

# Summary of Legislation Related to the Rights of LGBT, other MSM, and PLWH

## Kyrgyzstan



Legislative Aspect	Law	Practice
Travel and Immigration Bans on People Living with HIV (PLWH)	There are no legal obstacles for PLWH to travel or immigrate to Kyrgyzstan.	
Criminalization of HIV Transmission	Transmission of HIV is criminalized.	Knowingly subjecting another person to the danger of HIV infection is punishable by imprisonment of up to 3 years; infection of another person with HIV by someone who knows they are infected is punishable by imprisonment of up to 5 years; HIV transmission resulting from professional negligence of medical professionals is punishable by imprisonment of up to 5 years.
Ban on Blood Donation by MSM	MSM are not prohibited from donating blood.	
Criminalization of Same-Sex Sexual Activity	Same-sex sexual activity is legal.	Same-sex sexual activity was decriminalized in 1998. Age of consent is 16 for both men and women.
Ban on "Homosexual Propaganda"	There is no ban on "homosexual propaganda".	In 2014, a bill was introduced in the Kyrgyz Parliament that would impose criminal and administrative penalties for the propaganda of "non-traditional sexual relations." The bill was approved in the first and second readings. A third reading is expected to take place in the coming months, after which the bill can be signed into law.

Eurasian Coalition on Male Health



<b>Laws on Gender Identity and Expression (changing one's legal gender and related procedures)</b>	A person may change their legal gender according to existing legislation.	Changing one's legal gender is possible by providing a standardized form from a medical institution attesting to the need to change one's legal gender. However, the relevant authorities have not yet developed such a form. Thus, trans* people wishing to change their legal gender are often required to submit proof of having undergone surgical interventions, even though such interventions are not required under existing legislation. While gender reassignment procedures are available in the country, they are not covered by the national health insurance and are therefore unavailable to many trans* people due to the costs involved. Moreover, it is often left to the discretion of relevant officials to determine what documents a person must provide or whether it is necessary to undergo surgical or medical interventions.
<b>SOGI Antidiscrimination Laws</b>	There are no specific antidiscrimination protections for sexual minorities.	The Constitution of Kyrgyzstan prohibits discrimination. In practice, this provision has never been applied to protect LGBT people. Discrimination based on sexual orientation and gender identity is not expressly prohibited by any law.
<b>Hate Crimes Legislation</b>	There is no comprehensive hate crimes legislation.	Aggravating criminal circumstances arise when a crime is committed on the basis of the victim's nationality, race, or religion, but there are no provisions including sexual orientation or gender identity.
<b>Recognition of Same-Sex Partnerships</b>	There is no recognition of any kind of same-sex partnership or union.	Marriage is the only form of legal partnership. It is defined as a union between man and woman.
<b>Adoption</b>	There is no legal act allowing LGBT people to jointly adopt children.	Single parents are eligible to adopt children. Thus, it is still possible for LGBT people to adopt.



This document has been funded by grant 2014097 to the Consortium of MSM and Transgender Networks by the Robert Carr civil society Networks Fund.