

ACCESS TO JUSTICE AND LEGAL
REMEDIES FOR CHILDREN SUBJECTED
TO SEXUAL EXPLOITATION IN
KYRGYZSTAN




PF Partnership
and Development

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Table of contents

1

Why is access to justice and legal remedies important for children who have been subjected to sexual exploitation?

2

2

Methodology

3

3

Reporting child sexual exploitation and starting legal action

4

4

Child-centric justice

8

5

Access to recovery and reintegration

13

6

Access to compensation

15

Advocacy Roadmap 1:

Summary of main gaps identified/conclusions

17

Advocacy Roadmap 2:

Advocacy Roadmap Objectives

19



Why is access to justice and legal remedies important for children who have been subjected to sexual exploitation?



Children who have been subjected to sexual exploitation are entitled to rebuild their lives and find a path towards healing. Access to justice and effective remedies is a critical step in that process. Under international law, children have a fundamental right to live free from abuse and exploitation;¹ and when this or any other right is violated, States must provide access to effective remedies and reparations.^{2,3,4} Access to justice implies the legal empowerment of survivors and access to fair, timely, and child-sensitive justice mechanisms and remedies, including compensation and support services to aid their recovery and reintegration.^{5,6,7} This is all the more important because, in practice, seeking redress through criminal proceedings is often the only feasible way for survivors to secure damage compensation, as alternative avenues - such as separate civil lawsuits or State-funded compensation schemes - tend to be unavailable, costly, impractical, or exist only on paper.⁸

- 1 UN General Assembly (UNGA). (1989). [Convention on the Rights of the Child](#). Art 34.
- 2 UNGA. (1965). [International Convention on the Elimination of Racial Discrimination](#). Art 6; UNGA. (1966). [International Covenant on Civil and Political Rights](#). Art 2(3); UNGA. (1984). [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#). Art 13; UNGA. (2006). [International Convention for the Protection of All Persons from Enforced Disappearance](#). Art 12, 17(2)(f), 20.
- 3 UNGA. (1948). [Universal Declaration of Human Rights](#). Art 8; UNGA. (2005). [UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law](#); UNGA. (1992). [Declaration on the Protection of All Persons from Enforced Disappearances](#). Art 9, 13; UN Economic and Social Council. (1989). [Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions](#). Principles 4 and 16; UNGA. (1985). [Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power](#). Principles 4 to 7; World Conference on Human Rights. (1993). [Vienna Declaration and Programme of Action](#). Art 27; World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. (2001). [Durban Declaration and Programme of Action](#). Art 13, 160-162 and 165; UNGA. (1998). [Declaration on Human Rights Defenders](#). Art 9.
- 4 UN Committee on the Rights of the Child. (2003). [General Comment No. 5 on 'General measures of implementation of the Convention on the Rights of the Child](#). CRC/GC/2003/5. Paragraph 24.
- 5 UNGA. (1989). [Convention on the Rights of the Child](#). Art 39.
- 6 Liefwaard, T. (2019). [Access to Justice for Children: Towards a Specific Research and Implementation Agenda](#). *The International Journal of Children's Rights*, Vol. 27(2). 198.
- 7 ECPAT International. (2017). [Through the Eyes of a Child: Barriers to Access to Justice and Remedies for Child Victims of Sexual Exploitation](#).
- 8 Ibid. 17.

2

Methodology

The information presented in this paper has been gathered through documentary legal research aimed at determining the extent to which Kyrgyz laws provide access to child-centric justice and protection for children who have been subjected to sexual exploitation. The paper further integrates insights from qualitative semi-structured interviews with 15 key informants. These included representatives from three civil society organisations, the Inspectorate for Children's Affairs, the Investigative Service of the Internal Affairs Directorate, the Authorised Body for the Protection of Children, the Bishkek Municipal Center for Assistance to Child Victims of Violence and Abuse, and the Ayalzat Bishkek Municipal Crisis Center. A lawyer, an ex-judge, a prosecutor, and a psychologist were also interviewed. The purpose of these interviews was to explore informants' perceptions of the practical realities of children's access to justice.

The findings from this research were presented to a group of 30 stakeholders during a national consultation, hosted at the Academy of the Ministry of Internal Affairs of the Kyrgyz Republic (in Bishkek) on 17 April 2025. Participants provided feedback on the findings and discussed the way forward to enhance access to justice and effective remedies for children subjected to sexual exploitation in Kyrgyzstan.



3

Reporting child sexual exploitation and starting legal action



National complaint mechanisms

In Kyrgyzstan, complaints related to the sexual exploitation of children are handled within the general criminal justice system, but the process is not child-centric. Under general procedural rules, every individual can report criminal offences to the police in written or verbal form,⁹ while legal entities must do so in writing.¹⁰ The interviews confirmed that children are, in practice, unable to file complaints on their own. Although the legislation formally allows them to apply to state authorities from the age of 14, complaints are usually accepted only from parents, guardians, social workers, or teachers.¹¹

A former judge interviewed noted that reporting crimes is straightforward for those who know where to go and are willing, but said access to police stations remains challenging in remote areas. A representative from a civil society organisation also emphasised the importance of confidential reporting channels, such as anonymous helplines. While the national child helpline (111) enables children and caregivers to apply for emergency assistance in cases of abuse and violence,¹² this mechanism reportedly struggles with staff turnover and burnout, limiting its effectiveness.

Initiating legal proceedings and collecting evidence

Law enforcement must initiate pre-trial investigations when receiving reports of child abuse.¹³ Information from the media, if confirmed, can also trigger a pre-trial investigation,¹⁴ with the media outlet required

9 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 149(1), (2).

10 Ibid. Art 153.

11 Partnership and Development. (2025, October). Personal communication.

12 Center for Research and Development Policy. (2022). [Как работает Телефон доверия для детей 111?](#)

13 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 148.

14 Ibid. Art 151.

to provide relevant documents and materials to the authorities upon request.¹⁵ Anonymous reports cannot directly trigger pre-trial investigations.¹⁶ However, police record them in dedicated files, particularly when they concern crimes against children.

If the information is later confirmed, a pre-trial investigation may be initiated.¹⁷ An interviewed investigator shared that Kyrgyzstan has a dedicated group of specialists handling serious crimes involving children, supported by a practical guide that helps maintain standards, especially for crimes of sexual nature. However, a psychologist explained that, although police generally understand procedural requirements, they often lack essential resources - such as specially equipped rooms for private consultations with psychologists - which undermines the quality of both investigations and communication with child victims of crime. Echoing these concerns, a civil society representative added that investigators often lack the specialised training needed to manage sensitive cases, leading to prolonged and repeated interrogations that can further traumatise children.

Confidentiality remains a major concern, as information about cases of violence and the identities of victims often becomes widely known within communities and institutions.

As interviews revealed, particularly in smaller regions, information leaks occur quickly, leading to pressure on children and their families, as well as stigmatisation and revictimisation. The situation is further aggravated by interference from various authorities and unlawful actions by law enforcement officials, who at times share information with third parties. In addition, investigations are often delayed, which undermines trust in the process and discourages victims from seeking help.

Mandatory reporting

Public servants, organisations, and citizens who become aware of a violation of a child's rights must report it to child protection services.¹⁸ Moreover, under the Children's Code, anyone who suspects that a child may be in "*difficult life circumstances*",¹⁹ a category that includes children subjected to violence or crime, must also report the case to child protection services.²⁰ Agencies responsible for protecting children's rights must submit such reports within one day,²¹ and employees who fail to comply are liable to disciplinary action.²² Failing to report child abuse is considered a violation of parental, caregiver, or specialist duties punishable with fines, community service, or imprisonment for six to twelve months.²³ In addition, leaving a child in a situation

¹⁵ Ibid.

¹⁶ Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 149 (3).

¹⁷ Kyrgyz Republic. (2018). [Постановление Правительства Кыргызской Республики от 22 января 2018 года № 48. Положение о едином порядке регистрации, учета и движения заявлений и сообщений о преступлениях и происшествиях](#). Art 7.

¹⁸ Kyrgyz Republic. (2003). [Family Code](#). Art 61(3).

¹⁹ While Article 6 of the Children's Code broadly defines "*Difficult life circumstances*" as situations that "*objectively disrupt the life of a child and their family, associated with the inability to overcome this situation independently without the help of the state*," the term is understood to cover children without parental care, children with disabilities, those in conflict with the law, victims of violence or crime, children from low-income families, working children, abandoned or street children, as well as children in conflict zones or emergency situations whose livelihoods are severely affected, and those unable to overcome these challenges on their own or with family support. See UNICEF. (2020). [Analysis of gaps and opportunities for child protection in cross-border information exchange and case management between Kyrgyzstan and Kazakhstan](#).

²⁰ Kyrgyz Republic. (2021). Children's Code. Art 44(1).

²¹ Ibid. Art 44(2).

²² Ibid. Art 44(4).

²³ Kyrgyz Republic. (2021). [Criminal Code](#). Art 187.

threatening their life can carry administrative or criminal penalties.²⁴ Several key informants noted that in practice these reporting provisions are not consistently respected. A civil society representative said cases of sexual harassment and violence in schools are frequently concealed, with principals typically trying to handle incidents internally to protect the school's reputation. As an illustrative example, an interviewee from a municipal centre assisting children subjected to violence and abuse recounted a case where survivors were transferred to online learning and eventually to another school, instead of the incident being reported to the appropriate authorities.

Time limits for prosecution

For offences like child sexual exploitation and abuse, classified as severe or major crimes, statutes of limitations range from seven to ten years, depending on severity.²⁵ However, statutes of limitations do not apply for the following offences against children: murder, torture, rape, sexual assault, coercion to acts of a sexual nature, indecent acts, engaging a child in prostitution, promoting prostitution and debauchery, and crimes related to child sexual abuse material.²⁶ Statutes of limitations are periods during which a person can report a criminal offence it was subjected to; once it expires, prosecution is no longer possible. Children subjected to sexual exploitation are often reluctant to disclose it or only come forward years later

due to fear, shame or guilt. Thus, abolishing them would help prevent impunity and strengthen survivors' right to access justice.

Social protection

When a child abuse case is reported, child protection services must take all necessary steps to protect the child's rights and best interests.²⁷ Law enforcement must also visit the child's home the same day to assess the situation, confirm the abuse,²⁸ and register the case in the targeted social assistance system under "*difficult life circumstances*" code.²⁹ In cases where there is a threat to their life or health, children who have been subjected to violence or crime must be placed in a safe environment.³⁰ State and local authorities may also take other emergency measures to ensure the child's safety, such as removing them from their family or other individuals who have caused or may cause them harm, relocating the child to a safe place, or notifying the child protection authorities.³¹

Contextual factors impacting reporting

A former judge noted that children lack knowledge about how and where to report child sexual exploitation and pointed out that the common belief that girls can be informally married after ninth grade causes many cases of child marriage to go unreported. A representative from a civil society organisation added that

24 Kyrgyz Republic. (2021). *Кодекс о правонарушениях*. Art 59; Kyrgyz Republic. (2021). *Criminal Code*. Art 144, 145.

25 Kyrgyz Republic. (2021). *Criminal Code*. Art 58(1).

26 Ibid. Art 58(6).

27 Kyrgyz Republic. (2003). *Family Code*. Art 61(3).

28 Kyrgyz Republic. (2015). *Government Order No. 391: About approval of the Regulations on procedure for identification of the children and families which are in difficult life situation*.

29 Kyrgyz Republic. (2023). *Cabinet of Ministers' Resolution No. 156: About approval of the Regulations on forming and use of the automated information system about children and the families which are in difficult life situation*.

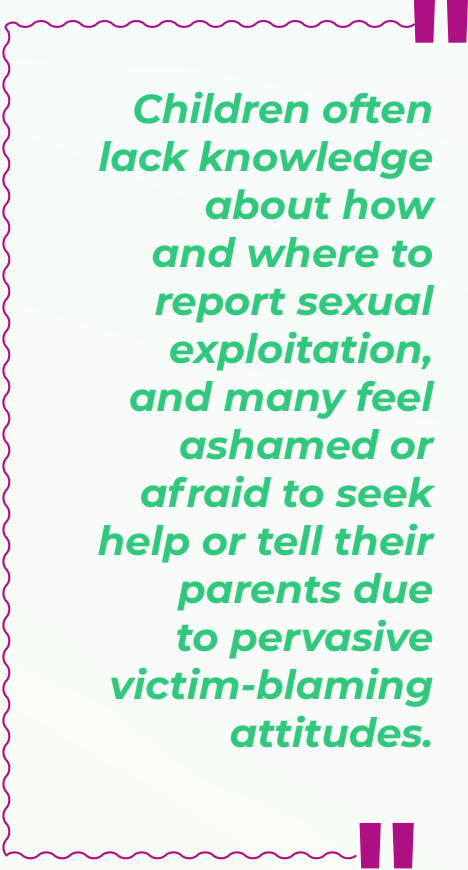
30 Kyrgyz Republic. (2021). *Children's Code*. Art 125(1).

31 Ibid. Art 122.

children often feel ashamed or afraid to seek help, stressing the need for education to encourage them to do so. Most key informants said fear of telling their parents remains a major barrier that discourages survivors from contacting law enforcement. They also agreed on the need for awareness campaigns on the importance of reporting crimes against children.

A psychologist interviewed noted that schools do not discuss personal boundaries and sexuality. As a result, both girls and boys

are often too embarrassed to report sexual harassment or abuse due to victim-blaming attitudes. To strengthen the national child protection system, the psychologist stressed that schools must be prepared to respond appropriately so children feel safe reporting incidents, with systems that are both accessible and responsive. The same professional stressed the need to involve parents and doctors in these discussions and urged both the education system and law enforcement to ensure faster, more effective responses.



Children often lack knowledge about how and where to report sexual exploitation, and many feel ashamed or afraid to seek help or tell their parents due to pervasive victim-blaming attitudes.

4

Child-centric justice



The Children's Code states that child victims and witnesses of crime are entitled to respectful treatment and protection from any form of humiliation or coercion to give testimony.³² They also have the right to a prompt decision on the matter by a competent, independent, and impartial tribunal, in the presence of a lawyer and with consideration of the child's age and the situation of their parents or caregivers, unless this is deemed contrary to the child's best interests.³³ Lastly, national legislation allows representatives of civil society organisations to act as legal guardians for children subjected to sexual crimes during investigations and court proceedings.³⁴

Informants said the child-centric procedures mandated by law are generally respected. However, some reported issues such as inadequate support, lack of proper accompaniment, instances of severe distress for children, and cases of discrimination.

Protection from retaliation

The law guarantees protection for victims and witnesses involved in criminal proceedings when they face credible threats to their life, health, or property.³⁵ Protective measures can be requested by the victim or initiated by relevant authorities.³⁶ An interviewed investigator explained that the Ministry of Internal Affairs' State Protection Department is responsible for protecting witnesses and victims, but some informants noted that it lacks the resources to operate effectively. One example concerned a high-profile case involving a boy, where a lawyer secured a protective order through media attention; however, the protection proved weak,

32 Ibid. Art 119(1).

33 Ibid.

34 Kyrgyz Republic. (2021). [Criminal Code](#). Art 190.

35 Kyrgyz Republic. (2006). [Law on the protection of the rights of participants in criminal proceedings](#). Art 3, 5.

36 Ibid. Art 22.

and threatening relatives continued to exert pressure. Informants also highlighted broader implementation issues, noting that the measures provided by law are often merely formal and, in practice, either not enforced or applied selectively. Moreover, protection is typically granted only in high-profile cases — those receiving extensive media coverage or where lawyers actively and persistently push for the use of available mechanisms.

Courts may also take protective measures to safeguard the life, health, dignity, and property of child victims or witnesses by placing them in the care of a designated facility, child protection agency, or another family. Expenses related to these measures, including court costs, are covered by the State budget and later recovered from the individuals responsible for harming or endangering the child.³⁷

Legal aid

The Children's Code provides that child victims and witnesses of crime are entitled to receive qualified state legal assistance.³⁸ Broader legislation further ensures free legal aid to child victims and witnesses of crimes, children in conflict with the law, and those involved in criminal, administrative and civil proceedings.³⁹ Free legal aid centres are listed on the Ministry of Justice's website.⁴⁰

Most respondents confirmed that the state-guaranteed free legal aid system extends to children subjected to sexual exploitation. However, perceptions of its accessibility and quality among informants were mixed.

A civil society representative noted serious problems with accessing free legal aid: State-appointed lawyers often abandon cases, demand payment, or even collude with offenders to extort money from plaintiffs. The same informant noted that children subjected to sexual exploitation - especially orphans and migrant children - are particularly affected by these issues. Another civil society representative observed that, despite ongoing efforts, many remain dissatisfied with the quality of free legal aid, citing instances where lawyers begin representing clients but then abandon the case. Still, some positive examples of individual lawyers who genuinely and consistently defend children's rights were acknowledged.

A lawyer interviewed highlighted the work of the Center for Assistance to Child Victims of Violence and Abuse, which provides free services in four city districts. However, the same informant noted that many low-income individuals are unaware of these services or receive incorrect advice, resulting in poorly handled cases. This was echoed by a former judge, who said that many victims are unaware of their right to legal aid and the process for obtaining help.

Interview protocols

National legislation mandates child-centric interrogation procedures during investigations and court proceedings. Investigative actions involving children must take place in child-friendly rooms, with the involvement of specialised

37 Kyrgyz Republic. (2021). Children's Code. Art 120.

38 Ibid. Art 119(1).

39 Kyrgyz Republic. (2022). [Law No. 91 on Public Free Legal Aid](#).

40 Kyrgyz Republic, Ministry of Justice, Guaranteed State Legal Aid. (n.d.). [Адреса Центров по оказанию бесплатной юридической помощи](#).

investigators, and separate areas must be available for children to wait before their investigative procedures.⁴¹

A child victim or witness of crime must be accompanied by a parent or caregiver during questioning or confrontation with the offender;⁴² or by a representative from child protection services if none are available. Children under 14 may only be interrogated by the court or confront the offender in the presence of a psychologist or teacher, and the interrogation must be recorded for use in further court proceedings.⁴³ Moreover, the court has the right to remove the accused from the courtroom during the interrogation of a child victim or witness.⁴⁴

While most key informants said legal provisions on child-centric interview methods are respected, there are exceptions. For instance, two psychologists interviewed reported that children can be repeatedly interrogated and questioned in a manner that lacks sensitivity. A civil society representative also noted that, in some cases, children were seated next to their offenders during hearings, causing severe distress.

Right to privacy

The Children's Code provides that child victims and witnesses of crime are entitled to confidentiality and full respect for their privacy at all stages of judicial proceedings.⁴⁵

In cases involving sexual offences, courts may hold closed hearings to prevent the disclosure of intimate or degrading information that could harm a person's honour or dignity.⁴⁶ The Civil Code also prohibits the publication or distribution of a person's image, including that of a child, without their consent.⁴⁷ Similarly, the Criminal Code forbids the illegal collection, storage, use, or dissemination of confidential information about a child's private life without consent.⁴⁸

Criminal proceedings involving children must be conducted in specially equipped courtrooms.⁴⁹ Interrogations during hearings can be done using technical measures to alter the child's appearance and/or voice, through opaque screens, or remotely.⁵⁰

Psychological support and explanation of rights

Child victims and witnesses are entitled to psychological support during the investigation and trial.⁵¹ However, opinions differ on how consistently this support is provided. A representative from a municipal centre to assist children subjected to violence and abuse stated that a psychologist or teacher must be involved in interrogations. However, the informant noted that, during court hearings and investigations, children are often not fully informed, a gap their staff routinely fill in

41 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 78(2).

42 Ibid. Art 203.

43 Ibid. Art 329.

44 Ibid. Art 329(3).

45 Kyrgyz Republic. (2021). [Children's Code](#). Art 119(1).

46 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 291(2).

47 Kyrgyz Republic. (1996). [Civil Code](#). Art 19.

48 Kyrgyz Republic. (2021). [Criminal Code](#). Art 190.

49 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 78(3).

50 Ibid. Art 79(1).

51 Ibid. Art 204.

place of social services. A lawyer interviewed also noted that, in practice, the involvement of a psychologist often occurs only if specifically requested.

Inclusivity and non-discrimination

The Criminal Code forbids discrimination based on gender, race, nationality, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status.⁵² Therefore, legal protections apply equally to both national and non-national survivors. The State must ensure access to justice for children from minority groups and children with disabilities and uphold the right of children who do not speak Kyrgyz to use their native language during proceedings and access qualified interpreters, including for sign language.⁵³ The Ministry of Justice publishes a list of certified sign language interpreters with legal training on its website.⁵⁴

Although most respondents said they had not observed direct discrimination against children subjected to sexual exploitation based on religion or gender, some noted cases where children faced multiple forms of bias related to social status, disability, age, or ethnic background. The director of a municipal centre to assist children subjected to violence and abuse confirmed that age bias is common.

A civil society representative pointed out that, in cases involving children with

disabilities, the process can be slow and dismissive, with law enforcement sometimes showing sympathy for the offender. Discrimination based on social status also poses challenges, as children from poor families face significant obstacles in accessing justice, often leading to the quick dismissal of their cases due to lack of legal representation.

Training and capacity enhancement opportunities for professionals working with children

The director of a municipal crisis centre noted that, while some judges, lawyers, and public defenders have shown sensitivity when handling cases of sexual violence against children, many judges - particularly men - often lack an understanding of gender dynamics, which can hinder their ability to effectively address the needs of survivors. The informant stressed the importance of using clear, child-appropriate language, warning that failure to do so risks unintentionally re-victimising the child.

The government has paid particular attention to establishing clear procedures for public servants assisting children subjected to abuse. Standard operating procedures for providing essential services for women and children subjected to violence have also been integrated into judicial practice,⁵⁵ as well as the practice of investigators,⁵⁶ medical workers,⁵⁷ and

52 Kyrgyz Republic. (2021). [Criminal Code](#). Art 189.

53 Ibid. Art 58.

54 Kyrgyz Republic. (accessed on 16 September 2025). [Ministry of Justice](#).

55 Kyrgyz Republic. (2022). [Standard Operating Procedures for the Provision of Basic Services in the Area of Justice and Law Enforcement for Women and Children Who Have Experienced Violence](#).

56 Kyrgyz Republic, Ministry of Internal Affairs. (2023). Decree No. 241 on Ensuring the rights and dignity of women and children during the investigation of crimes against sexual integrity and sexual freedom (Investigation guide).

57 Kyrgyz Republic, Ministry of Health. (2014). [Clinical Protocol: Organization and Provision of Medical Aid to Individuals Who Have Been Subjected to Sexual Violence](#).

lawyers.⁵⁸ These documents establish key principles and standards for assisting children subjected to sexual abuse, including human rights-based approaches, non-discrimination, confidentiality, attention to individual needs, victim awareness, and safety. Service providers

must use gender-sensitive methods, respect the child's dignity, and consider their age and psychological development. Regular trainings are conducted to keep staff updated on educational and methodological practices.⁵⁹



***Some
State-appointed
lawyers
reportedly
abandon
cases, demand
payment, or
even collude
with offenders
to extort money
from plaintiffs.***

58 UNDP Kyrgyzstan. (2017). *Practical manual for lawyers on providing pro bono legal assistance to victims of gender-based violence*.

59 Center for Research and Development Policy. (2023). Сотрудники следственной службы повысят практические навыки в расследовании уголовных дел в отношении женщин и детей, переживших насилие.

5

Access to recovery and reintegration

The Children's Code states that children who were subjected to violence must be provided with the medical, legal, and psychological aid necessary for the recovery of their physical and mental well-being and subsequent rehabilitation.⁶⁰ Individuals who obstruct these children from receiving this support can be held liable.⁶¹ Parents, caregivers, public servants, local authorities, medical facilities, law enforcement and other authorised agencies must also take all the measures necessary for the physical and mental recovery of these children;⁶² and persons whose improper performance of official duties results in further violations of a child's rights shall be held accountable.⁶³

Recovery and reintegration measures are to be provided as part of an individual protection plan, which must be developed by child protection services within 10 days of the child's inclusion in the "*difficult life circumstances*" group.⁶⁴ However, key informants offered differing views on the effectiveness of recovery and reintegration programmes. A former judge noted that their implementation is left largely to private entities. A civil society representative said individual protection plans are rarely developed in practice, and confirmed that, in many cases, funding for legal, psychological, and social support comes from private funds rather than state resources. A former employee of the Authorised Body for the Protection of Children noted that children subjected to sexual violence are typically referred to the Centre for Assistance to Children Victims of Violence for specialised psychological aid.

However, a civil society representative stated that, while state rehabilitation includes psychological and psychotherapeutic support, there is a severe shortage of qualified professionals, and government agencies do not

60 Kyrgyz Republic. (2021). Children's Code. Art 123(1).

61 Ibid. Art 123(2).

62 Ibid. Art 124(1).

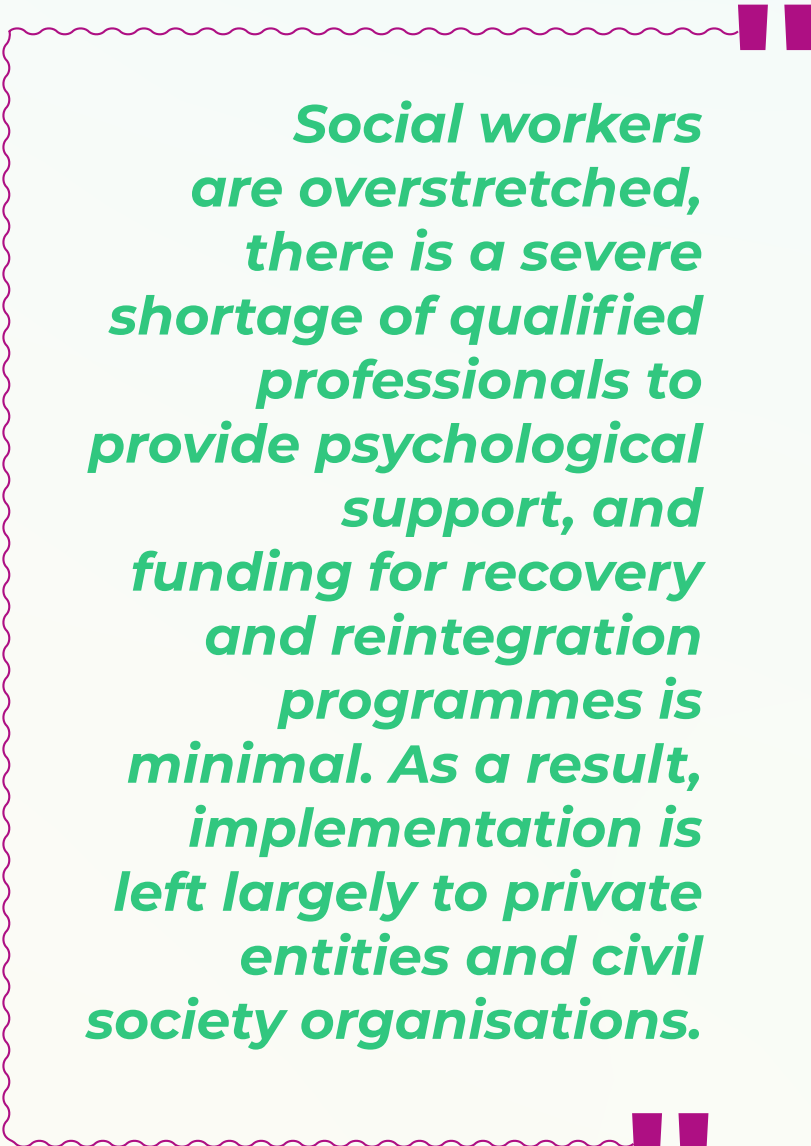
63 Ibid. Art 124(2).

64 Ibid. Art 47.



provide psychological services. Social workers are overstretched, often responsible for 3,000–5,000 people, limiting their capacity to offer adequate care. The interviewee added that the social public contract programme, which funds social rehabilitation and reintegration projects, is severely underfunded. Lastly, he pointed

out that non-nationals face significant barriers to accessing state-guaranteed assistance, medical care, and social services. For Kyrgyz citizens, detection and assistance often rely on victims reaching out to social services, which they rarely do, and law enforcement seldom connects them with support organisations.



Social workers are overstretched, there is a severe shortage of qualified professionals to provide psychological support, and funding for recovery and reintegration programmes is minimal. As a result, implementation is left largely to private entities and civil society organisations.

6

Access to compensation



In Kyrgyzstan, children subjected to violence have limited access to compensation and recognition of the harm suffered. Compensation for moral damage can only be obtained from the offender upon a guilty verdict and is not provided by the State.⁶⁵ Claims for monetary compensation for moral damage are filed through civil proceedings;⁶⁶ therefore, the burden of proving the physical and moral suffering resulting from the crime falls on the victim. Monetary compensation for such suffering is determined by the court based on the severity of the moral damage.⁶⁷ When setting the amount, the court considers principles of reasonableness and fairness.⁶⁸

To claim compensation for moral damages, victims need to gather various documents, such as the court's ruling, decisions from investigative bodies, medical certificates, records of hospital stay, treatment expenses, and prescriptions. Additionally, opinions from medical facilities regarding the need for external care and any other relevant evidence must be provided.⁶⁹ This process requires the victim to carefully prepare evidence, invest additional time and resources, and endure further emotional strain. In practice, this results in survivors rarely exercising their right to compensation.⁷⁰ Streamlining the compensation process is therefore essential to ensure that survivors receive the restitution they deserve.

A lawyer interviewed explained that while compensation for moral damages was previously capped at 100,000 KGS since 2019, a recent Constitutional Court decision had abolished this limit, allowing victims to claim any amount. The same informant also noted that current legislation permits parole only after the offender has paid at least fifty percent of the compensation for

65 Kyrgyz Republic. (1996). [Civil Code](#). Art 1027.

66 Kyrgyz Republic. (2021). [Criminal Procedure Code](#). Art 135.

67 Kyrgyz Republic. (2021). [Criminal Code](#). Art 71(2).

68 Kyrgyz Republic. (1996). [Civil Code](#). Art 1028.

69 Partnership and Development. (2024, March). Personal Communication.

70 Ibid.

non-material damages. A former judge added that enforcing compensation can be difficult, particularly when the offender lacks financial means. In cases involving children, the former judge suggested it would be preferable for the State to provide compensation upfront, including through a dedicated public fund or free medical

and psychological services, with the option of recovering costs from the offender later. Supporting this idea, a lawyer interviewed proposed the creation of a dedicated programme to provide financial assistance to children subjected to violence until they reach adulthood.



Survivors face major barriers to obtaining compensation, as the process is complex, emotionally burdensome, and dependent on the offender's ability to pay, with no State-managed fund to ensure timely and upfront support.



ADVOCACY ROADMAP

1

Summary of main gaps identified/ conclusions



Children face systemic and social barriers to reporting abuse:

Children in Kyrgyzstan can only report crimes through parents or caregivers, and existing channels are not child-centric. Many lack knowledge about how to report sexual exploitation and abuse and often feel ashamed or afraid to seek help. Fear of disclosing abuse to parents, combined with the absence of school-based discussions on personal boundaries and sexuality, leaves both girls and boys uncomfortable to come forward. These challenges are compounded by pervasive victim-blaming attitudes, creating an environment of silence and underreporting. Moreover, limited awareness of online risks and the mechanisms for reporting technology-facilitated sexual exploitation and abuse among children and caregivers further hinders timely detection and response.

Reputational damage prioritised over reporting obligations:

Some professionals interviewed described situations where individuals and institutions failed to report suspected cases of child sexual exploitation and abuse because they were more concerned with protecting their reputation. In particular, schools were mentioned as sometimes concealing cases to avoid reputational damage. Such practices contribute to serious underreporting of abuse and place children at further risk.

Poor quality and accessibility of free legal aid:

Accessing free legal aid remains a major challenge for children subjected to sexual exploitation and abuse. Interviewees reported serious concerns about the conduct of some state-appointed lawyers, including abandoning cases partway through, demanding informal payments, or even colluding with alleged perpetrators to extort money from the child. Children from marginalised groups, such as orphans and migrants, are reportedly particularly

affected by these issues. Despite efforts to strengthen the legal aid system, its quality remains inconsistent, with in some cases children being left without proper representation due to lawyers withdrawing or failing to act in their best interests.

Weak protection measures and resource constraints:

While the law guarantees protection for witnesses, victims, and others involved in criminal proceedings, the effectiveness of the State Protection Department is hindered by a lack of resources. Interviewees reported instances where protective orders were not enforced due to these limitations. Additional implementation challenges include limited witness protection beyond corruption cases and gaps in safeguarding marginalised children. Resource shortages also affect investigations, with police often lacking essential facilities, such as specially equipped rooms to conduct survivor interviews in line with procedural requirements.

Insufficient specialization and training of police and justice professionals:

Law enforcement agencies and the judiciary lack sufficient specialisation in handling child sexual exploitation and abuse cases; and inadequate training of investigators, prosecutors, and judges negatively impacts the protection of survivors' rights. For instance, despite the existence of child-centric interview protocols, survivors are at times subjected to repeated and insensitive questioning. In other cases, children have even been seated next to the alleged perpetrator during hearings, causing severe emotional distress and undermining their sense of safety.

These practices contribute to mistrust in the justice system and discourage survivors from seeking legal remedies.

Lack of access to recovery and reintegration programmes:

Despite formal legal guarantees, recovery and reintegration support for children subjected to sexual exploitation and abuse is largely absent in practice. Services are severely underfunded and fragmented, with implementation reportedly left to private entities. As a result, children seldom access structured rehabilitation, with non-nationals facing additional barriers to state-guaranteed assistance and medical care. Acute workforce gaps, such as too few qualified psychologists, the absence of government-provided psychological services, and overstretched social workers managing extremely high caseloads, combined with weak coordination and referral between institutions further undermine both access to and the quality of care.

Limited access to compensation:

The process for claiming compensation places a heavy burden on children and their families, who must gather extensive evidence, dedicate significant time and resources, and endure further emotional strain. In practice, this discourages many from pursuing their right to compensation altogether. Even when claims are awarded, enforcement is challenging - particularly when offenders lack the financial means to pay. The absence of a State-managed compensation fund further limits children's access to timely and adequate restitution. Streamlining procedures and establishing such a fund are essential to ensure children receive the compensation needed for their recovery and reintegration.

ADVOCACY ROADMAP

2

Advocacy Roadmap Objectives



This advocacy roadmap aims to:

Objective

1

Strengthen the capacity of law enforcement institutions to handle cases of child sexual exploitation and abuse in a child-sensitive, gender-responsive, and trauma-informed manner.

Objective

2

Raise awareness among children regarding the risks of child sexual exploitation and abuse, including when facilitated through technology. These activities should aim at increasing knowledge about how exploitation occurs and available mechanisms for reporting incidents and accessing justice.

Objective

3

Strengthen national systems to ensure access to compensation, rehabilitation, and reintegration services for children subjected to sexual exploitation and abuse.

Objective

1

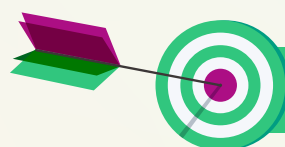
Strengthen the capacity of law enforcement institutions to handle cases of child sexual exploitation and abuse in a child-sensitive, gender-responsive, and trauma-informed manner

Brief Rationale

In Kyrgyzstan, children subjected to sexual exploitation and abuse are at high risk of re-traumatization during investigations, as child-sensitive, gender-responsive, and trauma-informed approaches are not applied consistently. This is mostly due to insufficient training among law enforcement officers who conduct interviews of survivors, compounded by the fact that the current curriculum at the Academy of the Ministry of Internal Affairs does not include dedicated modules on investigating child sexual abuse. Objective 1 seeks to address these gaps by developing a specialised training manual, preparing certified instructors at the Academy of the Ministry of Internal Affairs, and embedding new standards into pre-service and in-service training. By systematically integrating modern methodologies into law enforcement practices, the quality of investigations will be enhanced, public trust in the justice system strengthened, and the overall protection of children's rights significantly improved.

Outcome 1.1:

Law enforcement personnel are trained to apply child-sensitive, gender-responsive, and trauma-informed approaches in the investigation of child sexual exploitation and abuse.



TARGETS

TARGET 1.1.1

(Short term)

Develop a training and methodological manual for law enforcement that embeds child-sensitive, gender-responsive, and trauma-informed approaches into all stages of the investigation of child sexual exploitation and abuse cases, including interviewing, evidence collection, and case management.

TARGET 1.1.2

(Short term)

Train and certify a pool of instructors from the Ministry of Internal Affairs Academy to deliver the training and methodological manual.

TARGET 1.1.3

(Medium term)

Institutionalise the training and methodological manual by formally incorporating it into the Ministry of Internal Affairs Academy's pre-service and in-service training curricula for investigators handling cases of child sexual exploitation and abuse.

Objective

2

Raise awareness among children regarding the risks of child sexual exploitation and abuse, including when facilitated through technology. These activities should aim at increasing knowledge about how exploitation occurs and available mechanisms for reporting incidents and accessing justice.

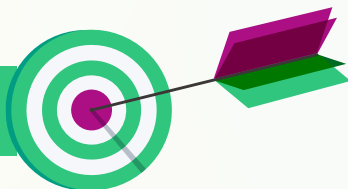
Brief Rationale

Children in Kyrgyzstan often lack access to reliable information on how to recognize child sexual exploitation and abuse, including when facilitated through technology, and which authorities or organizations they can turn to for help, as well as what types of assistance are available. Objective 2 seeks to address these gaps by developing, utilising and disseminating practical tools and child-friendly informational materials, and implementing structured, school-based awareness-raising activities. By strengthening their understanding, children are better positioned to recognise potential harms and report when abuse occurs. Training school specialists, such as children's affairs inspectors and social pedagogues, and delivering pilot awareness sessions would support the creation of sustainable mechanisms for prevention, early detection, and timely reporting

Outcome 2.1:

Practical tools and institutional frameworks are in place to support the delivery and sustainability of school-based awareness activities to recognise when a situation constitutes abuse and/or exploitation - especially when facilitated through technology - report it, and know where to access support services.

TARGETS



TARGET 2.1.1

(Medium term)

Develop a practical manual to guide children's affairs inspectors and school social pedagogues in delivering awareness sessions on recognising, reporting, and accessing support services for child sexual exploitation and abuse, including when facilitated through technology.

TARGET 2.1.2

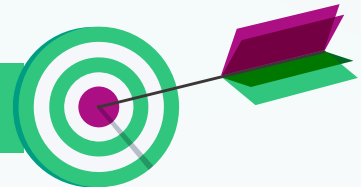
(Medium term)

Develop and publish child friendly informational materials (e.g., videos, leaflets) for students on recognising, reporting, and accessing support services for child sexual exploitation and abuse, including when facilitated through technology.

Outcome 2.2:

Awareness-raising activities on child sexual exploitation and abuse, including when facilitated through technology, are implemented to equip children with the knowledge to recognise abuse and/or exploitation, report it, and access support services in such cases.

TARGETS



TARGET 2.2.1

(Medium term)

Train a pool of children's affairs inspectors and school social pedagogues to deliver awareness sessions on recognising, reporting, and accessing support services for child sexual exploitation and abuse, including when facilitated through technology, using the developed manual.

TARGET 2.2.2

(Medium term)

Deliver awareness sessions in 10 pilot secondary schools on recognising, reporting, and accessing support services for child sexual exploitation and abuse, including when facilitated through technology.

TARGET 2.2.3

(Medium term)

Disseminate child-friendly informational materials through secondary schools and online platforms to reinforce key messages on recognising, reporting, and accessing support services for child sexual exploitation and abuse, including when facilitated through technology.

Objective

3

Strengthen national systems to ensure access to compensation, rehabilitation, and reintegration services for children subjected to sexual exploitation and abuse

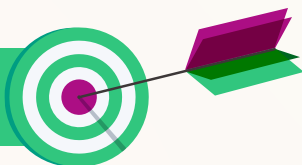
Brief Rationale

In Kyrgyzstan, access to compensation, rehabilitation, and sustainable reintegration for children subjected to sexual exploitation and abuse remains extremely limited due to legislative gaps, the lack of effective procedures, and weak coordination between state institutions and social services. Objective 3 aims to address these challenges through comprehensive legal reforms, the creation of a State-managed compensation fund, and the establishment of robust mechanisms to monitor and evaluate support programmes. Strengthening national systems will not only ensure that survivors receive timely financial, psychological, and social support but also enhance the quality and impact of rehabilitation and reintegration services.

Outcome 3.1:

Legal and regulatory reforms are initiated to improve access to compensation for children subjected to sexual exploitation and abuse.

TARGETS



TARGET 3.1.1

(Long term)

Develop draft legislation, informed by evidence and research, to address the barriers and streamline the process for children subjected to sexual exploitation and abuse to access compensation, while incorporating clear accountability and enforcement mechanisms to ensure effective implementation of children's right to compensation.

TARGET 3.1.2

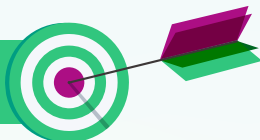
(Long term)

Partner with the Office of the Commissioner for Children's Rights to advocate for the establishment of a State-managed compensation fund to provide initial financial support to children subjected to sexual exploitation and abuse, including for material and moral harm.

Outcome 3.2:

Rehabilitation and reintegration programmes for children subjected to sexual exploitation and abuse are systematically evaluated to inform evidence-based improvements.

TARGETS



TARGET 3.2.1

(Long term)

Develop a monitoring and evaluation mechanism to assess the effectiveness of rehabilitation and reintegration programmes for children subjected to sexual exploitation and abuse, using information from case management systems.

TARGET 3.2.2

(Long term)

Conduct a comprehensive three-year review of the effectiveness of existing rehabilitation and reintegration programmes for children subjected to sexual exploitation and abuse, including services such as individual and group therapy, education, and vocational training.

TARGET 3.2.3

(Long term)

Promote the findings of the three-year review and advocate for comprehensive reforms to relevant national programmes, frameworks, and coordination mechanisms to address identified gaps and improve rehabilitation and reintegration services for children subjected to sexual exploitation and abuse.



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