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Kyrgyzstan: Lack of justice could fuel new violence

Failure to deliver justice for the killing, rape and torture of civilians could lead to further clashes, Amnesty International warned ahead of the first anniversary of the violence that shook southern parts of Kyrgyzstan.

Four days of violent clashes between ethnic Kyrgyz and ethnic Uzbeks in the Osh and Jalal-Abad areas on June 10-14 2010 left about 470 people dead, thousands injured and hundreds of thousands displaced.

According to local observers, 74 per cent of those killed were Uzbek and 25 per cent Kyrgyz.

One year on, Amnesty International's briefing, *Still waiting for justice*, calls on the Kyrgyzstani authorities to establish the truth about what happened and provide justice for the thousands of victims and their families.

"The failure to bring to justice those behind the violence could provide fertile soil for the seeds of future turmoil and future human rights violations," said Nicola Duckworth, Europe and Central Asia Programme Director.

"While the authorities have made some positive steps, such as providing compensation for the victims and promising to review allegations of torture, they still have much to do to address the litany of human rights violations that occurred during and after the violence and restore the confidence of all ethnic groups in Kyrgyzstan that they have an equal stake in the country's future."

About 20 cases of rape and other sexual violence have been documented during the violence but human rights monitors believe the real number to be much higher. Many of the victims were Uzbek women and girls and the perpetrators mostly Kyrgyz men.

In the aftermath of the violence, Kyrgyzstani security forces used excessive force in their search operations and tortured or ill-treated detainees, Amnesty International's report found.

Ethnic Uzbeks accounted for 75 per cent of the casualties and sustained 90 per cent of property losses. However, according to official figures, of the 271 people who had been taken into custody in relation to the June violence, 230 were ethnic Uzbek and only 29 ethnic Kyrgyz.

Following unfair trials, during which allegations of forced confessions were not investigated, defence witnesses were not interviewed and lawyers were threatened and physically attacked, courts have handed down at least 27 life sentences, all of which to ethnic Uzbeks.

"Ethnic bias and corruption are behind the pervading impunity in Kyrgyzstan. Thousands of open cases relating to last June's violence are waiting completion. In the meantime, hundreds, if not thousands, of officials and civilians, ethnic Kyrgyz and ethnic Uzbek, are escaping accountability for their crimes," said Nicola Duckworth.

“The rule of law must be upheld in order to rebuild the trust between the ethnic groups and prevent future bloodshed. All crimes, including crimes against humanity, must be investigated and tried in fair proceedings.”

The International Commission of Inquiry into the violence found there was strong evidence of widespread, systematic and coordinated offences against ethnic Uzbeks that would amount to crimes against humanity if proven in court.

The subsequent investigations and prosecutions were flawed and ethnically biased, the International Commission’s May 2011 report found. It concluded that torture of detainees in connection with the violence had been “almost universal”.

“The Kyrgyzstani authorities must implement its recommendations promptly,” said Nicola Duckworth.

“They must ensure that attacks, in the course of which Uzbek residents were beaten, killed and raped over several days, are investigated and prosecuted in accordance with international law.”

Cases

Early on 21 June, security forces entered the Uzbek village of Nariman in Osh region allegedly to dismantle the barricades which had been erected, arrest suspects, and seize weapons. However, victims and human rights organizations reported that security officers beat people and destroyed personal documents during the house searches.

One man was shot and died on the way to hospital, another was beaten to death and many more were injured. No members of the security forces were prosecuted for human rights violations committed during the Nariman raid.

Azimzhan Askarov, a prominent human rights defender, and seven others, all ethnic Uzbeks, were accused of the murder of an ethnic Kyrgyz police officer during the violence in Bazar-Korgan in June.

In September 2010, their trial was marred by repeated acts of violence against the relatives and lawyers of Azimzhan Askarov and his co-defendants both inside and outside the courtroom. Defence lawyers were not given the opportunity to question witnesses, submit petitions, or call defence witnesses as the authorities were not able to guarantee their safety. The defendants denied the charges and maintained in court that they had been forced to confess under duress.

Their allegations were not investigated and five of them, including Azimzhan Askarov, were sentenced to life imprisonment. Amnesty International considers Azimzhan Askarov to be a prisoner of conscience and is calling for his immediate unconditional release.

In August 2010 in Jalal-Abad, Nasiba’s Narbaeva’s husband Makhkam was abducted from his home at night by three masked men and later killed. Nasiba, who witnessed the abduction, was threatened, bound and gagged by the intruders, whom she identified as ethnic Kyrgyz.

Following her husband’s murder, Nasiba, an ethnic Uzbek, was repeatedly brought in for questioning by local police who accused her of having organized her husband’s murder. She said she was beaten, bound to a chair and had her hijab forcibly removed. When Nasiba refused to sign a confession implicating herself and a young male Uzbek relative in the murder of her husband, she alleges that the police officers threatened to rape and kill her. Nasiba finally signed a confession which had been prepared for her and was released.