

**Report to Special Rapporteur
on extreme poverty and human rights of the United Nations
from PU “Kyrgyz Indigo”**

1. The nature of poverty and inequality in Kyrgyzstan, including how poverty is or should be defined and measured, its prevalence, and its distribution.

In Kyrgyzstan, there is inequality on various grounds, and the most obvious and felt is discrimination based on sexual orientation and gender identity. Kyrgyzstan needs to recognize the vulnerability of LGBT+ people and, together with civil society, look for solutions. LGBT+ people can be vulnerable to poverty, often excluded from political, economic, and social life, which is a barrier to the full realization of themselves in society.

The most important barrier is the absence of anti-discrimination law in the country. Kyrgyzstan has repeatedly received recommendations from treaty bodies, other countries, and UN committees, as part of UPR cycles, as well as from civil society, on the need to adopt comprehensive anti-discrimination legislation that will be inclusive of vulnerable groups and have a clear mechanism of enforcement. This law would be able to give vulnerable groups a sense of security and the opportunity to assert their rights and freedoms. That would improve not only the mental state of vulnerable groups but also reduce the inequality that exists in society. Currently, Coalition for Equality, which exists, is engaged in lobbying for the anti-discrimination law since 2013 as an informal association of organizations and activists from various fields of activity

Another issue of inequality is the lack of an intersectional approach. People with intersecting forms of discrimination are most vulnerable to inequality, poverty, and violence¹.

2. The impact of poverty on civil and political rights, as well as on economic, social, and cultural rights such as the rights to health, housing, food, education, and social security.

In Kyrgyzstan, there are no provisions prohibiting eating or sleeping in public places, but many LGBT+ people live on daily earnings without financial savings, and become more vulnerable to hunger and poverty, especially in crises. COVID-19 has also had a bad effect on the LGBT+ community and deprived income of many people.

Most trans* women are deprived of the right to employment and a dignified life due to transphobia, and most often engage in sex work. Sex workers live in rented daily apartments, because of the quarantine, many remained on the street and were unable to return to their families homes. The government did not provide temporary housing for vulnerable groups during the crisis. Trans* women sex workers and LGBT + migrants were particularly vulnerable to hunger, and poverty. Unfortunately, trans* women sex workers are not eligible for economic assistance because they are not included in social protection schemes.

LGBT + migrants also found themselves in a difficult situation. Due to the closed borders, they could not return to Kyrgyzstan, without own housing, many found themselves on the streets, and humanitarian aid was often issued by the people's headquarters and its receipt often depended on the appearance of a person's identity, as some trans* people migrants experienced transphobia when receiving humanitarian aid. support. Some of them were forced to violate the state of emergency to earn money for food.

¹ PU “Kyrgyz Indigo”, LGBT+ inclusion to SDG Agenda, 2020, p. 26-27, URL: <https://indigo.kg/uploads/File/2021/01/14/Spotlight-Review.-Kyrgyz-Indigo.docx.pdf>

The vulnerability of LGBT + people to hunger and poverty is not only observed during crises. Thus, according to The Needs Assessment of trans* people in Kyrgyzstan, which covered 36 people, 34% of them were left homeless due to their trans* identity. A quarter indicated that they experienced significant difficulties with money due to barriers and social rejection of their trans* identity. This confirms that discrimination, homophobia, and transphobia are key factors in the vulnerability of LGBT + people to poverty and hunger².

Trans* people are currently the most vulnerable group on Extreme Poverty and Human Rights, on Adequate Housing Submission issues in Kyrgyzstan among the LGBT+ community and are subject to discrimination and stigmatization. The biggest problem for the trans* community is that at the legislative level they cannot change gender markers in IDs. On 17 June 2020, the Parliament of the Kyrgyz Republic adopted amendments to the Law of the “On acts of civil status”. In the new version of the law, the para that gave trans* people the right to change gender markers was deleted³.

In 2020, amendments to the Law Until 2020, trans* people could exchange documents based on the results of a psychological and psychiatric examination according to the certificate of the Republican Center for Mental Health. For this reason, trans* people face the problem of discrimination at school/university, work, do not have access to banking services, health services, especially on adequate housing submission, and face human rights violations in public places.

3. The potential of and challenges facing the existing social protection system to address poverty, inequality, and social exclusion, especially to protect informal workers, children, ethnic minorities, rural populations, refugees and migrant workers, unregistered/unrecognized citizens, and other groups particularly affected by poverty.

LGBT+ people are not included in the social protection system of the state, for this reason, LGBT+ organizations such as PU “Kyrgyz Indigo”, “Labrys”, “Myrzayim” initiative group and other organizations focused on key population groups carry out activities in the field of advocacy, human rights protection and provision of services. These community organizations purposefully and effectively implement the strategic program, influencing specific representatives of LGBT+ people, civil society, and decision-makers in the country and creating safe spaces for people's well-being together with partner initiatives. The LGBT+ movement of Kyrgyzstan works in difficult conditions, fighting not only homo-, bi-, trans- and queerphobia, but also economic instability, sexism, imposed gender roles and expectations, opposes the institutionalization of phobias and domestic violence⁴.

During the pandemic COVID-19, particularly difficult times came when LGBT+ organizations coordinated and began work on providing humanitarian packages, accepting people into shelter. Currently, organizations continue their work in support of HIV testing, and further redirection to the Republican AIDS Center, provision of access to hormone therapy for trans* people, the provision of psychological and legal assistance.

4. The role of fiscal spending, public finance management, and tax policy about poverty.

² PU “Kyrgyz Indigo”, Access to trans* people not covered by preventive programs in the Kyrgyz Republic, 2020, p. 7, Russian Version, URL: <https://indigo.kg/uploads/File/2021/09/27/TG-PDI-KG-report-R2.pdf>

³ PU “Kyrgyz Indigo”, ECOM, Alternative Report on hate crimes and torture in relation to LGBT+ people in Kyrgyzstan, 2021, p. 6, URL: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCAT%2fCSS%2fKGZ%2f46974&Lang=en

⁴ PU “Kyrgyz Indigo” Annual Report, 2019, p. 2-3, URL: <https://indigo.kg/uploads/File/2021/01/14/Годовой-отчет-Кыргыз-Индиго-2019.pdf>

Currently, 21% of the population belongs to the category of economically inactive part of the population and is not covered by the measures taken by the state⁵.

Kyrgyzstan has adopted a National Strategy for Sustainable Development from 2018-2040⁶, within the framework of which the National Development Program of the Kyrgyz Republic 2018-2026 is functioning⁷. The program describes that more special programs should be created to reach various groups, especially young people, to increase the potential of civil society in the country. However, the LGBT+ community is discriminated against in the country and is not included in any state programs, which leads to a vulnerable situation and poverty.

If we consider social indicators for 2021-2022, then there are such data⁸:

- The average annual number of available population (thousand people): 2021 - 6458.4; 2022 - 6600.4;
- Poverty (as a percentage of the population): 2021 - 21.8%; 2022 - 21.5%.

In the medium term, the available population is projected to grow by an average of 137.0 thousand people per year, the number of employed people will increase annually by an average of 1.0%. GDP per capita will increase by 4.4% on average per year and will amount to \$1,578.8 in 2022.

The real growth of the average monthly wage is projected on average by 0.3% and will amount to 19682.9 soms in 2022. The real growth of monetary incomes of the population is projected at an average annual rate of 0.9% and will amount to 506.7 billion. soms in 2022.

The poverty rate in the medium term will decrease by an average of 0.23 percentage points per year and will amount to 21.5% in 2022.

Ongoing war actions in Ukraine initiated by Russia and the economic sanctions that followed the economic crisis in Russia will lead to a stable deterioration in the growth potential of the Kyrgyz Republic, mainly due to the projected decrease in the inflow of remittances and exports, and will also jeopardize the external position of the state⁹. All these economic forecasts will affect the vulnerability of the LGBT+ community.

5. Regions and cities that should be visited by the Special Rapporteur.

In the regions of Kyrgyzstan, the situation of discrimination and violence against LGBT+ people is even more aggravated¹⁰. In the regions, people live a more traditional way of life, as well as religious people. Society taboos the existence of LGBT+ people and for this reason, many LGBT+ people are hiding, forced to enter into traditional heterosexual marriages. People from the LGBT+ community who were able to save enough money and were able to overcome internal homo-, bi-, transphobia, move to the capital of Kyrgyzstan or Russia to start a new life. Also, memories from childhood associated with bullying and emotional abuse by peers, and sometimes school teachers, play a role in deciding between migration. Often these memories and the subsequent transphobic attitude do not allow trans* women to fully realize themselves through higher education and profession. The lack

⁵ National Development Program of the Kyrgyz Republic 2018-2026, URL: <http://www.stat.kg/media/files/3d033353-7e05-42ec-a282-8722459f5c31.pdf>

⁶ National Strategy of Kyrgyzstan for Sustainable Development from 2018-2040, URL: <http://www.stat.kg/ru/nsur/>

⁷ National Development Program of the Kyrgyz Republic 2018-2026, URL: <http://www.stat.kg/media/files/3d033353-7e05-42ec-a282-8722459f5c31.pdf>

⁸ The main directions of the fiscal policy of the Kyrgyz Republic for 2020-2022, URL: <http://cbd.minjust.gov.kg/act/view/ru-ru/157292>

⁹ URL: <https://economist.kg/novosti/ekonomika/2022/03/25/vsled-za-rossiej-dolgosrochnye-rejtingi-kyrgyzstana-v-moody-s-mogut-upast-eshhe-nizhe/>

¹⁰ Joint report to the Human Rights Council for the 35th session of the Universal Periodic Review, 2019, p. 2019, URL: file:///C:/Users/User/Downloads/JS1_UPR35_KGZ_R_Main.pdf

of education that would allow them to work in their profession is the main reason for engaging in sex work¹¹. LBQ women in the regions do not have the right to tell about their opinion and choose what kind of activity to engage in, sometimes they do not have the right to access education¹² and exercise the right to work. They also have to get married and be a housewife, be financially dependent on their parents and husband.

However, there are initiative groups “Yug- Antilopa” and PU “Novi Ritm” in the Osh region, “Kyrgyz Indigo Talas” in the Talas region that provide support for LGBT+ people, inform and educate on sexual orientation and gender identity, provide HIV testing services, and distribute minimal packages of services. But still, this is not enough and the LGBT+ community in the regions of Kyrgyzstan needs more support.

For this reason, to increase trust and confidence in LGBT+ activism and the protection of people's rights, the Special Rapporteur must-visit regions of Kyrgyzstan, such as Osh or Talas.

6. Individuals and organizations the Special Rapporteur should meet with during his country visit.

Considering all of the above, the LGBT+ movement of Kyrgyzstan wishes to meet with the special rapporteur on extreme poverty and human rights of the United Nations.

¹¹ PU “Kyrgyz Indigo”, Challenges and barriers in migration as consequences of economic vulnerability of trans* women in the Kyrgyz Republic, 2019, p. 17, URL: https://indigo.kg/uploads/File/2021/01/14/ВЫЗОВЫ-И-БАРЬЕРЫ-В-МИГРАЦИИ-КАК-ПОСЛЕДСТВИЯ-ЭКОНОМИЧЕСКОЙ-УЯЗВИМОСТИ-ТРА_gdZauxB.pdf

¹² URL: <https://www.unicef.org/kyrgyzstan/ru/образование>