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KYRGYZSTAN

Unsustainable situation for IDPs and returnees

In June 2010 a brawl in the southern capital of Osh sparked four days of clashes between ethnic Uzbeks and Kyrgyz. Many of the predominantly Uzbek neighbourhoods were looted and burned to the ground, and at least 426 people of both ethnicities were killed.

Some 300,000 people were internally displaced and about 90,000 refugees, primarily ethnic Uzbek women, children and elderly people, fled across the border into Uzbekistan. Most of those displaced have since returned to their places of origin; some people arrived to find their houses in ruins, but the majority of them took shelter with hosts rather than in conventional camps.

The government response has been compromised by its lack of funds and limited local capacity, though several initiatives have benefited IDPs. International humanitarian organisations rolled out a formal cluster approach in July 2010, which has responded to the most urgent needs of the affected population.

Given reported general discrimination by ethnic Kyrgyz local authorities against ethnic Uzbeks, ongoing fears for personal security, corruption in the reissuing of documentation, high unemployment rates, the prospects of reparation, reconstruction and reintegration for IDPs and returnees look dim.

Outstanding issues for IDPs continue to be physical and food insecurity, arbitrary arrests, biased rule of law, the replacement of documentation, and limited access to psycho-social support, livelihoods, health care, education materials, sanitation and hygiene development.

Background and causes of displacement

Forced displacement in Kyrgyzstan resulted in 2010 from violence between ethnic Uzbeks and Kyrgyz in the southern *oblast* (region) of Osh, intertwined with recent political developments in the country. Similar clashes in Osh in 1990, in which at least 300 people were killed, left a legacy of mistrust as the causes of the violence were never fully addressed (HRW, 17 August 2010, p.15; IWPR, 25 June 2010). Some observers have argued that the portrayal of the conflict as inter-ethnic is misleading: ethnicity became relevant only as a result of social pressures, economic hardship and political malpractice (Open Democracy, 28 June 2010; IWPR, 25 June 2010).

Ethnic Uzbeks make up 40 per cent of the population of Osh and 50 per cent in neighbouring Jalalabad, but the local governments are dominated by ethnic Kyrgyz (AI, 16 December 2010, p.6; ICG, 23 August 2010, p.1). Uzbeks are generally well represented in the private sector, but there is still a culture of discrimination against them consistent with their political under-representation.

Violent demonstrations in the capital Bishkek in April 2010 left 87 people dead and more than 1,000 injured. They also led to the dissolution of parliament and the ousting of former president Kurmanbek Bakiyev. A provisional government led by interim president Roza Otunbaeva set out to establish a more democratic Kyrgyzstan but, just as in 1990, ethnic Uzbek calls for greater representation met with Kyrgyz resistance (ICG, 23 August 2010).

In June, a brawl between ethnic Kyrgyz and Uzbek men in Osh sparked four days of intense violence in the *oblasts* of Osh and Jalalabad (HRW, 17 August 2010, p.25). While the facts of the violence remain unclear, residents of the hardest-hit cities and surrounding areas in Osh and Jalalabad witnessed the systematic destruction of ethnic Uzbek

neighbourhoods at the hands of mobs who either overwhelmed or were aided by state forces (HRW, 17 August 2010, p.29).

The government put the death toll at 426, but some officials said it could have been as high as 2,000 as traditional practices meant many bodies were buried within hours without being registered at a morgue (RFE/RL, 18 January 2010; Guardian, 18 June 2010). A national commission set up to investigate the causes and consequences of the fighting released figures showing that of the 381 bodies officially identified, 276 were ethnic Uzbek and 105 were Kyrgyz (RFE/RL, 18 January 2010).

Of some 2,000 houses looted and burned, most were damaged beyond repair (USAID, 17 September 2010, p.2). Despite the casualties, destruction of property and displacement suffered by the Kyrgyz, ethnic Uzbeks bore the brunt of the violence and have since faced additional difficulties. Uzbek neighbourhoods were mostly left in ruins, and in some multi-ethnic areas untouched Kyrgyz houses stood beside demolished Uzbek properties (AI, 16 December 2010). However, there were also reports of Uzbeks and Kyrgyz sheltering each other and defending their neighbourhoods from attack (Open Democracy, 28 June 2010).

IDP and returnee figures

The fighting uprooted some 400,000 people, of whom about 90,000 ethnic Uzbeks, mainly women and children, fled to neighbouring Uzbekistan (UN News Centre, 17 June 2010; UNHCR, 23 July 2010). Urged by the government of Uzbekistan and visiting Kyrgyz officials, the refugees returned quickly and by the end of June most of the refugees and IDPs had returned to their homes (UN OCHA, 21 December 2010, p.12; ICG, 23 August 2010; US State Department, 27 July 2010; Eurasianet, 29 June 2010). As those displaced began to return, the international humanitarian

community shifted its efforts from refugee support in Uzbekistan to returnee and reintegration assistance in Kyrgyzstan (UN OCHA, 21 December 2010, p.5).

The number of ethnic Uzbek and Kyrgyz people who fled within the country, and the number who were able to return to their homes, was less clear. There has been no comprehensive assessment of the number of IDPs and returnees. Some conventional IDP camps were set up, but most IDPs took shelter with extended family and friends. Legislation on internal migration refers to conflict-induced internal displacement, but employs the term 'forced migrant' instead of 'internally displaced person'. Forced migrants are required to register with the authorities within five days of their displacement (Government of Kyrgyzstan, 28 June 2002, art.38). Few IDPs registered their move.

In July 2010, international humanitarian agencies adopted an operating figure of 75,000 IDPs who were either unable to return to their destroyed houses or were too fearful to return. This figure was based on a series of rapid assessments and the number has probably fallen since then. The agencies also estimated that 400,000 people in Osh, Jalal-abad and Batken, including IDPs, returnees, hosts and others were directly affected (UN OCHA, 21 December 2010, pp.5,12).

Physical security and integrity

There have been no clashes in the south since June 2010, but inter-ethnic tensions remain high. Ethnic Uzbeks, including IDPs and returnees, suffered the vast majority of arbitrary arrests and reported incidents of torture in the immediate aftermath of the violence and in the months that followed (UNHCHR, 20 July 2010; AI, 16 December 2010, p.25). The police's harassment of ethnic Uzbeks for personal documents reportedly reached the point where some Uzbek IDPs and returnees avoided visiting market places (IDMC in-

terview, 14 January 2011). Though, the police also reportedly harass other groups (HRW, 20 January 2010).

One returnee said he was suffering from insomnia, unable to sleep for fear of nighttime arrest or attack. In the hard-hit neighbourhood of Cheremoshki in Osh, returnees said soldiers would drive past yelling insults at them, and at night unknown assailants would break into houses, beat people and steal their belongings (IDMC interview, 13 January 2011). Many ethnic Uzbeks choose not to file complaints for fear of reprisal beatings, and when incidents have been reported the judiciary has failed to provide effective investigations or fair trials (AI, 16 December 2010; IDMC interview, 13 January 2011; UNHCHR, 20 July 2010).

In late 2010, rumours that the security forces were raiding houses in pursuit of terrorist suspects added to the fear among Osh residents (IWPR, 29 November 2010). Seven months after the violence, in many reconstructed homes, only the men were staying overnight while the women and children visited during the day or stayed with their hosts due to security fears (IDMC interview, 13 January 2011).

According to humanitarian agencies addressing gender-based violence (GBV), at least 600 people survived gender-based attacks including physical, psychological and sexual violence since the early June 2010 clashes, and an estimated 70,000 women, girls and boys lack awareness of GBV issues (UN OCHA, 21 December 2010, p.37).

Access to basic necessities

IDPs and returnees have relied primarily on international humanitarian assistance for basic necessities. Other governments have also directly provided funding for these groups. Even though the overall water, sanitation and health care situ-

ation is still problematic, IDPs and returnees have been more concerned about the provision of food and shelter.

Food

Food prices have increased and the cost of wheat has more than doubled as a result of disruption to markets and distribution networks (Eurasianet, 29 July 2010; World Bank, 15 February 2011; WFP, 22 February 2011). The World Food Programme (WFP) has scaled down the rations which it has been delivering to 240,000 directly affected people, but in recognition that many IDPs, returnees and other vulnerable groups in rural areas have few alternative food sources, it plans to provide a protracted relief and recovery operation (IDMC interview, 17 January 2011).

Shelter

International agencies managed to rebuild one or two rooms in the 2,000 houses damaged or destroyed in Osh and Jalal-abad, and provide adequate heating equipment, by December 2010 (UN News Centre, 3 December 2010). The Asian Development Bank may support further refurbishment of these houses (IDMC interview, 11 January 2011).

In addition to the international reconstruction effort, IDPs' and returnees' access to housing was supported by the State Directorate for Reconstruction and Development (SDRD). The SDRD offered two options to families whose homes had been damaged or destroyed: a one-off grant worth around \$1,000, or a mortgage-style loan of approximately \$4,200 (Akipress, 17 December 2010). 84 per cent of returnees opted for the one-off grant in the belief that taking out a loan without any employment prospects in the near future would add to their financial problems (Akipress, 17 December 2010; IDMC interview, 17 January 2010).

Extortion in the collection of electricity bill payments is a recurring complaint raised by return-

ees and this has yet to be effectively addressed. Returnees in various neighbourhoods said collectors were overcharging, even for months during which their houses were still in ruins (IDMC interviews, 13 January 2011 and 16 January 2011).

Enjoyment of economic, social and cultural rights

Housing, land and property rights

Many IDPs and returnees have continued to face obstacles in registering and replacing their lost or destroyed documents proving ownership of their homes. Post-crisis efforts exposed a complex bureaucratic system, in which inheritance was often not documented (IDMC interview, 14 January 2011). In addition, some people never registered their homes, while those who had previously held registered documents struggled to replace them because officials requested bribes (IDMC interviews, 14 January 2011 and 16 January 2011). Those without documents were still eligible to have their houses rebuilt and to receive financial support from the government, but the process and associated bribes often placed an extra burden on IDPs and returnees.

In the mountainous southern region, fertile land is a valuable resource and in late 2010, some 500 Kyrgyz attempted to grab ethnic Uzbek land near Osh (RFE/FL, 9 November 2010). The governor of Osh region succeeded in restoring the land to its Uzbek owners, but the incident illustrates existing attitudes towards land and the tense nature of inter-ethnic relations (RFE/RL, 9 November 2010).

Development schemes

Local authority discussions about development schemes that include the demolition of housing have left many IDPs and returnees in Osh and Jalal-abad feeling threatened.

In the wake of the June 2010 violence, the mayor of Osh, Melis Myrzakmatov, announced a local

reconstruction plan that includes the demolition of some neighbourhoods to make way for multi-ethnic apartment blocks (Eurasianet, 15 August 2010). The plan is unconfirmed, and while development programmes are the prerogative of the national government, the concern is that local residents as well as returnees still in the process of reintegrating could be forced from their homes without due consultation, consent, compensation or adequate remedies (IDMC interview, 13 January 2011).

Local authorities have also produced plans for road expansion projects, some of which designate houses of returnees and others for demolition. In Jalal-abad, returnees said officials had only shown them the plans if their property was to be affected, telling them that their houses would need to be pushed back several metres to make way for a widened road. Residents were not aware of any relocation offer, compensation or adequate remedy for such initiatives (IDMC interviews, 16 January 2011 and 17 January 2011).

With IDPs and returnees still struggling to rebuild their lives after the unrest, cases of land grabbing and intimidation, and the lack of adequate consultation on development initiatives pose additional obstacles to their property rights and reintegration.

Unemployment

Hundreds of shops and cafes, most of which were ethnic Uzbek enterprises, were destroyed in the June 2010 violence, leaving many in the minority community unemployed and without alternative sources of income (UN OCHA, 21 December 2010, p.92). Given the lack of employment, about 40,000 labour migrants have left southern Kyrgyzstan between June and November 2010, mainly for Russia (Al Jazeera, 14 June 2010; UN OCHA, 21 December 2010, p.23).

Some national government decrees have promoted business activity for those who were directly

affected by the clashes, but most have focused on urgent needs such as household tax breaks, compensation and grants (Government of Kyrgyzstan, 19 June 2010 and 28 June 2010).

Education

Two ethnic Uzbek schools were destroyed in the violence, leaving IDP and returnee children in some areas to commute to new schools. There have also been reports of ethnic Uzbek children being physically assaulted on the way to school. Unicef is providing a shuttle service to students who have been assigned to a new school. In a significant change in the education sector, students who previously attended multi-ethnic schools now go to schools that cater for pupils of the same ethnicity in an effort to ensure their security (IDMC interview, 13 January 2011; Unicef, unpublished draft). A nationwide shortage of teachers and textbooks, as well as displaced families' inability to pay for uniforms, warm clothes and learning materials, has worsened the accessibility and quality of education for internally displaced and returnee children, with dropouts reported (Save the Children, 15 December 2010).

Enjoyment of civil and political rights

The loss of personal documents continues to pose a challenge for IDPs' and returnees' reintegration. Despite the assistance of mobile legal aid clinics set up by the Centre for Support of International Protection, a national NGO in partnership with UNHCR, many of those affected have struggled to afford the processing fees associated with replacing their documents (IDMC interviews, 14 January 2011 and IDMC 16 January 2011). With Transparency International ranking Kyrgyzstan as one of the most corrupt countries in the world, IDPs' and returnees' problems in having to pay bribes to process documentation are unlikely to ease in the near future (TI, 15 November 2010).

There is generally little confidence in the rule of law and the justice system in Kyrgyzstan (IDMC interview, 13 January 2010). Regardless of the fact that more ethnic Uzbeks were killed or lost their property and belongings, they make up the majority of those arrested for crimes committed during the unrest (AI, 16 December 2010, p.27; HRW, 16 August 2010, p. 60). The prominent human rights defender Azimzhan Askarov, who was vocal about discrimination against ethnic Uzbeks, was sentenced to life imprisonment for his alleged role in the June 2010 violence (FIDH, 11 February 2011). Impunity for perpetrators of human rights violations prevails as many investigations and court proceedings are neither independent nor impartial (AI, 16 December 2010, p.27).

Prospects for durable solutions

A durable solution to internal displacement may be achieved through return to the place of origin, integration in the place of displacement or settlement elsewhere in the country (IASC, April 2010, p.5). As most IDPs have returned to the general vicinity of their place of origin, return appears to be the most preferred settlement option. However, the obstacles described above leave returnees with many outstanding issues to overcome before their return is either viable or sustainable. As one returnee woman said: "We returned to our town and house but we don't feel at home." (IDMC interview, 16 January 2011). Support for durable solutions is needed from the outset of displacement, and should include participation of IDPs in the planning and management of the durable solutions process.

National response

The national response has been compromised by domestic politics, lack of funds and limited local capacity and technical expertise. The SDRD also has no permanent mandate. Decrees issued by the

provisional government recognised the need for assistance and remedies for the displaced and returnees. Some observers report that efforts at providing a neutral national inquiry into the events of June 2010 as part of the reconciliation process are crippled by ethnic bias (AI, 16 December 2010, p.15; HRW, 17 August 2010, p. 85).

The administration of Osh's mayor has proved able to defy the more moderate central government (ICG, August 2010, p.6; Eurasianet, 19 August 2010). Parliament agreed on a new government in December 2010, with a coalition formed between the nationalist Atu-Zhurt party, the centre-left Social-Democratic Party of Kyrgyzstan and the Respublika party, which campaigned on a platform stressing the ethnic diversity of Kyrgyzstan. With Atu-Zhurt holding the most seats, however, parliament will probably sidestep difficult issues concerning ethnic Uzbek under-representation in the south (Reuters, 17 December 2010; Al Jazeera, 9 October 2010).

International response

The international humanitarian community responded to the June 2010 crisis with a cluster approach that responded to some of the most urgent humanitarian needs. The UN Flash Appeal, which outlines the overall humanitarian approach through to June 2011, required a third re-drafting in November 2010 to address the movement of returnees and a 40 per cent shortfall in funding (UN OCHA, 21 December 2010, p.5). Prominent humanitarian donor support from the United States and the Central Emergency Response Fund (CERF), and earmarked funds from UN agencies are now shifting to early recovery activities.

UNHCR is the lead UN agency working on IDP and returnee issues and leads the protection cluster. The Office of the High Commissioner for Human Rights (OHCHR), the UN children's fund (Unicef), and the UN Development Fund for Women

(UNIFEM) together with the UN Population Fund (UNFPA) head the respective sub-clusters on human rights, child protection and GBV. The UN Population Fund (UNFPA) and the International Medical Corps (IMC) are working to improve support for GBV victims and to raise awareness (IMC, 14 December 2010).

The Danish Refugee Council, in partnership with UNHCR, has given over 2,000 consultations on documentation issues and has helped to replace almost 300 deeds of ownership (IDMC interview, 18 January 2011). The Norwegian Refugee Council (NRC) is providing information, counseling and legal aid to affected entrepreneurs on replacement of lost or destroyed documents for small and medium-sized businesses. The international community plans to roll out a number of additional livelihoods and community restoration projects in 2011.

After months of deliberation and resistance from the mayor of Osh, the Organization for Security and Co-operation in Europe (OSCE) agreed to provide advice and support to police reform in Kyrgyzstan, albeit with a watered-down mandate (Eurasianet, 22 November 2010; OSCE, 18 November 2010). The project will focus on rule of law, respect for human rights, protection of vulnerable persons and confidence-building between the police and local communities.

For more information on internal displacement in Kyrgyzstan, see the [country page](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people.

In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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