



# International Convention on the Elimination of All Forms of Racial Discrimination

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## COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventy-first session

### SUMMARY RECORD OF THE 1823rd MEETING

Held at the Palais Wilson, Geneva,  
on Thursday, 2 August 2007, at 3 p.m.

Chairperson: Mr. de GOUTTES

#### SUMMARY

#### CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (*continued*)

Second to fourth periodic reports of Kyrgyzstan

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*The meeting was called to order at 3:20 p.m.*

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION  
SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE  
CONVENTION (agenda item 4) (*continued*)

Second to fourth periodic reports of Kyrgyzstan (CERD/C/KGZ/4;  
HRI/CORE/1/Add.101) list of issues to be taken up (document circulated at the  
meeting in English only)

1. *At the invitation of the Chairperson, the Kyrgyz delegation took places at the Committee table.*

2. Mr. DJUMALIEV (Kyrgyzstan), welcoming the fact that the list of issues to be taken up had been received by the Kyrgyz authorities early enough to enable them to prepare their replies, indicated that the oral presentation would mainly address the issues contained in that document. He added that in April 2007, the United Nations High Commissioner for Human Rights had visited Kyrgyzstan; at the conclusion of her visit, a memorandum of understanding had been signed on the creation of a regional office of the High Commissioner in the country. Currently, approval of that MOU was under consideration in Parliament. In addition, a seminar had recently been held on the implementation of international human rights instruments, with the participation of representatives of all ministries.

3. Mr. Djumaliev said that reports on Kyrgyzstan's application of human rights instruments were submitted not only to United Nations treaty monitoring bodies, but also to Parliament, which therefore monitored the Government's endeavours to ensure compliance with Kyrgyzstan's international human rights obligations.

4. In response to question 1 in the list of issues to be taken up, in which the Kyrgyz authorities were asked to indicate whether the provisions of the second chapter of the Kyrgyz Constitution applied to non-citizens, given the Committee's general recommendation XXX on discrimination against non-citizens, Mr. Djumaliev said that under Article 3 of the law on the legal status of foreigners living in Kyrgyzstan, non-citizens were equal before the law regardless of such criteria as racial or ethnic origin, religion, sex, social or financial status or educational level. Foreigners wishing to settle temporarily or permanently in the country must be granted a permit by the Office of the Ministry of the Interior; refugees that had fled their country for political or other reasons could apply for asylum, the final decision in that regard being the prerogative of the President of the Republic.

5. Non-citizens holding a permanent residence permit were allowed to work on the same footing as Kyrgyz citizens. Foreigners holding a temporary residence permit had the right to work, provided their activities were compatible with the term of validity of their permits or they had received special permission from the Ministry of the Interior. Under the law, non-citizens could not hold certain functions which, by their nature, were reserved for Kyrgyz citizens.

6. Domestic laws provided protection for non-citizens' personal rights, including those relating to the inviolability of the person, inviolability of domicile and freedom of movement. An alien could have restrictions placed on his or her freedom of movement and choice of place of residence if state security, public health or morals or the rights and interests of the people were at stake. Finally, the provisions

of the law on the legal status of foreigners also applied to stateless persons, unless domestic legislation stipulated otherwise.

7. Regarding question 2 on the list of issues to be taken up, concerning the direct application of the Convention by Kyrgyz courts, Mr. Djumaliev indicated that under Article 12(3) of the Constitution, international treaties to which Kyrgyzstan had acceded and the universally recognized norms and principles of international law formed part of domestic law. However, he was unable to cite instances of the direct application of those instruments by the Kyrgyz justice system, as none such had yet occurred.

8. In response to question 3 on the list of issues to be taken up, concerning the incorporation of the definition of racial discrimination into domestic legislation, Mr. Djumaliev indicated that, as international instruments were part of domestic law, the latter did not contain any other definition of racial discrimination than was provided in Article I of the Convention.

9. Addressing the group of questions from the list of issues to be taken up that dealt with article 2 of the Convention, Mr. Djumaliev, replying to question 4—on the adoption by Kyrgyzstan of a law on prevention of discrimination giving effect to the provisions of Article 2(1) and Article 13 of the Convention—said that the Kyrgyz Government considered that its existing legislation provided sufficient safeguards to prevent discrimination and that, consequently, enactment of an additional law in that regard was not necessary.

10. With respect to question 5 on the list of issues to be taken up, concerning the respective powers of the National Commission on Human Rights and the Ombudsman, Mr. Djumaliev indicated that there was no overlap in the activities of these two institutions, which were complementary. The Commission on Human Rights played a mainly advisory role and was primarily responsible for assisting the Head of State to play his or her role in the protection of human rights, helping bring domestic human rights legislation in line with the Constitution and relevant international instruments, and informing the people of their rights. It also examined individual complaints, coordinated the development and implementation of the National Plan of Action for the strengthening of human rights protection mechanisms, participated in the preparation of reports to United Nations treaty monitoring bodies and the Organization for Security and Cooperation in Europe (OSCE), monitored the activities of State bodies responsible for the protection of human rights, and made recommendations to the President of the Republic on improving human rights protection mechanisms.

11. Pursuant to Article I of the Ombudsman Act, it was the Ombudsman's responsibility to monitor the proper enforcement of the rights and freedoms guaranteed by the Constitution throughout Kyrgyzstan and, pursuant to Article 3 of the Act, to protect the individual rights and freedoms enshrined in the Constitution and the international instruments to which Kyrgyzstan was a party, to prevent violations of those rights and freedoms, to participate in work to harmonize national legislation with the Constitution and international standards, and to promote greater cooperation with international organizations in the area of human rights. Furthermore, Article 10 of the Act empowered the Ombudsman to receive complaints from Kyrgyz citizens, foreigners or stateless persons living in Kyrgyzstan or their representatives against government officials or others. The Ombudsman was also empowered to receive complaints directly from or through

Parliament. He or she independently decided whether an investigation was warranted and, if so, asked the body or official concerned to respond in writing within fifteen days to the charges against them.

12. In response to question 6 on the list of issues to be taken up, seeking examples of activities undertaken by the Assembly of the Kyrgyz Nation (para. 35 of the report) in terms of promoting interethnic tolerance, Mr. Djumaliev recalled that the Assembly's objectives included promotion of the rights of ethnic minorities and the preservation of their language, customs and traditions, promotion of the development of civil society and a culture of dialogue within society, and prevention of incitement to racial or religious hatred. Each year, the Assembly of the Kyrgyz Nation organized a series of events including the *kurultai* (Kyrgyz National Council) (report, para. 33) and festivals aimed at promoting peace and tolerance among the country's various ethnic groups. During the fifth *kurultai* session, held in summer 2006, the President of the Republic, Mr. Bakiyev, had been appointed President of the Assembly of the Kyrgyz Nation, which was now under the direct supervision of the Head of State.

13. Mr. NASIZA (Kyrgyzstan), addressing the issues concerned with Article 4 of the Convention, recalled that the Committee had asked, in question 7, why Article 9 of the Constitution of 2003, prohibiting incitement to ethnic hatred, had been dropped from the 2006 Constitution. Mr. Nasiza said that the current Constitution of Kyrgyzstan was not that of 2006 but a new version, promulgated in 2007, whose provisions specifically prohibited discrimination in any form whatsoever and called for the equality of all citizens before the law.

14. In response to question 8, asking for information on the application of Articles 134 and 299 of the Penal Code, Mr. Nasiza said that anyone contravening Article 134 of the Code could be ordered to pay damages or sentenced to two years in a correctional labour colony or, if a government official, to two years' imprisonment. To date, there had been no cases involving application of that article.

15. With regard to Article 299 of the Penal Code (incitement to racial or religious hatred), contravention of which was punishable by penalties ranging from payment of damages to a term of imprisonment of up to three years, Mr. Nasiza indicated that, based on information supplied by the prison administration, eight people had been prosecuted and convicted under that article.

16. Regarding question 9 on the list of issues to be taken up, in which the Committee asked for examples of the practical application of the provisions of the Mass Media Act (para. 55 et seq. in the report) prohibiting the dissemination of racial slurs, Mr. Nasiza said that the Kyrgyz courts had not yet had occasion to apply the relevant sections of the Act.

17. Question 10, on the application of Article 5 of the Convention, sought to obtain disaggregated data on asylum applications as well as information on the measures taken to protect the rights of asylum seekers and, in particular, to prevent their deportation before the conclusion of the proceedings in their cases. Mr. Nasiza explained, in that connection, the outcome of the events in Andijan (Uzbekistan) in mid-May 2005: refugee status had been granted to 451 Uzbek nationals residing in the Kyrgyz Republic and denied to four other Uzbeks for whom an extradition application had been received from the Prosecutor General of the Republic. After reviewing their files, the Migration Board had rejected the four Uzbeks' asylum

applications because they were being prosecuted in their country for acts independent of the events in Andijan. One of them had in fact been convicted of drug trafficking and had escaped from prison during the events, while another was suspected of having murdered the prosecutor of the city of Andijan. After a series of appeals, the Supreme Court had finally endorsed the decision of the Committee on Migration and the four Uzbeks had been extradited in August 2006. The Ministry of the Interior of Kyrgyzstan had previously obtained the Uzbek authorities' assurances that the accused would have the right to be represented by counsel. The investigation of the four cases had now been completed and judgments should be delivered soon.

18. In response to question 12 on the list of issues to be taken up, relating to measures taken by the Government to improve relations and facilitate dialogue between the Kyrgyz and Dungan communities, especially after the February 2006 riots in Iskra, Mr. Nasiza indicated that friendship assemblies had been created in villages where the two communities coexisted. In addition, a commission of inquiry set up following the riots and made up of two representatives from each of the nationalities involved had revealed that the trouble had been caused by young people of both communities and could be described as ethnic clashes.

19. In response to question 13, on the measures taken to ensure equitable representation of ethnic minorities in Parliament, Government and Administration, Mr. Nasiza also indicated that 11% of all parliamentarians were Uzbek. He added that the representation of minorities was guaranteed by Article 3 of the Electoral Act, under which every person aged 18 or over was entitled to vote and to stand for election, regardless of race, nationality, or political, religious or other beliefs.

20. In response to question 14, Mr. Nasiza said that the delegation did not have current statistics on the percentage of intermarriage and thus could neither confirm nor deny the information received by the Committee that there were very few marriages of this type. Kyrgyzstan would be providing the Committee with further information on the issue.

21. Mr. MURZAHALILOV (Kyrgyzstan) said, in reply to question 15, that the activities of the various movements considered terrorist, including the Islamic Movement for the Liberation of Islam, the Islamic party Hizb-ut-Tahrir (Liberation Party) and the Islamic Movement of East Turkestan had been banned in 2004 by a Supreme Court decision. Furthermore, the national anti-terrorism legislation passed in 2006 condemned terrorism in all its forms as a threat to national security and a flagrant violation of human rights.

22. The Kyrgyz Republic was a party to the Shanghai Convention on Combating Terrorism, Separatism and Extremism and was cooperating with neighbouring states such as Uzbekistan, Tajikistan and Kazakhstan and with the CIS States to dismantle networks trafficking in arms and to combat the financing of terrorism.

23. Mr. DJUMALIEV (Kyrgyzstan) said, in answer to question 16, that the rights enshrined in article 5(e) of the Convention, including the right to work and housing, were guaranteed to all Kyrgyz citizens, including those belonging to national or ethnic minorities. Indeed, Article 4 of the Promotion of Employment Act of 27 July 1998 guaranteed the equality of all citizens, regardless of race, nationality or language, in the exercise of their right to work and to freely choose their occupation, and did not exclude or favour any particular ethnic group. The relevant legislation

prohibited discrimination in employment and enforced the principle of “equal pay for equal work”.

24. Regarding the protection of the rights of Kyrgyz citizens who had emigrated to neighbouring countries to find work, which was the subject of question 17, Mr. Djumaliev said a migration and employment commission had been created in 2005 and was responsible for developing policies in this area and for forecasting migration so as better to cope with it. That committee also dealt with the protection of some 700,000 Kyrgyz workers abroad, especially in Russia and Kazakhstan, with which countries Kyrgyzstan had signed bilateral agreements for the protection of migrant workers’ rights. Finally, in April 2003 Kyrgyzstan had acceded to the International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families.

25. In response to question 18 concerning employment opportunities for refugees, Mr. Djumaliev indicated that under the relevant law, persons having refugee status could be employed, engage in trade or start their own business without any restrictions.

26. In response to question 19 on the languages used by ethnic minorities, Mr. Djumaliev said that Dungans, Germans, Uighurs and other ethnic minorities published their own newspapers and had their own schools where they were taught in their mother tongue and had the right to broadcast on public radio and television. Furthermore, to preclude any discrimination on the basis of language, Parliament had on 25 May 2000 enacted the Official Language of Kyrgyzstan Act giving Russian the status of an official language and making any employee refusing to consider an appeal filed in that language liable to prosecution.

27. Mr. Djumaliev noted too, in response to questions 20 and 21, that the Office of the Ombudsman had received no complaints of racial discrimination since its inception in 2002. However, the relevant statute did entitle victims of racial discrimination to sue for redress.

28. In response to question 22, on the measures taken by the State party to reduce tensions between the Kyrgyz and Uzbek communities in the South, Mr. Djumaliev said that exchanges were being organized by the Assembly of the Kyrgyz Nation through cultural centres, to enable each community to learn of the other’s customs and to encourage tolerance and peace.

29. In response to question 23, on members of the judiciary’s awareness of the principles enshrined in the Convention, Mr. Djumaliev said that a programme providing special seminars and symposia for students, teachers and public service personnel on the principles enshrined in the Convention had been set up in cooperation with OSCE and the Office of the High Commissioner for Human Rights (OHCHR).

30. In response to question 24, on the place of the various ethnic groups’ history and culture in textbooks for primary and secondary students, Mr. Djumaliev said that under the education programme for all, those responsible for the preparation of the textbooks in question were considering how best to sensitize students to the cultural differences between the various population groups.

31. Finally, in response to question 24, Mr. Djumaliev said that his country would soon consider ratifying the 1961 Convention on the Reduction of Statelessness and the 1954 Convention relating to the Status of Stateless Persons.

32. Mr. VALENCIA RODRÍGUEZ (the Rapporteur for Kyrgyzstan) said that Kyrgyzstan was a multiethnic country with 90 nationalities, including Kyrgyz, Russians, Ukrainians and Tatars, plus refugees and asylum seekers. He understood that 11,000 non-governmental organizations were working in the country to promote and protect human rights. He would like clarification on their role, particularly in the implementation and dissemination of the Convention.

33. Referring to paragraphs 11 and 12 of the report, which discussed the role of the national Commission on Human Rights, namely the consideration of appeals filed by citizens directly in matters relating to rights and freedoms, Mr. Valencia Rodríguez asked whether the commission was empowered to receive complaints of discrimination under the Convention and whether it investigated the possible reasons for the apparently frequent interethnic tensions in Kyrgyzstan. He also wished to know how the decree of 14 January 2001 on the enhanced protection of citizens' rights and freedoms had affected implementation of the Convention.

34. Referring to paragraph 36 of the report, Mr. Valencia Rodríguez considered it appropriate for the Assembly of the Kyrgyz Nation, within the framework of its advisory role to the President on matters of ethnic relations and policies on nationalities, to enforce the relevant provisions of the Convention.

35. In addition, Mr. Valencia Rodríguez asked whether the conclusions and recommendations of the seminars on national minorities jointly organized in 1996 and 1997 by the People's Assembly, OHCHR and OSCE had been widely disseminated among the people, and especially all ethnic groups, and what the concrete impact of those efforts had been on strengthening interethnic harmony and promoting the rights of ethnic groups.

36. Mr. Valencia Rodríguez requested additional information on the nature of the proposed laws enshrining the principle of non-discrimination, and would like to know what stage of development they had reached. In addition, Mr. Valencia Rodríguez would appreciate receiving detailed information on the implementation of various national provisions, such as Article 18 of the Constitution, the Mass Media Act, the Freedom of Access to Information (Safeguards) Act, and articles 134 and 299 of the Penal Code, that were relevant to the application of Article 4 of the Convention. In that connection, he would welcome further clarification of the scope of Article 3 of the Associations Act in view of the purposes of Article 4(b) of the Convention.

37. Mr. Valencia Rodríguez asked whether foreign workers, refugees and asylum seekers had the right to join unions on the same footing as Kyrgyzstan citizens. He asked what decision had been made following an appeal by four Uzbek citizens to the Bishkek interdistrict court (para. 128 of the report). Noting that the unemployment rate was 18%, the Rapporteur wished to know what measures had been adopted by the State party to remedy the situation.

38. While welcoming the fact that Kyrgyzstan had signed many bilateral worker protection agreements with CIS member states, Mr. Valencia Rodríguez wanted to know how those agreements had helped to promote harmony and understanding between ethnic groups. He mentioned the events in Andijan (Uzbekistan) in

May 2005 and, recalling that the High Commissioner for Human Rights had concluded in her report (E/CN.4/2006/119) that there was an urgent need for a stay of deportation to Uzbekistan of the Uzbek asylum-seekers and eyewitnesses of the Andijan events, who would face the risk of torture if returned, and had indicated that the recognized Uzbek refugees urgently needed to be relocated to a third country, observed that that had indeed been done in many cases.

39. The Rapporteur asked whether all residents, including foreigners, refugees and asylum seekers, were eligible for the benefits listed in paragraph 136 of the report. He asked what measures were being taken to combat the extreme poverty affecting many people in Kyrgyzstan, and in particular the most vulnerable groups. On the subject of mandatory health insurance, he asked what was meant by the term “other categories of citizens” employed at the end of paragraph 141.

40. Mr. Valencia Rodríguez understood that under the Education Act, every citizen of the Kyrgyz Republic had the right to education and that students who spoke one of the country’s four main languages the country were entitled to receive education in their language. Some sources indicated, however, that the majority of the non-Russian-speaking population had difficulty in receiving vocational training. The delegation was invited to comment. Furthermore, the Rapporteur asked for information on access to housing, particularly for ethnic minorities, foreigners, refugees and asylum seekers. In addition, he asked why the Uzbeks and Uighurs had difficulty obtaining refugee status or asylum and were often deported.

41. Regarding the implementation of Article 6 of the Convention, Mr. Valencia Rodríguez understood that only acts of racial or ethnic discrimination by officials were punished and asked about acts of discrimination by individuals. Noting, in paragraph 171 of the report, that the law made it an offence for an official to refuse to accept or consider communications received from citizens in the official language, namely Russian, the Rapporteur asked whether non-Russian-speakers had the right to apply to authorities in other officially recognized languages.

42. Mr. Valencia Rodríguez was glad to note the creation, in January 1998, of a centre for the training and retraining of the Republic’s judges. However, he believed that training should be provided to all judicial officials, regardless of rank, and that the dissemination and review of the Convention should be given special attention. He also requested information on the implementation of decisions taken by the Fourth Congress of Kyrgyz Judges, held in May 2001, in particular those concerning the fight against racial discrimination. He noted that in his report (E/CN.4/2006/52/Add.3), the Special Rapporteur on the independence of judges and lawyers had recommended that Kyrgyzstan enhance the independence of judges and take measures to address the people’s distrust of judges.

43. Mr. Valencia Rodríguez noted with satisfaction that many universities offered human rights courses and believed that the provisions of the Convention and the recommendations of the Durban Conference should be an integral part of that training. He would be glad to receive details of the summer courses on human rights themes mentioned in paragraph 189, as well as on the radio broadcasts devoted to the culture and history of the Turkmen diaspora as well as the culture and activities of the Uighur diaspora.

44. Finally, the Rapporteur recalled that in its previous concluding observations (CERD/C/304/Add.77), the Committee had recommended that the State party ratify

the amendments to Article 8(6) of the Convention and that it make the declaration provided for in article 14 of the Convention.

45. Mr. AVTONOMOV asked what bodies were responsible for implementing the national programme entitled “Kyrgyzstan: Our Common Home” (para. 31 of the report), what budgetary resources were allocated to the programme, and what results were being obtained. He would like clarification on the status of the official language (Russian), the state language (Kyrgyz), and the languages of national minorities. He commented that for people outside the region, it was difficult to understand the distinction between an “official” and a “state” language. He also asked whether the national minority languages were taught and whether foreigners, refugees and asylum seekers had the opportunity to attend free classes to learn Kyrgyz.

46. Mr. KJAERUM said that in reading the report it was not clear exactly what rights were granted to citizens and which were available to non-citizens. Paragraph 162, for example, indicated that the State guaranteed the right of citizens to report acts of racial discrimination that encroached upon their rights and freedoms; did that right also apply to non-citizens? In that connection, he drew the delegation’s attention to the Committee’s general recommendation XXX on discrimination against non-citizens, and in particular paragraphs 6 and 7, in which States parties were invited to review and revise legislation to bring it fully in line with the Convention and to ensure that legislative guarantees against racial discrimination applied to non-citizens regardless of their status. Finally, Mr. Kjaerum would like information on the rights and obligations of NGOs working in the country.

47. Ms. DAH would like to know the proportions of Kyrgyz and other nationalities in the public service in general and in the police and judiciary in particular. She would also like to obtain concrete information on the activities of the Assembly of the Kyrgyz Nation mentioned in paragraph 36 of the report. She noted that though legal reform was extensively covered in the report, it contained no information on measures aimed at strengthening the courts’ independence and autonomy. She would like to know how judges were recruited. Finally, she noted with concern that women were conspicuous by their absence in the report and would like to get an idea of the status of women in Kyrgyzstan.

48. Ms. JANUARY-BARDILL would like the State party to report on racial discrimination in the country in a more transparent manner. She noted that the report under review was sorely lacking in concrete examples of the implementation of the Convention. She believed the State party should undertake a real review of the situation to be able to tackle the problems that might arise.

49. Mr. TANG congratulated Kyrgyzstan on its success in establishing a fairly complete legal system for human rights protection, even though it had gained its independence only in 1991. The fact that in 2005 there were over 11,000 non-governmental organizations (NGOs) was evidence of the State party’s commitment to universal democratic principles. He also congratulated the country on having built a multinational state in which more than 90 ethnic groups coexisted (para. 5).

50. Regarding the implementation of Article 4, Mr. Tang was surprised that Kyrgyzstan was unaware of any violation of the rights established by the Convention, in the light of information provided by NGOs to the effect that various

ethnic groups were targeted by discriminatory acts which had, in some cases, led to the victims' death. He would like the Kyrgyz delegation to elaborate on that. Mr. Tang would also like to know the precise nature of the Ombudsman's mandate (para. 192) and whether any violations of provisions of the Convention by state officials had been referred to the Ombudsman's office.

51. Mr. PILLAI asked the delegation to indicate to what extent NGOs had been involved in the preparation of the State party's periodic reports to the Committee and other United Nations treaty bodies.

52. He noted that the Ombudsman was empowered to receive and investigate individual or collective complaints filed by individuals to report any infringement of their rights on grounds of race or nationality; however, he was surprised that the periodic report under review gave no indication of the nature or number of complaints received by the Ombudsman. He asked for clarification on that point. He also asked to what extent the Ombudsman's activities were related to those of the National Commission on Human Rights.

53. Mr. CALI TZAY asked how many languages were spoken in the State party and at what educational levels they are taught. Noting that the Kyrgyz represented nearly 70% of the total population, he asked the delegation to clarify the nature of relations between the majority group and ethnic minorities. He also wondered how the principle of no racial discrimination was reflected in the Civil Code and the Penal Code.

54. Mr. THORNBERRY would like additional information on school curricula, and in particular whether they dealt with the country's various cultures and spoken languages and traced the history of the main ethnic groups living in Kyrgyzstan.

55. Noting that Article 34 of the Kyrgyz Constitution enshrined the principle of citizens' equal access to the public service, Mr. Thornberry asked what percentage of ethnic minorities held positions in the public service, particularly in the police and judiciary.

56. Mr. YUTZIS believed that Kyrgyzstan's periodic report did not contain sufficient information to give the Committee an accurate picture of social reality in Kyrgyzstan and, in particular, to characterize the level of coexistence between the Kyrgyz majority and the 90 ethnic groups living in the country.

57. According to a number of reports provided to Committee members, Kyrgyzstan was facing significant problems due to the recent increase in population growth, particularly in the field of employment, which could in the short term impair the country's economic development. Again, it appeared the State party had a considerable increase in rural depopulation on its hands, involving 250,000 persons belonging to various ethnic and national minorities.

58. Moreover, according to the 2007 report of the International Helsinki Federation for Human Rights, Kyrgyzstan had violated international standards of protection for asylum seekers. Mr. Yutzis asked the Kyrgyz delegation to indicate what measures were being taken to address problems created by rural-urban migration, to ensure the rights of minorities in the areas of housing and employment and protect asylum seekers.

59. The CHAIRPERSON, speaking as an expert, was surprised that even though several articles of the Kyrgyz Criminal Code, particularly Articles 134 and 229,

penalized acts of racism, the judiciary and the police had no record of any complaints of that nature. He recalled that Committee members did not necessarily consider the absence of reported cases or complaints of racial discrimination a positive indicator, for it could actually reflect citizens' inadequate awareness of their rights, victims' fear of reprisals or citizens' mistrust of the effectiveness of law enforcement and justice. In addition, numerous reports had in fact been received by the Committee that spoke of heavy racial and ethnic discrimination against minorities, including Uighurs, Chechens and some Islamic groups. Details of those issues would be welcome.

60. Mr. DJUMALIEV (Kyrgyzstan) said that his delegation would answer the many questions raised by Committee experts at the next meeting. He said the Kyrgyz authorities had nothing to hide and would provide full information on the measures taken by his government to prevent and combat racial discrimination in the country.

*The meeting rose at 5:55 p.m.*