



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Reports submitted by States parties under article  
9 of the Convention**

**Fifth to seventh periodic reports of States Parties due in 2010**

**Kyrgyzstan\*, \*\***

10 April 2012

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\* This document contains the fifth, sixth and seventh periodic reports of Kyrgyzstan due on 4 October 2006, 2008 and 2010 respectively, submitted in one document. For the second, third and fourth periodic reports and the summary records of the meetings at which the Committee considered this report, see documents CERD/C/KGZ/4 and CERD/C/SR.1823, 1824 and 1843.

\*\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**Combined fifth, sixth and seventh periodic reports of  
Kyrgyzstan on the Implementation of the International  
Convention on the Elimination of All Forms of Racial  
Discrimination due in 2010**

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## I. Introduction

1. The combined fifth, sixth and seventh periodic reports of Kyrgyzstan on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination due in 2010 (covering the period from September 2007 to the end of May 2011) are submitted to the Committee on the Elimination of Racial Discrimination in line with Kyrgyzstan's international commitments.

2. The previous report (CERD/C/KGZ/4), containing the country's combined second, third and fourth periodic reports, was approved by Government Decision No. 165 of 15 March 2006 and submitted to the Committee in due time.

3. Presidential Decree No. 204 of 5 July 1997 established the Human Rights Commission reporting to the President as an advisory and consultative body to assist the Head of State in carrying out his or her constitutional mandate as guarantor of human and civil rights and freedoms. In discharging its mandate, the Commission:

- Takes part in the preparation and submission of Kyrgyzstan's reports on human and civil rights to the United Nations, the Organization for Economic Cooperation and Development and other international organizations working in the area
- Monitors the activities of State agencies in ensuring and protecting human and civil rights and freedoms in Kyrgyzstan

4. During the period from 2007 to mid-2011, Kyrgyzstan underwent several traumatic events, including the April 2010 revolution, which overturned the second President's family-clan regime and led to fundamental changes in the country's social and political life, as well as a change from a presidential to a parliamentary system of government.

5. On 7 April 2010, the previous leadership of the country tried to disperse a demonstration using firearms, resulting in the deaths of around 90 people and various degrees of injury to over 1,000 people.

6. There were several inter-ethnic conflicts between 2007 and 2011 in Chu province and one very large-scale inter-ethnic conflict in June 2010 between Kyrgyz and Uzbek inhabitants of Osh and Jalal-Abad provinces.

7. Between 31 January and 6 February 2007, clashes took place between Dungan and Kyrgyz communities living in the village of Iskra, Chu district, Chu province. They were set off by a fight in a computer games hall between Kyrgyz and Dungan youths. During the fight, rather than calling on the law enforcement agencies, criminal help was recruited from some Dungan individuals who, attempting to disperse the crowd, fired shots in the direction of the Kyrgyz group, wounding one of the riders' horses. This had the opposite effect, and the Kyrgyz group, outraged by the criminal group of Dungan individuals using firearms, began to take action against all the village's Dungan population. Six persons were wounded as a result. A total of 32 persons were arrested or investigated. Seventy Dungan families left the village, but later returned. Several haystacks and one barn were burned. Thirty houses suffered in the rioting, with windows broken, 11 were particularly badly damaged, with broken windows, furniture and doors, and plaster damaged by blows from crowbars. No houses were burned.

8. There were further clashes in the village of Petrovka on 26 April 2009, between ethnic Kyrgyz and Russians on the one side and ethnic Kurds on the other. They were sparked by a paedophile assault by a Kurdish man on a small Russian girl and the subsequent death of the girl's grandmother from the shock, as well as the refusal of the district internal affairs agencies to bring criminal charges in the case. The local population,

both Kyrgyz and Russian, outraged by the assault, took it on themselves to restore justice and began to take revenge on the village's entire Kurdish population. The clashes led to about 80 casualties. Fifteen houses were damaged in the rioting. Windows were broken and doors, fences and outbuildings were damaged. Some Kurdish families fled their houses during the rioting. The damaged houses were looted. The rapist was later convicted, and the head of the district internal affairs agencies was relieved of his duties.

9. On 19 April 2010, there were mass disturbances in the village of Maevka, near to Bishkek, caused by supporters of the ousted President on the pretence of taking over pastureland near the capital belonging to Meskhetian Turks. As a result of the disturbances, 4 persons died, more than 40 were wounded and 11 houses were burned, 4 of them completely. A total of 857 hectares of pastureland belonging to inhabitants of Maevka was seized and allotted by the rioters for individual house construction. Action by the law enforcement agencies and volunteer militias led to the land being given back to its owners and the instigators of the riots being arrested. Court cases were brought against five individuals, who were found guilty. One of them, Isabai Ashirov, was sentenced to 7 years' deprivation of liberty.

10. The tragic events in southern Kyrgyzstan from 10 to 14 June 2010, triggered by supporters of K.S. Bakiev's family-clan regime, caused outbreaks of violence, many victims, large-scale arson and disorder. They were set off by a fight between Kyrgyz and Uzbek youths in a games room near the Alai hotel at around 11 p.m. on 10 June 2010. Unknown persons took advantage of the situation to incite Uzbeks to attack Kyrgyz people, continuing into the morning of 11 June. The clashes between the Kyrgyz and the Uzbeks varied in intensity but, after support arrived in the form of a large group of Kyrgyz origin from the rural areas, rioting began in the Uzbek areas of Osh.

11. On 11 August 2011, an interdepartmental meeting attended by the heads of the Office of the Procurator-General, the State National Security Committee, the Ministry of Internal Affairs and the State Service for the Execution of Punishments considered the results of the interdepartmental plan of action for the detection, investigation and consideration of cases linked to the tragic events in the south, and prevention of such events in the future. Following the meeting, the Office of the Procurator-General issued an instruction for working groups to be set up with representatives from the Office of the Procurator-General, the Ministry of Internal Affairs and the Ministry of Health to produce more precise information on those who had died during the mass unrest in Osh and Osh and Jalal-Abad provinces in June 2010. The working groups found minor discrepancies, subsequently dealt with, in the number of victims and the bodies identified or not. As of 15 September 2011, 436 bodies had been found in connection with the criminal cases related to the June 2010 mass unrest in the south of the country; 415 had been identified and 21 remained unidentified (10 in Osh, 10 in Osh province and 1 in Jalal-Abad province). A total of 268 cases were brought against 467 persons; 227 of them, involving 412 individuals (122 Kyrgyz, 279 Uzbeks and 11 of other ethnic origin) were considered. These resulted in the convictions of 387 individuals (103 Kyrgyz, 273 Uzbek and 11 of other ethnic origin).

12. During the June events, 3,671 items of property were destroyed or stolen. Of those, 257 were State property and 3,414 were private property. In all, 1,861 houses were destroyed. Criminal acts caused a total material loss of 3,757,661,429 soms. The losses in the cases brought to court represented 77,779,512 soms, for which compensation was awarded to a total of 7,267,490 soms, or 9.3 per cent:

- Individuals of Kyrgyz ethnic origin caused losses totalling 9,382,092 soms, of which 100,000 soms were compensated
- Individuals of Uzbek ethnic origin caused losses to a total of 61,507,740 soms, of which 7,167,490 soms were compensated

13. In the days during and after the unrest in Osh, Osh province and Jalal-Abad province, around 100,000 refugees fled to Uzbekistan but later returned to Kyrgyzstan; tens of thousands of Kyrgyz fled to the hills and the north of the country. About 38,213 persons, mainly of Uzbek ethnic origin, went to other countries, generally the Russian Federation. The south of the country lost 84,289 jobs as a result of the events.

14. Information from the Military Procurator's Office indicates that there were 25 incidents of firearms, ammunition and military equipment being seized. Seven cases were reported of firearms being given to civilians. Investigations were undertaken in all these cases.

15. At an enlarged session of the board of the Office of the Procurator-General on 12 February 2011 in Bishkek, in the presence of President R.I. Otunbaeva, it was noted that, of the more than 5,000 criminal cases brought in relation to the June events in southern Kyrgyzstan, 190, or 3.6 per cent, had been taken to court:

- In Osh: of the 3,184 cases brought, 75 (2.3 per cent) had been taken to court
- In Osh province: of the 1,279 cases brought, 58 (4.5 per cent) had been taken to court
- In Jalal-Abad province: of the 810 cases brought, 36 (4.4 per cent) had been taken to court

16. A number of commissions were set up by international organizations and voluntary associations to analyse the tragic June 2010 events. They have been working in parallel: the independent commission of the Ombudsman; the International Crisis Group; the International Federation for Human Rights; the Osh Initiative; Amnesty International; Human Rights Watch; Open Society (Neil Melvin's report); the National Commission of Inquiry into the June 2010 Events in Southern Kyrgyzstan (led by A.E. Erkebaev); and the parliamentary commission.

17. Immediately after the June 2010 events, international opinion and the public began to call for the establishment of an independent international commission to investigate the events, and by the end of October 2010, the decision was taken to set up the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010. The Commission's report, with comments by the Government of Kyrgyzstan, was presented on 3 May 2011, to a stormy reaction from the public, who accused the Commission of taking a one-sided approach in its analysis of the events in southern Kyrgyzstan. In many cases, members of the Commission did certainly describe the events giving details of the violence committed by one ethnic group, but noting only in passing or not at all the violence by the other group. Thus, the report briefly mentions local assembly deputy Shakirov Askar, who, on 11 June, tried to appeal to the different sides to make peace, and was killed by gunfire from the Uzbek side. While they described how Kyrgyz men abused Uzbek women, the members of the Commission did not, for example, mention the savage killing of Mr. Sultanov, head of the Kara-Say District Internal Affairs Office, nor that of a driver, petty officer Shamurzaev of the militia, who was beheaded alive when bringing food for the hostages in the boot of his car. This is also true of the events in the area around the Sanpa cotton processing plant, where more than 10 Kyrgyz persons, including women and children, were killed. Such an approach to shedding light on the events does not help to bring peace and stability.

18. Scientists from the Kyrgyz National Academy of Sciences carried out a content analysis of the Commission's report, using the following procedure: they identified semantic units that negatively, neutrally or positively described the actions of one or other side in the conflict, in this case the Kyrgyz side. In total, there were 457 units in the text. The results of the content analysis shows that 236 (51.6 per cent) of the units contained

negative (-) characteristics, 154 (33.7 per cent) were neutral (0), and only 67 (14.7 per cent) contained positive (+) characteristics.

19. The Government, which accepted the Commission's report in general, noted in its comments that:

- It supports the policy of transparency and had itself initiated the investigation, unprecedented in the post-Soviet area, through the setting up of the International Investigation Commission
- It fully supported the Commission's work and had guaranteed its security and its access to information sources
- On 16 June 2010, it openly and honestly acknowledged its own responsibility for what had happened
- Not having received the expected help, it had managed by itself to end the violence and contain the fighting within four days
- It had prevented a humanitarian catastrophe and provided housing for all the victims until the winter
- It was prepared to implement the Commission's recommendations

20. However, in its comments on the report, the Government did express its disagreement with some of the Commission's conclusions and assessments and felt it necessary to give a different point of view:

- Specifically, there was not sufficient basis for the conclusion drawn that actions that occurred during the June events in southern Kyrgyzstan could be classified as crimes against humanity
- The tragic events of 10–14 June 2010 were triggered by an inter-ethnic conflict in which both sides were armed, committed violence against each other and caused victims
- The Commission did not thoroughly analyse the circumstances of and reasons behind the conflict that were its root causes, specifically the fact that the June 2010 events were a direct consequence of the events of 7 April (87 dead, over 1,000 wounded)
- There were several attempts by the K. Bakiev family-clan regime to win back power and more than 120 mass protests took place in April and May in Bishkek alone
- Attempts were made to spark conflict in the north of the country, in the village of Maevka and the town of Tokmok in Chu province
- Revanchists exploited the antagonisms between north and south and the historic memory of the Osh conflict in 1990
- The consequences of K. Bakiev's henchmen coming to power, including in the security forces, meant that they served and defended the interests of the family-clan regime
- The effect of the redistribution of drug trafficking and criminal groups had to be taken into account
- Furthermore, it is doubtful whether the Commission applied its investigation methodology uniformly in respect of the two sides of the conflict
- The timeline of the conflict is not explained evenly and omits a series of important episodes

- There is no mention of the fact that the authorities organized humanitarian corridors for refugees, the evacuation from Osh of more than 3,000 foreign nationals and the release of more than 1,000 hostages, nor of the actions of the State and civil society in preventing a humanitarian catastrophe

21. The Zhogorku Kenesh, the legislature of Kyrgyzstan, set up an interim parliamentary commission of inquiry into the events in the south of the country, which produced three versions of its results: a report signed by the majority of members of the interim commission under the leadership of deputy T. Mamytov; a report of the commission signed by deputy I. Isakov; and a report submitted by deputy Z. Dzholdosheva.

22. The discussion of the three versions of the commission's report, which was broadcast live on television, provoked a strong reaction in Parliament and from the public, bearing witness to the authorities' intention to encourage open debate on difficult issues in inter-ethnic relations.

23. The Office of the Procurator-General, reporting on its work over the first six months of 2011, noted the low detection rates for crimes related to the June 2010 events in the south of the country. The law enforcement agencies have opened 5,627 criminal cases related to the unrest in Osh and Jalal-Abad provinces, but only 6.2 per cent of those have been cleared up. A large proportion have not been solved for objective reasons – the persons who committed the crimes have not been identified because it was outsiders, rather than local residents, who were involved in the riots, and most of those suspected of having committed offences are not in the country.

24. The Head of State has noted cases of human rights violations during both investigations and court proceedings. Speaking at a meeting with a group from the southern provinces in Osh on 1 February 2011, President R.I. Otunbaeva called on the senior management of the internal affairs agencies to put a stop to illegal acts during arrests, raids and property redistribution.

25. The open and wide-ranging discussion of the tragic events of June 2010 and the political will of the country's leadership have led to determined efforts to gain an understanding of the inter-ethnic situation, and to the State and society adopting a series of measures to ensure respect for human rights, further develop democracy and work towards the reforms needed in the country's law enforcement agencies.

26. In August 2010, a department for ethnic and religious policy and cooperation with civil society was set up in the Office of the President, and the provincial and district administrations in Osh, Jalal-Abad, Batken, Ysyk-Köl and Chu provinces and mayors of the large towns appointed staff to monitor the situation and implement policy to promote ethnic development.

27. The People's Assembly has begun extensive work to consolidate the multicultural and multilingual society, producing a balanced policy on inter-ethnic relations and, to that end, has drafted and is implementing a framework for ethnic policy and social consolidation in Kyrgyzstan and a plan of action to 2015, which were adopted at the VIIth Extraordinary Congress (Kurultai) of the People of Kyrgyzstan in June 2011.

28. The framework is based on constitutional norms and principles, national legislation and international commitments. Under the Plan of Action to 2015, implementation of the framework for ethnic policy and social consolidation requires review of and amendments to 22 items of legislation in force in the country.

29. In the Zhogorku Kenesh, one of the fractions proposed developing a draft framework for State policy on inter-ethnic relations (currently being drafted).

30. Because of its historic conditions and demographic development, Kyrgyzstan is a multi-ethnic State with representatives of over 90 different ethnic groups. Detailed information on the country's ethnic composition, as of the date of the national census, may be found in the core document on the International Covenant on Civil and Political Rights.

31. According to information from the National Statistics Committee, at the beginning of 2011, Kyrgyzstan had a population of 5,477,620, of whom 71.7 per cent were of Kyrgyz ethnic origin, 14.3 per cent of Uzbek ethnic origin, 7.2 per cent of Russian ethnic origin, 1.1 per cent of Dungan ethnic origin, 0.9 per cent of Uighur ethnic origin, and 3.9 per cent of other ethnic origin.

## **II. Information on implementation of the Convention**

32. Kyrgyzstan acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, which came into force on 4 January 1969, by Act No. 48 of 26 July 1996. Kyrgyzstan is working continuously to bring domestic legislation into line with the Convention.

33. Under article 6 of the Constitution, the international conventions and agreements to which Kyrgyzstan is a party and which have entered into force in conformity with law, and the generally recognized principles and norms of international law form part of Kyrgyzstan's legal system. Thereby, the norms of international human rights agreements have direct effect and take precedence over other international agreements.

34. Article 16 of the Constitution states that: 1. Human rights and freedoms are inalienable and the right of every person from birth. Human rights and freedoms are the most valuable asset. They are applicable directly, and inform the meaning and content of the actions of the legislature, the executive and the local authorities. 2. Kyrgyzstan respects and guarantees the human rights and freedoms of all persons within its territory and jurisdiction. No one may be subjected to discrimination on the basis of sex, race, language, disability, ethnic background, religion, age, political or other beliefs, education, origin, wealth or other status, or other circumstances.

35. Article 19 of the Constitution states that:

1. In Kyrgyzstan, foreign nationals and stateless persons enjoy equal rights and have equal responsibilities with citizens, except where provided for otherwise in legislation or in international agreements to which Kyrgyzstan is a party.

2. In accordance with its international commitments, Kyrgyzstan extends the right of asylum to foreign nationals and stateless persons persecuted on political grounds or on grounds of violations of human rights and freedoms.

36. Article 4 of the Constitution prohibits the following in Kyrgyzstan:

- The creation of political parties on religious or ethnic lines and the pursuit of political aims by religious groups
- The activities of political parties, voluntary or religious associations and their representatives or subsidiaries in pursuit of political objectives, if their actions are aimed at the violent overthrow of the constitutional order, undermining national security or inciting social, racial, national, ethnic or religious enmity

37. Under article 31 of the Constitution, advocacy of ethnic, racial or religious hatred, of gender or any other social supremacy, and calls for discrimination, hatred and violence are prohibited.



38. In general, the Constitution, adopted by referendum on 27 June 2010, meets the requirements set by the Convention.

39. Actions intended to incite ethnic discrimination are, under national legislation, a criminally punishable socially dangerous act as defined in articles 97, 299 and 299-1 of the Criminal Code. Under Kyrgyzstan's criminal legislation, offences in this category are considered to be especially serious offences.

40. Thus, article 97 of the Criminal Code establishes criminal liability for the intentional taking of another person's life, committed against a background of inter-ethnic, racial or religious animosity or hatred. Such an offence is punishable by deprivation of liberty for a period of between 12 and 20 years, with or without confiscation of property, or life imprisonment with or without confiscation of property.

41. Article 299 makes incitement to ethnic, racial or religious hatred a punishable offence. Meanwhile, Act No. 91 of 25 June 2007 and Act No. 60 of 20 February 2009 broaden that liability. Thus, while the previous wording in the acts of 1998 and 1999 provided punishment in the form of fines of between 100 and 150 times the minimum monthly wage, or of 3 to 5 years' deprivation of liberty, the more recent wording in the acts from 2007 and 2009 has fines of between 3,000 and 7,000 notional units, or deprivation of liberty for between 7 and 10 years, with forfeiture of the right to hold certain posts or to engage in certain activities.

42. Article 299 establishes liability for incitement to ethnic, racial, religious or interregional hatred:

- Actions aimed at inciting ethnic, racial, religious or interregional hatred, offending ethnic pride, or promoting exclusivity, superiority or inferiority of citizens on the basis of their religion, or their ethnic or racial background; if such acts are committed in public or through the media, they are punishable by a fine of between 500 and 1,000 notional units or deprivation of liberty for between 3 and 5 years
- The same acts committed: with the threat or use of physical force; with abuse of an official position; by a group of persons or a criminal conspiracy (criminal organization); by a person with a previous conviction for extremist offences (extremist activities); are liable to a fine of between 1,000 and 5,000 notional units or deprivation of liberty for between 5 and 7 years with forfeiture of the right to hold certain posts or to engage in certain activities

43. Furthermore, Act No. 60 of 20 February 2009 amending the Criminal Code added the following to article 299-1 of chapter 29 in the Criminal Code:

- The establishment and leadership of voluntary associations, religious organizations or any other organizations whose activities are linked to inciting ethnic, racial, religious or interregional hatred, denigrating national pride or promoting exclusivity, superiority or inferiority of citizens on the grounds of their religion, are punishable by a fine of between 1,000 and 5,000 notional units or deprivation of liberty for between 5 and 7 years, with forfeiture of the right to hold certain posts or to engage in certain activities for up to 3 years
- The organization of the activities of voluntary associations, religious organizations or other organizations in respect of which there has been a court decision to dissolve them or to ban their activities for reasons of extremist activities, and the involvement of citizens in their activities are punishable by a fine of between 2,000 and 6,000 notional units or deprivation of liberty for between 6 and 8 years, with forfeiture of the right to hold certain posts or to engage in certain activities

- Involvement in the activities of voluntary associations, religious organizations or other organizations whose dissolution has been ordered or activities have been proscribed by a court on the grounds that they are carrying on extremist activities is punishable by a fine of between 1,000 and 3,000 notional units or deprivation of liberty for between 3 and 5 years, with forfeiture of the right to hold certain posts or to engage in certain activities
- Acts provided for in paragraphs 1, 2 and 3 of the Act, committed with abuse of an official position or by a person with a previous conviction for extremist offences (extremist activities) are liable to a fine of between 3,000 and 7,000 notional units or deprivation of liberty for between 7 and 10 years with forfeiture of the right to hold certain posts or to exercise certain activities

44. Article 134 of the Criminal Code establishes liability for violating the equal rights of citizens on the basis of sex, race, ethnic background, language, origin, wealth or official position, and other discriminatory acts, which are punishable by a fine or 2 years' deprivation of liberty.

45. In line with international law, article 373 defines genocide as "acts intended to destroy in whole or in part a national, ethnic, racial or religious group by means of killing members of the group, causing serious harm to members of the group and other wrongdoing on grounds of animosity".

46. An instruction was issued by the Office of the Procurator-General on 19 May 2011, aimed at increasing procuratorial oversight of the implementation of paragraphs 16 and 31 of the Constitution, which prohibit discrimination on grounds of race, ethnic origin or faith, and the promotion of ethnic, racial or religious hatred and enmity. The local procurator must systematically check for respect for the rule of law, to ensure that the authorities and local government bodies and officials follow the law in terms of preventing national, ethnic, racial and religious discrimination and hatred. Constant and effective oversight of the implementation of this legislation to prevent national, ethnic, racial and religious discrimination and hatred in the activities of the law enforcement and other Government agencies, including in terms of the timeliness, thoroughness, legality and validity of the measures taken, is given particular attention. Every time that media coverage or applications to the procuratorial bodies concern cases of incitement to ethnic, racial or religious discrimination or enmity, the information must be passed promptly to the State National Security Committee for examination and a decision to be taken in accordance with the law. The prevention of ethnic, racial or religious discrimination or enmity requires cooperation with voluntary associations, religious organizations and other non-profit organizations. The procuratorial bodies should work closely with other law enforcement agencies to coordinate the system for the collection, collation and processing of information on cases of incitement to ethnic, racial or religious discrimination or enmity, while more acute and problematic issues should be examined at interdepartmental meetings of the heads of the law enforcement agencies.

47. In its work to ensure national security, including during antiterrorist measures, the State National Security Committee ensures that its activities respect human and civil rights and freedoms, as laid down in the Constitution and international human rights standards.

48. When conducting actions to combat terrorism and extremism, it does not categorize individuals on the basis of sex, race, language or ethnic origin, as its only aim is to ensure the security of individuals, society and the State, and to maintain peace and harmony among the multi-ethnic people of Kyrgyzstan. Particular attention is paid in police investigative work to identifying and detaining persons whose actions are aimed at discrimination on the basis of sex, race or ethnic origin.

49. Classes and other measures preventing violations of the law, and particularly of human and civil rights, are held for the staff of the State National Security Committee, to teach them not to tolerate negative phenomena such as discrimination on grounds of racial or ethnic origin.

50. The Ministry of Internal Affairs notes that, in their criminal procedural activities, the investigative sections of the internal affairs agencies adhere strictly to the provisions of the Constitution and legislation adopted on its basis, including the Criminal Code and Code of Criminal Procedure, which govern criminal procedural issues. All procedural acts and investigators' decisions, without exception, are included in the case file and, where a violation of legislation is found to have occurred in the legal proceedings, citizens have the right to appeal to the supervising procurator or the court against practically any of the investigating officer's actions or decisions.

51. To ensure effective monitoring of the activities of the State and local authorities, Presidential Decree No. 212 of 29 September 2010 on improving collaboration between the State authorities and civil society set up public supervisory councils within Government agencies.

52. These councils are consultative supervisory bodies established to ensure citizen involvement in public monitoring of the activities of the relevant executive authorities, and effective cooperation between the authorities and the public, as well as to convey public opinion during the drafting and implementation of State policy.

53. Voluntary associations have a growing influence on the country's social and political life and this led in 1994 to the establishment, for the first time in any of the countries of the Commonwealth of Independent States, of the People's Assembly of Kyrgyzstan, which brings together the ethnic and cultural centres of different ethnic groups. When it was set up, the Assembly was composed of 11 ethnic cultural centres. It now has 29 member organizations and 2 regional divisions in Osh and Jalal-Abad provinces. To improve collaboration between Government bodies and civil society, provincial advisory committees have been set up in Osh, Jalal-Abad, Chu and Ysyk-Köl provinces. An ethnic development council has been set up in Tokmok. The Assembly has consultative and advisory status with the Office of the President.

54. In 2011, Bishkek hosted the VIIth Extraordinary Congress of the People's Assembly of Kyrgyzstan, which adopted a framework for ethnic policy and social consolidation in the country and a plan of action to 2015; new wording of its Charter was approved by the audit commission, and the Council's composition of 65 was established, including the heads of some ministries and departments, and representatives of the voluntary associations that were members of the Assembly.

55. The new wording of its Charter states that the Assembly is a legal entity with responsibility for promoting social consolidation on the basis of a common civic identity and the joint responsibility of all citizens for preserving the country's unity and cultural diversity, with the aim of gradual democratic development and the fostering of stronger inter-ethnic harmony, civil peace, and the integration and unity of the people of Kyrgyzstan.

56. The Assembly was set up to:

- Consolidate society on the basis of a common civic identity and the joint responsibility of all citizens for preserving the country's unity and cultural diversity
- Realize the interests of the ethnic communities living alongside the Kyrgyz people of Kyrgyzstan

- Ensure ethnic development to consolidate the population and strengthen collaboration between all sections of civil society
- Preserve and develop ethnic, linguistic and cultural identities and integrate ethnoculture in the formation of the spiritual and cultural commonality of the people of Kyrgyzstan
- Create and develop new forms of cooperation between the ethnic groups at all levels and affirm partnership in all areas of civil society
- Adopt measures to prevent situations of tension occurring and root out confrontation and extremism
- Facilitate the activities of ethnic voluntary associations concerning respect for the rights of ethnic groups and their involvement in all areas of State and public life in the country

57. The Assembly is authorized:

- To draft and submit, for the consideration of the President, the Zhogorku Kenesh and the Government, proposals on the rights of ethnic communities, and on the preservation and development of the spiritual, moral and physical health of each ethnic group, its culture, language, religion, traditions and customs
- To help resolve specific problems of the Kyrgyz ethnic group related to preserving its cultural heritage and developing the State language
- To study and make proposals to local authorities on ways of solving ethnic and inter-ethnic problems
- To help prepare and conduct public reviews of draft legislation governing legal relations in the area of inter-ethnic and interreligious relations
- To draft recommendations on preventing and resolving conflict situations in society, including practical measures to resolve disagreements

58. The plan of action on ethnic policy and social consolidation in Kyrgyzstan to 2015 has been developed to implement the provisions of the framework for ethnic policy and social consolidation; it covers the necessary institutional, organizational, technical, financial and informational measures in five main areas: language policy and planning; culture and the media; multicultural and multilingual education; real citizen participation in the country's political, economic and social life; and a section responsible for inter-ethnic relations within local communities.

59. In addition to the People's Assembly, there are also many NGOs in the country that address the issue of inter-ethnic relations.

60. The Ombudsman (*Akykatchy*) has permanent responsibility for monitoring respect for human and civil rights and freedoms, as defined in the Constitution. This work is guided by the Constitution, national legislation, international treaties and agreements to which Kyrgyzstan is a party, and the universally recognized principles and norms of international law. The Ombudsman's activities are governed by the Ombudsman (*Akykatchy*) Act.

61. The Ombudsman's activities cover issues that arise in the realization of human and civil rights and freedoms between Kyrgyz citizens, foreign nationals or stateless persons in Kyrgyzstan and national or local authorities or officials.

62. Under article 3 of the Act, along with other human rights and freedoms, the Ombudsman also monitors the prevention of any form of discrimination in the realization of a person's rights and freedoms. Article 10 of the Act covers applications and complaints to the Ombudsman from Kyrgyz citizens, foreign nationals and stateless persons

concerning decisions of or acts or omissions by national or local authorities or officials that violate human and civil rights and freedoms.

63. The Act on Kyrgyzstan's accession to the International Convention on the Suppression and Punishment of the Crime of Apartheid was adopted on 26 July 1996. Pursuant to the Convention, acts of apartheid may be characterized as genocide.

64. Article 373 of the Criminal Code, on genocide, criminalizes acts intended to destroy in whole or in part a national, ethnic, racial or religious group by means of killing members of the group, causing serious harm to members of the group, forcibly preventing births or transferring children away from the group, organizing forced resettlement or otherwise changing its conditions of life with the aim of bringing about the physical destruction of members of the group. Under criminal legislation, such actions are categorized as especially serious offences and are punishable by deprivation of liberty for between 12 and 20 years, or life imprisonment.

65. The report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan recognized that, despite the many acts of violence, the June events could not be qualified as genocide.

66. Under article 16 of the Constitution, Kyrgyzstan respects and guarantees the human rights and freedoms of all persons within its territory and jurisdiction. No one may be subjected to discrimination on the basis of sex, race, language, disability, ethnic background, religion, age, political or other beliefs, education, origin, wealth or other status, or of other circumstances. In Kyrgyzstan all persons are equal before the law and the courts.

67. Article 16 of the Code of Criminal Procedure states that justice is administered according to the principle that citizens are equal before the law and the courts, irrespective of their social origin, wealth, official position, race, ethnic background, sex, education, language, religion, beliefs, membership of any voluntary association, place of residence or any other circumstances.

68. Under article 550 of the Administrative Liability Code, administrative offences are considered according to the principle that citizens are equal before the law and the courts considering the case, irrespective of their origin, social status or wealth, race, ethnic background, sex, education, language, religion, type and nature of their occupation, place of residence or any other circumstances.

69. Figures from the Office of the Procurator-General show that, in the first quarter of 2011, 32 criminal cases were opened for incitement of inter-ethnic discord, of which 1 was initiated by the procuratorial agencies, 24 by the Ministry of Internal Affairs and 7 by the State National Security Committee. Of the cases opened, investigations had been concluded in 17, which were sent to court for prosecutions of 18 individuals; 2 cases were suspended as it had not been possible to identify the person to be charged. Thirteen cases are currently under investigation.

70. Between 2007 and the first quarter of 2011, the State National Security Committee had received 28 applications and communications from citizens concerning inter-ethnic matters. However, on investigation, no cases of offences based on ethnic background were substantiated. Furthermore, the State National Security Committee's investigative agencies also investigated a number of cases linked to incitement to ethnic, racial or religious hatred: 66 in 2010, as a result of which 58 persons were prosecuted; and 25 in the first four months of 2011, as a result of which 20 persons were prosecuted.

71. The State National Security Committee agencies also carry out continuous awareness-raising and preventive work. They organized 50 preventive events in 2010, of which 18 were information campaigns (10 in the press and 8 on television), and held 16

general preventive events in the first four months of 2011, with 6 information notes sent to the appropriate bodies. There was also a round-table discussion on tolerance, inter-ethnic consensus and interreligious relations in Kyrgyzstan, and interdepartmental plans have been drawn up for joint events to prevent inter-ethnic clashes and consolidate inter-ethnic relations.

72. Figures from the Ministry of Internal Affairs information centre on the fight against terrorism and extremism show that, of the 1,184 cases opened between 1 January 1999 and April 2011, 31 related to terrorism and 1,153 to extremism, as follows:

- 31 criminal cases under article 226 (terrorism)
- 337 criminal cases under article 97 (murder committed on the grounds of inter-ethnic, racial or religious hatred or enmity)
- 27 criminal cases under article 295 (forcible seizure or retention of power)
- 3 criminal cases under article 295-1 (separatist activities)
- 72 criminal cases under article 297 (public calls for the violent overthrow of the constitutional order)
- 686 criminal cases under article 299 (incitement to ethnic, racial, religious or interreligious hatred)
- 10 criminal cases under article 299-1 (organization of activities intended to incite ethnic, racial, religious or interreligious hatred)
- 18 criminal cases under article 299-2 (acquisition, storage, transport or sending of extremist materials with a view to their dissemination, or preparation and dissemination of such materials, or the intentional use of symbols or attributes of extremist organizations)

73. The Supreme Court has provided data on court decisions in criminal cases related to incitement to ethnic, racial, religious or interreligious hatred from 2007 to the first quarter of 2011 from the courts' consolidated report. Under Kyrgyzstan's criminal legislation, offences in this category are considered as less serious and serious offences (see table 1). *Note:* No data is available on ethnic origin or background in the above-mentioned cases, or in civil cases related to damages or compensation for racial discrimination in the country's courts.

**Table 1**

<i>Article of the Criminal Code</i>	<i>Year</i>	<i>Convicted</i>		
		<i>Men</i>	<i>Women</i>	<i>Total</i>
Article 97: the intentional taking of another person's life, committed against a background of inter-ethnic, racial or religious animosity or hatred	2009	1		<b>1</b>
Article 97: the intentional taking of another person's life, committed against a background of inter-ethnic, racial or religious animosity or hatred	2010	3		<b>3</b>
Article 97: the intentional taking of another person's life, committed against a background of inter-ethnic, racial or religious animosity or hatred	First quarter of 2011	2		<b>2</b>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	2007	22	1	<b>23</b>

<i>Article of the Criminal Code</i>	<i>Year</i>	<i>Convicted</i>		
		<i>Men</i>	<i>Women</i>	<i>Total</i>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	2008	40		<b>40</b>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	2009	51	1	<b>52</b>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	2010	56	2	<b>58</b>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	First quarter of 2011	8	1	<b>9</b>
Article 299: incitement to ethnic, racial, religious or interreligious hatred	2007	22	1	<b>23</b>

74. Decision No. 567 of 9 June 2011 of the Zhogorku Kenesh on the outcome of the work of the temporary parliamentary commission to investigate the circumstances and conditions that led to the tragic events in the country in April–June 2010 and their political assessment:

- Requires the President, the Zhogorku Kenesh and the Government to set up a joint working group to continue the reform of the Armed Forces, the agencies of the National State Security Committee, the Ministry of Internal Affairs, the procuratorial system and the court system
- Considers that the country's former leadership bears political responsibility for its anti-popular foreign and domestic policies, which led to the impoverishment of the people and the disintegration of the State, and were the fundamental cause of the events of 6–7 April, May and June 2010, which had serious consequences
- Considers that members of the Interim Government bear political responsibility for not managing to prevent the inter-ethnic clashes
- Considers that the main organizers and guilty parties in the tragic events of May and June 2010 in Osh, Osh province and Jalal-Abad province were about 10 leaders of the Uzbek community who took part in nationalist and separatist acts at that time
- Requests the Office of the Procurator-General to give a legal assessment of the actions of more than 25 high-ranking law enforcement officials appointed "by name" (practically all of Kyrgyz ethnic origin) involved in the tragic June events in the south of the country, and town and district leaders in the areas where the inter-ethnic conflicts took place (more than 11 administrative units)
- To investigate the seizure and theft of weapons, ammunition, military equipment and other property and establish the degree of guilt of the direct commanders of the military units and subdivisions that allowed this to happen
- Instructs the Office of the Procurator-General to examine the personal responsibility of the procurators of more than 12 administrative areas in respect of the procuratorial response to the cases and events of April–June 2010

75. The Zhogorku Kenesh decision shows the advantages of the parliamentary system of government:

- The openness of the democratic procedure to discussion of serious problems of inter-ethnic relations in the country

- The readiness of the State to acknowledge its mistakes and shortcomings openly and honestly

The decision thus raised the issue of the personal responsibility of individuals involved in the inter-ethnic conflict in the south of the country, respecting the principle of objectivity and the equality of both the ethnic groups involved in the conflict.

76. Article 40 of the Constitution guarantees judicial protection of the rights and freedoms of all, as provided for in the Constitution, laws and international agreements to which Kyrgyzstan is a party, as well as the universally recognized principles and norms of international law. The State guarantees the development of out-of-court and pre-court methods, forms and means of protecting human and civil rights and freedoms. The State Legal Aid Act was adopted on 17 July 2009 to guarantee citizens' rights in criminal proceedings. To validate the provisions of the Act, a pilot State legal aid project was implemented in two districts in 2010. Presidential Decree No. 67 of 28 March 2011 set up the National State Legal Aid Council reporting to the President to implement the above-mentioned Act. Its members include lawyers, judges, representatives of the Government and civil society, and academics. The Council defines policy related to the organization and running of the State legal aid system, and assesses the system's effectiveness; it selects lawyers to be included on the State legal aid register; and, in order to prevent violations of civil rights and legal interests, it considers applications and complaints concerning the provision of guaranteed State legal aid.

77. Article 16, paragraph 2, of the Constitution states that Kyrgyzstan respects and guarantees the human rights and freedoms of all persons within its territory and jurisdiction. No one may be subjected to discrimination on the basis of sex, race, language, disability, ethnic background, religion, age, political or other beliefs, education, origin, wealth or other status, or other circumstances.

78. Under article 22 of the Constitution, no one may be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Every person deprived of his or her liberty has the right to be treated with humanity and with respect for human dignity. Medical, biological or psychological experimentation without the free, express and properly documented consent of the person concerned is prohibited.

79. Under article 24, paragraph 1, of the Constitution, everyone has the right to freedom and security of the person.

80. The equality of citizens before the law and the courts, regardless of their social origin, wealth or official status, race or ethnic background, sex, education, language, religion, beliefs, membership of voluntary associations, place of residence or other conditions, is not only a principle of criminal procedure, but is affirmed in the Constitution (art. 16) and is an indissociable part of any State governed by the rule of law.

81. Under article 16 of the Code of Criminal Procedure, justice is administered according to the principle that citizens are equal before the law and the courts, irrespective of their social origin, wealth, official position, race or ethnic origin, sex, education, language, religion, beliefs, membership of a voluntary association, place of residence or any other circumstances.

82. The procedure for court cases is defined in the Constitution, the Supreme Court and Local Courts Act, the Constitutional Act on the Status of the Courts and the Code of Criminal Procedure. Legislation provides that justice may be administered only by the courts. The powers of a court, the limits of its jurisdiction and its procedure for administering criminal proceedings are defined by the law and may not be changed arbitrarily. Emergency or special courts may not be set up to consider criminal cases.



83. Article 23 of the Code of Criminal Procedure on the language of court proceedings states that parties to proceedings who are not fluent in the language of the proceedings have the right to make statements, give evidence, submit petitions, consult the case file and address the court in their native language, and to use the services of an interpreter. A copy of the formal charge and the judgement (ruling, decree) is handed to the accused or convicted person in a translation into their native language or a language in which they are proficient.

84. The independence of judges is enshrined in the Constitution: “Judges are independent and are subject only to the Constitution and the law”, and in the Code of Criminal Procedure: “Interference in the administration of justice by judges is prohibited and is a punishable offence. The independence of judges is guaranteed by the Constitution.” The Code of Criminal Procedure also provides for criminal cases to be considered by an independent, qualified and impartial judge.

85. The independence of judicial authority is one of the most important principles of a fair criminal process, which is the fundamental guarantee of the fairness, competence and impartiality of the courts. As the independence of the court is guaranteed by the State’s organization of judicial authority, the system of checks and balances, and the level of democracy in the State structure, the monitoring system does not include special mechanisms to assess the level of independence of judges considering criminal cases, and consequently the report does not contain the relevant information on the aspect in question.

86. The requirement to respect the impartiality of judges is expressed in the Judicial Code of Conduct: “Judges must be impartial and not allow any outside influence on their professional activities. Judges may not use their position or status to privilege the interests of any party against the requirements of the law.”

87. The report of the Independent Human Rights Group, on the monitoring of judicial proceedings related to the tragic events in southern Kyrgyzstan in 2010: results, conclusions, recommendations, notes:

- Evidence of coercion to confess to crimes that the person did not commit
- Pressure on relatives by representatives of the law enforcement agencies
- Denial of procedural rights in respect of lawyers, including the right to a lawyer of the person’s choice and to confidential meetings with the lawyer

88. Violations of court procedure occurred, with threats and insults shouted at the accused, their counsel and relatives by the victims, their relatives and supporters, and attempts by the victims and their relatives to attack the accused and their relatives.

89. Decision No. 567 of 9 June 2011 of the Zhogorku Kenesh on the outcome of the work of the temporary parliamentary commission to investigate the circumstances and conditions that led to the tragic events in the country in April–June 2010 and their political assessment makes the following recommendation to the Supreme Court:

- It should analyse the results of the courts’ consideration of more than 17 criminal cases against individuals who took part in the events of April–June 2010, particularly in respect of changing the preventive measures adopted and the court bureaucracy
- It should ensure the complete openness of court proceedings in the criminal cases of those accused of committing offences related to the June events of 2010
- It should ensure access to the court room for relatives of the defendants and representatives of international organizations

90. The State guarantees the safety of all persons and citizens, regardless of racial, ethnic or religious origin. Issues concerning inter-ethnic relations are addressed in a democratic political framework based on the rule of law.

91. The introduction of procedures to guarantee the multi-ethnic composition of Government bodies and the establishment of additional requirements for staff qualifications, particularly for the law enforcement agencies, for work in a multi-ethnic community must be seen as an effective way to improve the public's trust in those bodies.

92. Currently ethnic groups are not adequately represented on the staff of the military, police or security forces. Information on the ethnic composition of the Ministry of Internal Affairs staff shows a similar situation. A total of 92.7 per cent of all the staff of the internal affairs agencies are of Kyrgyz origin.

93. Decision No. 567 of 9 June 2011 of the Zhogorku Kenesh on the outcome of the work of the temporary parliamentary commission to investigate the circumstances and conditions that led to the tragic events in the country in April–June 2010 and their political assessment instructs the President, the Zhogorku Kenesh and the Government to adhere strictly to a balanced staffing policy; the law enforcement agencies and military are required to take particular account of the multi-ethnic composition of the population, as well as the personal, moral and professional qualities of the candidates for the work, and their command of the State language, in setting up and maintaining the roster of applicants and in making appointments.

94. Some of the basic criteria for recruiting persons to the internal affairs agencies and their subsequent appointment to duties are: a high level of education, professionalism, moral and psychological qualities, personal culture and experience of service in the army. Unfortunately, representatives of other ethnic groups prefer alternative forms of service, that do not involve swearing an oath and fulfilling their military duty, to that in the Armed Forces, which is an obstacle to them serving in the law enforcement agencies.

95. In her speech to the VIIth Extraordinary Congress of the People's Assembly, President R.I. Otunbaeva noted that one way of improving the situation in respect of the rights of ethnic minorities was for them to participate in the country's political and social life.

96. Article 2 of the Constitution states: "The State creates conditions for the different social groups defined by the law to be represented in Government bodies and local authorities, including in posts with decision-making powers."

97. Article 60 of the Presidential and Parliamentary Elections Act states that, when drawing up a list of candidates for the Zhogorku Kenesh, the political party must ensure representation as follows:

- No more than 70 per cent of the list may be individuals of one sex, with no more than three positions between men and women on the lists of candidates proposed by political parties
- No less than 15 per cent of the list must be persons aged 35 or less
- No less than 15 per cent of the list must be citizens of different ethnic origin
- No fewer than two candidates must be individuals with special needs, and one of those must be included in the first 50 candidates on the list

98. It should be noted that the number of deputies by sex, age and ethnic origin always changes, given that many deputies are moved to high positions of responsibility in the Government and are replaced by the next candidates on the list, who will have other

demographic characteristics; this somewhat changes the representation in Parliament by sex, age and ethnic origin (see tables 2 and 3).

**Table 2**

<i>Demographic characteristics</i>	<i>Parliament of 16 December 2007 (90 deputies)</i>	<i>Parliament of 10 October 2010 (120 deputies)</i>
Women	23/25.5%	26/21.7%
Persons under the age of 35	11/12.2%	8/6.6%
Other ethnic groups	18/20%	15/12.5%

**Table 3**

<i>Ethnic origin</i>	<i>Number of deputies</i>		<i>%</i>		<i>Proportion of population in 2009 census, %</i>
	<i>Parliament of 16 December 2007 (90 deputies)</i>	<i>Parliament of 10 October 2010 (120 deputies)</i>	<i>Parliament of 16 December 2007 (90 deputies)</i>	<i>Parliament of 10 October 2010 (120 deputies)</i>	
Uzbeks	6	3	6.6%	2.5%	14.3
Russian	7	6	7.7%	5%	7.8
Dungan	1	1	1.1%	0.8%	1.1
Tajik	-	1	-	0.8%	0.9
Kazakh	1	1	1.1%	0.8%	0.6
Ukrainian	-	1	-	0.8%	0.4
Korean	1	1	1.1%	0.8%	0.3

99. The representation of different ethnic groups on local councils and on the staff of municipalities is one indicator of the real state of their involvement and participation. Analysis of the composition of deputies on local councils shows that 86 per cent are representatives of the Kyrgyz ethnic group. There are substantial differences between regions. The most multi-ethnic group of deputies is in Bishkek, where 30 per cent of the municipal council consists of representatives of other ethnic groups; the figure is 28 per cent in Chu province and 18 per cent in Osh province. Of the 524 chairs of local councils, only 10 per cent are from other ethnic groups. Kyrgyz make up 87.4 per cent of local civil servants, other ethnic groups accounting for 12.6 per cent.

100. The local and regional authorities and Government agencies have insufficient staff, as well as a lack of skills and knowledge in managing inter-ethnic relations and preventing conflicts; this leads to delays in the response to emerging challenges.

101. Figures from the Government personnel department show that, as of 1 January 2008, of 15,785 civil servants, 175 were from ethnic minorities and, of those, 3 held political positions; as of 1 January 2009, of 17,978 civil servants, 181 were from ethnic minorities, and 5 of those held political positions; as of 1 January 2011, of 16,980 administrative civil servants, 91 per cent were of Kyrgyz ethnic origin.

102. Decision No. 567 of 9 June 2011 of the Zhogorku Kenesh on the outcome of the work of the temporary parliamentary commission to investigate the circumstances and conditions that led to the tragic events in the country in April–June 2010 and their political assessment instructs the President, the Zhogorku Kenesh and the Government to take measures to implement a Government staffing policy based on the criteria of

professionalism, competence, a sense of responsibility and commitment to the ideals of the country's development, excluding any discrimination based on ethnic, religious, wealth, regional or other grounds.

103. The Administrative Liability Code also establishes liability for violations related to ethnocultural rights:

- Violations of the citizens' right to freely choose their language of education and study, the creation of obstacles or restrictions to the use of a language, disrespect for the State language or for the languages of other peoples or ethnic groups living in Kyrgyzstan (art. 64)
- Obstruction of the right to freedom of conscience and religion, including the right to adopt or renounce religious or other beliefs and to join or withdraw from a religious community (art. 61)

104. The part of the Administrative Liability Code on procedure includes article 570, which defines the rights and responsibilities of offenders, including the right to speak in their own language or a language in which they are proficient and to use the services of an interpreter if they are not proficient in the language of the proceedings.

105. Article 134 of the Criminal Code establishes liability for violating the equal rights of citizens on the basis of sex, race, ethnic origin, language, origin, wealth or official position and other discriminatory acts, in the form of a fine or 2 years' deprivation of liberty.

106. Active involvement in economic life is linked to the guarantee of the human rights to a decent standard of living, to education and to health care. Employment provides an income and is a stimulus to personal development. The State ensures the real participation of all ethnic groups in economic and social life by means of a non-discriminatory approach in the area of employment.

107. Under article 9 of the Labour Code, everyone has equal opportunities to realize their labour rights and freedoms. No person's labour rights shall be restricted, nor shall any person enjoy an advantage in exercising these rights, on the grounds of sex, race, ethnic background, language, origin, wealth, official position, age, place of residence, religion, beliefs, membership of voluntary associations, or any other considerations unconnected with that person's professional qualities as a worker or the results of his or her work. Persons who consider that they have been subjected to discrimination at work are entitled to apply to the courts for the restoration of their rights and compensation for material or moral harm.

108. Article 1 of the Family Code prohibits any form of restriction of the rights of citizens entering into marriage or in family relations on social, racial, ethnic, linguistic or religious grounds.

109. Equal access to the labour market and the rights of all groups to participate effectively in the economic life of the country are guaranteed by measures on staff training and retraining. The Government also pays constant attention to respect for the principles of non-discrimination in business.

110. Structural inequality, that is, the high level of poverty in the highlands and remote regions of the country, primarily affects persons of Kyrgyz ethnic origin, and the difference between living standards in villages and in towns is one factor of inter-ethnic discord. Populations in regions where the social, economic and transport infrastructure is not developed are more sensitive to the growing social divide.

111. Under current laws and regulations, all citizens in the country have equal rights to health care. Article 16 of the Constitution states that human rights and freedoms are inalienable and belong to every person from birth. Human rights and freedoms are the most

valuable asset. They are applicable directly, and inform the meaning and content of the actions of the legislature, the executive and the local authorities. Kyrgyzstan respects and guarantees the human rights and freedoms of all persons within its territory and jurisdiction.

112. Citizens' rights to health care are addressed by the Health Protection Act, article 61 of which states that they have an inalienable right to health care that guarantees equal opportunities for all citizens, regardless of sex, race, ethnic background, language, social origin, official position, place of residence, religion, beliefs, membership of public associations, or any other circumstances, in realizing their rights to receive medical and social assistance.

113. In accordance with the Act and to guarantee citizens' rights to health protection, improve access to medical services and provide better social protection for vulnerable groups, the Government adopts a decision each year approving a programme of State guarantees relating to the provision of medical and health care.

114. The programme specifies the volume and type of, and conditions for, the provision of medical and health care to the population.

115. In 2011, the programme was approved by Government Decision No. 350 of 1 July 2011 on the 2011 programme of State guarantees relating to the provision of medical and health care for citizens of Kyrgyzstan.

116. In line with the grant agreement under the programme of the Office of the United Nations High Commissioner for Refugees (UNHCR) between OHCHR and the Government's compulsory health insurance fund, refugees and asylum seekers have, since 2002, been included as insured persons with a compulsory health insurance policy.

117. When they are hospitalized in the country under the single payer system, such persons receive health care without having to make any co-payment, and where they are hospitalized on doctor's orders in facilities of republican importance, they make co-payments as an "insured category".

118. The Ministry of Health's Cases Treated database shows that, between 2003 and 2010, 2,244 refugees of various categories were treated in the country's hospitals; the figure for the first six months of 2011 was 14. Furthermore, there is also a supplementary health insurance programme for refugees. The supplementary programme allows them to acquire prescription medicines for between 50 and 60 per cent of the normal price. Thus, between 2002 and 2010, a total of 1,274 prescriptions were written for refugees, for which the compulsory health insurance funds paid 74,100 soms.

119. Under article 19 of the Constitution, Kyrgyzstan extends the right of asylum to foreign nationals and stateless persons persecuted on political grounds or in violation of human rights and freedoms.

120. As a State party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and in line with the Refugees Act, Kyrgyzstan takes measures to protect refugees, irrespective of their racial origin.

121. To achieve the effective realization of refugees' rights, the OHCHR office runs programmes aimed at finding the best solutions to refugees' problems. This includes the voluntary repatriation of refugees to their home countries, their resettlement in third countries, and measures to help them integrate into the local community.

122. One important outcome of these activities has been helping refugees to obtain citizenship. Indeed, more than 9,000 persons have obtained citizenship of Kyrgyzstan since 2002, and over 800 have done so since 2007. The United Nations High Commissioner for Refugees, Mr. Guterres, believes that this is a unique experience in international practice in addressing the problem of refugees.

123. Furthermore, refugees are currently given priority in applying for citizenship. Under article 13 of the Citizenship Act, the period of residence in Kyrgyzstan required to apply for citizenship is reduced to three years for persons recognized as refugees.

124. There have also been positive outcomes in the area of education for refugees and asylum seekers. Such persons have the right to secondary education on an equal footing with nationals. OHCHR assists with the provision of health-care services to such people.

125. Moreover, refugees' rights, such as the rights to work, to engage in business, to own property and to enjoy legal protection, are included in national legislation.

126. Steps have been taken to improve reception conditions for asylum seekers. For example, with the assistance of OHCHR in the framework of a European Commission project, a reception centre for asylum seekers has been set up and is functioning well.

127. Recent years have seen a steady decrease in the number of refugees in the country, a fundamental indicator of stabilization in the situation in respect of forced migration. Compared to the figure of 1,397 refugees in 2007, there are now only one-seventh of that number.

128. As of 1 June 2011, there were 193 refugees in Kyrgyzstan, of whom 184 were from Afghanistan and 9 from other countries (the Islamic Republic of Iran, the Democratic People's Republic of Korea and the Syrian Arab Republic).

129. Of the total of 225 asylum seekers, 47 were from Afghanistan, 7 were from the Islamic Republic of Iran, 1 was from the Democratic People's Republic of Korea, 1 was from Pakistan, 13 were from the Russian Federation (Chechen Republic), 1 was from the Syrian Arab Republic, 1 was from Turkey, 152 were from Uzbekistan, and 2 were stateless persons (from Uzbekistan).

130. This shows that Kyrgyzstan has established a functioning system of protection for refugees, part of the human rights protection system. However, given the limited experience of activities related to refugees, Kyrgyzstan still needs to take some more decisions and invest more efforts in this area.

131. Under article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination, States parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate human rights and fundamental freedoms contrary to the Convention, as well as the right to seek from the tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

132. Examination of the legislation shows that international standards related to the fairness of court proceedings are adequately implemented in national legislation and are expressed in the relevant constitutional norms, the Code of Criminal Procedure, the Constitutional Act on the Status of Judges, the Supreme Court and Local Courts Act and the Judicial Code of Conduct.

133. Article 7 of the Code of Civil Procedure provides for justice to be done in civil cases according to the principle of equality of all citizens before the law and the courts, irrespective of sex, race, ethnic background, language, confession, political or religious beliefs, origin, wealth or official position, place of residence or any other personal or general circumstances or conditions, and all legal entities, regardless of form of ownership, location, corporate affiliation or other circumstances.

134. The country has a fairly strong legal basis for preventing discrimination in the courts. Article 16 of the Constitution states: "In Kyrgyzstan all persons are equal before the law and the courts." From the practical experience of the Office of the Ombudsman, it may

be affirmed that this constitutional norm is generally respected in judicial proceedings. Thus, in 2010 alone, staff of the Office of the Ombudsman attended 683 court hearings. The resultant reports mention individual violations of procedural norms from time to time, but do not quote any cases of discrimination against those involved on ethnic, racial or any other social grounds.

135. The court rulings in the case of the Nookat events of 1 October 2008 attracted much criticism from the public. There were many cases of detentions and convictions of persons whose names the law enforcement agencies had included in the briefing material as members of Hizb-ut-Tahrir on the basis of lists drawn up by the local authorities. A total of 32 persons were sentenced to long periods of imprisonment; 25 of them (78 per cent) were of Uzbek ethnic origin. The Ombudsman organized his own inquiry into the Nookat events. A special commission was set up with the participation of representatives of civil society and international organizations. The information it provided was used in applications submitted to the country's leadership and statements made to the news agencies.

136. The Ombudsman does periodically receive citizens' applications concerning discrimination on various social grounds, although not in large numbers. The inter-ethnic issue arises only very rarely in such cases. During 2011, the Office of the Ombudsman recorded two applications related to information classified as concerning inter-ethnic relations. Indications of infringements of citizens' rights on any grounds were found in 37 applications, or 10.4 per cent, of the 366 received during the first half of 2011.

137. Compensation and reparations for harm are an important factor. Under the Civil Code, a person whose rights have been violated may request full compensation for losses caused, unless otherwise provided in legislation or a similar act.

138. There were clashes between Dungan and Kyrgyz communities living in the village of Iskra, Chu district, Chu province between 31 January and 6 February 2007. On 7 April, a Government Decision established an investigative commission that considered the issue of compensation for material losses caused. It was decided to draw up the following lists: (a) possible recipients of compensation; (b) equipment to be given to the Dungan community. As a result, the owners of houses damaged in the riots received sheeting to patch their broken windows. The Government compensation did not satisfy the owners of 11 houses affected by the riots, and for six months the Dungans sought additional funds from the Government, but were finally able to get some assistance from the rural community (ayil ökmötü). The houses were repaired by their own efforts. The authorities offered loans of between 50,000 and 100,000 soms to the victims.

139. There were further clashes in the village of Petrovka on 26 April 2009, between ethnic Kyrgyz and Russians on the one side and Kurds on the other. The clashes caused about 80 casualties and 15 houses were damaged in the rioting. After the violence, the victims received help from the local authorities. The State did not provide any assistance, as the victims did not apply to the State for help.

140. On 19 April 2010, the village of Maevka suffered mass unrest, which led to 11 houses in the Meshketian Turkish quarter being set on fire, with 4 burned down completely. The victims were given material assistance (food and clothing) by parties and non-governmental organizations. State assistance was also provided, in the form of 100,000 soms for those who had lost their homes and a little less for those whose houses had suffered badly. A total of 150,000 soms was set aside from the local budget. The Government of Turkey provided four new houses for those whose homes had been completely burned down. The State material assistance was received by August and the families were able to move into their new houses in September–October 2010. The International Committee of the Red Cross provided the victims with building materials to the sum of 500,000 soms to rebuild their houses.

141. State social assistance was provided to family members of the persons killed, as well as Kyrgyz citizens who were victims of the April, May and June events in 2010, under Interim Government Decision No. 1 of 8 April 2010 on the provision of a one-time payment of material assistance; such a payment of 1 million soms was made to the families of those who had died, and other Kyrgyz nationals who had been seriously injured were given the sum of 100,000 each; the sum of 50,000 soms was given to each of those less seriously or slightly wounded.

142. Government Decision No. 173 of 25 August 2010 on State social assistance for Kyrgyz nationals who were victims of the June events in Osh, Osh province and Jalal-Abad province allocated a one-time payment of 20,000 soms to the families of Kyrgyz citizens who died and interim monthly social grants of 10 notional units (1,000 soms) for a period of six months to the children of citizens who disappeared during the June events. Furthermore, in 2011, 21 families (parents) of missing persons were given a one-time payment of 1,000 soms under Prime Minister's Order No. 10-r of 19 January 2011.

143. Interim Government Decree No. 124 of 24 August 2010 on the provision of State social support to the families of those who died and to Kyrgyz citizens who were victims of the events of 6 April in Talas province, 7 April in Bishkek, 13 and 14 May in Jalal-Abad and the June 2010 events in Osh, Osh province and Jalal-Abad province and its implementing decision No. 209 of 18 September 2010 were adopted to provide such support. This legislation provided for the payment of supplementary monthly social allowances to the children of those killed until they reach the age of 18; to the retired parents (father and mother) of those killed, for life where the person killed was their only child; and to victims registered as disabled, from the time of registration of the disability until finalization of the medical commission report, to a sum of 10 times the guaranteed minimum income ( $10 \times 310 = 3,100$  soms). Since July 2011, the supplementary monthly social allowance has been 3,700 soms per month.

144. Under Government Decree No. 204 of 24 May 2011 on the provision of one-time payments of material assistance to the families of citizens who died, disappeared or were injured in the June 2010 events in Osh, Osh province and Jalal-Abad province, one-time payments of 1 million soms were made to the families of citizens who died or disappeared, payments of 100,000 soms to citizens who were seriously injured and payments of 50,000 soms to those less seriously or slightly wounded.

145. Under Interim Government Order No. 485 of 21 June 2010, a commission was set up to assess the damage caused during the June events in Osh, Osh province and Jalal-Abad province. The Commission issued a report on 12 July 2010 putting the preliminary figure for damages at 2,742,225,000 soms. A total of 2,323 premises were reported as having suffered damage. They were:

- 1,975 residential houses
- 299 businesses
- 32 State premises
- 15 public utilities
- 2 other premises

146. Government Decision No. 164 of 17 August 2010 approved an initial list of premises requiring repairs and reconstruction by the State Directorate for the Rehabilitation and Development of Osh and Jalal-Abad, with a guideline cost of 6.0 billion soms.

147. Under Government Decision No. 112 of 1 July 2010 on priority measures to identify funding sources for rehabilitation work in Osh and Jalal-Abad, the Ministry of Finance allocated US\$ 100,000,000 (4,530 million soms) for restoration work in those towns.



During 2010, the Ministry of Finance carried out rehabilitation and development works in Osh and Jalal-Abad to a total of 683 million soms, as follows:

- Construction of individual residential units: 3.6 million soms
- Construction of apartment buildings: 442.6 million soms
- Construction of social and cultural facilities: 58.9 million soms
- Road construction: 20.0 million soms
- Planning and surveying: 20.8 million soms
- Mortgages and grants: 120.3 million soms
- Running costs of the Directorate: 16.8 million soms

148. The Act on the 2011 National Budget and the 2012–2013 Budget Estimate included 2,372.1 million soms for the rehabilitation and development of Osh and Jalal-Abad in 2011, of which:

- Running costs of the Directorate: 41.0 million soms
- Special Fund for the Rehabilitation and Development of Osh and Jalal-Abad: 2,331.1 million soms, including:
  - Departmental classification 79120: 2,331.1 million soms for the following line items:
    - 2521: Grants to non-financial private businesses, entrepreneurs and population: 20.0 million soms for free assistance to persons affected
    - 3111: Buildings and equipment: 2,291.1 million soms for construction and restoration work
    - 3214: Credit, loans and mortgages: 20.0 million soms for preferential loans to persons affected

149. Between the beginning of 2011 and 28 June 2011, the Ministry of Finance funded rehabilitation and development projects in Osh and Jalal-Abad to a total of 1,180.4 million soms, of which 1,124.7 million soms has been disbursed as followed:

- State assistance to families affected: 8.2 million soms
- State assistance to businesses affected: 44.4 million soms
- Construction of multi-storey buildings: 1,072.3 million soms, of which:
  - Rehabilitation and construction of social and cultural facilities, administrative buildings: 68.9 million soms
  - Restoration of roads and engineering infrastructure: 53.2 million soms
  - Planning and surveying: 20.1 million soms
  - Co-financing of Asian Development Bank project: 1.8 million soms
  - Other work and Directorate running costs: 13.0 million soms

150. By the end of 2010, 1,780 houses had been rebuilt. All those affected had been provided with temporary housing. Permanent housing is currently under construction. A support programme for affected businesses has been adopted: preferential loans and exemption from payments, as well as compensation to all 472 persons affected.

151. Nevertheless, under Zhogorku Kenesh Decision No. 567 of 9 June 2011 on the outcome of the work of the temporary parliamentary commission to investigate the

circumstances and conditions that led to the tragic events in the country in April–June 2010 and their political assessment, the Government is instructed to take comprehensive measures to provide compensation for the moral and material harm suffered by physical persons and legal entities affected during the events of April to June 2010.

152. As can be seen from the procedure adopted for compensation for moral and material harm, the State is consistent in fulfilling its obligations in this respect in areas of conflict, moving from the denial of any possibility of compensation for moral and material harm during the years of the Bakiev regime to the broad State assistance being provided to persons affected during the inter-ethnic conflicts after April 2010. In contrast to previous regimes, the Government was the first to take measures to provide satisfaction and accept the moral blame for the events.

153. Under article 10 of the Constitution, Kyrgyzstan guarantees representatives of all the nationalities that make up the Kyrgyz nation the right to maintain their mother tongue and to create the conditions for it to be taught and promoted.

154. The current policy on language is based on the State Language Act, which establishes the Kyrgyz language as the State language and a language of inter-ethnic communication in the country (art. 3). The State supports children learning both the State language and their native languages (art. 6).

155. The State Language Act recognizes that having a State language is not an obstacle to the use of other languages in the country. Kyrgyzstan supports the principle of the free linguistic development of representatives of other ethnic groups living in the country (art. 4). Thus, under article 1 of the Act, Kyrgyzstan guarantees representatives of all the nationalities that make up the Kyrgyz nation the right to maintain their mother tongue and to create the conditions for it to be taught and promoted. Citizens' rights and freedoms may not be infringed on grounds that they do not know the State or the official language.

156. The status of the Russian language as an official language was established in the Official Language Act of 2000; it serves as a language of inter-ethnic communication and promotes the country's integration in the world community (art. 1). The status of the Russian language is enshrined in the Constitution (art. 10).

157. The Administrative Liability Code also establishes liability for violations related to ethnic and cultural rights, violations of citizens' rights to freely choose their language of education and study, the creation of obstacles or restrictions on the use of language, and for disrespect for the State language or the languages of other peoples or ethnic groups living in Kyrgyzstan (art. 64).

158. It is important that efforts have been made during the years of independence to preserve and support schools and higher educational establishments, as well as theatres and other cultural facilities, that use different languages. Thus the comparative figures for the number of secondary schools by language of teaching shows that, between 1991 and 2011, the total number of schools in the country rose from 1,764 to 2,191. Of those, the number teaching in the Kyrgyz language rose from 1,121 to 1,379, and those teaching in Uzbek from 116 to 137. The number of Russian-language schools fell from 187 to 162, and the number of Tajik-language schools remained at 2. The number of schools with mixed languages of teaching, including Kyrgyz-Russian, Kyrgyz-Uzbek and Kyrgyz-Russian-Uzbek, rose from 338 to 431.

159. Figures from the People's Assembly show that ethnic cultural centres and associations of Azerbaijani, Balkar, Greek, Tatar, Polish and other ethnic groups run Sunday schools and native language courses. The Dungan language is taught in 11 schools, and 5 schools teach the Uigur language. Korean is taught in the Korean centre and 15 schools in Bishkek, while Hebrew is taught in the Jewish school.

160. The basic language policy enshrined in the Constitution, other than confirming the status of the Kyrgyz language as the State language and the Russian language as an official language, guarantees to representatives of all the ethnic groups that make up the people of Kyrgyzstan the right to maintain their mother tongue and to create the conditions for it to be taught and promoted.

161. Census data from 1999 and 2009 indicate that over 71 per cent of the population (3.8 million persons) speak the Kyrgyz language. There has been an increase in the number of people who speak a second language, from 36 per cent in 1999 to 47 per cent in 2009. There are, however, significant differences between the regions. For instance, Russian is widely spoken in Bishkek, while Kyrgyz is used more in some regions. Monolingualism is more common in rural and remote areas.

162. The lack of qualified teachers, translators, textbooks, learning aids and teaching materials, including those using innovative approaches, is one of the main reasons that the State language has not permeated all areas of public life.

163. However, information from the Office of the Ombudsman indicates that Russian-speaking citizens have begun to feel uncomfortable in Jalal-Abad. Mr. M. Zheenbekov, head of the municipal administration, banned letters and applications to the authorities in the official Uzbek language which is, in practice, the language of inter-ethnic communication. This brought protests from broad sectors of society in the country against such actions by the mayor of Jalal-Abad. Mr. Zheenbekov was released from his duties as mayor of Jalal-Abad on 7 July 2011.

164. The Ministry of Education and Science points out that the Education Act includes legislative and administrative measures to combat prejudice leading to racial discrimination in education and training:

- Kyrgyz citizens have the right to education irrespective of their sex, ethnic origin, language, social status, wealth, line of work or nature of occupation, faith, political and religious views, place of residence or other considerations. Nationals of other States and stateless persons in Kyrgyzstan receive education in line with national legislation.
- Education is a priority in the Government's policy. Education in Kyrgyzstan is based on the principles of international agreements and covenants, the Universal Declaration of Human Rights, the principles of democracy, the humanistic values of the people, and world culture.

165. To put the Universal Declaration of Human Rights into practice, the Ministry of Education and Science has developed criteria for assessing the content of new generation textbooks and course materials to ensure that they are in line with teaching and health and hygiene standards for textbooks and that they provide a multicultural, tolerant education. This means introducing specific criteria for preparing textbooks that meet the demands of today:

- Multiculturalism
- Tolerance
- Gender sensitivity
- Life skills guidance

166. The Ministry of Education and Science aims to provide a multicultural and multilingual education by respecting specific principles in the teaching and educational process to promote respect for and preservation of cultural diversity, to ensure equal rights

to education for all and to foster the nation's political, economic, civil and spiritual values in its students.

167. The Education Act states that educational establishments, irrespective of their form of ownership, must provide knowledge and development of the Kyrgyz language, as the State language, study of the Russian language, as an official language, and study of one foreign language in line with the State educational standards for each level of education.

168. Following a Memorandum of 1 March 2006 between the Ministry of Education and Science and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE), the Ministry now has a section responsible for multicultural and multilingual education. The main aim of its work is to coordinate the promotion of a multicultural and multilingual policy through education. Its principle areas of activities, along with the development of the State and official languages, are the preservation and development of ethnic minority languages.

169. Education policy on minority languages conforms to the international categories laid out in instruments such as the Framework Convention for the Protection of National Minorities (1995) and the European Charter for Regional or Minority Languages (1992).

170. In 2008, the Ministry of Education and Science approved the Framework Policy for Multicultural and Multilingual Education and set guidelines for activities in those areas.

171. There is support for the ideas of multilingual and multicultural education from both Government and civil society organizations throughout the country, including the Ministry, secondary and higher educational establishments, the People's Assembly, scientific research establishments, NGOs and the media. Multilingual and multicultural education is monitored by the international organizations that have representatives in the country, such as OSCE, the United Nations Children's Fund, the Soros Foundation – Kyrgyzstan and the Eurasia Foundation.

172. Currently in Kyrgyzstan there are about 2,000 cultural and arts establishments (museums, theatres, libraries and clubs). The low level of State funding and predominance of foreign events, together with the inadequate development of a tradition of patronage of the arts and support for cultural initiatives are negative influences on the country's cultural development. Legislation and policy on culture are described in greater detail in Kyrgyzstan's report on the implementation of the International Covenant on Economic, Social and Cultural Rights.

173. Recognition of the freedom of speech and market principles underlies the activities of the country's media. However, the Government is able to have an influence in the area by fostering a national identity and not allowing any incitement to inter-ethnic discord.

174. Newspapers, magazines, radio and television broadcasts in Kyrgyzstan are in two languages, with Uzbek only in the southern region. The media do not give enough coverage to the life of local diasporas. There are no television programmes in the languages of the peoples of Kyrgyzstan. There is also very little in respect of Kyrgyz language teaching.

175. As of 2009, there were 1,331 registered media outlets in the country, of which 1,197 were printed publications and 134 were electronic; 437 of them were functional.

176. Around 70 per cent of newspapers and magazines are published in Kyrgyz, and approximately 25 per cent use Russian or Uzbek. More than 50 per cent of the newspapers and magazines that appear regularly are published in Bishkek and distributed to the regions. Osh is a main centre for the press, with around 100 registered newspapers and magazines.

177. Provincial newspapers are published in the regions: in Russian, Kyrgyz and Uzbek in Osh province; in Russian and Kyrgyz in Chu and Ysyk-Köl provinces; and in Kyrgyz in Naryn, Batken, Jalal-Abad and Talas provinces.

178. The State Language Act and the Television and Radio Broadcasting Act introduced the standard that at least half of the programmes broadcast should be in the State language. Eighty per cent of the Kyrgyzstan Public Radio and Television Corporation's radio programmes are in the State language, and 55 per cent of its television broadcasts are in Kyrgyz.

179. National coverage is still limited. In 2009, 182 communities could not receive the Kyrgyzstan Public Radio and Television Corporation's radio programmes and 86 could not receive its television signal.

180. Research shows that, in 2009, 77 per cent of Internet users in the country lived in Bishkek. Seventy-five per cent were aged between 10 and 30. Of all those surveyed, 37 per cent used a mobile link to enter the Internet, which shows that it would be possible to broaden access to the Internet in the regions.

181. As of June 2010, there were three television channels broadcasting in Uzbek. They were Mezon TV, Osh TV and DDD.

- Mr. Zhavlon Mirzokhodzhaev, the owner of Mezon TV, left the country after the June events, and the company, now renamed TRK Bashat, is run by Mr. Mirzokhodzhaev's partner, Mr. Adib Samatov. It is not broadcasting and is running various social grant projects.
- Osh TV currently broadcasts in Kyrgyz under the management of Ms. S. Sourbaeva, who was appointed by Mr. M. Myrzakmatov, the mayor of Osh. It avoids nationalistic rhetoric and is more or less the same as the EITR channel.
- DDD was originally a production centre, making commercial videos in Uzbek. It currently broadcasts on the Keremet channel.

182. In general, the Uzbek-language media are in a somewhat lamentable situation, as almost none of them have functioned since the June 2010 events. This is primarily because of security considerations on the part of the owners. A number of newspapers used to be published in Uzbek:

- *USSR* stopped publication in December 2009
- *Demos Times* stopped publication a year before the June tragedy
- *Diidor* is owned by the Jalal-Abad province Uzbek Cultural Ethnic Centre. The chief editor, Mr. Ulugbek Abdusalamov, is facing charges in the context of the mass unrest in Jalal-Abad in May 2010.
- *Mezon*, a newspaper sponsored by Mr. Davron Sabirov, a politician of Uzbek ethnic origin, ceased publication after the June events
- *Itogi Nedeli*, published in Russian and Uzbek, began to appear less frequently after the April events and stopped publication after June 2010
- The newspaper *Akhborot*, whose chief editor is currently in the Russian Federation, has not been published since June 2010
- *Ush Saddosi*, which is owned by the Osh provincial administration, is still published
- *Dustlik*, owned by the Aravan district administration, is still published
- The newspaper *Vechernii Osh*, owned by Osh municipality, is published in Kyrgyz, Uzbek and Russian
- *Biz My Biz*, a newspaper published by the Youth of Osh voluntary association, with funding from OHCHR in Kyrgyzstan, has appeared since 12 August 2011 in Kyrgyz, Uzbek and Russian, with a circulation of 40,000

As can be seen from this analysis of the current situation of Uzbek-language media, most used to be privately owned, and many stopped publication even before the June events, some because the owner or chief editor left the country and others for economic reasons. Most of the publications that now exist are State-owned.

### **III. Conclusions**

183. The tragic events of 2010 in southern Kyrgyzstan have led to much discussion in the country on ways of building up a multi-ethnic country, and the different political forces represented in Parliament are proposing different solutions. However, there is a clear trend led by the Government towards trying to achieve inter-ethnic peace and harmony, and to prevent further occurrences of inter-ethnic conflict or discrimination on racial, ethnic or other grounds.

184. The country's leadership, in the persons of the President, the Chair (*Torag*) of the Zhogorku Kenesh, and the Prime Minister, have clearly reiterated their commitment to the policy of inter-ethnic peace and harmony in the country and the elimination of discrimination on ethnic, racial or other grounds. This is demonstrated by the reforms of the law enforcement agencies, the military and the judicial system, and the decisive changes that have been made to the bureaucratic State apparatus in favour of the democratization of power and the elimination of any discrimination on ethnic, racial or other grounds at the higher and middle levels of the administration and in local government agencies.

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