

Warsaw Human Dimension Conference

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KGZ and CA: Internal internal challenges and new risks: Restriction of access to public space justified by Covid-19: Lessons for CSO...

1. The restriction of access to public space justified by Covid-19 has led to abusive restrictions, namely:

- ▶ the introduction of increased surveillance measures, include minority HRDS <http://birduino.kg/en/press/the-authorities-should-drop-the-charges-against-kamil-ruziev-and-begin-an-objective-investigation-of-all-the-facts-of-torture-that-the-human-rights-defender-reported>
- ▶ the adoption of legislation granting extensive powers to the authorities (**Presidential Power: Constitutional reform January, 2021**)
- ▶ the sometimes abusive use of these laws to restrict civic space under the guise of the fight against the pandemic. Parliament, during the pandemic, introduced amendments to the law on NGOs on state control over the activities of NGOs only, requiring an annual report in April on the activities and finances, if they are not submitted, the tax authorities will demand their closure without a court. Bir Duino lawyers are currently challenging these unconstitutional provisions in the Constitutional Court of the KR. We need your attention and support to return : **The constitutional right of citizens: to freedom of association**

Criminalization of human rights defenders:

▶ 2. Criminalization of human rights defenders critical of the management of the pandemic

- ▶ Under the pretext of limiting the dissemination of false information about the virus, some authorities have arrested and harassed in court independent journalists and human rights defenders critical of their handling of the crisis, even closing down some media outlets.
- ▶ When asked to provide more context about who was especially vulnerable to restrictions on their rights to assembly and association by the government or its agents in 2021, respondents of the HRMI, <https://rightstracker.org/en> mentioned all of the following:
- ▶ Human rights defenders, activists, and protesters supporting women's rights as police violently break up protesters or send other civilians to attack the protesters
- ▶ People with particularly political affiliations or beliefs, especially members of political parties, human rights activists, and journalists who criticized the government and its policies
- ▶ All people were at risk as the government adopted laws regulating non-profit organization's, legal entities, and politicians' offices requiring they provide additional financial information and any entity that does not comply is considered to be an illegal entity
- ▶ All people were at risk as the government used Covid-19 to ban protests, particularly protests for women's rights and LGBTQIA+ rights
- ▶ People living near the Batken region
- ▶ People in rural areas as electricity outages limit people's ability to organize protests online
- ▶ People of particular ethnicities, particularly Uzbeks, who, for example, avoid large state gatherings, like state holiday celebrations, for fear of violence
- ▶ People with particular political affiliations or beliefs, especially those against the war in Ukraine
- ▶ Trade unions Source: HRMI 2022 rightstracker.org <https://rightstracker.org/en/country/KGZ?tab=report-empowerment>

Arbitrary detention of human rights defenders:

- ▶ **3. Arbitrary detention of human rights defenders despite acute risk of infection in prison**
- ▶ Despite repeated declarations by the United Nations, and waves of mass releases aimed at decongesting prisons to combat the spread of the virus, a large number of human rights defenders held in high-risk environments have not been released. While some have died in prison, states have used the health crisis as an excuse to postpone their trials or keep them in detention. (Azymjan Askarov's story's), Ales Belyaski (Belarus) and others...in difficult situation...
- ▶ (Eurasian Union/CHOS influences) for HR and Democracy in CA...negatively influence the development of democratic legislation by introducing repressive laws and harassment of activists (an increase in arbitrary detentions and arrests in the format of the fight against extremism and terrorism)...

Threats and killings of human rights defenders:

- ▶ **4. Threats and killings of human rights defenders**
- ▶ Confinement, curfews and the general context generated by Covid-19 have increased the vulnerability of human rights defenders already at risk. **Case of the HRDS Azymjan Askarov from Kyrgyzstan Link:**
<http://birduino.kg/en/press/press-release-of-the-pa-hrm-bir-duino-kyrgyzstan-25-july-2022-the-second-anniversary-of-the-death-of-human-rights-activist-azimzhan-askarov>
- ▶ In countries such as Turkmenistan, Tajikistan and other CA country's violence against defenders has increased significantly

Border conflicts: Kyrgyzstan/Tadjikistan

- ▶ According to the Border Service of the SCNS, the Tajik side attacked border and civilian facilities along the entire perimeter of the Kyrgyz-Tajik state border in the Batken district. The Kyrgyz Border Service said that the vicinity of the Batken airport and facilities on the outskirts of the city were shelled by Tajik multiple rocket launchers. Objects of the civil infrastructure of the city of Batken have been destroyed^[2]. We need more consultations and Dialog with CSO from Tajikistan and Kyrgyzstan to support for people who live in conflicts zones...
- ▶ [\[2\].http://birduino.kg/en/press/the-human-rights-movement-bir-duino-kyrgyzstan-and-the-partner-network-people-changing-the-world-appeal-to-the-international-community-of-the-un,-osce](http://birduino.kg/en/press/the-human-rights-movement-bir-duino-kyrgyzstan-and-the-partner-network-people-changing-the-world-appeal-to-the-international-community-of-the-un,-osce)
- ▶ Power structures have not been reformed for 30 years of independence, as a result there is no public security and cases of extrajudicial executions in closed institutions of KR (human rights activist Askarov, political scientist Marat Kazakpayev, banker Bakyt, etc.) continue. Impunity is prolonged...
- ▶ <https://rus.azattyk.org/a/32063424.html> **The Kyrgyz-Tajik border: chronology of conflicts:**

Impunity and crime in the border areas of Kyrgyzstan and Tajikistan:

- ▶ In the Fergana Valley borderlands of Kyrgyzstan and Tajikistan, 144 different conflicts have occurred over the last ten years, with over 200 victims on both sides. The clashes have become more violent each time, in recent years culminating in shootouts, bloodshed and attacks on population centres in the border area.

За последние 10 лет не было ни одного года без приграничных конфликтов между КР и РТ

Количество инцидентов на границе Кыргызстана и Таджикистана с 2012 по 2022 годы



*2022 - за 9 месяцев



Access to justice for survivors of gender-based violence/Impunity...

- ▶ In Alternative report to ICCPR, CSO's details concerns with regard to laws related to rape and other forms of sexual violence, as well as harmful practices and procedures and practices which effectively deny access to justice for survivors of gender-based violence and which constitute a violation of the obligations under the International Covenant on Civil and Political Rights (ICCPR).
- ▶ Specifically, Kyrgyzstan's legal system provides a number of opportunities for perpetrators to escape criminal liability or punishment, namely through the way sexual violence crimes are defined; allowing for the direct release of a perpetrator from liability or punishment in certain circumstances; and through the way sexual violence crimes are investigated and prosecuted, including with respect to adolescent girls.
- ▶ Submission To The Human Rights Committee (CCPR) 136th Session October 2022
https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KGZ/INT_CCPR_CSS_KGZ_50006_E.pdf
- ▶ https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KGZ/INT_CCPR_ICO_KGZ_42867_E.pdf
- ▶ **HRMI Rights Tracer** <https://rightstracker.org/en/country/KGZ?tab=report-physint>

Kyrgyzstan – leader of Central Asia by the number of those in slavery

Kyrgyzstan – leader of Central Asia by the number of those in slavery. According to the Global Data Hub on Human Trafficking, over 6 thousand citizens of Central Asia were in sexual, labour or other slavery from 2005 to 2021. Number of citizens in slavery from 2005 to 2021

Kyrgyzstan 2,259

Uzbekistan 2,037

Kazakhstan 691

Tajikistan 616

Turkmenistan 525

Chart: CABAR.asia Source: Global Data Hub on Human Trafficking Get the data Created with Data wrapper

<https://cabar.asia/en/60-per-cent-of-citizens-of-central-asia-found-in-slavery-are-women>

Poverty and extreme poverty in crises and disasters

- ▶ “The rate of poverty in Kyrgyzstan has fallen gradually in recent decades. However, the last two years have seen an increase in the number of people affected by poverty,” said De Schutter, an independent expert appointed by the UN Human Rights Council to monitor, report, and advise on poverty and human rights.
- ▶ Kyrgyzstan has been heavily impacted by the COVID-19 pandemic, with increased unemployment and rising food prices. In 2020, over one quarter of the population, or 1.68 million people, lived under the national poverty line.
- ▶ Poverty in Kyrgyzstan is also expected to be exacerbated by the Russian invasion of Ukraine. The conflict and resulting sanctions are likely to affect the Kyrgyz economy, which depends on imports and remittances from migrants working in Russia.
- ▶ “A fall in remittances, combined with growing inflation, threatens the livelihoods of people already struggling to make ends meet in Kyrgyzstan,” De Schutter said. <https://www.ohchr.org/en/press-releases/2022/05/un-human-rights-expert-visit-kyrgyzstan-assess-poverty>

External treats in the CA region:

- ▶ <http://birduino.kg/en/press/special-osce-asian-partners-for-co-operation-group>



Вы запустили демонстрацию экрана

Остановить совместное использование

The region of Central Asia in the flow of conflicts and disasters, including systemic, unresolved...

Solutions to problems:

- *New collaborative inclusive strategies:*
- *on prevention and deterrence of risks, conflicts and disasters through the promotion of gender equality and gender justice from the level of communities to global;*
- *on localization of key OSCE security and Human Dimension programs with equal participation of leaders from among girls, women, minorities, youth: from community level to global.*

← ⚠ ⌂ ⋮ →

Recommendations from Bir Duino-KR for an effective partnership with OSCE:

Pursue equitable partnerships and solidarity:

1. Promote the creation of horizontal platforms to share knowledge and success stories in countries of positive change. We need multistakeholders Dialogs under OSCE commitment in CA
2. Strengthen assistance to human rights defenders, especially women, minorities and environmentalists
3. Focus on people's empowerment, democratic ownership and participation through pre election mission by OSCE experts...

Joint innovative projects:

- Promote the localization of the new format of the UN guidelines Business and Human Rights under economical OSCE dimension in the crisis time
- Promote risk, conflict and disaster prevention through UNSCR 1325, incorporate a human rights-based approach
- Strengthen existing successful platforms to promote human rights and freedoms through Art and Human Rights

Joint ADVOCASI campaigns:

UPR-joint advocacy campaigns

Promote the UN Human Rights Committee's Views on the cases of victims of torture and illegal detention and arrests of human rights defenders by providing expertise and legal assistance, working closely with UN Special Rapporteurs
(from local to Global)

Thanks for the
great
Partnership

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