**UNICEF Office Kyrgyzstan**

**Reply to the Questions by the Special Rapporteur on the Sale and Sexual Exploitation of Children**

Joint questionnaire “Protecting human rights during and after the COVID-19”

by Special Procedure mandate holders

**19 June 2020**

1. **What is the impact of COVID-19 crisis on the nature and scope of various manifestations of sale and sexual exploitation of children, including sexual exploitation and abuse of children, both online and offline; child marriage; trafficking of children; surrogacy and sale of children; illegal adoptions and child labour? What are the new forms and manifestations of sale and sexual exploitation of children in the context of COVID 19 crisis? What are the key trends and accelerators in the context of the pandemic that may increase children’s vulnerability to the sale and sexual exploitation?**

Sexual violence against children is a sensitive issue in Kyrgyzstan. Thousands of girls suffer from gender-based violence, child marriage and the practice of “bride kidnapping”, meaning forcing of girls into marriage. Taboos and culture of covering up problems of sexual violence, combined with inadequate mechanisms to identify, detect and protect children who are victims of such violence; the inaction - or complicity - of law enforcement agencies; the lack of direct complaint and protection mechanisms for child victims, all leads to the deprivation of the right of a child to protection. Indeed, as the statistics show, very few cases of such violence are reported.

In 2018, according to the Ministry of Internal Affairs of the Kyrgyz Republic, among crimes related to trafficking in persons, 8 cases of trafficking in children were recorded, which is 2 cases less than in 2014. According to a survey, investigating authorities do not always correctly determine the purpose of trafficking in persons, since they confuse the concepts of `trafficking in persons` and `violation of the procedure of adoption`, which, ultimately, affects the outcome of considerations of the cases in court.

At the same time, in 2018, there was not a single case recorded of crimes related to such types of trafficking in persons as labour and sexual exploitation, while in 2014, there were 2 and 7 cases of these crimes recorded, respectively. In 2018, in the territory of the Republic, only one crime related to child pornography were recorded and one case of coercion to enter into de facto marital relations with a person under 17 years of age were considered[[1]](#footnote-2).

In 2018, compared to 2014, the number of cases of rape committed against minors had decreased by more than one third. On the other hand, there was an increase in the number of crimes associated with depraved actions against minors (1.7 times compared to 2014), as well as with sexual intercourse and other sexual acts with a person under 16 years of age, respectively, by 18 percent[[2]](#footnote-3) .

Moreover, data on domestic violence – including physical, psychological and sexual violence- by age group shows that, in 2018 compared to 2014, the number of cases of domestic violence among children (0-17 years old) increased[[3]](#footnote-4). Due to the social stigmatization and tolerance towards domestic violence, these statistics may not accurately reflect the situation and maybe severely underreported.

Regarding child marriage, according to the latest available information from 2018, in Kyrgyzstan, one in 11 teenage girls aged 15-19 are currently married and about 13% of women between the ages of 20 and 24 entered into an official or civil marriage for the first time before the age of 18[[4]](#footnote-5). However, legislative amendments occurred over the last years which could have a positive impact on this situation, together with a number of coordinated campaigns for behavioural change. At the moment, there is no reliable data on the outcome of COVID 19 in relation to child marriage.

UNICEF would like to draw the attention on the fact that, apart from the trends in data mentioned above, there is no information available on the new forms and manifestations of sale and sexual exploitation of children in the context of COVID 19 crisis.

However, one trend should be considered, as it can be an accelerator of children’s vulnerability to sexual violence and exploitation.

Kyrgyzstan is one of the most remittance-dependent countries in the world with 33% of its GDP depending on it, and with over 250,000 children left behind by migrating parents with 120,000 of them separated from both parents.

Owing to the COVID 19 emergency, an important loss of remittances is expected. While figures need to be taken with caution and fluctuate according to the sources there are indications of a drop between 30-50% of the remittances. Migrant children, due to multiple vulnerabilities (not least poverty), experience overlapping deprivations, and have a high risk of experiencing violence, exploitation and abuse. This abrupt loss of remittances - combined with increased economic difficulties -might likely to be an additional risk factor, increasing the vulnerability of these children to sale and sexual exploitation as well. A recent episode of violence registered in the southern of the country with a mother maltreating a 1’year old baby, as a mean to ask for money from her former husband seems to support this interpretation[[5]](#footnote-6).

1. **What essential protection measures, including identification, reporting, referral and investigation, have been put in place to detect and prevent child sexual abuse and exploitation cases and how effective have they been since the outbreak?**

Since the outbreak and the begin of the lockdown, hotlines and phone lines for psychosocial and legal support have been important resources to ensure continuity and access to essential services including social, psychosocial, and legal support.

Child Helpline 111, established by the Ministry of Labour and Social Development, increased its capacity with two additional psychologists, hired with the support of UNICEF.

An analysis of calls to the child Helpline reveals that in April 2020, the helpline received 11,450 calls, that is an increase of 400% from the pre- COVID period. Out of these, 1,525 calls were looking for assistance or advice on the upbringing, behaviour, relations of children and parents, students and teachers (584). 31 calls were referring specifically to child abuse and violence; 43 were about domestic violence against women. Out of the 1,525 calls, 124 came from children (62% from girls and 38% from boys)[[6]](#footnote-7).

The State-run Hotline 112 provides legal support and, with additional six legal consultants of the Crisis Management Centre of the Ministry of Emergency, supported by UNDP, also provides consultations on issues related to domestic and gender-based violence, which guaranteed legal services during the quarantine.

To promote the referral mechanisms and the remote psychosocial support, guide and information leaflets on referral telephone, hotlines linked with the crisis centres and all available online psychosocial services have been developed and shared. Three types of guides have been produced: for remote operators; for crisis centres of referral and information material tailored to the wider public.

In addition to that, UNICEF supports an online consultation providing psychosocial support for children left behind by migration and their families, and as well an online platform working with 25 psychologists, aiming to provide psychosocial and developmental support for children with disabilities.

Combined, all these measures increase the awareness of the referral mechanisms in place, which can support to the detection and prevention of sexual violence against children. Such measures will need to be followed up once the emergency situation is diminished and integrated with the case management solutions of the social workforce including the new e-based mechanism under development with the support of UNICEF.

1. **Have there been any initiatives on collecting disaggregated data on specific forms and manifestations of sale and sexual exploitation of children during the pandemic and assessing the near and long-term impacts of COVID-19?**

There have been no initiatives on collecting data specifically on the manifestation of sale and sexual exploitation of children during the pandemic. However, several agencies launched specific rapid assessments.

UN Women, in collaboration with UNPA, launched a gender rapid assessment aiming at identifying the impact of COVID-19 pandemic on key challenges faced by women and men with a specific focus on the needs of vulnerable groups, such as women experienced violence in the past, elderly people, people living with HIV, women experienced violence in the past, women-entrepreneurs and ethnic minorities.

UNICEF, in collaboration with IOM, is launching a rapid assessment to assess the specific challenges emerging from the COVID -19 crisis on children left behind by migration. Supporting the Ministry of Labour and Social Development, UNICEF also initiated a rapid need assessment on the deinstitutionalization of children released at the onset of the pandemic.

UNICEF Country office plans to conduct, jointly with the National Statistics Committee, the follow-up Multi-Indicator Cluster Survey (MICS) Assessment of COVID-19 impact on children and women in Kyrgyzstan.

These initiatives are expected to provide a good overview of the specific impact of COVID-19 vis-à-vis children, as well as understanding which could be the mitigating factors for their vulnerabilities.

1. **Please, share information about challenges faced in the provision of undisrupted healthcare, education and legal aid, as well as care recovery and reintegration services for the victims in the context of the outbreak.**
* Ensuring access to shelters and crisis Centers for victims is a very critical issue.

During period when the state of emergency was in place, in some part of the country (such as in Bishkek and Osh, Jalal-Abad as well as Suzak, Nookat and Kara-Su districts), shelters and crisis Centres to service GBV survivors were closed. Even after the state of emergency has been lifted, some shelters were not able to operate. To address this issue, two safe spaces for victims have been created in the capital city Bishkek and in Osh. So far, the safe space in Bishkek provided comprehensive support to 14 women and 11 children.

* The gender-based violence rate against women and children under the lockdown measures increases by 65% high, and there has been no systematic approach form the government to address the issues.
* Due to the state of emergency, the whole judicial system remained on hold; according to the Supreme Court, proceedings in the areas where a state of emergency was declared postponed and this situation applied from 30 March to the end of May.
* Moreover, human rights institutions were also limited in their mandate due to the restriction on the move in place in the part of the county where the state of emergency was in place (such as the city of Bishkek and Osh, Jalal-Abad as well as Suzak, Nookat and Kara-Su districts).
* Lack of centralized and electronic data on vulnerable children remains a major concern since it makes it difficult to provide assistance to children in difficult life situation, including children victims of sexual violence. For this purpose, UNICEF is now supporting the Ministry of Labour and Social Development in implementing a case management database for children in difficult life situations.
* Unavailability of a sufficient pool of quality psychosocial support personnel.
1. **Have there been examples of innovative solutions to ensure effective functioning of child protection and justice systems that are resilient, adaptable and able to withstand the next crisis?**

During the month of April, several virtual workshops have been organized with the support of UNICEF. A total of 140 young people from 25 cities and villages participated in this online event (UPSHIFT). The initiative, organized as part of the "Child and Youth Friendly Cities" initiative under the State Agency for Youth, Physical Culture and Sports aimed at finding innovative solutions to overcome the harmful effects that confinement might be having on adolescents and young people, it has also acted as an important vehicle for expressing their concern.

Following this consultation, the young people shared their need for psychological support - which has been then provided with an online service with specialized personnel.

On 6th and 7th May, UNDP, together with UNICEF and with the support of the EU-UN joint Spotlight Initiative to end violence against women and girls, conducted the first Online Hackathon in Kyrgyzstan. The initiative brought together programmers, designers, and representatives of Crisis centres in one online platform to develop effective digital solutions to mitigate the effects of quarantine on children, women, youth and people with disabilities. A total of 53 developers have worked during 48 hours to develop 18 IT solutions. The best three products were selected for further development of their ideas. These are *ClickHelp Bot* for identifying the signs of domestic violence and contact the nearest crisis centres and services*, Burulay* online guide for women survivors of GBV, and online chat*, and Smart Jomok* web service helping the adults to better understand children.

These two examples of youth consultation show that the promotion of youth and child participation, as well as their direct involvement in crisis response, should be considered as a powerful and effective way to empower children and protect them against potential exploitation and abuse.

1. **How relevant and functional were the existing legal frameworks dealing with prohibition, prosecution, protection, care, assistance and prevention in relation to all forms of physical, mental and sexual violence against, exploitation and neglect of, and harmful practices in relation to children?**

At the moment, there is no possibility of making an assessment of the situation in this regard. An assessment of the impact of COVID-19 in relation to children with a statistical and analytical overview is ongoing and shall be available in July 2020.

On a relevant note, however on June 5 Amendments to the Criminal Procedural Code in relation to Domestic violence have been enacted allowing strengthening custody measures against suspects.

1. **Has there been a surge of resource allocation, actions plan or coordination mechanisms, prevention and response services for the protection of children from all forms of violence, abuse and exploitation?**

With the support of UN Women, UNICEF and UNFPA, three gender experts are supporting the operation and respond to GBV for *“Emergency units”* of Ministry of Labour and Social. Experts assist in improving coordination of Ministry of Labour and Social Development on domestic violence prevention work with other ministries, analysis of the role of LSGs, develop Roadmap and plan of priority actions for MLSD DV section staff, identify capacity gaps and develop recommendations among other tasks. The mainstreaming of a comprehensive and systematic approach to GBV within the government response will certainly contribute to the protection of children from all forms of violence. It remains yet to be seen whether this progress will be maintained by the national authorities or, as it has happened in the past it shall fall into oblivion amid the emerging of other political priorities.

1. A. Sultanov, N. Chuykov, A. Orosbaev, K. Isaliev, A. Shakulov, Ch. Turdubaeva, V. Biryukova, E. Isenkulova (2019). Crime and public order in the Kyrgyz Republic: 2014-2018. Bishkek: National Statistical Committee of the Kyrgyz Republic, 88. [↑](#footnote-ref-2)
2. Ibid, 86. [↑](#footnote-ref-3)
3. Ibid, 104. [↑](#footnote-ref-4)
4. National Statistical Committee of the Kyrgyz Republic and UNICEF. 2018 Kyrgyzstan Multiple Indicator Cluster Survey, Snapshots of Key Findings. Bishkek, Kyrgyzstan: National Statistical Committee of the Kyrgyz Republic and UNICEF. 2019, Kyrgyzstan. [↑](#footnote-ref-5)
5. [http://www.turmush.kg/ru/news:1624510/?from=portal&place=nowread&b=2](http://www.turmush.kg/ru/news%3A1624510/?from=portal&place=nowread&b=2) [↑](#footnote-ref-6)
6. Data received from the MoLSD. [↑](#footnote-ref-7)