



Kyrgyzstan

Kyrgyzstan/FIDH's President visits Azimjan Askarov

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Kyrgyz authorities must fight effectively against impunity and guarantee the rule of law

FIDH's mission, including FIDH's President, Souhayr Belhassen, and FIDH's Vice-President, Aliaksandr Bialiatski, visited Kyrgyzstan and met with the authorities on December 1-3 in order to issue recommendations regarding the human rights situation in the country.

On December 2, they visited Azimjan Askarov, a human rights defender of Uzbek origin who was sentenced to life imprisonment on September 15, 2010. «The human rights situation in Kyrgyzstan is closely linked to its political instability. Without an attempt of the authorities to fight against impunity for the violations committed in April and June 2010 and since these events, stabilisation cannot be achieved», said FIDH's Vice-President Aliaksandr Bialiatski. The mission was organised with the support of FIDH member organisations in Kyrgyzstan Adilet, Citizen Against Corruption (CAC) and Kylym Shamy.

The FIDH delegation raised the issue of the absence of the publication of the national commission's conclusions regarding the April events, when clashes and overthrowing of the power of former president Bakiyev caused at least 86 deaths and 500 injured. The mission called for the establishment of an independent and impartial investigation on the April events and on the violences that occurred in June in the South of the country and caused hundreds of deaths and thousands of injured, mainly ethnic Uzbeks. The mission also expressed its concerns regarding the absence of rule of law in ongoing trials in the South against alleged perpetrators of violences and the ongoing trial which opened on November 17 in the Sports Palace in Bishkek of 28 high ranked officials of the Bakiev regime and members of the security forces accused of being responsible for the 86 deaths in April.

FIDH also condemned the violations of the rights of human rights defenders and lawyers. FIDH's partner organisations in Kyrgyzstan are under constant pressure and undergo defamation. In Bishkek, the lawyers from Legal Clinic Adilet and Citizen Against Corruption, defending the accused at the trial in the Sports Palace, were violently threatened by the public attending the trial. Lawyers were publicly humiliated and subjected to blatant threats to their life and health, some insults being of a nationalist nature. As a result, the defendants and the lawyers were evacuated from the court room in order to avoid a bloodshed. The latter consequently addressed, among others, the parliament, the Justice Ministry and the Supreme Court in an official letter denouncing the violations of the standards of fair trial. As a response, instead of defending the lawyers, the Ministry of Justice threatened to deprive them of their licenses for alleged disturbance of the trial. A few days later, on November 30, at the entrance to the Sports Palace, a bomb exploded only minutes before the lawyers and defendants were supposed to arrive. In Southern Kyrgyzstan, lawyers working with Kylym Shamy are under constant pressure. The coordinator for the Osh region, Tokhtasyn Kozybaev, was detained by the Osh city police on December 1, and the Coordinator for the Jalalabad region, Abdunazar Mamatislamov, was also subjected to harassment by the local police.

On December 2, when the FIDH delegation visited Azimjan Askarov in the hospital for detainees in colony 47 in Bishkek, he explained to FIDH's President that he had been severely beaten in the Tash-Kumyr prison on November 4 although the Procuratura denied these allegations in a letter sent to CAC in the beginning of December. Azimjan Askarov and the 7 other defendants indicted in the same criminal case were previously severely beaten by guards while in custody. Signs of this mistreatment was clearly visible during Askarov's trial in the Nooken court on September 8. Indeed, he appeared before the court with bruises around the eyes. Azimjan Askarov is currently receiving medical treatment. However, no information was given as to when he will be transferred from the medical colony. « Charges were fabricated against Azimjan Askarov. The ombudsman Tursurnbek Akun, whom we met, declared that he launched an investigation commission on Azimjam Askarov's case, which conclusions were very clear: Askarov is completely innocent», declared Souhayr Belhasen, FIDH's President. «We request a new, transparent and impartial investigation so that justice is served and that Askarov's innocence is acknowledged. We call the international community to support our recommendations », she added.

FIDH calls for the Kyrgyz authorities to:

- launch a new, impartial and independent investigation on Azimjan Askarov's criminal case;
- fully respect the independence of judges and the rule of law in accordance with international standards;
- guarantee the protection of threatened human rights defenders and lawyers;
- guarantee the independence of the conclusions of the national investigation commissions, respectively on the April and June events; the commissions must also work on delivering a full list of victims;
- call for a mandate of an international body for the international investigation commission currently investigating the June events; this mandate should include an investigation on the causes of the violences, a full list of victims, an investigation on the origin of the weapons, an establishment of the responsibilities, an assessment of human rights violations in the South of the country from May 2010 until now, an evaluation of the implementation of the rights to the victims to justice in an independent and equitable way.

<http://www.fidh.org/Kyrgyz-authorities-must-fight-effectively-against>