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## **NGOs urge Kyrgyzstan to release unjustly imprisoned human rights activist Azimjan Askarov**

**Bishkek, Brussels, Paris, 12 March 2019: Although the United Nations Human Rights Committee (HRC) ruled in 2016 that 67-year-old human rights defender Azimjan Askarov should be immediately and unconditionally released, he continues to serve life imprisonment imposed following an unfair trial marred by allegations of torture handed down in 2010. In November 2018 the Director of International Partnership for Human Rights (IPHR) and the President of the International Federation for Human Rights (FIDH) visited Askarov in prison; the NGOs remain concerned about his poor state of health and appalling detention conditions.**

An ethnic Uzbek, Azimjan Askarov was arrested in June 2010 for his alleged involvement in events that resulted in the death of a police officer in the village of Bazar Korgon in the Jalal-Abad Region during the inter-ethnic violence that took place in southern Kyrgyzstan that month. While being held at the local police station without access to the outside world for several days he was reportedly subjected to torture and other forms of ill-treatment. Three months later Askarov was found guilty on numerous charges, including participation in mass disturbances, incitement of ethnic hatred, and complicity in murder, and sentenced to life imprisonment.

It is believed that he was arrested and charged in retaliation for his human rights work, which included efforts to document torture and other unlawful actions by local law enforcement authorities, as well as human rights violations perpetrated in his home community during the 2010 inter-ethnic violence. Following the 2010 events, ethnic Uzbeks were selectively targeted for prosecution based on their alleged involvement in the conflict, with systematic fair trial violations marring the trials against them. Azimjan Askarov is the most prominent victim of this miscarriage of justice, but many others also remain imprisoned.

In its March 2016 decision, the HRC concluded that Askarov had been arbitrarily detained, tortured and denied fair trial rights. The Committee requested that he be immediately released, his conviction quashed and, if necessary, that a new trial be held subject to the principles of fair trial, including the presumption of innocence and other procedural safeguards.

Following this decision, Kyrgyzstan's Supreme Court reviewed the case, but instead of releasing Askarov and repealing his conviction it sent the case back for retrial, which opened at the Chui Regional Court in

October 2016. Askarov's lawyers requested that his initial conviction be quashed and a new investigation be carried out, in accordance with the HRC's conclusions. However, the court turned down the requests and the trial went ahead on the basis of the results of the 2010 investigation, which was characterized by numerous due process violations. In January 2017 the court ruled to uphold his life sentence. Askarov's subsequent appeal was turned down and he refrained from appealing to the Supreme Court stating that he does not trust Kyrgyzstan's judiciary.

In response to the outcome of the retrial, the United Nations (UN) Office of the High Commissioner for Human Rights stated that the decision "highlights serious shortcomings in the country's judicial system" and "clearly did not take into account the views of the UN Human Rights Committee". The European Union has repeatedly stated that the HRC's decision should be fully implemented.

Azimjan Askarov is held in solitary confinement in the basement of Investigation-Isolation facility No. 1 (SIZO – after the Russian acronym) in Bishkek, in a small cell measuring approximately 1.15m x 3.5m with a bed made from concrete, an open toilet and no natural light. During the meeting with FIDH- and IPHR-representatives in November 2018 Askarov was placed in a metal cage. He expressed his humiliation at having to meet in such conditions, as well as his frustration and deep feeling of injustice after so many years of imprisonment with seemingly no prospect of being reunited with his family in his old age. The NGOs issuing this statement are also concerned about Askarov's poor state of health. According to his wife Khadicha Askarova, he suffers from persistent headache, dizziness, pain in his joints, and when walking up the stairs from the basement he often needs help from the guards.

The authors of this statement also wish to draw attention to a recent open letter to President Sooronbai Jeenbekov highlighting Azimjan Askarov's case that was jointly issued by his wife, his relatives' lawyer and the Bishkek-based human rights NGO Bir Duino Kyrgyzstan, on 27 February 2019. The letter called for Askarov's immediate and unconditional release from prison, in line with the HRC decision, or the transfer of the 67-year-old to a medical facility or house arrest. It also raised concerns about the prison conditions in which Azimjan Askarov and other prisoners are held and called on the Kyrgyzstani authorities to strictly observe the UN Standard Minimum Rules for the Treatment of Prisoners.