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Madame Chair Kaliyeva,

Ahead of the 25 February review by Kyrgyzstan's Supreme Court of the appeal filed by Azimjon Askarov, Civil Rights Defenders, The Norwegian Helsinki Committee and The International Federation for Human Rights call on you to ensure that the imprisoned human rights defender receives a fair trial and that his verdict demonstrates your nation's respect for international law. We ask you to ensure that Supreme Justices honor Kyrgyzstan's obligations under the [Optional Protocol](#) to the International Covenant on Civil and Political Rights (ICCPR) and fully enforce the [March 2016 ruling](#) by the United Nations Human Rights Committee.

Askarov, who turns 69 in May, was sentenced to life in jail in September 2010 on a series of charges, including incitement to ethnic hatred, hostage taking, and participation in the killing of a local police officer all of which took place during the June 2010 ethnic conflict. Although his [trial was marred with numerous violations](#), including allegations of Askarov's torture, attacks on his lawyers in the courtroom, and lack of evidence, Kyrgyzstan's courts have consistently denied his appeals.

In March 2016, the United Nations Human Rights Committee – where he sought justice after failing to find redress in domestic courts – [ruled](#) that Azimjon Askarov was arbitrarily detained, held in inhumane conditions, tortured and otherwise ill-treated without redress, and not given a fair trial. The ruling noted that Kyrgyzstan “violated the author's rights under article 14 (3) (e) of the Covenant [ICCPR].” The Committee called on Kyrgyzstan to take appropriate steps to immediately release Mr. Askarov and quash his conviction.

“Our colleague Azimjon Askarov has been fighting for justice from behind bars for almost a decade now, and to this day Kyrgyz courts have failed to deliver it to him. They did so even after a team of the UN legal experts urged Kyrgyzstan to set him free after an extensive review of all the details in the case and pointing at the specific violations. That Askarov remains in jail is a deeply troubling miscarriage of justice, and it must end,” said Anders Pettersson, Executive Director, Civil Rights Defenders. “We urge the high judges to show to Askarov, to the entire Kyrgyz nation, and to Kyrgyzstan's international partners that the rule of law exists in Kyrgyzstan, and that the state fully respects and fulfills its international legal obligations.”

The 25 February hearing is an appeal of the [January 2017 ruling by the Chui Regional Court](#) which selectively implemented the UN Committee's views: Kyrgyz authorities held a judicial review of Askarov's case but failed to release him or drop the charges. His sentence to life in jail remained intact.

In the views, published on March 31, 2016, the UN Committee stated:

"The Committee, acting under article 5 (4) of the Optional Protocol, is of the view that the facts before it disclose a violation of the author's rights under article 7, read separately and in conjunction with article 2 (3), and articles 9 (1), 10 (1) and 14 (3) (b) and (e) of the Covenant. Pursuant to article 2 (3) (a) of the Covenant, the State party is under an obligation to provide the author with an effective remedy. This requires it to make full reparation to individuals whose Covenant rights have been violated.

Accordingly, the State party is obligated, inter alia, to take appropriate steps to immediately release the author; quash the author's conviction and, if necessary, conduct a new trial, in accordance with the principles of fair hearings, presumption of innocence and other procedural safeguards; and provide the author with adequate compensation. The State party is also under an obligation to take steps to prevent similar violations occurring in the future."

"Azimjon Askarov's case is merely one manifestation of Kyrgyzstan's backsliding on human rights in recent years, a worrying trend including an ongoing crackdown on peaceful activists and a steadily shrinking civic space, showing the international community that Kyrgyzstan is no longer an "island of democracy", but an authoritarian state. However, it is not too late to reverse this, Kyrgyzstan should start by immediately releasing our colleague Askarov", said Bjørn Engesland, Secretary General of the Norwegian Helsinki Committee.

The UN Committee reviewed the case acting under the First Optional Protocol, which the Kyrgyz government ratified in 1994.

Madame Chair: On behalf of our imprisoned colleague Azimjon Askarov and the international human rights community, we ask you to ensure that the Supreme Justices demonstrate that rule of law and justice exist in Kyrgyzstan, and that the nation is a trustworthy and equal partner for the international community.

We ask you to free Askarov and quash his conviction in accordance with the UN Human Rights Committee's ruling.

Thank you for your attention to this important matter.

Anders Pettersson,
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