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# Factors inhibiting institutional responses to domestic violence in Kyrgyzstan

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#### **Abstract**

The study identifies factors that limit effective institutional responses to domestic violence (DV) in Kyrgyzstan, in the context of recent legislative actions aimed at reducing DV through improvements in law enforcement, judicial processes, and provision of social services. The study uses qualitative, grounded theory methods to analyze interviews and focus groups with 83 professionals working in these sectors. Two major themes emerge from the analysis: (1) barriers to effective institutional responses from internal challenges and constraints, and (2) social resources and challenges identified as important to provide a better collective response. The study highlights the need for capacity development within institutions and broader social learning to overcome existing barriers and better align outcomes with the intentions of recent legislation. Standardized training, awareness-raising, enhanced roles for educators and religious leaders, better coordinated social service provision, rehabilitation for victims and perpetrators, and family-centered school-based interventions are identified as targets for improving responsiveness.

#### **Keywords**

domestic violence; intimate partner violence; Kyrgyzstan; Central Asia; institutional responses

#### Introduction

This study focuses on identifying factors that limit effective institutional responses to domestic violence (DV) in Kyrgyzstan in the context of recent legislative actions aimed at reducing violence through improvements in law enforcement, judicial processes, and provision of social services. Using the perspectives of current professionals, the study aims to examine the gap between the intent of the recent legislation and the understanding of actual outcomes of violence prevention and associated policies.

Researchers and practitioners have increasingly recognized DV as a global public health problem with serious negative consequences for individuals, families, and societies—these

Conflict of Interest

We have no conflict of interest to disclose.

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experiences of violence violate their rights, damage their health and well-being, and limit their active participation in society (Krantz & Garcia-Moreno, 2005; UNDP, 2013; WHO, 2013; The World Bank, 2013). DV is widespread in the Kyrgyz Republic (Human Rights Watch or HRW, 2015). The most recent official data, drawn from the 2012 Demographic and Health Survey, indicate that 23% of all women ages 15–49 have experienced physical violence at least once since the age of 15, and this number rises to 28% for ever-married women, with 4% of this group reporting sexual violence and 14% reporting emotional abuse (National Statistical Committee, Ministry of Health of the Kyrgyz Republic, and ICF International, 2013). National surveys may under-estimate the prevalence of DV, however, due to the widespread culture of silence around DV in Kyrgyzstan prompted by shame, a fear of retribution, cultural acceptance of violence (Childress, 2018; Childress et al., 2021), and the lack of trust in formal services' ability to provide help (Childress & Hanusa, 2018).

Social norms around DV in Kyrgyzstan create unique challenges for preventing and responding to DV. Marriage practices (including bride kidnapping), and the widespread acceptance of DV make women vulnerable to violence in the home (UN Report of the Special Rapporteur on VAW, 2010; UNFPA, 2014). Since the country gained its independence in 1991, the discourse around social norms justifying patriarchal practices and negative stereotypes about women's roles and responsibilities appear to have strengthened, in some cases with explicit promotion by political actors and the media (Asian Development Bank, 2019). These stereotypes reflect and perpetuate social narratives which justify violence as a social norm. For instance, most Kyrgyz women perceive violence against them as an unfortunate but 'normal' part of family life. One in every two women in Kyrgyzstan accepts and endorses at least one reason for a husband to beat a wife. The wife arguing with the husband is the most common justification for the use of violence among middle-aged women (Joshi & Childress, 2017). Because there is a widespread belief that partner violence is normal and inevitable, the media, policy, and public health discourses often represent it as an internal family matter, yet it is highly visible to educators, health officials, law enforcement, courts, and community representatives.

#### Legal and policy framework on domestic violence and gender equity

Over the past two decades, Kyrgyzstan has developed and updated an ambitious legal framework intended to improve public responsiveness to DV in a way which offers stronger protection to women and greater criminal penalties for perpetrators. In 2003, the government adopted the Law on Social-Legal Protection from DV (2003). Women's NGOs have been instrumental in the drafting of legislation and successful in their efforts to ensure its passage through Parliament. Using a new constitutional provision that allows the public participation in the legislative process, a small group of women's NGOs and crisis centres drafted the law and collected the requisite of 30,000 public signatures needed to submit the draft bill to Parliament (Kangeldieva et al., 2005). The 2003 law prohibits physical, psychological, and sexual violence (including martial rape) among family members and has provisions for restraining orders and other protective measures. Although 2003 Law made important strides toward criminalizing DV, significant gaps in implementation and enforcement remained. Recent research documented ineffectuality of the legal system and police intervention to

respond to abuse, as well as legal and institutional barriers to help-seeking among survivors of abuse (Childress & Hanusa, 2019).

As a result of new efforts by local organizations and women's rights activists to advocate and revise the law, in 2017, President Almazbek Atambaev signed a new law (2017) and accompanying legislation that replaced a 2003 version to include measures to improve protections for victims of domestic abuse and strengthen police and judicial response. The 2017 law (1) extends legal protection for a widened set of harms including psychological, economic, and physical violence as well as neglect, (2) requires police to register a DV complaint from anyone, not just the victim; 3) allows any survivor to be eligible for shelter, medical and mental health services regardless of whether criminal proceedings were opened in their case; 4) increases safety for survivors by restricting access to purchasing or possessing weapons by offenders; (5) introduces the behavior correction program for perpetrators, and (5) delineates the roles and responsibilities of multiple government agencies in cases of DV, including local self-governing bodies (HWR, 2017; UN Women, 2017). Another key measure taken to ensure safety for victims under legislative amendments include criminalization of DV in the 2019 Code of Misdemeanors, which includes a provision criminalizing DV, which had routinely been addressed as an administrative rather than criminal offense (HRW, 2017).

In addition to these laws, the Kyrgyz Republic has ratified several international instruments guaranteeing women's equality and their right to live free of violence. Key among these is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol to the International Covenant on Civil and Political Rights and the Protocol to the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (CEDAW, 2015). Further, the Constitution of the Kyrgyz Republic ((Law No. 218, dated Dec 8, 2010, Art. 16(4), and Law No. 59, dated May 5, 2021, Art. 24(3)) and the Law of the Kyrgyz Republic on State Guarantees of Equal Rights and Opportunities for Men and Women (No. 184, dated Aug 4, 2008) establish equal rights and freedoms between men and women and equal opportunities for the enjoyment of these rights. Finally, the National Strategy of the Kyrgyz Republic for Achieving Gender Equality (2012) envisages "social services for survivors of DV to improve public sector response" (Items 3.2.2, 3.2.3, p. 8), under which comprehensive system of prevention and response has been developed under the National Action Plan.

Despite various calls for action to sensitize society about gender issues, international commitments, and the progressive texts of national DV laws, the government has not been effective in ensuring access to survivor-centred resources and services to respond to DV (Aidarbekova et al, 2017). The government has assigned responsibilities for DV prevention and response to multiple government and nongovernmental entities; however, it has not allocated the appropriate resources to train frontline responders and to ensure meaningful legal, psychological, and social service provision (24.kg; Tugelbaeva, 2018). Survivors of DV (Childress et al, 2019) and professionals working in this field have shown serious concerns about the validity of such laws that do not mean real-life changes because implementation is weak or lacking altogether (Childress et al., 2022). NGO-authored reports, as well as reports submitted to UN treaty bodies, have documented Kyrgyzstan's

weak institutional response to DV (McCormack & Djaparkulova, 2017). Critical gaps, such as limited enforcement of protection orders and limited access to protection services, have hampered the legislation's effectiveness (HRW, 2019). This study analyzes professionals' own descriptions of their experience to explain the factors inhibiting the effectiveness of the institutions mandated to provide responses to DV victims and offenders.

#### **Current study**

The current study takes an approach aimed at developing a meaningful understanding of the phenomenon by examining professionals' own narratives. The study uses the narratives of responders from the law enforcement, criminal justice, public health, education, and social service sectors to shed light on the factors which they perceive as hindering their effectiveness. The study employs textual analysis of transcripts from focus group discussions and in-depth qualitative interviews with a sample of informants to generate grounded theory understandings that can inform policy debate, program design and further research into the effectiveness of different responses to DV.

#### Method

This study is part of a larger set of studies aiming to understand barriers to help-seeking among survivors of DV in Kyrgyzstan. The current study focuses on factors that limit effective institutional responses to DV from the perspectives of professionals involved in DV cases. The study uses qualitative, grounded theory research methods (Glaser & Strauss, 1967) because of their power to extract meaning from textual analysis of participants' narratives.

#### Data collection and analysis

The study uses semi-structured interviews (20) and focus group discussions (8) involving 83 professionals in a large variety of roles within the areas of law enforcement, judicial system, and social, health, and educational sectors with years of service ranging from 1 to 20 years (see Table 1. *Participants Characteristics*).

The interviews were recorded, transcribed verbatim from the Kyrgyz and Russian languages, and translated into English before they were analyzed using Nvivo 12 qualitative computer software. <sup>1</sup>

## **Findings**

Two major themes emerge from analysis of the interviews and focus groups. The first theme concerns challenges and constraints in the DV service sectors such as law

<sup>&</sup>lt;sup>1</sup>·The permission to conduct this study was received from the first author's University IRB. The study followed the protocol recommended by World Health Organization (2001; 2013) for researching DV. The confidentiality of the respondents has been protected by removing all their identifying information and using pseudonyms. Attention was paid to include respondents from each of these segments through theoretical sampling technique (Glaser & Strauss, 1967) so that the final sample included a diverse group of professionals such as social workers, psychologists, judges, lawyers, crisis center managers, police, teachers, and public health workers. Using a grounded theory approach (Glaser & Straus, 1967), a team of three researchers coded the transcripts applying 'open coding' technique to identify the main concepts and 'axial coding' to further reassemble the data fractured during the initial coding procedure. Grounded in the coded data, the themes and subthemes were extracted (Charmaz, 2006). Analytic triangulation, peer-debriefing, and raw data were presented to explain the findings to ensure trustworthiness of the findings (Lincoln & Guba, 1985).

enforcement, judicial system, and social, health, and educational sectors that lead to low reporting of violence. Low morale and poor working conditions, misalignment of responsibilities between law enforcement and courts, corruption, bureaucratic limitations, negative stereotyping of survivors, and limited access to mental health services inhibit effective responses to DV cases. The second theme concerns the barriers that broader social structures create to inhibit effective responses by professionals. The second theme identifies four factors which explain poor outcomes: (1) lack of social awareness of DV and the potential of schools to educate around prevention and provide services; (2) importance of non-state actors to provide services for prevention and response to DV; (3) a fragmented institutional approach with state and non-state actors at local levels; and (4) corruption, nepotism, and a strategy of inaction by high-level state actors.

#### Theme 1. Challenges within state institutions leading to low reporting of DV cases

The first theme emerging strongly across the spectrum of professionals' narratives concerns internal challenges and constraints within their home institutions. Internal challenges and constraints are identified for law enforcement cluster, the judicial system cluster, and the social, health, and educational cluster— the common themes running through them converge on a few key factors which they perceive to inhibit effective institutional responses to DV. The main themes identified were *low morale and poor working conditions leading to high turnover, poor pay and lack of financial support, low morale due to unclear responsibilities and lack of respect,* and *corruption.* The themes are tied to why there is a *low reporting of DV cases by the survivors.* 

Low morale and poor working conditions leading to high turnover—Throughout their discussion, the DV service sector professionals express discontent with their jobs and explain that they are demotivated to work because of poor working conditions. Police respondents indicate that many officers start their jobs with good intentions and a commitment to serving in the public interest, but over time the authoritarian culture within law enforcement and a lack of respect for the civilian population slowly erodes this idealism. Many officers become disinterested and cynical because, as Jorobek asserts, 'no one values' their work. Many officers believe that society blames them for the government's inability to enforce DV policies, whereby the police are expected to 'clean up the government's crap.'

The participants report that widespread discontent among police officers prompts many to leave the force, resulting in high turnover, which disrupts investigations and results in the mishandling of cases. According to Roza, an attorney at a crisis center, constant staff turnover prevents police from doing their jobs effectively. She says, 'The constant staff turnover is very disturbing. If we now train a specific district police officer or an investigator, in a month he will leave, and in that place a new employee will come who has not been trained, who has never come across all these issues, and who does not know what it is and how it is.'

Those in law enforcement also described poor working conditions. For example, Lieutenant Nurlan comments,

There should be a designated building for district police officers. They have put us in a 40-foot container where we bring the victims and their rapists all together. At one end of the long hall, a drunk husband stands and yells, while at the other end, you will see an abused wife crying, and in the middle of them, there stands a child with psychological trauma. The building gets crowded if three or four officers bring in a few people each.

Another district police officer, Samat, asserts that working in these containers is impossible because "in the summer it gets hot, and in winter it gets freaking cold."

The participants state that the low status given to DV service sector professionals such as the social workers demoralized them and resulted in high turnover. According to Raisa, the head of child protection in the department of social development, social workers are perceived as 'technical workers' in the government apparatus, whose role is to 'fetch this and that' and 'remain at the level of domestic workers or janitors.' High turnover and a scarcity of workers due to low pay means agencies must continuously train new employees. Polina is a psychologist and says the low salary and high turnover among psychologists mean a lack of necessary personnel. She explains,

How many of our specialists did we lose? Even low-skilled personnel do not want to work for such a salary! We are lucky if a person has extra income, motivation to work, and help children. These are the only possibilities to work here without doing harm.

Polina, continues by giving an example of an under-trained social worker who lacked knowledge of basic protocols while talking to the victims of sexual abuse. She recounts:

The mother [of the victim] and I were speaking in the hallway of the district police, and a social worker came up. Without introducing herself or showing any empathy, she asked [the child victim], "Did he really touch you there, are you not lying?"

Kurmarjan, the social worker, says the lack of knowledge for social worker starts at the University since the curriculum is not regularly updated:

Social work students do not know about the new Codes and provisions; they write their thesis based on outdated documents and regulatory legal acts. Poor students do not even know what they are writing about, and how they reach their conclusions. In the end, we receive such "specialists" and have no choice but to re-educate and re-train them while on the job.

Poor pay and lack of financial support—Participants describe their pay as insufficient and say they do not receive social benefits or reimbursement for travel expenses. For example, Polina, a psychologist at a municipal centre for children, comments that low salaries are a systemic issue and social workers are often unable to cover their expenses. The deficit in earnings faced by workers in the DV service sector resulted in professionals accepting bribes to switch their support from the survivor to that of the perpetrator. Polina says,

The main problem is the state's attitude toward us, our salaries. A normal specialist will not work for this type of salary as it is difficult for any person to live on such a slave salary. This could breed corruption, because the same policemen or social service employee can take money for some certificates. Or if there is a civil process or criminal process, they can take the side of [either] a parent or a rapist based on the envelope they receive. This [corruption] is widespread, and they know that they are doing wrong.

There was no reimbursement for expenses incurred during official duty, and many professionals had to bear expenses from their personal funds. Chief Inspector Kanat stated, 'They basically do not give us even a pen or paper. We cover everything at our own expense.'

Low morale due to unclear responsibilities and lack of respect—Respondents assert that low salaries, limited authority and resources, and poor working conditions cause low morale among law enforcement officers and lead to ineffective investigations. Lieutenant Nurlan, for example, expresses frustration that the authority of the police is too restricted; he and his colleagues believe that this limited authority leads to a lack of respect for law enforcement among the public, including perpetrators. He recalls that during the Soviet period, 'a police officer had respect among the members of society just like a president has today. At present we have a completely different situation. Today people can beat up policemen in the streets.'

Another reason given for low morale among law enforcement is the misalignment of responsibilities between law enforcement and courts. Some judges express that the police should handle all but the most serious DV cases. They assert that if law enforcement had more power to arrest and apprehend abusers without involving the courts, cases would be handled more efficiently and effectively. Anargul, a judge, calls for neighbourhood police to be given additional powers to act against perpetrators 'within limits.' Judge Maria explains,

Only in grave [crimes] or cases entailing certain consequences that don't fall under the category of criminal prosecution or causing damage to someone, [abusers] can go to court. Otherwise, it is appropriate for police officers to draw up a protocol in the initial stages in the Department of Internal Affairs within the limits of their competence and impose administrative penalties.

Duishon, a police officer, also refers to the restricted power of police—he describes feeling limited by court rulings and points out that, as a neighbourhood police officer who knows perpetrators on an individual basis, he understands better than a judge which sanctions will be most effective. He explains, 'You know whether 5 days or 3 days will be enough for him while the court does not know anything about him....But the court decides which amount of fine should be imposed on him according to their wish.'

**Corruption**—Low morale and professionalism in law enforcement are further corroded by the effects of corruption. For example, Jorobek, a juvenile inspector, notes that there is corruption in law enforcement in part because some officers joined the force via nepotism, 'There are people who became police officers via corruption through their relatives; that's

why those officers bring dishonor to the whole police force.' Respondents also state that officers often abuse their power by accepting bribes and pressuring victims to dismiss their cases.

Corruption in the forms of bribes is an important limiting factor identified internally in the judicial sector. The analysis shows that the judicial system, like law enforcement, experiences corrupt practices which result in inadequate outcomes. According to Polina, a psychologist at a children's center, judges often take bribes from accused spouses, and thus many Kyrgyz people do not trust the judicial system. She explains,

There were a lot of complaints about all judges being corrupt, [with people saying] they acted as official bribers and that they could directly negotiate with any judge....It is clear that there is a great mistrust in the judges, and that [judges] do not serve the law, but serve their own pockets... The judges know that they are not acting according to the law or that they are trying to somehow pervert the law, to find a loophole to help the alleged perpetrator avoid prosecution.

Jamilya, a public health consultant, explains that there are no incentives for medical personnel like doctors to carry out their professional duties, because their salaries do not cover their basic needs. This is likely to influence the doctor's analytical report of a DV survivor's injury, wherein the doctor may issue a report that is not accurate. The medical report is important because it provides evidence of DV, but the altered report, shaped by the perpetrators' bribes could weaken the victims' assertions of abuse. In addition, Jamilya explains that often months-long delays occur in salary payments, which can prompt healthcare professionals to accept bribes. She explains the dilemma about late payments citing a case about a young surgeon accused of bribery, wherein the surgeon says,

You have been withholding my salary for 8 months, while here I must prepare my kid for school, and he doesn't have sandals. OK, so we have somehow repaired his trousers because my wife knows how to sew something out of mine, but I cannot sew shoes. I did what I had to do.

**Low reporting of DV cases**—The data analysis revealed that several factors, including the *scarcity of neighbourhood police office and in particular female officers, procedural limits in the judicial system, stereotyping and victim-blaming*, and *limited access to mental health services*, contributed to the low reporting of DV cases by survivors. These characteristics created obstacles for the survivors and decreased the amount of DV instances reported.

Scarcity of neighbourhood police officers and female officers.: An important barrier identified by respondents for low reporting of DV cases by survivors is a lack of neighborhood officers, particularly female officers. Ilim, a lawyer with a non-profit that provides legal aid, gives an example, 'Ten protection orders are issued in the village, and there is only one local police officer. He cannot guarantee security and watch over ten people.' Multiple respondents asserted that having more women in law enforcement would help prevent revictimization and make the law enforcement environment less intimidating for DV survivors. Judge Meerim acknowledged that working with a male specialist would

likely be extremely stressful for DV victims: 'Of course, in case of rape, what do they examine? Evidently, all the intimate parts of your body! Just imagine that a man would examine her and how the victim would feel?!' Syrga, the coordinator of an NGO's social entrepreneurship program, makes a categorical call for more female officers, concluding, 'More women are necessary in law enforcement agencies.'

Procedural limitations in the judicial system.: The limitations of the judicial system have been identified in multiple interviews' analysis as contributing factors to the system's inadequate responsiveness to DV and an important reason for low reporting of cases. Lieutenant Nurlan describes two situations in which judges do not prosecute abusers because of procedural limitations: 'The court does not prosecute [an offender] if it is his first fine. Also, if the perpetrator does not have a passport, the judge will not charge him and will instead let him go.' He also highlights the bureaucratic time limits, which add further barriers: 'The judge will consider DV case in his free time. The judges have their work schedules, and we have to wait until they finish their cases.'

The judges defend their inability to penalize perpetrators and say their hands are bound by the Court's rules and protocols. Judge Dinara explains the limitations of the judges' authority on providing basic consultation and the constraints in the kind of justice they can dispense, 'We can only reach a verdict of whether he is guilty or not based on the [presented] materials. It is impossible for us to say, "You need to go to the court with a statement of divorce. Why do you tolerate it?"; this will be a disciplinary issue for me.' Judge Maria asserted that responsibility for the weak judicial response lay with the state, and that shortcomings in the law must be addressed. She says,

These problems can be solved, but they must be solved by the state. We [judges] cannot go beyond our competence and impose fines on persons whose identities are not established. These fines will accumulate and be considered unfulfilled, which would demonstrate an improper fulfilment of the court's decisions by the judges.

Stereotyping and victim blaming.: Respondents assert that judges often hold negative, false stereotypes about DV survivors and treat them negatively. Polina, the psychologist notes that 'in the courts, insults sometimes come from the judges themselves,' as in the following case, 'The judge branded the girl a prostitute and claimed she herself was to blame, asking her to explain why she went there and did those things... the girl cried and ran away from the court, this was the situation.' Meerim is a judge and while discussing a case where a child rapist escaped punishment, she expresses concern about victim shaming, especially on minors by saying,

As regards the adult women, she is aware of her rights and can defend herself, but with regard to a minor girl, it is a huge problem: how to protect a child and keep her away from all these dirty accusations, "It is your own fault! Why did you get dressed like that? Why did you go there? Why did you not stay at home?"

<u>Limited access to mental health services.</u>: Another factor identified as a common thread in interviews for low reporting of DV cases is limited access to mental health services. Several reasons are given centering around the cost of private mental health specialists.

Social workers in the district social development department also emphasize the scarcity of psychologists in the country. Polina, a psychologist at a municipal center for children, notes that very few of the psychologists speak Kyrgyz, creating another limitation on access to services for many women. The director of a crisis center, Jamal, explains, 'Generally, all the professional and competent psychologists in psychotherapy are Russian-speaking. It is necessary to raise this issue at the universities because the general population speaks Kyrgyz.'

Polina asserts that DV survivors often lack the money to pay for psychological services. She explains that the lack of access is because new graduates of psychology departments are choosing to 'work exclusively in the private sector for a big salary.' She asks, 'Where can we get psychologists for a salary of 7000 som [USD\$100]? I am sorry, but who will go for it?' Jorobek, a juvenile inspector, adds, 'I have four or five familiar psychologists at the university, but if you bring low-income clients, they [these specialists] will not accept them. Because today a psychologist's services cost money.'

Polina also explains the hesitation among victims seeking treatment for psychological issues and recalls a school counsellor's experiences shared with her, 'They [children] bypass my office, you hear them running slowly, on tiptoes, away. Teachers also bypass, because contacting a psychologist is considered a stigma.' Polina believes that the concept of taking psychological treatment is not common in the population, and that the reluctance to seek treatment may have long-term consequences as a result, 'When the child grows up and has behavioural problems, they [parents] say, "He does this and that, he behaves like that." But where have you been before? This is not considered a psychological illness; it is a deviation.'

In summary, limited financial resources, mismanagement and passing around of responsibility, and lack of social legitimation for state actors were identified as important factors for the lack of implementation of DV laws at the ground level and the reason for low reporting of DV cases. The high turnover among police officers leaving the investigations incomplete, the lack of financial resources to pursue cases of DV to its logical end, and widespread corruption that resulted in case dismissal translated into weak implementation of DV laws from the police officers. The low priority given to DV cases by the judges, the weak punishment meted out to perpetrators, and the acceptance of bribes from the perpetrators to rule the cases in their favor meant the DV laws were not implemented as they should have. Medical professionals accepting bribes to alter the injury report, social workers siding with the perpetrators for bribes, and the critical scarcity of workers in the DV service sector meant the survivors had minimal chance of receiving justice. The rife corruption among all levels of law enforcement, judicial system, and social, health, and educational sectors, and the resultant mistrust in the system to deliver justice resulted in the weak rollout of the DV laws, making the laws inconsequential to both the perpetrators and the survivors. The perpetrators could bribe their way to light sentences or none at all, so the new DV laws had no meaning for them. The survivors had negligible hope of getting justice because of multiple systemic failures, and just like for perpetrators, the new DV laws had no meaning for them, because the laws were not implemented, and justice was not served.

# Theme 2. Identification of social resources and challenges inhibiting effective responses by professionals

The second theme concerns the understanding of social resources and challenges identified as important to provide a better collective response to DV, including prevention. A complicated social reality is described by the interviewees, in which state and non-state actors and family groups interact with each other around responses to DV, usually with unsatisfactory outcomes. Analysis of interviews with professionals identifies four factors which explain poor outcomes: (1) lack of social awareness of DV and the potential of schools to educate about prevention and provide services; (2) the significance of non-state actors in providing services for prevention and response to DV; (3) a fragmented institutional approach with state and non-state actors at local levels; and (4) corruption, nepotism, and a strategy of inaction by high-level state actors.

The analysis of interviews identifies *lack of awareness as a limiting factor in preventing DV*. It identifies the potential of schools as underutilized institutional vehicles for social learning (changing norms) and providing services. Many participants emphasize a need for early intervention in schools. These assertions focus on the potential for schools to become the context for changing harmful social norms, interrupting the cycle of violence, and understanding the intergenerational impact of DV on children. For example, Jumagul, a psychologist at a maternity hospital, stresses the need to invest in early intervention in schools:

Our society is used to a stereotype that a woman should endure [violence]. Women think as follows, 'My own mother and a mother-in-law lived under violence, so I should endure, too. What will people say if I leave my husband?' However, children should not be raised in violence. If we teach children from their school years about the harmfulness of violence in society...School teachers can also conduct diagnostics in their senior classes, assessing which students are at risk and experience violence at home. If it is possible to engage schools in this project, that would be excellent.

Anargul, a judge, supports this belief and says, 'It is necessary to conduct these kinds of lessons, programs, or trainings starting from kindergarten and schools.' Polina, who works at the child support center, sees three roles for schools in preventing and responding to DV: (1) educating children and teachers about children's rights, (2) identifying and preventing violence in local families, and (3) counter-acting the normalization of violence.

Lawyers from a regional legal aid clinic also emphasize the need for preventative programs beginning in early childhood. These responses focus specifically on the need to update the country's educational system and integrate a school-based violence prevention program nation-wide. For example, Nasiba expresses that change will only occur if the educational system, which has changed very little since Soviet times, is reformed and provides countermessaging to the normalization of violence in families: 'First of all, it is upbringing. This should be corrected at schools. In general, it is necessary to change the entire system of the school education.'

The respondents assert that engaging parents in this process through a family-school partnership on the prevention of violence would be effective. According to Guljan, a social worker from a local government, parents lack the skills and resources to manage their families. She comments, 'Girls become pregnant and boys smoke cigarettes. It is all because of no control at home.' Dastan, the director of a regional branch of a children's NGO, emphasizes the lack of culturally-adapted programs on sex education and gender roles at schools, as a result of which many women remain uneducated about sexual health. He characterizes the current practice of NGOs providing education as ineffective because the information is not well-adapted to the Kyrgyz context. As a result, the information and those providing it were distrusted. Omurkan, a nurse from a maternity hospital, relates the lack of education and understanding around family planning and reproductive health to the prevalence of teenage pregnancy, 'There are some girls who do not realize that they are pregnant until six or seven months pass.'

Respondents emphasize that a violence prevention strategy must address certain beliefs and harmful cultural norms around violence. Non-governmental organizations (NGOs) and international organizations are seen as critical actors to address the knowledge gap through training and awareness-raising focused on violence perpetration and its impact. Syrga, the coordinator of an NGO's social entrepreneurship program, points out the increased awareness of rights and how the existence of services has helped women leave abusive relationships:

Women became aware of the existence of such organizations and learned that they could turn to them for help. After that, people's understanding began to change and they started to admit that violence is wrong. Previously, if they had fights in the household, it was kept in the house. However, now they [potential abusers] think, 'There is an organization that can make a perpetrator face the consequences,' and they are afraid. When we started this work in the beginning, no one would take DV seriously. When we just began to work, there were no laws on DV.

The analysis identifies *non-state actors as having great potential in the provision of services to DV cases.* The narratives identify non-state actors like religious leaders, courts of *aksakals* (literally: white-beard elders), and NGOs as key mediators and service providers in cases of DV; however, NGOs are characterized as struggling to obtain resources and cooperation from state actors.

The analysis reveals a positive view of the potential of religious leaders to change norms around DV. Bakyt, the director of an NGO that focuses on HIV/AIDS prevention among sex workers, asserts that the growth of Islam in Kyrgyzstan offers a social channel for expanding normative messages for gender equality and addresssing harmful social norms around violence. For example, he asserts that *imams* and religious leaders have the potential to reach practitioners with messages of equality and non-violence of Islam during Friday prayers; *kazis* (an Islamic judge or jurist) could influence believers in *kaziyats* (a territorial division subordinate to the main leadership of Kyrgyzstan's Muslim community), and *davaatchiis* (missionaries) could also have an impact. Bakyt said, 'Today, around 30% [of Kyrgyz population] attend mosques. If *imams* include violence prevention in their

programs and say, "It is a taboo and wrong," the rate of violence will decrease. There is no justification for violence in any religion.'

Traditional village Courts of Aksakals (courts of elders) are also identified by many professionals as another important non-state actor whose effectiveness has deteriorated in responding to cases of DV and which could be revived. Respondents report that courts of aksakals were far more effective during Soviet times when they were directly involved in DV cases in rural areas. Anargul, a judge, recalls those times and explains that the court's status as a valued institution in Kyrgyz society has weakened, and that it is necessary to re-establish the court's profile, 'There used to be courts of aksakals who were directly involved in DV cases. In some villages it still works, but generally, it does not. It would be important to make the courts of aksakals work.' Kanymgul, a faculty member in the department of sociology and social work at a university in Bishkek, also speaks about the court's loss of status, 'How much has the market economy destroyed our traditional values today? Even the institution of aksakals has deteriorated. Previously aksakals were a source of fair and unbiased judgement.' District police officers assert that the activity of aksakals has waned because of insufficient government funding. Lieutenant Nurlan states, 'They do not work because they are not paid for it. The state pays the court of aksakals 1,500 - 2,000soms [equivalent to 17–23 USD], and who will work for that?'

A fragmented and under-resourced institutional approach with state and non-state actors at local levels is identified in the interviews as a third factor in the social context which inhibits the response to DV. Law enforcement officials express frustration about the lack of interagency cooperation and their role. Police officers express that the recent legislation puts the responsibility for addressing DV solely on their shoulders. Law enforcement officers perceive that other actors, both formal and informal, including the aksakals, women, youth councils, and social services should become more involved and given additional responsibilities.

Professionals from NGOs, on the other hand, report a lack of co-operation with police. Respondents from a public foundation for the empowerment of victims report, 'They [the police] do not bother us and at the same time do not help us.' The respondents say that where state actors are unable or unwilling to meet obligations in DV prevention, NGOs provide training for local officials. Marina, the executive director of a crisis center and Askar, the director of an organization that works with batterers, criticize the absence of standardized training programs for official service providers, including social workers and police officers. Askar says,

There are no clear provisions on what an employee should do in the case of violence...People were not trained professionally due to the absence of tools [evidence-based educational programs]. The law stipulates that an employee must undergo refresher courses and be paid a per diem, and should be provided proper conditions in the organization. This [training] should be done not in a private way through NGOs, but through places where police officers, judges, and local territorial workers are trained.

Professionals who work at crisis centers, shelters, and other NGOs describe complex, interdependent relationships with the local government, the mayor's office, and the Ministry of Labor and Social Protection as they discuss applying to the state social procurement system for funding. These state bodies oversee a competitive process to award funding, and they expect successful NGOs to be responsible for outcomes. According to Ermek, the public health program director for an international NGO, bureaucracy in state agencies is a major obstacle to the efficient management of crisis centers and shelters. Askar, the director of an organization that works with batterers, highlights the lack of public-private partnerships, stating that NGOs 'do not have coordination with the state.' Marina, the executive director of a crisis center, says that before establishing a partnership with the state, NGOs must first improve coordination within the NGO sector itself. She concludes, 'There is no unified approach. Why should the same initiatives and trainings be repeated by different organizations? To create uniformity, there should be one direction across the entire country: one organization can work in one direction throughout the country.' Adilet, a juvenile officer, emphasizes that there is no coordinating body for violence prevention work in Kyrgyzstan, and 'the government cannot handle [prevention work] since it is busy with populism. No one deals with it [DV] till its end.'

Jamilya, a public health consultant, emphasizes the need for an integrated approach to violence prevention and calls on the government to adopt a comprehensive violence prevention strategy, including social learning:

Instead of one-off events, systematic activities are essential here. These activities should be implemented not only at the grassroots level but also at the political level. Every program should have an ideology. Good campaign demonstrating values of kindness, love, and respect in family life is essential. It should not be just one-off short video during the off-peak viewing time shown once a day, excuse me, to just get it done due to the Law on Social Commercials. [The approach] should include comprehensive policies and be designed at all levels starting from kindergarten and finishing with the most political... It must be a synchronized system.

Corruption, nepotism, and a strategy of inaction by high-level state actors is the fourth social factor identified in analysis as a barrier to responsiveness to DV. Ermek, a public health program director for an international NGO, emphasizes a perception of embedded corruption and nepotism in high-level institutional contexts, including in the disbursement of funding for programming for DV responses. He asserts that high level interests 'give grants to their own people.' Iskender, a regional representative of the Ombudsman's Office, asserts that corruption and nepotism are systemic problems, 'Our leaders collect wealth... lie to people, and leave. [As a result], everybody is dissatisfied [loses].'

Kanykei is the director of a child support center and explains how corruption at all levels can lead to injustice. She explains the case of a victim of child rape and the corruption nexus that all but ended hope of justice to the child. She says,

We encountered corruption both in courts and law enforcement agencies, when they re-qualified a crime from grave to crime of less gravity and dismissed the case of a rape of a 12-year-old girl. The district and regional courts gave 3 years of probation

to the rapist, who was an adult male, even though he should have been sentenced to 30 years of prison or life sentence.

Kanykei explains how simple it was to turn the shocking case of child rape through bribes into a misdemeanor. The law has provisions that allow a parent to make counter statements, opening up avenues to corruption. She says,

In the past, all cases of violence we were working on were given to the unscrupulous police officers. If the [victim's] parents came and reported about a case of violence, then the other side would come and pay a bribe to everyone. A mother as a legal representative [of a child] has the right to write a counter statement without asking her child's opinion. She takes the money and signs a retraction statement which makes all the parties happy, except the child. Here, there is a chance for the corruption, because only parents could speak for their child.

In summary, Theme 2 expresses interviewees' perceptions that a better response to DV will require social change through social learning of new norms, involvement of non-state actors, a more integrated service environment, and contending with corruption.

#### **Discussion**

The objective of this study is to use the narratives of pertinent institutional professionals to explore the role of institutions in the response to DV in Kyrgyzstan as well as the limitations of this response. The study explores professionals' understandings and attempts to make meaning about the implementation of DV laws, limitations of institutions tasked with reducing violence, and the potential for more effective strategy for DV responses. The interviewees characterize the situation of widespread continuing DV with little effective intervention or prevention. They explain their inadequate responses to DV by pointing to lack of resources and the absence of a clear explication of their roles and required actions in the legislation.

The findings of the current study in Kyrgyzstan are largely consistent with other studies about DV in low-and middle-income countries that show low institutional capability and social resistance to implementing an adequate response to DV. The present study is the first about Kyrgyzstan to explore the challenges involved in addressing DV based on the experiences of experts from the fields of law enforcement, judicial system, and social, health, and education. The professionals who participated in this study have combined decades of experience assisting thousands of victims, so their understanding and meaning making is especially relevant to exploring further policy reform, intervention, and processes of global social learning and social change. By building up cases like contemporary Kyrgyzstan (i.e., low-income, Muslim-aligned with strong patriarchal family traditions, and politically and institutionally weak case), the global comparative learning and translational and implementation/delivery science base can be incrementally strengthened to understand and generalize about what works, why and how in different contexts. The sociocultural, political, and economic background of the Kyrgyz population and the challenges they face are representative of similar populations regionally and globally, and thus have relevance for the prevention of DV for Central Asia and other low- and middle-income countries

(LMICs), as well as immigrant and refugee populations residing in higher income countries like the U.S. The study aims to bridge the understanding of these issues in Kyrgyzstan with that of similar populations in LMICs, so that commonalities, cultural specificities, and differences of effective interventions across settings inform each other, and fills this gap in the Central Asian studies by broadening the intersectional scholarship and connecting political and intellectual discourses with technical and institutional communities of practice, such as social work, public health, education, and criminal justice.

The present research reinforces the findings of prior studies from many cultural settings that have shown that police often take an approach of non-intervention in DV cases, choosing to stereotype victims, adopt a "cynical interpretation" of women's motivations for reporting abuse, and believe that the problem is not solvable rather than imposing a penalty or punishment (Leung 2014, p.96). The results of the research also support prior findings from a study (Miller & Segal, 2014), which found that female officers improve police quality in the DV cases in several dimensions, including prevention of escalation of DV, declines in homicide rates, and declines in rates of repeated domestic abuse. To the extent that these results may apply to the Kyrgyz context, police departments may respond more effectively if they support initiatives to hire and train more female officers as part of broader efforts to reduce DV, such as those undertaken in other low- and middle-income contexts (Crilly, 2013). The findings also support the results of other international studies that police attitudes toward arresting perpetrators of DV depend on both the 'psychosocial profiles' of law enforcement officers (Gracia et al., 2010) and the 'demographic characteristics' of victims (DeJong et al., 2008, p. 693). Another study indicated that work conditions, poor pay, and a lack of expertise affect the overall performance of police (Tengpongsthorn, 2016). In terms of judicial response, prior research has shown that the judicial system sentences DV offenders more leniently than those who engage in violence outside the domestic sphere (Bond & Jeffries 2014, p. 866).

These findings highlight potential areas to improve the implementation mechanisms for the DV legislation passed in 2017. The important area for attention is clarification of the specific roles of institutions, and their mandatory actions and best practices. For the law enforcement cluster, there is a potential to improve outcomes by giving more authority to neighborhood police officers to deal with violence on the ground. Providing speedy justice in all but severe DV cases to survivors in real time could help officers regain receding respect, while cutting down on bureaucratic and financial hassles for the survivors. This would free up courts to focus on more critical cases, so that only extreme cases are considered by the courts. The results emphasize the need for standardized training and best practice guidance for professionals that will improve their ability to work with victims and perpetrators of violence, especially to avoid 'double victimization' (Kim & Motsei, 2002). The professionals' narratives emphasize the need for national awareness-raising campaigns on the effectiveness of reporting DV.

For the social, health and educational sectors, policymakers and practitioners should work to tailor capacity development approaches. From a strategic standpoint, facilitating a more holistic interagency intervention approach as well as coordinated social services provision that includes counseling, the use of a victim empowerment model (Kothari, 2005),

rehabilitation programs for batterers (Bent-Goodley et al., 2011), and the introduction of school- and family-based interventions will equip Kyrgyzstan to not only fight DV post factum but also reduce the rate at which it occurs (WHO, 2019). For the religious sector, conducting training for religious leaders in relation to DV and using their platforms to conduct outreach for education, awareness raising, and community development to address the key risk factors for DV and promote family nurturing and wellbeing are necessary. Currently, Saferworld project (n.d.) provides a good model for this kind of venture, in which *imams* can play a role in spiritually integrating counselling and referral services within accessible community-based niche. In the same vein, the Courts of *Aksakals* and local self-governing bodies should be utilized as a platform to train paralegals (non-lawyers with a high level of legal knowledge and ability to advise on basic matters) and to increase local capacity on DV legislation on prevention and response (UNPD, 2014). The results and the directions for improvement to which they point also imply several directions for research into effective prevention and intervention strategies at multiple levels, from local to national in scope (Childress et al., 2022).

This study is not without limitations. The data were gathered in two provinces of Kyrgyzstan, Chui, and Issyk-Kul, and thus the results cannot be extrapolated to the country. However, most respondents had worked with victims from all regions of the country and many different backgrounds, and thus had diverse experiences working with victims and aggressors; this experience outweighs the limited site of data collection. The major strength of this study is that it uses grounded theory methods to analyze professionals' own words and experiences to understand the socio-cultural, structural, legal, and institutional barriers that DV victims face in help-seeking.

#### Conclusion

The findings of the study shed light on multiple institutional and social barriers to professional service responsiveness to DV in Kyrgyzstan. The research highlights the need for capacity development within institutions and social change to overcome existing barriers and align implementation and enforcement with the intentions of recent legislation. Based on these findings, recommendations are made for the government and non-governmental sectors in Kyrgyzstan to prevent violence at multiple levels and identifies strategies for improving responsiveness, including standardized training and evaluation for professionals, national awareness-raising campaigns, enhanced roles for educators and religious leaders, better coordinated social service provision, interagency intervention approach, rehabilitation for victims and perpetrators, and the introduction of school and family-centered interventions.

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Table 1.

# Participant Characteristics

Sector	Number	Male	Female	Ethnicity	Government	NGO
Law Enforcement	11	11		Kyrgyz	11	
Judicial Sector	9	1	8	Kyrgyz	9	
Ombudsman	1	1		Kyrgyz	1	
Legal Aid	11	3	8	1 Russian & 10 Kyrgyz	11	
Public Health Sector	9	1	8	Kyrgyz	7	2
Social Services	37	1	36	4 Russian & 33 Kyrgyz	20	17
Education	5		5	Kyrgyz	5	
Total	83	18	65	5 Russian 78 Kyrgyz	64	19