

Forum on Minority Issues, 24-25 November 2015

Mr Zakir Amanbaev, Human Rights Defender, Kyrgyzstan

Challenges of criminal justice systems in addressing the needs and demands of minorities

Dear Mister Chair, Ladies and Gentlemen,

The issues I present aligns with draft recommendation, numbers 28, 30, 32, 33 and 40. I belong to Uzbek minority in Kyrgyzstan. I would like to remind that my country – Kyrgyzstan is a member of legally binding treaties.

Kyrgyzstan ratified ICCPR, ICERD, and CAT. Under the Article 26 and 27 of ICCPR Kyrgyzstan shall protect minority rights and that the state shall prohibit any discrimination on any ground including ethnicity.

In 2014, the HR Committee recommended that Kyrgyzstan should take effective measures to ensure that all alleged human rights violations related to the ethnic conflict are fully and impartially investigated, that those responsible are prosecuted, and that victims are compensated without any discrimination based on ethnicity.

In 2013, the Committee against Torture expressed: “Allegations of any public official’s infliction of, ordering of, or acquiescence to torture or ill-treatment against ethnic Uzbeks is fully and effectively investigated and, as appropriate, prosecuted”.

In 2013, CERD Committee recalled to the state of Kyrgyzstan that the absence of complaints or legal proceedings brought by victims of racial discrimination can be indicative of fear of social censure or reprisals, or an unwillingness on the part of the authorities to initiate proceedings.

Kyrgyz government should involve minority groups for implementation of recommendations of treaty bodies in order to ensure equal and effective access to justice.

We urge Kyrgyzstan to follow up recommendations of treaty bodies. We would like to remind that the Kyrgyz Republic voluntarily agreed to implement the demands of mentioned treaties.

Thank you