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Human Rights Committee

**Concluding observations on the second periodic
report of Kyrgyzstan**

Addendum

**Information received from Kyrgyzstan on follow-
up to the concluding observations***

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* The present document is being issued without formal editing.

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Information on the implementation of paragraphs 14, 15 and 24 of the concluding observations of the Human Rights Committee on the second periodic report of Kyrgyzstan

Paragraph 14 Inter-ethnic violence

1. All reports of violations of the rights of citizens in criminal cases related to the events in June 2010, including torture and ill-treatment, were considered by the procuratorial authorities.
2. The procuratorial authorities registered 16 complaints from citizens or their representatives on the use of torture by law enforcement officers in criminal cases related to the June 2010 events. Criminal proceedings were instituted in five cases, and a decision was taken not to bring a criminal case with respect to remaining 11 complaints.
3. Furthermore, two criminal cases were brought in connection with attacks on lawyers defending the interests of persons accused of rioting.
4. The court proceedings for the criminal cases involving the June 2010 events were entirely in keeping with the law of Kyrgyzstan. The Kyrgyz courts consider criminal cases against persons and the facts presented by the investigation authorities on completion of the investigations without regard for their ethnic backgrounds.
5. In order to prevent and combat potential inter-ethnic and other conflicts, the Ministry of Internal Affairs, together with other State entities and local governments in specific regions, organized several events of a preventive nature and outreach activities. For example, in 2016, 603 prevention initiatives were carried out in total.

Paragraph 15 Torture and ill-treatment

6. Article 22 of the Constitution contains the important provision that no one may be subjected to torture or other inhuman, cruel or degrading treatment or punishment. Thus, the inadmissibility of torture and other cruel, inhuman or degrading treatment is now a constitutional principle.
7. The criminal case against Mr. A. Askarov has been referred for another appeal hearing by a judgment of the Supreme Court of 12 July 2016 with a view to providing for a thorough, full and objective investigation of all the facts of the case as presented in the concerns of the Human Rights Committee regarding his individual complaint. The criminal case is currently pending before the Chuy province court.
8. In accordance with article 26 (4) of the Constitution, evidence obtained in violation of the law may not be used as grounds for pressing charges or taking a judicial decision.
9. With a view to establishing a system for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in places of deprivation or restriction of liberty against persons being held in them, the National Centre of the Kyrgyz Republic for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was established pursuant to Act. No. 104 of 12 July 2012. One of the objectives of the work of the Centre is to improve the legal and regulatory framework for combating torture and ill-treatment.

10. The Centre has received stable funding since 2015. At present, the timely funding and independence of the Centre is not an issue.

11. A plan of action to combat torture and other cruel, inhuman or degrading treatment or punishment in Kyrgyzstan was approved by Government Order No. 469-r of 23 October 2014. The plan includes measures aimed not only at improving the legal and regulatory framework but also at carrying out outreach events.

Paragraph 24
Freedom of expression

12. Under article 31 of the Constitution, everyone has the right to freedom of thought and opinion, freedom of expression, freedom of speech and freedom of the press. No one may be forced to express or refute their opinions.

13. In 2015, one criminal case was brought on evidence of obstruction of human rights work.
