



Access Now and Freedom of Eurasia
Joint Submission to the United Nations Human Rights Council on
the Universal Periodic Review 49th Session
Fourth Cycle for Kyrgyzstan

11 October 2024

About Access Now and Freedom for Eurasia

Access Now is an international organisation that works to defend and extend the digital rights of individuals and communities at risk around the world. Through representation worldwide, Access Now provides thought leadership and policy recommendations to the public and private sectors to ensure the continued openness of the internet and the protection of fundamental rights. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots grantmaking, legal interventions, and convenings such as RightsCon, we fight for human rights in the digital age. As an ECOSOC accredited organization, Access Now routinely engages with the United Nations (UN) in support of our mission to extend and defend human rights in the digital age.¹

Freedom for Eurasia is an Austria based NGO dedicated to promoting human rights, democracy, and the rule of law across the Eurasian region, with a focus on Central Asia and Eastern Europe. The organization works to expose corruption, defend freedom of expression, and advocate for the rights of marginalized communities. It engages in research, advocacy, and capacity-building initiatives to support civil society and strengthen democratic institutions in these areas, while also raising awareness about authoritarian regimes and human rights violations.²

Follow-up from Kyrgyzstan's third cycle

1. The Universal Periodic Review (UPR) is one of the key UN tools aimed at advancing human rights around the world. Access Now and Freedom for Eurasia welcome the opportunity to contribute to the fourth cycle of Kyrgyzstan's UPR. This report describes Kyrgyzstan's practice of preventing journalists and citizens from exercising their right to freedom of expression and opinion through criminal prosecution, detention and conviction; the adoption of repressive laws allowing websites to be blocked without due process; the implementation of legislation aimed at further restrictions on the freedom of peaceful assembly and association, including the Law on Foreign Representatives.
2. Within the framework of the third cycle of the UPR, Kyrgyzstan received 232 recommendations, 193 of which were supported by Kyrgyzstan and 39 were taken into

¹ Access Now, available at <https://www.accessnow.org/>, accessed 11 October 2024

² Freedom for Eurasia, available at <https://freedomforeurasia.org>, accessed 11 October 2024

account.³ Relevant recommendations related to the right to freedom of expression and opinion, freedom of the media and access to information include, but are not limited to: 140.78, 140.79, 140.81, 140.82, 140.84, 140.85, 140.86, 140.87, 140.88, 140.90, 140.91, 140.93, 140.94, 140.95, 140.98.⁴

3. Over the last four years, Kyrgyzstan's government has intensified its quest to further control independent media, social media platforms, and online civic space. Despite the existing constitutional protections, recently adopted legislation has broadly impacted the exercise of the rights to freedom of expression and access to information, peaceful assembly and association, and the right to privacy. The following areas are issues of great concern to:

- (a) The increasing number of criminal cases against journalists and social media users for expressing their opinions, including online, in particular views critical of government initiatives;
- (b) The adoption of restrictive legal framework, including the legal provisions of the Law on Protection against Inaccurate (False) Information, enabling executive authorities to block any Internet resource without due process and without any prior judicial oversight;
- (c) Online censorship and internet shutdowns;
- (d) The adoption of the legislation aimed at further restrictions on the freedom of peaceful assembly and association, including the Law on Foreign Representatives.

4. Positively, during this reporting period, Kyrgyzstan partially amended Article 330 “Incitement of racial, ethnic, national, religious interregional hatred (discord)” of the Criminal Code of the Kyrgyz Republic to bring it in line with international standards. As a result of the amendments, the penalty now includes a fine, allowing not to use imprisonment as the only form of possible punishment. However, the article still criminalizes actions that do not reach the threshold of hatred and violence incitement, and keeps disproportionate liability in the form of imprisonment of up to 10 years.⁵

Kyrgyzstan's international and domestic human rights obligations

4. Kyrgyzstan has signed the Universal Declaration of Human Rights (UDHR) and ratified the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), among other international human rights instruments.

³ Human Rights Council, Report of the Working Group on the Universal Periodic Review Kyrgyzstan Addendum, A/HRC/44/4/Add.1 available online: <https://documents.un.org/doc/undoc/gen/g20/219/11/pdf/g2021911.pdf>, accessed 10 October 2024

⁴ Human Rights Council, Report of the Working Group on the Universal Periodic Review Kyrgyzstan, A/HRC/44/4 available online: <https://documents.un.org/doc/undoc/gen/g20/069/76/pdf/g2006976.pdf>, accessed 10 October 2024

⁵ Criminal Code of the Kyrgyz Republic, available at <https://cbd.minjust.gov.kg/112309/edition/14072/ru>, accessed 11 October 2024

5. On April 11, 2021, a new wording of the Constitution of the Kyrgyz Republic was approved by referendum and entered into force on May 5, 2021. This updated Constitution enshrines essential guarantees, including freedom of speech and expression, freedom of information, privacy and protection from the unauthorized collection, storage and dissemination of confidential information;

- a. Article 32 states “Everyone has the right to freedom of expression, freedom of speech and of the press”;
- b. Article 33 states “Everyone shall have the right freely to seek, receive, hold, use and impart information orally, in writing or by other means”;
- c. Article 36 states “Everyone shall have the right to freedom of association”;
- d. Article 39 states “Everyone shall have the right to freedom of peaceful assembly”.⁶

Persecution of journalists and social media users for exercising the right to freedom of expression

6. During the last cycle, the number of criminal cases against journalists and social media users for expressing their opinions, in particular those critical of the authorities, has multiplied. Courts issued prison sentences citing part 3 of Article 278 of the Criminal Code of the Kyrgyz Republic - “Calls for active disobedience to the legitimate demands of representatives of the authorities and mass disorder, as well as calls for violence against citizens”, Part 2 of Article 327 “Public calls for violent seizure of power” and Part 1 of Article 330 “Incitement of racial, ethnic, national, religious interregional hatred (discord)”.

7. On May 14, 2024, the Alamudun district court of Chui region found activist, Egemberdiev Olzhbay (known as Olzhobay Shakir), guilty of committing a crime under part 3 Article 278 part 3 of the Criminal Code of the Kyrgyz Republic for inciting mass riots on social media. He was sentenced to 5 (five) years' imprisonment in a general regime colony for the publication of a video on his personal social media account with a suggestion to hold a peaceful assembly.⁷ On October 8, 2024, the Supreme Court upheld the conviction of Oljobai Shakir, but replaced his five-year prison sentence with three years of probation supervision.⁸

8. On January 16, 2024, 11 journalists were detained and arrested for two months under the same charges of Article 278 part 3 of the Criminal Code of the Kyrgyz Republic for posting video reports at Temirov Live and its affiliated channel “Ait Ait Dese,” which implicated high-level

⁶ Constitution of the Kyrgyz Republic, available at <https://www.gov.kg/ru/p/constitution>, accessed 11 October 2024

⁷ The Times of Central Asia, Kyrgyz Writer Oljobai Shakir Sentenced to Five Years in Prison, available at: <https://timesca.com/kyrgyz-writer-oljobai-shakir-sentenced-to-five-years-in-prison/> accessed 11 October 2024

⁸ Azattyk.kg (8 oct, 2024). “Supreme Court releases writer Oljobai Shakir on probation,” available at: <https://rus.azattyk.org/a/33150253.html> accessed 11 October 2024

government officials in large-scale corruption.⁹ On October 10, 2024, the Lenin District Court of Bishkek sentenced Makhabat Tazhibek kyzy to six years in prison, Azamat Ishenbekov to five years in prison, Aike Beishekeeva and Aktilek Kaparov to three years of probation. Seven other defendants in the criminal case were acquitted.¹⁰

9. The crackdown is not limited to the media and professional journalists, but extends to social media users and activists, who publish dissent opinions online. They are also prosecuted under Article 327 (2) “Public calls for violent seizure of power” and Article 330 (1) “Incitement of racial, ethnic, national, religious interregional enmity (discord)”.

- On January 16, 2024, Pervomaisky District Court of Bishkek sentenced Zarina Torokulova to 5 years imprisonment with probation supervision for 3 years for reposting a video with a call to a peaceful rally by “Olzhobay Shakir”.¹¹ On April 5, 2024, Bishkek City Court further toughened the punishment by canceling the probation period and upholding the punishment of 5 years imprisonment. Currently, Zarina Torokulova is serving her sentence in a general regime colony.¹²
- On April 25, 2024, Pervomaisky District Court of Bishkek fined Aranova Kanykei to 120,000 soms for publications on her personal Facebook account that allegedly incited interregional hatred.¹³ On June 28, 2024, Bishkek City Court changed the sentence to 3 years of imprisonment.¹⁴ The decision was further upheld by the Supreme Court of the Kyrgyz Republic.¹⁵
- Aftandil Jorobekov, an activist and administrator of several social media groups, was detained in Bishkek and held in SIZO-1 for 6 months and 6 days for publishing a post calling for participation in a rally against the change of the state flag.¹⁶ Currently, the case has been re-transferred to the court of first instance for consideration on the merits. As of October 10, 2024, he is under house arrest and still awaiting trial.¹⁷

⁹ Kaktus.Media, Detained journalists sent to pre-trial detention center for two months (broadcast) available at: <https://kaktus.media/494144>, accessed 11 October 2024; Civil Rights Defenders, Kyrgyzstan: Drop charges against 11 journalists available at <https://crd.org/2024/10/09/kyrgyzstan-drop-charges-against-11-journalists-and-human-rights-defenders/>, accessed 11 October 2024

¹⁰ 24.kg, “The case of 11 journalists. Some of the defendants received prison sentences,” available at: https://24.kg/obschestvo/307704_delo_11jurnalistov_chast_podsudimiyh_poluchila_tyuremnyiy_srok/ accessed 11 October 2024

¹¹ Azattyk Media, Activist Zarina Torokulova was sentenced to 5 years but released on probation,” available at: <https://rus.azattyk.org/a/32776139.html> accessed 10 October 2024

¹² Azattyk Media (July 3, 2024), “The Supreme Court upheld the sentence of blogger Zarina Torokulova,” available at: https://kaktus.media/doc/504553_verhovnyy_syd_ostavil_v_sile_prigovor_blogery_zarine_torokulovoy.html accessed 10 October 2024

¹³ Azattyk Media (Apr. 15, 2024), “The court found activist Kanykei Aranova guilty of inciting hatred and imposed a fine,” available at: <https://rus.azattyk.org/a/32920098.html> accessed 10 October 2024

¹⁴ 24.kg news agency (June 28, 2024), “Activist Kanykei Aranova was sentenced to three and a half years in prison,” available at: <https://24.kg/proisshestvija/298149/> accessed 10 October 2024

¹⁵ 24.kg news agency (Aug. 21, 2024), “The Supreme Court upheld the decision of the city court in the case of activist Kanykei Aranova,” available at: <https://24.kg/proisshestvija/302658/> accessed 10 October 2024

¹⁶ RFE/RL’s Kyrgyz Service, Kyrgyz Activist Who Protested National Flag’s Change Detained, available at: <https://www.rferl.org/a/kyrgyzstan-flag-protest-activist-jorobekov-arrested/3272287.html>, accessed 11 October 2024

¹⁷ RFE/RL’s Kyrgyz Service, Kyrgyz Activist Held For Protesting Change In Flag Transferred To House Arrest, available at: <https://www.rferl.org/a/kyrgyz-activist-flag-change-house-arrest/32996230.html>, accessed 11 October 2024

Media freedom

10. In August 2023, the Bishkek City Prosecutor's Office filed a lawsuit against the public foundation “Kloop Media” (“Kloop Media”), alleging that the foundation had not registered as a media outlet and was carrying out media activities outside the scope of its charter.¹⁸

11. The investigation reportedly started in November 2021 “on suspicion that the publications of Kloop Media violated” the Kyrgyz Criminal Code, Article 327, which criminalizes “public calls for violent seizure of power.”¹⁹

12. The Bishkek City Prosecutor's Office accused Kloop Media, the parent organization of the Kloop news agency, of damaging the reputation of the authorities through reports critical of the government. The prosecutor's office claimed that the materials published on Kloop's website and social media accounts “deliberately sharply criticize the policies of the current government” and that “a significant part of the publications are purely negative and aimed at discrediting representatives of state and municipal authorities.”²⁰

13. On February 9, 2024, the Oktyabrsky District Court of Bishkek decided to “liquidate the Public Foundation ‘Kloop Media’.”²¹ “Kloop Media” timely filed an appeal. However, the court returned the appeal without examining the merits, indicating that one of the copies had not reached the third party in the case - the Ministry of Justice of the Kyrgyz Republic. Despite providing evidence suggesting otherwise, the appellate court arbitrarily refused to restore the missed deadline.²² The Supreme Court of the Kyrgyz Republic upheld the appellate court's judgment.²³

The freedom of peaceful assembly and association

14. Since March 11, 2022, the Kyrgyz capital, Bishkek, has had a court-enforced ban on holding peaceful assemblies, which contradicts the Constitution of the Kyrgyz Republic and the

¹⁸ Azattyk Media (Aug. 28, 2023), “The prosecutor's office filed a lawsuit to shut down the publication “Kloop,”” available at: <https://rus.azattyk.org/a/32567799.html> accessed 10 October 2024

¹⁹ Eurasia Amnesty (6 Sep., 2024), “Joint statement of international human rights organizations on the closure of Kloop Media in Kyrgyzstan,” available at: <https://eurasia.amnesty.org/2024/09/06/sovместnoe-zayavlenie-mezhdunarodnyh-pravozashhitnyh-organizacij-o-zakrytii-kloop-media-v-kyrgyzstane/> accessed 10 October 2024

²⁰ Kloop Media, Bishkek Prosecutor's Office filed a lawsuit in court to liquidate “Kloop”, available at: <https://kloop.kg/blog/2023/08/28/srochno-prokuratura-bishkeka-podala-isk-v-sud-o-likvidatsii-kloopa/>, accessed 10 October 2024

²¹ Azattyk Media , The Oktyabrsky District Court decided to liquidate Kloop Media PF, available at: <https://rus.azattyk.org/a/32812753.html>; Kloop Media, Where am I going to get the facts? How state experts defended their conclusions in favor of the liquidation of “Kloop” in court, available at: <https://kloop.kg/blog/2024/02/07/gde-ya-fakty-vozmuzh-goseksperty-na-sude-zashhishhali-svoi-zaklyucheniya-v-polzu-likvidatsii-kloopa/>), accessed 10 October 2024

²² CPJ (May 20, 2024), “Kyrgyzstan court rejects investigative outlet Kloop’s appeal against liquidation”, available at: <https://cpj.org/2024/05/kyrgyzstan-court-rejects-investigative-outlet-kloops-appeal-against-liquidation/>, accessed 10 October 2024

²³ Kloop Media, Bishkek City Court did not consider the appeal of “Kloop”,” available at: <https://kloop.kg/blog/2024/05/17/bishkekiskij-gorsud-ne-stal-rassmatrivat-apellyatsionnyu-zhalobu-kloopa/>; Kloop Media, Kloop Media will definitely be liquidated - the Supreme Court has been silent on this for over a month. But we keep working!, available at: <https://kloop.kg/blog/2024/08/29/kloop-media-uzhe-tochno-likvidiruyut-verhovnyj-sud-molchal-ob-etom-bolshe-mesyatsa-no-my-prodolzhaem-rabotat/>, accessed 10 October 2024

Law of the Kyrgyz Republic “On Peaceful Assemblies”, depriving citizens of their constitutional right to hold rallies.²⁴

15. During the last cycle, the new and significant challenge to freedom of association has posed the Law on Foreign Representatives also known as the “Foreign Agents Bill,” which proposed a number of restrictions and additional obligations for NGOs receiving funding from abroad. Despite serious criticism from local and international organizations, the Law on Non-Profit Organizations, which requires Kyrgyz NGOs that allegedly engage in “political activities” and receive “foreign funding” to register as “foreign representatives,” was signed into law by Kyrgyz President Sadyr Zhaparov on April 2, 2024.²⁵

16. The concept of “political activity” is defined in deliberately broadly terms, allowing the authorized body to arbitrarily require any non-profit organization involved in public discussion of socially significant issues to register as “foreign representatives” under the threat of suspension of activities without a court decision for up to six months, and later followed by the potential liquidation in court.

17. The law has significantly contributed to stigma and suspicion towards human rights organizations. Furthermore, it puts additional burdens on NGOs and media organizations by requiring them to go through independent audit reports each year. It would also grant authorities the right to request their internal documents, to send government representatives to participate in nonprofits’ internal activities.²⁶ This may amount to almost unrestricted administrative control over these associations.

Online censorship and blockings

18. In 2021, Kyrgyzstan adopted the law “On Protection from Inaccurate (False) Information” with the purpose to broaden its administrative authority and to shut down inconvenient media outlets.²⁷ The law enables individuals or companies to file a complaint about false or defamatory information to the Ministry of Culture, which will have two days to respond to these complaints and request websites or social media platforms to remove the contested content within 24 hours. Non-compliance may result in the suspension of the

²⁴ Azattyk Media (Jul. 2, 2024), “The ban on holding rallies in the center of Bishkek has been extended again,” available at: <https://rus.azattyk.org/a/33018581.html> accessed 10 October 2024

²⁵ CPJ, Kyrgyzstan president signs Russian-style ‘foreign agents’ law, available at: <https://cpj.org/2024/04/kyrgyzstan-president-signs-russian-style-foreign-agents-law/>, accessed 10 October 2024

²⁶ CPJ, Kyrgyzstan president signs Russian-style ‘foreign agents’ law, available at: <https://cpj.org/2024/03/kyrgyzstan-parliament-approves-foreign-agents-law/>, accessed 10 October 2024

²⁷ Media Policy Institute, The rejected bill “Protection Against False and Misleading Information” (“Manipulation of Information”) may not be reconsidered until January 2022 at the earliest available at: <https://www.media.kg/wp-content/uploads/2021/07/povtornoje-rassmotrenie-otklonennogo-zakonoproekta-o-zashhite-ot-lozhnoj-i-nedostovernoj-informaczii-o-manipulirovanii-informaczii-vozmozhno-ne-ranee-yanvarya-2022-goda.pdf> accessed 10 October 2024; Kaktus.Media, Sadyr Zhaparov signed the scandalous bill on blocking fakes, available at: <https://kaktus.media/444815>, accessed 10 October 2024

website or the social media account or shutting down the website or webpage for a period of up to two months.²⁸

19. In October 2022, under this law, the Ministry of Culture of the Kyrgyz Republic issued a demand to block the country's most popular Kyrgyz-language media outlet, Azattyk Media, for posting video that alleged Kyrgyzstani military units had attacked units in Tajikistan. On top of shutting down the media's website, the Government has frozen Azattyk's bank accounts²⁹ and initiated termination of Azattyk Media's activity as a mass media outlet.³⁰
20. In 2023, following the removal of the contested video by Azattyk Media, the Bishkek City Court approved a settlement agreement between the Ministry of Culture and Information and Azattyk Media and overturned the decision to close it as a media outlet.³¹ The arrests of Azattyk Media's accounts and the blocking of its website have also been waived as a result.
21. In June 2022, the Ministry of Culture blocked news outlet Res Publica. The blocking followed an individual request to delete articles on corruption at the Manas International Airport. The website was blocked for two months, in accordance with the law "On Protection from Inaccurate (False) Information". The Ministry of Culture claimed they were not obliged to check the veracity of the information.³²
22. In September - November 2023, the Russian-language and Kyrgyz-language websites of Kloop Media were also blocked on the basis of the law "On Protection from Inaccurate (False) Information" The decision followed the refusal by Kloop Media to remove a report "about jailed opposition politician Ravshan Jeenbekov" and alleged instances of him been tortured in custody from their website.³³

Internet shutdowns

23. Access Now, the #KeepItOn coalition — a coalition of more than 300 organisations from 105 countries around the world dedicated to fighting internet shutdowns — and other organisations have also investigated and documented internet shutdowns in Kyrgyzstan.

²⁸ Radio Free Europe/Radio Free, Kyrgyz President Signs Controversial 'False Information' Bill Into Law," Radio Free Europe/Radio Free available at: <https://www.rferl.org/a/kyrgyzstan-false-information-law/31425483.html> accessed 10 October 2024

²⁹ Kaktus.Media, The Azattyk Media website has been suspended in Kyrgyzstan, available at: https://kaktus.media/doc/469666_v_kyrgyzstane_priostanovili_raboty_sayta_azattyk_media.html, accessed 10 October 2024; Kaktus.Media, "Azattyk's bank accounts were blocked," available at: https://kaktus.media/doc/469920_y_azattyka_zablokirovali_scheta_v_banke.html, accessed 10 October 2024

³⁰ Azattyk Media (20 Feb., 2023), "Court held preliminary hearings on the lawsuit to close Azattyk Media," available at: <https://rus.azattyk.org/a/32278948.html>, accessed 10 October 2024;

³¹ Azattyk Media, City Court overturned the decision to close Azattyk on the claim of the Ministry of Culture, available at: <https://rus.azattyk.org/a/32500372.html>, accessed 10 October 2024;

³² Freedom House, Freedom On the Net 2023 Kyrgyzstan, available at: <https://freedomhouse.org/country/kyrgyzstan/freedom-net/2023>, accessed 10 October 2024

³³ Azattyk Media, In Kyrgyzstan the website "Kloop" began to be blocked, available at: <https://rus.azattyk.org/a/32594033.html>, accessed 10 October 2024

24. In October 2020, Kyrgyzstan throttled social media and mobile and broadband internet during its contested elections. As the election results were announced, people flooded into the streets to challenge them, ultimately triggering another election in 2021.³⁴
25. Internet shutdowns interfere with a range of human rights, including the rights to freedom of opinion and expression, access to information, and freedom of assembly, among many other rights. The international community is committed to opposing internet shutdowns, and provides evidence that shutdowns are a violation of international human rights law. As early as 2011, international human rights experts issued a joint declaration stating that cutting off access to the internet “can never be justified, including on public order or national security grounds.”³⁵ Since then, various resolutions and reports from the UN and other regional bodies have condemned internet shutdowns. For instance, in 2020, the UN Human Rights Council issued a resolution on the right to freedom of opinion and expression “strongly condemn[ing] the use of internet shutdowns to intentionally and arbitrarily prevent or disrupt access to or dissemination of information online”³⁶ and called on governments to refrain from such acts.
26. Further, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association has rightly noticed that attempts to tackle problems such as disinformation and hate speech cannot justify “internet shutdowns, which are disproportionate by default, and should strictly adhere to international human rights principles and standards, including those concerning the right to freedom of expression.”³⁷

Recommendations:

27. We urge that the right to freedom of expression, and the right to freedom of peaceful assembly and association, on- and offline, are prominent issues in the upcoming UPR review cycle. We therefore recommend that Kyrgyzstan:

- (a) Take measures to ensure that existing legislation is in line with international human rights standards so that laws are used for their intended purpose and not to restrict the legitimate activities of professional and citizen journalists;
- (b) Stop using the judicial system to curtail the legitimate activities of journalists, including by accusing journalists of calling for riots and spreading false information with the aim of obstructing their work;

³⁴ Freedom House (2020). Freedom of the Net: Kyrgyzstan. Retrieved Jan 26, 2021, available online: <https://freedomhouse.org/country/kyrgyzstan/freedom-net/2020> accessed 10 October 2024; and BBC News, Kyrgyzstan election: Sadyr Japarov wins presidency with landslide. Retrieved Jan 26, 2021 available online <https://www.bbc.com/news/world-asia-5561355> accessed 10 October 2024.

³⁵ OSCE, International Mechanisms for Promoting Freedom of Expression, Joint Declaration on Freedom of Expression and the Internet, available online: <https://www.osce.org/files/f/documents/e/9/78309.pdf>, accessed 10 October 2024.

³⁶ A/HRC/RES/44/12, Resolution adopted by the Human Rights Council on 16 July 2020, available online: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/190/70/PDF/G2019070.pdf?OpenElement>, accessed 10 October 2024.

³⁷ A/HRC/47/24/Add.2, Ending Internet shutdowns: a path forward Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, available online: https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_47_24_Add.2_E.pdf, accessed 10 October 2024.

- (c) Conduct immediate, thorough and impartial investigations into all reported cases of harassment of journalists, using their journalistic activities as the main line of investigation;
- (d) Guarantee in all circumstances that all journalists in Kyrgyzstan can carry out their legitimate journalistic activities without fear of reprisal or restriction, including judicial harassment;
- (e) Release two current and former Temirov Live employees who are in pre-trial detention in connection with the raid on Temirov Live's offices on January 16, 2024; cease prosecution and acquit the remaining four journalists and Temirov Live employees arrested on January 16, 2024;
- (f) Review and cancel the criminal cases on “calls for mass disorder” and “calls for violent seizure of power” initiated against various independent media outlets, as well as bloggers and ordinary social media users for legitimate expression, such as Olzhobai Shakir, Zarina Torokulova, Kanykei Aranova and others, and drop all charges against them;
- (g) Terminate the judicial practice of unjustified refusal to restore the missed procedural term for the defense of rights and legitimate interests;
- (h) Consider the possibility of prosecuting investigators whose actions led to the unjustified detention of non-guilty journalists in pre-trial detention centers;
- (i) Review and cancel the court decision to liquidate Kloop Media PF;
- (j) Repeal the Law “On Protection from Inaccurate (False) Information” to ensure proportionate and necessary safeguards in a democratic society, and judicial review of any decisions to restrict the right to freedom of expression and media freedom;
- (k) Repeal the Law on Non-Profit Organizations as inconsistent with international human rights standards, including the right of associations to free access to resources, and exacerbating hostility and stigmatization of civil society;
- (l) Amend the disposition of Article 330 “Incitement of racial, ethnic, national, religious interregional hatred (discord)” of the Criminal Code of the Kyrgyz Republic so that it provides for criminal liability only for actions that incite hatred and violence. Also exclude from Part 2 of Article 330 the responsibility for committing this crime by a group of persons, i.e. without prior conspiracy, which provides for liability from 7 years 6 months to 10 years of imprisonment;
- (m) Refrain from shutting down the internet and blocking social media and make a state pledge to refrain from imposing any unlawful restrictions on internet access and telecommunication in the future.



Access Now (<https://www.accessnow.org>) defends and extends the digital rights of users at risk around the world. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots grantmaking, legal interventions, and convenings such as RightsCon, we fight for human rights in the digital age.

Freedom for Eurasia is an Austria based NGO dedicated to promoting human rights, democracy, and the rule of law across the Eurasian region, with a focus on Central Asia and Eastern Europe.

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