

КЫРГЫЗ РЕСПУБЛИКАСЫНЫН
ЖЕНЕВА ШААРЫНДАГЫ
ТУРУКТУУ ӨКҮЛДҮГҮ



THE PERMANENT MISSION OF THE
KYRGYZ REPUBLIC
IN GENEVA

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**Address of the Minister of Foreign Affairs Askar Aitmatov
at the High Level Segment of the 61st Session
of the United Nations Commission on Human Rights**

Geneva, March 14, 2005

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Dear Mr. Chairman,

We hold in great esteem the United Nations Commission on Human Rights and the Office of the High Commissioner. They formulate the basis of a fruitful international cooperation in the field of human rights protection. Thereby providing an international legal environment conducive for the promotion of the global human rights agenda.

The situation in the field of human rights in many regions of the world is still daunting. We witness how international law is often interpreted in global politics for the benefit of geo-strategic interests of individual states or group of states. Interpretations for the benefit of geo-strategic interests eventually harm the principle of its universality. There are contradictory and ambiguous approaches in finding solutions to international problems that complicate the human rights activities in the world.

Practices of racial and gender discrimination, xenophobia, mass violations of human rights are aggravated in some regions and countries having ongoing-armed conflicts and domestic strives.

Negative aspects of the globalization process become more apparent and result in spillovers of destabilizing factors of regional and global security. These negative aspects include, first of all, international terrorism, religious extremism, trafficking of people, drug-traffic and organized crime. These complex global problems have a negative impact on the world situation in the fields of human rights protection and basic freedoms. International terrorism is one of the most

acute challenges needing the constant attention and global coordination efforts of the international community.

We fully support the statement of the UN Secretary-General Koffi Annan, expressed at the recent International Anti-Terrorist Conference in Madrid. He stated that we should not fight terrorism at the expense of basic values, including respect for human rights and abiding by the rule of law and we should not interpret the struggle against the evil of terrorism as an assault on basic human rights, including freedom of religion. As a result Kyrgyzstan supports the proposal for the creation of the position of Special Rapporteur; this person would inform the UN Commission on Human Rights with respect to the compatibility of antiterrorist measures with international standards in the field of human rights.

Dear Mr. Chairman,

The struggle against all forms of intolerance is inseparable from the struggle of human rights in general. The success of this process is mainly dependent upon strict implementation of the commitments by the UN member-states in the framework of existing universal human rights laws and regulations.

Kyrgyzstan is committed to its obligations with respect to the UN in the framework of the 30 basic Conventions and relevant UN protocols on civil, political, economic and cultural rights it has signed. In carrying out comprehensive reforms in our country we take every effort to adhere to the universal principles and provisions enshrined in them. The long list of international agreements, conventions, pacts and UN protocols we have joined and signed is the basis upon which we participate in the process of global human rights promotion.

In our country, the development of a comprehensive human rights protection structure, reinforced by our national legislation in compliance with the norms of international law is gradually taking form.

In particular recent years Kyrgyzstan has undertaken new important steps in this direction.

The adherence of Kyrgyzstan for protection of human rights is demonstrated, along with other factors, in the formulation a year ago of the Democratic Code of the people of Kyrgyzstan. This is a comprehensive document aimed at further development of the institute for the protection of human rights as well as strengthening rule of law and formation of the civil society. The Council for Democratic Security subsequently established aims to protect democratic achievements, enhance human rights institutions in Kyrgyzstan, as well as to protect rights and freedoms of the citizens. The improvement and perfection of guarantees and mechanisms of protection human rights and freedoms was the main aim for introduction of new amendment to the Kyrgyz Constitution which was adopted by referendum in 2003. For multiethnic Kyrgyzstan the implementation of the National Strategy "Kyrgyzstan – Our Common Home" signifies our firm and consistent commitment to promote human rights in the sphere of interethnic relations. Among the CIS countries Kyrgyzstan was the first to establish the Assembly of People of Kyrgyzstan which unites cultural centers of all ethnic groups living in the country and functions as an effective consultative body protecting the rights of national minorities and keeping interethnic harmony and interfaith tolerance.

Another National Strategy of our state "Kyrgyzstan – the Country of Human Rights" is being implemented for development together with the civil society a complex set of measures and mechanisms reinforcing the effectiveness of human rights activities. This initiative is aimed at strengthening the standards and norms of human rights in the activity of authorities and increasing public sense of justice.

The establishment of the post of Ombudsman (Akyikatchi) in 2002 as a representative for human rights has already proved itself an effective body for protection of rights and freedoms of all citizens in our country and is also a very

important step towards the strengthening of the human rights protection system. The Law on Ombudsman gave wide opportunities and power to this institution to defend the interests of people, controlling the protection of constitutional rights and freedoms of the individual and the citizens.

Dear Mr. Chairman,

The declaration of democratic goals and aims are supported by practical efforts on the state level providing a conducive environment for further development of political rights and freedoms.

We have in Kyrgyzstan actively functioning more than 40 political parties and more than six thousand non-governmental organizations in a country with population about 5 million.

As the most important achievement of the democratic development period we have a really working a **freedom of speech and freedom of press** with about 700 independent newspapers registered nationwide.

In cooperation with the US Department of State Kyrgyzstan created conducive conditions for establishment and functioning of the unique in the post Soviet space undertaking namely the independent printing house affiliated to the famous "Freedom House" organization with the aim to promote ideals of freedom of mass-media and training of local journalists in accordance with the international standards.

Special attention is given to **the freedom of religion** in Kyrgyzstan as well as to the strengthening of multi-ethnic confessional tolerance.

Judicial, legal and penitentiary systems are also in the reforming process. The system of education in the framework of human rights protection is being improved with the purpose to increase a legal knowledge among the citizens of the Kyrgyz Republic, as well as to foster their respect for law and the judicial system. The moratorium on death penalty is introduced in Kyrgyzstan

from 1998 and at present time on the agenda is the abolishment of the capitol punishment.

Dear Mr. Chairman,

I would like to reiterate the significant role of our cooperation in the field of human rights with international organizations and partner countries, including the United Nations High Commission on Human Rights.

Democratic processes in Kyrgyzstan, first of all, with respect to the protection of human rights, could not be realized in isolation from international cooperation and comprehensive dialogue where we always thankfully accept friendly recommendations as well as fair and objective criticism with which we are able to work out solutions that are appropriate to the situation.

At the same time we cannot accept subjective and one-sided approaches through the prism of abstract standards and requirements without taking into account the socio-political, cultural-historical peculiarities of our country that yet has been going through the painful period of transition from totalitarian past towards a democratic future. In our view the human rights dialogue should be a two way street based on mutual respect, good faith and patience. We therefore hope for more balanced and objective assessments, as well as deeper understanding of the specific local conditions, cultural, ethnic and national traditions. Western centric approaches, double standards and unilateral attempts to impose democracy from outside are counter productive. We are firmly convinced that democracy has to grow from inside the society and correspond to historical practice and experience of the country. It must organically penetrate into the peoples' consciousness, and only in this manner can a democracy strongly take roots in the society.

Dear Mr. Chairman,

We give a great importance to our cooperation with the UNHCHR both on bilateral level and in regional dimension.

Consequently we fully support its initiative on implementation of a four-year Central Asian regional project aimed at enhancing public knowledge and comprehension of human rights issues with respect to fundamental freedoms and strengthening of regional mechanisms, for encouragement of the protection of human rights.

Kyrgyzstan is always open for dialogue with the Commission and its special mechanisms. In 2004, the Independent Expert of the CHR on the effects of structural-adjustment policies and foreign debt with respect to human rights, visited our country. He will submit a report on his visit to Kyrgyzstan during the present session. I would also like to mention that the Special Rapporteur on the Independence of Judges and Lawyers has been invited by our government to visit this year.

In our country the respective judicial, state and governmental bodies are involved in the consideration of every detail of infringement or violation of human rights. We always follow the fundamental and universal principle of the rule of law in strict accordance with national legislation and Constitution of Kyrgyzstan. In situations where democratic institutions have not yet taken deep roots and the population in countries such as Kyrgyzstan having low levels of legal awareness, we inevitably will have issues of human rights violations and fundamental freedoms in future. We have to work hard to overcome these and other obstacles on the way to building a truly democratic and law-abiding society. We will continue to cooperate closely with the UN Human Rights Commission and count on its support to tackle the existing problems jointly.

Mr. Chairman,

As it is well known, free elections demonstrate the will of the people and are one of the most important criteria for the realization of their political rights.

The run-off parliamentary elections were held yesterday, on March 13, 2005 in Kyrgyzstan. They became an important test for the democratic maturity of our society. The election of new Parliament signified an important stage in transformation of our political model from presidential to presidential-parliamentary system. It is with great satisfaction that I may acknowledge that the elections to the national Parliament were conducted in accordance with our international obligations in transparent, fair and democratic manner and demonstrates high level of competitiveness.

The following important factors contributed significantly to elections fairness and transparency.

For the first time in our elections we used the indelible ink, transparent ballot boxes, improved election legislation, advanced election technologies and procedures.

The monitoring of the election process was provided by broad and free participation of local and foreign representatives of mass media and 6 thousand local and foreign observers.

While it seems obvious that some shortcomings and violations in pre-election period and during the elections occurred, they by no means have affected the open and free character of the overall electing process.

Elections in Kyrgyzstan coincide with a landmark event in our cooperation with International Financial Institutions and donor countries. During the recent meeting of the Paris Club, held few days ago the decision has been taken to relieve 60% of the bilateral debt of our country. The other 40% will be restructured on favorable conditions. This fact demonstrates the support of the international community of our ongoing democratic and economic reforms.

Mr. Chairman,

In the framework of the current discussions of the United Nations reform, I would like to make some proposals regarding the ways to increase the effectiveness of the Commission on Human Rights.

Out of 101 recommendations of the High-level group (HLG) five were connected with functioning and reforming of the Commission. We support the proposal of the HLG to appoint well-known and experienced human rights experts as Head of delegations of the Commission.

No doubt, this initiative would contribute to the improvement of the work of this important institution in terms of practical implementation of the UNHCHR decisions. We believe it is important that the members of Consultative Board should be composed in accordance with the principle of equal geographical representation. It is also desirable to review the methods of appointing members of the Board, their functional duties and terms of their assignments.

We are ready to support the proposal of the UN High Commissioner on Human Rights to prepare the annual report on human rights situation in the world. At the same time, we would like to call the respectful Commission to be more objective and balanced in its assessments while working on the country report. For example, double standards and use of incorrect information in the reports of the Commission that could be used as an instrument of political pressure for bargaining among countries should be avoided.

With respect to this, I couldn't but support the thesis that as of recently the so-called country resolutions of the UN General Assembly on human rights have become more politically motivated. The evidence of this was apparent in the recent results of voting in the Assembly, vividly showing the difference of the delegations' opinions. I believe that it is important to pay due attention to this issue, since according to the opinions of some delegations, these resolutions pursue goals other than promotion of human rights. I think that attempts of

unilateral and prejudiced non-situational consideration of serious issues on human rights do not promote constructive cooperation in this area.

We support the Agenda of the 61st UNHCHR Session, and consider it as a comprehensive document which includes the most actual issues of the global human rights agenda. Our delegation will actively contribute to the effective and productive work of our Forum.

In conclusion, I would like to reaffirm the commitment of the Kyrgyz Republic to its obligations on human rights and broad cooperation with the UNHCHR before the United Nations and other international organizations in protecting human rights and express our determination to follow consistently the path of further democratic development. We have no other alternative.

Thank you for your attention