



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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30 April 2021

Excellency,

I write to inform you that in the course of its 103rd session, the Committee considered further the situation of the Dungan minority in Kazakhstan under its early warning and urgent action procedure. In this regard, the Committee refers to its previous letter of 7 August 2020 relating to the same matter and thanks the Government for its reply of 30 October.

The Committee takes note of the information provided by your Government, particularly in relation to: (i) the ongoing investigations of the violent events of 7 and 8 February 2020 against persons belonging to the Dungan minority committed by non-Dungan persons in the Korday district; (ii) the measures adopted to ensure reparation to the victims of these events; and, (iii) the creation of a special authorized body within the Ministry of Information and Social Development to take concrete actions to ensure the safety of all the citizens of Kazakhstan, regardless of ethnicity, race, religion, or other factors.

Since its previous letter of 7 August 2020, the Committee has received and considered further information on the matter, according to which the court proceedings on the above-mentioned violent events were held in the city of Taraz, located approximately 300 km from the villages where the events took place. It is alleged that this distance made it difficult for relatives of victims, witnesses and other relevant parties to attend the court sessions. It is also reported that some villagers have been beaten during the investigations, and that there have been cases of self-infliction of bodily harm by defendants during the court proceedings.

The information received further alleges that in December 2020, law enforcement officers collected signed guarantees from members of the Dungan community stating that they would not participate in court sessions, which according to local Dungans would mean abandoning their claims for compensation for the lost property.

Additionally, according to information received by the Committee, the relevant authorities of Kazakhstan have not responded to the allegations of arbitrary arrests and torture despite an open letter by members of the Dungan community addressed to the high officials of Kazakhstan, on 8 May 2020. In this regard, the Committee notes that your Government's reply provides no information regarding the allegations of torture against persons belonging to the Dungan minority and their defendants.

Her Excellency Mrs. Zhanar Aitzhanova
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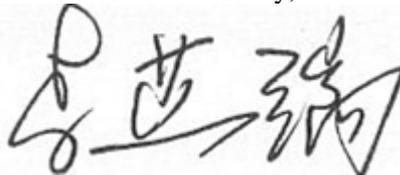
Reportedly, despite some positive efforts by the authorities of Kazakhstan to find solutions in response to the events of February 2020, many persons belonging to the Dungan minority are still afraid of the possible recurrence of violence against them. They are also concerned about possible obstacles, such as denial of access to rented lands and water supply that may prevent them to carry out their traditional agricultural activities fully.

In accordance with Article 9(1) of the Convention and article 65 of its Rules of Procedure, the Committee would be grateful to receive a response to these additional allegations outlined above by 14 July 2021. In particular, it requests the State Party to provide information on:

- (a) The results of investigations initiated on the above-mentioned events of February 2020. Please specify whether those convictions, acquittals and sentences involve persons belonging to the Dungan minority or non-Dungan persons;
- (b) If available, the steps the Government has taken to make information on the results of these investigations accessible to all persons and communities affected;
- (c) Measures taken to investigate allegations of torture and violence by law enforcement officers on the Dungan defendants that reportedly took place during police investigations in Dungan villages in 2020 as well as in the course of the court proceedings;
- (d) Measures taken to ensure the participation of all interested parties in the court proceedings held in the city of Taraz;
- (e) Measures taken to investigate allegations that law enforcement officers solicited signed guarantees from Dungan persons that they would not participate in court proceedings related to the events in Dungan villages referred to above;
- (f) Any progress achieved in rebuilding houses and businesses and in providing compensation and assistance to the Dungan victims of the violent events of February 2020;
- (g) Measures taken to strengthen trust in State institutions as well as to enhance tolerance among the communities affected.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Kazakhstan, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,



Yanduan Li
Chair
Committee on the Elimination of Racial Discrimination