

Resolution 2453 (2022)¹

Review of the partnership for democracy in respect of the Parliament of the Kyrgyz Republic

Parliamentary Assembly

1. On 8 April 2014, the Parliamentary Assembly, in adopting [Resolution 1984 \(2014\)](#) “Request for partnership for democracy status with the Parliamentary Assembly submitted by the Parliament of the Kyrgyz Republic”, granted partner for democracy status to the Kyrgyz Parliament. That body thus became the third parliament, and the first in central Asia, to be granted this status introduced by the Assembly in 2009 to develop institutional co-operation with the parliaments of States neighbouring the Council of Europe.
2. When making its official request, the Parliament of the Kyrgyz Republic declared that it shared the values upheld by the Council of Europe and entered into a number of political commitments in accordance with Rule 64.2 of the Assembly’s Rules of Procedure. These commitments are set out in paragraph 4 of [Resolution 1984 \(2014\)](#).
3. In paragraph 15 of the aforementioned resolution, the Assembly also considered that a number of specific measures were of key importance for strengthening democracy, the rule of law and respect for human rights and fundamental freedoms in Kyrgyzstan. It underlined that progress in taking forward reforms was the prime aim of the partnership for democracy and should constitute the benchmark for assessing its efficiency.
4. Eight years after granting this status, the Assembly notes the controversial, to say the least, evolution of the political and institutional situation in the country and concludes that its partnership with the Parliament of the Kyrgyz Republic has produced mixed results.
5. It regrets in particular that the parliament has been unable to capitalise on the opportunities offered by the partnership in order to take democratic reforms forward in the country, bring it closer to the European common legal area and contribute to European political dialogue.
6. The Assembly likewise regrets the fact that, since being granted partner for democracy status, the Kyrgyz Republic has not acceded to any Council of Europe conventions or partial agreements, despite having pledged to do so.
7. The Assembly also notes that the political crisis in Kyrgyzstan, which occurred after the October 2020 elections, laid bare the weaknesses and failings of the country’s democratic institutions. The constitutional reform launched in the wake of this crisis brought about a radical shift in the country’s institutional balance, gave the new president wider powers, altered the parliament’s structure and curtailed its powers.
8. In this context, the Assembly laments the fact that the authorities of Kyrgyzstan have not taken account of the recommendations made by the European Commission for Democracy through Law (Venice Commission) in its urgent amicus curiae brief on the postponement of the elections due to the constitutional reform (11 December 2020) and its Joint Opinion (No. 1021/2021) with the Organization for Security and Co-operation in Europe’s Office for Democratic Institutions and Human Rights (OSCE/ODIHR) on the draft constitution of the Kyrgyz Republic (19 March 2021).

1. *Assembly debate* on 23 June 2022 (24th sitting) (see [Doc. 15526](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr Jacques Maire; and [Doc. 15553](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Serhii Kalchenko). *Text adopted by the Assembly* on 23 June 2022 (24th sitting).



9. The Assembly also takes note of the result of the November 2021 parliamentary elections, observed by an ad hoc committee of the Bureau of the Assembly, and of the formation of a new parliament in December 2021. It regrets that the changes made to the electoral legislation and system just a few days prior to the start of the campaign deprived a large proportion of the population, in particular women and young people, of the right to be elected to parliament.

10. The Assembly continues to closely monitor the constitutional, institutional, political and legal reforms carried out in Kyrgyzstan with a view to modernising and stabilising the country's political institutions. The Assembly notes the readiness, as observed by the international community present in the country, of the recently elected Kyrgyz authorities – more specifically, the parliament – to co-operate, including in relation to reforms and institutions, with concrete results. With regard to the legislative stocktaking process launched in April 2021 by the government with the aim of bringing the laws into line with the new constitution, the Assembly calls on the parliament to ensure that it does not undermine Kyrgyzstan's international commitments to uphold human rights and fundamental freedoms.

11. On this matter, the Assembly is concerned about recent reports from representatives of Kyrgyz civil society and international governmental and non-governmental organisations (NGOs) about violations of human rights and fundamental freedoms. These violations relate, in particular, to gender issues, the practice of torture and ill-treatment, particularly in detention or police custody, impunity for such acts, poor conditions of detention, enforced disappearances, issues concerning access to an independent and impartial tribunal, the right to a fair trial and fundamental legal safeguards for persons in pretrial detention. The Assembly is also concerned about violations of the right to freedom of expression and assembly. In this respect, the Assembly notes in particular the deterioration in the situation of journalists, human rights defenders and lawyers, as evidenced by several recent cases.

12. The Assembly notes the interest in and desire to continue with the partnership for democracy expressed by representatives of the parliament, the government and civil society.

13. It also notes the international context in which Kyrgyzstan is situated and its willingness to defend the sovereignty of Ukraine, not to associate itself with Russian aggression and to advocate a strictly peaceful settlement of disputes between these two countries.

14. In conclusion, the Assembly resolves to continue the partnership with the Parliament of the Kyrgyz Republic in order to support the country's authorities along the path to democracy while at the same time maintaining a rigorous dialogue with them and reassessing the partnership in depth in two years' time based on an analysis of tangible progress. The prolonged absence of Kyrgyz parliamentarians from the sessions and of concrete results, notably on the effective ratification of conventions or protocols, could lead to the partnership being terminated.

15. The Assembly therefore reiterates its appeal to the newly elected Parliament of the Kyrgyz Republic to step up its co-operation with the Assembly, reaffirm its commitment to the aims of the partner for democracy status and take full advantage of the opportunities offered by this status in order to ensure compliance with the political commitments, as set out in [Resolution 1984 \(2014\)](#). In this context, it welcomes the recent appointment of the new partner delegation.

16. The Assembly urges the Parliament of the Kyrgyz Republic to:

16.1. tirelessly pursue efforts to fulfil the political commitments made in connection with the partnership for democracy (Rule 64.2 of the Assembly's Rules of Procedure and paragraph 4 of [Resolution 1984 \(2014\)](#)) and the recommendations set out in paragraph 15 of that resolution;

16.2. ensure, as part of the legislative stocktaking process, that fundamental rights and freedoms in the country are upheld, in accordance with the relevant international instruments to which Kyrgyzstan is a party;

16.3. intervene with the authorities of Kyrgyzstan in order to encourage them to sign and ratify the relevant Council of Europe conventions and partial agreements open to non-member States – more specifically, those relating to human rights, the rule of law and democracy, in accordance with the commitment expressed by the Speaker of the Parliament of the Kyrgyz Republic in the letter of application for partner for democracy status, as mentioned in paragraph 17 of [Resolution 1984 \(2014\)](#);

16.4. participate fully in the work of the Assembly and its committees;

16.5. inform the Assembly regularly of the progress made in implementing the Council of Europe's principles.

17. The Assembly strongly encourages the Kyrgyz authorities to:
 - 17.1. step up the implementation of the recommendations made in paragraph 15 of [Resolution 1984 \(2014\)](#) of the Assembly and develop a plan of implementation for the next two years, drawing in particular on the Council of Europe's expertise;
 - 17.2. boost co-operation with the Venice Commission in order to bring the country's laws closer to international standards and to implement the previous recommendations, in particular with regard to elections, and those included in the Joint Opinion (No. 1021/2021) on the draft constitution of the Kyrgyz Republic;
 - 17.3. adhere to the United Nations International Convention for the Protection of All Persons from Enforced Disappearance;
 - 17.4. stop pressure on the media and NGOs, whether in the form of threats, intimidation, fines, tax inspections, searches, arbitrary arrests or false accusations;
 - 17.5. guarantee and promote the right to freedom of association and peaceful assembly and ensure that civil society organisations can work freely and contribute to public debate;
 - 17.6. guarantee and promote freedom of expression and media independence and pluralism and protect the media from political pressure;
 - 17.7. strengthen their efforts to promote women's participation in politics and public affairs, combat all forms of gender-based discrimination, ensure effective equality between women and men and combat violence against women.