



CIVICUS MONITOR WATCHLIST

KYRGYZSTAN

OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS



INTRODUCTION

In December 2023, the CIVICUS Monitor downgraded [Kyrgyzstan](#)'s civic space rating from “obstructed” to “repressed” following an escalating crackdown on free speech and civic engagement. Since the beginning of 2024, the authorities have intensified their efforts to curb dissent, moving ahead with repressive laws and invoking flimsy legal justifications to shut down independent media and arrest and imprison critics. These alarming developments have led to Kyrgyzstan being placed on the CIVICUS Monitor Watchlist.

Two draft laws threatening civil society and press freedom are currently making their way through parliament. One is a Russian-style “foreign agent” law which, if adopted, would force non-governmental organisations funded from abroad to register as “[foreign representatives](#)” and subject them to invasive state oversight and interference. The other draft law concerns “[mass media](#)” and would impose harsh rules on media registration and content. It would also extend these restrictions to blogs and websites, further constraining internet freedom in a country where bloggers and social media users increasingly face [prosecution](#) for critical posts.

In January 2024, law enforcement [raided](#) the offices of two prominent media outlets, 24.KG and Temirov Live and detained their journalists. While 24.KG's office remains sealed pending an investigation into alleged “war propaganda”, 11 journalists associated with Temirov Live are being held in [pre-trial detention](#) for “calling for disobedience and mass riots.” In February, a court ruled to [liquidate](#) Kloop Media, the non-profit behind investigative portal Kloop – allegedly due to issues with its charter, but clearly in retaliation for its journalism. During the trial, government experts [testified](#) that Kloop's negative coverage of current affairs was causing mental illness, sexual depravity, and drug addiction among the population.

Many of the activists, journalists and public figures who were [arrested](#) in October 2022 for protesting a controversial land swap handing over control of the Kempir-Abad water reservoir to Uzbekistan remain detained while they undergo trial for “fomenting mass unrest” and “attempting to seize power by force”. The investigation and trial in this case have been shrouded in secrecy from the outset and have featured numerous procedural violations, casting [doubt](#) on their fairness and impartiality.

This research brief was prepared in collaboration with the International Partnership for Human Rights (IPHR). IPHR cooperates with the CIVICUS Monitor on the preparation of regular updates on civic space developments in Kyrgyzstan, as well as other Central Asian countries.

ABOUT THE CIVICUS MONITOR

The [CIVICUS Monitor](#), an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in [Kyrgyzstan](#) as “**Repressed**”.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED**REPRESSED****OBSTRUCTED****NARROWED****OPEN**

REPRESSIVE LEGISLATION THREATENS CIVIL SOCIETY AND MEDIA FREEDOM

DRAFT LAW ON “FOREIGN REPRESENTATIVES”

The Kyrgyz parliament is currently considering a [repressive bill](#) targeting non-governmental organisations (NGOs), modelled after Russia’s infamous “foreign agent” law.

Under the [proposal](#), NGOs that are funded from outside Kyrgyzstan and engage in broadly defined “political activities” would have to register as “foreign representatives” and mark everything they publish with this stigmatising label. Failure to register could lead to severe sanctions: The Ministry of Justice could suspend their activities for up to six months without a court order and then petition the court to close them down. In order to ensure compliance with the law, the authorities would be given far-reaching powers to monitor NGOs – through intrusive unplanned inspections, being given access to internal documents and having their representatives attend events, including internal staff meetings.

One of the most contentious provisions of the initial draft, which has since been removed, would have introduced [criminal liability](#) for those affiliated with NGOs that “infringe on the personality and rights of citizens”, or induce them to “refuse to fulfil their civic duties” – language directly lifted from the Russian law. Under these vague provisions, those found guilty of such offences would have faced up to five years in prison.

The draft law on “foreign representatives” has faced severe criticism from [civil society](#), the [international community](#), and even [state bodies](#). Both national and international experts, including those from [the UN](#) and [the OSCE](#), have concluded that the proposal goes against Kyrgyzstan’s international human rights obligations.

In an [open letter](#) to the European Union, the International Partnership for Human Rights and seven other human rights organisations have appealed to the bloc to leverage its influence to help protect civil society against this dangerous initiative, asking it to take concrete measures to demonstrate that “business as usual” cannot continue if the government continues to pursue the law’s adoption. At the end of 2023, the international development and environmental watchdog CEE Bank-watch Network contacted three [major development banks](#) active in the country, urging them to signal to the government that their current legislative crackdown on civil society goes against the spirit and principles of development assistance to the country.

Despite widespread criticism, the bill has continued to progress through parliament. Originally proposed in November 2022 and resubmitted in May 2023, the law on “foreign representatives” [passed](#) its first reading in plenary in October 2023. In February 2024, the Constitutional Legislation Committee reviewed the proposal a second time and voted to [re-move](#) the provisions on criminal liability, although other problematic sections remain intact. With this adjustment, it was [adopted](#) in the second reading with seemingly overwhelming support from deputies, with 64 voting in favour and only five against. However, the voting process has been criticised as highly irregular, as many deputies were seen [entering votes](#) on behalf of absent colleagues. If parliament approves the law in another, final reading, it will be submitted to the President for signature.

DRAFT LAW ON “MASS MEDIA”

Another repressive draft law, concerning [“mass media”](#), is also currently under consideration in parliament. If adopted, it would grant the authorities extensive control over all forms of media in the country, expanding the grounds on which they can deny media outlets registration, obstruct their work and shut them down. It would also jeopardise freedom of expression online, by designating blogs and other websites as “mass media” and subjecting them to the same strict regulations.

The main [concerns](#) about the draft law relate to the strict requirements to register media and obtain accreditation. The law would require all “mass media” – including, potentially, any blog or website – to register with the state in order to carry out their activities, in a registration procedure more complex than those for other entities. Furthermore, the government

could invalidate the registration of a media outlet without a court order if it finds it was obtained “fraudulently”. All visits to state and local government bodies and institutions would require prior accreditation, which can be withdrawn at any time for vague reasons. For example, journalists could have their accreditation revoked if they or the outlet they work for “tarnish the honour, dignity or business reputation” of the relevant body. Freelance journalists and unregistered media wouldn’t be able to obtain accreditation at all.

Moreover, the draft law contains vague provisions prohibiting the “abuse of freedom of speech and press” and “abuse of the rights of a journalist” which could be used to shut down criticism and pave the way for censorship. For example, distributing materials that “promote non-traditional sexual relations” and those that “harm the health and morality of the population”, as well as “spreading rumours under the guise of reliable reports” would constitute an abuse of these rights and would be [forbidden](#) under the law.

Like the draft law on “foreign representatives”, this proposal has also faced severe criticism from the [media community](#), [human rights watchdogs](#), and international experts, including the [UN Special Rapporteur](#) on freedom of expression, [the OSCE](#) and the Council of Europe’s [Venice Commission](#). As of February 2024, the draft is currently awaiting approval from the relevant parliamentary committees before it’s put to a vote in the plenary.

JOURNALISTS ARRESTED, INDEPENDENT OUTLETS UNDER PRESSURE

The climate for freedom of expression in Kyrgyzstan has dramatically deteriorated over the past two years. Between 2022 and 2023, the country dropped [50 places](#) in the Reporters Without Borders (RSF) World Press Freedom Index. Journalists, bloggers, activists and others who criticise the authorities or raise sensitive issues such as corruption are [increasingly subjected](#) to intimidation and harassment, ranging from online threats to politically motivated prosecutions.

At the beginning of 2024, authorities intensified their crackdown on freedom of expression in the country, arresting journalists, conducting raids on the offices of independent media outlets and shutting down their operations on trumped-up charges.

In the early morning of 15th January 2024, the State Committee for National Security [raided](#) the editorial office of the independent news agency 24.KG, confiscated equipment and documents and detained the director Asel Otorbayeva and the two editors-in-chief Makhinur Niyazova and Anton Lyamar for interrogation, before releasing them later the same day. The security services also confiscated the mobile phones of the other 24.KG reporters present and sealed the agency’s office. More than a month after the raid, the outlet’s office [remains sealed](#), preventing it from carrying out its work as usual. The outlet’s director considers this an attempt to [force it out of business](#) and silence it.

The raid was carried out in connection with criminal proceedings initiated on charges of “[war propaganda](#)”, an offence punishable by heavy fines or imprisonment of up to seven years. The details of the charges are unclear since the interrogated journalists were [made to sign](#) a non-disclosure agreement, which prevents them from sharing any further information publicly. However, before being taken for interrogation, Makhinur Niyazova told the media the raid was related to 24.KG’s reporting on the war in Ukraine. The outlet’s lawyers reported being denied access to the office during the raid as well as to the three journalists during their interrogation.

The next day, police carried out [another raid](#), this time searching the homes of 11 current and former journalists with the investigative outlet Temirov Live, arresting them and confiscating their equipment. On 17th January, a court ordered them to be held in pre-trial detention for two months. According to the Interior Ministry, the investigation began after [linguistic experts](#) commissioned by the police examined the journalists’ reporting and found it to contain “calls for disobedience and mass riots”, an offence which can be punished with a prison sentence of up to eight years. Similar charges have repeatedly [been used](#) against journalists and bloggers covering issues which are sensitive to those in power.

The editor-in-chief of Temirov Live, Bolot Temirov, is currently in exile, after being stripped of Kyrgyz citizenship and [deported](#) to Russia in November 2022, in apparent retaliation for his investigations into high-level government corruption. Temirov's wife, Mahabat Tazhibek kyzy, is among those arrested during the January raid.

On 9th February 2024, a court in Kyrgyzstan's capital, Bishkek, granted a request by the city's prosecutor to [liquidate](#) Kloop Media, the non-profit behind the investigative outlet Kloop, claiming that the organisation's charter does not cover journalistic activity. However, the outrageous arguments made by the prosecution made it clear that this is an attempt to punish the outlet for its journalism. During the trial, government experts [testified](#) that Kloop's "purely negative" reporting and "harsh criticism" of the authorities had adverse psychological effects on the country's population, leading to an increase in mental disorders, sexual depravity, drug addiction and suicidal tendencies. One such expert, a psychologist, [stated](#) to the court that "in a secular state, there should be no criticism of the authorities."

Kloop's website has been [blocked](#) since September 2023, when the government accused it of spreading "false" information in an article about a [political activist](#) claiming to have been tortured. Other news sites have similarly been [blocked](#) under controversial legislation that prohibits the dissemination of "false" information on the internet.

"Kempir-Abad case" – closed trial for "preparing riots" continues, activists still detained

In late October 2022, the police [arrested](#) nearly 30 activists, journalists, bloggers, and politicians who had spoken out against plans to hand over the Kempir-Abad water reservoir to Uzbekistan as part of a border agreement. More than a year later, many of them are still being held in inadequate conditions in a pre-trial detention centre while they stand trial on politically motivated charges.

A [deal](#) between the two countries to transfer control of the reservoir in exchange for agricultural land in Uzbekistan, the details of which were [not disclosed](#) to the public, caused public outrage and sparked protests in October 2022. Immediately before the mass arrests, some of those detained had formed a [public committee](#), the so-called "Kempir-Abad Defence Committee", to campaign for the protection of the reservoir. The authorities then arrested several members of the committee and people associated with them, and used [edited recordings](#) of wiretapped conversations in which the detainees discussed plans for peaceful protests to portray them as coup plotters. Among those arrested were well-known human rights defenders Rita Karasartova and Klara Sooronkulova as well as activists Asiya Sasykbaeva, Gulnara Dzhurabaeva and Perizat Suranova.

The defendants in this case were initially remanded in custody for up to two months on charges of [preparing mass riots](#). Their detention was subsequently repeatedly prolonged, in violation of [international human rights standards](#). While some have since been transferred to house arrest – often due to their deteriorating health, exacerbated by [poor detention conditions](#), with limited access to sanitation, medical treatment and visits from family – 11 still [remain](#) in pre-trial detention as of February 2024. In April 2023, the authorities brought [additional charges](#) against the Kempir-Abad defendants, accusing them of plotting to seize power by force and threatening prison terms of up to 15 years.

International human rights organisations have expressed [serious concerns](#) about the politically motivated nature of the case and the lack of due process. From the outset, the investigation involved clear procedural [violations](#), with police searching homes and seizing property without a warrant and denying the activists access to lawyers. Officials refused to provide the defendants with the documents necessary to understand the allegations against them and prepare their defence, citing the confidentiality of the case.

In January 2023, the Ministry of the Interior [classified](#) all the materials related to the case as "secret", a decision that the court later partially overturned, ordering the prosecutor to separate out the confidential materials in the case and unseal those not containing any confidential information. The court has nevertheless rejected requests to open the proceedings to the public, meaning that the trial has been taking place behind closed doors since it began in July 2023. This lack of transparency has increased concerns about the trial's fairness and highlighted its clear political motivation.

On 14th February 2024, the presiding judge opted to hold a hearing in the Kempir-Abad case despite one of the defence lawyers [being absent](#) due to illness. When the defendants protested this decision, they themselves were removed from the courtroom by soldiers and the hearing continued without them.

RECOMMENDATIONS

TO THE AUTHORITIES IN KYRGYZSTAN:

- The Kyrgyzstani Parliament should reject the proposed laws on “foreign representatives” and “mass media”, along with any other legislation that goes against international standards on the freedoms of association and expression. Should these laws be passed by parliament, the President should veto them.
- All the relevant authorities should act urgently and decisively to uphold respect for freedom of expression, association and assembly in Kyrgyzstan in accordance with the country’s international obligations. Civil society organisations, media, activists, journalists, bloggers and others must be allowed to exercise these freedoms, without fear of reprisals.
- Authorities must immediately cease their repressive measures against independent media outlets, including judicial harassment and website blocking, and allow them to carry out their work without obstruction.
- Authorities must stop using criminal prosecution as a tool of retaliation against critics. They need to ensure that investigations and legal proceedings adhere to due process and fair trial standards outlined by national law and international human rights standards. All charges against those prosecuted on politically motivated grounds must be dropped, and they should be unconditionally released.

TO THE EUROPEAN UNION:

- The EU must use all means at its disposal to reinforce the message that the draft law on “foreign representatives” and the ongoing campaign against independent civil society and the media in Kyrgyzstan run counter to the Union’s values and the country’s human rights obligations.

TO THE INTERNATIONAL COMMUNITY:

- Closely monitor the civic space situation in Kyrgyzstan and use every opportunity to urge the government to create and maintain a favourable environment for the work of journalists and civil society, both in law and in practice.
- UN member states must insist on constructive cooperation from Kyrgyzstan with UN human rights bodies and effective implementation of conclusions and recommendations issued by such bodies.
- Other UN member states should hold Kyrgyzstan accountable to the pledges it made prior to its election as a member of the Human Rights Council , in particular with respect to civil society participation.