



United States Mission to the OSCE

Case of Human Rights Activist Azimjon Askarov in Kyrgyzstan

As prepared for delivery by Acting Deputy Chief of Mission
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to the Permanent Council, Vienna
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The United States is concerned by the Supreme Court of Kyrgyzstan's October 16 decision in the case of human rights activist Azimjon Askarov. This ruling lets stand the decisions of lower courts not to investigate charges of torture during Askarov's detention. The Constitution of the Kyrgyz Republic provides a framework of procedural protections in line with Kyrgyzstan's obligations under the International Covenant on Civil and Political Rights. However, this framework does not appear to have been applied consistently in the Askarov case. International observers note that his trial and appeals were marred by serious procedural and due process flaws, and have stated during court proceedings that they observed police officials beating Askarov.

Impartial judicial oversight is essential to the implementation of OSCE commitments against torture, which participating States agreed to at the 1989 Ministerial Council in Vienna. These commitments affirm that participating States will "prohibit torture...and take effective legislative, administrative, judicial, and other measures to prevent and punish such practices." In 1991, in Moscow, we further committed that detained persons have the right to register a complaint regarding torture, and that governments will address such complaints promptly. The failure of Kyrgyzstan to take prompt measures to address the allegations of torture in Mr. Askarov's case contravenes these and other OSCE commitments.

The OSCE participating States have followed closely the challenges presented by a lack of tolerance and a lack of interethnic reconciliation in a number of parts of the OSCE area, including those resulting from the 2010 violence in southern Kyrgyzstan. Mr. Askarov's case stems from this violence, and lingering concerns about his treatment underscore the grievances of vulnerable ethnic minorities in Kyrgyzstan. As the U.S. raises its concerns about Mr. Askarov's case, we would also like to ask the delegation of Kyrgyzstan to provide the Permanent Council with information on the Government's latest efforts and plans to facilitate sustainable interethnic reconciliation.

Thank you, Mr. Chairman.