



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: Hon. Christopher H. Smith

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Chairman - Commission on Security and Cooperation in Europe

Welcome to this hearing on addressing ethnic tensions in Kyrgyzstan, the only country in central Asia where street protests have, in recent years, twice led to changes in government. Kyrgyzstan is also the only state in central Asia which has experimented with a parliamentary form of government, so it stands out in two very important ways.

But the focus of today's hearing is the terrible ethnic violence that erupted one year ago this month, shortly after the April revolution that toppled former President Bakiev, and what the Kyrgyz government should do to address it. In June 2010 ethnic Kyrgyz and ethnic Uzbeks clashed in the southern region of Osh. By the time the worst was over, 470 people were dead and over 400,000 displaced. Thousands of homes and businesses were destroyed. The clashes threw a dark shadow on the hopes engendered by the ouster of the corrupt Bakiev government.

To its credit, the government of Kyrgyzstan requested an international investigation into the events and I certainly commend President Otunbaeva for that initiative. In response, the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 was formed. It released its report last month, and our first witness will be Kimmo Kiljunen, who chaired that commission.

It is an excellent report, and I am deeply concerned by its conclusions. Especially alarming is the commission's judgment that the systematic nature of some acts committed last June by ethnic Kyrgyz against ethnic Uzbeks – including patterns of murder, rape, and brutal ethnic persecution – could qualify as crimes against humanity. It remains to be seen whether they will found so in a court of law – and whether or which competent court might take the case. In any case, such a judgment, by such a credible commission of investigation, must be taken very seriously, and the Kyrgyz government must investigate these crimes seriously and hold those responsible to account.

I also am disturbed that Kyrgyz security forces apparently were complicit in the attacks, not only by failing to respond adequately to stop the violence, but, according to the commission report, in some cases even distributing weapons to ethnic Kyrgyz or driving the armored personnel carriers which penetrated the defenses of ethnic Uzbek neighborhoods. Unfortunately, so far the Kyrgyz government has brought more cases against ethnic Uzbeks – who made up the majority of the victims – and there is credible evidence that torture was used to extract confessions from these ethnic Uzbeks. This also must be investigated – including the case of human rights defender Azimzhan Askarov, who has been sentenced to life in prison despite his credible claim that he was tortured.

Just as disturbing is the ongoing serious human rights abuses against ethnic Uzbeks, including torture, arbitrary arrest and detention, and unfairly conducted trials – which is also covered in detail by the report. Because the police force is deeply involved in these abuses, and is almost entirely of Kyrgyz ethnicity, victims feel they have nowhere to turn. Ethnic Uzbek businessmen and migrant workers returning from Russia are particular targets for extortion. Even with the understandable reluctance of victims to report abuses, the Office of the United Nations High Commissioner for Human Rights (UNHCHR) has documented some 680 cases of arbitrary arrest for ransom since June 2010, as well as 70 cases of torture in detention. Ongoing human rights violations must stop immediately, and those responsible brought to justice.

President Otunbaeva has said many of the right things. While laying a wreath in Osh to commemorate the one-year anniversary of the violence, she called for inter-ethnic peace and urged that nationalism not be used for political purposes. She has pledged to purge the police forces, reform the judicial system, and fight organized crime. She told the OSCE recently that, "In addition to the reconstruction of destroyed facilities, we also face a far more difficult task: to restore the lost trust between Uzbek and Kyrgyz communities in the south. It is not easy to achieve trust after such a complex conflict. The level of nationalism and intolerance is very high. In the government's comments on the Commission's report: we openly admit the

existence of serious problems in the field of human rights in the post-conflict period; we agree with many criticisms of the commission in this field; we are ready to change the situation and we need support in implementing commission's recommendations."

I sincerely hope that President Otunbaeva will be able to carry out this policy, and that whoever replaces her after the election this fall – she is not eligible to run – will continue on this path. Her actions show significant commitment to this path. In any case it is clear that many people in Kyrgyz politics have no interest in such a path. Nationalist rhetoric is on the rise. Even high-level government officials now routinely refer to ethnic Uzbek citizens of Kyrgyzstan as the "Uzbek Diaspora," as if they were immigrants from another country, which was responsible for them. In the past several weeks, the Kyrgyz parliament has passed several unhelpful measures, including banning Mr. Kiljunen from entering the country. This has sent a chilling message to other international NGOs working in the country. A Kyrgyz parliamentary commission wrote its own report on the June 2010 violence, and in contradiction to the international report, concluded that ethnic Uzbek leaders and followers of former President Bakiev were responsible for the violence. Parliament also voted unanimously to ban the independent news website Fergananeews.com, because it offered accounts different from parliament's anti-Uzbek narrative.

I look forward to learning from our witnesses their view of the situation, and what they believe the Kyrgyz government should do to address it. Full bios of all our witnesses will be available on our website, so I will keep the introductions short.

First we will hear (via video link from our Embassy in Helsinki) from Dr. Kimmo Kiljunen, formerly a member of the Finnish parliament and currently the Chairman of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010. Mr. Kiljunen has long been a colleague in the OSCE Parliamentary Assembly and has held many positions with the PA and with the OSCE, including PA Special Representative on Central Asia.

After we have heard from Dr. Kiljunen, since he is on video link, we will then ask him questions. I'd like to thank our embassy in Helsinki and ambassador Oreck for their assistance in providing the video link.

On the next panel we will hear from Ambassador Muktar Djumaliev. Ambassador Djumaliev arrived in Washington last December to represent the Kyrgyz Republic. He previously served as Kyrgyz Ambassador to Switzerland, the WTO, and the UN Office in Geneva, as well as Deputy Chief of Staff of the President, and First Deputy of Minister of Foreign Trade and Industry.

On our third panel, we will hear first from Dr. Martha Olcott, a senior associate with the Russia and Eurasia Program at the Carnegie Endowment here in Washington, D.C. She specializes in the problems of transitions in Central Asia and the Caucasus, as well as the security challenges in the Caspian region more generally. Dr. Olcott has testified for the Commission before and we are very pleased to welcome her back.

Finally, we will hear from Dr. Alisher Khamidov, a Professorial Lecturer at the Johns Hopkins University School of Advanced International Studies. Dr. Khamidov began his career as Director of the Osh Media Resource Center, a non-profit, independent media association in southern Kyrgyzstan. He later worked at Notre Dame University's Sanctions and Security Project, the NEH Summer Institute on Eurasian Civilizations at Harvard University, and at the Foreign Policy Studies Program of the Brookings Institution. He was in Osh during the June 2010 violence – we all look forward to hearing his first-hand account.