, Chui Oblast

Causes

Most of the respondents attributed child labour to socio-economic deprivation and high levels of unemployment. As a representative from the Inspectorate on Minors' Affairs in Chui oblast stated, "We have to ensure employment of parents, then of course children will never have to look for jobs".¹²³ In other words, children's labour is used to supplement the household income given the unemployment of their parents. In addition, given the fact that they have few professional skills and their education is limited, children find it difficult to find jobs on the formal labour market. Given high levels of unemployment, many adults and children are competing for jobs in the informal market and are often willing to submit to exploitative working conditions¹²⁴.

The respondents frequently referred to the transition from the Soviet system in order to explain why child labour is so prevalent in contemporary Kyrgyzstan. For instance, reference was made to the practice of *Subotnik* where all working people would work voluntarily on Saturdays. This still happens irregularly with citizens working in spring to clean towns before the arrival of summer or a big event. It was said that this would be done in the collective spirit for the benefit of everyone¹²⁵. Respondents stated that in the past, work was also undertaken by children and adults to develop labour skills, whereas now it is often undertaken with the purpose of exploitation in mind¹²⁶. A representative from a newspaper explained,

"We should not exploit children but we should nurture some labour skills. Back in Soviet time, the camps for the wellness of children would combine entertainment, pleasure with work. They would nurture labour skills and this created a good foundation from childhood...I don't see any problem with the teenager earning money during the holidays. This is a kind of support to the family. The issue here is legal protection. We need to identify where children can work and where children should not work".¹²⁷

A representative from the Inspectorate on Minors' Affairs in Chui oblast stated that this exploitation is related to the transition to a capitalist system in which there are few means of regulating employers. He stated, "In state-owned enterprises, children don't work in hazardous conditions but in private enterprises they pull bags, carry bags, they pull carts at the market".¹²⁸ Reference was also made to the breakdown of collective farms and the fact that parents no longer have equipment and the labour of other adults to farm their private plots, leading to an increase in child labour.

It was argued by respondents, that the causes of child labour can also be found at the interpersonal level. Reference was frequently made to parents who force their children to work, often to support their alcoholism¹²⁹. It is also argued that in single parent

¹²³ Interview with key informant from Inspectorate on Minors' Affairs, Chui Oblast

¹²⁴ Interview with key informant from Chui Oblast Prosecution Office, Chui

¹²⁵ Interview with key informant from Ministry of Education, Bishkek

¹²⁶ Interview with key informant from NGO-run crisis Center, Chui oblast

¹²⁷ Interview with key informant from newspaper, Bishkek

¹²⁸ Interview with key informant from Inspectorate on Minors' Affairs, Chui oblast

¹²⁹ Interview with key informant from Rayon Education Department, Chui oblast

households, children need to work to supplement the missing income of an adult earner. These factors affect children's decision-making. For instance, the representative of the Inspectorate on Minors' Affairs in Tokmok suggested that children do not exercise their rights or demand better treatment because they need and want to fulfil their interpersonal duties to other family members:

“The children don't use their rights. So for example, the guy is 13 years old. He is supposed to study at school but he is working at the animal stable of the wealthy neighbour and we are trying to force him to attend school whereas he is the eldest son in the family of six children and his mother is sick, so he cannot afford to attend school and that's why he is working”.¹³⁰

Hence, this boy would like to work to support his family. In this sense, interpersonal duties also relate to constructions of gender and the manner in which masculinity is constructed. Boys may feel greater pressure to work to fulfil their socially constructed roles as bread-winners particularly if a father figure is absent or unemployed. Constructions of gender and how they impact upon exploitation need to be explored in greater depth. In general, however, it is evident that there is a complex interaction of macro socio-political, cultural and economic factors that effect interpersonal relationships and children's willingness to work.

Labour exploitation and trafficking

Respondents suggested that employers who need and want cheap child labour to increase their profits create a demand which traffickers meet. These employers may use third parties to recruit and transport children to meet their labour needs, or traffickers may recruit children by deception or physical coercion with the intention of selling them or their services to employers. On this basis it is said that certain children are targeted for the purpose of forced labour. As a representative from a children's institution in Bishkek City states, “Most victims (of trafficking) are children aged 10-12, this is the age when a child is capable of doing something, able to pull a cart or do other work, so that is why the age of 12+ is popular”.¹³¹ In addition, it is said that boys are targeted for labour exploitation because they are physically more capable of carrying heavy loads.

Children's decision to work may lead to a range of risks including exploitation and trafficking¹³². The respondents suggested that because children often do not know their rights and do not know what constitutes exploitation, they accept hazardous and often exploitative work in order to meet their needs and fulfil their wants. As a private lawyer states, “These children want to earn more, look for a better life. Some are just copying and without knowing if it's legal or illegal, just agree to work in hazardous conditions”.¹³³

¹³⁰ Interview with key informant from Inspectorate on Affairs of Minors, Tokmok

¹³¹ Interview with key informant from state-run children's institution, Bishkek

¹³² Interview with key informant from the municipality, Tokmok

¹³³ Interview with lawyer, Batken oblast

It was suggested by respondents that traffickers may manipulate this need for employment and take advantage of children's lack of knowledge by offering them jobs where they can earn large sums of money quickly. On this basis it is said that traffickers are able to deceive children into travelling with them internally or across borders. These children believe that they will find work and a better life, but many are forced into situations of exploitation. The fact that they do not have information about what constitutes exploitation could lead them to accept hazardous working conditions instead of reporting the case of trafficking and exploitation to law enforcement authorities. Alternatively they may be so desperate to earn money to support themselves and/or their families that they accept conditions that they know to be exploitative. Many may not know what services are available for children who are seeking employment or seeking recourse against an exploitative employer or trafficker.

Services and Support

In discussions about child labour, respondents highlighted three types of services: employment services that assist children to find jobs; labour inspections that monitor children's working conditions; and law enforcement and judicial support against an exploitative employer.

In terms of recruitment and employment services, a number of respondents highlighted labour exchange points for young people seeking jobs. These labour exchange points have come under criticism for only assisting children who are educated¹³⁴. However, a representative of the Department of Social Protection states that these exchange points also assist children who are not educated, because they work directly with and encourage employers to take on these children.¹³⁵ A spokesperson for Chui Oblast Administration stated that we cannot rely on labour exchange points alone, but more support must be provided to youth organisations which are active in creating job opportunities for the youth.¹³⁶ These labour exchange points have also been criticised because they often find it difficult to place children who are educated but have no vocational skills. It is held that no one monitors the work of these employment centers, and they only do their job formally for reporting sake.¹³⁷

Law enforcement authorities have been criticised for failing to intervene in cases of exploitation. With regards to monitoring working conditions, a representative of the Department of Labour and Social Protection in Chui Oblast stated that there are labour inspections, but admitted that they are not sufficient.¹³⁸ The Department of Justice of Chui Oblast stated that the situation can only be monitored if the government, private sector (including employers) and other organisations work

¹³⁴ Interview with key informant from NGO, Jalalabad Oblast

¹³⁵ Interview with key informant from Department of Social Protection, Chui oblast

¹³⁶ Interview with key informant from Chui Oblast Administration

¹³⁷ Interview with key informant from NGO, Bishkek

¹³⁸ Interview with key informant from Department of Social Protection, Chui Oblast

together. He stated that a “unified concept” is needed. This requires developing a common understanding of what constitutes labour exploitation.¹³⁹ This can only be undertaken through awareness-raising at state, NGO and community levels. The Inspectorate on Minors’ Affairs in Chui oblast suggested that a workshop be held in which all state and non-state stakeholders can discuss this issue¹⁴⁰.

According to a newspaper representative, the mass media plays an important role in eliminating labour exploitation in order to raise awareness of the community: “The communities must be aware of our internal diseases and depending on the extent of their awareness, protection measures should be put in place”.¹⁴¹ In other words, prevention and protection interventions need to rest on an understanding of people’s knowledge, beliefs and practices. Children cannot be neglected in this process. It is also held that more emphasis should also be placed on first understanding how much children know about their rights in the context of employment, and then providing them with the legal training to defend and protect those rights. In general, respondents did not direct their criticism to the legislative framework but to its implementation. From their accounts, it is evident that the support that working children receive is inadequate. Many of these children may be exploited and/or at risk of being trafficked.

In addition, services have come under criticism for failing to deal with the underlying structural causes of youth unemployment and child labour exploitation, as a lawyer stated: “Our government’s position is ‘I have nothing to do with this’. Of course there are exchange points, but how can they help if the labour plants are not running?”¹⁴² This is echoed by a representative of the Inspectorate of Minors’ Affairs in Chui who stated that the only solution to child labour is ensuring that parents are employed and earn more, and this requires that more factories and plants are opened.¹⁴³ By improving the socio-economic status of communities and families, children will be under less pressure to find work or accept exploitative working conditions locally or abroad. They may also be less likely to accept a false job offer by a trafficker.

The institutionalised child

Contextualising children’s institutions

In UNICEF’s (2007) ‘Plus 5 Review’ provides a good overview on child protection issues in Kyrgyzstan. The Kyrgyz Code on Children (2006) addresses child welfare and protection issues. It intends on establishing a National Authority to oversee implementation. In 2006, the Ministry of Labour and Social Development also established a unit in charge of social protection of children and family affairs.

¹³⁹ Interview with key informant from Oblast Ministry, Chui
¹⁴⁰ Interview with key informant from Inspectorate on Minors’ Affairs, Chui Oblast
¹⁴¹ Interview with key informant from newspaper, Bishkek
¹⁴² Interview with lawyer, Batken oblast
¹⁴³ Interview with key informant from Inspectorate on Minors’ Affairs, Chui oblast

Departments on family, child and youth affairs were created in all city and district administrations. The National Council on the Affairs of Women, Family and Gender Development also extended their scope into children's policy, although there is no effective relationship between this agency and State Secretary 'New Generation' in the Prime Minister's Office. Other agencies that have been created to protect children include an Ombudsman Office (2002) which has a section on children's rights¹⁴⁴.

With regards to institutions, the state has planned to pilot community-based social services in one region and also plans to convert two child care institutions into community centers (UNICEF 2007). Nevertheless, evidence that suggests that child maltreatment is prevalent in Kyrgyzstan led UNICEF to conclude that, "taking into account the current situation, and in spite of the recent developments it is considered unlikely that Kyrgyzstan will achieve the World Fit For Children (WFFC) goal on protecting children" (pg.12). In particular, the authors of this review highlighted abuse, exploitation and violence in institutions as an example of the failure of the state to prioritise child protection in Kyrgyzstan.¹⁴⁵

In 2006, SIAR-Bishkek Agency undertook a study for UNICEF on the situation of children in institutions in Kyrgyzstan.¹⁴⁶ This study was conducted in 12 institutions. It included 43 semi-structured interviews with children, 12 interviews with employees of the institution's administration, 13 interviews with employees working with children. In addition, 309 quantitative surveys and 246 psychological tests were administered to children. This study describes conditions in these institutions in relation to resources, staff capacity and child protection. It is evident that many institutions are lacking in recreational facilities for children. There is a shortage of teachers largely because of low salaries. Caregivers are familiar with the regulations governing institutions but rarely put these into practice. Both caregivers and children have a limited knowledge of the United Nations Convention on the Rights of the Child. Caregivers often neglect children and even use physical and emotional forms of violence against children. In addition, in 2 out of 12 institutions sexual abuse was raised by children as an issue of concern. Physical abuse and exploitation also emerged in peer relationships. In general, the report concluded that there are no mechanisms for control in institutions, and the activities of staff and children are not adequately regulated and monitored¹⁴⁷.

Furthermore, simply placing children in institutions does little to solve problems that children across Kyrgyzstan may face in their homes on a daily basis. Many children are subject to various forms of physical, sexual and emotional forms of violence on a daily basis. MICS (2006) data cited in UNICEF (2007) found that 45% of all children aged 3-14 are subjected to at least one form of psychological or physical punishment

¹⁴⁴ UNICEF (2007) "Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

¹⁴⁵ UNICEF (2007) "Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

¹⁴⁶ UNICEF and SIAR-Bishkek agency, (2006) "The untold stories of the silent walls". Bishkek: Kyrgyzstan

¹⁴⁷ Ibid

by parents, caretakers or other household members.¹⁴⁸ In addition, many children witness their mothers being subject to high levels of intimate partner violence.

A study conducted by El-Pikir on domestic violence in 2004 found that 69% of the 1000 respondents interviewed, regarded it to be a problem in Kyrgyzstan. 54% said that not enough has been done to prevent it. The reasons provided for this violence include economic crisis, alcohol abuse, lack of education, patriarchal values that support the oppression of women, norms that support the use of violence to resolve disputes and rising levels of social crime¹⁴⁹.

Human Rights Watch (2006) also produced a report on domestic violence and abduction of women in Kyrgyzstan.¹⁵⁰ Although they do not provide any statistics, their researchers found that domestic violence is prevalent across Kyrgyzstan and that it is related to poverty, alcohol abuse and the subordination of women. It describes the Law on Social-Legal Protection from Domestic Violence (2003) as “one of the most progressive laws” in the region, but it criticises the Government for failing to enforce these laws in relation to law enforcement and prosecution, and for failing to develop programmes that deal with the underlying structural roots of domestic violence. This report does not describe the effects of domestic violence on children. Nevertheless, simply witnessing intimate violence and sometimes being caught in the cross-fire is likely to have an effect upon children’s outlook, belief-systems and decision-making.

Although one cannot assume how children will interpret this violence or what it may mean to them, many may rebel against their parents, runaway and engage in what has been described by the Kyrgyz government as ‘delinquent’ behaviour; in other words, behaviour that flouts social norms and laws. The Government of the Kyrgyz Republic passed a Decree ‘on targeted program for prevention of vagrancy and juvenile delinquency for the period of 2002-2003’ (12 July 2002 no 472), which was issued in support of the ‘New Generation’ State Program on the implementation of the rights of the child. Many of these children are picked up in police raids known as ‘Motylek’ (Butterfly), ‘Besprozornik’ (Homeless), ‘Podrostok’ (Teenager), ‘Zabota’ (Care) and ‘Doping’ and are placed in institutions as will be discussed below. However, institutionalising some children will not prevent many more from facing these risks. In general, many respondents in this study emphasise the inadequacy of institutions in terms of protecting children. It is argued that these gaps in child protection might enhance the likelihood that a child will be trafficked.

¹⁴⁸ UNICEF (2007) “Plus 5” review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

¹⁴⁹ “El-Pikir” Public Opinion Study Center Public Opinion Research Center, (2004) ‘Domestic Violence in Kyrgyzstan: causes, scale and effectiveness of action. Bishkek: Kyrgyzstan

¹⁵⁰ Human Rights Watch (2006), ‘Reconciled to Violence: State Failure to Stop Domestic Abuse and Abduction of Women in Kyrgyzstan’. Vol. 18. No. 9

Key informants' Perspectives

According to the respondents, the following categories of children are placed in institutions, orphans and 'half-orphans', which is a term used to describe children with one deceased parent. Many respondents stated that the living conditions and placement of other children from single-parent households and/or from households where alcohol abuse, intimate partner violence and child maltreatment are high should also be assessed, because these children are at risk of exploitation and abuse¹⁵¹.

The respondents described the process by which children are placed in institutions. For instance, with reference to five children's homes in Chui oblast, a representative of the Inspectorate Minors' Affairs stated that if parents are not capable of raising their children, the Commission on the Affairs of Minors can deprive parents of their rights and children should be sent to a boarding home.¹⁵² State boarding homes and privately run 'family-type homes' or shelters were the main institutions mentioned. These institutions vary in size. Some private shelters only have 35 beds, but state shelters are larger and can keep up to 200 children. In Tokmok, the municipality stated that the state 'home' is designed for 50 beds and family-type homes are designed on a smaller scale catering for only 10 children. Many respondents complained that apart from these boarding homes and smaller family-type homes, there are not enough temporary shelters or what is described as 'temporary rehabilitation centers' where children can receive immediate and short-term assistance before they are placed elsewhere.¹⁵³

Overcrowding emerged as an issue in state-run institutions. The representative from the municipality stated that in the state home for 50 children, there are only 16 or 17 children; overcrowding is therefore not an issue.¹⁵⁴ However, the Inspectorate on Minors' Affairs in Tokmok explained that this was because a part of the building had not yet been renovated given resource constraints.¹⁵⁵ Many of the respondents complained that these institutions are overcrowded and they cannot help all the children who come to them. According to a representative of a 'family-type home', overcrowding has meant that they often have had to refuse beds to children who are not orphans, which often means that "parents take them back and exploit them".¹⁵⁶ Orphans tend to receive automatic placement in these institutions. According to a representative working at this institution, more efforts should be made to ensure that orphans are not left with relatives who might exploit them; instead they should be placed in institutions who will look out for their best interests: "there are those caregivers where orphans live who don't want to let them go because it is beneficial for them to exploit them. If the orphans come to our home they will not be exploited, they will be protected in our home."¹⁵⁷

¹⁵¹ Interviews from the Department of Social Protection, Chui Oblast; Inspectorate on Affairs of Minors, Tokmok; Municipality Tokmok

¹⁵² Interview with key informant from the Inspectorate on Minors' Affairs, Chui Oblast

¹⁵³ Interview with key informant from Inspectorate on Minors' Affairs, Tokmok

¹⁵⁴ Interview with key informant from municipality, Tokmok

¹⁵⁵ Interview with key informant from Inspectorate on Minors' Affairs, Tokmok

¹⁵⁶ Interview with key informant from children's institution, Bishkek

¹⁵⁷ Interview with key informant from children's institution, Bishkek

In these institutions, children are provided a range of services including health care, education and psychological support. Some respondents complained that professionals prefer not to work in institutions because the level of pay is so low and working hours are very long. A representative from the Inspectorate on Minors' Affairs in Tokmok stated that more psychologists are needed in institutions because "vulnerable families have an inferiority complex. They are not developed well".¹⁵⁸ It is held that certain children require more individualised and long-term care at the hands of social workers and psychologists. A representative of a faith-based NGO stated that in addition to a psychologist, a priest is needed to help the children overcome the effects of physical abuse and 'moral humiliation'.¹⁵⁹ There were, however, divergent perspectives on the value of religion in institutions. The spokesperson for the Inspectorate on Minors' Affairs in Tokmok stated that although there may be some value in faith-based institutions, religious teaching may restrict children's choices: "children must have options, which religions to choose like Muslim, Christianity. They teach them with the bible only, so they have no other option".¹⁶⁰ In other words, children's needs and wants need to be carefully assessed before psychological and religious support is provided.

Divergent opinions were expressed about the quality of services in institutions and the manner in which they are monitored. According to a staff member at an NGO-run children's institution, their children's homes are subject to annual inspections by law enforcement authorities and educational institutions. In addition, special forms of reporting are required for them to access education and health care.¹⁶¹ A spokesperson for the newspaper highlighted a case where a rehabilitation center had been serving commercial interests. It was closed and reopened, and is now closely monitored by the Social Protection department¹⁶². No further information about this case was provided.

Despite these monitoring procedures, the representative from the Inspectorate on Minors' Affairs in Tokmok, stated that little can be done to ensure that a family environment is provided for children in institutions because it is not a "home environment". He suggested that children should be provided with more entertainment, recreation and freedom so that they can feel more at home: "I would like them to go for some entertainment, like night clubs and discotheques. They get second hand clothes, which is not good. There is a boy. His class fellows brought him some toys, but still there is not warmth in the children's home. Home is home and orphanage is an orphanage".¹⁶³ In other words, instead of only focusing on restrictions and rules, children need some freedom and opportunities for entertainment. Simply because they live in an institution, it does not mean that they should have fun. Instead of formal care, children need individualised attention, sincerity and warmth. Children's dissatisfaction is often not expressed or revealed through formal reporting mechanisms. More creative methods should be employed to ensure that children can

¹⁵⁸ Interview with key informant from Inspectorate on Minors' Affairs, Tokmok
¹⁵⁹ Interview with key informant from NGO-run children's institution, Chui oblast
¹⁶⁰ Interview with key informant from Inspectorate on Minors' Affairs, Tokmok
¹⁶¹ Interview with key informant from NGO-run children's institution, Bishkek
¹⁶² Interview with key informant from newspaper, Bishkek
¹⁶³ Interview with key informant from the Inspectorate on Minors' Affairs, Tokmok

voice their opinions and play an active role in monitoring conditions that affect them. It was also suggested that there should be more openings for NGOs to develop facilities and activities for children at-risk.

With regards to follow-up, the duration and type of support for children who leave institutions vary. The NGO-run institution in Bishkek monitors the progress of children who complete 9th grade and enter vocational schools. They state that they then play an active role in ensuring that children are employed after they leave vocational school.¹⁶⁴ According to the Department of Justice of Chui oblast, the administration of boarding homes try to monitor and track children's lives "the same as parents would have done"; however, it is only possible to follow a case until the child turns 18 years old.¹⁶⁵ The editor of a local newspaper did, however, state that after children receive assistance, there is little follow-up, and that social services should take more responsibility in this regard.¹⁶⁶

More responsibility should be directed and assumed by the community, according to many respondents. It is also held that the community should play a greater role in protecting children at risk, who may have been orphaned or have been subjected to various forms of violence. Instead of relying on the state to identify and assist at-risk children, the community should play a greater role. Emphasis was placed on the role that neighbours, teachers and churches could play in this regard. The role of the media was also highlighted in this regard.

In general, the passivity of local communities in the face of child rights violations was criticised by many respondents¹⁶⁷. On the other hand, examples were provided of the manner in which community members intervened in cases of maltreatment. For instance, a neighbour climbed through a window and removed three children from the house in which they had been locked for three days by their mother. The role that the community can play in housing and caring for children in need was ambiguous. An NGO representative stated that there is the risk that members of the public could agree to take care of these children in exchange for funds provided by international NGO's, but instead of protecting them, exploit them: "who can guarantee that children will not be taken because of money or that they will not be exploited?"¹⁶⁸ Community-based child protection networks should therefore be carefully assessed and they should be monitored by state and NGOs to ensure children's best interests are served. In this regard, child protection training may need to be provided to community members. Hence, any interventions in the area of child protection involving the state, NGOs and the community should be monitored on an on-going basis to ensure that the child's rights are not violated.

¹⁶⁴ Interview with key informant, NGO-run children's institution, Bishkek

¹⁶⁵ Interview with key informant, Ministry of Justice, Chui Oblast

¹⁶⁶ Interview with key informant from newspaper, Bishkek

¹⁶⁷ Interview with key informant from Inspectorate of the Affairs of Minors, Chui Oblast

¹⁶⁸ Interview with key informant from NGO, Bishkek

Children's institutions and trafficking risks

In general, many respondents suggested directly and indirectly that children's institutions could enhance the risk of trafficking for some children. Staff members are often not trained or are unwilling to listen to children's concerns. This hinders their ability to identify children 'at-risk' and those who are unhappy with their living conditions, relationship with their peers and social workers. Children who are unhappy in institutions may runaway, join children living on the streets and rely on adults or peers for support. These actors may abuse, exploit or even traffic them.

Furthermore, on the streets children may be deceived by small acts of kindness from strangers because they do not receive warmth and individualised attention in institutions. Children who leave institutions may not receive any follow-up or assistance in terms of finding employment. They might be easily deceived by job offers.

In addition, social workers who are working in institutions are often not adequately trained to raise children's awareness about the risks of trafficking. As these children do not have information about these dangers, they may be easily deceived.

Given the negative reputation of many institutions, communities – adults and children - might not report cases of child abuse to law enforcement authorities because they fear that children will be taken to an institution, which for many is a negative outcome.

The school-drop out

Contextualising education

UNICEF's (2007) review of Kyrgyz National Progress revealed that the Government has prioritised education by allocating 22% of the national budget in 2005 to education. This amount is projected to increase from 4.69% of the 2005 GDP to 6% in 2008. However, given the declining GDP this figure is not necessarily a marker of improvements. What is positive is the state's successful Fast Track Initiative application, which will mean that the Kyrgyz Republic will receive \$15 million for 2007-2008 to spend on education. Furthermore, a US\$15.5 million grant from the Asian Development Bank is likely to improve the basic education that 1.14 million children receive¹⁶⁹.

With regards to school attendance, a study conducted by CHIP (Child Poverty Research, 2004) estimated that 15-20% of children in Kyrgyzstan do not attend school or attend irregularly. This is attributed to the impact of child labour on attendance and the unofficial costs (school repairs, textbooks) that parents are expected to pay.

¹⁶⁹ UNICEF (2007) "Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

According to the World Bank (2005 cited in UNICEF 2007), families spend up to 20.1% of their expenditure on education. Many schools rely on parent's contributions because they have limited facilities and buildings are in a state of disrepair. It is held that heating is inadequate in 41% of schools and there is poor water quality in 70% of schools¹⁷⁰.

In a situational analysis of violence in schools conducted by El-Pikir on behalf of UNICEF (2004) it was found that there is a high turnover of staff in public schools in urban areas because of poor salaries. Schools and the performance of teachers and school mentors are monitored through inspections by the Ministry of Education, Ministry of Health, Sanitary and Epidemiological services, Fire Departments etc. Various measures were found to be in place to ensure that violence is not used against children including a complaints box in which children can voice their concerns, regulations against corporal punishment, and punitive action such as dismissal taken against teachers who contravene these regulations. In public schools teachers are guided by the Law on Education, Regulation and the Charter which prohibit the use of violence against children¹⁷¹. Nevertheless, children highlighted the following as constituting common forms of punishment in the seven schools investigated:

- yelling very loudly and for a long time
- scolding children in a very rude manner
- calling children different names (dummy, loser, moron, idiot, etc.)
- denying children a break
- hitting children with their pointer
- twisting children's ears
- pinching children

In terms of gaps, the researchers noted that police clearance checks are not undertaken when recruiting teachers. An additional gap is that teachers had a poor understanding of how to identify and protect children who are suffering from domestic violence. Few children and adults knew about the Law on Social and Legal Protection of Children from Domestic Violence. Children did not know where they could report domestic abuse, and feared that they would not be believed if they sought assistance. Teachers were not clear about who they could refer these children to. This affects the ability of teachers to support and assist children at-risk of violence, exploitation and trafficking. The respondents in this study highlighted the potential way that schools can assist such children, but were also very critical of the current education system.

Key informants' perspectives

According to respondents, schools can assist children at risk in a number of ways:

¹⁷⁰ UNICEF (2007) "Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report

¹⁷¹ UNICEF/"El-Pikir" Public Opinion Study Center Public Opinion Study Center (2004), Situational Analysis on Violence in Schools. UNICEF: Bishkek

- Identification
- Awareness raising
- Developing Skills
- Prevention and outreach

It is held that schools play a very important role in identifying children who are at risk of abuse, exploitation and trafficking. One of the reasons for this is that children spend so much time in schools interacting directly with teachers. In terms of identification procedures, it is held that teachers are responsible for reporting a case where a child appears to be at risk to authorities in the school, who then report the incident to social services. They report about children from low-income families, orphans and ‘half-orphans’ on a quarterly basis¹⁷². If children do not attend school, teachers visit the family and then report the case to the local police. According to the Inspectorate on Minors’ Affairs in Tokmok, all teachers and class mentors report children at risk or from ‘socially dangerous’ families to the Inspectorate or to the Commission on the Affairs of Minors.¹⁷³ On the other hand, a representative from Chui Oblast Administration stated that we need to be realistic about the school’s ability to identify at risk cases because the main goal of school “is to provide knowledge and not to identify cases of violent treatment.”¹⁷⁴

Awareness-raising: Most of the respondents stated that it is compulsory for the United Nations Convention on the Rights of Children (UNCRC) to be taught to children in schools. The Inspectorate on Minors’ Affairs also disseminates booklets and poster and conducts activities around the UNCRC with children. According to the Department of Justice in Chui oblast, this is important because “every child from the very first grade, regardless of their ethnicity and economic condition, every child must know his or her rights and that all the rights are equal for all”.¹⁷⁵ Law enforcement authorities, health workers and representatives of the state give lectures to children on their rights, and more specifically on the new Children’s Code which came into force in August 2006.¹⁷⁶

Developing skills: It is held that children gain basic skills on personal security and wellbeing in schools. However, many respondents criticised schools for not equipping children adequately with the skills in demand on the labour market. Emphasis was placed on the importance of enhancing vocational training (e.g. sewing, handicrafts etc), which was promoted in the Soviet era. It is also said that children should receive more information about job opportunities and what professions are in demand¹⁷⁷. The Inspectorate on Minors’ Affairs stated that children should have classes dedicated to legal training so that they can learn more about their own rights.¹⁷⁸

¹⁷² Interview with key informant from state-run institution, Chui oblast
¹⁷³ Interview with key informant from Inspectorate on Minors’ Affairs, Tokmok
¹⁷⁴ Interview with key informant from Chui Oblast Administration, Chui
¹⁷⁵ Interview with key informant from Ministry of Justice, Chui oblast
¹⁷⁶ Interview with key informant from Chui oblast prosecution office, Chui oblast
¹⁷⁷ Interview with key informant from NGO, Chui oblast
¹⁷⁸ Interview with key informant from Inspectorate of the Affairs of Minors, Chui oblast

Many respondents stated that the quality of teaching needs to be improved¹⁷⁹. A representative from the Ministry of Education highlighted physical abuse at the hands of school teachers as a problem in Kyrgyzstan¹⁸⁰. According to an NGO in Bishkek there are no official mechanisms for monitoring the quality of education and violence within schools. This “inappropriate treatment affects their future” and places them more at risk. This was reiterated by the Chief of the Bar in Jalalabad oblast who stated that parents complained that teachers were treating their children violently: “They would pull their earlobe and they can beat their children up with the pointer. It would be good that children feel safe in our schools and it would be good if schools are the place where they receive care and support”.¹⁸¹ Children, who do not feel supported at school, may decide not to attend school regularly or on a permanent basis.

Prevention and outreach: One of the problems with relying on teachers to identify and assist children at-risk is that many children across Kyrgyzstan do not attend school either because they are working and/or because they cannot afford to cover school costs. In terms of resources, a spokesperson from the Department of Justice of Chui oblast stated that schools in remote areas do not receive enough financial support from the state when compared to the schools in the urban areas. In remote areas, schools often lack textbooks and furniture. He referred to the Soviet era when boarding homes, meals and textbooks were free: “Back in Soviet times schools were there to provide knowledge but not to pay for everything”.¹⁸² Now children often have to pay for textbooks, to lend books out of the library and even have to pay contributions for the renovation of school building. As many children cannot afford to attend school and pay these informal fees, they will not come into frequent contact with teachers who could potentially assist them if they are subject to violence and exploitation. On the other hand, it must be borne in mind that schools fulfil a number of other functions such as raising awareness, assisting with individual development and building confidence, although this does depend on the quality of the education system.

According to the respondents there are some measures in place to ensure that children who drop-out from school receive services and support. During the summer, children’s camps are held by schools for children from low-income families. The Municipality of Tokmok donates more than 30,000 soms for meals for children in these camps, which are attended for 10 days each¹⁸³. In Tokmok it is said that centers for training adults on vocational and entrepreneurial skills are also open to children. There are correspondence education courses at the professional college no. 11 in Tokmok through which working children can complete their final high school years. Labour exchange points and class mentors also try to ensure that working children can continue their studies. The Inspectorate on Minors’ Affairs in Tokmok runs prevention activities with parents to try to return children back to school. However,

¹⁷⁹ Interview with key informant from Inspectorate of the Affairs of Minors, Tokmok

¹⁸⁰ Interview with key informant from Ministry of Education, Bishkek

¹⁸¹ Interview with Chief of the Bar in Jalalabad oblast

¹⁸² Interview with key Informant from the Oblast Dept. of Ministry of Justice, Chui Oblast

¹⁸³ Interview with key informant from the Inspectorate of the Affairs of Minors, Tokmok

many respondents state that there are no specific programs that cover children who have dropped out of school¹⁸⁴.

Some respondents state that when teachers urge parents to send their children to school, parents ask whether the school will compensate by giving them money that their children would be earning. The state has increased its efforts to ensure that children attend school by providing free meals in many communities. This has been relatively successful in that “children come to school to eat because there is no food at home. After the state started providing food at schools, school attendance improved.”¹⁸⁵ In general, however, large proportions of children in Kyrgyzstan do not attend school, and spend more time on the streets where they are vulnerable to exploitation and trafficking.

School drop-out and trafficking risk

The respondents highlighted various means by which children who are not attending school are at risk of being trafficked. Many of these children are illiterate and are not educated on their rights or the risks of trafficking. They may not understand the meaning of exploitation and may not know who to turn to when in this situation. In addition, many of these children are not in daily contact with teachers who could potentially identify problems such as violence at home, which might lead a child to runaway onto the streets where they may be accessible to traffickers.

Children may not feel that education gives them the necessary skills to find employment. On this basis, they may decide to drop-out. As a result, many of these children do not have skills and qualifications and are likely to find it difficult to find employment on the formal market. These children might seek work in the unregulated and often illegal employment, where they may be vulnerable to exploitation. They might also be desperate for employment, and may be deceived by the offer of employment abroad

Children who are badly treated by teachers and peers may choose to dropout from school. These children may spend extensive periods of time on the streets and may come under the influence of their peers. These children may abuse alcohol and drugs, engage in petty criminal activities, and may even be exploited by their peers.

Summary

- The phenomenon of child trafficking is closely associated with that of child migrancy, work, institutionalisation and school-drop out.
- Children who fall in one or more of these groups are at risk of being trafficked
- We need to bearing in mind that risk is so highly individual and contextual one cannot make causal assumptions that a particular factor will lead to trafficking. Rather risk involves a complex interaction of a number of factors, to ensure that some children are more at risk of being trafficked than others

¹⁸⁴ Interview with key informant from NGO, Chui oblast

¹⁸⁵ Interview with key informant, Bishkek

- At a conceptual level, these factors operate at the macro, interpersonal and individual
- Macro level factors include high levels of poverty and socio-economic differences within and between countries; social dislocation caused by a sudden political and economic transition; weak legislative and executive structure in the area of child rights; cultural values that support the use of violence against children; norms and practices that support child labour rather than child play; constructions of gender (femininity and masculinity)
- Interpersonal level factors include: high levels of intimate partner violence (domestic abuse); physical, sexual, economic and psychological maltreatment; corporal punishment used by parents and teachers; single-parent households (where a parent has migrated or deceased); parental migration; intergenerational tension; negative peer influence; negative relationships with social workers and school teachers; poor social supports and inadequate social services; lack of trust and faith in law enforcement officials
- Individual level: low levels of educational achievement; living in an institution or on the street; poor understanding or knowledge about risks related to work, migration and trafficking; unrealistic expectations about living elsewhere; lack of perceived options; low self-confidence; willingness to trust and rely on strangers; desperation; desire for escape, adventure or entertainment
- This suggests that the second hypothesis is correct - child trafficking is closely related to other societal issues. It is closely linked to child migration, child labour, institutionalisation and school-drop outs, as well as the underlying macro, interpersonal and individual factors that have caused these issues.

Part C: Evidence-based Policy and Programming

This section will describe the policies and programmes that relate specifically to child trafficking as identified in the existing literature and in key informant interviews. It will be argued that while there is a legal framework in place to deal with the problem of child trafficking, implementation remains poor. In making this argument it will support the third hypothesis that ‘current systems are failing to adequately prevent and respond to child trafficking’. This is related not only to the absence of a coordinated and comprehensive counter-trafficking policy and programme, but to gaps in the broader system of child protection. This case will be made by first describing the policy and legal framework as described in existing reports and then by providing a critical appraisal of this framework and its implementation, as offered by key informants with reference to state and NGO activities in relation to law enforcement and prosecution; identification procedures; prevention and awareness-raising; assistance and protection; referral, return and reintegration.

Policy and legal framework

Kyrgyzstan has ratified and signed a number of important international documents concerning child trafficking.

Document	Date of Ratification (DD/MM/YY)
IOM Convention on Labour Migrants no.97 (08.06.1949)	12.01.1994
Convention for the Suppression of the Traffic in Persons and of the Exploitation of Others (21.03.1950)	10.07.1996
Convention on the Elimination of All Forms of Discrimination against Women (18.12.1979)	06.03.1996
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	15.04.2003
United Nations Convention against Transnational Organized Crime (15.11.2000)	15.03.2003
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (15.12.200)	15.03.2003
Protocol against the Smuggling of Migrants by Land, Sea and Air (15.12.2000)	15.03.2003
Convention on the Rights of the Child (20.11.1998)	12.01.1994

The latest United States Department of State Trafficking in Persons (TIP) report places Kyrgyzstan in Tier 2, with other countries who have not fulfilled all the standards required to eliminate trafficking, but are making significant efforts to do so. In particular, the TIP (2007) report highlights the legislative developments that have taken place in this context. Article 124 of the Criminal Code of the Kyrgyz Republic prohibits human trafficking. Together with the 2005 Law on Preventing and Combating Human Trafficking, traffickers face the risk of five to twenty years of imprisonment with expropriation of property. According to the TIP (2007) report,

these penalties are “sufficiently stringent”, particularly when compared with the penalties for other serious crimes such as rape¹⁸⁶.

The 2005 Law on Preventing and Combating Human Trafficking also puts in place a framework for a coordinated response by the government, NGOs and international organisations to fight against trafficking, prevent trafficking and related activities, and protect and assist trafficking victims. Perpetrators can also be prosecuted under laws related to trafficking, recruitment of persons for labour exploitation, coercion into prostitution, rape and restraint of liberty¹⁸⁷. A Witness Protection Law was also signed by the President in 2006 to provide incentives to victims to come forward.¹⁸⁸ Laws related to child labour, sexual exploitation and child protection were discussed in previous sections. For now it is important to note that Kyrgyzstan officially recognises the incidence of child trafficking and has a legal framework in place for law enforcement, prosecution, prevention, assistance and child protection.

There are a number of government agencies that have a mandate to work in the area of child protection namely:

- National Council on the Fight Against Illegal Smuggling and Trade in Persons under the President of the Kyrgyz Republic
- Sector on the Fight Against Illegal Smuggling and Trade in Persons under the State Committee on Migration and Employment
- General Prosecutor’s Office
- Ministry of Internal Affairs
- Ministry of Foreign Affairs, diplomatic missions and consular units
- National Security Service
- Border Service
- Department of Customs Service under the Revenues Committee of the Ministry of Finance
- Ministry of Labour and Social Development
- Ministry of Education
- Ministry of Health
- Local state administrations and local self-government bodies¹⁸⁹

In addition, there are a number of other agencies that deal with issues related to child protection, labour and exploitation as has been discussed in previous sections. Some efforts have been made by the above agencies to combat trafficking in the areas of prosecution, prevention and assistance, although many of these efforts are insufficient or flawed according to the secondary literature.

Prosecution: According to the Trafficking in Persons Report published by the United States Department of State (2007), government investigations of human trafficking

¹⁸⁶ United States Department of State (2007) Trafficking in Persons (TIP) report
¹⁸⁷ Report on the Human Rights in 2004, Bureau on Democracy, Human Rights, and Employment
¹⁸⁸ United States Department of State (2007) Trafficking in Persons (TIP) report
¹⁸⁹ Law on prevention and fight against trade in persons

increased from 24 in 2005 to 39 in 2006. No data on trafficking prosecutions and convictions were provided by the Kyrgyz state¹⁹⁰. Many of these investigations were conducted by the unit on the fight against trade in persons and crimes related to foreign services, established by the Principal Directorate of Criminal Investigations of the Ministry of Internal Affairs.

Protection: Although the Government did not provide services and medical assistance, it assisted three shelters designed specifically for adults (see section on Assistance for information about children's shelters) run by NGOs working in the field of counter trafficking. In 2006, more victims were referred by law enforcement officials to IOM and other NGOs.¹⁹¹ No figures were provided to show how many victims were referred. Law enforcement agencies also received training on counter-trafficking approaches during the reporting period. Fifty-six Kyrgyz victims who were trafficked abroad were assisted with identification and travel documents by Kyrgyz consulates. This data has not been disaggregated according to age, so it is impossible to ascertain how many of these victims are children. While some progress has been made in protection, TIP (2007) criticised the Kyrgyz Republic for the delays experienced in the repatriation process.

Prevention: According to the TIP report (2007), progress in the area of prevention is limited. In 2006, seven regional offices of the '189' hotline were provided space in government buildings. This hotline assists Kyrgyz citizens who are attempting to check the validity and legitimacy of offers of employment abroad. State-run media (print and TV) also reported on trafficking issues. Awareness-raising posters produced by NGOs were displayed on government buses and in transportation centers¹⁹². 'Help-lines' have also been developed in passenger departure and arrival sections by the Interior Department of Air Transportation. The Minister of Internal Affairs has also developed guidelines 'Trade in persons as one of the forms of organized crime' and materials on 'Violence-related crime against women'.

Key Informants' Perspectives

Law enforcement and prosecution

Many of the respondents stated that the legal framework to combat child trafficking is sufficient, but that implementation and enforcement is poor. On the one hand, this is related to a lack of understanding of the legislation on this issue. For instance, a judge in Naryn stated, "I am a judge, but I do not know the laws related to child trafficking very well. I have simply never encountered such cases, and consequently never studied them".¹⁹³ In other words, his lack of understanding is related to his limited contact with victims of child trafficking.

¹⁹⁰ United States Department of State (2007) Trafficking in Persons (TIP) report

¹⁹¹ United States Department of State (2007) Trafficking in Persons (TIP) report

¹⁹² United States Department of State (2007) Trafficking in Persons (TIP) report

¹⁹³ Interview with judge, Naryn oblast

Poor implementation is also related to high levels of corruption as highlighted by many respondents. A number of respondents complained about corrupt border officials who can be easily bribed by traffickers. For instance, a representative from the Inspectorate on Minors' Affairs stated, "Border guards don't play any role in identification of victims of child trafficking. They let the child pass, that's all. No responsibility whatsoever. I have talked to one child. His family migrated from Russia to Bishkek. I ask him: 'How did you pass through customs and border guards?' He replied, 'Freely.'"¹⁹⁴

It was argued that corruption extends to all levels of the state, from border officials to government ministers. A spokesperson from a Rehabilitation Center stated that it is easy to obtain illegal passports for children because "the civil servant who signed papers for smuggling the child abroad doesn't care a bit about the child. The most important thing for him is to get money, and the rest is not his business"¹⁹⁵. Low levels of trust in state officials are evident in phrases such as "bribe-taker", "arrogant and incompetent" and "uncontrolled and unaccountable"¹⁹⁶. There is a lack of transparency in many departments and more monitoring and evaluation of state services is needed in the area of human trafficking. Even if reports about corruption area exaggerated, the perception that law enforcement authorities are corrupt is likely to hinder children, their families and other members of their communities from seeking their assistance.

Another reason for poor implementation is that the will of the state is often contingent on the personality and agenda of a particular individual, as opposed to sincere and firm institutional commitment to children's rights. Given high turnover levels in staff in many ministries, there are few long-term, sustainable and effective interventions in the realm of child protection as argued by a representative from an NGO in Bishkek: "Unfortunately, in Kyrgyzstan too much depends on the personality of the official. Take for instance former Secretary of State. Much was done for children during his tenure – the status of the matter was high, Forum on Children and Code on Children was passed. But now everything stopped. There is no person in top government who would promote the issues of children"¹⁹⁷.

One of the main concerns that emerged is that the agency mandated to develop a Program to Fight Trafficking of Person, the National Council on the Fight Against Illegal Smuggling and Trade in Persons (hereinafter the 'National Council') has been 'demoted' from the Sector on the Fight Against Illegal Smuggling and Trade under the Prime Minister's Office to the Sector on the Fight Against Illegal Smuggling and Trade in Persons of the State Committee on Migration and Employment. This reveals the overarching association of child trafficking with child labour and migration. It is unclear what this 'demotion' means in terms of resource and budget allocation, but it is likely to have had an impact upon bureaucratic procedures and staff. This may prolong the time it takes to develop a national counter-trafficking programme. In

¹⁹⁴ Interview with key informant from Inspectorate on Minors' Affairs

¹⁹⁵ Interview with key informant from Rehabilitation Center, Bishkek

¹⁹⁶ Interview with community leader, Chui oblast

¹⁹⁷ Interview with key informant from NGO, Bishkek

addition, there is a high turn-over of ministers and deputy ministers in the National Council. This is likely to affect not only the length of time it takes to develop a national programme, but is also likely to hinder knowledge accumulation, sustainability and execution. The TIP report also highlighted concerns about state corruption hindering efforts to prosecute perpetrators and protect victims.

Identification of children at-risk

As has been argued in this report, four broad groups of children can be categorised as ‘at risk’ of being trafficked namely, migrant children, working children, institutionalised children and school-drop outs. Various procedures are in place to identify these children at risk.

A few respondents stated that children who are at risk of exploitation can be easily identified in local markets and on streets. A private lawyer explained, “It is not difficult to detect such children because they are hungry. They want to earn a living so you can find them everywhere. Hungry children have to feed themselves”.¹⁹⁸ However, as there are so many children working in local markets and on the streets, many people have become apathetic and desensitised to this issue as will be discussed below. As a result, they do not report such cases of labour exploitation to law enforcement authorities and to the prosecution office in particular.

The Inspectorate on Minors’ Affairs of Chui oblast conducts regular raids on street children who may be at risk of exploitation, or on children engaged in activities that counter social norms or laws. They are temporarily ‘detained’ in rehabilitation centers and then their parents are contacted. If this happens frequently, children’s names are placed on rosters and various actors including social workers, narcologists, village administration staff, and other operational staff under the Ministry of Internal Affairs, become involved in developing activities for this child.

When children go missing, most respondents stated that the case is reported to law enforcement authorities. Success on finding such children often depends on how long parents wait to report the case¹⁹⁹. The Inspectorate on Minors’ Affairs is also involved in certain cases of kidnapping. If children are found, they are referred to various institutions. As discussed previously, as parents and members of the community fear that their children will be sent to an institution, many do not report that their child has gone missing, hoping that the child will return in a few days.

With regards to children who are migrating illegally and are potentially trafficked, it is said that one can identify them if they try to cross the border with no papers “then immediately it is a concern whose child it is, where he is going”²⁰⁰. Efforts have been made to regulate child migration. Legally affixed permission from parents must be granted to adults accompanying children abroad. All foreign passports must be

¹⁹⁸ Interview with lawyer, Batken oblast

¹⁹⁹ Interview with key informant from Inspectorate on Affairs of Minors, Batken

²⁰⁰ Interview with key informant from Chui oblast court

registered and must reflect adults' legal dependents. Nevertheless, according to an NGO representative this may not be a reliable means of identification because borders are not protected properly and children may find ways of crossing without papers. In addition, inefficient or corrupt border officials may not take action when a child migrates with alone or with a person who is not a parent²⁰¹.

In the section on 'school drop-outs' the role of teachers was explained in greater depth. To summarise, in schools teachers and school mentors are tasked with talking to children and their families. If they decide that child is at risk, the case will be reported to the deputy principal of the school who may then inform local law enforcement bodies. Alternatively, schools send petitions to social services which then refer the children to institutions²⁰². As argued previously, as many children who are 'at-risk' do not attend schools, the role that teachers can play in identification is limited.

It is said that children in schools can make use of help lines and complaints mailing systems if they would like to voice a complaint. However, the Inspectorate on Minors' Affairs states that this rarely leads to a criminal case against a parent because the parents would simply state "the child would not listen to them" despite the fact that "the child came to school beaten up and covered with bruises".²⁰³ Alternatively, children can approach the municipality directly who will then refer them to boarding homes, where they will receive medical treatment, psychological support, education and clothing (See Section on 'institutionalised child')²⁰⁴. In this way, the municipality is said to provide assistance in terms of identifying children who are at risk. However, respondents state that children's concerns are often not taken into account and that in Kyrgyz culture adults are more likely to be believed than children, even when children report experiences of abuse. Cultural constructions of childhood need to be considered when developing mechanisms of identification and assistance for children at-risk.

According to the Ministry of Minors in Tokmok, communities must become more respectful towards children. State agencies need to set a positive example in this regard. In general, it was said that the capacity of law enforcements to work with children at risk needs to be enhanced. They need to be sensitive to the particular needs of children and be trained on how to build relationships built on trust rather than fear, with children. In addition, it was said that prosecution and judicial procedures for dealing with cases of child maltreatment, exploitation and trafficking need to be improved.

²⁰¹ Interview with key informant from NGO, Chui oblast

²⁰² Interview with key informant from Rayon Education Department, Chui Oblast

²⁰³ Interview with key informant from Inspectorate on Minors' Affairs

²⁰⁴ Interview with key informant from Municipality of Tokmok

Prevention

A number of state institutions are involved in prevention activities in that they seek to ensure that children who are ‘at risk’ do not become subject to abuse, exploitation and trafficking. Chui oblast Prosecution Office may cooperate with the Guardianship Department under the Mayor of the city or rayon and the Inspectorate on Minors’ Affairs. Together they visit schools on a quarterly basis to conduct inspections, provide lectures, register children and carry out various activities with children at risk.

The Prosecution Office is responsible for surveillance and for monitoring the activities and efficiency of the Inspectorate of Minors’ Affairs. Within this Office, the Guardianship Department conducts on site visits where they examine conditions in children’s homes and evaluate school attendance²⁰⁵.

Within the programme ‘New Generation’ children who are ‘at risk’ are eligible for free services, educational services, social protection, social security and health care. Commissions on the Affairs of Minors and local government’s administration offices monitor the activities of schools, boarding homes and ‘centers for rehabilitation’ where these children are eligible for education, health services and psychologists. As was described in the previous section on institutions, many respondents believed that the care that children receive is inadequate. Instead of simply clothing and housing children, children should receive love, attention and warmth²⁰⁶. More interventions need to monitor and reform conditions in institutions and build the capacity of staff.

It is important to note that no NGO deals with trafficking prevention issues specifically with children. These activities are conducted indirectly mostly when dealing with issues related to adult trafficking. Nevertheless, NGOs do provide assistance to the general category of ‘children at risk’, which includes child migrants, working children, children in institutions and school-drop outs. Given the relationship between these categories of risk and the risk of trafficking, their work can be harnessed in trafficking prevention efforts.

These NGOs often require financial support from the state in order to carry out their activities. For instance, an NGO in Bishkek had to go through a prolonged bureaucratic process involving the Ministry of Education and Accounting Chamber in order to raise funds for a girl to attend musical school: “What bureaucracy! How much time and energy I have to spend. I am not asking for favours for my own child, it is a child in need! For officials, the instruction is more important than a child”²⁰⁷. Hence, more space and resources need to be provided to NGOs.

What is evident is that there is a plethora of state and non-state actors whose work fits under the heading of ‘prevention’ through the assistance they provide to street children, working children, children who are victims of violence etc. However, there are few coordinated activities that are targeted around the particular issue of child

²⁰⁵ Interview with key informant from Chui Oblast Prosecution Office, Chui

²⁰⁶ Interview with Chief of the Bar, Jalalabad oblast

²⁰⁷ Interview with key informant from NGO, Bishkek

trafficking. An agency needs to take responsibility for coordination, monitoring and responsibility in the area of prevention. This may be the National Council on the Fight against Illegal Smuggling and Trade in Persons under the President of the Kyrgyz Republic or the Agency on the Affairs of Women and Children²⁰⁸. It was even suggested that a separate Department for Children be established to act as a coordination body.

The capacity of these actors working on prevention also needs to be strengthened so that they can provide timely and effective assistance to children at-risk before they are abused, exploited or trafficked²⁰⁹. In addition, a targeted and individualised approach can be developed with particular groups of children who have particular needs and require particular forms of assistance. According to a private lawyer, in order to understand children's needs more efforts should be made to talk to children to ascertain their perspectives and concerns. This lawyer also suggests that interventions in the area of prevention should not focus on the term 'trafficking' as it limits the assistance that can be provided to children who are at risk of other violations of child rights²¹⁰. As this term is not known or understood in many communities and might even be associated with a level of stigma and shame, people may not accept or want assistance that is geared towards those at risk of trafficking.

Many respondents also criticised attempts at preventing trafficking through isolated and short term interventions that are not sustainable and do not remedy the structural causes of trafficking. As mentioned these structural causes lie at the macro level and include high levels of poverty and socio-economic inequalities, social dislocation caused by conflict or political change, norms that support subordination and use of violence against women and children, norms that encourage child labour etc. Many respondents argue that trafficking can only be prevented by improving social conditions to enhance the educational, employment and recreational opportunities available for children. These interventions need to be based on a holistic approach that provides support to families and local communities²¹¹. These programmes will also need to be developed in a bottom-up manner that accounts for contextual realities. For instance, on-going support might be difficult in communities where there are high levels of migration²¹².

Awareness-raising

The efforts of international organisations in raising awareness about trafficking issues have been highlighted; however, it was said that awareness needs to move beyond poster campaigns to participatory activities with children and local communities:

²⁰⁸ Interview with key informant from Chui Oblast Administration

²⁰⁹ Interview with lawyer, Batken oblast

²¹⁰ Interview with lawyer, Batken oblast

²¹¹ Interview with key informant from Chui Oblast Administration

²¹² Interview with key informant from NGO, Chui Oblast

“International organisations do a lot: they give out materials, brochures, books, show movies. This is all very good, but I think that one should change tactics. It is time to move away from posters. We need to go and face the people. For instance, organize a play with children and show it in schools, especially in rural ones, organize a promotional train with pop stars and visit poorest villages of the community”²¹³.

In order for trafficking awareness messages to be successful they need to be developed and delivered in a bottom-up manner, so that trafficking does not appear so far removed from the lives and experiences of those most at-risk.

It is also held by respondents that the messages that counter-trafficking programmes develop, should move beyond warning and scaring children and local communities, to enhancing their skills and ability to protect themselves if they land in a risky situation, as argued by a representative from Chui Oblast Administration: “The general public must be aware that child trafficking can be a reality, they must be equipped with the knowledge that will help to counteract it. Every child must be taught to be cautious and able to protect oneself from such cases.”²¹⁴

Key informants argued that awareness-raising campaigns should be targeted to suit children. For instance, many children watch movies and this can be used as a forum to release information and movies about the risk of trafficking. The film ‘Lilia Forever’ for instance was highlighted. Given that many at-risk children come from poor communities, these movies should be free to ensure that anti-trafficking messages can reach a wide audience²¹⁵.

Many respondents highlighted the role that the media can play in raising the awareness of local communities with regards to the methods that traffickers use to deceive and coerce children: “If people are kept well informed, the whole village will stand against the recruiter and will not let alcoholic parents sell a child into slavery. Public opinion and condemnation in the village are more important than in a city”²¹⁶. It is held that only raising people’s awareness of the problem will people start taking responsibility for Kyrgyz children

On a more cynical note, a key informant from a regional newspaper stated that ‘reasonable’ members of the community intervene in cases of child protection, but in high profile cases often do not do so:

“Of course children deserve better treatment. Any community member who is reasonable enough, when he comes across a situation of violent treatment, of course he decides to interfere. There are facts that people who were pimps before, now they occupy high ranking official posts and maybe they were pimps of girls who were teenagers. The community didn’t respond to this. Everyone

²¹³ Interview with key informant from NGO, Bishkek

²¹⁴ Interview with key informant from Oblast State Administration, Chui Oblast

²¹⁵ Interview with key informant from NGO, Bishkek

²¹⁶ Interview with key informant from local government, Batken oblast

knows what kind of business he was in before, and what post he is filling now”.²¹⁷

Many people in Kyrgyzstan feel that they have little control over the political process and the actions of politicians. This frustration might translate into apathy. So in addition, to informing them about child trafficking, more efforts should be made to inform communities about their rights and responsibilities vis-à-vis the state, and vis-à-vis local children. In general, it was argued that communities should assume a more active role in identification, protection and prevention of child trafficking.²¹⁸

Assistance, referral and reintegration

According to Chui Department of Labour and Social Protection, when children are referred to ‘centers for rehabilitation’ and other state-run centers, efforts are made to register children and reintegrate them into the local community²¹⁹. Chui Oblast Administration attempts to locate parents of children and return them to their homes. Many of these children are sent to institutions. According to the Ministry of Internal Affairs it has designed a project on joint activities for state and NGO actors to provide legal aid and rehabilitation to victims of family violence and trafficking. The City administration has allocated a building for the establishment of a rehabilitation center which will accommodate 70 people, including staff.

It must be noted that most non-governmental organisations working in the area of assistance and protection in Kyrgyzstan focus their activities on the violence experienced by women victims of domestic violence or adult victims of trafficking. They do not work specifically with children. NGOs who work on the issue of adult trafficking or domestic violence offer help lines. The information on the number of calls to these shelters is vague. NGOs, for example, claim that there were more than one thousand women seeking help against domestic violence, but when asked to show the log for registration of calls they fail to confirm this figure or make this log available. The crisis and rehabilitation centers that house women subject to domestic violence, drug users and sex workers also provide assistance to adult trafficking victims.

With regards to assistance for children, various networks of NGOs work in the area of child rights:

- Association of damage reduction programs “Partnership Network (31 NGOs)
- “AntiAIDS” NGO Association (18 NGOs)
- ECPAT International Kyrgyzstan (10 NGOs)
- A network of non-for-profit organizations on protection of the rights of the children (3 NGOs)
- Positive HELP

²¹⁷ Interview with key informant from newspaper, Bishkek

²¹⁸ Interview with key informant from the Inspectorate of the Affairs of Minors, Tokmok

²¹⁹ Interview with Department of Social Protection, Chui oblast

With regards to building the capacity of NGOs, ECPAT International intends to submit an application in order to support the networks working in the area of child trafficking. In November 2007, a representative from ECPAT International plans to meet with various members of these networks.

As has been argued, a number of NGOs work in the area of ‘children at risk’ generally by providing crisis and rehabilitation centers, centers for homeless children, child support centers, legal aid etc. With regards to international organizations, the most frequently mentioned organizations were IOM, IPEC, UNICEF, ECPAT International and OSCE. In particular, the role of IOM in finding children abroad and returning them to Kyrgyzstan was highlighted. NGOs run shelters and crisis centers for people who experience or witness various acts of violence and sexual abuse. In these centers, psychologists and doctors are on hand to provide support. There is a problem of capacity as more beds/shelters are needed to assist more victims of violence. A representative from a Crisis Center in Bishkek stated that they provide assistance to victims of trafficking when they receive them; however, they do rely on state support: “We work with trafficked children when we receive them, but without the help of government our efforts are too small”²²⁰. It is unclear how many of these crisis centers work specifically with children, although there are a few religious organisations that provide shelter specifically to street children²²¹.

A Chief Manager of a Help Line in Osh City stated that front-line workers and practitioners require particular skills when working with children who have experienced trafficking:

“It is extremely difficult to identify children – victims of trade. A child can say one thing in one instance, another thing in another instance, and something completely different after two days. A child can not always explain his/her actions, children are prone to fantasies and lies, especially a child who is a victim of trade, or who ended up on the street. In the best case a child opens up after 3-4 days of very careful psychological treatment, sometimes only after several months. With adults, one or two talks are sufficient to identify them as victims of trade in persons”²²².

From this quote, it is evident that a targeted approach is needed when seeking to identify children who have been trafficked and need assistance. Given their age and capacities, many may not be able to express their concerns, fears and experiences. Furthermore, many may not come forward and seek support on their own account. In addition, the process of assistance, referral and reintegration is lengthy and requires patience and prolonged psycho-social support, because children take a long time to open up, share their feelings and concerns. This is not necessarily a factor of age and so-called biological capacities, but given the abuse and exploitation that many child victims of trafficking have suffered, many may lie as a self-defence tactic to protect themselves when dealing with a social worker or psychologist that they do not feel

²²⁰ Interview with key informant from NGO-run crisis Center, Bishkek

²²¹ Interview with chief of the Bar, Jalalabad oblast

²²² Interview with key informant from Helpline, Osh City

able to trust. Time and energy need to be invested in creating these trusting relationships.

As only a few cases of child trafficking have been uncovered, NGOs in Kyrgyzstan have limited experience with referral, repatriation and reintegration. Repatriation to a family was only mentioned by one Children's Shelter in Bishkek about a child who managed to escape a trafficker:

“He spent several days in the barn recovering from the beating, then we succeeded in running away, and we found him near the Narodnyi shop. Somebody out of pity gave him a mattress and small blanket. We treated him for a long period of time and eventually took him back to his home, where he was eager to return. His family had its own problems with an alcoholic father beating his own children”²²³.

Whether follow-up was carried out by the NGO is unclear; however this quote suggests that simply returning a child to his/her family is insufficient, particularly since intimate violence might be rife in the family. Instead more attempts need to be made to first talk to the child about conditions at home and/or whether they contributed to child migration, exploitation and/or trafficking. The child's opinion and preference should be prioritised, as must the child's wellbeing, protection and best interests. The current situation at home then needs to be thoroughly assessed, before starting to work with all members of the family. All of these steps are necessary to ensure that the child is not in a situation where he/she is subject to abuse and exploitation, and has little choice but to runaway and/or rely on strangers for support. In other words, efforts need to be made to ensure that child trafficking victims are not re-trafficked by ensuring that more follow-up and longer-term assistance is provided. If no placements are found, the children are sent to state institutions, 'Boarding Homes' and 'Children's Homes'. Some NGO-run crisis and rehabilitation centers do attempt to provide long term support in the form of education and vocational training. The appropriateness of these institutions for child victims of trafficking must seriously be evaluated, in light of some of the concerns about conditions in these institutions that have been raised elsewhere in this report.

Summary

- A legal and policy framework is in place to combat child trafficking; however, implementation is poor
- State officials admit to having little understanding of the legislation and the definitions used
- High levels of corruption at national, regional and local levels hinder implementation. This is related to the absence of transparency and lack of accountability on the behalf of the state to its citizens
- State will is often contingent on a particular individual as opposed to institutional commitment to child rights. High staff turnover affects long-term, sustainable and effective interventions

²²³

Interview with key informant from NGO-run shelter, Bishkek

- There are few efforts to identify children who are at risk of trafficking specifically but identification procedures are in place to identify children at risk of 'delinquent' behaviour, abuse, exploitation and illegal migration. These efforts are regarded as inadequate
- Prevention activities do not focus on child trafficking specifically, but efforts to prevent children from dropping out of school, working, migrating illegally etc. can feed into counter-trafficking prevention programmes
- A coordination body should be established, more monitoring and evaluation is needed and a more holistic and targeted approach should be developed.
- Awareness-raising activities are being conducted by international organizations but respondents were critical of their reliance on 'conventional' approaches such as posters, materials and brochures. They encouraged more creative approaches that involve the participation of children and other members of the wider community to overcome high levels of passivity and apathy at the local level.
- There are no assistance, referral and reintegration activities designed specifically for child victims of trafficking. Existing activities are targeted at adult victims at trafficking or violence, or at other children 'at risk'. While children will be assisted under existing programmes a more targeted approach is needed that accounts for the specific long-term care child victims of trafficking need.
- Activities in the area of child protection are carried out by state and non-state actors but collaboration and coordination remains weak.
- To conclude, current systems are failing to adequately prevent and respond to child trafficking. This supports the third hypothesis guiding this research project.

Conclusion

This regional research project sought to fill in the gaps in understanding on the issue of child trafficking in Central Asia. It was designed around three hypotheses namely:

- There is more child trafficking in Central Asia than is currently acknowledged
- Child trafficking is closely linked to other societal issues
- Current systems are failing to adequately prevent and respond to child trafficking

This conclusion will refer to the summaries that have been provided at the end of each section of the report. It will be followed by a detailed set of recommendations on how state and non-state actors can develop an effective counter-trafficking programme.

Hypothesis 1: Incidence and Prevalence

There is more child trafficking in Central Asia than is currently acknowledged

In the first part of this report it was argued that there are no reliable and up-to-date statistics on the incidence and prevalence of child trafficking in Kyrgyzstan. Only a few reports address this issue. These reports suggest that that child trafficking occurs frequently in Central Asia, and in, through or to Kyrgyzstan in particular. However, these reports often duplicate cases and examples. This could suggest any of the following: no new cases of child trafficking have occurred; child traffickers are doing a better job in circumventing the police; identification procedures are inadequate, there is insufficient or inadequate research on this issue; or new cases are not receiving any publicity or exposure. The fact that child trafficking is rarely brought to the public's attention has led to state, NGO and local actors to express doubts that child trafficking occurs in Kyrgyzstan. Examples of child trafficking that were provided by key informants were based on hearsay and were not grounded in evidence or direct experience. This is one reason why the media does not report on the issue of child trafficking.

It was evident that the definition of child trafficking is not well understood or used by respondents, who preferred to use the term labour exploitation. Various cases were used to demonstrate that respondents were unclear about the relationship between migration, exploitation and trafficking. As a result, some of the examples that were provided as cases of trafficking were in fact exploitation, and vice versa. Cultural practices and constructions of childhood in relation to consent and decision-making, also affected whether a case was regarded as an example of exploitation and/or trafficking. The fact that many cultural practices and examples of exploitation and migration that were provided, have all the characteristics of cases of child trafficking, suggest that perhaps child trafficking is occurring in greater numbers than is currently acknowledged. This supports the first hypothesis; however, further research is needed to confirm these tentative conclusions

Hypothesis 2: Children ‘at risk’ of being trafficked

Child trafficking is closely linked to other societal issues

The phenomenon of child trafficking is closely associated with societal issues namely child migrancy, work, institutionalisation and school-drop out. Respondents argued that children who fall in one or more of these groups are at risk of exploitation and trafficking. However, their accounts also suggest that risk is so highly individual and contextual that one cannot make causal assumptions that a particular factor will lead to trafficking. Rather risk involves a complex interaction of a number of factors, to ensure that some children are more at risk of being trafficked than others. In fact, some children may be resilient in the face of many adversities. At a conceptual level, risk and resiliency factors operate at macro, interpersonal and individual levels.

Macro level factors include the following:

- high levels of poverty and socio-economic differences within and between countries and communities
- social dislocation and shifts in values caused by a sudden political and economic transition
- weak legislative and executive structure in the area of child rights and child protection
- cultural norms and practices that support the use of violence against children and encourage child labour rather than ‘child play’
- constructions of gender (femininity and masculinity) that support the subordination of women, the use of violence against women, cultural practices such as ‘bride kidnapping’ and norms that place pressure on men and boys to live up to certain ideals of masculinity. For instance, boys face pressure to be breadwinners even if it involves working in exploitative conditions. These issues need to be explored in greater depth.

Interpersonal level factors include:

- high levels of intimate partner violence (domestic abuse)
- physical, sexual, economic and psychological abuse of children
- corporal punishment used by parents and teachers
- single-parent households (where a parent has migrated or deceased)
- parental migration
- intergenerational tension
- negative relationships with social workers and school teachers
- poor social supports and inadequate social services
- lack of trust and faith in law enforcement officials
- apathy at community level in relation to child rights violations
- negative peer influence and exploitation at hands of peers

Individual level:

- low levels of educational achievement
- living in an institution or on the street

- poor understanding or knowledge about the risks related to work, migration and trafficking
- unrealistic expectations about living elsewhere
- sense of relative and subjective poverty
- lack of perceived options
- low self-confidence
- willingness to trust and rely on strangers
- desperation; desire for escape, adventure or entertainment
- risk-taking behaviour

This fact that a complex interplay of these factors might increase the likelihood that certain children will be trafficked, suggests that the second hypothesis is correct - child trafficking is closely related to other societal issues. It is closely linked to child migration, child labour, institutionalisation and 'school-drop out'.

Hypothesis 3: Evidence based policy

Current systems are failing to adequately prevent and respond to child trafficking

In the third component of this report, it was argued that there is a legal and policy framework in place to combat child trafficking in Kyrgyzstan; however, implementation is poor. This is related to a number of factors. State officials admit to having little understanding of the definition of child trafficking and the legislation that pertains to it. High levels of corruption at national, regional and local levels hinder implementation. This is related to the absence of transparency and lack of accountability on behalf of the state to its citizens. State will is often contingent on a particular individual as opposed to institutional commitment to child rights. As a result, high staff turnover in the ministries and departments that deal with child trafficking affects long-term, sustainable and effective interventions.

There are few efforts to identify children who are at risk of trafficking specifically but identification procedures are place to identify children at risk of 'delinquent' behaviour, abuse, exploitation and illegal migration. These efforts are however inadequate according to many key informants. Prevention activities do not focus on child trafficking specifically, but efforts to prevent children from dropping out of school, working, migrating illegally etc. can feed into counter-trafficking prevention programmes. In order to be more effective, a body should be established which is mandated to coordinate, monitor and evaluate all activities related to child trafficking. This body should include both state and non-state actors who together develop a holistic and targeted approach to combat child trafficking.

Awareness-raising activities are being conducted by NGOs and international organizations but respondents were critical of their reliance on 'conventional' approaches such as posters, materials and brochures. They encouraged more creative approaches that involve the participation of children and other members of the wider community to overcome high levels of passivity and apathy at the local level.

There are no assistance, referral and reintegration activities designed specifically for child victims of trafficking. Existing activities are targeted at adult victims at trafficking or violence, or at other children 'at risk'. While children will be assisted under existing programmes, a more targeted approach is needed that accounts for the specific long-term care child victims of trafficking need.

Activities in the area of child protection are carried out by state and non-state actors but collaboration and coordination remains weak. Hence, despite the existence of a legal framework to address the problem of child trafficking, implementation is hindered by these gaps in child protection. To conclude, current systems are failing to adequately prevent and respond to child trafficking. This supports the third hypothesis guiding this research project.

Recommendations

Law enforcement and prosecution

- All actors in law enforcement and prosecution should be clearly informed about legal frameworks in place to combat the trafficking of children
- They will need to be trained on what exactly child trafficking means and which children it includes
- The profile of law enforcement authorities need to be improved in local communities as high levels of mistrust deter people from seeking their assistance with regard to child protection issues
- More efforts need to be made to combat corruption by ensuring transparency in law enforcement and prosecution
- Law enforcement authorities and judicial officers need to be trained on how to be sensitive to, and respond to children generally and child trafficking victims in particular

Identification

- More clarity is needed at state, NGO and community levels about the definition of child trafficking and its relationship to migration, deception, coercion and exploitation
- More clarity is needed about the meaning of the term ‘at risk’ children.
- Awareness-campaigns need to be targeted at children and members of local communities, as well as state and non-state actors working in the area of child protection generally and child trafficking more specifically
- Specific measures and procedures need to be put in the terms of reference of the Family and Child Support Departments at rayon level on how to identify children at-risk. The successes and challenges of these identification procedures in other national and regional programmes should be considered when developing an approach that is suitable for the Kyrgyz context.
- All state and non-state actors that come into contact with children should be trained on how to identify these children and what steps need to be taken when such cases are identified
- These identification procedures should be bottom-up in that they should be sensitive to the cultural context, norms and practices.
- They should also encourage greater involvement from local communities through civil society organisations, local leaders, in collaboration with NGOs and the state.
- The actors and agencies responsible for identifying children at-risk of being trafficked need to be investigated, and in particular their relationship with children
- More efforts need to be established to ensure that children have accessible forums and trustworthy actors with whom they will feel comfortable disclosing their problems and concerns to without fear of blame or punishment.
- Given the fear of being blamed by adults, and a culture of not listening to children, more efforts should be developed using peer-to-peer counsellors. Children may feel more comfortable sharing their problems with other children. Children and youth should be trained in this regard.

- The awareness and capacity of teachers need to be improved in relation to identifying children at risk and responding in a timely manner
- Social workers and teachers also need to be trained on how to conduct participatory activities with children so that children are provided with the means and the space to voice their concerns in schools and institutions
- Efforts should be made to address cultural constructions of childhood so that actors who could potentially assist and support children at risk of being trafficked, are willing and able to listen to children's concerns

Prevention

- More data is needed on children at-risk. Given the methodological challenges gathering quantitative data, as well as the lack of depth that it often implies, more resources need to be invested in qualitative and participatory research to understand what risks such as trafficking and exploitation mean to children. This understanding could be used to inform counter-trafficking programmes.
- A coordinated response to prevention is needed that involves, Family and Child Support Departments at rayon level, NGO and local actors working in the area of child protection generally
- An agency should be designated to take responsibility for coordination, monitoring and evaluation
- The capacity of actors working in the area of prevention need to be strengthened in relation to their specific fields (see below) and in relation to participatory approaches to child protection
- Assistance to children at risk needs to be provided in a timely manner
- A targeted and individualised approach is needed with particular groups of children
- Prevention interventions should avoid the stigma and shame that may be associated with the word trafficking. They should gauge whether it is appropriate or sensible to even use the word 'trafficking' in communities where it may not be understood or seen as relevant.
- Long-term, sustainable interventions are needed that address macro risk factors including poverty, social dislocation, apathy, patriarchal and gerontocratic (intergenerational) norms that support the subordination and use of violence against women and children
- Holistic approaches are needed that involve the child, the family and the wider community
- Awareness raising should be prioritised on not only definitions and the risk of trafficking, but on how children can protect themselves
- A concerted effort by the media is needed, who should be granted more freedom in publishing stories about trafficking
- More efforts should be made to grab children's attention by using forums which children regularly want to attend
- In order to be more effective and get their message across to children, awareness-raising should move beyond poster campaigns to include other interactive activities that children can design and participate in.

- Children and adults should not only be informed about trafficking risks but about their rights and responsibilities in relation to the state and other non-state actors. More efforts should be made to demonstrate what this means in their daily lives and interactions.

Prevention activities for child migrants and children affected by migration:

- More efforts need to be made to understand why some children want or need to migrate. Investing resources in further research on this issue is necessary.
- More assistance needs to be provided to children who would like to runaway because they are trying to escape violence in their homes, seek employment or entertainment in other cities or countries.
- More information needs to be provided to children about the risks of migration, but also about the rules and regulations governing migration, and how to migrate safely
- Children need to be informed about what they can do to help themselves or who they can turn to for support if they find themselves in a situation of risk in the process of migration
- Unaccompanied minors should receive far more support from state and non-state actors as they may face heightened risks
- Children should have persons and places where they can receive support without fear of deportation and detention in destination countries. Children should be informed about the existence of these places before they migrate. Staff working at these centers should also be provided with training on how to support such children in a sensitive and child-friendly manner
- Child migrants who arrive in Kyrgyzstan should have full access to all services regardless of ethnicity. As this emerged as a factor that may inhibit some children from receiving support and assistance, more targeted interventions should be developed with those ethnic groups that are discriminated against (Roma) and with the wider community
- Interventions should be directed at children whose parents have migrated on a temporary or permanent basis. Support should be provided to relatives charged with their care.
- More efforts (such as life skills-education) should be made to enhance children's decision-making skills so that when faced with the option of migration they are aware of the options, are able to evaluate the pros and cons of each, have the confidence to help themselves and/or turn to other actors for support.
- Bilateral agreements should be developed between countries to ensure the safety of parents and children seeking to migrate

Prevention activities for working children

- Conduct qualitative research to understand why children need or want to work
- There is a particular gap on information on child sexual exploitation. More research is necessary
- Interventions should target families and communities to address cultural norms that promote and encourage the use of child labour

- Constructions of masculinity and the pressure on boys to earn money also need to be addressed
- The services for children who have low levels of education should be improved to assist them to find employment
- Monitor the activities of existing labour exchange services
- Provide vocational training to young job-seekers
- The state needs to carry out more labour inspections to monitor the work of employers
- A coordinated response is needed that involves the state, NGOs and local communities, who have a common definition of labour exploitation

Prevention activities for institutionalised children

- Improve conditions in existing institutions
- In order to ensure greater staff commitment, review salaries and working hours
- Build the capacity of staff in terms of child protection and child participation approaches. Creative means of capacity building are necessary e.g. exchange programmes where staff spend time in and learning from different shelters
- Carefully consider the appropriateness of institution or family placement depending on the needs of a particular child
- Provide individualised and long term physical and psycho-social care
- Children should also be involved in monitoring and evaluating conditions in institutions. For instance, participatory activities with children should be conducted with children to understand their perception of current conditions. This could be used as a baseline against which progress is continually measured.
- Warmth should be fostered in institutions by investing more in staff-children relationships, giving children some personal space, and power in setting rules and restrictions
- Children should have forums where they can voice their concerns (e.g. complaints' box, youth councils) and have people whom they can trust and voice their concerns to. Peer-to-peer counsellors have elsewhere proved successful.
- Creative methods should be developed to enhance child participation in order to improve conditions in institutions and monitor their effects on children
- Monitor activities in institutions closely with particular attention to child protection issues
- More resources, space and support should be provided to NGOs to assist children
- Long term follow-up is needed of children who leave institutions. Children should be prepared in advance with skills and information before they leave institutions to boost their self-confidence. This could be enhanced by enabling children to be in touch with those who have left institutions and succeeded in the fields of education and employment.
- Alternatives should be sought to institutionalised living, which is viewed pejoratively by many community members

- Involve the community in providing care to at-risk children, although training on child protection issues should be provided and long-term monitoring should take place

Prevention activities for school drop-outs

- Improve the role that schools can play in identification, awareness-raising and skills development
- Teachers should dedicate more time to enhancing vocational skills and providing legal training
- Teachers should raise children's awareness about what human rights and child rights mean in practice
- Teacher's capacity needs to be built not only in terms of formal instruction but in terms of being able to engage with children
- The quality of teaching needs to be closely monitored
- Significant efforts to reduce violence in schools should be made
- Forums where children can voice their concerns should be put in place
- Activities for children who do not attend school should be made more widely available
- More activities should be put in place to support the reintegration of school-drop outs or provide support to these children
- More efforts need to be made to deal with poor school attendance.
- This will require attempts to deal with the structural problems related to socio-economic factors (poverty, resource allocation to schools in outlying areas etc.) and cultural factors (poor attendance by girls etc.)

Assistance, referral and reintegration to child victims of trafficking:

- Comprehensive support should be provided to child victims of trafficking, which focus not only on their physical and medical needs, but also on long term psycho-social care
- More shelters and centers for child victims of trafficking should be developed and allocated resources to deal with the specific needs of children who may not feel able or comfortable expressing their needs and concerns
- Children's needs and wants need to be considered when designing individualised assistance activities for them. All efforts including capacity building should revolve around child participation, in order to ensure that child victims are consulted and listened to
- Conditions in the family need to be investigated carefully before returning children home
- Follow-up is necessary with the child, family and community to ensure that child victims are not subject to further stigma, violence and exploitation.
- A regional referral system needs to be developed to ensure that children's rights are not violated when they are repatriated home. This referral system should involve collaborative efforts by state and non-state actors working in similar ministries across-borders. Bilateral agreements will need to be set up to facilitate this process.

- Clear procedures need to be established on how this is to be undertaken, and what preparation and follow-up is needed by all actors to ensure that the process is not prolonged and does not lead to further trauma for the child
- Reviewing the challenges and successes of other regional programmes is useful, such as Save the Children Norway's Child Trafficking Response Programme in South East Europe. This programme had a number of components including information sharing, research, prevention, assistance, referral and monitoring and evaluation.

Appendix 1: Bibliography

#	Name (original with translation into English)	Issued by whom/author	Country	Year
1	Criminal code of the Kyrgyz Republic (KR)	Law of KR # 68 as of 01.10.97	Kyrgyzstan	1997
2	Code of the Kyrgyz Republic on administrative responsibility	Law of KR # 114 as of 04.08.98	Kyrgyzstan	1998
3	Code of the Kyrgyz Republic on children	Law of KR # 151 as of 07.08.06	Kyrgyzstan	2006
4	Labour code of the Kyrgyz Republic	Law of KR # 106 as of 04.08.04	Kyrgyzstan	2004
5	Criminal procedure code of the Kyrgyz Republic	Law of KR # 62 as of 30.06.99	Kyrgyzstan	1999
6	Law of KR "On prevention and struggle with human trafficking"	Law # 55 as of 17.03.05	Kyrgyzstan	2005
7	Convention of ILO on prohibition and urgent measures to eliminate the worst forms of child Labour	ILO General Conference; as of 17.06.99 # 182 ; ratified by Law of KR # 244 on 30.12.03	International	2003
8	Law of KR "On external labour migration"	Law # 4 as of 13.01.06	Kyrgyzstan	2006
9	Law of KR "On external migration"	Law # 61 as of 17.07.2000	Kyrgyzstan	2000
10	Law of KR "On culture"	Law # 803-XII as of 05.03.92	Kyrgyzstan	1992
12	State program "New Generation" on the implementation of children's rights till 2010	Governmental Decree as of 14.08.01, # 431	Kyrgyzstan	2001
13	"Child's Rights"	Resolution 60/231 of UN General Assembly as of 23.12.05	International	2005
14	Presidential Decree "On measures to struggle with illegal exporting and trafficking in human beings in the Kyrgyz Republic"	Decree # 94 as of 21.04.02	Kyrgyzstan	2002
15	Program of measures to struggle with illegal exporting and trafficking in human beings in the Kyrgyz Republic for 2002-2005	Presidential Decree # 94 as of 21.04.02	Kyrgyzstan	2002
16	Report on execution of facultative protocol to the Convention on rights of the child, concerning issues of child trafficking, child prostitution and child pornography	Governmental Decree # 92 as of 13.02.06	Kyrgyzstan	2006
17	Protocol on prevention, suppression and punishment for trafficking in human beings, especially women and children, supplementary to the UN Convention against transnational organized crime	Resolution 55/25 of UN General Assembly as of 15.11.2000	International	2000

18	Agreement on cooperation of member-states of Commonwealth of Independent States in fighting human trafficking, human organs and tissues.	CIS member-states in the person of governments, as of 25.11.05; ratified by KR on 25.11.05	Regional	2005
19	Presentation on status of human rights in 2004	Bureau on democracy, human rights and employment	Kyrgyzstan	2005
20	Agreement between General Prosecutor's Office of the Kyrgyz Republic and General Prosecutor's Office of Uzbek Republic on legal assistance and cooperation	General prosecutor's office of KR and General prosecutor's office of RU, as of 03.10.06	Regional	2006
21	Convention on struggle with human trafficking and exploitation of prostitution by third parties	UN General Assembly; as of 21.03.50; ratified by Law of KR # 47 as of 26.07.96	International	1950
24	National "Human rights" Program for 2002 - 2010	Presidential Decree # 1 as of 02.01.02	Kyrgyzstan	2002
25	Regulations on National council under the President of KR on struggle with illegal exporting and trafficking in human beings	Presidential Decree # 94 as of 21.04.02	Kyrgyzstan	2002
26	UN Convention on the Rights of the Child	UN General Assembly; as of 20.11.89; ratified by KR Jogorku Kenesh Decree # 1402 on 12.01.94	International	1989
27	Facultative protocol to the UN Convention on the rights of the child, concerning child trafficking, child prostitution and child pornography	UN General Assembly; as of 25.05.2000; ratified by Law of KR # 118 on 12.07.02	International	2000
28	Agreement between Ministry of Foreign Affairs of the Kyrgyz Republic and Ministry of Internal Affairs of Russian Federation on cooperation in the field of migration	Ministry of Foreign Affairs of KR and Ministry of Internal Affairs of Russian Federation; as of 18.04.03	Regional	2003
29	Presidential Decree "On urgent measures to improve position of children in the Kyrgyz Republic"	Decree # 24 as of 20.01.06	Kyrgyzstan	2006
30	Plan of urgent measures to improve position of children in the Kyrgyz Republic for 2006	Presidential Decree # 24 as of 20.01.06	Kyrgyzstan	2006
31	Agreement between the Government of Republic of Kazakhstan, Kyrgyz Republic and Republic of Uzbekistan on regulation of the processes of migration of population.	Government of RK, Government of KR and Government of RU; 07.08.97; approved by the Government of KR on 17.03.2000 # 147	Regional	1997
32	Decree of the Government of the Kyrgyz Republic	Governmental Order # 209-p as of 06.05.06	Kyrgyzstan	2006
33	National Strategy on protection of reproductive health of population of the Kyrgyz Republic till 2015	Presidential Decree # 387 as of 15.07.06	Kyrgyzstan	2006

34	Regulations on Steering Committee on issues of child labour in the Kyrgyz Republic	Governmental Order # 541 as of 25.08.03	Kyrgyzstan	2003
35	On measures of struggle with illegal export and people trafficking in the Kyrgyz Republic	Order of Ministry of Health of KR # 425, as of 06.10.05	Kyrgyzstan	2005
36	Agreement between the Governments of the Kyrgyz and Turkish Republics "On mutual trips of citizens"	Government of KR and Government of TR; as of 05.09.06	International	2006
37	Agreement on cooperation in the field of labour migration and social protection of working migrants	Governments of states – parties of the Treaty on setting up Economic Alliance; as of 15.04.94; for KR came into force on 28.12.95	Regional	1995
38	Agreement on procedure of entry of citizens of CIS member-states to the CIS non-member states, and departure from those countries	Governments of CIS states; as of 17.01.97	Regional	1997
39	Agreement on cooperation of CIS member states in fighting illegal migration	Governments of CIS states; as of 06.03.98; KR ratified the Agreement by Law of KR # 180, as of 01.08.03	Regional	1998
40	Agreement on cooperation of CIS member states in fighting crime	Governments of CIS states; as of 25.11.98; approved by Governmental Decree # 600, as of 29.12.2000	Regional	1998
41	Agreement between the Government of the Kyrgyz Republic and Government of Federal Republic of Germany on cooperation in fighting organized crime, terrorism and other crimes presenting high danger	Government of KR and Government of FRG; as of 02.02.98	International	1998
42	Agreement between the Kyrgyz Government and Government of Czech Republic on cooperation in fighting organized crime, illegal turnover of drugs, psychotropic substances and precursors, terrorism and other dangerous types of crimes	Government of the Kyrgyz Republic and Government of Czech Republic; as of 08.04.98	International	1998
43	Document of the Moscow meeting of Conference on human measurement CSCE	CSCE; as of 03.10.91	Regional	1991
44	Charter of European security	OSCE; as of 19.11.99	Regional	1999

45	Objectives of the State Committee of KR on Migration and Employment for 2006	State Committee of KR on migration and employment	Kyrgyzstan	2006
46	Final observations of the UN Committee on the rights of the child on the second report of Kyrgyzstan presented under the Article 44 of the UN Convention on rights of the child	Bulletin of Supreme Court of KR, # 1, 2005	International	2004
47	Statements of leaders of CIS states on activation of cooperation in fighting illegal migration	Leaders of CIS states; as of 28.11.06	Regional	2006
48	Alternative report to the report of the Kyrgyz Republic on fulfillment of regulations of the UN Convention on the rights of the child	NGO "Youth group on human rights" and other NGOs	Kyrgyzstan	2004
49	Report "Rights of children in the Kyrgyz Republic"	Kyrgyz Committee on Human Rights	Kyrgyzstan	2004
50	Inception report on progress of the National Strategy of Poverty Reduction of the Kyrgyz Republic for 2003	Government of KR	Kyrgyzstan	2004
51	International Convention on protection of rights of all working migrants and members of their families	UN General Assembly; as of 18.12.90; ratified by Law of KR of 15.04.03 # 80	International	1990
52	Convention of ILO on working migrants	ILO General Conference; as of 01.07.49 # 97; KR ratified by Order of Jogorku Kenesh of KR # 1409-XII as of 12.01.94	International	1949
53	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	UN General Assembly; as of 18.12.79; KR joined by Decree of Legislative Body of Jogorku Kenesh of KR # 320-1, as of 25.01.96, Decree of Jogorku Kenesh # 257-1, as of 06.03.96	International	1979
54	Protocol against illegal import of migrants by land, sea and air, supplementing the UN Convention against transnational organized crime	Resolution 55/25 of UN General Assembly as of 15.11.2000	International	2000
55	Concept of the state demographic and migration policy of the Kyrgyz Republic	Presidential Decree # 102 as of 28.04.2000	Kyrgyzstan	2000

56	Resolution on activation of OSCE efforts on fighting human trafficking	OSCE Council of Ministers; Vienna	Regional	2000
57	Resolution # 6	OSCE Council of Ministers; Bucharest	Regional	2001
58	Declaration on human trafficking	OSCE Council of Ministers; Portu	Regional	2002
59	Resolution # 2/03: Struggle with human trafficking	OSCE Council of Ministers; Maastricht	Regional	2003
60	Addendum to Resolution # 2/03: Struggle with human trafficking; OSCE Action Plan on fighting human trafficking	OSCE Council of Ministers; Maastricht	Regional	2003
61	Resolution # 13/04: Special needs of children, victims of human trafficking, in protection and help	OSCE Council of Ministers; Sophia	Regional	2004
62	Concept of the state emigrational policy of the Kyrgyz Republic till 2010	Presidential Decree # 151 as of 30.04.04	Kyrgyzstan	2004
63	Situational Analysis of commercial sexual exploitation of children in the Kyrgyz Republic	ECPAT International, "El-Pikir" Public Opinion Study Center	Kyrgyzstan	2004
64	Children of Central Asia running the risk of becoming victims of slave trafficking. Situational Analysis	Save the Children (UK), SCHWEIZERISCHE BOTSCHAFT AMBASSADE DE SUISSE EMBASSY OF SWITZERLAND	Kyrgyzstan, Uzbekistan, Tajikistan	2004
65	Summary of activities carried out by Ministry of Internal Affairs of the Kyrgyz Republic on fulfillment of International Convention on elimination of all forms of discrimination against women	Ministry of Internal Affairs	Kyrgyzstan	2006
66	Summary of activities carried out by the agencies of internal affairs of the Kyrgyz Republic regarding prevention of violence to women	Ministry of Internal Affairs	Kyrgyzstan	2006
67	Report on implementation by Ministry of Internal Affairs of KR of the UN Convention on Elimination of All Forms of Discrimination Against Women as well as Final Comments of the UN CEDAW Committee to the second periodic report of KR on implementation of CEDAW	Ministry of Internal Affairs	Kyrgyzstan	2006
68	Outcomes of monitoring of implementation progress of Presidential Decree "On NPD of reaching gender equality in KR for 2002-2006", of 2 March 2002 # 52, in 2002-2003 and first semester of 2004	Secretariat of National Council on women's affairs, family and gender development under Presidential Office, UNDP	Kyrgyzstan	2004

69	Convention on elimination of all forms of discrimination against women. Action Guidelines. Presentation of the second periodic report on implementation of the UN CEDAW in the Kyrgyz Republic. New-York, 14 January 2004. Matrix of activities on implementation of Final Comments of the UN CEDAW to the second periodic report of KR. Matrix of activities was approved by the Governmental Decree #837 on 12 November 2004.	Secretariat of National Council on women's affairs, family and gender development under Presidential Office	Kyrgyzstan	2005
70	National action plan on reaching gender equality in the Kyrgyz Republic for 2002-2006. Approved by the Presidential Decree #52 as of 2 March 2002.	National Council of women's affairs, family and gender development under President of KR	Kyrgyzstan	2002
71	Draft National Action Plan on reaching gender equality in the Kyrgyz Republic for 2007-2010	National Council of women's affairs, family and gender development under President of KR	Kyrgyzstan	2007
72	"How much is human being"	Article in the Newspaper "Word of Kyrgyzstan"	Kyrgyzstan	15 December 2005
73	"In a circle of problems"	Article in the Newspaper "Word of Kyrgyzstan"	Kyrgyzstan	4 October 2005
74	"We trade all, even people"	Article in the Newspaper "Word of Kyrgyzstan"	Kyrgyzstan	28 July 2005
75	"It's time to whip parents"	Article in the Newspaper "Vechemnyi Bishkek"	Kyrgyzstan	29 July 2005
76	"Sex-slavery lots of money gave"	Article in the Newspaper "Vechemnyi Bishkek"	Kyrgyzstan	28 July 2005
77	"Birds of passage"	Article in the Newspaper "Vechemnyi Bishkek"	Kyrgyzstan	12 July 2005
78	Manual for trainers on prevention of human trafficking in Kyrgyzstan	NGO "Center of Help to Women" under the project "Prevention of human trafficking" of Winrock International.	Kyrgyzstan	2005

79	Alternative report to the Committee on Elimination of All Forms of Discrimination Against Women (2004) and materials on implementation of the UN CEDAW in the Kyrgyz Republic	Alternative report was prepared by "NGO Council" consisting of seven organizations: Center of Help to Women, ADILET Legal Clinic, Association of Crisis Centers, Alliance on Reproductive Health, EL-MURAS Unified Republican Political Party, Association in Support of Business Women, Center of Gender Research	Kyrgyzstan	2004
80	Staff of maternity houses are suspected of human trafficking	Aziza Turdueva, IWPR Officer in Bishkek (RCA # 489, 13 April 2007)	Kyrgyzstan	2007
81	Lost children of Central Asia	The following people participated in preparing the material: Kamil Ashurov - IWPR Contributor in Samarquand, Uzbekistan; Ulukbek Babakulov - Freedom House Officer, Bishkek, Kyrgyzstan; Nataliya Domagalskaya - independent journalist from Bishkek, Kyrgyzstan; Nargis Zokirova - IWPR Contributor in Dushanbe, Tajikistan; Elena Lyanskaya - Freedom House Volunteer, Tashkent, Uzbekistan; Alla Pyatibratova - independent journalist from Osh, Kyrgyzstan; Roman Sadanov - pseudonym of journalist from Astana, Kazakhstan; Aseel Sagynbaeva - IWPR Program Coordinator, Kyrgyzstan; Arthur Samari - IWPR Contributor in Samarquand, Uzbekistan; Leila Saralaeva - independent journalist from Bishkek, Kyrgyzstan.	Kyrgyzstan, Uzbekistan, Tajikistan, Kazakhstan	
82	As of outcomes of 10 months of 2004 there were 50 criminal cases on human trafficking initiated in Kyrgyzstan	AKI-press Electronic Newspaper: www.akipress.kg	Kyrgyzstan	
83	Report for Parliamentary hearings of "Implementation of recommendations of the UN Committee on the rights of the child on stopping exploitation of child labour".	Network of non-commercial organizations on protection of rights and advocacy of child's interests	Kyrgyzstan	27 July 2006
84	Trafficking in Persons Report	United States Department of State	International	2007
85	"Plus 5" review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Kyrgyz Republic National Progress Report	UNICEF	Kyrgyzstan	2007

86	Problems of Street Children in Cities in Kyrgyzstan (UNESCO Cluster Office, Almaty, Kazakhstan: Bishkek)	“El-Pikir” Public Opinion Study Center for UNESCO (Ilibezova, E. Ilibezova, A. Chekirov, G., Musakozhaeva, G., Toktosunov, R)	Kyrgyzstan	2003
87	Situational Analysis of the Commercial Sexual Exploitation of Children in the Kyrgyz Republic. Bishkek for ECPAT International, Thailand.	““El-Pikir” Public Opinion Study Center” Center for the Study of Public Opinion and Kurmanova, G (NGO “Tais Plus”), Sydykova, L (Association of Independent Lawyers of Kyrgyzstan) (Ilibezova, E., Ilibezova, L., Toktosunov, R., Selezneva, E.	Kyrgyzstan	2004
88	The untold stories of the silent walls	UNICEF, undertaken by “SIAR-Bishkek” research agency	Kyrgyzstan	2006
89	Worst forms of child labour in the Kyrgyz Republic: hygiene assessment of the working and health conditions of the children working in cotton, rice and tobacco production.	ILO/IPEC/ Ministry of Health of the Kyrgyz Republic/ NGO “Positive Help”	Kyrgyzstan	2007
90	Problems of Labour Migration in the Kyrgyz Republic	“El-Pikir” Public Opinion Study Center (E. Ilibezova, L. Ilibezova, E. Seleznova, R. Toktosunov)	Kyrgyzstan	2006
91	Domestic violence in Kyrgyzstan: causes, scale and effectiveness of actions	“El-Pikir” Public Opinion Study Center	Kyrgyzstan	2004
92	“Reconciled to Violence: State Failure to Stop Domestic Abuse and Abduction of Women in Kyrgyzstan”. Vol. 18. No. 9	Human Rights Watch	Kyrgyzstan	2006
93	Situational Analysis on Violence in Schools	“El-Pikir” Public Opinion Study Center for UNICEF	Kyrgyzstan	2004

Appendix 2: List of Respondents

#	Organizations	Oblast
1	Rehabilitation Center for Homeless Children	Bishkek
2	Public Association «Svetlyi Put'» (Bright Pathway)	Bishkek
3	NGO “Tais Plus”	Bishkek
4	Refugees Protection Commission	Bishkek
5	Children Rehabilitation and Adaptation Center	Bishkek
6	Minors Affairs Inspectorate	Bishkek
7	Court of Pervomaiskyi district	Bishkek
8	Ministry of Education (Deputy Chief of Schools Management Dept.)	Bishkek
9	NGO «UNISON»	Bishkek
10	Lawyer/Attorney	Bishkek
11	UNESCO	Bishkek
12	Ministry of Labour and Social Development	Bishkek
13	Crisis Center	Bishkek
14	City Labour Exchange	Bishkek
15	Information and Advisory Center under State Committee of KR on Migration and Employment	Bishkek
16	Border Guards of KR	Bishkek
17	"Ogni Balasagyna" Newspaper, Chief Editor	Chui oblast
18	NGO «Ayan Delta»	Chui oblast
19	Migration and Labour Interregional Committee	Chui oblast
20	Street Kids Crisis Center	Chui oblast
21	Child Trafficking Victims Crisis Center «Beykut»	Chui oblast
22	Department of Justice	Chui oblast
23	Oblast Education Department	Chui oblast
24	City Hall, Tokmok city	Chui oblast
25	Children's Care Center PIN	Chui oblast
26	Minors Affairs Inspectorate, Tokmok city	Chui oblast
27	Lawyer/Attorney	Chui oblast
28	Oblast Prosecution Office	Chui oblast
29	Oblast State Administration	Chui oblast
30	Department of Social Protection	Chui oblast

31	Oblast Court	Chui oblast
32	Department of Interior	Chui oblast
33	City Education Department	Chui oblast
34	Oblast Administration	Issyk-Kul oblast
35	Department of Social Protection	Issyk-Kul oblast
36	Department of Justice	Issyk-Kul oblast
37	Oblast Prosecution Office	Issyk-Kul oblast
39	Oblast Education Department	Issyk-Kul oblast
41	Oblast Court	Issyk-Kul oblast
42	City Hall of Karakol	Issyk-Kul oblast
43	NGO "Ayalzat"	Issyk-Kul oblast
44	Evening School "Kut Bilim"	Issyk-Kul oblast
45	Anonymous Office "Afiyat"(sex workers)	Issyk-Kul oblast
46	Oblast Newspaper "Tengir Too"	Naryn oblast
47	NGO "Nurjolber"	Naryn oblast
48	Lawyer/Attorney	Naryn oblast
49	Help Line 104, Naryn	Naryn oblast
50	Rayon Committee on migration and employment	Naryn oblast
51	Oblast Education Department	Naryn oblast
52	Naryn Oblast Trade Unions Council Chairman	Naryn oblast
53	City Hall, Naryn	Naryn oblast
54	Oblast Committee on migration and employment	Naryn oblast
55	Chief of Laws Surveillance and implementation Department, Department of Justice	Naryn oblast
56	Family and Children Support Center under the State Administration	Naryn oblast
57	Interior Department	Naryn oblast
58	Oblast Newspaper "Tengir Too"	Naryn oblast
59	Department of Interior	Naryn oblast
60	Minors Affairs Oblast Committee	Naryn oblast
61	Oblast Administration	Talas oblast
62	Municipality	Talas oblast
63	Minors Affairs Inspectorate	Talas oblast
64	Department of Social Protection	Talas oblast
65	Talas Oblast Court	Talas oblast
66	Oblast Prosecution Office	Talas oblast
67	Lawyer/Attorney	Talas oblast
68	NGO "Edinstvo Slavyan" (Slavic Ethnicity Unity)	Talas oblast
69	Center for street children	Talas oblast

70	Crisis Center "Ayalzat"	Talas oblast
71	NGO "Aykol"	Talas oblast
72	Crisis Center "ZOM-21"	Talas oblast
73	Crisis Center "Arzykan"	Talas oblast
74	Legal Center "Femida"	Talas oblast
75	Radio Station "Azattyk"	Talas oblast
76	Oblast Education Department	Talas oblast
77	Department of Justice	Talas oblast
78	Interior Department	Talas oblast
79	Public Association (PA) "Master Radosti", Street Kids Project	Osh oblast
80	Detention Center	Osh oblast
81	Public Fund "Ulybka" (Smile)	Osh oblast
82	Lawyer/Attorney	Osh oblast
83	Department of Justice	Osh oblast
84	Oblast Education Department	Osh oblast
85	Department of Social Protection	Osh oblast
86	Detention Center	Osh oblast
87	Minors Affairs Inspectorate	Osh oblast
88	Psychologist	Osh oblast
89	PA "Every child"	Osh oblast
90	Help Line , IOM	Osh oblast
91	Rayon Public Association	Jalalabad oblast
92	Department of Justice	Jalalabad oblast
93	Labour Migrants Support Center, Jalalabad city	Jalalabad oblast
94	AIDS Center, Jalalabad city	Jalalabad oblast
95	Journalist	Jalalabad oblast
96	Bar of Lawyers, Suzak rayon	Jalalabad oblast
97	Oblast Human Rights Organization "Spravedlivost" (Justice)	Jalalabad oblast
98	Oblast Court	Jalalabad oblast
99	Education Department	Jalalabad oblast
100	Association "Women Leaders"	Jalalabad oblast
101	Psychologist	Jalalabad oblast
102	City Hall, Jalalabad city	Jalalabad oblast
103	Public Association "Tais Plus 2"	Jalalabad oblast
104	Prosecution Office, Jalalabad city	Jalalabad oblast
105	Department of Social Protection	Jalalabad oblast
106	Trade Unions Oblast Committee	Jalalabad oblast
107	Minors Affairs Inspectorate, Suzak rayon	Jalalabad oblast
108	Minors Affairs Inspectorate	Batken oblast
109	Oblast Court	Batken oblast
110	Oblast Education Department	Batken oblast

111	Lawyer	Batken oblast
112	Attorney	Batken oblast
113	Rayon Prosecution Office	Batken oblast
114	Interior Department	Batken oblast
115	Ombudsman Representative	Batken oblast
116	Oblast Administration	Batken oblast
117	NGO "Ayil Demilgesy"	Batken oblast
118	Narcology Center	Batken oblast
119	Department of Social Protection	Batken oblast
120	Department of Justice	Batken oblast
121	Street Kids Crisis Center	Batken oblast
122	Oblast Newspaper "Batken Tany"	Batken oblast
123	Crisis Center "Jangyl Myrza", Help Line 104	Batken oblast
124	Rayon State Administration, Family and Children Support Department	Batken oblast

United Nations Children's Fund
UN Common Premises
in the Kyrgyz Republic
160, Prospect Chui, 720040, Bishkek
Kyrgyz Republic

Telephone 996 312 611 211 + ext
996 312 611 224 ...7
Facsimile 996 312 611 191
bishkek@unicef.org
www.unicef.org

For every child
Health, Education, Equality, Protection
ADVANCE HUMANITY

ISBN 978-9967-24-771-0

© UNICEF

March 2008