

DISCRIMINATION OF THE EXCLUDED GROUPS IN CENTRAL ASIA



Action against the repression of the Pamiri by the Tajik authorities

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Photos shared by eyewitnesses through Dungan activists



THE KORDAY POGROM: THE DUNGAN PEOPLE OF KAZAKHSTAN SEEK JUSTICE

On February 7, 2020, the most extensive ethnic conflict seen in Kazakhstan in recent years occurred when hundreds of pogromists attacked the Dungan villages of Masanchi, Sortobe, Bular Batyr, and Aukhatty. Against the backdrop of the Kazakh people's customary belief that their country is a "paradise where different peoples live together in peace and friendship," which was cultivated under Nazarbayev, the news of the tragedy in Korday District disrupted social networking sites and became the most discussed topic in the media. The reaction of the Kazakh government was much less marked, while the international community said almost nothing (international organizations and independent experts were not allowed to enter the conflict zone).

It appears that even official statistics speak eloquently about which side suffered in the conflict: 10 Dungans and one Kazakh died, and damages to property owned by Dungans (homes, commercial structures, retail sites, vehicles) amounted to millions of dollars. A long-term and grave consequence of this pogrom is intense psychological stress for the children and adults living in these villages and a loss of a sense of security and trust in their neighbors. The Kazakh government, however, continues to deny the conflict's ethnic subtext, instead calling it mass unrest, and refuses to recognize the Dungan people as the victims. The same thing is happening with public opinion: People continue to make speeches about how the Dungans are "guests" who took advantage of the goodwill of their Kazakh "masters" who "offered them refuge in their land."

One-sided investigation and prosecution of Dungans from the affected villages

The authorities of Kazakhstan reported that 120 criminal cases were initiated due to pogroms in Korday district. On March 27, 2020, Deputy Prosecutor General Erlik Kenebayev stated that 25 persons who had taken active part in the mass riots had been detained. According to him, Kazakh, Dungan, and Kyrgyz people were detained. On April 14, 2020, the Almaty City Court held 24 people for two months—until the end of May—under suspicion of participating in the mass unrest. The life and health of the detainees is under threat: On April 29, 2020, the press office of the Prosecutor General of Kazakhstan reported that at 8 a.m. Bekbol Kibaev, one of the people accused in the mass riots, was found by his cellmates in the sanitary unit of the detention facility bleeding from wounds to his upper arm. Doctors did not manage to save him, and he died from blood loss.

The investigation is not transparent and appears to be one-sided. Forty-seven people were detained immediately following the pogrom. Three Dungan people were arrested, and 44 Kazakh people were released. As of May 13, 17 of the 25 people arrested or convicted were Dungan. Of these 17, five were already convicted as participants in conflicts that preceded the pogroms. On April 24, 2020 the Korday District Court handed down sentences to two Dungans—a father and son, who had a conflict with a Kazakh family in the village of Sortobe on February 5 (this conflict had no connection with the pogroms, but it was later presented as a cause of the pogroms). Even though the conflict was resolved by the families (the Kazakh family accepted an apology and financial compensation from the Dungan family), the court found the Dungans guilty of hooliganism and infliction of injuries. The father, Ersman Yunhu, was sentenced to 2.5 years restriction of liberty and six months of community service. His son, Marat Yunhu, was sentenced to two years' imprisonment. Both were fined huge sums. The defense believes that the sentence was unjust and based on false information. Three participants from the traffic police were also convicted and sentenced to 1.5 years in prison.

It is still not known if the perpetrators of the murders, injuries, destruction of property, and pillaging have been identified and detained. But it is crystal clear that Dungans are being persecuted: They are providing information about unending violations of their rights, illegal searches, and torture of arrested people in police precincts during interrogations lasting hours (beatings, placement of plastic bags over people's heads, intimidation). These people are being charged with throwing rocks in an attempt to stop the pogromists and attempts have been made to force them to confess to the serious crime of killing an ethnic Kazakh who actively participated in the pogrom and died (witnesses assert that he killed two Dungans with his car and then drove into gas station). ADC Memorial has in its possession statements submitted to offices of the prosecutor that set forth the circumstances of the police's illegal actions in late April 2020 and photographs of the victims with evidence of beating and torture. This information was shared with human rights defenders working in Kazakhstan to combat torture and also appeared in the media.

A detailed chronology of arrests, searches, and interrogations conducted in gross violation of the law is contained in an appeal made by the Dungan community to international organizations on May 20, 2020. It describes intimidation and psychological pressure, searches and arrests during nighttime hours, the participation of soldiers from special units who covered their faces in masks, interrogations lasting for hours, and beatings. The appeal also states that police officers did not always show official documents sanctioning searches and arrests and offended and threatened members of Dungan families and describes cases where relatives of detainees died due to stress. Because of the situation with COVID-19 and the related restrictive measures, the detainees have virtually no access to qualified legal assistance due to restrictions on movement. Lawyers from Korday represent all the detainees because it has not been possible to hire lawyers from Almaty or other regions.

Dungans started to be arrested again in late April. In one case, A. Masanov was arrested in his home early in the morning without being shown any documents. He was handcuffed and taken to the local precinct, where five police officers started to beat him in an attempt to make him confess to murder and threatened him with a 20-year sentence if he refused to confess. He was beaten and tortured all day and taken out of the precinct every three hours. He was released at 10 p.m., with the threat that his situation would be worse if anyone heard about the beatings and torture. Even senior citizens are subject to arrest. In late April, an elderly woman, Tsunder Khusezova, died during a search (her son was taken in for an extended interrogation and returned at night with signs of a beating). In another case, D. Seyshnalo (Bular Batyr) started to feel sick during a search of her home and fainted.

In late April, the Dungans who suffered during their arrests and searches appealed to offices of the prosecutor general, but with little result: On May 5, three months after the tragedy, 25 residents of Bular Batyr and Sortobe were brought to Korday for a forensic medical exam, and on the night of May 6, 2020, the home of Lugmar Lokhash, who died as a result of the unrest, was searched. Following this search, three of Lugmar's brothers (Ramazan, Nabi, and Ledzher), who did not participate in the events of February 7 and 8, 2020, were arrested. They were tortured in an attempt to make them admit to a murder that took place during the pogroms.

On May 12, Sortobe residents I.A. Kimurov, I.Sh. Khizhin, and M.Shch. Khizhin were placed under arrest for two months in connection with charges under Article 272 of Kazakhstan's Criminal Code (participation in mass unrest). According to their relatives, they were charged with murder of a pogromist after allegedly confessing. On May 13, searches were conducted at the homes of A. Mashanlo, B. Daurov, I. Cheshanlo in gross violation of the rules, and they were interrogated at the police precinct in Korday. A. Mashanlo was released on his own recognizance and the other two were arrested. Shch. G. Sangui, born 1965, was arrested on May 14.

The government has denied any ethnic component to the conflict in its responses. While publications provoking ethnic hatred and providing false information about the situation in Korday District were disseminated by some public figures and politicians in February 2020, these politicians have not been held liable for this.

The victims of the pogroms have yet to receive any compensation or assistance from the government. Many families lost all their properties, businesses, vehicles, and equipment; they are in a difficult financial situation and rely on assistance from their relatives. Below is a Dungan activist's appeal to international organizations:

"In terms of the question of compensation for material damages caused by the conflict, as of today, three months after the conflict, not one person, not one family, not one business has received anything. On top of that, the state refused to fulfill its obligations to compensate for damages. A private charitable fund called Shchivon was created by private individuals of the Dungan and Kazakh ethnicities. According to its bylaws, it is supposed to attract private donations and distribute these funds to the victims in accordance with estimates approved by the state committee assigned with calculating the losses associated with the events of February 7 and 8, 2020. The fund's activities are managed from outside by district and regional leaders, who are the nominal directors of the fund. They do not have any powers, but they do bear full responsibility for the business part. The process for determining the amount of damages was a mere formality. No consultations were held with the population, and the losses incurred by businesses were not calculated. Members of the committee represented by local government bodies brought agreements for assistance to business owners and demanded that they sign them. Many refused to sign because they did not agree with the amount of compensation, which, in turn, led to threats and pressure from local government and law enforcement bodies. Any attempt by the community to instill the process with transparency was ignored or met with threats and persecution."

How the pogrom occurred

The tragic events of February 7 were preceded by two unrelated conflicts between Dungans and Kazakhs in Korday District. The first occurred on the morning of February 5 on a road near Sortobe and ended in a scuffle between a group of young Dungans and Kazakhs; one elderly Kazakh man was traumatized (his leg got broken). On the same day, Dungan elders apologized to the victim and paid compensation to the family, thus settling the conflict (this practice for settling conflicts has existed for many years). The second conflict occurred on the afternoon of February 7, 2020 near Masanchi, where police officers stopped a car driven by a young Dungan residing in Sortobe. A document check showed that the car's identification number did not meet state standards. The driver did not obey the officer's request to follow him to the precinct and tried to escape, but the police caught up with him in his courtyard, where his relatives attacked the officers 4. At the time of this writing, the three Dungans who took part in the conflict were under arrest and already sentenced.

Both of these incidents were widely publicized on messaging apps and social media on February 7. Even though they were unrelated and did not take place at the same time, they were presented as one whole and accompanied by aggressive calls to nationalism. False information was also spread (for example, there were rumors that the elderly man who broke his leg in the first conflict died from his wounds). Responding to questions from journalists, Deputy Minister of Internal Affairs Aleksey Kalaychidi stated that the people who shared provocative messages and comments were in different parts of the country, but felt compelled to stoke the situation 5. As a result, many YouTube and Instagram users reproduced provocative comments that were nationalistic in tenor and called on Kazakhs to band together and stand up to the Dungans.

At approximately 5 p.m. on February 7, a mass brawl involving almost 30 people on each side broke out, ended with retreat of the Kazakhs, who were the first to attack. Two hours later, however, hundreds of people from other mainly Kazakh localities started assembling at the site of the first fight. According to information in the possession of Dungan activists in Kyrgyzstan, almost 2,000 Kazakhs arrived at the bridge around 7 p.m., and almost 300 Dungan people came out to meet them (that is the estimate given by witnesses). District administration leaders, the district police chief, and leaders of the Dungan community arrived at the scene. During negotiations, shots rang out from the crowd of Kazakhs; one Dungan died at the scene and two were wounded. The Dungans started to flee, and the crowd of Kazakhs moved towards Masanchi. Trucks whose noses were outfitted with metal shields led the way. The attackers shot and threw stones at the Dungans from these trucks. They were followed by cars carrying the people who would loot homes and stores, loading valuables and goods into the cars and raiding livestock. Then came groups of arsonists with specially prepared bottles containing a flammable mixture, which they threw at homes.

The police and officers from SOBR (a special rapid response unit) that arrived at the scene did not have the chance to stop the enormous crowd and they did not interfere or push back against the attackers. Moreover, there is evidence that officers in plainclothes and in uniform

were part of the crowd of attackers who participated in the looting. Some witnesses reported that the police just observed the pogroms and sometimes even ran from the attackers. It was only towards 11 p.m. that the police and local residents were able to push the crowd of attackers out of Masanchi, provide patrols and guards to control entry and exit into the village, and start to extinguish the burning structures.

After the pogrom of Masanchi, some of the attackers set off in an orderly manner along the road to Korday, where they were joined by a group of pogromists from relatively distant areas of Kazakhstan like Shymkent, Almaty, Taraz, and other cities. Then they returned and proceeded to destroy and loot the Dungan village of Bular-Batyr whose inhabitants escaped and moved to the Kyrgyzstan border, but Kazakhstan border guards told them that the border was closed until morning for both entry and exit.

The Dungan village Sortobe was prepared to protect itself: after sending its women, children, and elderly to the border with Kyrgyzstan, local residents rallied to protect their village on their own. This was the scene of the largest clash, with both sides using firearms.

The pogroms ended only at 5:25 a.m. on February 8, after more than 13 hours from the beginning, when National Guard troops arrived at the scene. A state of emergency was declared in Korday District and entry and exit checkpoints were set up in the villages.

These events shook the Dungan communities in Kazakhstan and neighboring Kyrgyzstan, which took several thousand refugees into its homes. The authorities announced that 11 people were killed, 192 were injured, including 19 policemen¹; 168 houses were damaged and burned, and 122 vehicles were damaged. Almost 8,000 Dungan fled their villages temporarily. According to data from Kazakhstan's border service, 24,000 people crossed the border between February 7 and 9, but this figure includes people who returned the next day and then left again fearing a renewal of conflicts. On February 11, officials provided a preliminary assessment of the damages caused by the conflict, which amounted to 1.7 billion tenge, or approximately \$4.5 million⁶.

Questions that have yet to receive a response

Why was the government of Kazakhstan's reaction to the pogrom so delayed?

On the evening of February 7, when the pogroms were at their height, the Kazakh president tweeted that the events were "a mass brawl incited by hooliganism" and stated that the situation in Korday District was normalizing and under the control of the police. Meanwhile, as soon as the conflict started, the authorities restricted internet access and blocked messaging apps in Dungan

¹ <https://primeminister.kz/ru/news/na-segodny-situaciy-v-kordaiskom-raione-stabil-nay-b-saparbaev>

villages and shut down mobile connections and electricity in Masanchi. So Dungan people from Kyrgyzstan, where the internet was working, tried to reach members of the Kazakh government (the president and deputies) by text message. The chair of the Kazakh Dungan association, Kh.Sh. Daurov, who was wounded during the pogrom and was lucky not to be killed, told journalists from the Kaztag news agency that, contrary to official information, the pogroms were continuing. It was only after word spread to the public that local authorities reported that help from Jambyl Oblast and Almaty was on the way to Korday District, and it was only after that the police started taking active measures to protect Dungans and drive the pogromists out of Masanchi.

Why did the troops and the police take so long to arrive at the scene of the pogroms?

OMON and National Guard troops arrived at the scene at 5:25 a.m. on February 8, 2020, that is, thirteen-and-a-half hours after the conflict started at approximately 4 p.m. on February 7, 2020. Such an extended delay gave the Dungans reason to suspect that it was intentional. Masanchi is 365.8 km from Taraz, 260.3 km from Almaty, 127.9 km from the Otar border post, and 52.4 km from Korday. All of these localities have interior troops who could have arrived in Masanchi within one to four-and-a-half hours. The causes for this delayed reaction require an impartial investigation. The actions of officials who ordered the slow movement of troops and forces should be given a legal evaluation.

Were the pogroms organized?

The following evidence speaks to the fact that the pogrom was not spontaneous but was prepared in advance: the attack on Masanchi was carried out by organized groups (shooters and stone throwers on trucks outfitted with metal shields; looters who carried property out of homes and stores and corralled livestock; arsonists who threw professionally prepared bottles containing flammable substances, which required time and skill to prepare); witnesses reported seeing criminal figures among the attackers who guided the process, while some of the attackers were from other regions of Kazakhstan; this kind of coordination requires time; participants in the events assert that residents of Kazakh villages were warned in advance of the clashes and that the administrations of high schools and daycares cancelled classes scheduled for February 7.

Witness statements about the purposeful planning of the pogrom require careful review and an impartial investigation. If it is true that pogromists from other regions were mobilized using online apps, that special bottles containing a flammable mixture were prepared, and that vehicles were re-outfitted for attacks and pogroms, then this could not have been overlooked by law enforcement authorities, and the question of their inaction, which had such tragic consequences, should be examined.

Attempts to attain justice: Who can Kazakhstan's ethnic minorities rely on?

On May 8, the Dungans from the villages that suffered in the pogrom published an open letter to the authorities of Kazakhstan, the media, and international organizations describing the facts of arbitrary detentions and torture. They wrote: "After the tragedy that we went through, our children still cannot sleep at night, even adults are frightened and do not want to go outside and risk being detained. The victims cannot get any subsidies or compensation for the damages inflicted. We call upon Kazakh society to protect us, because we are the same citizens as you are! We are tired of fear! We want peace!"

his appeal was a gesture of despair on the part on Dungans, who have tired from the arbitrary treatment of the authorities and the persistent harassment they have been forced to endure over the past three months. One would think that the Kazakh government should provide comprehensive assistance to the Dungan community after this tragedy, but decisions on humanitarian issues, psychological support for the victims, and, in some cases, medical care, are being made through the efforts of the Dungan community itself.

Dungans living in Kazakhstan are afraid and, in the face of a pandemic, do not have the opportunity to protect their rights. Dungans from Kyrgyzstan are standing in solidarity with them. For example, in an appeal of May 14, they called on international organizations²:

1) to appeal to the government of the Republic of Kazakhstan to stop the persecution of the Dungan community, prosecute leaders who allowed for violations of fundamental human rights and torture. Ensure an impartial investigation of the events of February 7 and 8 in Korday District and prosecute the organizers of the mass unrest that resulted in deaths. Compensate the victims and business owners for damages caused by the unrest.

2) Help representatives of UN treaty bodies and other international organizations visit the scene of the tragedy to collect direct evidence and information about the events. Since the time these events occurred, not one international organization, including organizations located within the country, with the exception of humanitarian organizations, have been able to visit the scene of the events, since their requests have been denied by Kazakh officials.

2 Dungan's appeal to UN Human Rights Treaty Bodies and Special Procedures
<https://adcmemorial.org/wp-content/uploads/dungans-appeal-eng.pdf>

Alarming signals that were ignored

The events of February 7 and 8 were the most brutal, but far from the first, instances of ethnic discord in recent years. In recent times, Kazakhstan has seen repeated ethnic conflicts provoked for different reasons, from banal mundane disputes to deeper problems connected, on the one hand, with the lack of integration of ethnic minorities, and, on the other hand, with the increasing popularity of the ideas of nationalist-patriots. For example, in 2007 a mass fight between Kazakhs and Chechens in Almaty Oblast resulted in nine deaths and pogroms of Chechen stores and homes, whose owners had no relationship to the conflict. Also in 2007, unconfirmed rumors about the rape of a Kazakh child spilled over into arson and attacks on Kurds in the village of Mayatas that lasted for three days. As a result, 90 percent of residents were forced to flee their homes. In 2015, the murder of a Kazakh official provoked a pogrom of dozens of homes and cars belonging to Tajiks in Saryagash District, South Kazakhstan Oblast. Finally, in 2018, a fight between young people of different nationalities in an Armenian restaurant led to anti-Armenian actions and meetings in Karaganda, after which several Armenian families fled the city in fear of reprisals.

A serious discussion about ethnic relations in Kazakhstan is required

Even though the conflict in Korday District was markedly ethnic in nature and clearly planned in advance, the Kazakh authorities have not recognized the ethnic or racial motives of the attackers and concealed the consequences of the pogroms for several days. The event was called a “mass brawl” or “a squabble between criminals,” with Dungans being portrayed as instigators of the violence instead of victims. Meanwhile, human rights defenders and activists started to report that state agencies were interfering with the media’s work and asking the media to only publish the official position. The authorities also did not let international or Kazakh human rights organizations into the area and put pressure on Dungans who suffered in the pogroms and their attorneys.

The xenophobic attacks and calls to violence that sounded during the pogroms and continued to appear in the media in Kazakhstan were not roundly condemned by the authorities. In fact, the words of Kazakh village elders and the posts of well-known bloggers, which were both laced with chauvinism and hatred in relation to Dungans, were approved in earnest, which can be seen from the numerous favorable comments made by their audiences. Ethnic tension in Kazakhstan is evidenced by the inadequate, violent reaction to a special statement to the Prosecutor General of Kazakhstan published by the Coalition of NGOs of Kazakhstan Against Torture reacting to the illegal actions of law enforcement

officers in the villages of Korday District³. After the publication of the statement, the lawyer of Kazakhstan International Bureau for Human Rights and Rule of Law listed as a contact in the statement received phone calls with threats from unknown persons who perceived the statement as support of the accused based on ethnicity⁴. Aggressive nationalistic threats related to the statement of the Coalition in support of the Dungans also became a part of the smear campaign against Yevgeniy Zhovtis, head of the Kazakhstan International Bureau for Human Rights and Rule of Law, that appeared in the media and online⁵.

It has become clear to many Kazakh analysts that flare-ups of terrible violence have led to a strategy of denying the problem of ethnic tension in Kazakh society, which has existed for many years. Under Nursultan Nazarbayev, who positioned himself as the main guarantor of the peaceful co-existence of different ethnicities, there was no public debate about these problems, which was instead replaced with a pretty picture captioned “ethnic concord is our chief value.” Now many acknowledge that the country’s entire system of national policy is in deep crisis and that, as the events in Korday showed, Kazakh society is not ready to acknowledge equality between ethnicities and instead prefers the paradigm of “us versus them.” If the current government continues to pander to nationalists and deny or remain silent about ethnic discrimination and ethnic problems, linguistic and cultural diversity and peace and harmony in the country will remain under threat.

3 Coalition of NGOs Against Torture, Statement Regarding Police Raids in the Affected Villages of the Korday District <https://www.notorture.kz/obrashhenie-v-svyazi-s-policzejskimi-rejdami-v-postradavshie-sela-kordajskogo-rajona>

4 Coalition Against Torture, Statement Regarding Threats Against the Coordinators of the Coalition of NGOs Against Torture, <https://www.notorture.kz/zajavlenie-po-povodu-ugroz/>

5 <https://www.frontlinedefenders.org/ru/case/smear-campaign-against-human-rights-defender-evgeniy-zhovtis>



VIOLETION OF THE RIGHTS OF THE PAMIRI POPULATION IN GORNO-BADAKHSHAN AUTONOMOUS OBLAST, TAJIKISTAN: THE ESCALATION OF 2021-2022

The conflict that flared up in Gorno-Badakhshan Autonomous Oblast, Tajikistan between the local population – the Pamiris – and the national government has lasted almost 10 months now. During this time, dozens of the region's residents were killed or injured when protests were suppressed; several dozen Pamiris, including civil activists, are under investigation, and some have already been convicted and sentenced to prison terms that are often very long. Almost immediately after the escalation started, the Tajik authorities increased the military presence in the region and shut off internet and cell phone connections there for six months. At the same time, journalists' attempts to learn what is happening in the area have been strictly suppressed. At present, Tajikistan's Internal Affairs Ministry is insisting that it has the situation under control. Meanwhile, the authorities rejection of dialogue and harsh quelling of protests has only contributed to the growing dissatisfaction and distrust of GBAO residents and is creating the risk of new conflicts.

Protests of November 25, 2021 in Khorugh

The protests in the GBAO (mainly in Khorugh, where hundreds of people came out to the square) started on November 25. They were sparked by the death of 29-year-old local resident Gulbiddin Ziyobekov during a Tajik special forces operation. According to the authorities' official version, Ziyobekov was wanted for charges of committing the crimes listed in Part 3 of Article 189 ("Incitement of national, racial, local, or religious discord") and Part 3 of Article 181 ("Taking of hostages by an organized group") of Tajikistan's Criminal Code. The GBAO prosecutor's office said in its statement that during his arrest, Ziyobekov put up armed resistance to law enforcement officers and was wounded by return fire. Ziyobekov's relatives and friends refuted information that he resisted security officers and insisted that he was unarmed when he was detained. Later that same day, it became known that Ziyobekov died – Seven bullet wounds were found on his body, with four hitting his legs and the remaining three hitting near his eyes, heart, and stomach.

Reports of Ziyobekov's death spread instantaneously. For many, his death was a shock. Within two hours, almost 2,000 people had gathered by the regional administration building in Khorugh to demand accountability for his death, the resignation of the region's new head, the withdrawal of soldiers from Khorugh, and the restoration of internet connections, which were turned off immediately after news of the death started to spread. According to local residents, people, tired of arbitrary treatment by security officers and the government's absolute failure to act, spontaneously gathered on the square, but the authorities said that certain groups took advantage of the situation and called on people to commit illegal actions.

The demonstrations lasted for four days. Two other young people (Gulnazar Murodbekov and Tutisho Amirshoyev) died in the confrontation; about 10 protestors were injured, and five police officers and three security officers were hurt. Khorugh residents say that their protest was peaceful, that the police had no justification for taking harsh action against the people gathered on the square, and that officers fired on unarmed people.

Unsuccessful dialogue with the authorities: the persecution of Committee 44 activists

On November 28, 2021, protestors dispersed after government representatives promised to meet their demands of not persecuting demonstrators, conducting a quick, impartial, and effective investigation into the deaths of Ziyobekov, Murodbekov, and Amirshoyev, and restoring internet and all other connections in the GBAO.

At the same time, an agreement was reached allowing 44 civil activists from different regions of the GBAO to track the progress of the investigation. From the time of its creation, Committee 44 has informed GBAO residents of the progress of the investigation and voiced criticism of local authorities, the Prosecutor General's Office, and other security agencies. Group

members appealed to President Emomali Rahmon and Rustam Emomali, chair of parliament's upper chamber, asking them to take control of the situation and pointing to the inability of local security structures to achieve stability in the region. However, on January 19, 2022, the activists released a statement that they had stopped cooperating with the authorities, since none of the promises made to GBAO residents were ever kept.

The government's response was to ramp up pressure on Committee 44 members and other protestors, including immigrants from the GBAO living abroad. For example, on May 28, 2022, 13 Committee 44 members and civil activists close to them were arrested on charges of illegally receiving funds and instructions from abroad for organizing mass protests in Khorugh and Rushon District in the GBAO after being interrogated at the local prosecutor's office.

Two Committee 44 activists have already been convicted: 64-year-old Shaftolu Bekdavlatov and 58-year-old Khudjamri Pirmamadov were sentenced to 18 years in prison under charges of organizing a criminal network (criminal organization) and receiving financial aid from abroad. During the investigation, they were denied access to an attorney. The well-known attorney Faromuz Ergashev agreed to represent them, but, he, like his clients, was also arrested and charged with committing the same acts; he is still being held in the State Committee for National Security pretrial detention center in Dushanbe. Others under investigation include the civil activists Muzaffar Muborakshoyev and Bakhtovar Bakhtiyorov, and Manuchekhr Khoiknazarov, head of the Pamir Lawyers Association and a member of the Civil Society Coalition Against Torture and Lawlessness in Tajikistan, who was charged under Article 187 of the Criminal Code ("participation in a criminal network") and faces a prison term of eight to 12 years. Khushruz Djumayev, a famous blogger and popularizer of Pamiri culture and history known under the pseudonym Khushom Gulyam, is also being held in the State Committee for National Security pretrial detention center.

Not finding support in Tajikistan, the Pamiri activists sent a statement to international bodies¹ about the need to demilitarize the region; fully restore internet and cell connections; provide local and international journalists with access to the region immediately; ensure an open and fair investigation into the events of November 2021 that resulted in the deaths and wounding of people and touched off protests; and allow independent observers, human rights defenders, and representatives of international organizations like the UN and the OSCE into the region to monitor the situation and prevent a new wave of violence.

A working group of experts from the UN Human Rights Council stated:

"Disregard of the Pamiri minority grievances by Tajik authorities and the securitization of the Gorno-Badakhshan Autonomous Oblast where they live could lead to a violent conflict if unaddressed. We are deeply troubled by efforts to crack down on protest movements by the Pamiri minority, through arrests, the excessive

1 <https://adcmemorial.org/en/news/tajikistan-un-experts-sound-alarm-about-tensions-in-gbao-urge-protection-of-pamiri-minority/>

and unlawful use of force and the involvement of the military. We further call on the authorities to take measures to prevent the spread of the stigmatization against Pamiri protesters.”

However, even after the situation in the GBAO attracted the attention of international society, the persecution of activists continued, and no investigation into the November events was ever conducted. In addition, Pamiris started to be arrested not just in Tajikistan, but in other countries as well. For example, almost 20 activists from the Pamiri diaspora have been arrested in Russia and deported to Tajikistan over the past six months.

Escalation in May 2022: many victims in Rushon District

“During the demonstration, security officers armed with automatic weapons were walking along roads in the center of Khorugh and loudly shouting offensive words at local young people, even though there were women and children on the street. The security officers provoked the local youth into a conflict. Officers who come from other regions of Tajikistan do not know or understand the customs and traditions of the Pamiris. They often contemptuously call Pamiris ‘Hans,’ like they did during the civil war in 1991 to 1997.” – N.M., resident of Khorugh

The next escalation in the conflict in the GBAO took place on May 14, 2022, when several hundred Khorugh residents came out to a protest action and demanded the resignation of oblast leader Alisher Mirzonabot and Khorugh Mayor Rizo Nazarzody, the removal of all checkpoints in Khorugh, and an end to persecution of the Pamiris following the November protests. The authorities refused to meet their demands, and by May 16, all the main roads in the GBAO had been closed and armored National Guard vehicles and masked people had appeared at checkpoints. In the evening, when protestors neared the central square, they came under the fire of rubber bullets. One person died, and six were injured. On May 17, local residents organized another protest, even though traffic was blocked throughout the entire oblast. This protest ended with a clash with security forces, who this time around used not rubber bullets and tear gas, but combat weapons: Two people died, and at least 15 were wounded.

On May 18, the Tajik government announced the start of an “anti-terrorism operation” in the GBAO. On that day, the bloodiest clashes yet took place between government troops and local residents in Vomar, Rushon District. The journalist Anora Sarkorova quoted the words of one local resident: “Vomar is like Bucha. Corpses everywhere. They’re looking for people. They take them to police precincts and the State Committee for National Security and beat them to death.”

It is difficult to get detailed information about the events in Vomar during those days, since the internet is disconnected in the region and Tajik media outlets like the Asia-Plus agency and others have said it is impossible to report on events because of government pressure. However,

Rushon District residents call the events nothing less than a “purge.” Local residents reported that the security officials rounded up men and took them from their homes and the hospital to a border command post, where they tortured these men and even killed them after interrogations. Anora Sarkorova gave the name of one person who died in this way – 44-year-old Shukhrat Rushtov. There were many reports of looting by security officers. There was unconfirmed information that seven people in a garden in Vomar were killed by shelling from a helicopter and that snipers shot demonstrators who tried to hide in a mountain village. According to activists who collected the data onsite, 39 people (33 in Rushon and 6 in Khorugh) were killed in connection with the May 2022 protests. Less than 30 of the victims could be buried, because the rest have yet to be found. There are reports from locals that the bodies of the deceased were thrown into the river, so local residents doubt they will ever be found at all.

The official media in Tajikistan are writing about something entirely different: “the special operation to neutralize armed fighters in Rushon District, Gorno-Badakhshan Autonomous Oblast has been completed”; no civilians suffered, only “terrorists” were killed or captured; weapons were previously brought in from abroad; “foreign mercenaries” were among the “fighters.” There are significant differences concerning information about the number killed and wounded and the use of weapons by protesters (the Internal Affairs Ministry counts the types of pistols and machine guns seized, while social media posts say that the protestors did not have firearms).

It is not possible to confirm the data from the field due to the information blockade, repressions and lack of independent observers in the region.

Pamir after the end of the active phase of protests

A large military contingent made up of over 3,500 soldiers and officers and a large amount of military equipment, including armored vehicles, is now present in the region. The authorities have set up several checkpoints throughout the GBAO to inspect cars. Our sources reported that during inspections, law enforcement officers insult and humiliate residents, including women, and extort money from them, which provokes Pamiris to respond. They noted cases where law enforcement officers behaved rudely in public and knowingly violated traffic rules, including driving in a drunken state, which resulted in accidents in which local residents were injured and even killed.

“Security officers in the GBAO go around homes and organizations in Khorugh and the oblast and force people to lie about Gulbiddin’s murder and the demonstration in November 2021. Relatives are told to read a prepared text in their cells after being threatened with losing their jobs or prosecution. Young Pamiri men are detained under various pretexts and summoned for questioning to scare and overwhelm them. They are creating all the conditions to force people to leave with their families.” – T.S., resident of Khorugh.

In mid-May, Tajik security forces continued to wage the “special operation” in various GBAO districts, resulting in the deaths of dozens of people. Two unofficial leaders of the Pamiris, Khursand Mozorov and Zoir Radzhabov, were reportedly killed on June 12. The day before, the Tajik Internal Affairs Ministry announced the arrest of three other GBAO leaders: Tolib Ayombekov, Munavvar Shanbiyev, and Niyezsho Gulobova. They were charged with involvement in a series of grave and especially grave crimes, including murder; hooliganism; robbery; smuggling of drugs, weapons, and precious gems; creation of an organized criminal group; and inciting hatred on the basis of regionalism. On August 23, an oblast court in Khorugh sentenced activist and farmer Sorbon Yunoyev to 10 years in prison under charges of extremism for his organization of a wrestling match to mark Roz-e-Nur, an annual celebration of Iman Aga Khan IV’s first visit to the GBAO on May 25, 1994 that is currently banned by the Tajik government. He was charged with making public statements regarding the construction of an enormous flagpole with the Tajik flag in the district center in Roshtkal. Specifically, he said: “It would be better to spend money repairing school buildings.”

On August 3, the trial of Pamiris who participated in the protest actions started in a pretrial detention center in Dushanbe. According to information from the Tajik Prosecutor General’s Office, about 80 people have been named in the case. The authorities ascribe the main role in organizing the mass unrest to Kholbash Kholbashev, a retired general in the border troops, and the civil activist and journalists Ulfatkhonim Mamadshoyeva. The journalist Khursand Mamadshoyev is also named in the case. They are charged with illegally receiving funds and instructions from abroad for organizing mass protests in Khorugh and Rushon District in the GBAO.

Pamiris are continuing to be persecuted abroad. For example, the civil activist Maksud Gayosov was arrested in Moscow in August; on September 1, two natives of the GBAO – Mamadbek Atobekov and Mansur Dildorbekov – were also arrested in Moscow. According to Atobekov’s relatives, two representatives of Tajikistan’s security structures arrived with [Russian] police officers to arrest him. Nothing is known yet about their fate. Their relatives don’t even know which pretrial detention center they are being held in. The Russian and Tajik authorities have had nothing to say about the arrests, but the relatives of the detainees say that Tajikistan has requested the extradition of almost 350 Pamiris living in Russia. They could all be deported to Tajikistan, where their lives and liberty are in danger.

Because of the above, GBAO residents are in a state of constant tension: They fear for themselves and their family members and are afraid to leave the house or let their children out. Many of them find analogies with the past, during the civil war of 1993 to 1997 and the civil unrest of 2012.

Biased treatment of Pamiris and the government's total rejection of dialogue with the Pamiri population are the causes of the never-ending conflicts

Protests in the GBAO have repeatedly been followed by a severe response from the Tajik authorities over the last decades. The most dramatic case occurred in 2012, when an armed confrontation between the Tajik Army and the local population took place in Khorugh (the capital of the GBAO) and its outskirts, which the Pamiris viewed as an attempt at ethnic cleansing and aggression against their people in general. At that time, 21 Khorugh residents died according to unofficial data, while official data put the number of fatalities among government forces at 23.

Independent experts also recorded serious human rights violations: Like now, the region's population was in an information vacuum. Mobile connections were cut off during the military operation, civilians were used as "human shields," no effective investigation into civilian deaths was carried out, no legal evaluation of the actions of the soldiers and officials who approved the military action and participated in it was ever made, and there was never any compensation for material damages. In 2013, the military presence in the GBAO was increased many times over and checkpoints were set up in spite of the fact that the situation had normalized. This only contributed to growing discontent and distrust of the government among the Pamiris.

The consequences of the 2012 conflict have yet to be overcome, which many view as the cause of the current conflict. However, what is happening today in the region has deep roots in the past.

Although the authorities deny having a biased attitude toward the Pamiris, Pamiris can be identified visually, by their characteristic accent in the Tajik language, and by the place of birth listed in their passports. They are not counted separately in the census (they are recorded as Tajiks), and, although they are mostly Muslim, they are often viewed as "the wrong kind" of Muslims. Finally, their languages are scorned at the state level, even though there is a fairly complete list of them and instructional materials have been developed for them.

The Pamiris are not appointed to leadership positions because they are considered disloyal, and the region in general is suspected of separatism. The leadership and the overwhelming majority of staff at security structures in the GBAO are from other regions of Tajikistan. GBAO residents link the increase in their numbers with the high level of corruption and lawlessness, as well as with evidence of fabricated criminal cases, extortion (including from members of the business community), false confessions obtained through severe torture, prosecutorial bias in the justice system, and the crude and unethical behavior of security officers, particularly in relation to women.

In comparison with other oblasts of Tajikistan, the GBAO is an underdeveloped region that receives subsidies. Most of the Pamiri population lives in poverty because of unemployment

and high prices (30% higher than in other regions). Flights with the GBAO were discontinued long ago, and the trip there from Dushanbe along mountain roads takes 10 to 12 hours and can cost people their lives in the winter.

The Pamiris view the government's lack of recognition for their ethnic identity, languages, and culture, the lack of state support for their education, and their discounting in censuses as a threat of gradual, deliberate assimilation that only serves to heighten the confrontation between the Pamiris and the Tajiks.

Thus, disdain for the Pamiri language and culture; disregard for their self-identification; insufficient attention to economic development of the GBAO and infrastructure; and, most importantly, insufficient representation in the government and management and the militarization of the region all led to the protests in November 2021, their suppression and the current "anti-terrorism operation," with its numerous casualties and the never-ending persecution of Pamiris in both Tajikistan and Russia.

At the time of this writing, internet and mobile connections had been restored in all districts of the GBAO. Even though the GBAO is no longer under an information blockade, television broadcasts only present a one-sided view of the situation. The media is reporting that the authorities have banned 66 demonstrators from leaving GBAO and are pressuring the members of civil society who were given access to information about the investigation (they were forced to condemn the demonstration on television).

In August 2022, Tajik media outlets announced that the Tajik president would visit the GBAO for the ceremonial opening of a number of infrastructure sites. Meanwhile, the mood of the GBAO's population is generally depressed. This can be illustrated by the words of a resident of Rushon District:

"If the trip does happen, people will be forced to welcome him, but they are not grateful to the authorities in their hearts. Almost everyone in Khorugh or Rushon Districts has relatives who were killed or arrested."

Burned-out street sweeper in Nukus on July 3, 2022. Aftermath of the Karakalpak protests.
CC BY-SA 4.0 Photo by Shuhrat Latipov



ON THE EVENTS IN KARAKALPAKSTAN IN EARLY JULY 2002

Alisher Ilkhamov, Central Asia Due Diligence

This report is a preliminary assessment of the recent developments in Karakalpakstan and needs to be further refined as more information becomes available on what happened there, which will be possible if an investigation would be undertaken, free from political pressure. The proposed overview is based solely on available press reports.

Briefly about what happened and the reasons

In early July, the Republic of Karakalpakstan, an autonomous region of Uzbekistan, witnessed mass protests and brutal suppression by security forces arriving from Tashkent.

The main events took place from the 1st to the 3rd of July, but tensions began to increase after the publication on June 25 of the draft constitutional amendments that included changes to six articles (70-75), according to which the Republic of Karakalpakstan had until now a sovereign status within Uzbekistan and the right to withdraw from the country, if the majority of the republic's residents voted for it in a referendum. These changes, which eliminate this sovereign status, were not discussed widely in the republic, which had caused discontent and protests among its residents.

The trigger that prompted Nukus residents to take to the streets en masse was the arrest on July 1 of a local informal leader of public opinion, lawyer Dauletmurat Tadjimuratov. Initially, the protest was quite peaceful. The use by the law enforcement of tear gas, smoke and stun grenades and rubber bullets began only around midnight of the same day when a large crowd gathered near the building of Jocardy Kenes (parliament of the republic). By this time, the National Guard units from Tashkent had already begun to arrive. The first victims appeared.

But the main casualties among the population took place on July 2, when the National Guard which acted much more brutally than the local police began cracking down on the protests. There were isolated cases of violence on the part of protesters, but this was mainly in response to the brutal treatment of the protesters and even random passers-by by the security services. The latter began, according to local witnesses, to use firearms against the protesters.

The protests were completely suppressed by the morning of July 3. But the introduced state of emergency in the republic was cancelled only on July 21.

Victims

According to official data, 21 people were killed, including 4 law enforcement officers, 243 were injured, of which 94 are in critical condition, and 516 were arrested. However, many locals do not believe these statistics and claim that there were many more killed.

According to local medical personnel cited by Gazeta. Uz journalist, 77 people were killed in the first two days alone.

According to the opposition figure Aman Sagidullayev, who lives in Norway and has long advocated Karakalpakstan's secession from Uzbekistan, three hundred have been killed and a thousand wounded.

In my opinion, because of the obvious motivation to downplay the number of victims in the first case, and to exaggerate these figures in the third, the figure reported by the medical personnel, that is, around 77 killed, seems to be more credible. But this still needs to be verified by an independent and professional investigation.

Main problems identified

Constitutional amendments.

The constitutional provision on the right to secede from Uzbekistan is truly unique for an autonomous republic in the post-Soviet space. The country's leadership had obvious fears that one day this constitutional status of a sovereign republic could pose a threat to the territorial integrity of Uzbekistan. However, the authorities, preparing these amendments, did not prepare public opinion in this republic, did not hold discussions among the population and did not present any arguments for changing the status quo to the public. The publication of the draft amendments had taken the residents of Karakalpakstan by surprise and shock. Formally, the initiative to change the articles on sovereignty came from the deputies of Jocargy Kenes, but most likely, this «initiative» was imposed from the above, from Tashkent.

It is necessary to pay tribute to the fact that the president already on July 2 announced the withdrawal of the draft amendments. However, this decision did not immediately reach the residents of Karakalpakstan due to the information blockade around the republic, as access to the Internet in the republic was almost completely blocked by the evening of July 1. Also, this concession was not supplemented by a more tolerant treatment of the protesters by law enforcement. Because of this, the effect of the concession made by the president was very limited.

Use of force against protesters.

As noted, in addition to special means of crowd dispersal, firearms were also used against protesters. At least, protest participants said that they heard gunshots. Judging by the number of victims, it is highly likely that firearms were used by law enforcement.

Arbitrary detention and torture.

The whereabouts of some detainees, and their health conditions are still unknown. According to local testimonies, the bodies of the deceased were returned on the condition that their close relatives sign a document stating that the victims died while having been intoxicated. The authorities ordered to bury the dead quickly, not allowing their families to observe the necessary national rituals, and even more so, to order a forensic examination of the bodies before burial.

Of particular concern is the fate of the two arrested, opinion leaders Dauletmurat Tadjimuratov and journalist Lolagul Kallykhanova. Their families do not know anything about the state of their health and are not allowed to meet with them. At least two cases have been reported in which detainees have died in custody. The parliamentary commission that was set up to investigate the events has not yet said whether they were able to meet with these and other detainees in custody.

Right to information.

Access to the Internet was restricted as early as June 27 but completely blocked by the evening of July 1, which led to many in the republic being unaware for a certain period of the president's decision to withdraw the draft amendments in question. Only on July 18, the Internet began to turn on, but only for an hour a day. By July 24, access had increased slightly, but only for a few hours a day, albeit not remaining unavailable in the evenings.

On the very first day of the protests, entry into the republic was sharply restricted, which is probably why the press was not on the ground in the midst of the events, that is, on July 1 and 2. British journalist Joanna Lillis, who arrived in Nukus on July 3, was briefly detained by the police and forced to remove photos and videos she had taken in Nukus from her gadgets.

The authorities massively seized gadgets from citizens, demanding the owners remove photos and videos taken from the scenes of events. Thus, the primary information base has been narrowed, reducing the chances of getting a reliable picture of what happened on July 1 and 2. Some Uzbek journalists managed to arrive in Nukus, but only starting on July 3.

Freedom of association.

Due to restrictions on the registration of initiative non-governmental organizations adopted since Karimov's time, there have not been enough professionally capable NGOs, especially those working on human rights-related issues, to start monitoring and documenting events and alleged human rights violations by the authorities.

Comparison with the Andijan May 2005 events

Such a comparison is necessary to assess the significance of these events and the actions of the authorities in the context of the post-Soviet history of Uzbekistan. In Andijan, the Karimov regime staged a real massacre, shooting a crowd of protesters with large-calibre machine guns and sniper rifles. As a result, according to official data, 187 people were killed, including 27 law enforcement officers, but according to human rights organizations and civil society activists - more than five hundred people.

The comparison, of course, is not in favor of Karimov, who not only brutally suppressed the protests but also completely ignored calls for an independent investigation. In the current case, the scale of casualties and the use of firearms were comparatively smaller. In addition, President Mirziyoyev immediately made concessions on the main issue, constitutional amendments, and after the events allowed the creation of a parliamentary commission to investigate them, which included three representatives of civil society, as well as representatives of Karakalpakstan.

However, in general, the actions of the authorities this July have been quite typical of authoritarian regimes and the political culture that characterizes such regimes. This refers to the following:

- The lack of government's proper dialogue and consultation with society in the preparation of important decisions that affect the vital interests of this society;
- The absence of citizens' real rights to peaceful street protests;
- The excessive use of force in suppressing street protests, mass arbitrary detentions, as well as torture in places of detention;
- The lack of access to information during and after events;
- The weakness of civil society, is primarily due to the restrictions on freedom of association that remain in the country.

What is needed first of all

It is important, even after events have passed, to conduct an independent investigation to obtain an objective and comprehensive picture of what had happened and to identify the persons who should be held accountable for excessive use of force against the protesters and the victims.

It is hardly possible in this respect to relying entirely on the results of the parliamentary commission's investigation, first of all, because the majority of it consists of MPs and representatives of pocket parties and organizations completely controlled by the executive. Given the lack of a sufficiently developed organized civil society in the country, it is necessary to form an international commission, which would include representatives of the relevant UN bodies (special procedures, committees on civil and political rights, as well as against torture), as well as international human rights organizations with a high reputation, such as Human Rights Watch and Amnesty International.



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