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THE INTERNATIONAL FOUNDATION FOR THE
PROTECTION OF HUMAN RIGHTS DEFENDERS

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TO PROTECT
JOURNALISTS



Norwegian
Helsinki Committee

November 29, 2019

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Madame Chair Kaliyeva,

We, the undersigned international human rights and press freedom organisations, would like to bring to your attention our concerns in the light of the review on December 2, 2019 by your Court of the case of Azimjon Askarov. The lawyers representing Mr. Askarov have filed an appeal against the July 30, 2019 ruling by the Chuy Regional Court which denied their request to apply the recent amendments to Kyrgyzstan's Criminal Code – [mandatory](#) for all criminal cases nationwide – to the verdict handed down in September 2010.

Madame Judge, we ask you to use all the powers guaranteed by your office under Kyrgyz law to ensure that Azimjon Askarov's rights, including to a fair trial, are fully respected and complied with during the review of his appeal. We urge you to ensure that while reviewing the case, the Supreme Court judges demonstrate their impartiality and honest commitment to the rule of law, and that their ruling complies with the March 2016 UN Human Rights Committee ruling.

Azimjon Askarov, 68, is a human rights defender and journalist who, in September 2010, was convicted and sentenced to life in prison for his alleged role in the June 2010 interethnic violence in southern Kyrgyzstan. Askarov was found guilty of participating in mass disturbances, inciting ethnic hatred, and complicity in the murder of a police officer who was killed during the unrest. The investigation and trial into the alleged crimes were marred by due process and fair trial violations, and were conducted in a hostile atmosphere where

relatives of the deceased police officer intimidated and attacked the defendants, their lawyers, and family members. Mr. Askarov's credible allegations that he was tortured in pre-trial detention have never been properly investigated. His guilty verdict was upheld on appeal, including by the Supreme Court.

The [United Nations Human Rights Committee ruled in March 2016](#) that Azimjon Askarov was arbitrarily detained, held in inhumane conditions, tortured and otherwise ill-treated without redress, and was 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. Although the decision prompted a judicial review of his case, the Bishkek court in January 2017 handed down the same verdict as before. Askarov remains incarcerated, serving a life sentence.

The [European Union \(EU\) has called on Kyrgyzstan](#) to "fully implement" the Committee's ruling in an April 2016 statement. More recently, in January 2019, the [European Parliament adopted a resolution on the EU-Kyrgyzstan comprehensive agreement](#) calling for Azimjon Askarov's immediate release and full rehabilitation, and for Kyrgyzstan to quash his conviction and provide him with reparation.

On 18 March 2019, Azimjon Askarov was transferred from temporary detention facility SIZO-1 in Bishkek to Prison Colony No. 19, located about an hour outside Bishkek, in the Chuy region. According to news reports, following the transfer, 68-year-old Azimjon Askarov was placed in solitary confinement as a punishment for his protest against the restrictions on family visits that he had encountered at the colony.

According to one of his lawyers, who visited Azimjon Askarov in prison on 10 April: "Azimjon Askarov's health has significantly deteriorated during his time in detention. Askarov has lost weight, he is coughing all the time. He has a dry cough, and at times, he is unable to catch his breath. Azimjon complained that his legs are very cold, and nothing helps – not socks, shoes, or heating. He has stopped drinking fluids to lessen the number of times he must use the toilet." His lawyer relayed that if Azimjon Askarov is required to stand for long periods of time – such as during a cell check by prison officials, which happens daily – he feels light-headed and dizzy, and has difficulty breathing.

Azimjon Askarov has already served nine years in prison on a conviction handed down in a fundamentally flawed and unfair trial. It is time that Kyrgyzstan demonstrated its commitment to international human rights standards.

We ask you to do everything in your power to help Azimjon Askarov to go free and to be reunited with his family.

We thank you for your immediate attention to this urgent matter.

Sincerely,

Amnesty International

Civil Rights Defenders
Committee to Protect Journalists
Front Line Defenders
International Federation for Human Rights
International Partnership for Human Rights
Norwegian Helsinki Committee