

March 11, 2020
Bishkek, Kyrgyz Republic

An appeal by human rights movement “Bir Duino - Kyrgyzstan” to the Office of the United Nations High Commissioner for Human Rights and to the Office for Democratic Institutions and Human Rights OSCE

on the case of the tough attack on peaceful Women’s March of Solidarity

As a member of UN, Kyrgyz Republic authorities ratified the International Covenant on Civil and Political rights in 1994, and according to the article 21 they have been obliged to legitimate and maintain citizens freedom to peaceful assembly. The usage of this right cannot be restricted by anything, unless the law.

The freedom to peaceful assembly is an essential requirement for other freedoms such as freedom of expression. The freedom to peaceful assembly is enshrined not only in the main human right pacts as one of the genuine foundations of democracy, but also in the responsibilities for OSCE that were taken in Copenhagen in 1990.

As a member of UN and OSCE, Kyrgyz Republic has to follow its responsibilities. At the same time on the March 8, 2020 around 50 masked people attacked the peaceful partakers of the Women’s March of Solidarity. They violently destroyed activists inventory and ripped their posters. They also were throwing eggs and rocks, some participants and journalists were injured.

Kyrgyz human rights organizations and feminists annually host marches to increase the level of awareness about women’s rights and gender equality, to blame the intolerance, violence and other ways of oppression towards women.

Policemen detained peaceful activists instead of provokers, around 70 people were taken into the Department of Internal Affairs of Sverdlov district. For example, children’s writer Altyn Kapalova had bruises and sprains because of the detention.

Members of the march stayed in the police yard for over 30 minutes at a temperature +3 degrees Celsius after detention. After that policemen took people into the building using force -- for example, the Ukranian citizen Ekaterina Myachina got hit into head by a policeman when she was entering the building.

Then policemen forced rally members to stay in the building for more than 2 hours, and by doing that they violated their freedoms of movement.

Policemen didn’t show police certificates, didn’t explain the reasons of detention and also didn’t let lawyers and members of the institution of ombudsman to enter the building of Department of Internal Affairs.

One of the rally members started to experience a panic attack, and while policemen didn’t call for an ambulance, others detained partakers called. When ambulance

came to the police station, guards didn't let them enter the building for 20 minutes. Policemen also didn't provide detained with water. Finally they got water from its friends and relatives, who came to the building of the Department of Internal Affairs to support them.

Police interrogated 8 organizers of the march in the separate rooms. Some of them stood in the hallways because policemen didn't give them chairs. Their lawyer Evgeniya Krapivina was also detained by police.

All of them were not introduced to their rights, and they were also psychologically pressured and threatened. Mohira Suyarkulova's passport is ripped by a policeman.

Members of the peaceful rally got free in three hours after detention, police let them go after their identification. Police officers drew up a report on the detained activists by the asset №82 of the Codex of the violations which means disobedience to a police officer. Harsh detentions happened regardless the announcements of local authorities who stated that "they did everything for women for them be sure about the next day".

Currently six march participants under the investigation because of disobedience to a policemen. Among them human right defender Gulaim Ailchy from the organization Bishkek Feminists Initiatives, Akbermet Kudaibergenova from the LGBTQ organization Labris, and also there are a lawyer, a university professor and a journalist. All of them refused to agree on the allegations.

On March 10, 2020 at least 9 women who were detained on March, 8 filed a complaint into State Committee of National Security on policemen of the Sverdlov district DIA.

The case of lawfulness of policemen should also be examined because of their non-action towards unknown attackers. Not a single provoker was arrested by the police. Some media stated that provokers worked alongside the police, and those actions were approved by the authorities.

The Department of Internal Affairs of Sverdlov districts on March 9, 2020 reported that five men were fined for violation of public peace.

Earlier court banned public meetings in the Bishkek downtown up to July 1, 2020 because of the coronavirus outbreak and public safety. However this lawsuit was recalled from the Sverdlov court on March 6, 2020, and Women's March of Solidarity

was going to take place on the Sverdlov district territory. Sverdlov DIA earlier stated that organizers of the march didn't inform them about their event.

According to the Ministry of Internal Affairs, this rally was not legal because of the restriction made by local court. However this statement contradicts the Constitution of Kyrgyz Republic.

According to the article №34 each citizen has a freedom of assembly, and it is illegal to restrict this freedoms. This is why police actions are direct violation of the constitutional rights of the citizens. Organizers were threatened over social media, and their chat in Telegram messenger was hacked and deleted on the day before march.

On March 10, 2020 there was a protest rally in Bishkek, where people demanded the resignation of the Sverdlov DIA authorities. They also asked for accurate investigation of case of the attack on the members of the peaceful march. Despite the fact that this rally was absolutely peaceful, a group of women tried to disrupt it by pushing other members of the meeting.

As a UN member, Kyrgyzstan bears international obligations in the human rights sphere and civil and political rights.

As a member of OSCE, Kyrgyzstan has to fulfil all six guiding principles on peaceful assembly.

Presumption in favor of peaceful assembly

Government is obliged to protect peaceful assembly

Legitimacy. Any restrictions has to rely on laws

Adequacy. Any regulations of peaceful assembly need to be adequate

Good administrative regulation

When authorities want to achieve legitimate goals, they should go for the acts that interfere the less

Non-discrimination. Each and every citizen have equal rights for the peaceful assembly

Because of that, we appeal to the Office of the United Nations High Commissioner for Human Rights and to the Office for Democratic Institutions and Human Rights OSCE:

To urgently react to the force outrage towards the participants of the Women's March of Solidarity

To call out Kyrgyz authorities to stop the violence towards women, guarantee their safety and protection for any woman who was taking part in the march

To call out Kyrgyz authorities to follow citizens freedom on peaceful assembly, to make all the needed actions to prevent cases of force usage and peaceful rally's disrupting

To reach out to Kyrgyz authorities to conduct comprehensive of this case, and also to bring to account not only those who were responsible for restrictions of the peaceful rally, but also policemen who detained the partakers of the march

To find and bring to account provokers, who started violence against women and children during the peaceful rally

To provide all the needed law, physical, psychological and medical care for those who was detained or injured on March, 8

In order to prevent women's rights violations Kyrgyz Republic has to follow its obligations to avoid the possible restrictions for civil organizations, guarantee the independence of labor unions. These actions will work against radicalization of society and possible tragic events that provoked a civil war in one of the nearby countries.

Human Rights Movement "Bir Duino - Kyrgyzstan"

If you have any questions, please address them to birduinokyrgyzstan@gmail.com