



International
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OCCUPATIONAL SAFETY AND HEALTH IN THE KYRGYZ REPUBLIC

NATIONAL PROFILE





International
Labour
Organization

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ILO MOSCOW SUBREGIONAL OFFICE

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INTRODUCTION TO THE NATIONAL REVIEW

The Kyrgyz Republic is an independent state. It has been a member of the Commonwealth of Independent States (CIS) since 1991.

The country is situated in the central part of Central Asia, most of its territory is mountainous. It is mainly an agricultural and livestock breeding country. Industry has been developing in recent years with active participation of foreign investors.

The capital of the Kyrgyz Republic is the city of Bishkek located in the Chuiskaya Valley.

The national language is Kyrgyz, and Russian is an official language.

The head of state is the President elected in a nationwide vote for a term of five years.

The legislative body is Zhogorku Kenesh (Supreme Soviet) of the Kyrgyz Republic consisting of 90 deputies elected by party list.

The executive branch is the Government of the Kyrgyz Republic, the local governments (regional, city, district administrations) and local self-government bodies.

The occupational safety and health system in the Kyrgyz Republic is managed by the Government of the Kyrgyz Republic, the local administrations, the bodies of local self-government and authorized government agencies.

The Government of the Kyrgyz Republic pursues a uniform state policy of occupational safety and health, determines the functions of the ministries and agencies, coordinates and controls their activities aimed at ensuring occupational safety and health.

Local administrations and the bodies of local self-government cause the implementation of the state OSH policy within their competence in corresponding territories.

The competent body in the field of OSH is the Ministry of Labour and Social Development of the Kyrgyz Republic.

In accordance with the Regulations on the Ministry of Labour and Social Development of the Kyrgyz Republic approved by Decree No.118 of the Government of the Kyrgyz Republic of April 12, 2007 “On the Ministry of Labour and Social Development of the Kyrgyz Republic”, the Ministry oversees the development of long-term programs on occupational safety and health as well as Model Instructions and Regulations on OSH. It contributes to the creation of OSH services at ministries, agencies, enterprises and organizations in the Kyrgyz Republic.

1. LEGAL FRAMEWORK OF THE OSH SYSTEM

1.1. The Constitution of the Kyrgyz Republic on Occupational Safety and Health

The occupational safety issues are addressed in the Constitution of the Kyrgyz Republic.

Under Article 28:

“The citizens of the Kyrgyz Republic have the right to free work, to use their labour capabilities, to choose their occupation and area of activities, the right to safe labour conditions that meet the requirements of safety and hygiene and the right to remuneration for their work and social security not below the living minimum established under the law.”

1.2. Main OSH Laws

The Labour Code of the Kyrgyz Republic, introduced on July 1, 2004, has a section on occupational safety and health.

The Labour Code of the Kyrgyz Republic establishes the obligations of the employer to ensure occupational safety, state regulations on occupational safety and the duties of the employee in the field of OSH.

The employee is guaranteed occupational safety, training and instruction, sanitary, welfare and medical services.

The Code treats of the issues of the creation and activities of the occupational safety services, investigation and record of occupational accidents and diseases, the award of benefits and compensations depending on the labour conditions.

The new Law of the Kyrgyz Republic on Occupational Safety which came into force on August 1, 2003 sets the legal framework for the relations between the

employers and employees and is aimed at creating labour conditions that meet the requirement of preserving the life and health of the employees at work.

The law sets down the guidelines of state policy on occupational safety and the principles of state management of occupational safety.

European Union experts during their mission to the Kyrgyz Republic concluded that the Occupational Safety Law passed by the Kyrgyz Republic meets the international norms and standards.

It is binding on all the organizations, enterprises and institutions located on the territory of Kyrgyzstan irrespective of the forms of ownership and affiliation.

The Labour Code of the Kyrgyz Republic, the Law of the Kyrgyz Republic on Occupational Safety envisages the rates of compensation for occupational accidents and diseases.

The activities of government occupational safety supervision and control bodies and public control of occupational safety have been regulated.

Liability for violations of occupational safety requirements has been determined.

The Republic has Regulations and Instructions on compensation of damage due to occupational accidents and occupational diseases.

The Labour Code of the Kyrgyz Republic, the law of the Kyrgyz Republic On Occupational Safety determines the functions and rights of government labour inspectors.

1.3. Main Legal Acts on Occupational Safety

The Kyrgyz Republic has regulatory legal acts on occupational safety including:

- ◆ Regulations on Recording and Investigating Occupational Accidents;
- ◆ Regulations on Occupational Safety Service and Organization of Occupational Safety Work;
- ◆ Regulations and Instructions on Compensation of Damage from Occupational Accidents and Diseases; and
- ◆ Regulations on Training and Testing of Occupational Safety Knowledge.

1.4. The Kyrgyz Republic has Ratified ILO Conventions and Other International Treaties Containing Occupational Safety Requirements

The Kyrgyz Republic joined the International Labour Organization (ILO) on March 31, 1992.

At its accession to the ILO the Kyrgyz Republic confirmed that the ILO conventions ratified by the USSR remain in force for Kyrgyzstan after independence.

Following is the list of these conventions:

- ◆ ILO Convention 14 of 1921 Concerning the Application of the Weekly Rest;
- ◆ ILO Convention 16 of 1921 On Medical Examination;
- ◆ ILO Convention 27 of 1929 On Marking of Weight (Packages) Transported by Vessels;
- ◆ ILO Convention 29 of 1930 Concerning Forced Labour;
- ◆ ILO Convention 32 (revised) of 1932 On Protection Against Accidents (Dockers');
- ◆ ILO Convention 45 of 1935 On Underground Work (Women);
- ◆ ILO Convention 47 of 1935 Concerning the Forty-Hour Week;
- ◆ ILO Convention 73 of 1946 On Medical Examination of Seafarers;
- ◆ ILO Convention 77 of 1946 On Medical Examination of Young Persons in Industry;
- ◆ ILO Convention 78 of 1946 On Medical Examination of Young Persons (Non-Industrial Occupations);
- ◆ ILO Convention 79 of 1946 On Night Work of Young Persons (Non-Industrial Occupations);
- ◆ ILO Convention 90 (Revised) of 1948 On Night Work of Young Persons (Non-Industrial Occupations);
- ◆ ILO Convention 92 (Revised) of 1949 On Crew Accommodation on Board Ship;
- ◆ ILO Convention 106 of 1975 On Weekly Rest (Commerce and Offices);
- ◆ ILO Convention 113 of 1959 On Medical Examination (Fishermen);
- ◆ ILO Convention 115 of 1960 On Radiation Protection;
- ◆ ILO Convention 120 of 1964 On Hygiene (Commerce and Offices);

- ◆ ILO Convention 124 of 1965 On Medical Examination of Young Persons (Underground Work);
- ◆ ILO Convention 133 of 1970 On Crew Accommodation on Board Ship;
- ◆ ILO Convention 138 of 1973 On Minimum Age for Admission to Employment;
- ◆ ILO Convention 148 of 1977 On Working Environment.

In recent years Kyrgyzstan has ratified the following Conventions of the International Labour Organization concerning occupational safety:

- ◆ ILO Convention 17 of 1925 On Workmen's Compensation (Accidents);
- ◆ ILO Convention 97 of 1949 On Migration for Employment;
- ◆ ILO Convention 105 of 1957 On Abolition of Forced Labour;
- ◆ ILO Convention 81 of 1947 On Labour Inspection in Industry and Commerce;
- ◆ ILO Convention 182 of 1999 On Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;
- ◆ ILO Convention 184 of 2001 On Safety and Health in Agriculture.

Work is currently underway on materials to ratify:

- ◆ ILO Convention 167 of 1988 On Safety and Health in Construction;
- ◆ ILO Convention 129 of 1969 On Labour Inspection (Agriculture);
- ◆ ILO Convention 187 of 2006 On Promotional Framework for Occupational Safety and Health.

The Kyrgyz Republic is a signatory to the agreement of the CIS countries On Mutual Obligations in the Field of Occupational Safety and Health of April 7, 1994.

1.5. Other Laws and Regulatory Acts Related to Occupational Safety and Health.

Occupational safety and health issues are also regulated by other laws and regulations:

- ◆ The Law of the Kyrgyz Republic On Occupational Safety;
- ◆ The Law of the Kyrgyz Republic On Occupational Safety in Hazardous Production Facilities;
- ◆ The Law of the Kyrgyz Republic On Environmental Protection;
- ◆ The Law of the Kyrgyz Republic On the Protection of Atmospheric Air;

- ◆ The Law of the Kyrgyz Republic On Sanitary-Epidemiological Welfare of the Population;
- ◆ The Law of the Kyrgyz Republic On Tailings Ponds and Waste Dumps and other laws of the Kyrgyz Republic;
- ◆ Regulations on Mandatory Accident-Proneness and Periodic Medical Examinations;
- ◆ Regulations on the Procedure of Notification, Investigation, Registration and Reporting of Occupational Diseases;
- ◆ Regulations on Maximum Allowable Loads When Lifting or Moving Heavy Objects by Women and Workers under 18;
- ◆ Sanitary Norms and Rules; and
- ◆ Construction Norms and Rules.

2. TECHNICAL DOCUMENTATION: STANDARDS, NORMS AND RULES

2.1. Technical Standards, Norms and Rules

Standardization and metrology issues in Kyrgyzstan are dealt with by the National Institute of Standardization and Metrology formed on the basis of Kyrgyzstandart. The functions of supervision and monitoring of compliance with standards and technical regulations have been transferred to the Ministry of Economic Development and Trade of the Kyrgyz Republic; the functions of accreditation have been given back to the newly created Kyrgyz Accreditation Center.

The Kyrgyz Republic has the Law on the Main Principles of Technical Regulation in the Kyrgyz Republic which introduces sweeping changes in the policy of applying standards, and governs the development and introduction of technical regulations.

Technical standards in the field of occupational safety are currently being revised in Kyrgyzstan.

2.2. Regulatory Documents on Occupational Safety and Health Systems

The main pieces of legislation that regulate the management of the occupational safety system are the Labour Code of the Kyrgyz Republic, the law of the Kyrgyz Republic On Occupational Safety and individual regulatory norms.

To organize occupational safety in accordance with the laws of the Kyrgyz Republic enterprises and organizations employing more than 50 persons create occupational safety services, and those employing 50 persons or less have an occupational safety officer.

To ensure a uniform occupational safety policy, enterprises and organizations develop and approve an OSH management system.

The system is a combination of organization, technical, economic, social and legal measures aimed at ensuring safe and healthy labour conditions.

In accordance with the structure of the sector and the enterprise, three levels of occupational safety management are established:

- ◆ Level One (I) – work object: a production division comprising several work objects and subordinate to Level Two;
- ◆ Level Two (II) – enterprise or organization subordinate to Level III;
- ◆ Level Three (III) – superior organization.

Government labour inspectors are conversant with the ILO-OSH-2001 regulations.

Recommendations have been developed and later approved by the Republican Conference held on September 25, 2007.

Taking part in the work of the Conference were the representatives of the ministries and agencies of the Kyrgyz Republic, the International Labour Organization, supervisory and control bodies, trade unions, and employers' associations of the Kyrgyz Republic.

The recommendations have been handed down to enterprises and organizations for implementation.

2.3. Information Materials Based on Technical Standards and ILO Practical Rules

Data not available.

3. MECHANISMS OF THE FORMATION OF THE NATIONAL OCCUPATIONAL SAFETY AND HEALTH POLICY

3.1. Main Principles of Government Policy on OSH

The main principles of the government policy in the sphere of occupational safety are determined by the law of the Kyrgyz Republic On Occupational Safety. They are:

- ◆ priority of preservation of the life and health of employees over the results of production activities for the employer;
- ◆ adoption and implementation of the laws and other regulatory legal acts of the Kyrgyz Republic on occupational safety as well as republican and territorial targeted programs for improving labour conditions and occupational safety;
- ◆ state management of occupational safety;
- ◆ state supervision and control of compliance with occupational safety and hygiene requirements;
- ◆ assistance to public monitoring of compliance with the rights and legitimate interests of employees in terms of occupational safety;
- ◆ investigation of occupational accidents and occupational poisonings and diseases;
- ◆ protection of the legitimate interests of the workers who have met with occupational accidents and contracted occupational diseases as well as members of their families on the basis of mandatory social insurance of employees against occupational accidents and diseases;
- ◆ awarding compensations for hard manual or intensive work and work in hazardous conditions that cannot be eliminated given the current technical level of production and labour organization;
- ◆ coordination of occupational safety activities;

- ◆ dissemination of advanced domestic and foreign experience of improving the work environment and occupational safety;
- ◆ state participation in financing occupational safety measures;
- ◆ training and upgrading of skills of occupational safety specialists;
- ◆ keeping national statistics on labour conditions, the rate of occupational accidents and diseases and the material consequences thereof;
- ◆ ensuring the functioning of an integrated occupational safety information system;
- ◆ international cooperation in the field of occupational safety;
- ◆ implementation of an effective tax policy that stimulates the creation of safe labour conditions, the development and introduction of safe technologies, the production of individual and group protection means;
- ◆ establishing a procedure for providing employees with individual and group protection equipment, as well as sanitary and service space and fittings, treatment and preventive means at the expense of the employers.

Compliance with the guidelines of the state policy on occupational safety is ensured by coordinated actions of the government bodies of the Kyrgyz Republic, local self-government bodies, employers and their associations as well as trade unions, associations thereof and other authorized officials of representative bodies on occupational safety.

3.2. Mechanisms of Law Making and Norm-Setting

Under Article 64 of the Constitution of the Kyrgyz Republic new legislation may be initiated by:

- ◆ 30,000 voters (popular initiative);
- ◆ the President of the Kyrgyz Republic;
- ◆ deputies of the parliament (Zhogorku Kenesh) of the Kyrgyz Republic; and
- ◆ the Government of the Kyrgyz Republic.

Laws are drafted by the above entities and submitted to the corresponding Committee of the Zhogorku Kenesh of the Kyrgyz Republic before going to the Chamber of the Zhogorku Kenesh of the Kyrgyz Republic.

After the law of the Kyrgyz Republic has been passed by the Zhogorku Kenesh of the Kyrgyz Republic it goes to the President of the Kyrgyz Republic. The President of the Kyrgyz Republic signs the bill into law. The ministries and agencies of the Kyrgyz Republic develop and adopt supporting legislation within their competence; such legislation comes into force after state registration with the Justice Ministry of the Kyrgyz Republic.

The draft laws and regulatory legal acts go through the mandatory procedure of approvals by the ministries and agencies concerned and the Council of the Kyrgyzstan Trade Union Federation and employers' associations.

Besides, the associations of employers and the trade union bodies take an active part in the drafting of some laws as members of working groups.

For example, the Labour Code of the Kyrgyz Republic was worked out by a group of representatives of government ministries, agencies, trade unions and employers' associations.

3.3. Mechanism of Regulating Law Enforcement Practice: Labour Inspection and Other Types of Government Supervision and Control

The State Labour Inspection under the Ministry of Labour and Social Protection of the Kyrgyz Republic and the regional labour inspections subordinate to it were formed in March 1999 under the decree of the Government of the Kyrgyz Republic of March 15, 1999 No. 149 On State Labour Inspection under the Ministry of Labour and Social Protection of the Kyrgyz Republic in accordance with the Labour Code of the Kyrgyz Republic.

In 2007 the Ministry of Labour and Social Protection of the Kyrgyz Republic was transformed into the Ministry of Labour and Social Development of the Kyrgyz Republic, and interregional labour inspections for corresponding regions were set up on the basis of state inspections of *oblasts*.

The State Labour Inspection bodies in Kyrgyzstan supervise and monitor compliance with the laws of the Kyrgyz Republic on labour and occupational safety.

The total staff of the State Labour Inspection is 62 persons (the central office, interregional and city labour inspections).

State control over occupational safety in industry and mining is monitored by the State Inspection for Occupational Safety and Mining Supervision (Gosgor-tekhnadzor) under the Ministry of Ecology and Emergency Situations of the Kyrgyz Republic.

The use of gas, fuel and energy is controlled by the State Inspection on Energy and Gas under the Ministry for Industry, Energy and Fuel Resources of the Kyrgyz Republic.

The state of the environment is monitored by the State Environmental Protection and Forestry Agency under the Government of the Kyrgyz Republic.

Compliance with sanitary norms and rules and proper conduct of activities to prevent occupational diseases are monitored by the State Sanitary Epidemiological Department under the Ministry of Health of the Kyrgyz Republic.

Compliance with traffic regulations is monitored by the State Automobile Inspection under the Ministry of Internal Affairs of the Kyrgyz Republic (GAI).

Compliance with the norms and rules of fire safety is monitored by the Main Fire Safety Directorate under the Ministry of Internal Affairs of the Kyrgyz Republic.

3.4. Development of National Occupational Safety Programs

The Ministry of Labour and Social Development of the Kyrgyz Republic is the main government body responsible for developing and implementing a uniform state policy on occupational safety, developing programmes, model instructions, etc.

The Ministry coordinates measures to implement the programmes, organize the activities of the occupational safety services at enterprises and organizations.

Social partners – the trade union bodies and employers – take an active part in the development of long-term occupational safety programmes.

Under the decree of the Government of the Kyrgyz Republic of December 24, 2001 No. 807 On the State Programme to Improve Occupational Safety and Labour Conditions and Secure the Life and Health of Employees for 2002-2005, Kyrgyzstan for the first time adopted a national programme on improving occupational safety and labour conditions and secure the life and health of employees for 2002-2005.

Under the decree of the Government of the Kyrgyz Republic of February 20, 2007 No.61 On the Programme to Improve Occupational Safety and Labour Conditions in Agriculture for 2007-2009 the first ever sectoral programme On Improving Occupational Safety and Labour Conditions in Agriculture for 2007-2009 was adopted.

The Programme had been developed by social partners: the Ministry of Labour and Social Development of the Kyrgyz Republic, the State Labour Inspection, the Central Committee of the Agricultural Workers' Union and the employers' association.

3.5. Economic Methods of Regulating the Activities of Employers

Data not available.

3.6. Social and Psychological Methods of Management

Some enterprises and organizations in the Republic hold occupational safety reviews and competitions and Occupational Safety Days. The reviews and competitions name winners, the employees who comply with all the occupational safety norms and rules and have avoided occupational accidents.

Among such enterprises are: AO Reemstma Kyrgyzstan, AO Dastan, AO Kumtor Operating Company, AO Iygilik and others.

4. MECHANISM OF SOCIAL PARTNERSHIP AND COORDINATION OF ACTIVITIES

4.1. The National Level

The recent years have seen the development of social partnership in the Kyrgyz Republic which involves joint participation of representatives of trade union associations, trade unions and employers in organizing and holding occupational safety activities at various levels (international and republican conferences, roundtables and seminars).

These events, which have been regularly held since 1999, see consultations on occupational safety and develop recommendations.

Among the events held so far are:

- ◆ International Seminar on the Organization and Tasks of Labour Inspection in the Kyrgyz Republic;
- ◆ Republican Conference on Child Labour in Kyrgyzstan;
- ◆ International Conference on Occupational Safety in Construction;
- ◆ International Seminar on the Activities of the State Labour Inspection in a Market Economy;
- ◆ International Seminar-cum-Conference on Occupational Safety and Health in Agriculture;
- ◆ Republican Conference on Problems of Occupational Safety at the Present Stage in the Development of Labour Relations and Ways of Solving Them;
- ◆ A Tripartite Seminar on the WIND Programme of Training in Occupational Safety and Health in Agriculture. On developing a programme to improve occupational safety in agriculture; and
- ◆ The Republican Conference to Review the Implementation of the Program of Improving Occupational Safety in Agriculture in 2007-2009. On the system of occupational safety management in the Kyrgyz Republic.

The legislative and normative legal acts on occupational safety are developed by commissions comprising representatives of social partners. Examples are the development of the Labour Code of the Kyrgyz Republic, the drafting of the Law of the Kyrgyz Republic on occupational safety, the law of the Kyrgyz Republic On Social Partnership in the Field of Labour Relations in the Kyrgyz Republic, and such documents as the Regulations on Registration and Investigation of Occupational Accidents, Regulations on Occupational Safety Services and Organization of Occupational Safety, Regulations on Training and Testing Occupational Safety Knowledge, etc.

The law of the Kyrgyz Republic on Employers' Associations was passed in May, 2004.

The law determines the legal status of employers' associations, the procedure of their development, activities, reorganization and liquidation.

The law is effective for all the employers' associations engaged in activities on the territory of the Kyrgyz Republic.

The Confederation of Employers of the Kyrgyz Republic, the National Association of Goods Producers, the Association of Seed Breeders and the Association of Water Users are active in the Republic.

These associations independently set their goals and determine the areas of their activities.

The employers' associations, the trade unions and their associations, the state power bodies and the local self-government bodies interact in the sphere of social and labour relations and the corresponding economic relations on the basis of the principles of social partnership.

4.2. Regional/ Territorial Level

There are no employers' associations at the regional level.

Is there social partnership at the regional level?

4.3. Corporate/ employer level.

Some corporate employers' associations have been created in Kyrgyzstan. They include the Association of Goods Producers, the Association of Seed Breeders, the Association of Water Users, the Association of Soya Producers.

In their activities the associations of employers are guided by the Law of the Kyrgyz Republic On Employers' Associations, the properly registered statutes and other legal and normative acts of the Kyrgyz Republic (write about social partnership at enterprises here, the highlighted parts can be moved to the republican level).

4.4. Public Monitoring Organization

Public monitoring of compliance with the rights and legitimate interests of employees as regards occupational safety is effected by the trade unions and other authorized officials, representative bodies which have the right to create for these purposes a labour technical inspection as well as elect authorized officers on occupational safety elected by the trade unions and other authorized workers of representative bodies which have equal rights with the government occupational safety supervision and monitoring bodies.

Trade unions as represented by their corresponding bodies and other authorized officers of representative bodies have the right to:

- ◆ monitor compliance of employers with occupational safety laws;
- ◆ carry out an independent assessment of labour conditions and occupational safety within an organization;
- ◆ take part in investigations of occupational accidents and diseases;
- ◆ obtain information from the CEOs and other officials of the organization on labour conditions and occupational safety and on all the occupational accidents and diseases;
- ◆ submit to the state bodies for supervision and monitoring of compliance with occupational safety requirements proposals to suspend work in the event the life and health of the employees are under threat;

- ◆ make representations for eliminating the violations of occupational safety rules that employers are obliged to consider;
- ◆ inspect occupational safety and compliance of employers with their obligations regarding occupational safety stipulated by collective employment contracts and agreements;
- ◆ take part as independent experts in the work of commissions to test and accept production facilities and means of production;
- ◆ take part in drafting supporting regulatory legal acts on occupational safety and secure approvals thereof under the procedure established by the government of the Kyrgyz Republic;
- ◆ refer to corresponding bodies demands for the punishment of the persons guilty of violating occupational safety requirements and concealing occupational accidents;
- ◆ take part in considering labour disputes connected with violation of occupational safety laws and obligations under collective employment contracts and agreements as well as with changing labour conditions;
- ◆ The authorized occupational safety officers of the trade unions and other officers authorized by representative bodies have the right to inspect compliance with occupational safety rules at organizations that are members of the trade unions and submit proposals on eliminating the violations of occupational safety rules to the executives who are obliged to consider them.

5. ORGANIZATION OF OCCUPATIONAL SAFETY SYSTEM: MEANS AND ORGANS

5.1. Competent Government Organs Responsible for Occupational Safety Issues

5.1.1. National Organs

Occupational safety in the Kyrgyz Republic is managed by the Government of the Kyrgyz Republic, the local government administrations, the local self-government bodies and authorized state bodies.

The Government of the Kyrgyz Republic pursues a uniform state policy on occupational safety, determines the functions of the ministries and agencies, coordinates and controls their activities aimed at securing occupational safety and health.

Local state administrations and the bodies of local self-government implement the state policy on occupational safety within their competence in corresponding territories.

The Ministry of Labour and Social Development of the Kyrgyz Republic is the national body that regulates the occupational safety issues. In accordance with the Statute on the Ministry of Labour and Social Development of the Kyrgyz Republic the functions of OSH management are performed by the Labour and Social Partnership Directorate of the said Ministry which has a labour relations and occupational safety department.

5.1.2. National Bodies of Supervision and Control of Compliance with Labour Legislation

Under the Labour Code of the Kyrgyz Republic, the Government of the Kyrgyz Republic issued Decree No.149 of March 15, 1999 on State Labour Inspection under the Ministry of Labour and Social Protection in the Kyrgyz Republic which formed state labour inspection bodies in the Republic.

The main tasks of the State Labour Inspection are:

- ◆ state supervision and monitoring of compliance with the laws of the Kyrgyz Republic on labour and occupational safety and the related regulatory acts on the compensation of damage to the health of an employee;
- ◆ supervision and monitoring of compliance with occupational safety rules;
- ◆ investigation of group, severe and fatal occupational accidents;
- ◆ monitoring compliance by enterprises, institutions and organizations with occupational safety and health norms, introduction of modern occupational safety means that prevent occupational accidents and diseases as well as obligations under collective employment contracts and agreements.

In their activities the State Labour Inspection bodies actively cooperate with other state supervision and monitoring bodies as well as public bodies of monitoring occupational safety.

Agreements on cooperation have been signed between the State Labour Inspection and the Kyrgyz Government's Commission on Architecture and Construction, Gosgortekhnadzor, the Council of the Kyrgyzstan Trade Union Federation, the Kyrgyz branch of the Academy of Standardization, Metrology and Certification of the Russian Federation. The Inspection cooperates actively on occupational safety matters with the local executive government bodies and with the local self-government bodies.

Among the highlights of such cooperation were the regional training seminars on occupational safety and health in agriculture.

Taking part in these training seminars were representatives of the ILO, the State Labour Inspection, local administrations, village administrations (ayil okmotu), farmers and peasants.

The State Labour Inspection of the Kyrgyz Republic has 11 divisions: the central office, 7 interregional state labour inspections and 3 city labour inspections.

The total staff of the state labour inspection (including the top executives) is 62 persons.

State labour inspectors are of two categories: state inspectors on occupational safety and state legal labour inspectors.

There is no breakdown into specializations because of the insufficient number of inspectors.

As a rule, each inspector specializes in 3-4 areas (for example, construction, transport, communications or agriculture, processing industries, etc).

All the state occupational safety inspectors are obliged to take part in investigating group, severe or fatal occupational accidents as heads or members of the commissions.

Every year the state labour inspection bodies of all levels (central office, interregional and city) conduct more than 1800 inspections and surveys of organizations and enterprises concerning compliance with the labour and occupational safety legislation of the Kyrgyz Republic. About 1000 inspections, i.e. 55% of the total number, deal with occupational safety issues.

During these inspections and surveys the state labour inspection bodies reveal on average about 5000 violations of occupational safety rules.

About 500 inspections, i.e. 27% of the total number, are aimed at checking compliance with earlier issued prescriptions.

Of the total number of accidents about 350, or 20%, are investigated following complaints or submissions by citizens.

Every year between 6000 and 8000 people come to the State Labour Inspection bodies with oral complaints, they receive consultations and explanations in response to their requests.

About 500 prescriptions are issued to eliminate violations of occupational safety rules and total sums of administrative fines imposed amount to an average 150,000 soms (som is the national currency of the Kyrgyz Republic; 35 soms = 1 USD).

5.1.3. National Bodies of Social Insurance Against Occupational Accidents and Diseases

The authorized agency for insurance issues in the Kyrgyz Republic is the Insurance Company Kyrgyzstan, which is a joint stock company.

A draft law of the Kyrgyz Republic On Mandatory Social Insurance Against Occupational Accidents and Diseases submitted in 2003 was rejected by the Zhogorku Kenesh (Parliament) of the Kyrgyz Republic.

Statistical data on occupational accidents and diseases are collected by the National Statistical Committee.

The payment of compensation for damage due to occupational accidents and diseases is regulated by the Labour Code of the Kyrgyz Republic, the law of the Kyrgyz Republic On Occupational Safety and by individual regulatory legal acts of the Kyrgyz Republic.

Under Article 225 of the Labour Code of the Kyrgyz Republic, “the employer shall be liable for the harm caused to workers by an injury, occupational disease or any other impairment of health connected with their performance of their labour duties whether they happen on the territory of the employer or outside it, as well as en route to or from work on the transport provided by the employer.” The following types of compensation of damage to the victim exist in Kyrgyzstan:

- ◆ compensation of lost earnings (or corresponding parts thereof);
- ◆ compensation of additional expenses;
- ◆ lump-sum payments in specified cases;
- ◆ compensation of moral damage; and
- ◆ compensation of funeral expenses.

Compensation of damage (lost earnings) to the victim is determined on the basis of his monthly wage and the degree of occupational disability.

The victim is entitled to compensation of additional expenses.

Additional expenses include: the cost of additional nutrition, the purchase of medicines, prosthetics, care of the victim by an outsider or members of his/ her family, treatment at a sanatorium, including the cost of travel to the place of

treatment and back and if necessary the cost of travel for the escort, purchase of special transportation means and fuel, capital repair of such means and other expenses if the victim has not received them free of charge from corresponding organizations on other legal grounds.

Over and above compensation of missed wages, the employer pays a lump sum as additional compensation of damage.

The size of the lump sum is determined by the collective employment contract and takes into account the degree of disability, but cannot be less than:

- ◆ for Group III invalids – three average annual earnings of the victim;
- ◆ for Group II invalids – five average annual earnings of the victim;
- ◆ for Group I invalids – ten average annual earnings of the victim.

In the event of a fatal accident the employer pays to the victim's dependents a lump sum in the amount of 20 average annual wages of the deceased.

The size of the lump sum may not be less than the sum of the four-year living minimum established for the given locality.

The employer is obliged to compensate the moral damage to the parents, the spouse and the children of the worker as a result of an occupational accident. Moral damage compensation can be in cash or in another material form irrespective of other damages subject to compensation, and its size is determined by agreement between the employer and the persons entitled to such compensation under the laws of the Kyrgyz Republic or a court ruling.

5.1.4. National Bodies of Supervising and Monitoring Public Health, Safety at Work, On Transport, etc.

The system of government bodies that supervise and monitor occupational safety and labour conditions, fire and road safety, environmental protection include other bodies in addition to the State Labour Inspection:

1. State inspection on occupational and mining safety under the Ministry for Emergency Situations of the Kyrgyz Republic (Gosgortekhnadzor).

There are 75 occupational and mining safety inspectors.

Every year they carry out more than 2000 inspections and surveys of enterprises and organizations in hazardous and very hazardous sectors, revealing more than 11,000 violations.

In 2006 the facilities under the supervision of Gosgortekhnadzor saw 28 accidents, 13 of which were fatal.

From the results of inspections, about 220 CEOs and employees have been punished and 149,000 soms of fines have been imposed.

Gosgortekhnadzor cooperates actively with other supervisory and control bodies by taking part in comprehensive inspections and in accident investigation commissions.

2. The State Inspection on Energy and Gas under the Ministry of Industry, Energy and Fuel Resources of the Kyrgyz Republic (Gosenergonadzor) which monitors on behalf of the state the use of gas, fuel and energy, compliance with occupational safety rules during the use of electrical, heating and gas equipment and the technical condition of gas and energy equipment.

Goenergonadzor has a staff of 67 who annually conduct about 5000 inspections and reveal about 50,000 violations.

More than 700 CEOs and executives of enterprises and organizations guilty of violating occupational safety rules and norms have been fined to the tune of over 200,000 soms.

In 2006 the facilities monitored by the State Inspection on Energy and Gas reported 25 accidents, of which 3 were fatal.

3. The Department of State Sanitary-Epidemiological Supervision under the Health Ministry of the Kyrgyz Republic (Gossanepidnadzor) monitors the labour environment and prevention of occupational diseases).

The Department comprises 55 *oblasts*, districts and city centers.

Gossanepidnadzor employees annually inspect about 4,000 enterprises and organizations.

In 2006 the work of more than 300 facilities was suspended, more than 200 fines worth a total of more than 80,000 soms were imposed for the violation of sanitary norms and rules.

4. The State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic monitors the state of the environment.

The Agency carries out about 600 inspections every year and issues about 600 prescriptions to eliminate the violations revealed.

It imposes fines to the tune of 100,000 soms.

5.1.5. Regional Bodies of Management, Supervision, Control and Insurance

No regional occupational safety management bodies exist. The national center for occupational safety management is the Ministry of Labour and Social Development of the Kyrgyz Republic.

The Ministry of Labour and Social Development of the Kyrgyz Republic develops occupational safety regulations and model occupational safety instructions; it is one of the developers of the General Agreement.

The sectoral ministries and agencies do some work to manage occupational safety in their respective sectors.

It has to be noted that with the switch to market relations, and the creation of private enterprises and organizations, the vertical scheme of occupational safety management has been dismantled. Most ministries and agencies have shut down or drastically downsized their occupational safety services.

Sometimes a single officer is in charge of occupational safety in the whole sector.

An example is the Ministry of Agriculture and Water Management and Processing Industry in the Kyrgyz Republic.

As regards supervisory and monitoring functions carried out by the state, such a scheme is in place. Every state supervisory and monitoring agency has central structures and subordinate units at the level of *oblasts*, cities and sometimes at the level of districts.

The central bodies plan the work, coordinate the actions of regional bodies, propose additions and amendments to the legislative and normative legal acts proceeding from the practical experience of the bodies under their jurisdiction.

The central bodies accept complaints made out of court against the decisions of state inspectors.

The central bodies issue executive orders appointing commissions to investigate accidents (in accordance with the Regulations on registration and investigation of occupational accidents).

Regional structures report on their activities to the central supervision and monitoring bodies on a monthly, quarterly and yearly basis.

The State Labour Inspection submits report No.1-GIT.

5.2. National Research and Design Institutions (Institutes, Centers, Laboratories) in the Occupational Safety Field

Kyrgyzstan has no national research or design institutions (institutes, centers, laboratories) in the field of occupational safety.

5.2.1. State Research and Design Institutions (Institutes, Centers, Laboratories) in the Field of Occupational Safety, Hygiene and Health

There are no state research and design institutions (institutes, centers, laboratories) in the field of occupational safety, hygiene and health.

Preparatory work is underway to create an Information Training and Methodological Center on Occupational Safety under the State Labour Inspection.

5.2.2. Non-Governmental Research and Design Institutions (Institutes, Centers, Laboratories) in the Field of Occupational Safety, Hygiene and Health

There are no non-governmental research and design institutions (institutes, centers, laboratories) in the field of occupational safety, hygiene and health in Kyrgyzstan.

5.2.3. Centers of Occupational Safety (Labour Hygiene Services) Rendering Non-Educational Services in the Field of Occupational Safety

Kyrgyzstan has a National Center for the Registration of Potentially Toxic Chemicals which prepares recommendations for the programmes of improving OSH. The Gossanepidnadzor Department has 55 *oblast*, district and city centers.

5.2.4. Occupational Pathology Centers

There is a functioning occupational pathology center in the Republic.

5.3. Vocational Education, Training, Retraining and Upgrading of Skills in the Field of Occupational Safety and Information and Awareness Work

5.3.1. Programmes of Higher Professional and Post-Graduate Education

According to the Ministry of Education and Science of the Kyrgyz Republic, the list of training specialities in professional higher education includes training in Speciality 650002 “Safety Rules” which awards the qualification of “Engineer”, and Speciality 540502, leading to a degree in “Safety Rules Instructor”.

The state educational standards for engineering and natural sciences include a course in "Safety Rules".

Higher education in Kyrgyzstan does not train specialists in the field of occupational health.

Proposals are being prepared on organizing the training of occupational safety engineers at the Razzakov Kyrgyz Technical University and the Yeltsyn Kyrgyz-Russian (Slavic) University.

5.3.2. Programmes of Additional Professional Education Offered by Educational Institutions

Additional professional education in occupational safety in the Republic is provided by the training centers at the supervisory and control agencies, as well as the Trade Union Federation of Kyrgyzstan and Kyrgyzstandart.

In 2003 the State Labour Inspection signed an agreement with the Kyrgyz branch of the Academy of Gosstandart of Russia (in 2007 it was transformed into a center for training and upgrading under the National Institute of Standardization and Metrology) whereby the branch provides premises and the State Labour Inspection organizes and conducts training of CEOs and executives of enterprises and organizations in labour and occupational safety legislation.

About 2000 people receive training every year.

The Training Center under Gosgortekhnadzor provides training and upgrading for employees in dangerous and very dangerous facilities under the control of Gostekhnadzor.

The Center trains and provides upgrading courses for more than 2000 people every year.

Specialists and workers in the energy sector are trained and take upgrading courses at the National Networks Study Center.

The center trains about 1600 people every year.

The study center of Gosstroii of the Kyrgyz Republic provides training and upgrading courses for employees in the construction industry. About 2000 construction employees are trained and upgraded at the center every year.

There is a Study Center under the Council of the Kyrgyzstan Trade Union Federation which enrolls about 1500 people every year.

All in all, about 7300 people take training and upgrading courses at the Republic's training centers every year.

Under Article 216 of the Labour Code of the Kyrgyz Republic "All the workers of organizations, including the employer, are obliged to take training and have their knowledge of occupational safety tested under the procedure established by the Government of the Kyrgyz Republic".

Pursuant to that article, the Government of the Kyrgyz Republic on April 5, 2004 issued Decree No. 225 On Approving Model Regulations on the Occupational Safety Service and Organization of its Work and Regulations on the Procedure of Training in Occupational Safety and Testing the Knowledge of Occupational Safety of Employees which introduces the Regulations on the Procedure of Training in and Testing the Knowledge of Occupational Safety.

The CEOs and employees of enterprises and organizations are obliged to take training and tests on occupational safety at least once every three years.

The estimated number of employees who are to take training and tests in occupational safety is about 50,000.

Because the republic lacks a specialized agency that provides training in occupational safety, the State Labour Inspection uses the Study Center at the National Standardization and Metrology Institute.

Preparation is underway to create an Information Training and Methodological Center in Occupational Safety under the State Labour Inspection.

In recent years, with the technical and methodological assistance of the International Labour Organization, active training of agricultural workers in occupational safety and health has been conducted.

To this end the State Labour Inspection and the Central Committee of the Agricultural Workers' Union have developed a WIND programme of Work Improvement through Neighbourhood Development. Programme of Occupational Safety and Health in Agriculture."

Regional seminars for peasants, farmers and representatives of *ayil okmotu* have been held and continue to be held under these programmes.

Taking part in the seminars are the employees of state labour inspections, representatives of the ILO and trade union bodies.

During the seminars the attendees from the agricultural sector have been given textbooks and posters, more than 20,000 copies in all.

This literature has been published in 2 languages: Kyrgyz and Russian.

5.3.3. Training Organized by Associations of Employees and Employers

The employers' associations active in the Kyrgyz Republic do not have divisions that train or retrain employers in occupational safety.

5.3.4. Training of Workers Organized by Employers

Under Article 211 of the Labour Code of the Kyrgyz Republic “the employer shall provide training, instruction and tests of the employees’ knowledge of occupational safety requirements.”

Pursuant to that requirement, the Government of the Kyrgyz Republic approved the Regulations on Training and Testing the Knowledge of Employees in Occupational Safety.

The Regulations are binding on the executive power bodies, the local self-government bodies and employers regardless of the legal form and form of ownership, employers who are natural persons as well as employees who have entered into an employment contract with the employer.

The employer is obliged to cause all the types of instructions to be provided for the employees: introductory, primary, repeat, unscheduled, targeted.

The employer (or the person authorized by him) is obliged, at the enterprise's expense, to organize, within a month of hiring an employee, training in occupational safety for newly hired persons or persons transferred to another job within the same enterprise.

The procedure, form, periodicity and duration of training in occupational safety and testing knowledge in occupational safety for workers are determined by the employer (or the person authorized by him) in accordance with the legal acts regulating occupational safety for specific jobs.

The employer (or the person authorized by him) shall cause the holding of periodic (not less than once a year) training of workers in providing first aid to accident victims.

5.3.5. Entities Dealing with Information and Occupational Safety Awareness Work

The Republic has no structures that conduct educational and awareness work on occupational safety.

The Employees of the State Labour Inspection systematically contribute materials to the media on the state of occupational safety and labour conditions at the Republic's enterprises and organizations. There are about 100 such materials published and aired every year.

In addition, the Government of the Kyrgyz Republic receives an annual report (analytical memorandum) On the Status of Occupational Safety and Labour Environment, Industrial, Fire and Road Safety in the Kyrgyz Republic.

Preparatory work is underway to create an Information, Training and Methodological Occupational Safety Center under the State Labour Inspection.

5.4. Specialized Research, Technical and Medical Institutions Connected with Various Aspects of Occupational Safety

5.4.1. Standardization Agencies

The national body on standardization and metrology in the Kyrgyz Republic is the National Institute of Standardization and Metrology formed on the basis of

the State Inspection on Standardization and Metrology under the Government of the Kyrgyz Republic (Kyrgyzstandart).

The functions of supervision and control and accreditation have been transferred to other agencies.

5.4.2. Insurance Agencies

An open joint stock company, the Insurance Company Kyrgyzstan, has been created in the Kyrgyz Republic. It insures real estate, property, life and health. Some enterprises and organizations insure the life and health of their employees, especially those in dangerous and very dangerous sectors.

5.4.3. Agencies Specializing in Hazard and Risk Assessment

There is a National Center for the Registration of Potentially Toxic Chemicals under the Department of State Sanitary and Epidemiological Supervision at the Health Ministry of the Kyrgyz Republic.

There are no other agencies for the assessment of hazards and risks in the Republic.

5.4.4. Emergency Response Agencies

The Kyrgyz Republic has the law On Protecting the Population and Territories Against Natural and Technical Emergency Situations, and the law of the Kyrgyz Republic On Civil Defense, etc.

The national body for warning and liquidating emergency situations in the Kyrgyz Republic is the Ministry for Emergency Situations of the Kyrgyz Republic.

One of the main tasks of the Ministry is the development and implementation of a single state policy on warning and liquidation of emergency situations, organization and conduct of search and rescue work on the territory of the Kyrgyz Republic.

The integrated national system of warning and liquidation of emergency situations being developed in the Republic includes Ministry's information and computer

networks, emergency response control centers, centers for sustained functioning of industries in the event of accidents, catastrophes and natural disasters.

The Ministry has corresponding services for timely response to emergency situations, organization and implementation of safety measures in the event of emergency and organization and conduct of activities to eliminate the aftermath of emergency situations:

- ◆ the civil defense bodies in the republic;
 - ◆ standby civil defense centers;
 - ◆ the system of communication and early warning of emergency situations;
 - ◆ civil defense forces consisting of units trained to tackle tasks in the field of civil defense as well as civilian civil defense organizations;
 - ◆ shelters, individual protection means provided to the population;
- and
- ◆ training courses in civil defense for employers, employees and other groups of citizens.

5.5. Workers Involved in Occupational Safety

All the workers engaged in various spheres of production as well as students in all levels of education who take on-the-job training are connected with occupational safety.

5.5.1. Officials of National-Level State Agencies Responsible for Occupational Safety

The top occupational safety management body is the Ministry of Labour and Social Development of the Kyrgyz Republic. The Labour and Social Partnership Directorate of that Ministry has a Labour Relations and Occupational Safety Department.

The Department has 2 employees dealing with occupational safety.

As a rule, every Ministry and Agency in the Kyrgyz Republic has one person dealing with occupational safety, which makes a total of 20 persons.

Compliance with the occupational safety laws is supervised and monitored by the State Labour Inspection. The central office of the State Labour Inspection has 7 State Labour Inspectors.

Thus, 62 persons are in charge of occupational safety issues at the top level.

5.5.2. Officials of State Regional/ Territorial Bodies in Charge of Occupational Safety

There are no structures for the management of occupational safety in the local government bodies of any level (*oblast*, city, district administrations, municipalities).

Interdistrict and city state labour inspections supervise and monitor compliance with occupational safety laws at the regional level.

The total number of state regional-level labour inspectors is 41.

5.5.3. Employees of Local Self-Government Bodies in Charge of Occupational Safety

The Republic has 472 local self-government bodies (*ayil okmotu*, or village administrations).

The inspections carried out have established that in most cases one of the employees performs occupational safety management functions on a part-time basis. All in all, seminars and inspections have been conducted in 460 village administrations in 2003-2007.

5.5.4. Officials of Employer Occupational Safety Services

No statistical data are available.

Assuming that the Republic has about 9000 major employers, and that checks have revealed that only 60-79% of the enterprises have occupational safety managers, the estimated number of occupational safety managers is about 6000, including part-time occupational safety managers.

6. OCCUPATIONAL ACCIDENTS AND DISEASE STATUS AND TRENDS

6.1. Main Qualifications of Occupational Accidents and Diseases

Under the Kyrgyz Government's Decree No.64 of February 27, 2001 the Regulations on Registration and Investigation on Occupational Accidents were adopted.

Investigation of occupational diseases follows the Instructions on Investigation of Occupational Diseases approved by the Health Ministry of the Kyrgyz Republic.

Based on the results of the investigation special commissions determine whether or not an accident or disease are occupational.

The grounds for such conclusions are interrogations of victims and witnesses to find out whether the victim has complied with occupational safety standards, whether the employer has provided healthy and safe labour conditions, whether the victim has taken training and instructions, whether the equipment and instruments were in good repair and whether individual and group protection means were available, etc.

The regulations on investigation establish the procedure of investigating concealed accidents as well as appeal against the rulings of commissions on the qualification of the accident, the degree of the victim's guilt, etc.

The Regulations establish that all the differences in the course of accident investigations, in whatever sector they have occurred and regardless of the inspection under which a given facility operates, are resolved by the State Labour Inspection or by the law court.

6.2. Main Occupational Accident and Disease Indicators

Total Number of Occupational Accident Victims, including dead

Years	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Number of victims	780	463	462	375	309	280	265	208	235	227	179

Number of victims per 10,000 workers

Years	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Coefficient	11.0	8.0	8.0	6.0	5.0	5.0	5.0	4.0	5.0	4.0	3.0

Number of deaths in occupational accidents

Years	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Number of dead	55	60	64	37	40	39	37	26	41	24	27

Number of deaths in occupational accidents per 10,000 workers

Years	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Coefficient	0.8	1.0	1.0	1.0	1.0	1.0	1.0	5.0	1.0	0.5	0.6

Number of workers who contracted occupational diseases

Years	2003		2004		2005		2006	
Number of victims	3		13		26		8	

6.3. Main Forms of Registration of Occupational Accidents and Diseases

The occupational accidents and diseases are included in (annual, quarterly) reports of enterprises and organizations.

6.4. Main Forms of Statistics Gathering

The Kyrgyz Republic has an approved occupational accident report form called 7TVN (annual).

The report is submitted by all the enterprises and organizations of whatever form of ownership to the National Statistical Committee.

In addition, the State Labour Inspection gathers information on occupational accidents and diseases from enterprises and organizations.

The data of the National Statistical Committee and the information obtained are analyzed and an annual report is presented to the Government of the Kyrgyz Republic.

6.5. Number of Registered Fatal Occupational Accidents

In 2006 (reporting year) 27 persons died as a result of occupational accidents, of which:

- ◆ in agriculture – 1 person;
- ◆ in mining – 6 persons;
- ◆ in the processing industry – 7 persons;
- ◆ in construction – 2 persons;
- ◆ in transport and communications – 2 persons;
- ◆ in energy, gas and water production and distribution – 3 persons;
- ◆ in government administration bodies – 2 persons; and
- ◆ in other organizations – 4 persons.

Fatal occupational accidents by region:

- ◆ the city of Bishkek – 4 persons;
- ◆ Osh Oblast – 5 persons;
- ◆ Jalalabad Oblast – 2 persons;
- ◆ Bakten Oblast – 4 persons;
- ◆ Chuy Oblast – 3 persons;
- ◆ Issyk-Kul Oblast – 5 persons; and
- ◆ the city of Osh – 1 person.

6.6. Number of Registered Occupational Injuries

In 2006 (report year) 179 persons were injured in occupational accidents, of whom:

- ◆ in agriculture – 6 persons;
- ◆ in mining – 18 persons;
- ◆ in the processing industry – 70 persons;
- ◆ in construction – 13 persons;
- ◆ in transport and communications – 16 persons;
- ◆ in the production and distribution of electricity, gas and water – 25 persons;
- ◆ in government administration bodies – 10 persons;
- ◆ in public health and social services – 3 persons; and
- ◆ in other organizations – 19 persons.

Breakdown of accidents by region:

- ◆ the city of Bishkek – 43 persons;
- ◆ Osh Oblast – 9 persons;
- ◆ Jalalabad Oblast – 26 persons;
- ◆ Bakten Oblast – 13 persons;
- ◆ Issyk-Kul Oblast – 11 persons;
- ◆ Naryn Oblast – 3 persons;
- ◆ Talas Oblast – 4 persons;
- ◆ Chuy Oblast – 62 persons;
- ◆ the city of Osh – 8 persons;

6.7. Number of Registered Cases of Occupational Diseases

- ◆ 2003 – 3;
- ◆ 2004 – 13;
- ◆ 2006 – 8;

6.8. Number of Persons in Hazardous Work Places

In 2006 (the report period) 21,000 persons were employed in hazardous work places, of whom 5000 were women.

4200 people are exposed to high noise, 500 people to high vibration, and 11,500 to high dust and gas content environments.

1600 persons were engaged in hard physical and manual labour.

The share of facilities that fall short of the sanitary-hygienic requirement in terms of physical factors in 2006 was as follows: for noise – 22.5%, for vibration – 19.3%; electromagnetic field – 10%; lighting – 15.6%; and microclimate – 16.5%.

6.9. Assessment of the Scale of Underreporting

With the transition to market relations a significant number of private enterprises and organizations were created in the Kyrgyz Republic. As a result the vertical structure of OSH management was dismantled and occupational safety services were downsized or shut down in many enterprises and organizations.

It is probable therefore that available occupational safety statistics are not complete.

7. REGULAR MEASURES AND ROUTINE WORK IN THE FIELD OF OCCUPATIONAL SAFETY: SPECIFIC EXAMPLES

7.1. Regular Measures at the National Level

In accordance with the recommendations of the International Labour Organization the State Labour Inspection bodies are actively promoting the culture of occupational accident prevention.

Preventive measures include the forecasting and settlement of potential conflicts, and qualified technical assistance in identifying and controlling risks.

Such measures include inspections and surveys of enterprises and organizations and the development of measures from the results of occupational accident investigations.

Occupational safety issues are considered at least once a year by meetings of tripartite commissions (government, trade unions, employers) which review compliance with the General Agreement which has a section devoted to occupational safety.

The State Labour Inspection annually organizes international and republican conferences and seminars which consider occupational safety and health issues in various sectors.

These events are held as part of the World Occupational Safety Day on April 28.

Members of the State Labour Inspection Bodies regularly contribute to the media reports on the status of occupational safety and health in the Republic, the level of occupational accidents and diseases.

More than 100 such materials were published and aired in 2006.

Recommendations on the development and introduction of an occupational safety and health system have been developed in the Republic.

They were approved by the Republican Conference held in Bishkek on September 25-26, 2007.

Copies of the recommendations have been sent to the enterprises and organizations as guidance for development of OSH systems.

7.1.1. National Initiatives

Under the Kyrgyz Government's Decree No. 807 of December 24, 2001 On the State Programme to Improve Occupational Safety and Health for 2002-2005 a State Programme on Improvement of Occupational Safety and Health for 2002-2005 was adopted.

Most of the points of that programme have been fulfilled. Some items have not been fulfilled due to lack of funding.

In 2007 the Government of the Kyrgyz Republic adopted a Programme on Improvement of Occupational Safety and Health in Agriculture for 2007-2009.

The adoption of the programme was prompted above all by the fact that agriculture is one of the three most hazardous sectors.

The programme has been developed with technical and methodological assistance from the International Labour Organization and is aimed at preventing occupational injuries and diseases in agriculture.

7.1.2. Initiatives in Industry

Days of Occupational Safety and Contests of the Best Work Places in terms of Occupational Safety are held in enterprises and organizations in the Republic.

7.1.3. Trade Union Activities and Initiatives in the Field of Occupational Safety

Trade union bodies take part in implementing government occupational safety and health programmes.

They have a say in the development and adoption of all the occupational safety programmes.

The trade unions take part in preparing and holding occupational safety activities: reviews, contests, exhibitions, Occupational Safety Days.

7.2. International Cooperation

7.2.1. World Occupational Safety Day

Every year beginning from 2003 the State Labour Inspection holds events to mark the World Safety Day, April 28.

These include, above all, international and republican conferences and seminars.

Five such events have been held as part of the World Safety Day.

- ◆ Conference on Occupational Safety in Construction.
- ◆ Conference on Occupational Safety in Agriculture.
- ◆ Development and Introduction of OSH Systems.
- ◆ Conference on Child Labour; and others.

In addition, the World Safety Day is widely promoted.

To this end the media are used. One of the lectures delivered to attendees of occupational safety courses is devoted to the World Safety Day.

During the lecture the attendees (the CEOs of enterprises and organizations) are provided with information on the state of OSH in the world and in the Republic.

7.2.2. Agreements on Cooperation and Projects with the ILO and Other International Agencies or States (Alliances thereof)

The State Labour Inspection has been collaborating with the International Labour Organization (ILO) since its creation in 1999.

An international seminar on the Organization and Tasks of the State Labour Inspection in the Kyrgyz Republic was held with technical and methodological assistance of the ILO of July 23, 1999.

Taking part in the seminar was a representative of the ILO Labour Inspection Department Wolfgang von Richthoffen. The seminar laid down the principles and signed an agreement on collaboration between the State Labour Inspection and the ILO Labour Inspection Department.

The main areas of collaboration include methods of development and improvement of supervisory and monitoring procedures, training, improvement of labour legislation and exchange of experience and information.

The ILO has been rendering support in the creation and development of the State Labour Inspection bodies in the Kyrgyz Republic.

A Memorandum of Understanding was signed by the Ministry of Labour and Social Protection of the Kyrgyz Republic, the State Committee of the Kyrgyz Republic on Migration and Employment, the Trade Union Federation of Kyrgyzstan, the Employers' Confederation of the Kyrgyz Republic, on the one hand, and the International Labour Organization (ILO) on the other on May 26, 2006 in the city of Bishkek. On behalf of the ILO the Memorandum was signed by the Regional Director for Europe and Central Asia Friedrich Butler and the Subregional Director for Eastern Europe and Central Asia Werner Konrad Blank.

7.2.3. The Activities of the National and Collaborative ILO Occupational Safety Information Centers

Kyrgyzstan does not yet have an occupational safety information training and methodological center.

8. ANALYSIS OF THE STRENGTHS AND WEAKNESSES OF THE NATIONAL OSH MANAGEMENT SYSTEM

With the transition to market relations, the creation of enterprises and organizations of various forms of ownership the system of occupational safety management was practically destroyed in the Republic. It is now beginning to be restored.

The central body for occupational safety management has been named: it is the Ministry of Labour and Social Development of the Kyrgyz Republic.

There is a department of labour relations and occupational safety at the Ministry.

The Department works to improve the laws and regulations in the field of occupational safety.

The government ministries and agencies do not have occupational safety services that develop sectoral OSH policies. These functions as a rule are performed by an employee who has the status of Chief or Leading Specialist or works on a part-time basis.

To date there is no agency overseeing labour conditions in the OSH management system, although the creation of such agencies is envisaged under the law On Occupational Safety.

Many experts at ministries and agencies and individual enterprises and organizations who deal with occupational safety issues lack the necessary skills and educational background. There is no national system for training occupational safety officers and specialists, and there is no occupational safety information training and methodological center.

9. GENERAL CONCLUSIONS FROM THE NATIONAL PROFILE

Beginning from 1999 the Republic has had fairly effective bodies of State Labour Inspection.

However, several serious problems need to be addressed in order to continue to develop and improve the activities of the State Labour Inspection in the Kyrgyz Republic.

Among the problems are the insufficient number of state labour inspectors, the low pay of inspectors, lack of a system of training and upgrading of skills of the state inspectors, an imperfect system of occupational safety management and others.

It has to be noted that the Republic has a limit on the number of inspection visits to private (including informal sector) enterprises and organizations, which runs counter to the Labour Code of the Kyrgyz Republic, the Law On Occupational Safety, the ILO Convention 81 On Labour Inspection (Commerce and Industry) and other regulatory legal acts.

The National Profile should be the basis for developing a Safe Labour Programme which should then be approved by Decree of the President of the Kyrgyz Republic.

10. LEGAL FRAMEWORK AND INFORMATION RESOURCES

10.1. List of the Main Laws and Supporting Legislation on Occupational Safety and Health

- ◆ Constitution of the Kyrgyz Republic;
- ◆ Labour Code of the Kyrgyz Republic;
- ◆ Civil Code of the Kyrgyz Republic;
- ◆ the Code of the Kyrgyz Republic on Administrative Responsibility;
- ◆ the Criminal Code of the Kyrgyz Republic;
- ◆ the Tax Code of the Kyrgyz Republic;
- ◆ the Law of the Kyrgyz Republic on Occupational Safety;
- ◆ the Law of the Kyrgyz Republic on Industrial Safety;
- ◆ the Law of the Kyrgyz Republic on Occupational Safety at Hazardous Facilities;
- ◆ the Law of the Kyrgyz Republic on Civil Defense;
- ◆ the Law of the Kyrgyz Republic on Protecting the Population and Territories against Natural and Technical Emergencies;
- ◆ the Law of the Kyrgyz Republic on Specially Protected Territories;
- ◆ the Law of the Kyrgyz Republic on the Protection of Atmospheric Air;
- ◆ the Law of the Kyrgyz Republic on Environmental Protection;
- ◆ the Law of the Kyrgyz Republic on Radiation Safety in the Kyrgyz Republic;
- ◆ the Law of the Kyrgyz Republic on Tailings Ponds and Waste Dumps;
- ◆ the Law of the Kyrgyz Republic on the Sanitary and Epidemiological Well-being of the Population;
- ◆ the Law of the Kyrgyz Republic on Fire Safety;
- ◆ the Law of the Kyrgyz Republic on Road Safety;
- ◆ the Law of the Kyrgyz Republic on the Trade Unions in the Kyrgyz Republic;
- ◆ Regulations on the Registration and Investigation of Occupational Accidents;

- ◆ Regulations on the Occupational Safety Service and Organization of Occupational Safety Work;
- ◆ Regulations on Training and Knowledge Testing in Occupational Safety;
- ◆ Regulations on Compensation of Damage Caused to Workers by Occupational Injuries or Diseases or any other Impairment of Health in the Performance of Duty;
- ◆ Instructions on the Application of Rules of Compensation of Damage Caused by Occupational Accidents or Diseases.

10.2. List of Agreements Between Associations of Employees and Employers

Under the Kyrgyz Government's Decree No. 191 of May 23, 2005 On the General Agreement between the Government of the Kyrgyz Republic, the Trade Union Federation of Kyrgyzstan and the Employers' Confederation of the Kyrgyz Republic for 2005-2007, a General Agreement was signed between the Government of the Kyrgyz Republic, the Trade Union Federation of Kyrgyzstan and the Employers' Confederation of the Kyrgyz Republic for 2005-2007.

The Agreement has a section on occupational safety envisaging measures to develop legal regulations in the field of occupational safety, to create occupational safety services at ministries, agencies, enterprises and organizations.

No sectoral agreements have been passed in the Kyrgyz Republic.

10.3. List of the Main Websites Related to Occupational Safety and Other Information Resources

www.gov.kg – the Government of the Kyrgyz Republic;

www.mlsp.kg – Ministry of Labour and Social Development of the Kyrgyz Republic;

www.mecd.kg – Ministry for Emergency Situations in the Kyrgyz Republic;

www.med.kg – Ministry of Health of the Kyrgyz Republic;

www.ggtn.kg – Gosgortekhnadzor;

www.kgs.bishkek.gov.kg – State Agency of the Kyrgyz Republic on Geology and Mineral Resources;

www.stat.kg – National Statistical Committee of the Kyrgyz Republic;

www.nism.gov.kg – National Institute for Standardization and Metrology;

www.kyrgyzpatent.kg – Kyrgyzpatent.

10.4. List of the Main Journals on Occupational Safety

There are no journals on occupational safety in Kyrgyzstan.

10.5. List of the Main Monographs, Textbooks and Manuals on Occupational Safety and Related Matters Published in the Country

In recent years some manuals and textbooks on occupational safety have been published in Kyrgyzstan. Taking an active part in the preparation were members of the State Labour Inspection, Gosgortekhnadzor and other supervisory and monitoring bodies. Among the materials published are:

- ◆ On Occupational Safety;
- ◆ Manual of Occupational Safety at Small Enterprises;
- ◆ Methodological Recommendations on Safe Use of Personal Computers;
- ◆ Methodological Recommendations on Hygienic Assessment and Attestation of Work Places;
- ◆ The WIND Programme (Work Improvement Through Neighbourhood Development). Programme of Occupational Safety and Health Training in Agriculture);
- ◆ Recommendations on the Development and Introduction of an OSH System;
- ◆ Commentary on the Labour Code of the Kyrgyz Republic;
- ◆ Practical Manual on Investigating Occupational Accidents;
- ◆ Uniform Safety Rules in the Extraction of Minerals by an Opencast Method;

- ◆ Rules of Safe Operation of Standard, Container and Mobile Petrol Filling Stations;
- ◆ Safety Rules for Tailings Ponds, Sludge and Hydro-waste Dumps;
- ◆ Safety Rules for the Production, Storage, Transportation and Use of Chlorine;
- ◆ Safety Rules for the Production and Consumption of Air Separation Products (PBPRV);
- ◆ Uniform Safety Rules in Demolition Work;
- ◆ Uniform Safety Rules in the Underground Extraction of Ore, Non-Ore and Placer Mineral Deposits;
- ◆ Uniform Safety Rules for Crushing, Sorting, and Dressing of Minerals and Pelletization of Ores and Minerals;
- ◆ Safety Rules in Geological Prospecting;
- ◆ Safety Rules for Auxiliary Mining Facilities;
- ◆ Common Safety Rules for Explosion-Dangerous Chemical, Petrochemical and Oil Refining Facilities;
- ◆ Rules of Design and Safe Exploitation of Pressurized Vessels.

11. DESCRIPTION OF METHODS OF ASSESSING STATISTICAL INDICATORS USED IN THE PROFILE

This profile draws on statistical indicators provided by the National Statistical Committee of the Kyrgyz Republic as well as ministries, agencies and supervisory and monitoring bodies.

12. GENERAL INFORMATION ON THE PROFILED COUNTRY

A. General information on the administrative structure and management of the Kyrgyz Republic

- ◆ The Kyrgyz Republic (Kyrgyzstan) is a sovereign, unitary, democratic, rule-of-law secular social state.
- ◆ The Kyrgyz Republic has unlimited sovereignty throughout its territory.
- ◆ The People of Kyrgyzstan is the subject of sovereignty and the sole source of state power in the Kyrgyz Republic.
- ◆ The People of Kyrgyzstan exercises power directly through elections and referendums as well as through the system of government bodies and local self-government bodies under the Constitution and the laws.

The elected President and Zhogorku Kenesh have the right to speak on behalf of the people of Kyrgyzstan.

- ◆ The laws and other key government issues may be put up for a referendum (nationwide vote). The procedure of holding a referendum is established under the constitutional law.
- ◆ The citizens of the Kyrgyz Republic elect the President, the deputies of the Zhogorku Kenesh and the deputies of the local legislatures (keneshes).

Elections are free, by universal, equal and direct suffrage by secret ballot. The citizens of the Kyrgyz Republic above the age of 18 are eligible to vote.

A.1. Information on the Government Structure, Legislative, Executive and Judiciary Branches of Power

State power in the Kyrgyz Republic is based on the principles of:

- ◆ supremacy of the rule by the people represented and ensured by the popularly elected head of state – the President of the Kyrgyz Republic;
- ◆ separation of state power into the legislative, executive and judiciary branches and their coordinated functioning and interaction;
- ◆ responsibility of state bodies and local self-government bodies before the people and exercise of their powers in the interests of the people; and
- ◆ delimitation of the functions and powers of the state power bodies and the local self-government bodies.

The head of state is the President who is the Chief Executive of the Kyrgyz Republic.

The President is a symbol of the unity of the people and state power, the guarantor of the Constitution, the freedoms and rights of man and citizen.

The President lays down the guidelines for the internal and external policy of the state, represents the Kyrgyz Republic within the country and in international relations, takes measures to protect the sovereignty and territorial integrity of the Kyrgyz Republic, ensures the integrity and continuity of state power, coordinated functioning and interaction of state bodies and their responsibility before the people.

The legislature is Zhogorku Kenesh, or parliament of the Kyrgyz Republic. It is a representative body that exercises legislative power and supervisory functions within its competence.

Zhogorku Kenesh consists of 90 deputies elected by party lists for a term of five years.

Any citizen of the Kyrgyz Republic not younger than 25 years of age and enjoying electoral rights can be elected as deputy of the Zhogorku Kenesh.

A citizen who has previous convictions for crimes that have not been expunged under the lawful procedure may not be elected deputy of the Zhogorku Kenesh.

The executive branch. Executive power in the Kyrgyz Republic is exercised by the Government, the subordinate ministries, state committees, administrative agencies, other executive power bodies and local government administrations.

The Government is the supreme executive power body in the Kyrgyz Republic.

The Government is headed by the Prime Minister. The Government consists of the Prime Minister, the Vice Premiers, ministers and chair persons of state committees.

The structure of the Government is determined by the Prime Minister and includes the ministries and state committees of the Kyrgyz Republic. The structure of the Government is approved by the Zhogorku Kenesh.

The judiciary. Justice in the Kyrgyz Republic is administered only by the law courts.

The citizens of the Kyrgyz Republic have the right to take part in the administration of justice in the cases and under the procedure envisaged by the law.

Judiciary power is exercised through constitutional, civil, criminal, administrative and other forms of justice.

The court system in the Kyrgyz Republic is established by the Constitution and the laws and consists of the Constitutional Court, the Supreme Court and the local courts. The constitutional law may establish specialized courts.

Extraordinary courts are not allowed.

A.2. Administrative division of the country and corresponding levels of administration

The Kyrgyz Republic consists of 7 oblasts, 40 districts, 22 cities (of which 2 are subordinate to the Republic: Bishkek and Osh), 29 urban-type settlements, and 472 village communities (aiyl okmotu). Executive power on the territory of a corresponding administrative territorial entity is exercised by the local administration.

The powers, organization and procedure of local administration activities are determined under the law.

Local administrations proceed on the basis of the Constitution, laws and regulatory legal acts of the President and the Government.

The decisions of local state administrations passed within their competence are binding in the corresponding territory.

The structure of occupational safety management exists only at the central (republican) level. It is the Ministry of Labour and Social Development of the Kyrgyz Republic.

B. General information on economics and labour resources

B.1. Demographic data

B.1.1. Total size of population

The population of the Kyrgyz Republic is 5.2 million people of whom 49.4% are men and 50.6% are women.

Of that number only 1.8 million people are under the working age, about 2.8 million are of working age and about 0.6 million are above the working age.

B.1.2. Total size of gainfully employed population

The economy of Kyrgyzstan employs about 2.1 million people of whom 1.74 million people, or 83%, are engaged in the non-governmental sector.

Among those employed 1.1 million, or 51.2%, are not hired workers (self-employed, working members of families, etc).

There are 1 million hired workers.

The employed population breakdown by economic sectors is as follows:

- ◆ industry: 8%, or 150,000.
- ◆ Construction: 4%, or 80,000 people.
- ◆ Agriculture, forestry: 48%, or 1 million.
- ◆ Services: 40%, or 840,000 people.

B.2. Human potential development index and all the three indicators (longevity, literacy, poverty), literacy level

No data available.

B.3. Sectors and types of economic activity.

Data will be found in Section B.1.2.

B.4. Economic performance.

1. The gross domestic product in the Republic in the period from January-June 2005 to January-June 2007 increased from 38.5 billion soms to 49.3 billion soms, a growth of 12%.

Real GDP increased by 9.2% in the first half of 2007:

- ◆ in industry by 3.1%,
- ◆ in agriculture by 2.8%
- ◆ in the services by 12.8%.

An annual 180 million soms or 5.2 USD is spent on occupational safety.

The state budget revenue is 20.4 billion soms a year, or 0.6 billion USD.

The annual per capita income is 21800 soms or 623 USD (“Kyrgyzstan 2005-2007. Strides in Development”).

