Co-funded by the European Union
При поддержке Европейского Союза

IPHR International Partnership for Human Rights

Юристы за права человека

НАЦИОНАЛЬНАЯ СЕТЬ ГРАЖДАНСКОГО ОБЩЕСТВА ПО МОНИТОРИНГУ СЕКТОРА ПРАВОСУДИЯ

VOICE OF FREEDOM VOF

REPORT ON THE RESULTS OF MONITORING THE CRIMINAL JUSTICE SECTOR OF THE KYRGYZ REPUBLIC

Area 8: The Penitentiary System - Summary

Bishkek, 2025

This analytical report is based on monitoring conducted by Voice of Freedom in the framework of a project implemented by International Partnership for Human Rights (IPHR) and Lawyers for Human Rights (LHR) with support from the European Union.

The report covers Area 8 (The Penitentiary System) of a comprehensive Methodology for Monitoring the Criminal Justice Sector developed by recognised international and national experts under the project.[1] It is part of a series of analytical reports prepared based on monitoring conducted by members of the Akyikat Karegi Civil Society Network, using the new methodology with support from project experts.

This document has been prepared with financial support from the European Union. The contents are the sole responsibility of IPHR and LHR and do not necessarily reflect the views of the European Union.

[1] The methodology (in Russian and Kyrgyz) is available at: https://iphronline.org/articles/new-methodology-for-monitoring-the-criminal-justice-sector-developed/

INTRODUCTION

The penitentiary system of the Kyrgyz Republic remains on a complex path of development as a key institution of criminal justice. The latest stage of reform occurred in 2021 when, as part of a nationwide effort to optimize state bodies, the Penal Enforcement Service (PES) was transferred to the Ministry of Justice. This step, along with ongoing systemic changes, has enabled Kyrgyzstan to make steady progress toward demilitarizing the PES.

There are currently 26 penitentiary institutions operating in the penitentiary system: 10 correctional colonies, including an education colony for juveniles, 6 remand centres and 10 settlement colonies. Funding for the PES comes from the state budget.

According to PES statistics[2], as of March 2024, the prison population in the Kyrgyz Republic totalled 6,693 people—4,987 serving sentences in correctional institutions and settlement colonies, and 1,706 held in remand centres. This marks a slight decrease compared to 7,728 prisoners in 2023[3] and 7,574 in 2022[4].

Despite a number of positive changes, no single reform has significantly transformed the overall nature of the correctional system. Law enforcement within the system remains ineffective, with worrying signs of security failures and inadequate management. More decisive reforms are needed to ensure the correctional service meets high standards.

Challenges also remain with respect to the observance of human rights and freedoms in detention facilities in Kyrgyzstan. In particular, human rights violations of women and children, as well as other vulnerable groups have been documented in the country's penitentiary system. Reports from national human rights institutions[5] and human rights organizations[6] highlight that: 1) conditions in detention centres remain unchanged, with no improvements; 2) conditions in some remand centres are deemed cruel and inhumane; and 3) issues concerning access and quality of medical services, ensuring humane conditions, and modernizing technical equipment require immediate attention.

---

[2] Response to an official request from the PES under the Ministry of Justice of the Kyrgyz Republic No. 100/02-531 dated 11 March 2024

[3] https://rus.azattyk.org/a/32989174.html

[4] "A chance for reform". Half as many convicts in Kyrgyz prisons//https://kabar.kg/news/glava-miniusta-rasskazal-skol-ko-v-kyrgyzstane-osuzhdennykh-muzhchin-i-zhenshchin/

[5] Report of the National Center of the Kyrgyz Republic for the Prevention of Torture for 2023. URL: https://npm.kg/wp-content/uploads/2024/03/NTSPP-ED-2023.pdf Report of the Akyikatchy (Ombudsman) of the Kyrgyz Republic for 2023. URL: https://ombudsman.kg/sites/default/files/documents/ezhegodnyi_doklad_russk.pdf

6 UN CAT Concluding observations on the third periodic report of Kyrgyzstan. CAT/C/KGZ/CO/3: "22. While appreciating the measures taken by the State party to renovate certain detention facilities and build additional facilities for prisoners serving life sentences, the Committee remains concerned at reports of inadequate and deplorable conditions of detention, including overcrowding. The Committee is also concerned at the appalling conditions at women's detention facilities and the lack of adequate medical care for women detainees, including those who are pregnant and mothers with children. The Committee is further concerned at reports of very poor conditions that prevail in psychiatric hospitals, social care homes and residential institutions for children (arts. 11 and 16)." URL: https://documents.un.org/doc/undoc/gen/g21/382/57/pdf/g2138257.pdf

The data from this assessment provide an up-to-date and holistic picture of the level of compliance with standards for the treatment of prisoners and offer concrete steps and recommendations for advancing reforms at the state level.

The purpose of assessing the penitentiary system of the Kyrgyz Republic was to systematically and comprehensively monitor penitentiary institutions for compliance with basic standards and guarantees of human rights and freedoms in detention centres, and to promote the rule of law in criminal justice.

The following objectives were outlined as part of the study:

1. Under the mandate of the National Centre of the Kyrgyz Republic for the Prevention of Torture, conduct preventive visits to penitentiary institutions to identify systemic problems with compliance with standards and guarantees within the penitentiary system.

2. Conduct legal analysis of national legislation and local normative legal acts and regulations, process official statistics and study government programmes.

3. Conduct a sociological survey using standard methodology by means of questionnaires to be completed by persons held in detention centres to assess compliance with international standards of human rights and freedoms in practice.

Monitoring was conducted using a wide range of tools, which made it possible to conduct a comprehensive triangulation analysis of law enforcement practice and legislation in the field of penal enforcement and to obtain relevant and reliable information. Indicators have been monitored and analysed using a human rights-based approach, with a focus on gender and inclusion, and with particular attention to the protection of the rights of minors and other vulnerable individuals.

The report summarises the analysis of a wide range of benchmarks and indicators set out by the Methodology for Monitoring the Criminal Justice Sector, broken down into the following chapters:

1. General guarantees and conditions for the functioning of the penitentiary system
2. Guarantees for the protection of the rights of prisoners detained in penal institutions
3. Disciplinary measures within penal institutions
4. Inspections and monitoring in penal institutions
5. Mechanisms for filing and reviewing complaints in penal institutions
6. Additional safeguards for vulnerable groups in penal institutions

The findings can be used for further advocacy activities and in-depth research on compliance with universally recognised human rights standards and guarantees within penal institutions. In addition, the criteria studied will allow joint efforts of state bodies and human rights organisations to review and develop unified national standards for detaining people in detention centres.

The team at Voice of Freedom would like to thank the management and staff of the National Center of the Kyrgyz Republic for the Prevention of Torture for their cooperation and support. They also express their gratitude to the management of the PES under the Ministry of Justice of the Kyrgyz Republic, and to the administration and staff of these institutions for their assistance in achieving the research goals and objectives.

KEY FINDINGS AND RECOMMENDATIONS

<table>
<tr><th colspan="2">KEY FINDINGS</th></tr>
<tr><td colspan="2">The assessment concludes that legislation and law enforcement practices in the country's penitentiary system only partially comply with international standards. Clearer and more precise legal standards and guarantees, aligned with international human rights norms, must be incorporated into penitentiary regulations. The national rules on the detention and treatment of prisoners require revision, and stricter oversight of law enforcement practices within penitentiary institutions is needed.

The overall performance assessment for Area 8 (The Penitentiary System), based on the benchmarks and indicators in the Methodology for Monitoring the Criminal Justice Sector, is 14.5 out of a possible 32 points.</td></tr>
<tr><th colspan="2">General Guarantees and Conditions for the Functioning of the Penal Correction System</th></tr>
<tr><th>Status and challenges</th><th>Recommendations</th></tr>
<tr><td>Indicator 1.1. The current mix of civilian and military structures in the penal system makes it difficult to ensure full independence and accountability of the system, which is contrary to international standards.

Indicator 2.1. The existing regulatory goals of punishment, such as rehabilitation and reintegration of convicts, are in line with international standards, but their practical application requires regular review and amendment.</td><td>Indicator 1.1. It is recommended that the Ministry of Justice of the Kyrgyz Republic accelerates the process of demilitarising the penitentiary system and provides regular training and professional development for penitentiary system staff, with a focus on human rights and international standards.

Indicator 2.1. The Cabinet of Ministers of the Kyrgyz Republic should introduce a system for monitoring and evaluating the effectiveness of correction and social rehabilitation programmes, with regular reviews of the results and amendments made as required.</td></tr>
<tr><th colspan="2">Guarantees for the Protection of Prisoners' Rights</th></tr>
<tr><th>Status and challenges</th><th>Recommendations</th></tr>
<tr><td>Indicator 3.1. Despite national legislation requiring prisoners to be treated with respect and for their rights to be respected, there is partial non-compliance in practice.

Indicator 3.2. A similar conclusion can be made regarding the protection of all prisoners against any form of discrimination: while appropriate safeguards are enshrined by law, in practice discrimination does occur.

Indicator 3.3. Legislation provides for safeguards against arbitrary detention, but these are not always applied in practice.</td><td>Indicator 3.1. The PES under the Ministry of Justice of the Kyrgyz Republic must ensure that standards of humane treatment of prisoners are observed in full compliance with international obligations.

Indicator 3.2. The PES under the Ministry of Justice of the Kyrgyz Republic and authorised state bodies should conduct systematic training seminars/workshops for staff of penal institutions on the principles of non-discrimination and the use of legal mechanisms and instruments for the</td></tr>
</table>

Often, information on all detainees, grounds for imprisonment, date and time of detention and release, as well as any transfers, is only recorded in paper form in the various registers of the institution.

Indicator 3.4. Although the right to legal aid is protected by law, legislation does not provide a clear mechanism by which this is made accessible. According to Internal Regulations, legal advice is a chargeable service, although even then, without clear instruction, such legal advice may not be available.

Indicator 4.1. Without a framework determining the regularity and methodology of inspections, legislative control in the field of torture prevention and prosecutorial oversight may become official.

Indicator 4.2. National legislation fully complies with international standards in terms of documenting and effectively investigating every case of torture and ill-treatment. However, only 5% of those subjected to violence receive medical examinations, which undermines the effectiveness of the fight against torture in the country. Unfortunately, torture in Kyrgyzstan is not investigated effectively. According to the statistics of the General Prosecutor's Office, almost 90% of torture allegations annually fail to result in criminal proceedings. Thus, the number of allegations of torture decreases every year, not because torture is not used, but because victims do not believe in the inevitability of punishment for perpetrators.[7]

Indicator 5.1. There is evidence of insufficient supply or lack of certain hygiene products, water and nutrition. A number of institutions do not provide opportunities for sports and physical exercise for detainees, as the law only provides for outdoor walks.

protection of human rights from all forms of discrimination against representatives of all minority groups, in accordance with the international obligations of the Kyrgyz Republic, pursuant to paragraph 81 of the "Human Rights Action Plan for 2022–2024".

Indicator 3.3. The PES under the Ministry of Justice of the Kyrgyz Republic must introduce an automated and digitalised register of all persons entering penal correction institutions and any transfers.

Indicator 3.4. The PES under the Ministry of Justice of the Kyrgyz Republic and the State-Guaranteed Legal Assistance Services are advised as follows: 1) A mechanism to protect the right to effective legal assistance should be developed and implemented by creating clear and mandatory procedures for the realisation of this right, including the possibility of meetings with lawyers and mediators. 2) It is recommended that regular information sessions are organised for inmates to explain to them their right to legal aid and the procedures for accessing it. 3) Detainees must be provided with the opportunity to meet lawyers on-site, with no time restrictions and with confidentiality and security guaranteed. 4) Consideration must be given to conducting regular surveys and other data collection methods to assess inmates' satisfaction with the quality of legal aid, and to develop and implement a system of independent monitoring of the quality of legal aid, including the participation of public organisations and independent experts.

Indicator 4.1. The Cabinet of Ministers of the Kyrgyz Republic must accelerate the implementation of the National Action Plan to implement the recommendations of the UN Committee against Torture, in accordance with paragraph 105 of the Human Rights Action Plan for 2022–2024.[10] A clear

[7] NCPT KR Annual Report 2023. URL: https://npm.kg/wp-content/uploads/2024/03/NTSPP-ED-2023.pdf

[10] Human Rights Action Plan for 2022–2024, approved by Order of the Cabinet of Ministers of the Kyrgyz Republic of 28 November 2022, No. 655-r. URL: https://cbd.minjust.gov.kg/219365/edition/1272237/ru?anchor=pr

Indicator 6.1. Monitoring revealed differences in the scope of health care provision depending on the citizenship or legal status of detainees. Indicator 6.2. Medical examinations and rounds by medical workers for medical complaints are haphazard and irregular. According to research data, mental health support is practically non-existent for detainees in penal institutions. Indicator 7.1. Rules of application of special means by the law enforcement officers and military personnel serving in authorised state body in the field of execution of punishments and internal affairs[8] contain more grounds for the use of special means than are set out by Law[9].	procedure should be established for regular inspections of detention conditions and the treatment of convicted persons, including verifications of reports of torture and ill-treatment. The results of inspections must be made available to the public to improve transparency and accountability for violations identified. Indicator 4.2. It is recommended that the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic and the Ministry of Health conduct systematic training for PES medical staff on documenting evidence of torture and ill-treatment in accordance with the principles of the Istanbul Protocol[11]. It is important to strengthen the work of the relevant state authorities to effectively investigate allegations of torture and bring perpetrators to justice, in accordance with paragraph 111 of the Human Rights Action Plan for 2022–2024. Indicator 5.1. It is important for the Cabinet of Ministers of the Kyrgyz Republic to strengthen control over the provision of sufficient clean bedding and linens, hygiene products, clean water and nutrition for prisoners. Uniform national standards for conditions of detention in detention centres should be developed and adopted to ensure that all prisoners have the opportunity to engage in regular sport and physical exercise and sufficient outdoor exercise. Indicator 6.1. It is recommended that the Cabinet of Ministers of the Kyrgyz Republic

[8] Rules of application of special means by the law enforcement officers and military personnel serving in authorised state body in the field of execution of punishments and internal affairs of the Kyrgyz Republic (As amended by Resolution of the Cabinet of Ministers of the Kyrgyz Republic No. 523 dated 5 October 2023) (to Resolution of the Government of the Kyrgyz Republic No. 223 dated 29 April 2020). URL: https://cbd.minjust.gov.kg/157657/edition/1285686/ru

[9] Law of the Kyrgyz Republic "About service in law enforcement agencies of the Kyrgyz Republic" of 25 July 2019, No. 102 (As amended by the Laws of the Kyrgyz Republic of 18 January 2022, No. 4, 16 February 2023, No. 31). URL: https://cbd.minjust.gov.kg/111956/edition/1233492/ru

[11] Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2022 edition) URL: https://www.ohchr.org/en/publications/policy-and-methodological-publications/istanbul-protocol-manual-effective-0

	develops mechanisms to eliminate discrimination in the provision of medical care on the basis of citizenship, by unifying the scope of the medical and sanitary care provided within the framework of the "Programme of state guarantees for providing citizens with medical and sanitary care" approved by the Resolution of the Cabinet of Ministers of the Kyrgyz Republic of 21 September 2023, No. 493.[12] Indicator 6.2. The Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic needs to strengthen control over the quality of medical examinations and legal compliance regarding frequency of doctors' visits in order to detect and treat diseases among prisoners in a timely fashion. More should be done to provide systematic psychological support for prisoners in order to improve their mental health and help them adjust to prison conditions and resolve challenges, and to prevent suicide. Indicator 7.1. Considering the differences in the possible grounds for the use of special means in the Law "About service in law enforcement agencies of the Kyrgyz Republic"[13] and "Rules of application of special means[14]", it is recommended that the Cabinet of Ministers of the Kyrgyz Republic brings these rules in line with the Law, and excludes additional grounds for the use of special means in order to avoid possible abuses. It is important to strengthen monitoring and control over the use of special means and weapons by employees of penal institutions.

[12] Programme of state guarantees for providing citizens with medical and sanitary care, approved by the Resolution of the Cabinet of Ministers of the Kyrgyz Republic of 21 September 2023, No. 493 URL: https://cbd.minjust.gov.kg/160440/edition/1288314/ru

[13] Law of the Kyrgyz Republic "About service in law enforcement agencies of the Kyrgyz Republic" dated 25 July 2019, No. 102 https://cbd.minjust.gov.kg/111956/edition/1233492/ru

[14] Rules of application of special means by the law enforcement officers and military personnel serving in the authorised state body in the field of execution of punishments and internal affairs of the Kyrgyz Republic, approved by the Resolution of the Government of the Kyrgyz Republic dated 29 April 2020, No. 223 https://cbd.minjust.gov.kg/157657/edition/1285686/ru

Disciplinary Measures	
Status and challenges	**Recommendations**
Indicator 8.1. 73% of respondents who have been held in punishment cells, disciplinary units and solitary confinement cells defined detention conditions as harsh, mentioning dampness, cold, old and dirty bedding, and lack of maintenance. In addition, convicts deported to punishment cells are denied visits (including from a lawyer), telephone calls and packages. **Indicator 8.2.** Disciplinary measures against detainees are applied without the right to legal aid. **Indicator 8.3.** Isolation as a disciplinary measure is not considered an exception when other sanctions prove ineffective. **Indicator 8.4.** While there is a right to legal aid in general, legislation does not provide for any specific mechanism for appealing disciplinary measures or legal aid directly in this process.	**Indicator 8.1.** The Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic needs to improve conditions for detainees held in special regimes such as punishment cells, disciplinary units and solitary confinement. There must be a review of national standards and conditions of detention of persons in punishment cells, disciplinary units and solitary confinement and amendments to the Penal Enforcement Code of the Kyrgyz Republic must be proposed. **Indicator 8.2.** The Ministry of Justice of the Kyrgyz Republic should protect the right of convicted persons to legal assistance in cases of disciplinary measures. **Indicator 8.3.** It is recommended that the Ministry of Justice of the Kyrgyz Republic adopts into penal legislation a regulation setting forth that isolation as a disciplinary measure should be the exception, used only in cases when other sanctions have proved ineffective. **Indicator 8.4.** It is advised that the Ministry of Justice of the Kyrgyz Republic develops and implements a mechanism for appealing a decision to impose disciplinary sanctions and providing legal assistance to prisoners who have been subjected to a disciplinary sanction.
Inspections and Monitoring	
Status and challenges	**Recommendations**
Indicator 9.1. The legal regulation of the special prosecutor's office is not available to the public. **Indicator 9.2.** Early dismissal of the Ombudsperson based on disapproval of the Ombudsperson's report undermines the independent nature of the office. **Indicator 9.3.** Kyrgyzstan has a National Preventive Mechanism (NPM), which is	**Indicator 9.1.** The Ministry of Justice of the Kyrgyz Republic together with the General Prosecutor's Office of the Kyrgyz Republic should consider the issue of disclosing statutory regulations regarding the special prosecutor's office. **Indicator 9.2.** The Ombudsperson of the Kyrgyz Republic and the Jogorku Kenesh of the Kyrgyz Republic should consider the

implemented by the National Center for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (NCPT). The Kyrgyz NPM model is recognised as one of the most progressive, but it needs additional resources to be effective and to fully implement its mandate. In violation of the National Center Act, it has often faced cases of obstruction and interference in its activities. One possible reason may be the removal of guidelines on criminal and administrative liability for obstruction of activities and interference in the activities of NCPT by the criminal and administrative legislation as of 1 January 2019.[15] Indicator 9.4. There is a risk of monitoring visits by community organisations being limited by means of an expanded interpretation of grounds for refusing permission for visits to correctional facilities. Indicator 9.5. The powers of the Ombudsperson are less broad and independent than those of the National Center, which may reduce the effectiveness of its monitoring activities in detention centres.	possibility of amending the specialised law to exclude such grounds as disapproval of the Ombudsperson's report as grounds for early dismissal. Indicator 9.3. It is important for the General Prosecutor's Office of the Kyrgyz Republic and the Jogorku Kenesh to strengthen their work in providing conditions for the prevention of any form of pressure, obstruction or influence on the activities of the NCPT KR and the Ombudsman Institution. Relevant articles governing liability and punishment for obstruction and interference in the activities of the NCPT should be re-introduced into criminal and administrative legislation[16]. It is recommended that the activities of the NCPT are reviewed over 12 years by independent international experts (following the example of NPMs of other countries whose activities exceed 10 years). A full-fledged functional review and budgeting and performance review will make it possible to provide recommendations to improve NCPT activities and strengthen its position. The review of the implementation of NCPT recommendations for 2022 and 2023 should be updated. Indicator 9.4. The Ministry of Justice of the Kyrgyz Republic should consider introducing amendments to the Regulation on the procedure for visiting correctional facilities of the Penal Correction System of the Kyrgyz Republic to exclude an expanded interpretation and application of the grounds for refusal to issue permits to visit correctional facilities. Indicator 9.5. The Ombudsman Institution and the Jogorku Kenesh should consider

[15] Concluding observations on the third periodic report of Kyrgyzstan to the UN Committee Against Torture Chapter C paragraph 12 "Despite general efforts to promote the National Centre for the Prevention of Torture, the Committee considers that there are obstacles that impede its effective functioning. It notes with concern that the special provision in the Criminal Code (art. 146-2) that penalized any obstruction of the exercise of authority by the Coordinating Council on Human Rights or by the National Centre was repealed." URL: https://documents.un.org/doc/undoc/gen/g21/382/57/pdf/g2138257.pdf

[16] NCPT KR recommendations are reflected in the annual report for 2023 URL: https://npm.kg/wp-content/uploads/2024/03/NTSPP-ED-2023.pdf

	amending the Law "On the Ombudsman (Akyikatchy) of the Kyrgyz Republic" to ensure full access to information and documentation on prisoners, the right to unannounced inspections, confidential interviews without witnesses, and the obligation to implement the Ombudsperson's recommendations by penal institutions.
Mechanisms for filing and reviewing complaints	
Status and challenges	**Recommendations**
Indicator 10.1. Problems identified regarding the mechanism for filing and reviewing complaints include violations of the law due to censorship of prisoners' letters to independent monitoring bodies, low awareness among inmates of the complaints and appeals procedures, and prisoners' dissatisfaction with the effectiveness of their appeals.	**Indicator 10.1.** It is recommended that the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic improves information for inmates regarding available grievances mechanisms, ensures confidentiality and protection from reprisals when filing complaints, and improves the efficiency of reviewing and responding to applications. The procedure of anonymity and confidentiality of complaints must be protected, with no risk of the boxes of prisoners' letters to the NCPT being opened.
Additional Safeguards for Vulnerable Groups	
Status and challenges	**Recommendations**
Indicator 11.1. Analysis of legislation and law enforcement practice has shown that special measures to protect and promote the rights of prisoners with special needs are not implemented for all groups of such persons. **Indicator 11.2.** Insufficient observance of the principle of presumption of innocence before suspects and accused persons are officially found guilty by a court of committing a crime, and this is manifested in the conditions of their detention. **Indicator 11.3.** There are a number of serious problems faced by women detained in penal institutions: 1) access to medical services, medical examinations for pregnant women, 2) frequent strip searches, 3) transportation in the same vehicle as male prisoners, 4) presence of male staff in women's wings	**Indicator 11.1.** The Ministry of Justice of the Kyrgyz Republic must draft laws to include special protection measures and ensure appropriate conditions for persons with special needs during their detention and while serving their sentences (Penal Enforcement Code, Internal Regulations). **Indicator 11.2.** The General Prosecutor's Office of the Kyrgyz Republic and the Penal Enforcement Service should strengthen measures to observe the principle of presumption of innocence of suspects and accused persons in penal institutions by implementing regulations on separate detentions and considering the characteristics of persons under investigation, as well as improving the

unaccompanied by female staff, 5) insufficient allocation of hygiene products, 6) inappropriate behaviour on the part of staff at penal institutions.

Indicator 11.4. A significant proportion of juveniles face limited opportunities to meet family, lack access to information and educational resources outside of institutions, and have limited freedom of movement for activities.

Amid poor living conditions, children serving prison sentences receive inadequate nutrition and medical care, falling below acceptable standards. However, all imprisoned children have access to education and the opportunity to participate in sports.

There is a pressing need to enhance penitentiary probation efforts for the re-socialisation of these children, including the development of specialised re-socialisation programmes.

Indicator 11.5. There is discrimination in the transfer of foreign citizens to penal colonies.

Indicator 11.6. There is inadequate provision of medical care and assistance for persons with mental illness and the seriously ill in penal institutions, which has a detrimental effect on their health and wellbeing.

Indicator 11.7. There is insufficient provision of medical assistance and care for detainees with disabilities in penal institutions, which has a detrimental effect on their health and wellbeing.

Indicator 11.6. There is insufficient provision of medical assistance and care for elderly detainees in penal institutions, which has a detrimental effect on their health and wellbeing.

Indicator 11.9. Considering that there is no LGBTQ category in penal legislation and a lack of information regarding law enforcement practice, it can be concluded that national legislation and law process of appeals and complaints regarding rights violations.

Indicator 11.3. It is important that the Ministry of Justice and the Penal Enforcement Service under the Ministry of Justice improve detention conditions for women in penal institutions, which would include providing regular medical examinations for pregnant women, access to the services of specialised doctors (gynaecologists, oncologists etc.), ensuring security and privacy during searches and transportation, guaranteeing timely allocation of adequate hygiene products and access to hot water, providing psychological support, developing and implementing measures to prevent sexual harassment and providing effective mechanisms for filing and reviewing complaints.

Indicator 11.4. It is recommended that the Ministry of Justice and the Penal Enforcement Service under the Ministry of Justice improve detention conditions for young offenders, which would include increasing the frequency of family meetings, providing access to education and news, with a particular focus on improving the atmosphere in penal institutions to minimise detrimental effects on minors.

It is recommended that the PES take measures to ensure adequate nutrition that meets the needs of children, as well as improve the quality and accessibility of medical care in Institution No. 14 of the Correctional Service under the Ministry of Justice.

Introducing case management for each child serving a prison sentence appears to be a practical step toward re-education and effective re-socialisation. This approach should involve developing a detailed individual work plan based on a comprehensive risk and needs assessment conducted using an established methodology. The progress of each plan

enforcement practice are not in line with international standards. Indicator 12.1. The document setting out requirements for the personal and professional qualities of prison officers is not publicly available.	should be regularly evaluated and revised as needed. At a minimum, the plan should include sections on: • Re-establishing and/or maintaining family connections, • Conciliation procedures where appropriate, • Education and vocational training, • The child's health status and treatment needs, • Developing and strengthening social and cognitive skills, including non-violent communication. Additionally, case management should not end upon the child's release. Instead, post-penitentiary probation mechanisms should be implemented to support their reintegration into society. Indicator 11.5. The Ministry of Justice of the Kyrgyz Republic should amend Kyrgyz legislation to ensure equal rights for foreign nationals detained in penal institutions, which includes the possibility of transfer to a penal colony. Indicator 11.6. The Ministry of Health and the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic need to strengthen medical support for vulnerable groups, which includes access to required medication and opportunities for assistance by specialised medical professionals in specialist medical institutions equipped with the relevant facilities for diagnosis, treatment and rehabilitation. The Ministry of Justice and the General Prosecutor's Office should strengthen monitoring of strict compliance with the two government decrees on the release of seriously ill persons from arrest/further imprisonment. Indicator 11.7. The Ministry of Health and the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic are advised to strengthen medical provision for

	vulnerable groups, which includes access to required medication and opportunities to be treated by specialised medical professionals in specialist medical institutions equipped with the relevant facilities for diagnosis, treatment and rehabilitation. Indicator 11.8. The Ministry of Health and the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic are advised to strengthen medical provision for vulnerable groups, which includes access to required medication and opportunities to be treated by specialised medical professionals in specialist medical institutions equipped with the relevant facilities for diagnosis, treatment and rehabilitation. Indicator 11.9. National human rights institutions should conduct full-fledged monitoring and analysis of human rights compliance relating to LGBT persons detained in penal institutions. Indicator 12.1. It is important that the Penal Enforcement Service under the Ministry of Justice of the Kyrgyz Republic ensures strict compliance with the Code of Professional Ethics of the Penal Correction System of the Kyrgyz Republic and provides open access to this document for a wide range of stakeholders.

CONCLUSIONS

The way offenders are treated within the criminal justice system shapes the prison population, which in turn affects how prisons are managed. At the same time, the criminal justice system is shaped by public policy and the broader political climate—both of which are influenced by society. In democracies, this influence is reflected in elections, where citizens vote for their governments.

Ensuring good management and humane conditions in prisons is not solely the responsibility of prison authorities. Effective penitentiary reform must be part of a broader effort to address systemic issues within the criminal justice system. [17]

[17] "Custodial and Non-Custodial Measures. The Prison System." Criminal Justice Assessment Toolkit. UN Office on Drugs and Crime. 2010. URL: https://www.unodc.org/documents/justice-and-prison-reform/cjat_eng/Introducing_the_Toolkit.pdf

Humane prison management requires that national policies and legislation be guided by international standards designed to protect prisoners' rights, including the following UN documents: the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), UN Rules for the Protection of Juveniles Deprived of Their Liberty, UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and the Code of conduct for law enforcement officials, amongst others.

The extent to which these standards are implemented should be the key criterion used to assess the quality of prison system management. Prison administrations' ability to uphold these standards depends on various factors, including the existence of a government-developed strategy for detention facilities, clear management procedures, and, most importantly, the careful selection and training of prison staff.

The findings of the study confirm the need to accelerate the integration of medical services in penal institutions into the general civil health care system

The study also yielded the following conclusions:

- Detention conditions in several penal institutions do not comply with minimum international standards and national legislation.

- Despite significant variations in conditions, most institutions exhibited the following issues requiring immediate resolution:

- Non-compliance with space standards per person (in some cases, more than 10 people were found occupying a single cell)
- Provision-related issues:
  - ✓ Consistent access to drinking water
  - ✓ Sufficient nutritious food
  - ✓ Availability of toiletries and personal hygiene products
  - ✓ Adequate bedding and clean linens
  - ✓ Access to clean toilets providing privacy
  - ✓ Opportunities to take a shower

- In several institutions, the conditions in punishment cells or disciplinary units amount to inhuman and degrading treatment. The stark contrast between these conditions and those experienced by other prisoners indicates clear discrimination against individuals facing disciplinary measures. Moreover, there is no possibility to appeal a decision to place someone in a punishment cell or disciplinary unit.

- Although medical services are available in penitentiary institutions, many prisoners expressed dissatisfaction with limited access to medical care. They reported irregular in-cell visits by doctors, inadequate medical examinations, a shortage of qualified medical and specialized professionals, insufficient medication and equipment, and non-compliance with sanitization standards for the premises and grounds of the institutions.

- While two governmental decrees prohibit the detention of persons with serious illnesses and require the release of such individuals from completing their sentences, these requirements are not being met.

- Most surveyed participants described the attitude of penal institution staff as respectful, reporting that they experienced no discrimination and felt safe. However, almost one in four participants stated that they had been subjected to physical violence or psychological pressure— 19% by law enforcement officers and 4% by penal correction officers.

- Study participants identified as belonging to vulnerable groups did not report being subjected to torture or ill-treatment by penitentiary staff on the grounds of their membership of such groups. However, members of the general prison population reported experiencing physical violence and psychological pressure from law enforcement officers, penitentiary staff, and other prisoners.

- Most study participants identified as part of a vulnerable group reported that their conditions within institutions were unsatisfactory. Older individuals highlighted the lack of access to their allocated social benefits and payments, while women noted the insufficient provision of hygiene products and care tailored to their specific needs

- Detention conditions for the main prison population vary significantly between institutions across the country. However, there is no recorded distinction in the detention conditions between vulnerable categories included in the study and the general prison population.

- However, it is important to note that the failure to address the specific needs of vulnerable groups may constitute cruel, inhuman, or degrading treatment. In particular, the absence of necessary facilities, adaptations, and physical access to areas accessible to the general detainee population amounts to cruel and inhuman treatment for persons with disabilities.

- The study found that prisoners have limited access to qualified legal assistance, which violates their right to defence. Most respondents expressed dissatisfaction with the services provided by public defence lawyers from the register of solicitors offering State-guaranteed legal aid.

The recommendations outlined in this study should be implemented to address the rights violations identified concerning individuals held in correctional institutions and remand centres within the penal system.

In conclusion, the findings of this study may serve as a starting point for revising and developing unified national standards for the detention of individuals in places of deprivation or restriction of liberty. While significant efforts have already been made to reform the penitentiary system of the Kyrgyz Republic, we are confident that through collaborative efforts, we can further enhance the effectiveness of these reforms, improving both the administration of justice and the penitentiary system.