



United States Mission to the OSCE

Statement on the Decision by the Kyrgyz Supreme Court to Uphold the Convictions of Azimjon Askarov and Others

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
December 22, 2011

We note that on December 20 the Supreme Court of the Kyrgyz Republic upheld the murder convictions and life sentence for Azimjon Askarov and various long prison sentences for all but one of his codefendants on charges related to the June 2010 violence in southern Kyrgyzstan. The court's decision to uphold these convictions sends a negative signal regarding the Kyrgyz Republic's commitment to support rule of law and justice reform in Kyrgyzstan.

The trial and appeal were marked by a consistent failure to respect the basic due process rights of the defendants, culminating in this week's unjust decision by the Supreme Court. Defense motions to replace the 3-judge panel and allow the defendants to testify were unfairly denied. The trial courts permitted only evidence derived from police testimony and confessions extracted under duress. Defense attorneys argued their clients were tortured and that evidence supporting those allegations was suppressed.

We question the results of the Kyrgyz Ministry of Internal Affairs' investigation exonerating the Ministry and the Kyrgyz penitentiary system from allegations of torture of Askarov and others. We continue to be concerned by the many and consistent reports of mistreatment of detainees by law enforcement from June 2010 to the present day.

We urge the Kyrgyz government to take immediate and appropriate action to uphold justice and due process in light of President Atambayev's avowed priorities to enhance respect for the rule of law, to implement justice reform, and to respect the rights of all citizens.

We will continue to observe the cases arising out of the June 2010 events. Adherence to due process as well as international human rights standards and OSCE commitments will demonstrate the Kyrgyz Republic's commitment to rule of law, justice reform, and its constitutional obligations to all of its citizens, regardless of their ethnicity or opinions.

Thank you, Mr. Chairman.