



The Need for International Action in Southern Kyrgyzstan

Testimony for the Tom Lantos Human Rights Commission

Rachel Denber

Deputy Director, Europe and Central Asia division, Human Rights Watch

June 1, 2010

I am honored to appear before you today. Thank you for your invitation to speak about the human rights crisis in southern Kyrgyzstan and what the US government can do to help address it.

Mr. Chairman, Commission members:

Human Rights Watch has been monitoring the human rights situation in Kyrgyzstan for nearly two decades. We have had a research team on the ground in Osh since the violence broke out on June 10. We have documented the massive looting and destruction of civilian property and widespread acts of violence by Kyrgyz and Uzbek mobs in the city of Osh and in other towns in southern Kyrgyzstan. We also documented human rights violations that have taken place in the aftermath of the mayhem.

Mr. Chairman, commission members, the mass violence in southern Kyrgyz has subsided but the human rights crisis continues. It is indeed a relief that further violence did not mar Kyrgyzstan's June 27 referendum. But the situation remains tense and volatile. Human Rights Watch research on the ground has found that ethnic Kyrgyz and Uzbek communities remain divided, and that Uzbek communities have no trust in Kyrgyz authorities to protect them from further violence or to launch a credible, impartial accountability process. Ethnic Uzbeks continue to express great fear and anxiety about leaving their neighborhoods, and we continue to receive reports of attacks. In some cases officers from Kyrgyz law enforcement carrying out search and seizure operations have beaten ethnic Uzbeks, which has further raised tensions and exacerbated the divide between this community and the Kyrgyz government.

There is an urgent need for an international policing mission to be deployed in Kyrgyzstan in order to bridge this divide, protect people, build confidence, and deter further violence. There also needs to be an international inquiry into the events of June 10-14 and the immediate aftermath. This investigation would pave the way for the national accountability process that is currently under way and for a reconciliation process.

My testimony outlines the mob violence of June 10-14 and raises questions about the response of Kyrgyz law enforcement and security forces. It describes an evolving, tense security environment in Osh, in which ethnic Uzbeks have little protection from attacks and fear venturing outside their neighborhoods. I will also discuss concerns about human rights abuses committed by Kyrgyz law enforcement and security forces in the context of recent search and seizure operations and their treatment of individuals in custody. I will conclude by making specific recommendations about the need for an international inquiry into the violence and for an international force to help Kyrgyz law enforcement provide stability and security for all people in southern Kyrgyzstan.

From Clashes to Mob Violence

Mass violence erupted on June 10 when hundreds of Uzbeks gathered near a dormitory in the center of Osh, allegedly in response to recent scuffles between Uzbeks and Kyrgyz. The Uzbek crowd torched several buildings, including a casino, and set fire to several cars. Violence escalated when rumors spread that people in the Uzbek crowd had raped a Kyrgyz girl in the dormitory, a rumor that turned out to be false.

Human Rights Watch researchers working in southern Kyrgyzstan from June 10 to 22 documented the massive looting and destruction of civilian property and widespread acts of violence by Kyrgyz and Uzbek mobs in the city of Osh and the towns of Jalal-Abad and Bazar-Kurgan.

While both ethnic Kyrgyz and Uzbeks fell victim to the violence, Uzbek neighborhoods were particularly affected as mobs of ethnic Kyrgyz, many of them reportedly from villages surrounding the city of Osh, repeatedly attacked Uzbek areas. Over the following days mobs looted and burned to the ground an estimated 2,000 houses (http://unosat.web.cern.ch/unosat/asp/prod_free.asp?id=23) in Uzbek neighborhoods in Osh, Jalal-Abad, and Bazar-Kurgan. Human Rights Watch documented dozens of killings and beatings during these attacks, interviewed two Uzbek victims of rape, and received detailed information about the rape of nine others, ages 15 to 40, from the doctor who had treated them.

Human Rights Watch also spoke with relatives of ethnic Kyrgyz men who were killed during the violence and documented the destruction of several buildings belonging to ethnic Kyrgyz.

Hospital records and witness testimony indicate that the majority of dead and wounded are young Uzbek and Kyrgyz men. However, dozens of women and children were also shot or burned in their homes.

Systematic attacks based on ethnicity

Human Rights Watch research suggests that the violence – particularly the attacks on Uzbek neighborhoods – was systematic and, at least in some cases, well-organized. Witnesses in several neighborhoods told Human Rights Watch that men in military uniform riding on top of an armored personnel vehicle would first clear the barricades that the Uzbeks had erected at the entrance of their neighborhoods. A group of armed men, including gunmen strategically placed on rooftops, would then fire at people in

the neighborhood, forcing them to flee.

Once residents fled or hid in their basements, the next group, in civilian clothes, entered the neighborhood and systematically looted the houses, often loading the loot on cars stolen on the spot. Another group then followed, setting the looted houses on fire with Molotov cocktails or gasoline. In several cases documented by Human Rights Watch, the mob also beat and killed residents who did not manage to escape or who tried to prevent the destruction of their homes.

Following are examples:

- A 50-year-old ethnic Uzbek woman told Human Rights Watch how on June 11, a mob invaded her home and beat and burned her as they tried to get her to reveal her son's whereabouts. She refused, but as she watched, helpless, the men entered and then torched an adjacent building where her son was taking shelter, burning him to death.
- Late at night on June 10, hundreds of young Kyrgyz men came to several streets in the Cheremushki neighborhood in the eastern part of Osh, inhabited predominantly by ethnic Uzbeks. Numerous witnesses interviewed by Human Rights Watch said the men were beating the residents and looting and burning the houses. They burned the house of a 16-year-old Uzbek girl, "Umida" (her name is changed here to protect her), and beat her father; five of them raped her.

Two examples of attacks on ethnic Kyrgyz are below:

- On June 10, at around 10 p.m., two ethnic Kyrgyz men, Emil and Ruslan, who work in a computer club in Osh, were on their way back to their home village of Japalak on the outskirts of the city. They had not yet heard of any clashes in the city and thus took their usual route – through an Uzbek neighborhood. A mob stopped the car, dragged them out, screaming "Get you, Kyrgyz!" and beat them. When Human Rights Watch interviewed the two men they still had marks from the beating on their faces and bodies.
- On June 11, a mob raided the village of Kyrgyzcheck, which is predominately Kyrgyz, resulting in the deaths of at least eight people. Dozens sustained gunshot, knife, and burn injuries.

Human Rights Watch observed that many houses had been marked with the ethnicity of their owners. In several neighborhoods, virtually all Uzbek homes were destroyed, while the few houses that remained intact belonged to Kyrgyz, indicating that the mobs obtained information about the owners of the houses and limited attacks to Uzbek houses. The Kyrgyz mobs covered the walls on Uzbek homes with graffiti saying "Death to the Uzbeks" and similar slogans.

Questions About Involvement of Government Forces

Many Uzbeks told Human Rights Watch that they believe government forces participated in the attacks on their neighborhoods, referring to the presence of armed men in military uniform among the attackers and the use of armored personnel carriers (APCs) to remove the Uzbek barricades.

Local law enforcement officials admitted to Human Rights Watch that APCs had been used in the attacks. They claimed, however, that the mobs had stolen weapons and military vehicles from nearby military bases. A high-level local official in Jalal-Abad told Human Rights Watch that at least 59 automatic guns, a grenade launcher, and two armored vehicles were taken from two military bases in Jalal-Abad. The official told Human Rights Watch that “in order to avoid bloodshed the troops abandoned the base,” but claimed that they had first “broken” the military vehicles to avoid them being used by the mob.

While Human Rights Watch has not been able to conclude whether Kyrgyz security forces were directly involved in the attacks based on the information collected so far, the presence of men in military uniform, the apparent ease with which the mobs obtained weapons, including heavy military vehicles, and the failure to stop the violence should be key elements of the investigation into the violence.

Attacks in the Aftermath of June 10-14

Ethnic Uzbeks continue to express great fear and anxiety about leaving their neighborhoods. These fears are well-grounded. Human Rights Watch documented (<http://www.hrw.org/en/news/2010/06/17/kyrgyzstan-new-attacks-against-uzbeks>) at least a half dozen attacks—including beatings and rapes—against ethnic Uzbeks who ventured out of their neighborhoods for various needs, such as to go to the bazaar, collect humanitarian assistance, go to the hospital, or attend a funeral.

Skepticism About the Government's Investigation

The interim government has begun an investigation into the June violence. Many Uzbeks told Human Rights Watch, however, they believed security forces either perpetrated the attacks or deliberately turned a blind eye to them. Regardless of whether this is true, the result has been a complete breakdown in trust between the Uzbek community and the government. As a result, they do not believe that the authorities will conduct an impartial and objective investigation.

An Uzbek man who fled the town of Bazar-Kurgan and who, as of June 20, was still staying near the Uzbek border with thousands of other displaced Bazar-Kurgan residents who were too afraid to go home, told Human Rights Watch: “We don't believe the authorities any more. While the Kyrgyz were burning our homes and killing us, the police were nowhere to be seen. How can we trust them now to investigate these violations if they failed to prevent them and refused to protect us in the first place?”

Abusive Sweep Operations and Beatings in Custody

Human Rights Watch has received numerous reports of abuses committed by Kyrgyz police and security forces in the context of police and security operations in the weeks

that followed the June 10-14 violence. These abuses have further reinforced the perception in the Uzbek communities that they cannot trust law enforcement authorities to be objective or to protect them.

For example, Kyrgyz forces wounded at least 20 people, two of whom died, during a security operation on June 21, 2010, in the predominantly Uzbek village of Nariman, located on the outskirts of Osh. Police had gone from house to house in the neighborhood, demanding identification documents and information about the killing of the village police chief, whom police say Nariman residents killed on June 12, 2010.

After several residents had presented their documents, the security forces started beating them with rifle butts and kicking them, victims and witnesses told Human Rights Watch. One of the beating victims died from his injuries. Residents said police demanded to know who was responsible for killing the police chief. The forces also smashed cars, furniture, and windows, and took money and jewelry from the residents. More than a dozen victims were brought to the Nariman hospital, where Human Rights Watch researchers saw them arriving and interviewed them.

Human Rights Watch received further credible, serious reports about the misconduct of the police and military during sweep operations and detentions.

Residents of Shait-Tepe, an Uzbek neighborhood in Osh, described to Human Rights Watch a sweep operation that took place there early on the morning of June 23. They said that the armed personnel beat several of the Uzbek men, and a male resident told Human Rights Watch that one of the armed personnel hit the man's wife in the face after their child started to cry.

Another Shait-Tepe resident told Human Rights Watch that about six or seven armed personnel men kicked in the door to the resident's home and asked to see the family's passports. When the armed personnel left, the residents discovered that two mobile phones and about 1000 som (about \$20) had disappeared. When the family asked that their phones be returned to them, the officers replied, "What, you think we're thieves?" Other residents of Shait-Tepe also reported that officers took valuables such as cell phones, money, jewelry, and in one case, a computer.

Residents in another ethnic Uzbek neighborhood in Osh said that on June 30, police officers who did not identify themselves detained six ethnic Uzbeks without providing any reason or informing their relatives where they were taking the men. Residents also told Human Rights Watch that an officer shot his weapon into the air several times as one of the men was being detained. The men were released later in the day without charge.

Human Rights Watch is also concerned about credible reports about police beatings of those detained in weeks following aftermath of the violence. For example, in late June we interviewed three ethnic Uzbeks who had been detained (this – which ??) week and beaten in custody before being released. One had visible bruises and all three were clearly traumatized by their ordeal.

The Arrest of a Human Rights Defender

On June 15, authorities in Bazar Kurgon arrested Azimzhan Askarov, director of Air, a local human rights organization, who is active in the Jalal-Abad province human rights network "Justice." He is being held on charges of "organizing mass disturbances" and "inciting interethnic hatred."

Askarov was not formally charged until June 18, although Kyrgyz law requires charges to be brought within 48 hours. During Askarov's first week of detention, authorities refused to allow an independent lawyer to meet with him. On June 20, after Human Rights Watch intervened, Askarov was allowed to meet with a lawyer provided by a local human rights organization, but several police officers in the room refused to leave during the meeting. When another lawyer, Nurbek Toktakunov, went to see him on June 22, the deputy prosecutor was present during the entire meeting.

While the presence of the police prevented Askarov from talking freely, Askarov showed his lawyer bruises on his left side and lower back, which the lawyer photographed. The lawyer told Human Rights Watch that he believed the bruises were marks of severe beatings that Askarov suffered shortly after he had been detained. The deputy prosecutor rejected Toktakunov's motion for Askarov to have a forensic medical examination, saying an examination had already been conducted. She refused to provide the lawyer with a copy of the medical report.

When Human Rights Watch met with Bazar Kurgon police on June 20, officers on duty were incensed by Human Rights Watch's concerns about Askarov. One of them said, "You may believe he is clean and innocent, but we know that he is a piece of shit." Another officer added that Askarov should be promptly executed.

Askarov's lawyer appears to have come under attack for having taken on his defense. On June 23, a group of about a dozen women and men surrounded and threatened him with violence as he was entering the Bazar-Kurgon prosecutor's office. Responding to Human Rights Watch's call regarding the incident, Bakirov said the crowd had probably been relatives of the police officer who was killed. The prosecutor refused to take any action in relation to the incident.

Recommendations

Justice and protection are urgent priorities for southern Kyrgyzstan. Given the breakdown in trust between the ethnic Uzbek community and the Kyrgyz authorities, there needs to be an international component in the justice and accountability process and in the protection of civilians.

A two-pronged approach to accountability

There needs to be a two-pronged approach to accountability for the June 10-14 mayhem: an international inquiry and a national criminal investigation with international involvement.

The first step should be an international investigation in to the violence. This investigation would help pave the way for the national accountability process and would not be intended to supplant domestic efforts. Unlike the domestic criminal process, an international investigation could be fielded and completed quickly. Its findings could be of immediate use in further guiding the domestic investigation and in formulating strategies to stabilize the situation and prevent a recurrence of violence.

An international group of experts would be seen by all sides in Kyrgyzstan as both impartial and credible, and the inquiry's findings would be difficult for any clans, ethnic groups, opposition supporters or the interim government to dismiss.

At the same time, Kyrgyzstan's interim government is responsible for ensuring a credible national process that brings the perpetrators of the violence to justice and addresses damage claims by victims. The international inquiry would result in an authoritative report that could provide direction for the criminal investigations by Kyrgyz authorities.

For the Kyrgyz national investigation to be effective, it too needs to be undertaken quickly and to be impartial and thorough. Those responsible for the investigation need to be independent from those implicated in the events, not just institutionally but in practical terms so for example, they are not relying only on Kyrgyz law enforcement to supply evidence. Involving international experts in the national process will enhance both the effectiveness and credibility of the investigations.

The Obama administration should engage directly with the Kyrgyz interim government to discuss this two-pronged investigations strategy. In order to move forward on investigations, the Obama administration should urge Kyrgyzstan's interim government to request that the UN Secretary-General launch an international inquiry as quickly as possible.

The Need to Deploy an International Policing Mission

Kyrgyzstan's police, security, and military forces have responsibility for ensuring the security of all people in southern Kyrgyzstan. They have requested assistance from the OSCE in doing so. This assistance is urgently needed, especially in light of the vulnerability of ethnic Uzbek communities and their well-founded anxieties about security, and their gaping lack of trust in the Kyrgyz authorities' willingness or ability to protect them.

An international stabilization mission of limited size could make a significant difference by securing the area for humanitarian relief, providing security for the displaced who have and will continue to return home, and creating space for reconciliation, confidence-building, and mediation programs to succeed. This mission would have a policing mandate and could be bolstered by military forces, particularly constabulary forces or gendarmes, if necessary.

The OSCE is well-placed to ensure security in Kyrgyzstan because it is the preeminent multilateral organization in the region and because the Kyrgyz government has requested that it do so.

The Obama administration should push for such a stabilization mission to be fielded as quickly as possible and to ensure that it has the resources to carry out its mandate effectively.

The Obama administration has the opportunity to act now to help the Kyrgyz government protect people in southern Kyrgyzstan and prevent a recurrence of the mayhem of June 10-14. It should not miss this opportunity.

Thank you very much.