

## **PRESS RELEASE - THE OBSERVATORY**

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### **KYRGYZSTAN: The Human Rights Committee of the Kyrgyz Parliament decides not to give its opinion on the highly controversial "foreign agents" law**

**Paris-Geneva, May 21, 2015. *The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), expresses its deep preoccupation following the decision of the Human Rights Committee of the Kyrgyz Parliament not to comment on the "foreign agents" bill, paving the way for its forthcoming adoption in second reading in the Parliament. If adopted in three readings, the bill would severely restrict the freedom of association of human rights defenders, contravening the Kyrgyz Constitution and international human rights instruments.***

In early March 2015, the law was approved by the Parliament's Committee on Law, Order and Crime Prevention but a coalition of Kyrgyz NGOs filed a complaint denouncing procedural violations during the session of the Committee. In the case of, the Human Rights Committee of the Kyrgyz Parliament, the Committee was due to release its conclusions regarding the amendments to the laws "On non-profit organisations" and "On state registration of legal entities and branches" on May 19, 2015.

Such amendments are inspired on the Russian legislation on "foreign agents" which led to the closure of more than 40 NGOs in the Russian Federation. In a very concerning move, the Human Rights Committee did not take any position on the bill even though it contradicts the Constitution of the Kyrgyz Republic (Art. 4.2, Art. 52) and undermines the right to freedom of association, including the right to access funding laid out in Art. 22 of the International Covenant on Civil and Political Rights to which the Republic of Kyrgyzstan is a party.

The provisions of the bill could be used to force virtually any NGO that receives foreign funding to either adopt the stigmatising label of "foreign agents" or otherwise put an end to its activities.

Stigmatisation arising from labelling human rights defenders and their organisations as "foreign agents" would have serious negative impacts on Kyrgyz civil society which plays a key role in improving the country's human rights record. Moreover, the practically inevitable failure of NGOs to comply with the said provisions will trigger disproportionate administrative and criminal sanctions - ranging from the suspension to the close down an association - creating an atmosphere of fear, uncertainty and possible termination of programs viewed as sensitive - including those financed by international organisations to which the Kyrgyz Republic is a member, such as the UN.

Moreover, if the amendments were to be adopted, tougher financial reporting requirements would be established not only violating the constitutional right to equal treatment but also discriminating against civil society organisations receiving grants from foreign foundations, donor countries and other organisations that equally support the Kyrgyz government's reform programmes financially.

The Observatory urges the Kyrgyz Parliament not to adopt these amendments as they would significantly restrict the space of NGOs. In a context of globally shrinking civic freedoms, the Observatory urges the members of the Kyrgyz Parliament not to follow the example of neighbouring countries who passed restrictive legislative measures restricting the space of civil society, in particular human rights defenders and to be firm in upholding international human rights standards. The negative impact of the bill on the country's reputation and rule of law are both indisputable.

**For more information, please contact:**



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