



Permanent Mission  
of the Federal Republic of Germany  
to the Office of the United Nations and  
to the other International Organizations  
Geneva

39

**United Nations Human Rights Council  
21st Session of the UPR Working Group**

**Geneva, 19.01.2015**

---

**German questions and recommendations to  
Kyrgyzstan**

**German National Statement**

*Mr. Frank Jaraol*

Mr. President,

Germany welcomes the delegation of Kyrgyzstan to the UPR and commends the significant progress achieved, in particular with regard to the promotion of democracy and the accession to key international human rights instruments as well as the consultation of civil society in the UPR process. We welcome the establishment of a National Preventive Mechanism. We are also encouraged by the draft legislation which aims to strengthen the position of the Constitutional Court as a fully independent body and would like to learn more about the timeline until its adoption.

At the same time, we remain concerned in a number of areas, where we would like to offer the following recommendations:

1. Strengthen the position and the independence of the Constitutional Court in order to ensure that fundamental freedoms and minority rights, as guaranteed in the Constitution, are fully respected in newly adopted legislation.
2. Guarantee freedom of assembly and association in line with ICCPR.
3. Facilitate citizens' access to judicial appeal in cases of restrictions of freedom of assembly.
4. Adapt recruitment guidelines of the police and security forces in order to guarantee the proportional representation of ethnic minorities and an increased representation of women.

5. Amend legislation in order to narrow down the criminal offence of „extremist activities“ in order to ensure that charges are not applied arbitrarily and that freedom of expression as set out in the ICCPR is not restricted.

Thank you, Mr. President.

**Questions in advance:**

1. How does the Kyrgyz Government ensure that fundamental freedoms, as guaranteed in the Constitution, are safeguarded in newly drafted legislation (e.g. on LGBTI, Foreign Agents, National Preventive Mechanism etc.)?
2. Which possibilities do citizens have to judicially appeal against the restriction of freedom of association and assembly?
3. How does the Government intend to further capitalize on the positive experiences of the Community Security Initiative in order to benefit the work of the police and security forces?
4. Which progress has been made with regard to a better representation of women and ethnic minorities in the security forces? Which concrete measures are planned in order to ensure a better representation of these groups in all public services?
5. Which possibilities do persons accused of religious extremism have to obtain a legal verification of the charges held against them? Does the Government plan to amend the statutory offence in order to ensure that charges of religious extremism are not pronounced arbitrarily?

