

KYRGYZSTAN

Special Decisions or Action Taken Re: Reporting, Including Urgent Action Procedure

CERD, A/65/18 (2010)

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Chapter II

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING AND URGENT ACTION PROCEDURES

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B. Decision 1 (77) on Kyrgyzstan

The Committee on the Elimination of Racial Discrimination,

Alarmed by the reports of the attacks and killings that occurred in June 2010 in the southern part of Kyrgyzstan, as a result of tensions between the Uzbek and the Kyrgyz ethnic groups,

Deeply concerned that the ethnic violence has led to massacres, lootings, plunders, destruction of houses and property of citizens, displacement of the population, in particular of the Uzbek ethnic group, as well as at the inability of the police to provide security in the conflict area,

Seriously concerned by information according to which the ethnic Uzbek community appears to have become the main target of subsequent law enforcement activities, including threats, unlawful arrests, unlawful detentions, disappearances, torture and denial of access to justice,

Particularly concerned by information indicating, inter alia, that detainees are frequently forced to confess to crimes which they have not committed and that the payment of ransom is demanded of families of detainees for their release, as well as by reports on increasing discrimination against ethnic Uzbeks by the local authorities, employers and other entities in different areas, and at the role of Kyrgyz media in the portrayal of the situation,

Worried by reports about the planned redevelopment of Osh, which does not appear to envisage the reconstruction of the traditional Uzbek living areas destroyed during the June events,

Recalling that Kyrgyzstan has ratified the International Convention on the Elimination of All Forms of Racial Discrimination and is under the obligation to prevent and protect persons against acts of hatred, incitement to ethnic violence or any form of violence based on ethnicity,

Having considered the situation in Kyrgyzstan under its early warning and urgent action procedure:

1. The Committee urges the Government to ensure the protection of all its citizens from ethnic hatred, including by ensuring a balanced approach by the law enforcement agencies and local authorities and by holding those committing violations personally accountable.
2. The Committee also urges the Government to pay due attention to possible discrimination on ethnic grounds in other areas, including employment and education, to carefully consider the role of national and local media with regard to the situation, and to ensure that the reconstruction of Osh does not further victimize affected ethnic Uzbek communities.
3. The Committee strongly urges the Government to facilitate access to justice for the victims, to investigate the violations of human rights, to bring to justice those responsible, to provide redress to the victims and their families, including by returning their property, and to promote dialogue between different ethnic communities with a view to achieving tolerance and peace.
4. The Committee particularly urges the State party to cooperate with the Policy Mission of the Organization for Security and Co-operation in Europe deployed in Kyrgyzstan, and to support the creation of an international independent commission of inquiry and cooperate therewith, with a view to complementing the national investigation.
5. The Committee requests information on the situation and the measures taken for its redress, not later than 31 December 2010.

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