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Human Rights Watch Statement

UPR outcome report of Kyrgyzstan

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Human Rights Watch welcomes the report of the Working Group on the Universal Periodic Report of Kyrgyzstan, which contains many important recommendations, including ensuring an early return to constitutional order, rule of law and respect for human rights; putting an end to all forms of intimidation, harassment, aggression, arbitrary arrest and detention, and torture against all persons, in particular human rights defenders, peaceful demonstrators and journalists; ensuring the independence of the judiciary; ensuring the rights of minorities; and inviting the Special Rapporteur on Torture to visit in 2010.

The government of Kyrgyzstan deserves credit for participating in the Universal Periodic Review in May 2010 despite the difficult political situation after the political violence and change of government in early April. But since that review the country was shaken by a new, intense wave of violence that has led to massive human rights violations. The implementation of UPR recommendations accepted by Kyrgyzstan should address these recent developments as a matter of priority.

For four days in June 2010, violence engulfed southern Kyrgyzstan, as ethnic Kyrgyz and Uzbeks clashed, leaving hundreds of people dead, thousands homeless, and entire Uzbek neighborhoods burned to the ground. So far, the government's investigation into the violence has been carried out with serious violations of Kyrgyz and international law. Arbitrary arrests and extortion have been widespread, and detainees, the majority of whom, according to a government statement, appear to be ethnic Uzbeks. Human Rights Watch received information about the torture and ill-treatment of more than 60 individuals who were detained in connection with the violence. Many have also been denied due process guarantees.

Furthermore, human rights defenders trying to monitor the situation and lawyers representing clients arrested in relation to the June violence have faced harassment by the authorities and violent attacks by private individuals.

One recent and illustrative example of these patterns is the case of Azimzhan Askarov, an ethnic Uzbek human rights defender from southern Kyrgyzstan. Last Wednesday, a court in southern Kyrgyzstan sentenced him to life in prison for his alleged role in the June violence—an incident in which a Kyrgyz policeman was killed. During the trial, the victim's relatives and supporters threatened and struck Askarov's lawyer, shouted threats and insults at the defense team, and beat defendants' relatives. Police were present, but they took no action. The court heard numerous witnesses for the prosecution, but defense lawyers felt they could not endanger witnesses by calling them to the stand. Prior to the trial, angry groups, which allegedly included the Kyrgyz policeman's relatives, threatened and physically attacked Askarov's lawyer. Local authorities did not respond to these threats and attacks. The trial judge refused all defense motions to move the trial to an alternative location, where the safety of the defendants, lawyers, and witnesses could have been better assured. Photographs of a bruised Askarov taken whilst he was in detention provide compelling corroboration that he was ill-treated in custody.

Much needs to be done to ensure justice for Askarov, and to ensure that forthcoming investigations and trials related to the violence meet international standards for due process and fair trials.

This further underscores the urgent need for Kyrgyzstan to implement the UPR recommendations without delay. In this respect, Human Rights Watch welcomes Kyrgyzstan's acceptance of many important recommendations made during the UPR and calls on its key international partners to assist the government with their immediate implementation.

One important step would be to urge to Kyrgyz government to sign the memorandum of understanding with the Organizations for Security and Co-operation in Europe (OSCE) on the deployment of an international police advisory group (PAG). The presence of international police-officers in local police-stations and their participation in patrols would provide a strong deterrent to local law-enforcement structures inclined to engage in abusive conduct. It could improve the atmosphere for the trials related to the June violence.

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