

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Kyrgyzstan: Return requires safety, voluntariness and sustainability**

Amnesty International reiterates its concern that refugees and internally displaced persons are being forcibly returned or encouraged to return to conflict affected areas in southern Kyrgyzstan before conditions are in place to ensure their safety and sustainability.

Ahead of the forthcoming referendum this Sunday, Amnesty International stresses the obligation of the Kyrgyzstani authorities and local authorities to ensure adequate protection for all Kyrgyzstani citizens, and in particular, for minorities who have been targeted during the violence in the southern part of the country in the violent clashes since 10 June.

The violence that took place also resulted in widespread destruction of private property, and many people have no homes to return to.

Satellite imagery analysis by the American Association for the Advancement of Science (AAAS), in cooperation with Amnesty International USA, demonstrates that the damage in Osh is severe. The images of the city of Osh were taken on 18 June and compared to footage of Google Earth in May 2007 in order to determine the scale of destruction of houses and infrastructure.

Destruction in the city of Osh particularly affects the city centre, as well as the northern and eastern suburbs of Osh and largely appears to follow the major east-west road in the city. According to this assessment of satellite images, 1,640 structures have been destroyed or damaged: 297 in Cheremushki, 172 in Furkat, 448 in Kizil Kishtak, 172 in Nariman and 551 in Osh.

Moreover, the satellite pictures show that "SOS" letters appear on roadways and sports fields throughout the city. The total of "SOS" messages in the city of Osh counted according to satellite imaging was 116, illustrating the level of desperation and fear triggered after violence erupted in various districts of the city inhabited mainly by Uzbeks; shootings, arson attacks on shops and houses, looting of private property.

The situation remains volatile and unstable ahead of the referendum on 27 June, and returns of refugees and internally displaced persons are premature in the current situation. Amnesty International reiterates the Kyrgyzstani interim government's human rights obligations towards internally displaced persons and refugees.

The Kyrgyzstani authorities must - where appropriate with the support of the international community - take appropriate measures to establish conditions, as well as provide the means, to enable displaced persons and refugees to return voluntarily, in safety and dignity, or to resettle voluntarily in another part of the country and to facilitate the integration of those returned or resettled. Voluntary returns should happen foremost to areas that humanitarian agencies have access to.

It is vital that those displaced by the violence are involved in the search for durable solutions and participate fully in planning and decision-making. They must be able to make an informed decision on whether they should return, remain where they are, or settle elsewhere in the country. Particular measures must be taken to ensure that disadvantaged and vulnerable groups can participate fully in the planning of return, local integration or settlement elsewhere in the country.

The authorities must assist those returning to recover their property and possessions or, where this is not possible, to obtain appropriate compensation or another form of reparation. Given the level of violence in the preceding weeks, security and reintegration efforts will be key for ensuring the sustainability of returns and the security of those returning to their homes in areas where fighting took place.

Walter Kälin, Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, has stressed that "return must be voluntary, i.e. not only free of coercion but also based on an informed choice, and in safety and dignity, i.e. under conditions that allow returnees to live without threats to their security and under economic, social and political conditions compatible with the requirements of human dignity. Of course, such a choice is only possible if the three options, including voluntary return in safety and dignity are in fact available. Finally, internally displaced persons and returnees are entitled to be protected against discrimination and to recover their property and/or receive compensation in cases of damage or loss."

The conduct of the security forces in the coming days and weeks will be a key factor in restoring a climate of trust. Amnesty International urges the security forces to exercise their functions with all due consideration for the affected communities. The authorities, too, in order to prevent a resurgence of violence, will have to demonstrate commitment to the fight against impunity for those who have perpetrated crimes in connection with the recent turmoil.

#### **Background:**

Satellite images cannot discriminate between naturally-occurring fires and those resulting from arson or armed conflict; however, an assessment made on the basis of the chronology and spatial context of the data indicates that it is highly probable that the detected active fire locations were directly linked to the reported unrest in the South of Kyrgyzstan.<sup>1</sup>

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<sup>1</sup> UN Institute for Training and Research, UNOSAT, Civil unrest & arson, 19 June 2010; <http://reliefweb.int/rw/rwb.nsf/db900SID/CVIE-86NHBH?OpenDocument&rc=3&cc=kgz>