

Introduction

This brief gender analysis is intended to support members of the USAID Kyrgyz Republic Country Office as they design rule of law [RoL] programming. The focus has been three-part:

1. Shortcomings in legal protections – both in terms of the content of KR’s legal framework and implementation of that framework by members of the justice and security sectors – and what impact this has on the lives of women and LGBTQ individuals;
2. The particular challenges that female judges and advocates experience in their professional careers and opportunities to support their advancement;
3. Recommendations to overcome any challenges and leverage opportunities identified in the above two spheres.

These focus areas emerged through conversations with staff of USAID’s Kyrgyz Republic Democracy and Governance Office, in light of their contemporaneous drafting of a concept note for future RoL programming. The research was also guided by the [USAID Gender Integration in Democracy, Human Rights, and Governance \(DRG\) Programming Toolkit](#), with a priority being to answer the guiding questions therein. Given that USAID staff intends to focus RoL programming on advocates (a.k.a. lawyers), civil society members, and the judiciary, the bulk of the analysis and recommendations are oriented toward these three institutional areas, with supplemental discussion of the role of police and prosecutors in gender equality and the rule of law.

Research activities included a desk review conducted over the month of September, 2020; 8 interviews with experts in the fields of gender and the rule of law; 6 interviews with citizens who had experienced legal challenges and interacted with the justice system (originally intended to be conducted as a focus group, but instead completed as interviews given respondents’ sensitivities); 1 focus group discussion with 3 female court users, and 1 with 4 male court users. More details on the research activities, including the questionnaires used and challenges in conducting fieldwork during Covid-19, can be found in the appendices.

Almost immediately after finalization of this report, widespread civil unrest broke out in response to perceived irregularities and corruption during Kyrgyzstan’s October 4, 2020 Parliamentary elections (perceptions corroborated by international election observers, the local press, and citizen recordings of vote-buying, ballot stuffing, and other irregularities shared on social media). As of final submission of this report – October 18, 2020 – the situation remains fluid, though what is clear is that (i) the results of the election have been annulled, with a new Parliamentary election to be held; (ii) a new Prime Minister, Sadyr Japarov, has been installed, after protesters successfully had him released from prison (where he was serving an 11-year sentence for kidnapping); (iii) the President, Sooronbai Jeenbekov, has resigned, and (iv) after the newly-installed Chairman of the Parliament, Kanabek Isaev, refused to take over the presidency (he is next in line according to the Constitution), Mr. Japarov assumed the Presidency as well as role of Prime Minister – meaning that he heads both the executive and legislative branches of government simultaneously.¹ Though these events were conducted with a façade of

¹ A summary of these events can be found at Azattyk (16-Oct-2020, 21:05 Bishkek time). “With Jeebekov’s leaving, authority passes to Japarov,” [*Жээнбеков кетип, бийлик Сапаровго өтмү*]. Accessed 16-Oct-2020, 11:00am EST.

legality – for example, Saparov was voted to the post of Prime Minister by the pre-election MPs, who re-assumed their positions after the Central Elections Committee voided the October 4 results – they have undermined the rule of law at the highest levels of authority and in full view of national and international audiences. While many initial protesters sought a restoration of fair and rule-abiding political processes (e.g. the annulment of the corrupted October 4 Parliamentary elections), the result has been Constitutionally questionable transfer of power; concentration of the legislative and executive powers of government into the hands of a man unlawfully released from prison only a week before; rioting, looting, and violence that has taken place not only in the capitol and against national government authorities, but also within Kyrgyzstan’s villages, districts, and oblasts and against local government authorities; and a creeping suspicion that organized criminal groups are taking advantage of the instability to seize power and economic assets, feeding further protests in the capitol.

Tackling rule of law challenges – including their gender dynamics and impacts – within this broader context is at once imperative and exceedingly challenging, arguably requiring a full-system “reboot” across all levels of government (from local to national and everything in-between), branches of government (executive, judicial, and legislative), and the population at large. If being honest, the relatively circumscribed challenges identified in this report and recommendations for addressing them are unlikely to make a sustained or widespread impact on the rule of law within this context, where localized² short-term gains are swamped by a broader environment of impunity and corruption. That said, the topics raised in this report and recommendations provided may make the lives of those individuals touched by USAID’s programming a little bit lighter, a little bit more orderly, and a little bit less discriminatory, while the nation’s will to enact systemic rule of law and anti-corruption reform builds. When the time comes for such transformation, USAID and its partners can play a vital role in ensuring that

Available at: <https://www.azattyk.org/a/parliament-kyrgyz-japarov-jeenbekov-2020/30890792.html>. Mr. Japarov’s assumption of these two positions is in-line with Constitution § 68.1, which specifies that in the event that the President resigns and the Chairman of Parliament is not able to fill the presidential role, then the Prime Minister is to take on the powers of president. A presidential election must be held within three months from the date of the original president’s resignation from office. One significant challenge in resolving the current crisis is that an individual temporarily fulfilling the powers of the president – as Mr. Japarov is – is Constitutionally banned from calling for immediate Parliamentary elections (Constitution § 68.2), raising questions about the legality of any new Parliamentary elections that may take place while he is at the helm of the government (such new parliamentary elections, meanwhile, were the core demand of protesters, who were reacting to the irregularities and corruption of the October 4 parliamentary elections).

² “Localized” here means local both in terms of geography and in terms of institutions. To explain the “institutional” aspect of this claim: reforming judicial corruption and gender discriminatory practices is a monumental task. Yet such reforms, *even if successful*, will yield little meaningful or sustainable change so long as prosecutors, police, and advocates (lawyers) remain corrupt and gender-discriminatory. True reform is only possible once the entire justice ecosystem is addressed (and by extension, the executive and legislative ecosystems, which are in charge of appointing and judges, prosecutors, members of judicial oversight bodies, etc.). Thus even “localized” institutional reform – meaning here reform of judicial practice – is unlikely to have meaningful results without simultaneous progress on other fronts in the justice ecosystem. It is unrealistic to imagine that a single aid agency – or all development agencies working together – could make progress on all of these fronts, and indeed such systematic efforts are the purview of the government itself. The ideological framing of this report is thus what USAID and its partners can do in the absence of such full-system change, plus what role they could play when such change comes.

gender equality is taken into account both as an integral part of the transformative process and as an intended outcome of reform.

Section 1: The Legal Framework and Challenges in its Implementation

[Legal framework governing rights, responsibilities, and access to justice](#): Kyrgyzstan is party to core international human rights mechanisms advancing the rule of law, access to justice, women's empowerment and gender equality. These include:

- [International Covenant on Civil and Political Rights \(ICCPR\)](#) and its two Optional Protocols, which set out a wide variety of rights such as the rights to a fair trial; due process; life, liberty, and security of person; freedom of thought and expression; equal protection under the law; and non-discrimination on the basis of sex; among other rights (KR acceded to the ICCPR in 1994);
- [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#), which lays out rights to fair wages, social benefits, education, healthcare, to women's and men's equal enjoyment of such rights, to non-discrimination in governmental provision of such rights and services, and to specific rights for women such as maternity leave (acceded to in 1994);
- [Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#) and its Optional Protocol, providing a complex of guarantees against sex-based discrimination in politics, education, employment, healthcare, family life and marriage, and before the law, as well as endorsement of temporary special measures such as gender-based quotas to advance women's equality (acceded to in 1997 and 2002, respectively);
- [Convention on the Rights of the Child \(CRC\)](#) and two of its Optional Protocols, which ban early marriage, child labor, child trafficking and exploitation, and other abuses of children; guarantee children's rights to birth registration, family life, freedom of expression, and other rights; and provide that all such rights are vested in children regardless of their sex or the sex of their legal guardian(s) (acceded to in 1994 and 2003, respectively);
- [Convention on the Rights of People with Disabilities \(CRPD\)](#), which lays out rights for people with disabilities (PWDs) to live independently and participate in all aspects of public and private life, special accommodations to enhance accessibility, equal recognition before the law, access to justice, and special guarantees for women and children with disabilities to overcome their intersecting vulnerabilities (acceded to in 2019).

In-line with the gender provisions in these international instruments, the [Constitution of the Kyrgyz Republic](#) guarantees the right to equality before the law (art. 16.3), bans sex-based discrimination (art. 16.2 ¶2), and asserts that the rights and freedoms of men and women are equal, as are opportunities for men's and women's realization of those rights (art. 16.4). Numerous laws, national strategies, and regulations undergird these Constitutional guarantees, key among them being: the [Law on Governmental Guarantees of Equal Rights and Opportunities for Men and Women](#), the [Law on Prevention and Protection against Family Violence](#), the [National](#)

[Strategy of the Kyrgyz Republic to Achieve Gender Equality by 2020](#),³ and the [National Action Plan on Human Rights for 2019 – 2021](#). Additional relevant legislation is found within provisions of the Civil Code and Criminal Code (with articles that criminalize bride kidnapping, under-age marriage, and polygamy, for example), Code of Misdemeanors (articles against domestic violence), Family Code (family rights and non-discrimination in their application), Labor Code (rights to equal employment, equal pay, and amendments currently under way against workplace sexual harassment), and in provisions scattered across additional laws and regulations (for example, the [Law on Local Self-Governance](#) § 18.1 requires aiyl okmotys – or local village heads/mayors – to provide free legal advice to their citizens and to work to prevent gender-based violence in their communities).

Though the legal framework is progressive on its face, actualization of much of this gender equality framework is stymied by (1) gaps in the law, (2) unclear and sometimes conflicting (or missing) implementing regulations; (3) a lack of political will; (4) patterns of action and belief that cause many women to bear the brunt of the law’s poor enforcement; (5) corruption; and (6) open discrimination against vulnerable groups such as LGBTQ and disabled individuals.⁴ These shortcomings combine to create serious rule of law and human rights challenges for women. For example, despite criminalization of gender-based violence such as forced marriages, child marriages, polygamy, and domestic violence, all remain widespread across the country.⁵ Overall, recourse to the justice system is plagued with unpredictable outcomes, where some are able to access their rights and others not, whether because of particular intersecting vulnerabilities, a lack of wealth, or mere luck. As one lawyer put it, “When you represent clients, you know they have rights, but you can’t guarantee them their rights. Maybe you get a judge who is corrupt, maybe you get a good judge. You don’t know what you’ll get. That’s why I prefer to work with analysis, with strategy, and not to represent clients.” The laws and policies are polished; the real-world system is murky.

1, 2. [Gaps in the law and implementing regulations](#): Interviews revealed areas for legislative and regulatory reform related to family law rights, property and inheritance, and the GBV legal framework. Areas of the law that interviewees noted as either needing change or already in the process include:

- Article 39 of the [Misdemeanor Code of the Kyrgyz Republic](#), which allows victims to withdraw their complaints in domestic violence (DV) cases if they reconcile with the offender. This piece of legislation has long been described as a key factor in the prevalence of DV in Kyrgyzstan, as families pressure abused women into reconciling with their abusers and police officers refuse to file DV complaints on the premise that women will simply withdraw them.⁶ To illustrate the detrimental impact of this article, consider that of the 8,159 domestic violence cases registered with the police in 2019, 7,045 were withdrawn, meaning that 86% of all

³ As of the writing of this report, the Ministry of Labor and Social Development was in the process of generating the next instantiation of the government’s strategy to achieve gender equality.

⁴ See, e.g. Human Rights Watch (2019); U.S. Department of State (2019); Childress and Hanusa (2018); Human Rights Watch (2015); Human Rights Watch (2014).

⁵ See, e.g. Committee on the Elimination of Discrimination Against Women (CEDAW) (2015), ¶¶ 15, 17, 19.

⁶ See, e.g. Ryskulova, Nargiza (2020), Human Rights Watch (2019), Childress and Hanusa (2018), Human Rights Watch (2015).

domestic violence complaints in the country ended in reconciliation and withdrawal.⁷ Meanwhile, only 554 cases reached the courts (a little less than 7% of cases registered with the police);⁸

- Under the re-drafting of the Criminal Code and launch of Misdemeanors Code in 2019, the previously-administrative offense of “domestic violence” was classified as a misdemeanor, with possible punishments of a fine, corrective labor, or community service.⁹ This, combined with the tendency for police to under-investigate and prosecutors to under-prosecute crimes of assault, battery, and bodily harm if they happen within the family, has resulted in offenders of near-fatal violence continuing to live at home with their victims while serving minimal probationary terms;
- Article 27.1 of the [Law on Prevention and Protection Against Family Violence](#) sets the length of an Interim Protection Order at 3 days, a particularly short window of opportunity for women to gain control over their lives and avoid future violence. Though women can extend the order for up to a month (Law on Family Violence, art. 27.2), few do.¹⁰ Experts noted that the default of 3 days should be extended to at least a week or possibly longer. Notably, an offender’s failure to respect the terms of an interim protection order is classified as a misdemeanor, with possible punishments being payment of a fine or community service – neither of which would serve to remove the offender from his or her shared residence with the victim;¹¹
- In the field of civil law, legal protections related to alimony and property are provided only to spouses in officially registered marriages, a fact that places these protections beyond the reach of LGBTQ couples (as marriage is defined as the union of a man and a woman under Family Code art. 2) and women married only through religious ceremonies. One lawyer noted that given the high frequency of religious marriages in Kyrgyzstan and the intersecting vulnerabilities for women in these marriages (e.g. poverty, lack of knowledge about their rights, being 2nd or 3rd wives in polygamous households, etc.), premising property and spousal support on official marriage should be reconsidered. Notably, the UN Committee on the Elimination of All Forms of Discrimination Against Women similarly recommended that Kyrgyzstan “adopt all legislative measures necessary to protect the rights of women upon dissolution of such religious or customary marriages, regardless of their registration status”;¹²

⁷ Azhymatov, Zaiyrbek (2020), quoting Deputy Minister of Internal Affairs Pamirbek Asanov. Note as well that these 8,159 cases registered with the police are merely the tip of the iceberg. According to a survey by the Ministry of Health, only some 5% of women and girls who seek help for any type of physical or sexual violence go to the police (Human Rights Watch 2015, p. 48). International best practice discourages laws that enable reconciliation of victims of trauma with their offenders as well as the use of mediation to resolve challenges between victims and abusers (such as using mediation in cases of divorce, child custody, etc. where domestic violence is present). For more, see the [UN Women Handbook for Legislation on Violence Against Women](#) (2012) and [New York State Bar Association Domestic Violence Initiatives](#) (2016).

⁸ Azhymatov, Zaiyrbek (2020), quoting Deputy Minister of Internal Affairs Pamirbek Asanov.

⁹ [Misdemeanor Code of the Kyrgyz Republic](#), § 75. See also: Azhymatov, Zaiyrbek (2020).

¹⁰ For more, see Ryskulova, Nargiza (2020).

¹¹ [Misdemeanor Code of the Kyrgyz Republic](#), § 76.

¹² Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) 2015, ¶ 36(b). Religious marriages have long presented problems in Kyrgyzstan, where some imams consecrate forced, under-age, and polygamous marriages – all of which are illegal under Criminal Code §§ 175 – 179) – through the Muslim *nikah*

- A strong push is currently underway to introduce laws and regulations banning workplace sexual harassment. This comes in the wake of research by the Association of Women Judges, which found sexual harassment to be widespread in workplaces, on public transport, and at universities. This push includes two working groups – one in Parliament and one in the Ministry of Labor and Social Development – to support the drafting of new legislation, with plans to introduce numerous supporting regulations as well.

3. **Low political will:** Despite noting the above legislative areas in need of change, interviewees were pessimistic that pursuing reform would be successful, particularly for changing women's lived experiences. Three key examples underlying this pessimism included the underwhelming performance of the overhauled GBV framework, with instances of GBV increasing and prosecution rates remaining low despite the adoption of the highly progressive [Law on Prevention and Protection Against Family Violence](#) in 2017.¹³ A second example given was MP Ishak Pirmatov's attempt over the 2020 summer to remove legislation allowing victims of domestic violence to withdraw their complaints upon reconciling with their abusers (described *supra*, p. 4).¹⁴ According to expert interviewees, Pirmatov's initiative garnered little support in Parliament, and most importantly was not supported by the Government. Some interviewees theorized that given the numerous legal reforms that have taken place in the near past – including an overhaul of GBV protections and re-writing of the Criminal and Misdemeanor Codes – there may be little appetite for further legislative changes, while others believed that the Covid-19 crisis had shifted the government's focus (and depleted its resources). And finally, though extensive efforts are underway to introduce articles banning workplace sexual harassment into

ceremony (Muslim religious marriage), giving sufficient imprimatur for these unions to continue with social and familial support. In an effort to deter imams, Criminal Code § 178 specifies that they can be prosecuted for taking part in the marriage of under-aged individuals. Further steps were taken in 2019, when the Spiritual Directorate of Muslims in Kyrgyzstan (SDMK), the highest Islamic authority in the country (closely affiliated with the government though technically a distinct NGO), issued regulations requiring imams to only perform *nikah* after reviewing the spouses' government IDs, to register all *nikah* in special SDMK-issued journals, and to report quarterly to district and oblast authorities on all *nikahs* performed (SDMK 2019). Whether these initiatives have effectively decreased rates of forced, under-age, and polygamous marriages is unclear. One potentially indicative statistic is a decline in the number of children born out of wedlock, which fell from approximately 42 thousand to 37 thousand (corresponding to 26% of all births to 21% of all births) from 2014 to 2018 (National Statistics Committee of the Kyrgyz Republic 2019, p. 30). Given that children born to parents in unofficial, religious marriages are generally registered as having been born out of wedlock, this decline may indicate a corresponding decline in the prevalence of marriages consecrated solely through *nikah* – though this evidence is far from conclusive.

Under the Family Code, such religious marriages carry no legal significance (§ 1.2 ¶12), meaning that should the partnership dissolve, neither partner has any claim to spousal support from the other nor to any property registered in the name of the other – a situation that disproportionately disadvantages Kyrgyzstan's women, who tend to have fewer financial assets, income, and registered property than men (see, e.g. Food and Agriculture Organization of the UN 2016, pp. 26 – 17; National Statistics Committee of the Kyrgyz Republic 2016, pp.39, 47). Children born from such unofficial unions do have rights to child support payments and inheritance upon proof of paternity (Family Code § 58), though few women or men seem to be aware of these protections for their children. The lawyer interviewed for this article questioned the overall benefit of regulations that limit women's access to property and spousal support, intimating that though they were meant to enhance women's rights by requiring formal registration, they tended to further disadvantage those women and children who are the most vulnerable.

¹³ Ryskulova, Nargiza (2020).

¹⁴ MP Pirmatov's speech to Parliament on this topic can be watched on YouTube at: [Radio Maral \(2020\)](#).

the Labor Code, one expert noted that of 100 male MPs who may vote on the amendments, only 2 agreed that sexual harassment is a bad thing. Other MPs, she noted, have argued that men's sexual comments and advances help women in the workplace to "blossom", to feel and express their femininity, and to feel good about themselves. The outlook for the amendment's adoption and effective implementation is thus questionable.

4. **Patterns of action and belief that undermine women's access to justice:** Norms and stereotypes about women's and men's place in family and society continue to have a large impact on citizen's effective access to justice and help-seeking behavior, while also driving the actions of lawmakers, law enforcement officers, and other justice officials.¹⁵ Numerous studies and articles document how police attitudes undermine the seemingly robust anti-GBV framework. For example, Childress and Hanusa (2018) state that, "police consider domestic violence a part of normal family life that is not worthy of police intervention, and often do not register [victims'] complaints, issue protection orders, or seriously investigate the case with an eye toward prosecution."¹⁶ According to interviewees for this report, judges and prosecutors similarly downgrade women's experiences of violence through a combination of declining to prosecute their cases, prosecuting violent offenses as mere misdemeanors, and handing down lenient sentences in cases of violence against women.¹⁷ Meanwhile, advocates and judges alike frequently discourage women from divorcing their spouses, telling them that it will destroy their families, that it is a woman's duty to keep the family together, and that they will miss their husbands and regret their actions if they go through with the divorce (even in cases where he is abusive).¹⁸ Ultimately, many members of the security and justice sectors share in gender-normative beliefs that run counter to the content of the law. To quote Childress and Hanusa (2018) again, "despite the implementation of well-intentioned laws and institutions that are superficially designed to provide support, the legal and public health systems remain embedded within larger socio-cultural systems and values that influence the execution of public policies to the detriment of abused women."¹⁹

Many woman-victims, meanwhile, harbor similar perceptions and beliefs about their role in family and society, contributing to low help-seeking. The majority of Kyrgyzstani women and men alike believe that women should "sacrifice everything" to keep their families together (58%

¹⁵ CEDAW Committee (2015).

¹⁶ At p. 152.

¹⁷ These impressions are borne out by research on court practices in cases of violence against women, which found significant flaws in the ways that such crimes were prosecuted and decided (Association of Women Judges, 2015).

¹⁸ These observations come from the author's firsthand experiences working on family law court cases in the Kyrgyz Republic from 2017 to 2019. Some judges outright refused to allow women to divorce, particularly if they were pregnant, by postponing court sessions indefinitely. The challenges that women face when seeking to secure divorce no doubt contribute to the fact that 20% of women in prison in Kyrgyzstan are there for having killed their husbands, with 70% of these women having faced a "longstanding pattern of physical abuse or forced economic dependence" – there was little other opportunity for them to escape (Clooney Foundation, 2020, Appendix p. 9, citing United Nations General Assembly, Special Rapporteur on Violence Against Women, Its Causes and Consequences, U.N. Doc. A/HRC/14/22/Add.2, May 28, 2010, para. 26).

¹⁹ p. 157. A similar observation was made by the CEDAW Committee in its 2015 concluding observations on Kyrgyzstan.

and 62%, respectively),²⁰ that once married – even if through a bride kidnapping or a forced arranged marriage, and even after significant domestic violence – the woman should stay, and that if a woman is beaten, it’s probably because she did something wrong.²¹ Women who remain in abusive marriages receive public praise for their patience, piety, and dedication to their families – rewards for accepting the violation of their rights. Ultimately, such beliefs and norms cause many women to see abuse and inequality not as a violation of their rights but rather as the normal and natural pattern of family and society, one that they must endure for the betterment of those they love (and especially their children).

5. Corruption: Respondents for this report described numerous incidents of corruption in their interactions with members of the justice system including police, advocates, and court staff. These respondents came from all regions, were involved in distinct types of cases (e.g. family, criminal, etc.), and were both male and female. Indicative cases included:

- In Naryn, a man involved in an alimony dispute reported paying a 10,000 KGS bribe to his advocate, believing that the money would be passed to the judge, who was then supposed rule that he had no child support obligations to his two sons.²² Whether the advocate passed the bribe along or pocketed it is unclear: the man received an alimony judgement, though he does not pay it. He did not pursue any action against his advocate;
- In Bishkek, a woman reported that when she sought advice on how to submit a divorce complaint in court, the court secretary demanded 200 KGS to write and submit the complaint on her behalf; the secretary would not allow her to file for divorce without making the payment;²³
- A respondent in Issyk-Kol reported paying a 40,000 KGS bribe to a lawyer in court (referred to during the interview as “sotto jurist” [*commo юрүсүм*], or in-court lawyer, it is unclear exactly what official role this bribe-taker played in the court), on the understanding that the money would be passed to the judge to decrease her son’s sentence for beating another man. Despite the payment, her son received a 3-year prison sentence;
- In Bishkek, a man reported being arrested by the police for stealing a cell phone. After beating him, they said he could go free if he paid them 15,000 KGS. He raised the money from relatives, paid the police, and left without a charge (though he had indeed stolen the phone, which the police had confiscated from him).

²⁰ National Statistics Committee of the Kyrgyz Republic 2016, pp. 106 – 107.

²¹ These perceptions are further discussed in Childress and Hanusa (2018), Committee on the Elimination of All Forms of Discrimination Against Women (2015).

²² The man’s advocate had told him that if the judge nullified his marriage of 5 years, he would be freed from child support payments to his two sons, aged 3 and 6. His ex-wife, he believed, could then register as a single mother and receive payments from the state while he would be free of any obligation to any of them. He took out debt to pay the advocate, but didn’t seem to blame him for the failure of this strategy.

²³ The woman went home to get the money but then reconsidered the divorce, deciding it would be too much of a hassle. She and her husband continue to live in the same house but are estranged. Note that court secretaries are banned from providing legal services such as drafting complaints. An advocate interviewed for this report noted that complaint filings should be made to the court konsulyar, not to court secretaries. The advocate went on to say that, “Yes, I’ve heard about these kinds of issues a lot. Court secretaries have very small salaries and they know what the complaints look like. So they do this to make a little extra money and provide a service.”

When presented with the above examples, experts interviewed for this analysis stated that such cases are “common” and “widespread”, and a few even cited similar examples from among their acquaintances. A [2016 World Bank survey](#) of Kyrgyzstani citizens found that some 36% of respondents reported having paid a bribe to the police and 28% to the national registration/passports office – where the documents necessary for filing many family law complaints are collected.²⁴ A [2011 World Bank survey](#) found that almost 11% of court users said they were willing to use a bribe to win their case (and 31% of those involved in administrative disputes) and 17.5% of court users to leverage their personal connections to try to influence the judge.²⁵ This same 2011 survey found that 23.4% of respondents believed that judicial bribe-seeking was a primary obstacle for protecting legitimate interests in court, making it the most cited obstacle among choices such as the cost of legal proceedings, a lack of knowledge of rights, and more.²⁶ Nationwide, corruption is perceived as the third most important problem facing the nation, second only to unemployment and Covid-19.²⁷

Notably, corruption is not solely the purview of the judiciary but also reportedly endemic among executive officials and within the legislative branch. Kyrgyzstan’s civil service is reportedly plagued by systems of patronage and nepotism, leading to inefficient and poor quality governance, ultimately pushing citizens to bribery in order to attain the government services that they need.²⁸ Kyrgyzstan is a party to the UN Convention Against Corruption, while its Criminal Code contains multiple articles banning bribery, extortion, and other forms of corruption; however, “there is a lack of predictability in the enforcement of the law, with high levels of discretionary power given to public officials” and, as already explored, a highly corruptible judiciary that does not effectively enforce the laws.²⁹

Detangling the gender elements of this corruption is challenging, particularly given the lack of data.³⁰ Expert interviewees generally did not believe that women are more likely than men to be asked for a bribe by justice officials or vice versa, and none had heard of cases of women being asked for sexual favors as a form of bribery in relation to court processes. However, one advocate-interviewee did note that the burden of such petty corruption likely falls unevenly, with women bearing its brunt given that they are more likely to file for divorce, alimony (including both spousal and child support), and child custody – some of the most frequently litigated cases in the Kyrgyz Republic – and to need to access government bureaucracies such as social welfare

²⁴ World Bank (2016), p. 18.

²⁵ Bernstein et. al. (2011), p. 6.

²⁶ Bernstein et. al. (2011), p. 6.

²⁷ IRI Center for Insights in Survey Research (2020), p. 10.

²⁸ Martini, Maira (2013), pp. 3 – 4.

²⁹ Ibid, p. 4.

³⁰ Worldwide, research related to corruption has tended to focus on (i) public perceptions of the prevalence of corruption and (ii) whether women or men are more likely to engage in corruption. Areas of analysis that could use further consideration, both in Kyrgyzstan and worldwide, include: the different impact that corrupt practices may have on women and men, the different opportunities or avenues for women and men to engage in corruption (e.g. different types of networks they can call on and leverage), and whether different forms of corruption (e.g. sexual favors vs. money) may differ by gender. For more on this, see: UNDP and UNIFEM, 2010; Corcoran-Nantes, 2017.

offices, schools, and hospitals.³¹ Given that women in Kyrgyzstan tend to have fewer financial resources and less independent access to family financial resources, it may also be more difficult for them to meet bribe requests – making such requests a higher barrier to their access to justice.³²

6. Heightened barriers for particularly vulnerable groups: When asked which sub-groups of women and society were at the greatest disadvantage in terms of access to justice and the rule of law, respondents listed LGBTQ individuals, disabled women, and women from socio-economically disadvantaged backgrounds (especially those living in poverty) as facing heightened barriers and discrimination:

- **LGBTQ individuals:** Police brutality against LGBTQ men is severe and widespread, as is the failure of the justice system to punish officers for beating, raping, and extorting money from LGBTQ individuals.³³ Notoriously, at the March 8, 2020 Women’s Day March, Kyrgyz-nationalist groups targeted LGBTQ marchers for beatings and slurs, violence that the police did not attempt to stop and, instead, contributed to by arresting peaceful marchers. Efforts for LGBTQ individuals to protect their rights are stymied by widespread stigmatization across all segments of society, including numerous discriminatory laws introduced – but not adopted – in Parliament that would effectively ban expression of “non-traditional” sexual orientations.
- **Disabled individuals:** Interviewees noted numerous challenges for disabled individuals when seeking access to justice. Many court facilities lack the infrastructure to accommodate those with physical disabilities, while legal information is not readily accessible to the blind. For those with mental disabilities, guardianship laws may not provide adequate protection from abuse. All of those with disabilities have the opportunity to file for and receive welfare from the state, but reportedly the rules and procedures by which individuals are approved or rejected are both out-of-date and unevenly applied, resulting in serious grievances and hardship for those denied – grievances that they struggle to resolve, given the barriers they face in accessing courts. The intersecting disadvantages of being disabled and being a woman likely heighten these obstacles.
- **Socio-economically disadvantaged women:** Women from economically disadvantaged households are at a greater risk for domestic violence, forced marriage, and early marriage. At the same time, many are economically dependent on their spouses and lack the independent financial resources to pursue court cases – both in terms of the formal costs (transportation, time off work, filing fees, etc.) and informal costs (possible bribery requests).

Of note is that interviewees did *not* mention female **migrant workers or women whose husbands are engaged in labor migration** when asked if there are any sub-groups of women who are particularly disadvantaged in relation to the rule of law and the justice system. Woman-migrants were in high policy focus in Kyrgyzstan 4 to 6 years ago, as some Kyrgyzstani women travelled to

³¹ For more on patterns in the differential impact of petty corruption on women’s and men’s lives, see: UNDP and UNIFEM (2010). On corruption patterns in low-level KR bureaucracies and its unequal impact on the poor, see: World Bank (2016).

³² See, e.g. UNDP and UNIFEM (2010).

³³ HRW (2104).

join ISIS while female migrants in Russia were subjected to extreme violence by men calling themselves Kyrgyz-nationalist “Patriots”. At that time, Kyrgyzstani legislation around social welfare and pension benefits for returned migrants, social support for children whose parents were away in migration, and societal practices and perceptions related to women in migration and the women “left behind” by their husbands were in high focus. Little has changed in the interim: the “Patriot” group began posting videos of violence against female migrants in Russia again in 2020, legislative gaps on social support have not been filled, and social practices continue to limit the mobility of women left behind by their migrant husbands to care for his parents and family. Meanwhile, internal migrants in the Kyrgyz Republic continue to experience challenges in accessing the justice system because of rules requiring that litigation take place in and documentation be issued from one’s place of residence (“*mesto zhitel’s tvo*”), making it difficult for migrants to access courts and bureaucratic agencies in the locations where they work. It seems that the topic of migration has lost its high profile with the waning of ISIS and the economic downturn associated with Covid-19 (which resulted in many international migrants returning to KR and many internal migrants returning to their villages), without significant progress being made on the underlying issues that put all migrants at heightened vulnerability. These challenges may surge back in the next 1 to 2 years, as increasing numbers of Kyrgyzstani men and women enter labor migration to try to make up for income lost during the Covid-19 economic downturn.

Section 2: Women’s representation and leadership in the security and justice sectors

Interviewees repeatedly cited women’s lack of representation in the security and justice sectors as driving poor governmental protection of gender equality rights. Women respondents noted that police stations and court buildings feel like intimidating “male spaces”, contributing to under-reporting of GBV crimes;³⁴ that a mentality of male solidarity shared across police, prosecutors, and offenders leads to systematic under-prosecution of GBV crimes; and that describing acts of sexual violence to male police and judges was detrimental to victims.

Women constitute a minority across all professions in the security and justice sector, with increasingly low representation as the level of authority rises (the one exception being the judiciary, where women’s representation rises to about half at the highest levels). As of 2016, women made of 18.3% of the workforce of the General Prosecutor’s Office (UNFPA 2016, p. 11), while currently one of the five members of the Governing Body of the General Prosecutor’s Office (GPO).³⁵ As of 2014, 6.3% of accredited police officers were women (with 13% of all Ministry of Internal Affairs staff being women).³⁶

Women’s Representation in the Judiciary: A large minority of judicial posts and positions of authority are filled by women: of 554 judges, 210 are women (or roughly 38%) while

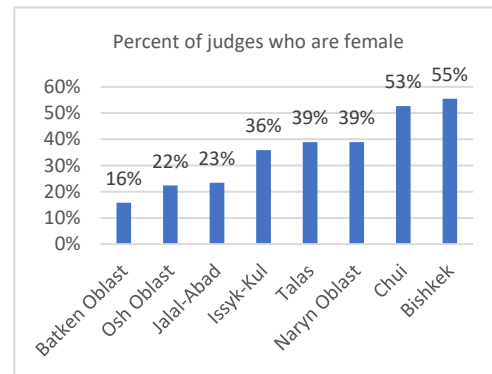
³⁴ One related point raised by both interviewees and in the Association of Women Judges’ 2015 report was that though complainants have the right to make their statements to the police in private, in practice women are often forced to describe their GBV experiences in front of witnesses and bystanders at the police precinct. Some believed that women police officers would be more sensitive to victims’ privacy needs and take greater pains to keep initial complaint discussions private.

³⁵ As of October 1, 2020. Information is available on the website of the General Prosecutor’s Office: <https://www.prokuror.kg/the-prosecutors-office/governing-body.html>

³⁶ UNODC (2014).

of 67 courts, 21 are chaired by women (31%).³⁷ Women are also represented at all court levels, with women making up 40% of first-instance court judges, 31% of appellate court judges, and 38% of Supreme Court judges (including the Constitutional Chamber).³⁸ Notably, the proportion of woman-chairpeople rises along with the level of the court, from 29% of first-instance courts being chaired by women to 38% of appellate courts to 50% of the Supreme Court (including the Constitutional Chamber). By law, a 30% gender quota applies to the Supreme Court, its Constitutional Chamber, and the Council of the Selection of Judges, with Members of Parliament required to confirm no more than 70% of members of a single gender to these institutions.³⁹

Despite women’s relatively strong representation, there are differences across regions and by the type of case being considered. As shown in the graph at right, Batken, Osh, and Jalal-Abad all have the lowest portion of woman-judges, while not a single court in Osh Oblast is chaired by a woman.⁴⁰ And though only one court in the nation is composed solely of women (Naryn’s 2-member Oblast Administrative Court), 11 courts are composed solely of men (4 of these male-only courts are in Jalal-Abad, 3 in Osh, 2 in Batken and Issyk-Kul, and 1 in Talas). Perhaps uncoincidentally, these regions came up consistently in expert interviews as suffering from heightened levels of corruption, lower trust in the judiciary, ineffective prosecution of GBV crimes, and dissatisfaction by female court users and professional employees.⁴¹ Lending support to these expert observations, a recent national poll found that citizens of Osh ranked corruption as the number one challenge facing the country, while Kyrgyzstani citizens overall ranked corruption in third place.⁴² A 2014 UNDP report, meanwhile, found that women in Osh had lower rates of trust in the judiciary and



³⁷ Calculations are the author’s own, using data from the website of the Supreme Court of the Kyrgyz Republic available at: www.sot.kg. Though the calculations were completed on Sep. 28, 2020, information on the composition of some of the first-instance courts appeared to date from 2017 to 2018 (the last time their information was updated on the Supreme Court website). The total count of 67 courts includes all district, city, oblast, and administrative courts, as well as the Constitutional Chamber and each of the three wings of the Supreme Court (criminal, civil and economic, and administrative) counted separately. It does not include inter-district courts.

³⁸ Ibid.

³⁹ *Law on Governmental Guarantees of Equal Rights and Opportunities for Women and Men*, art. 24. The President is also required to nominate candidates in-line with this gender quota, i.e. at least 30% of his/her candidates recommended to Parliament must be women.

⁴⁰ Calculations are the author’s own, using data from the website of the Supreme Court of the Kyrgyz Republic available at: www.sot.kg.

⁴¹ Rather than extrapolate that male judges are more corrupt or less effective than woman judges (a premise that some interviewees did believe), I would contend that a more likely underlying cause of these courts’ under-performance is the relative strength of criminal gangs in the South, a topic that came up in several interviews. Organized criminal gangs are significantly more developed and powerful across Kyrgyzstan’s South, where porous, undelimited borders make for easy smuggling of goods, narcotics, and people. These strong, male-dominated, informal networks would in turn make it more difficult for “new entrants” such as women to attain positions of power such as judicial posts, while contributing to an overall environment of impunity and criminality, undermining the rule of law and contributing to citizens’ dissatisfaction with the judiciary.

⁴² IRI Center for Insights in Survey Research (2020).

were less likely to turn to justice institutions for help even if they needed legal support than women in other parts of the country.⁴³

It is worth noting that only 1 out of 8 judges serving in the Constitutional Chamber is a woman (12.5%), despite the 30% gender quota at law.⁴⁴ Three more judges, including one female candidate, are awaiting confirmation. Meanwhile, judges and advocates noted a pattern whereby women judges tend to oversee family and economic cases, with more “serious” criminal cases being considered the purview of male judges.

While expert interviewees roundly believed that it would be beneficial to have more female judges – and particularly more female judges overseeing GBV criminal cases – programming to ensure judges’ sensitivity, understanding of trauma psychology, and proper admission of relevant evidence in GBV cases were all considered necessary for male and female judges alike.

Section 3: Recommendations

Legislative gaps and political will

1. Focus programmatic efforts on better implementation of the laws as written rather than on further updating and changing the legal framework;
 - a. Support advocates and judges in better understanding the legal framework and rationale behind it;
 - i. For judges: work with members of the Supreme Court to issue guiding opinions on key gender equality and women’s rights topics, including specific areas of family law, property and inheritance rights, and GBV. If such guiding opinions are issued, raise awareness of the guidance among lower-court judges, advocates, and prosecutors;
 - ii. For advocates: consider dedicated training and practice – perhaps offered under the Advocates’ Training Center – to train advocates on working with (i) GBV crimes, (ii) family law cases where GBV is present in the family, (iii) the distinct rights of those without official marriage registrations (e.g. those with only *nikah*, wives in polygamous marriages, early marriages, etc.), limits to those rights, and how to best advance their clients’ interests in these cases, (iv) the full complex of interactions across various family law topics such as divorce, alimony, child support, custody, and parental rights termination. Rather than cover broad human rights considerations in these trainings, a focus of the legal practicalities of these cases, client psychology, and concrete tools (e.g. domestic violence escape planning) would be beneficial;
 1. Ensure that any and all trainings provided offer not just textual instruction, but include extensive practical sessions where advocates implement the concrete skills being learned and deploy specific tools (such as DV escape planning worksheets). This could be done through

⁴³ UNDP (2014).

⁴⁴ Website of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic, “Members,” Accessed on Sep. 28, 2020. Available at: <http://constpalata.kg/ru/about/judge/>

- direct client representation, where mentor advocates oversee all client sessions and provide proactive instruction to ensure proper practice and sensitivity. Alternatively, role-play could be used or actors hired to run pretend client sessions, helping trainee-advocates practice their new skills while minimizing the risk of harm to clients who have suffered GBV or other forms of trauma;
2. Engage advocates and potentially law students and professors to document the gaps, contradictions, and problematic areas of Kyrgyzstan's legal and regulatory frameworks in relation to women's rights, gender equality, and GBV. Practicing advocates could effectively communicate the real-world ramifications of these legislative gaps to raise the urgency that the public and politicians feel to push for legal change in these areas;
- b. Support regulatory reform and standardization of police practice in regard to issuing and enforcing interim protection orders and categorizing crimes committed within the family as misdemeanor or criminal offenses;
 - c. In furtherance of Kyrgyzstan's new obligations under the UN Convention on the Rights of People with Disabilities (CRPD), (i) conduct research on the ways in which distinct disabilities impact individuals' capacity to access justice, on the prevalence of these barriers in Kyrgyzstan's justice institutions, and on the intersecting vulnerabilities of women with disabilities when attempting to access justice; (ii) work to reform the outdated system of approving and annually recertifying individuals' eligibility for disability benefits, and to spread awareness among disabled individuals of complaints mechanisms and processes when benefits are denied; (iii) improve the infrastructure of courthouses, legal aid offices, prosecutors' offices, and police precincts to make them accessible to people with disabilities;
 - d. Though USAID's capacity to work with law enforcement bodies (i.e. prosecutors and police) is limited under its Congressionally-authorized mandate, consider supporting (i) research institutions in systematic studies of gender-bias, discrimination, and GBV within the police and prosecutorial offices (i.e. among members of these institutions against their own staff), in the interactions of police and prosecutors with the public, and in the way that GBV crimes are prosecuted and, (ii) media outlets in raising awareness of these topics and generating the momentum needed for reform. This kind of research could provide a much-needed evidence base that civil society organizations could leverage to push for change;
2. Given that legal gaps do exist and have a demonstrably detrimental impact on GBV victims, monitor the legislative environment and consider supporting legislative reform if MPs appear willing to work on progressive legislation and the Government willing to support it.

Corruption

1. Seek ways to introduce transparency and automation into judicial, executive, and legislative processes. When it comes to the judiciary, further support for changes already under way – such as the publication of court opinions online, the automation of

caseload designations to judges, and use of technology within courtrooms – may make it more difficult for corruption to take place;

- a. Support civil society actors such as universities, think tanks, and human rights organizations to leverage the information that becomes available through more transparent processes to identify inconsistencies (for example, support law faculties and human rights NGOs to analyze GBV caselaw made available over act.sot.kg, identifying patterns in judicial decision-making and ways in which legislation may need to be changed to generate better protections for victims);
2. Given that numerous citizens reported that their advocates acted (or claimed to act) as middle-men, passing bribes between the client and the judge, consider trying to strengthen the Advocatura’s disciplinary oversight practices and punishments for advocates who engage in bribery. An alternative approach could be to raise citizens’ awareness of the ineffectiveness of paying bribes to advocates – given that the cases reported by respondents for this article were roundly ineffective – perhaps by finding individuals to share their personal stories of having paid bribes only to end up serving long prison sentences or to have high alimony payments anyways;
3. Many citizens lack knowledge of legal processes and procedures, and may therefore be particularly vulnerable to corruption (or alternatively, to mistakenly believe that lawful payment requests are requests for bribes). Given the tendency of citizens to seek information from the courts, consider a pilot program to embed trusted legal advisors within a court building itself, thereby giving citizens access to the knowledge they need with less risk of being asked for bribes;

Norms and legal help-seeking

1. Many women continue to lack full awareness of their legal rights. Nationwide awareness-raising campaigns offered over TV channels – and particularly KTRK, the main government channel – are likely to reach the most viewers, particularly those increasing their time at home due to Covid-19. Meanwhile, research has shown that messaging and awareness-raising is most effective if offered through peer networks and trusted, known role-models. Working to embed awareness-raising within the unique local community networks and peer groups of intervention communities will likely make these efforts more successful;
2. Community-based, sustained, ecological-system norm change is needed to alter deep-seated beliefs about women’s and men’s roles in society, beliefs that feed violence against women, girls, and LGBTQ individuals and that make them less likely to seek legal help. If rule of law programming is to be conducted in specific communities (as opposed to solely at the institutional level), consider engaging in such work simultaneously within those communities, making it more likely that citizens will seek to use the improved legal services that the broader ROL programming puts in place;
3. Conduct detailed analysis of barriers in access to justice for people with disabilities, with careful attention to the many different forms of disability and how each creates its own unique challenges and opportunities in relation to the justice system;
4. Though there are many problems in access to justice and the rule of law, non-corrupt, competent, independent judges *do* exist in Kyrgyzstan. Raising the profile of such judges

Rule of law and justice sector programming (including anti-corruption)

and building bridges between the public and the members of the judiciary as human beings could help transform some people's distrust of the judiciary as a whole, building public confidence and laying the foundation for new norms.

Women's advancement in the judiciary

1. Support transparent processes in judicial appointments and promotions, particularly in terms of reforming legislation on the appointment of members to the Council on the Selection of Judges (CSJ) and regulations on how CSJ members rate and rank judges who are up for promotion, thereby decreasing the likelihood of discrimination in judicial oversight procedures (thereby ensuring that the most highly qualified candidate is selected, regardless of his or her gender, sexual orientation, ethnicity, etc.);
2. Both female and male judges could benefit from better understanding of gender-based violence, trauma psychology, evidentiary requirements and standards in GBV cases, and an overall grasp of gender sensitivity. Trainings on these subjects – with an orientation toward practical strategies to recognize and counter one's own internal biases – could be beneficial;
 - a. From the private sphere, social norm change within professional environments (e.g. within specific companies, offices, etc.) has shown the capacity to improve gender equality outcomes for employees and clients alike. Though the concept of social norm change is anathema to the theory of the judiciary – under which judges are supposedly neutral arbiters of fact rather than humans who bring their own perceptions and backgrounds to the bench – it may nevertheless be a beneficial concept to explore for judicial reform in Kyrgyzstan, where detrimental gender beliefs and corruption appear to be prevalent norms;
3. Help young women professionals who are in the legal sphere but not currently on a traditional path to judge-ship (e.g. those working in legal reform at international organizations, those in private practice, etc.) chart a path to the judiciary by supporting professional networking, professional development workshops, and speaker events with current female judges – or support these young women in creating their own professional network to organize such events.

Appendix: Methodology and challenges

Research for this report was conducted from September 1 to October 1, 2020. A desk review was supplemented by interviews with 8 individuals working in the fields of gender, the rule of law, and legal reform in the Kyrgyz Republic (the organizations that they represent are listed in the table below). Focus groups discussions were held with women and men court-users, exploring their experiences with the judicial system and assessment of its fairness, objectivity, potential gender discrimination, and lack of corruption. Individual interviews were conducted with several citizens who wished to discuss their legal experiences but were opposed to doing so as part of an FGD given (i) the sensitivity of their experiences, (ii) their discomfort with participating in an online focus group discussion (further explored in the section below on challenges), or (iii) both. Attempts were made to include respondents from all regions of Kyrgyzstan and from a variety of different ages and family backgrounds, leveraging professional and personal connections to reach respondents across the country, but as discussed below several challenges were encountered.

Table 1. Respondents

Research Activity	Respondent Organization / Category	Female	Male	Oblast(s) of residence	Age range
Expert interview	Association of Women Judges	1	0		
	Independent advocate (lawyer)	2	0		
	International Development Law Org. (IDLO)	1	0		
	Prison Reform International	1	0		
	UNDP	1	0		
	USAID	2	0		
Sub-total		8	0		
Citizen interview	Women interviewees	4	0	Bishkek (2), Chui (1), Issyk-Kul (1)	30 – 65
	Men interviewees	0	2	Bishkek (1), Naryn (1)	25 – 35
FGD	Women court users (1 FGD)	3	0	Bishkek (1), Chui (1), Jalal-Abad (1)	35 – 45
	Male court users (1 FGD)	0	4	Chui (1), Jalal-Abad (2), Naryn (1)	35 – 50
Sub-total		7	2	Bishkek: 4 Chui: 3 Issyk-Kul: 1 Jalal-Abad: 3 Naryn: 2	25 – 35: 3 35 – 45: 6 45 – 55: 2 55 – 65: 2
Total		15	2		

Challenges: All research activities were conducted remotely to decrease the risk that respondents and members of the research team would contract Covid-19 as a result of their participation in this report. While this made it easier to conduct interviews with experts, who were familiar with using online platforms and had access to the internet at their homes (where most of them were quarantining), this presented significant obstacles when attempting to

organize and conduct focus group discussions (FGDs) with ordinary citizens, many of whom were untrusting of sharing over online platforms and in some cases unfamiliar with the technology.

Citizen-participants for FGDs were identified through professional and personal connections of the research team, went through an initial intake screening to ensure that they had relevant experiences (namely a legal issue or interaction with the justice system in the recent past), and upon their consent to participate were included in either an interview or focus group discussion. Challenges arose during all phases of this process. Some contacts did not return repeated requests to help with finding respondents. One contact, the head of a crisis-center in Osh, did recommend women-participants from Osh, but when our research team spoke with them for their intake interviews, they said that they were uncomfortable discussing their experiences via an online forum and did not want to take part in the study. Some respondents who agreed to participate in the online FGDs struggled to download the needed apps on their phones (none had accessible laptops and participated using their smartphones), did not have enough memory on their phones to host the apps, or ran out of charge during the conversations.

A common pattern across respondents, particularly those from relatively vulnerable groups (e.g. ethnic minorities, women currently or formerly at a crisis center) was that they were not willing to take part in *online* focus group discussions. Potential respondents seemed particularly concerned that the FGDs may be recorded, producing a video whose future use was unpredictable (though the research team promised to record only audio and to delete the files within 1 month of recording, potential respondents remained skeptical).

Some respondents were willing to share their experiences, but not within the context of a group discussion. We conducted individual interviews with 6 of these individuals – 4 women and 2 men – whose stories tended to include either deeply personal, long-lasting legal battles or accounts of official corruption or both. [Notably, several participants who agreed to take part in the FGDs had said during their initial intake discussions that they had experienced corruption in the legal system, but during the actual discussions declined to share these experiences. In this report, we do not share any information from the intake interviews and base our findings solely on information shared during either the formal interviews or FGDs].

Several take-aways emerge from these challenges: (1) at least for now, online focus group discussions with average citizens are unlikely to be successful given low trust (both of the platforms themselves and of the researchers, who cannot assuage these doubts in-person) and technical difficulties, (2) these barriers make it particularly more difficult to reach vulnerable segments of the population, and (3) when discussing sensitive topics such as legal issues and corruption, higher-quality data can be derived via interviews (even when conducted remotely by phone) than by focus group discussions. These findings support longstanding observations in qualitative research methodology and are explored here to benefit future research teams.

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