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## The Kyrgyz Republic National Voluntary Review on the Implementation of the Global Compact for Safe, Orderly and Regular Migration

### 1. Introduction and Methodology

Migration in the Kyrgyz Republic is an objective process that provides constitutionally enshrined, personal human rights to freedom of movement and choice of residence. The scale of migration is directly affected by political events and socio-economic development of the country and its regions. The Kyrgyz Republic strives to ensure decent living conditions and protection of rights and interests for every citizen moving within the country and abroad. The Kyrgyz Republic also welcomes foreign nationals and stateless persons who can contribute positively to the country's development.

Today, migration affects over three million people in the Kyrgyz Republic and will remain a significant economic and social factor in the foreseeable future. Every fourth household in the country (26%) has at least one labour migrant.

In this context, the Kyrgyz Republic is taking all measures to improve the regulation of migration processes by, inter alia, integrating 23 objectives of the Global Compact for Safe, Orderly and Regular Migration (the Global Compact on Migration or GCM) into state migration management and expanding international cooperation in the field of migration.

Although the country has not officially acceded to the Global Compact on Migration, the Cabinet of Ministers and development partners concerned have put a lot of effort into preparing this National Voluntary Review (the Review). This Review was elaborated with the involvement of government agencies and non-governmental organisations, experts, the UN Migration Network<sup>1</sup>, development partners and other stakeholders.

The Review process involved a series of meetings with stakeholders, data collection and compilation of information as a second stage, and a subsequent coordination of the draft Review with all participants in the development process to integrate their suggestions and comments. As a multi-stakeholder and multi-sectoral effort, the Review was based on partnership with all stakeholders.

The Review process took into that the Global Compact goals are closely aligned with and for the most part aimed at the comprehensive implementation of the 2030 Sustainable Development Agenda adopted in 2015. On July 16, 2020 at the High-Level Political Forum on Sustainable Development of the UN Economic and Social Council, the Kyrgyz Republic presented their first Voluntary National Review of the Sustainable Development Goals (SDG VNR).

The SDG VNR emphasizes the country's key policy human development benchmarks and the main achievements and challenges in the implementation of the 2030 Agenda. To this end, national plans are being implemented to guarantee legal and judicial protection of human rights and freedoms, reduce inequality, eradicate poverty, mitigate climate change, reduce disaster risk, invest in human development, build skills and knowledge for all segments of society, create jobs, support healthy lifestyles, and promote gender equality.

### 2. Policy and Enabling Environment

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<sup>1</sup> UN Network on Migration in the Kyrgyz Republic was established in April 2020.



The migration policy in the Kyrgyz Republic strives to stabilise migration processes through state programs aimed at mitigating the adverse factors causing and accompanying migration, and to create conditions for the fullest possible realisation of migration potential for country's development.

This aim is enshrined in the Kyrgyz Republic Migration Policy Concept approved by Government Resolution #191 "On Approval of the Kyrgyz Republic Migration Policy for 2021-2030" dated May 4, 2021.

The Concept implementation process is aligned with the state programs for sustainable socio-economic development of the regions, improving the living standards of the population and the development of human potential.

The need to regulate migration processes and create conditions for safe, orderly and legal migration is also highlighted in the Kyrgyz Republic National Development Program until 2026, developed as part of the National Development Strategy until 2040 and maintaining continuity based on country's long-term strategic development goals with a human-centered approach and an emphasis on the SDG fundamental commitment to "leave no one behind". The National Strategy establishes the country's aspiration to achieve the SDGs adopted by the United Nations General Assembly Resolution 70/1 on September 25, 2015.

Also, the Decree #4 of the Kyrgyz Republic President S.N. Japarov "On Measures to improve the Migration Situation" dated January 29, 2021 highlights the importance of providing comprehensive support to migrant workers in host countries, and protecting the rights and interests of migrants' families in the Kyrgyz Republic.

Another important task of the Cabinet of Ministers is to ensure strict compliance with the migration-related commitments, including international ones. Currently, the authorised state bodies in charge of migration in the Kyrgyz Republic are represented by:

- Ministry of Labour, Social Security and Migration (MLSSM),
- Ministry of Foreign Affairs,
- Ministry of Internal Affairs,
- Ministry of Digital Development, and
- State Committee for National Security.

The activities of these state bodies allow for the fullest possible provision of safe and regulated migration, while covering all the goals of the Global Compact on Migration.

### 3. Progress towards the GCM goals

#### 1. Collection and use of accurate and disaggregated data as a basis for evidence-based policy making

Migration data in the Kyrgyz Republic is collected from a variety of sources in accordance with the transparency and reliability principles. Given that the Kyrgyz Republic is a country of origin of migrants and most of our citizens work abroad, the migration records of hosting states are used to calculate the number of departing citizens. The Ministry of Foreign Affairs and the MLSSM collect data on the number of Kyrgyz nationals working in foreign countries.

Data on the number of foreign nationals staying for various purposes in the Kyrgyz Republic is collected by the Ministry of Digital Development, the Ministry of Internal Affairs and the State Committee for National Security, with the latter being the main operator of the Unified External Migration Registration System (UEMRS).



The end organisation that processes data in accordance with an approved methodology is the Kyrgyz Republic National Statistical Committee. They maintain statistics on external migration disaggregated by country of destination (origin), migration gain, external migration outflow, as well as external migration rates disaggregated by ethnic group.

The National Statistical Committee is the main state body in charge of the population census. Due to COVID-19 pandemic the General Population Census was postponed to March 2022 by the Decree #228 of the Cabinet of Ministers “On Preparing and Conducting Population and Housing Census in the Kyrgyz Republic in 2022” dated October 22, 2021. The census questionnaire included questions on migration to obtain an understanding on the migration dynamics in the country.

In 2018, Kyrgyz Republic participated in the first Migration Governance Indicators (MGI) assessment, which revealed the need for a migration policy framework. (The report can be found at <https://www.migrationdataportal.org/overviews/mgi/kyrgyzstan#0> ).

It should be noted, however, that there is no unified national system in place in the Kyrgyz Republic for collecting statistical data on migration (comprehensive and disaggregated) at the local government and national level. The existing system of population movement registration is not effective failing to reflect the actual external and internal migration process. In this vein, it is crucial for the Cabinet of Ministers to incorporate the migration component in data collection and methodology elaboration, while at the same time mainstreaming gender.

## 2. Minimise the adverse impact of various driving factors forcing people to leave the country

The Cabinet of Ministers is taking measures to improve the economic, social and infrastructural situation in the country to create favourable living conditions for the population. However, the issue of labour migration remains open. The country lacks precise statistics on labour migration. According to various estimates, there are around one million migrants. About 80 percent of them have secondary general education, which explains their employment in low-skilled positions. The main host countries include the Russian Federation and the Republic of Kazakhstan. At the same time, in there has been recently a growing interest in migrating to the Republic of Turkey and the Republic of Korea.

The Kyrgyz Republic's accession to the Eurasian Economic Union (EAEU) in August 2015 lowered barriers for migrant workers in the Russian Federation. Noteworthy, measures to support the workforce implemented by the Republic of Turkey and cultural commonalities have set the stage for migrant workers to explore this destination. The number of people of working age is expected to increase by 250 thousand people in the next five years, which is almost twice higher than the number of new jobs in the country. Being of systemic nature, migration will affect the economy of the Kyrgyz Republic. Given the economy's dependence on remittances, improving the professional qualifications of labour migrants, diversifying areas for labour migration, and promoting quick social integration are crucial in the medium term.

On October 14, 2021, the Kyrgyz Republic President S.N. Japarov signed a decree “On the Kyrgyz Republic National Development Program until 2026”, which also addresses the issue of employment in the short term. The Program highlights the need for a new education system to be introduced in vocational schools and a more active use of economic tools to promote employment. The main tools in this regard should be a system of financial incentives for the economic activity of the population, the economic empowerment of women with mandatory consulting support, training, business



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support, financial and digital literacy elements. For this purpose, it would be expedient to resume the Employment Promotion Fund with changing the principles and mechanisms towards market-oriented ones.

The Cabinet of Ministers also pursues an active policy to support small and medium-sized businesses, create jobs and attract investment to the Kyrgyz Republic.

To ensure the safe development of border areas and stable economic development of Batken oblast, prone to border conflicts, the Kyrgyz Republic Law “On the Special status of Batken Oblast” provides for measures to reduce the migration outflow by providing preferences, developing infrastructure, and strengthening measures to ensure the safety of Kyrgyz nationals.

In accordance with the Kyrgyz Republic Environmental Security Concept, the state policy on environment protection and rational use of natural resources is built around minimization of environmental consequences, economic growth, prevention of negative environmental impacts on public health resulting from economic activities and wide participation of civil society, self-government bodies and the business community in the preparation, discussion, adoption and implementation of decisions concerning environment protection. These principles also reflect the need to reduce the environmental effect on migration processes in the Kyrgyz Republic.

### 3. Providing accurate and timely information to migrants at all stages of migration

Pursuant to the Kyrgyz Republic Law “On Access to Information Under the Jurisdiction of State Bodies and Local Self-Governments of the Kyrgyz Republic”, everyone is guaranteed the right of access to information possessed by state bodies and local self-governments. The COVID-19 pandemic increased the need for prompt provision of information due to constant changes in the rules of stay and health requirements in different countries.

Ensuring the prompt provision of information to migrants, regulating migration processes, creating an effective mechanism within state power capable of adequately responding to changes in domestic and traditional foreign labour markets, promptly providing jobs to the unemployed while protecting their rights are the functions of the MLSSM’s Center for Employment Abroad (CEA). One of the CEA core activities is informing and advising citizens on issues of safe external labour migration. All necessary information, including on the main countries of destination can be provided both during a personal visit or posted on the CEA official website (<https://migrant.kg>). In 2021 alone, 28 112 people, including 4 367 women, contacted and received advice from CEA, and over 10,000 people visit the CEA website every month.

All necessary information on the rules and requirements for entering the Kyrgyz Republic and obtaining permits is available on the official website of the Ministry of Foreign Affairs (<https://mfa.gov.kg>).

Furthermore, citizens of the Kyrgyz Republic can receive more than 130 digital services from the state through the State e-Services Portal (<https://portal.tunduk.kg>).

UNICEF and IOM provided technical support to CEA in digitizing employment processes abroad by creating an Automated Information System and connecting the same to the State e-Services Portal Tunduk. Also, NGO Insan-Leylek and the International Organization Solidarity Center developed the Guide for Kyrgyz Citizens Working in the Russian Federation and the Kyrgyz-Russian Phrasebook for Migrant Workers. These materials are distributed at pre-departure orientation seminars. Besides,



rural municipalities of Batken oblast have boards with information and contact details of persons and organisations where one can find information on the rules of entry and legal employment.

#### 4. Ensuring that all migrants have legal identity documents and other proper documents

The Kyrgyz Republic currently has the required regulatory and technical framework in place for providing the population with the documents. One may also use the State e-Services Portal (<https://portal.tunduk.kg>) to process documents. Furthermore, the time of processing and obtaining documents has been significantly reduced due to the use of new information technologies (passports can be issued in just two hours as part of an urgent procedure). Foreign institutions of the Ministry of Foreign Affairs are also capable of issuing documents promptly. Currently, the citizens of the Kyrgyz Republic are issued an electronic ID card as the main identity document and an electronic general civil passport, the 2020 format. These new-generation documents embed an electronic chip with biometric and personal data of the holder and meet the standards of the International Civil Aviation Organisation (ICAO). At the same time, an electronic ID card can be used by citizens of the Kyrgyz Republic for foreign travels – to the Republic of Kazakhstan and the Russian Federation. Also, changes in the marital status, ethnicity and residence address are made directly to the chip of the electronic ID card.

Foreign nationals may secure visas to visit the Kyrgyz Republic electronically through the e-visa portal (<https://www.evisa.e-gov.kg/>) without having to visit diplomatic missions of the Kyrgyz Republic abroad, and also apply for permits electronically.

#### 5. Simplification and expansion of access to legal migration channels

The state body providing services for employment of citizens abroad is the CEA. The Kyrgyz Republic currently has a valid agreement on organised recruitment of citizens for employment at the interstate level, under the Employment Permit System (EPS) Program with South Korea. Also, work is underway to sign agreements on organised employment at the state level with the Republic of Turkey, the Kingdom of Qatar, Japan and the Republic of Azerbaijan.

In addition to the CEA, 192 private agencies provide employment services to citizens in 20 countries around the world in accordance with the legislation of the Kyrgyz Republic.

On July 1, 2021, the EAEU countries launched the Work without Borders Unified Search System, the first joint digital project in the Eurasian space. This is an international search system, which provides access to information about vacancies and job seekers contained in the employment-related information systems of the member states. This project aims to build the interaction between labour markets within the Union through digital tools, expand the functionality of national information systems by adding options to search for CVs and vacancies throughout all EAEU countries. The Work without Borders Unified System project creates opportunities for employment and job search for citizens of the Kyrgyz Republic in the EAEU member states. In the Kyrgyz Republic, the system can be accessed through the Internet resource <https://zanyatost.kg>. Following the plan of joint work with the MLSSM, the Solidarity Center is currently implementing a project to improve the website [zanyatost.kg](https://zanyatost.kg).

#### 6. Promoting fair and ethical recruitment of workers and ensuring conditions for decent work



According to the legislation of the Kyrgyz Republic, foreign nationals and stateless persons while staying in the Kyrgyz Republic enjoy the same labour rights as the citizens. Nowadays, given the global changes in labour relations, the issue of protecting the rights of migrant workers is being popular. The Kyrgyz Republic Migration Policy Concept provides some measures to ensure fair recruitment of workers and conditions to protect the interests of workers. In this regard, the country plans to incorporate the concept of “electronic labour contract” in the Labour Code of the Kyrgyz Republic and take other measures to create favourable conditions aimed at training, increasing employment in various sectors of the economy, creating jobs and providing decent wages to the population in accordance with the needs of the economy of the Kyrgyz Republic, and to reduce existing gender segregation in the labour market. Additionally, work is underway to reduce informal employment, when labour relations are not documented.

As part of their efforts to protect labour rights and safeguard the rights of migrant workers, the Solidarity Center assists the labour union system and conducts capacity building activities for government agencies and non-governmental organisations. The UN Migration Network and other development partners also contribute to protecting the rights of migrant worker

#### 7. Studying and reducing vulnerabilities in the migration process

The main vulnerability factor faced by migrants in the Kyrgyz Republic is the low level of legal literacy of the population and illegal status in host countries. As part of the work to reduce vulnerability, information and awareness-raising activities are carried out, information is published on the official websites of authorised state bodies; the International Organisation for Migration / UN Agency for Migration supported the development of a mobile application Migrants' Handbook, which provides all the necessary information on safe stay in the destination country.

Also, the CEA together with the authorised state bodies of the destination countries is working to create a comprehensive system of pre-departure training of migrants.

#### 8. People rescue and coordination of efforts of international community to solve the issue of missing migrants

The Ministry of Internal Affairs has established a representative office in the Russian Federation to ensure prompt response to requests to search for missing migrants in the Russian Federation, as the most popular destination country for citizens of the Kyrgyz Republic. The representative office, together with law enforcement agencies in the Russian Federation, works to find Kyrgyz citizens and provides the necessary legal assistance to migrants in difficult life situations.

Additionally, the Kyrgyz Republic General Prosecutor's Office is constantly monitoring and ensuring the transfer of citizens of the Kyrgyz Republic convicted in foreign countries for further serving their sentence in the Kyrgyz Republic.

Since 1992, the Family Tracing and Reunification Service has been operating under the National Society of the Red Crescent of the Kyrgyz Republic with the technical and advisory assistance of the International Committee of the Red Cross. USAID supports the Safe Migration in Central Asia project to ensure the return of migrants and provide them with the necessary practical assistance. The project is part of USAID interventions in Asian countries aimed at combating human trafficking and helping migrants in difficult life situations.

The Insan Leilek NGO, together with the Solidarity Center and the non-profit organisation El Agartuu, developed a specialised educational module on safe migration. In 2021, more than 250 schools in



the Kyrgyz Republic were taught according to the model. In 2022, the work was launched to finalise the module to incorporate harassment and discrimination issues.

Work is currently underway to identify the impact and consequences of informal employment on female migrant workers in the Russian Federation. A study showed that 86 percent of women worked on the basis of verbal agreements, and 96.3 percent of them were subjected to sexual harassment by employers. In this regard, members of the Social Dialogue and Labour Network, which includes 25 non-profit organisations from all regions of the country, conducted informational campaigns in Kyrgyzstan and in the Russian Federation through the Migrant Trade Union to counteract harassment and violence in the workplace.

#### 9. Increasing the effectiveness of transnational measures against the smuggling of migrants

On 2 October 2003, the Kyrgyz Republic ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime adopted by General Assembly Resolution 55/25 of 15 November 2000. Since then, the Kyrgyz Republic has adopted various policies on migration issues related to the smuggling of migrants, including the National Migration Management Program implemented between 2007 and 2010. However, the 2016, UNODC Country Assessment Report on Trafficking in Persons and Migrant Smuggling emphasised that smuggling of migrants was not criminalized in the Kyrgyz Republic. The Criminal Code criminalized the illegal crossing of state borders, but did not distinguish between the organisers of migrant smuggling and smuggled migrants.

Efforts made by state bodies and the UN Office on Drugs and Crime resulted in the incorporation of Article 167. *Organizing illegal migration, smuggling (export) of migrants* into the current Criminal Code of the Kyrgyz Republic enacted on 28 October 2021 which provides for sentences of five to eight years in prison with confiscation of property. The Kyrgyz Republic has fulfilled their obligations under the Protocol against the Smuggling of Migrants by Land, Sea and Air.

#### 10. Preventing, combating and eradicating trafficking in persons in the context of International migration

The Kyrgyz Republic ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime in 2003. In 2005, the Kyrgyz Republic adopted the Law “On Preventing and Combating Human Trafficking in the Kyrgyz Republic”. To ensure the protection of the rights and provide assistance to victims of trafficking, the Law was amended in 2018 to define the identification criteria and the national referral mechanism. To fully implement the system of assistance to victims of trafficking, the National Referral Mechanism for victims of trafficking was approved by the Kyrgyz Government Decree #493 dated September 19, 2019. To ensure the implementation of the National Referral Mechanism, relevant instructions (standard operating procedures) were developed for state bodies who are subjects of implementation of the Law.

To improve the system of criminalization of human trafficking as a transnational crime, in 2021, the new version of the Kyrgyz Republic Criminal Code # 127 dated October 28, 2021 was amended based on the analysis of the UN Office on Drugs and Crime. Specifically, the qualifying criteria of receiving benefits in accordance with the standards of the Protocol was removed from Article 166. *Human trafficking*, the unconditional release of the victim from liability for crimes committed during their involvement in the trafficking process was included, and trafficking in children was made a separate article of the Criminal Code. These changes were made in order to distinguish offences related to the



trafficking of newborn children, and a new article 167. *Trafficking in children* was introduced for that purpose. In April 2022, the Cabinet of Ministers also approved the Program to Combat Trafficking in Persons for 2022-2024.

In addition to legislative changes, regular capacity building activities are conducted for employees of state agencies and non-governmental organisations involved in preventing and combating trafficking in persons with the support of international partners (OSCE, UNODC, IOM, Solidarity Center, Winrock Int.) and non-governmental organisations.

#### 11. Integrated, coordinated and secure border management

The Kyrgyz Republic Government Decree #183 “On Approval of the National Strategy for Creation and Implementation of the Integrated State Border Management System until 2022 and the Work Plan” dated March 16, 2012 approved the National Strategy for Creation and Implementation of the Integrated State Border Management System. In accordance with the Strategy, the Kyrgyz Republic, based on the principles of democratic development, shall observe and support universal (humane) rights, norms and values, international agreements and conventions; undertake and declare responsibility for the present and future of their citizens; and bear responsibility for the safety of foreign nationals during their stay in the Kyrgyz Republic.

In 2017, the Kyrgyz Republic introduced the Unified External Migration Registration System, an information system for recording and controlling the entry/exit of persons and vehicles across the state border of the Kyrgyz Republic, issuance of visas and work permits to foreign nationals and stateless persons in the Kyrgyz Republic, temporary and permanent residence permits, and registration at the place of stay (residence) in the Kyrgyz Republic. UEMRS allowed for the rapid exchange of data, improved security at checkpoints and established a better system of monitoring and control over the movement of citizens through border checkpoints. UEMRS makes it possible to replenish the electronic databank with photos, biometric information of persons and vehicles crossing the state border, and the results of checks against restriction databases to identify possible violations of entry/exit rules.

In April 2021, Phase 10 of the Border Management Programme (BOMCA) was launched, implemented by the International Center for Migration Policy Development (ICMPD). The Kyrgyz Republic is a participant of this programme. BOMCA Phase 10 aims to enhance security and stability in Central Asia by promoting sustainable economic development and integrated border management.

One of the factors contributing to illegal migration and compromising border security is pendular labour migration, especially in the south of the Kyrgyz Republic. To regulate this issue, a legal framework was initiated, and a draft Regulation on Procedure for Temporary Labour Activity by Citizens of Neighboring States in Border Areas was elaborated. In 2020, the Kyrgyz Republic adopted the Law “On Amendments to Some Legislative Acts of the Kyrgyz Republic (Code on Violations, Laws “On External Labour Migration”, “On External Migration”). These innovations provide for the definition of the term “border labour migrant”, the imposition of fines for violation of the rules of labour activity in the Kyrgyz Republic by a border labour migrant”, the implementation by a border labour migrant of labour activity in the Kyrgyz Republic on the basis of a tax patent, and the promotion of exchange of labour resources between border regions of the Kyrgyz Republic and neighboring countries.





12. Increasing certainty, predictability and quality of migration control procedures to ensure proper screening and, if necessary, referral of people to appropriate authorities

The Kyrgyz Republic actively uses information technology to improve migration control. The introduction of the UEMRS and electronic visas has, on the one hand, simplified document submission procedures and the work of the staff of the competent authorities and, on the other hand, ensured a higher level of monitoring of migration procedures. Besides, the state agencies introduce on an ongoing basis the systems of services and control to ensure transparency and reduce timeframes.

13. Placing migrants in temporary detention centers only as a last resort measure and searching for alternatives

There are no special centers for the temporary detention of migrants in the Kyrgyz Republic, and the detention in such centers is not envisaged by the legislation of the Kyrgyz Republic. The detention is applied only in cases stipulated by the legislation for crimes according to the Kyrgyz Republic Law #150 “On the Procedure and Conditions of Detention of Persons Suspected and Accused of Crime” dated October 31, 2002. Under this Law, suspected and accused foreign nationals and stateless persons held in custody in the Kyrgyz Republic have the same obligations and enjoy the same rights and freedoms as citizens of the Kyrgyz Republic, except for restrictions established by the Constitution, this Law and other laws, and international treaties to which the Kyrgyz Republic is a party, which came into effect under the procedure established by law. Also, the said Law prohibits discrimination of suspects and accused on the basis of sex, race, ethnicity, language, origin, property and official status, place of residence, attitude to religion, beliefs, membership in public associations and others.

14. Improving the effectiveness of consular protection, assistance and interaction throughout the migration cycle

Protection of the rights and interests of Kyrgyz Republic citizens is the main focus of the Ministry of Foreign Affairs of the Kyrgyz Republic and foreign institutions (FIs) of the Kyrgyz Republic. If necessary, citizens are provided all kinds of assistance not only while they are abroad, but also while in the Kyrgyz Republic on issues related to their stay abroad. The Kyrgyz Republic has embassies in 30 countries, which provide protection of rights, services and assistance to citizens abroad.

The Decree of the Kyrgyz Republic President S.N. Japarov “On Measures to Improve the Migration Situation” ordered to intensify work to protect the rights and interests of migrant workers abroad, and to implement on a permanent basis information and counseling activities using modern digital technologies to improve their situation. At present, the foreign offices of the Ministry of Foreign Affairs provide all necessary basic services to document and protect the rights and legitimate interests of Kyrgyz citizens abroad.

Among other things, citizens are provided free legal advice and the necessary assistance with civil registration, legalization of documents, notarization, citizenship, issuance of internal and general passports, driver's licenses, support in administrative, civil and criminal cases, requesting necessary documents, repatriation, return to the Kyrgyz Republic and securing compensation to relatives of Kyrgyz citizens killed abroad for transporting the bodies.

The Ministry of Foreign Affairs works to strengthen the protection of the rights and interests and to ease the legal conditions for Kyrgyz citizens abroad, and to simplify and optimise the provision of state services to them by FIs, including in the framework of digitalization.



Notably, the Ministry of Foreign Affairs has fulfilled most of the tasks in terms of improving the regulatory framework and elaborating practical measures to introduce digital technologies in providing consular services. This significantly simplified documenting citizens in FIs of the Kyrgyz Republic, reduced consular service fees, which helped to improve the quality and increase the quantity of services provided and significantly reduce the related costs for the citizens. The reduction of tariff rates was from 40 to 80 percent of the cost depending on the type of consular service.

The Ministry of Foreign Affairs and FIs of the Kyrgyz Republic introduced the following electronic services:

- Registration and issuance of national passports for citizens of the Kyrgyz Republic – “Passport” Automated Information System;
- Issuance of certificates for return to the Kyrgyz Republic – “SVR” Automated Information System;
- Registration of civil status acts (birth, marriage, divorce, death, change of first, last or patronymic name) – “ZAGS” Automated Information System;
- Issuance of social and legal certificates: marriage certificates, certificates confirming the lack of criminal records, tax debts, the authenticity of driving licenses and higher education diplomas, certificates of departure (removal from the register of the place of residence), etc. – “Request” Automated Information System;
- Consular registration in the Kyrgyz Republic – “Consular Registration: Automated Information System;
- Registration and issuance of driver's licenses – “RVS” Automated Information System.

The introduction of the said information systems increased the service coverage of citizens abroad. During 12 months of 2021 alone, FIs provided 136 677 consular services to Kyrgyz citizens as compared to only about 75 thousand in 2020.

The following activities are planned for 2022:

- Development and implementation of the “Consular Services” Electronic Portal with integration with the “Kyrgyz Consul” mobile application.
- Updating the “Citizenship” Automated Information System to comply with the newly adopted laws and regulations on citizenship and launching the system;
- Complete the connection of the Kyrgyz Republic FIs to the “Electronic Notary” Information System;
- Issuance of copies of civil status acts (birth, marriage, divorce, death, name change), inclusion of the service in a single register of public services and approval of standards and rates of consular fees.

Pursuant to the Kyrgyz Republic President Decree #56 “On Procedure for Repatriation to the Kyrgyz Republic of Bodies of Citizens of the Kyrgyz Republic Who Died Abroad” dated February 22, 2021, the Government has adopted the Decree #169 “On Measures to Cover Expenses Associated with Repatriation to the Kyrgyz Republic of Bodies of Citizens of the Kyrgyz Republic Who Died Abroad” of April 23, 2021, which came into effect on May 15, 2021.

Regarding the further expansion of the consular presence abroad, opening of additional consular offices is being considered. The Russian Federation is considering opening general consulates of the Kyrgyz Republic in St. Petersburg and Kazan. Embassies of the Kyrgyz Republic has already been



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opened in France and Italy, and general consulates – in Antalya, the Republic of Turkey, and Chicago, the United States.

The UNDP's 2018-2021 Inclusive Governance and Justice System for Preventing Violent Extremism project developed two products tailored to the specific needs of migrants, including the “Request” Management Information System and the “Kyrgyz Consul” mobile application. One of the key national partners in UNDP's peacekeeping portfolio is the Consular Department of the Ministry of Foreign Affairs, which provides consular services (e.g., through support, registration, documentation) and protects the rights of Kyrgyz citizens abroad, including migrant workers. This expanded access to government /consular services for Kyrgyz citizens abroad, including migrant workers and enabled them to obtain the necessary documents or services in destination countries. The system will be interconnected with Tunduk, so that Kyrgyz foreign missions/consulates can fulfill the requests of Kyrgyz citizens by connecting to the relevant information management systems operating within the country, such as that of the State Registration Service when it comes to passport issuance, or the Ministry of Internal Affairs when it comes to criminal records certificates and many other services.

In 2021, UNDP and IOM provided technical support to the Central Election Commission to conduct an information campaign for migrants abroad to ensure their access to voting. This built trust between diasporas and the Central Election Commission, increased migrants' awareness of their voting rights and ultimately tripled the number of voters registered abroad.

#### 15. Coverage of migrants with basic services

Pursuant to the Kyrgyz Republic Law #1296-XII “On Legal Status of Foreign Citizens in Kyrgyzstan” dated December 14, 1993, foreign citizens in the Kyrgyz Republic are equal before the law, irrespective of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, wealth or other status, and other circumstances, and are entitled to all basic services on par with Kyrgyz citizens. Restrictions are only applied when it comes to the rights to vote, to work, to purchase land and military service.

Within the framework of the Meken Card initiative, the Kyrgyz Republic Law #89 “On Amendments to Some Legislative Acts of the Kyrgyz Republic on Issues of Legal Status of Compatriots with Foreign Citizenship” dated July 24, 2020, introduced amendments and additions to the Land Code, to the Laws “On Legal Status of Foreign Citizens”, “On External Migration”, “On External Labour Migration”, and defined rights, freedoms and obligations of compatriots with foreign citizenship. These amendments establish standards for granting and terminating the status of a compatriot, the procedure for entry, stay and departure of compatriots, carrying out labour activities almost on an equal basis with citizens of the Kyrgyz Republic. In accordance with the Decree of the Kyrgyz Republic President S.N. Japarov “On Measures to Improve the Migration Situation”, the Government was recommended to complete the adoption of by-laws to implement the Meken Card National initiative, giving the holders of the card, compatriots with foreign citizenship, equal rights with citizens of the Kyrgyz Republic to free entry and exit from the Kyrgyz Republic without a visa; to residence and opportunity to work in the Kyrgyz Republic without registration of residence and a work permit; and to educational, social and medical services.

The Law “On Protection of Health of Citizens of the Kyrgyz Republic” was amended (2020) to provide access to all health services for a new category of migrants - *compatriots with foreign citizenship*. This status can be given to people who have foreign citizenship but previously had Kyrgyz citizenship,



people born in the Kyrgyz SSR, or first- and second-degree descendants (children, grandchildren) of these groups.

In 2020, amendments were made to the Law “On Education” providing access to education and vocational training for a new category of migrants - *compatriots with foreign citizenship*. This status can be given to people who have foreign citizenship but previously had Kyrgyz citizenship, people born in the Kyrgyz SSR, or first- and second-degree descendants (children, grandchildren) of these groups. This status may not be given to persons holding a citizenship of a neighboring state.

#### 16. Creating favourable conditions for migrants and societies to ensure full social integration and cohesion

The Kyrgyz Republic has all the necessary conditions in place for the full integration of returning migrants into local communities. Given the cultural characteristics of Kyrgyz society, xenophobia and negative attitudes toward migrants are relatively rare in the country. At the same time, given that the majority of labour migrants to the Kyrgyz Republic come from bordering countries, there are no stable migration communities. Recently, the country has seen an increase in the number of foreign students studying at higher education institutions of the Kyrgyz Republic, who create compact mono-ethnic communities.

In 2021, UNDP-IOM conducted the Assessment of Local Authorities’ Attitudes Towards Returned Migrants and Their Readiness to Reintegrate Them. The assessment was conducted in 10 local communities (including those in Osh oblast: Nookat town, Toolos, Bolshevik (Ak Zhar), Zhany Aryk villages and Savai Okmotu). The assessment revealed insufficient involvement of local authorities in the reintegration of returned migrants, and the lack of a mechanism for the effective involvement of migrants in local development, the limited trust of migrants in local authorities and the low level of participation of migrants in local planning and decision-making processes. On the other hand, the study revealed a high interest on the part of migrants to participate in local development subject to transparency, effective communication, partnership and mutual trust with local authorities.

Also, NGO Insan-Leylek together with the Solidarity Center and the NGO El Agartuu developed a module for students in grades 9,11 on safe migration. In 2022, work began to finalise the module by adding a new block that will provide students with information about the social, psychological, and economic reintegration of migrants.

#### 17. Eliminating all forms of discrimination and encouraging (evidence-based) public debate to shape public opinion about migration

Since the Kyrgyz Republic is more of a country of origin of migrants, discrimination of labour migrants from Kyrgyzstan is largely the responsibility of the destination states. Nevertheless, government agencies, in partnership with international and non-governmental organisations, continuously educate migrants on the need to consider the traditions and cultures of destination countries in order to avoid conflict situations.

The need for tolerant attitudes towards all groups of foreign citizens, regardless of racial, religious, ethnic or gender identity, is enshrined in legislation of the Kyrgyz Republic, and tolerance is being fostered everywhere. Under Article 330 of the Criminal Code, incitement to racial, ethnic, national or religious hatred (discord) is a punishable offence.



UN Women, IOM and ILO conducted a series of capacity building activities for women and girls affected by migration in six target communities to increase their knowledge and skills to effectively protect their basic human rights and increase their access to economic opportunities through self-help groups, and to create and strengthen new positive values in gender relations.

An association of non-profit organisations represented by the Social Dialogue and Labour Network, which includes 25 non-profit organisations from all regions of the country, developed an alternative model of labour migration and discussed the same at various venues in the regions.

The alternative model concept features the idea that compatriots working abroad, movements of migrant workers, the professional union of migrants would move to a new structure of labour migration that would transfer control over the labour migration process from employers to workers, raise labour standards for all workers, meet established labour market needs, respect family unity, ensure equality, human rights and access to justice, and provide migrant workers with the option of obtaining residence permits.

#### 18. Investing in skills development and promoting mutual recognition of skills, qualifications and competencies

Citizens of the Kyrgyz Republic can receive education in six countries within the framework of state exchange programs. However, the majority of young applicants prefer to study abroad at their own expense.

More than 70 thousand foreign citizens are attaining higher education in 23 higher education institutions in the Kyrgyz Republic; 63 percent of foreign students are from neighboring countries. The largest number of students in the educational institutions of the Kyrgyz Republic accounts for Uzbekistan (38 857 people), India – 14 461, and Pakistan - 9 758.

Within the framework of the Treaty on the Eurasian Economic Union, the member states shall mutually recognise documents on education issued by educational organisations (educational institutions, organisations operating in the field of education) without having to pass the procedures established by the legislation of the country of destination. Migrant workers seeking to engage in teaching, legal, medical or pharmaceutical activities shall undergo the procedures established by the legislation of the country of destination for the recognition of educational documents and may be admitted to teaching, legal, medical or pharmaceutical activities respectively in accordance with the legislation of the member state.

#### 19. Enabling migrants and diasporas to contribute fully to sustainable development in all countries

Currently, according to expert estimates, there are more than 230 Kyrgyz diaspora organisations operating in more than 40 countries around the world. Most of them are created on the basis of the regional principle and a mutual assistance system. In addition to implementing social and charitable projects in the Kyrgyz Republic, diasporas also attract investment in the economy of the Kyrgyz Republic.

To fully engage diasporas and compatriots in the economic development of the Kyrgyz Republic, the Ministry of Economy has developed a national pilot program Mekenim aimed at supporting working migrants, compatriots and their families who are willing to invest their earned capital for long-term investments and savings.



The purpose of the Mekenim program is to expand economic opportunities for migrant workers and compatriots living abroad who plan to invest in the economy of the Kyrgyz Republic.

To ensure a full-fledged relationship with compatriots and diasporas in the Kyrgyz Republic, the Mekendeshter Forum is held on a regular basis. The Forum is a modern platform for constructive dialogue of compatriots, business and government, created by the “Rosa Otunbaeva Initiative” International Public Foundation with the support of the Kyrgyz Republic Government for business communications and establishment of *direct contacts*, demonstration of opportunities and achievements, and coming together to solve important issues.

Compatriots and diasporas of the Kyrgyz Republic from dozens of countries, leading representatives of Kyrgyz and foreign science and education, business and industry, public authorities, health, culture and creativity gather every two years to share their successes, knowledge and experience for the country development. Since 2012, four Forums have been held (2012, 2014, 2016, and 2018).

One of the achievements resulting from the resolutions of the Mekendeshter Forum is the establishment in 2018 of the Council for Relations with Compatriots Abroad under the Kyrgyz Republic President as an advisory and consultative body that ensures the adoption of coordinated decisions on the development and implementation of measures to strengthen the interaction of compatriots with the government authorities of the Kyrgyz Republic on the country development, the elaboration and preparation of recommendations. The Council consists of more than 30 representatives of Kyrgyz diaspora organisations from more than 25 countries. In 2020, a similar Council on Migration was established under the Speaker of the Kyrgyz Republic Parliament with the purpose of creating an effective platform for discussing legislative initiatives on migration.

## 20. Increasing the speed and reliability of remittances and reducing their cost, as well as promoting the financial integration of migrants

In 2020, the volume of remittances from labour migrants abroad decreased to 2,377.2 million USD, which is about 31 percent of GDP. The decrease was due to a slowdown of business activity in destination countries. In 2021, labour migrants transferred 2,756.2 million to the Kyrgyz Republic.

The average cost of remittances to the Kyrgyz Republic in the first quarter of 2021 was 4.4 percent of the amount transferred. This is above the target of 3 percent to be achieved by 2030 in accordance with the Sustainable Development Goals.

Citizens of the Kyrgyz Republic rarely turn to banks when transferring money to their home country due to high fees. They rather prefer to seek assistance from entrepreneurs, compatriots who return to their home country. Besides, there is a mutual settlement system in place, when money is transferred by paying for goods or services in both directions (for example, in the United Arab Emirates, the Russian Federation, and the United States of America). Furthermore, bank charges increase proportionally to the amount transferred. A bigger issue with bank transfers is losses due to exchange rate differences. When transferring small amounts of money, citizens of the Kyrgyz Republic use money transfer systems such as Unistream, Zolotaya Korona, Contact, Ria, and Western Union.

## 21. Cooperation to ensure safe and dignified return, readmission and systematic reintegration of migrants

The Kyrgyz Republic seeks to expand the readmission treaty framework. Currently, the Kyrgyz Republic has readmission agreements in force with the Swiss Confederation, the Russian Federation, the Republic of Kazakhstan and the Republic of Turkey. Similar readmission agreements with the



Republic of Armenia and the Republic of Belarus under the Eurasian Integration Roadmap and 7 draft agreements with the Republic of Moldova, Georgia, the Republic of Latvia, the Republic of Estonia, the Kingdom of Norway, the Benelux countries and the Government of the United Kingdom of Great Britain and Northern Ireland are being elaborated.

## 22. Creating mechanisms for the transfer of social benefits and pensions for migrants

On November 1, 2020, the Treaty on Social Security between the Government of the Kyrgyz Republic and the Government of the Republic of Turkey (the Treaty) came into force, as well as the Administrative Agreement for Treaty implementation, signed on April 9, 2018 in Ankara.

Also, the Pension Agreement for Working Population of the EAEU Member States signed on December 20, 2019 in the city of St. Petersburg came into effect on January 1, 2021. Besides, Decision #122 of the Council of the Eurasian Economic Commission dated December 23, 2020, approved the Procedure for Interaction between authorised bodies, competent authorities of the EAEU member states and the Commission on Application of Provisions of the Pension Agreement dated December 20, 2019.

A migrant can apply for the assignment of a pension to a competent authority of the state of residence and/or employment. He/she will be entitled to receive a pension either in the state of residence or the EAEU member state, which assigned the pension. Each EAEU member state will accrue the pension in accordance with pension rights provided by the legislation of his/her home country and the legislation of the member state, taking into account the provisions of the Agreement. The list of documents for the assignment and payment of pensions is regulated by the national legislation of each EAEU member state.

These treaties and agreements provide for equal rights for citizens of the two states in the field of social and pension security and create conditions for the calculation of insurance experience obtained in the two states for the accrual of pensions. The treaties and agreements will promote freedom of movement and legalization of the situation of migrants of the two countries.

Nevertheless, the predominant part of citizens of the Kyrgyz Republic carry out their labour activity either illegally or violate the migration legislation. This, in most cases, limits their access to social and medical care in the destination country. Regular outreach is carried out for the population on the need to purchase at least minimum health insurance policies and pay insurance contributions.

## 23. Strengthening international cooperation and global partnership to ensure safe, orderly and legal migration

The Kyrgyz Republic works actively to expand the international treaty framework and cooperation on migration at the global and regional level. Currently, the following drafts international agreements on migration are being elaborated and promoted:

- Intergovernmental agreement on labour migration with the Republic of Azerbaijan;
- Intergovernmental agreement on migration exchange with the Russian Federation;
- Interagency agreement on employment of Kyrgyz citizens with the State of Qatar;
- Interagency agreement on intention to cooperate on migration issues with the Republic of Turkey;
- Interagency agreement on partnership in employing Kyrgyz citizens of the Kyrgyz Republic under the “skilled worker” with Japan;
- Initiative of the Republic of Uzbekistan to sign a bilateral agreement on labour migration (currently under consideration).



Also, the Kyrgyz Republic continues to work on building interaction with international communities in the framework of global and regional cooperation (EAEU, CIS, SCO, CCTSS) and international institutions and organisations (UN Network on Migration, OSCE, ICMPD). The Kyrgyz Republic is part of several regional consultative processes, such as the Almaty Process, the Budapest Process, and the Prague Process.

#### 4. Way forward

The Migration Policy Concept of the Kyrgyz Republic for 2021-2030 identifies the following migration priority areas and tasks:

1. Enhance conditions for country citizens, compatriots, immigrants and stateless persons to realise their educational, labour, professional and cultural potential and opportunities in the Kyrgyz Republic;
2. Use the migration potential of the population, compatriots, immigrants and stateless persons for the development of the Kyrgyz Republic;
3. Create a system to protect the rights of Kyrgyz citizens abroad and that of immigrants, compatriots, and stateless people staying in the Kyrgyz Republic;
4. Creating a safe migration environment.

Currently, the Phase I Action Plan (2022-2025) has been adopted defining the following priority tasks for this period and relevant activities. The UN Network on Migration provides technical support to the Kyrgyz Republic Government on all priority tasks.

Tasks under Priority Area 1:

- Create favourable conditions aimed at training personnel, increasing employment in various sectors of the economy, create jobs and provide decent wages to the population in accordance with the needs of the economy of the Kyrgyz Republic, with measures to reduce existing gender segregation in the labour market. Building on its plan for the next five years (2023-2027), the World Food Programme (WFP) intends to enhance the human capital development of the most vulnerable populations (including returned migrants) through more inclusive social protection systems and active labour market programs. Vulnerable households will benefit from income-generating knowledge and skills to improve employment opportunities, diversify income, and manage their risks through various tools such as financial services and improved nutrition. WFP also seeks to provide smallholders, especially women, with market opportunities and improve financial literacy, while ensuring access to food. The most vulnerable will benefit from a national social safety net that will be strengthened to provide innovative, decent employment and diversified income opportunities, as well as building human capital.
- Increase the effectiveness of measures to promote a better availability of financial resources to realise the entrepreneurial potential of the population, including women, young people, low-income and large families, people with disabilities, and migrant workers.
- Develop a comprehensive approach to addressing the issues of protecting the population from forced migration based on forecasted threats and risks, improved forecasting methods, prevention and elimination of the consequences of emergencies.





- Inform citizens of the country and compatriots abroad, foreign citizens, and stateless persons about employment opportunities in the Kyrgyz Republic.
- Shape public opinion and change behavioral aspects toward positive and tolerant attitudes to migrants.

#### Tasks under Priority Area 2:

- Improving the financial literacy of migrant workers and their families. IOM will conduct financial literacy trainings for the most vulnerable migrants. Over the next five years (2023-2027), WFP will continue to provide financial literacy training to vulnerable and food insecure individuals (which may include returned migrants and their families).
- Involve labour migrants abroad and foreign citizens working in the Kyrgyz Republic in the pension system.
- Launch programs for the rehabilitation and reintegration of migrants with negative migration experience, with a special focus on women.
- Involve the potential of migrants, compatriots and their associations in the development and implementation of social, cultural, educational projects, strategies for the development of local communities and regions. Currently, FAO is completing a study for a feasibility evaluation of the need to implement a grant program on a parity basis following the “1+1” principle (matching grant) by attracting migrant remittances to invest in agriculture and agribusiness. The study results will be published and presented to a wide range of stakeholders. The UNDP works on migration and local development, focusing on the involvement of migrants in local development and integrating migration into local strategies. As part of these efforts, UNDP implemented the Integrated Area-Based Development of Osh Province Programme (2016-2019). The goal was to assist the Kyrgyz Republic Government in creating conditions for the prevention of violent conflicts and sustainable human development in Osh oblast. The project succeeded in creating conditions for the active involvement and participation of the local community, including migrants. For the first time, more than 1 000 migrants got the opportunity to participate in the local development of their home communities, received counselling and successfully co-financed four projects of local services and infrastructure in local communities in Osh.
- Provide conditions for decent work and legal employment of foreign citizens and stateless persons who came to work in the Kyrgyz Republic through contractual relations, tax patent system and other formats.
- Assist in providing social conditions for the return and sustainable reintegration of ethnic Kyrgyz people (Kairylman) to their historic homeland.

#### Tasks under Priority Area 3:

- Expand the geography of interstate employment programs and coverage of organised and safe recruitment programs for citizens of the Kyrgyz Republic, including public and private employment agencies.
- Improve the legal literacy of migrants with a special focus on women and youth.
- Improving the effectiveness and accessibility of consular protection for citizens of the Kyrgyz Republic abroad, assistance and interaction.
- Improve documentation system for migrants, immigrants, compatriots and stateless persons.



- Promote non-discriminatory access to social services at the interstate level to provide medical care, educational services and social protection to migrants, immigrants, stateless persons, compatriots and their families.
- Promote the abolition of deportation in case of HIV infection (with diagnosis and adherence to ART) at the interstate level. The Kyrgyz Republic provides ART to all citizens (foreigners and stateless persons) with HIV infection.
- Ensure protection of rights and interests of migrants' children and families in difficult life situations both in destination countries and in the Kyrgyz Republic.
- Provide accurate and timely information to all stakeholders at all stages of migration.

#### Tasks under Priority Area 4:

- Conduct an inventory of laws and regulations of the Kyrgyz Republic on migration and related areas.
- Improve the Kyrgyz Republic regulatory legal framework on migration.
- Develop legislative measures to increase the responsibility of local offices of state bodies and local self-governments when it comes to attracting the potential of migrants.
- Develop programs to adapt the population to climate change and related natural disasters and mitigate their consequences.
- Conduct activities to prevent conflict, violence, religious radicalisation and extremism among migrants.
- Assist refugees and persons equated to them in resettlement, obtaining medical and legal assistance, cultural adaptation, orientation and social services.
- Improve the immigration control system in accordance with international standards.
- Delegate the issues of population registration and record-keeping, including the issues of registration of migrant children left without parental care to local self-governments.
- Develop a national system for the collection of statistical data (comprehensive and disaggregated) on migration at the national and local levels. In 2022, UNFPA is supporting the Population and Housing Census, which provides data on the country's entire population, including the number of people, their spatial distribution, age and gender structure, and data on migration not captured by records currently available. By the end of 2022, the follow up assessment of Migration Governance Indicators (MGI) will be finished in the Kyrgyz Republic.
- Provide information support for the implementation of the Kyrgyz Republic migration policy.