

**Anti-Discrimination Centre Memorial,
Human Rights Movement BirDuino Kyrgyzstan**

**Alternative Report
to the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their
Families**

**Articles 7, 8, 9, 10, 16, 22, 23, 24, 25, 30 of the International Convention on the Protection of the
Rights of All Migrant Workers and Members of Their Families**

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Preface

**On the obligations of the Kyrgyz government to protect the rights of Kyrgyz migrant workers and on
the problems that arise in relation to this**

ADC Memorial welcomes the fact that Kyrgyzstan has ratified the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and thereby declared its readiness to support Kyrgyz nationals forced to work abroad, including in the Russian Federation. Participation in this Convention binds countries to actively protect the rights of migrant workers, collect information about any problems that arise, analyze this information, and respond to all violations.

However impressive these obligations sound, they are in fact terribly difficult to realize since this Convention is violated all the time in Russia, a country that has not signed or ratified it. Nevertheless, Kyrgyz representatives in Russia have the opportunity to raise the issue of migrant worker rights at the diplomatic level and work with the Russian government on this topic.

In this context, we welcome the series of measures that the Embassy of Kyrgyzstan in Russia has taken at various times to protect its citizens living and working in Russia. Unfortunately these measures have clearly not been sufficient.

It is very important and necessary for diplomats to visit centers where people charged with violating migration rules are confined.¹ Foreign nationals usually languish for years in these centers, where detention conditions can be worse than in a regular prison. Diplomats can help speed up the process for releasing these prisoners and sending them home, usually by helping to establish their identities, which is something that can only be done by the country of origin. However, visits to these centers (formerly known as Foreign National Detention Centers and now called Special Institutions for the Temporary Detention of Foreign Nationals) are rare, while the number of migrants held in them is only growing and more and more of these centers are being opened. The government of Kyrgyzstan is not doing enough to support migrants lacking documents, even though that kind of assistance is vital for people who have been confined for months, and sometimes years, just because their papers have been lost or completed incorrectly.

A separate problem is the violation of the social and economic rights of migrant workers from Kyrgyzstan. These migrants frequently do not receive their salaries, and lawyers from the Kyrgyz Embassy in Moscow

¹ For example, in 2013 embassy officials visited Foreign National Detention Center No. 1 of the Main Directorate of Internal Affairs in Moscow <http://www.dcsmfafa.kg/>

have been known to help secure payment (generally outside of court)². But these efforts are clearly not enough. Even when migrants file complaints with courts about failure to pay salaries on a large scale, the diplomatic services of their countries of origin do not support them by appearing with them in court, protesting in the mass media, or attempting (as far as we know) to lodge claims with the Russian government. Responses are required to the violation of migrant rights not only by employers, but also by intermediary firms that perform job placement services for migrants. The rights of the children of migrant workers are also not protected by the governments of their countries of origin, even though they are grossly violated in Russia, where children cannot stay in the country for more than 90 days in a row without citizenship or temporary residence permits. This means that children are not legally allowed to live with their parents or attend school.

The last thing that needs to be mentioned in evaluating the role played by Kyrgyz diplomats in protecting the rights of migrant workers in Russia concerns Ambassador Raimkul Attakurov's 2009 attempt to convince Russian nationalists not to kill or attack Kyrgyz citizens. As the ambassador stated, "The causes for this are tragic events, the deaths of our fellow citizens. As a diplomat I am bound to find ways to protect the interests of my fellow citizens. So I had this unusual idea to meet with people who have influence with Russian nationalist organizations, to speak with them, to show them Kyrgyzstan, where our people live in peace and harmony. We are just like you, we were born and raised in one country. We even proposed a friendly soccer match between a Kyrgyz team in Moscow and members of the Slavic Union."³

The Kyrgyz government really did invite to Kyrgyzstan, at its own expense, leaders of nationalist organizations banned in Russia (like Slavic Union), specifically Dmitry Demushkin, who is notorious for his lack of tolerance for migrants from Central Asia republics. While we support in general the fact that Kyrgyz diplomats are concerned with the fate of victims attacked by racists, it must be said that lavishing free trips on nationalists and attempting to make nice with them so that they do not kill Kyrgyz migrant workers is amoral and makes no sense whatsoever.

There is no doubt that the Kyrgyz government must respond in a consistent manner to all displays of racism and xenophobia against its citizens, and especially to attacks and killings. The Kyrgyz government must ensure that Russian authorities adequately prosecute these criminals and react forcefully to all hate crimes.

Despite the obvious difficulties involved with working to protect the rights of migrant workers in Russia, Kyrgyz representatives have a number of important tools at their disposal to fight for the rights of Kyrgyz citizens and are not making full use of the potential for diplomatic opportunities in this area.

Articles 7, 8, 9, 10, 16

Migrant Workers of Uzbek Descent from Kyrgyzstan: Hidden Refugees

1. Bloody ethnic clashes raged over several days in the summer of 2010 in Osh and Jalal-Abad provinces, Kyrgyzstan. It is estimated that 600 to 2,000 people, mostly ethnic Uzbeks, perished during this time. A mass exodus of Uzbeks from South Kyrgyzstan followed, but Uzbekistan refused to accept these refugees, so many of them attempted to enter Russia or Kazakhstan, where their only option for legal entry was as migrant workers, since they had almost no chance of being granted refugee status.

²http://www.csip.kg/images/docs/presentation/Report_2013.pdf

³http://news.bbc.co.uk/1/hi/russian/sport/newsid_7859000/7859907.stm

2. One witness who later moved to Russia told a staff member from ADC Memorial about what he and other Uzbeks had to endure in Osh in 2010:

“Osh is the second largest city in Kyrgyzstan after Bishkek. The population of the city and its environs is 500,000. Most residents are Uzbek living alongside Kyrgyz and Russians. Several Uzbek television channels operate in the city, including Mezon TV and Osh TV, which cover political life.

“The pogroms and clashes started on 10 June 2010. Prior to this, on April 7, President Kurmanbek Bakiyev was ousted after popular demonstrations. The temporary government headed by Roza Otunbayeva took full control, but the conflict intensified because the ousted president and his relatives did not want to relinquish their power. They organized mass riots four times, resulting in the death of people. On June 10, a wave of violence swept over the cities of Osh and Jalal-Abad and spilled over into all the neighborhoods of these cities. The authorities did nothing to stop the bloodshed and even contributed to it by encouraging Kyrgyz people entering the cities to rob and kill Uzbeks. Covered by armored vehicles from the army, the pillagers broke into homes and robbed and murdered people.

“People weren’t just killed—they were brutalized, cut, burned alive. And there was no mercy shown for women, children, or the elderly. In an instant the streets were transformed into battlefields. Buildings in flames, the wounded and the dead, speeding tanks carrying soldiers in armor firing wildly, crowds of armed pillagers chasing their fleeing victims. All these images of genocide stood out against the swirling smoke of burning neighborhoods like nightmarish ghosts.

“The violence continued for three days and three nights, and after it was over the authorities started looking for the guilty parties. The propagandists immediately came up with charges of ‘separatism’ and ‘Wahhabism’ to justify the events in the eyes of the world. And once again, the Uzbeks were made out to be the guilty ones even though they were the people who had been forced to protect their families, their children, and their homes, and who had built barricades against tanks and staved off the pillagers. Now these men are sitting in prison, many serving life sentences, along with Uzbeks the police planted drugs and weapons on and those who couldn’t pay the bribes needed to get out.

“Four hundred thousand refugees were able to take shelter in neighboring Uzbekistan, but only for a short time. Uzbekistan did not interfere, limiting itself only to minimal assistance, and pretty much left the Uzbeks to the whims of fate, just like other countries. Shortly thereafter, the Uzbek authorities duped the refugees into returning to Kyrgyzstan on busses that were specially adapted for this. So these people were trapped between hell and hell.

“Nationalist Kyrgyz occupied the homes of the Uzbeks who had sought refuge from the mass killings. It was only possible to return the homes to their owners after the International Commission of the OSCE got involved. It’s possible that this was all a part of the plans of the pogrom organizers and abettors. It’s much easier to drive out the Uzbeks and occupy their homes than it is to develop the economy of a destitute country and resolve social problems. It’s much simpler to distract people from their own problems, ignite ethnic hatred, and force your way into power regardless of the cost. And people paid for these political games with their lives.”⁴

3. Migrants of Uzbek descent in Russia face the danger of being arrested and handed over to Kyrgyzstan at the request of customs authorities. The Kyrgyz authorities have filed charges against many of these people related to their alleged participation in the unrest and many have been placed on international wanted lists. At the request of the Prosecutor General’s Office of Kyrgyzstan, Russian law enforcement agencies are prepared to hand over the alleged “criminals.” It is important to note that the documents presented by the Kyrgyz side are frequently missing convincing evidence of participation in illegal activities on the part of the individuals being prosecuted, which puts into question the very grounds for criminal prosecution or extradition.
4. For example, in 2012 an extradition ruling was issued for the ethnic Uzbek M. during proceedings on his request for refugee status. Twenty-five-year-old M. came to Russia in August 2010, not long after

⁴ Interview with an Uzbek refugee from Osh published in *Antifashistsky motiv*, No. 11: <http://adcmemorial.org/www/4477/html>

the ethnic clashes in Osh, Kyrgyzstan. He was granted a temporary residence permit in Russia for a period of three years, but he was arrested at Ladozhsky Railway Station in Saint Petersburg on 29 October 2012. The court took him into custody for the purpose of extradition. As it turned out, M. had been on an international wanted list since 2011 because he had been indicted in absentia for causing mass unrest in Osh and for kidnapping. On 23 November 2012, the Prosecutor General of Kyrgyzstan sent a request to the Russian authorities to extradite M. and on 13 August 2013 the request for extradition was complied with. ADC Memorial worked with attorneys to appeal the decision to extradite. The appeal noted that M.'s life would be in serious danger in his homeland because he was an ethnic Uzbek. The attorneys sent requests to the UNHCR, Human Rights Watch, and Amnesty International asking for information about the situation for ethnic Uzbeks accused of participating in the June 2010 events in Osh and for an assessment on the risk of extraditing people in this category for criminal prosecution. These respected international organizations confirmed that there was a real risk of torture for these ethnic Uzbeks, that criminal cases were being fabricated against them, that they were being tortured in custody, and that their right to a fair trial was not being observed.

5. On 26 November 2013, the Saint Petersburg Municipal Court granted the appeal, reversed the ruling of the RF prosecutor general to extradite M., and released M. from custody in the courtroom. The court agreed with the attorneys' arguments that the documents sent by the prosecutor general of Kyrgyzstan contained a number of contradictions, including the claimant's date of birth and the spelling of his name. During the extradition review, which lasted over nine months, the RF Prosecutor General's Office did nothing to clear up these contradictions and, indeed, turned a blind eye to obvious discrepancies in classifying the claimant's actions leading up to the demand for his extradition. Also, the decision on extradition was adopted while proceedings to determine refugee status were underway, which is inexcusable. The court noted that the description of events was not consistent with the wording of the charges in the extradition case file, which meant that it was impossible to establish the specific actions in relation to which extradition was being requested and to compare the correspondence of *corpus delicti* in the RF and Kyrgyz criminal codes.
6. The court also took into account the position of the UNHCR in the RF that there was a risk that the claimant would be subjected to unlawful treatment in Kyrgyzstan and that the possible consequences of extradition had not been researched; and the position of the European Court of Human Rights (ECHR) that ethnic Uzbeks in Kyrgyzstan had faced the risk of torture and inhuman treatment and unfair criminal prosecution under fabricated charges since 2010 and that in general they are the most vulnerable population group in the country.⁵
7. It was under similar conditions that in May 2012 the RF Prosecutor General granted a request to extradite the Uzbek N. and then reversed its decision only after the intervention of the ECHR, which demanded that extradition be denied.⁶
8. The ECHR issued a decision in the case of Makhmudzhan Ergashev v. Russia on 16 October 2012. The court ruled that Article 3 of the European Convention on Human Rights (banning torture and inhuman treatment, including sending individuals to countries where they face the real danger of treatment banned by this article) would be violated if the claimant (a Kyrgyz citizen of Uzbek descent) were to be extradited. This was the first time that the ECHR handed down a ruling in the case of an Uzbek concerning threats of torture and inhuman treatment in the event of a return to Kyrgyzstan.⁷
9. This ruling was key in the case of S., another Uzbek from Osh who was also threatened with extradition. He started living in Saint Petersburg in December 2011, but in March 2012 he was detained by police officers and sent to a pretrial detention facility. While he was there, he received a notification that the RF Prosecutor General's Office had made the decision to extradite him. Working with attorneys, ADC Memorial filed an appeal stating that this decision was illegal. The Saint

⁵<http://www.memo.ru/d/180085.html>

⁶<http://amnesty.org.ru/node/2610/>

⁷ ibid

Petersburg Municipal Court upheld the appeal and reversed the decision issued by the deputy prosecutor general of Russia to extradite S. for criminal prosecution in Kyrgyzstan. The attorneys were able to prove in court that there was a real risk of torture or other inhuman treatment and punishment and that ethnic Uzbeks in Kyrgyzstan would not be given a fair trial after the ethnic clashes that took place in Osh in 2010. Notably, the court referenced ECHR practice in similar cases, particularly in the case of Makhmudzhan Ergashev v. Russia. Thus the ruling on extradition to Kyrgyzstan, where the claimant faced torture, was reversed and the claimant was released. The prosecutor's office filed an appeal to this ruling with the Court, but the attorney O. Tseytlina was able to provide evidence supporting the defense's position and convince the Supreme Court judges that the ruling issued by the Saint Petersburg Municipal Court to reject the extradition of an ethnic Uzbek to Kyrgyzstan was correct.⁸

10. Nevertheless, there are plenty of cases where judges and prosecutor's offices uphold extradition rulings and ignore the threat of torture and inhuman treatment that these people will face when they are returned to their country. On 24 July 2013, the Saint Petersburg Municipal Court upheld an extradition ruling in the case of T., an ethnic Uzbek who fled Kyrgyzstan for Russia after the events of 2010. The attorney O. Tseytlina has filed an appeal with the Supreme Court, but there has been no word on when this appeal will be heard.⁹

11. It is telling that even individuals who were not charged with any violence (actual or attributed) are still subjected to repressions for participating in the events of the summer of 2010. For example, B., a director and documentary film maker who opened the world's eyes to the truth about the horror of the ethnic conflict in Osh through his videos, appealed to ADC Memorial for assistance in 2010.

"By that time all the equipment and even the offices of the television stations broadcasting the news from Osh were destroyed and the city was in a sort of information blockade for a period of time. There just wasn't anyone or anything to record everything that was happening around us, all the horrors, all the carnage. But it was absolutely necessary to document all of this. To record this so that it would remain a part of history. People uploaded photographs and videos to the Internet or passed them on to people in neighboring countries, where they could be broadcast to the entire world.

"In those initial moments, there basically were no other journalists reporting on these events. I just had to take my camera and walk around the city. From one neighborhood to the next. From one mahalla to the next. Then Al Jazeera, Vesti, and CNN used these videos."

12. B. was able to leave for Russia, where he applied for citizenship under a streamlined process, since he was born before 1991 and received his education in Russian. His application was accepted by the Russian Federal Migration Service(FMS) and he and his family expected a decision in their favor. But B. soon learned that he was wanted in Kyrgyzstan, which meant that he could be detained when he tried to receive his documents at the FMS and then extradited. With the assistance of human rights defenders B. managed to obtain legal status in Russia.

13. In order to avoid any hurdles that might arise during extradition, in a number of cases law enforcement officials resort to replacing the extradition process with deportation or administrative expulsion. This is done mainly to simplify document processing and court procedures. Several ethnic Uzbeks were handed over to Kyrgyz authorities in this manner, even when their extradition had been rejected by the RF Prosecutor General's Office. Deportation or expulsion rulings are frequently issued against these people administrative offenses they have committed.

14. The situation in Kyrgyzstan remains tense and the circumstances for ethnic Uzbeks, extremely complicated. Torture and inhuman treatment are used widely during arrests, transport to prisons, home searches, and interrogations, as well as at temporary detention facilities.¹⁰

15. It is vital to obtain recognition of their vulnerable position, reject the practices of violence and ethnic

⁸<http://adcmemorial.org/www/6504.html>

⁹<http://amnesty.org.ru/node/2710/>

¹⁰<http://amnesty.org.ru/node/2610/>

profiling in the work of Kyrgyz security officers, and provide refugees and migrants of Uzbek descent from South Kyrgyzstan with the ability to live in safety and work in other countries, including Russia.

16. The mass migration of ethnic Uzbeks from South Kyrgyzstan continues, even though over four years have passed since the ethnic clashes. As mentioned above, individuals are only able to achieve legal status in Russia as migrant workers and are not able to gain refugee status, temporary asylum, or Russian citizenship under streamlined procedures.
17. The reason why ethnic Uzbeks want to leave Kyrgyzstan can be described as “the squeezing out of all things Uzbek”¹¹, which is simultaneously coupled with the promotion of the Kyrgyz identity as the sole path to ethnic peace and harmony. For example, Uzbek-language mass media outlets face major difficulties, thus limiting the access of the Uzbek-speaking population to news and information. Both the UN Committee on the Elimination of Racial Discrimination and the UN Human Rights Committee have in the last two years expressed concern regarding the situation with Uzbek-language mass media in Kyrgyzstan.
18. The June events led to the shuttering of the two main Uzbek-language television stations Mezon TV and Osh TV. Their owners, ethnic Uzbeks named Javlon Mirzaxo'jayev and Halil Hudaibergenov, were found guilty in October 2011 and sentenced in absentia to lengthy prison terms for participating in the ethnic conflict of June 2010. An investigation by the Committee to Protect Journalists found that the charges brought against Mirzaxo'jayev and Hudaibergenov of igniting the conflict and participating in killings were unfounded and politically motivated. Now Mezon TV no longer exists and Osh TV has become the mouthpiece for the city's mayor, Melis Myrzakmatov.
19. According to the journalist Abdumomun Mamaraimov, “the events of 2010 essentially wiped out Uzbek journalism. Now there are just a few Uzbek-language papers that only publish the official opinion or just republish edited news from other papers.”¹²
20. However, several Uzbek-language mass media outlets do still exist. These include the newspapers *Aalam* in Osh (comes out twice a month), *Osh sadosi* (comes out twice a week), *Dustlik* in Aravan District and *Jalal-Abad Tongi* (comes out twice a month) and the radio station Yntymak, which was established by government decree in 2011 and became a full-fledged, 24/7 radio station offering content in Kyrgyz, Russian, and Uzbek in 2012. This project was financed by the government and grants. The television station Yntymak, founded in 2012, also transmits some broadcasts in Uzbek.
21. Work is currently underway to restore the distribution of information in Uzbek to the Uzbek-speaking population through the mass media, but it is tough going and many politicians, officials, and members of the population have a hard time with it because they see it as a threat to security that risks a fresh ethnic conflict. For example, in 2013 the announcement that a private television channel, viewed by the mass media as “nationalistic,” was preparing to broadcast short news pieces in Uzbek caused “patriotically” minded people to hold a protest demonstration, and thousands of signatures were collected against broadcasts in Uzbek. The mass media cited a statement made in 2013 by Shairbek Mamatoktorov, a member of the constitutional convention and the former head of the press service at parliament, that the creation of Uzbek-language mass media outlets “would be an unconstitutional action since the main law of the country stipulates two languages. But for some reason international organizations are allocating money to developing Uzbek-language mass media outlets, which is completely at odds with the country's goals. In this way they are promoting separatism... And I'm not saying anything nationalistic here, I'm simply pursuing the goal of peace for both Uzbek and Kyrgyz peoples. Democracy is secondary. The most important need for the country after a conflict is peace. We don't need a new conflict and the Uzbeks don't either. After all, it all started with those speeches Uzbek leaders made on TV... People in the south are angry, they lost their relatives, so how can it be explained to them that Uzbek-language

¹¹<http://www.fergananews.com/articles/7622>

¹² Katal Shirin. *Opaseniya Pen-Kluba v otmoshenii svobody samovyrasheniya v Kyrgyzstane* [Pen Club Concerns about Freedom of Expression in Kyrgyzstan]. 2014. Translated by Syinat Sultanaliyeva.

<http://www.pen-international.org/pen-reports/опасения-пен-клуба-в-отношении-свобод>

mass media is OK?!... From a political standpoint, it is still early to open Uzbek mass media outlets. We still have not forgotten 1990 and now you're opening new channels here. That kind of hastiness will only radicalize the population."¹³

22. The presence of the Uzbek language in public space is also restricted in education. Experts have noted that the switch Uzbek schools have made to the Kyrgyz language in recent years is the logical result of years of neglect and lack of government support for providing instruction in minority languages. For example, in the years since independence Kyrgyzstan has not printed or produced any Uzbek-language textbooks (children used old textbooks published in Uzbekistan in the 1990s and their program did not correspond to the program that Kyrgyz schools used) or methodological literature, not to mention technology, computers, etc., and teachers have not received the necessary training. This means that even prior to 2010 Uzbek children in Kyrgyzstan did not receive a high-quality education, even though the ethnic conflict did undeniably lead to a sharp reduction in access to education in Uzbek.¹⁴ "In the area of language rights, and particularly in relation to ethnic Uzbeks, the ethnic violence of 2010 is one of the key determining factors in the adoption of government decisions."¹⁵
23. According to the National Statistical Committee of the Kyrgyz Republic, in the beginning of the 2009 – 2010 school year there were 133 schools (67,060 students) using Uzbek as the language of instruction, but by the beginning of the 2013 – 2014 school year this number had dropped almost by half to 65 schools (25,951 students). Meanwhile, the number of "mixed" schools where separate classes in Russian, Uzbek, or Tajik are taught along with overall instruction in the official Kyrgyz language have increased. The number of these schools rose from 449 (335,644 students) at the start of the 2009 – 2010 school year to 493 (385,651 students) at the start of the 2013 – 2014 academic year.¹⁶
24. However, Uzbek children also cannot receive a high-quality education in the official languages of Kyrgyz or Russian because the schools are not supplied with textbooks and teachers who used to teach in Uzbek cannot learn how to teach in another language quickly. Also, it is utterly clear that it is not possible to receive a full-fledged education in one's non-native language without the use of specialized methods, which the teachers are not familiar with.
25. The 2010 – 2011 academic year was particularly painful for Uzbek schools. The director of a school in Osh testified that that year they were "banned from using textbooks printed in Uzbekistan; these textbooks just went into the trash and we were forced to introduce the program for Kyrgyz schools in all subjects." "What kind of quality education can we be talking about if children don't have any textbooks at all for Russian language and literature, for the English language, or for other subjects? In the classroom only the teacher has the textbook. Books can be ordered at local publishers, but the school cannot make these orders because the state does not allocate funds for them" (N.N., school director, in a letter to ADC Memorial, 2011).
26. Naturally, the ethnic conflict in South Kyrgyzstan affected many children as well. The director of an Uzbek school in Osh wrote that "the homes of many children were burned and robbed and there are also children who lost friends and relatives during those days. This had a dramatic effect on their psychological states: both academic performance and attendance dropped sharply. Many children from poorer families were not able to attend school because they didn't have clothes, notebooks, books, etc." A single mother with several children living in Osh wrote that "After my husband's death, all the hardships of raising children fell on my shoulders. I receive assistance in the amount of 2,300 som for three children, which is not enough even for food. After the events of June 2010, our

¹³<http://www.centrasia.ru/newsA.php?st=1369888980>

¹⁴ Opinion of Aziza Abdirasulova, monitoring group member and head of the Kylum-ShamyCenter for Human Rights Protection, http://sarty.kz/index.php/component/index.php?catid=2:2012-04-01-13-41-40&id=293:2013-02-13-06-40-00&Itemid=5&option=com_content&view=article

¹⁵ Katal Shirin. *Opaseniya Pen-Kluba v otnoshenii svobody samovyrazheniya v Kyrgyzstane* [Pen Club Concerns about Freedom of Expression in Kyrgyzstan]. 2014. Translated by Syinat Sultanaliyeva.

<http://www.pen-international.org/pen-reports/опасения-пен-клуба-в-отношении-свобод>

¹⁶http://stat.kg/images/stories/docs/tematika/social/2014/Education_and_science_ru.pdf, pg. 231.

life became even more difficult: I don't have a job and there's no money for clothes, books, and stationery supplies for my children" (letter to ADC Memorial, 2011).

27. Kyrgyz education officials and politicians have attempted to portray the move to Kyrgyz as the language of instruction as a positive process and a response to the demands of time. A statement made by Abdimalip Satybaldiyev, the head of the Osh branch of the *Ata Meken* party is characteristic of this: "If parents want a good future for their children, then they must remove their children from Uzbek schools so that their children can be educated in the Kyrgyz and Russian languages. This will help the new generation enroll in universities without any problem and then work in different areas, including government structures." This same idea was voiced in a statement made by Kerez Zhukeyeva, press secretary for the Kyrgyz education minister, and quoted in the mass media: "[the conversion of Uzbek schools] is a positive step because parents are thinking about their children's futures."¹⁷ Frequently the switch to a different language of instruction is explained as a request from parents "thinking about their children's futures." Experts note, however, that Uzbek parents prefer Russian schools because they connect that future not with Kyrgyzstan, but with labor migration to Russia.
28. Access for Uzbek-speaking high school graduates to higher education is also problematic. First of all, there is no longer any instruction in Uzbek offered in any universities or institutes. The Kyrgyz Uzbek University (OshKUU) was hastily renamed the Osh State Social University after the events of June 2010, but instruction in Uzbek actually ended in 2005 (prior to that, from 1995 – 2005, instruction was given in three languages: Kyrgyz, Uzbek, and Russian; from 2005 instruction was in Kyrgyz and Russian). One of the consequences of the 2010 riots was that diplomas from this university stopped being recognized in Uzbekistan, leading to a sharp drop in the number of foreign students. The other university that used Uzbek as its language of instruction—the private Bakirov Peoples' Friendship University—was burned down during the unrest in 2010.
29. Graduates who were able to enroll in universities in Uzbekistan had a hard time because the Latin alphabet is used in Uzbekistan and the Cyrillic alphabet is used in Kyrgyzstan. Proposals have recently been made in Kyrgyzstan to move Uzbek schools to the Latin alphabet, but this initiative seems too good to be true, especially considering that the number of Uzbek schools is being reduced.
30. The fact that there were no universities or institutes remaining that used Uzbek as their language of instruction served as a good reason for the government to cancel national testing in Uzbek that is mandatory for those who want to enroll in free or tuition-based university departments in 2013 (testing used to be offered in Russian, Kyrgyz, and Uzbek).

Articles 7, 9, 25

The Situation of Kyrgyz Migrant Workers in Russia

31. Relations between Russia and Kyrgyzstan are primarily of a military and political, trade and economic, or cultural and humanitarian nature. These relations are enshrined in numerous bilateral treaties and in agreements within the framework of the CIS and, since 2014, the Customs Union, which Kyrgyzstan was accepted into in December 2014. Another no less important factor in the development of relations between these two countries is the large-scale export of labor from Kyrgyzstan into Russia.
32. Labor migration from Kyrgyzstan into Russia is a mass phenomenon for both ethnic Kyrgyz and Uzbeks from the south, but for the latter it has become a necessary replacement for refugee status or temporary asylum. Figures from the Kyrgyz Ministry of Labor show that in 2014 almost 500,000 foreign migrants from Kyrgyzstan (92% of the total number of migrants) work in Russia.¹⁸ The money earned by these migrants and then sent home constitutes a fairly significant contribution to the

¹⁷<http://russian.eurasianet.org/node/59925>

¹⁸<http://www.e-cis.info/news.php?id=410>

country's economy and, by various estimates, amounts to up to \$2 billion per year.¹⁹

33. Despite the benefit that migrant workers bring to their country's economy, however, their lives in Russia can hardly be called easy. Even though there is visa-free travel between Russia and Kyrgyzstan, most migrant workers encounter difficulties during registration procedures when they are entering Russia. As a general rule, registration must be completed within seven days of arrival, but because of extremely tight deadlines and other complexities arising due to the lack of a permanent residence, Kyrgyz citizens are forced to obtain a fake temporary registration through various means, leave and re-enter Russia through a neighboring border (Ukraine or Kazakhstan), or find other semi-legal methods to stay in Russia. Moreover, Russia has a fairly complicated procedure for obtaining work permits that can sometimes last for up to several months and has a costly fee structure.

An Analysis of Major Changes in Russian Migration Law in 2013 – 2015

34. Before 2015, Russia had a system under which migrant workers could perform their work activities only if they possessed a work permit or license. These documents were valid for one year and gave foreign nationals the right to work and reside permanently in Russia for the duration of this period, but obtaining these permits and licenses involved a massive amount of bureaucratic demands and delays, primarily caused by a quota system established by the government to attract foreign workers to a specific region. Companies that wanted to hire migrant workers were supposed to submit an application for the number of migrant workers needed well ahead of the start of the calendar year. The quotas were not high enough and spots filled up quickly, while the migrant workers themselves did not know who would hire them or where they should turn for assistance.
35. As a result, shadow employment became widespread among migrant workers. People who wanted to work legally were forced to resort to the assistance of numerous intermediary companies that offered services to obtain any kind of document from medical certificates to licenses and work permits. These documents usually turned out to be fake, putting the migrant workers at risk of administrative and even criminal prosecution, fines, and expulsion with a subsequent multiyear ban on entering the country. Since police officers practice profiling, they often stop people who look like migrants from Central Asia to check their documents and then ask for bribes if any are missing.
36. Against the backdrop of a strong anti-migrant climate, a number of harsh amendments started being made to Russian laws on the legal status of foreign nationals beginning in 2014. For example, on 1 January 2014 an amendment to the law "On the Legal Situation of Foreign Nationals in the Russian Federation" took effect under which the period for temporary stay in Russia was limited to 90 days out of a possible 180. Prior to this change, foreign nationals could leave Russia at the end of 90 days and reenter immediately for another legal 90-day stay, but this has not been possible since 2014 and many migrants who did not have work permits or licenses granting them the right to stay in Russia for a year were forced to leave Russia or remain there illegally. This primarily affects the wives of migrant workers and their minor children, who come to Russia for purposes other than earning money. Around the same time, changes were made to the RF Code of Administrative Offenses pursuant to which entry into Russia is closed to anyone who has committed two or more administrative offenses (for example, crossing the street where this is not permitted) for a period of three, five or ten years.
37. As of 1 January 2015, the Federal Law "On the Legal Situation of Foreign Nationals" changed again. Quotas and work permits were cancelled for migrant workers from countries with a visa-free regime and a unified licensing system was introduced (a license allows migrant workers to work for both individuals and legal entities; a fixed monthly payment is required). On the one hand, this change simplifies the regime for staying in Russia because license holders do not have to leave Russia at the end of a year (the maximum period that a license can be in effect) and they can extend the license for one more year while still in Russia. However, there are negative aspects as well: the cost of a license is now set by RF regions and it has increased from 1,200 rubles in regions to 3,000 rubles in Saint

¹⁹<http://russian.eurasianet.org/node/61636>

Petersburg and 4,000 rubles in Moscow, the two cities that are most attractive to migrants. Some politicians believe that this increase in license prices will provide additional income for the state treasury and will also decrease the flow of foreign workers, since the total expenses of a migrant earning 15,000 – 20,000 rubles per month simply will not allow him or her to subsist in Russia. But the number of migrant workers will remain high even after the price increase because salaries at home are four to five times below salaries in Russia and also because no less than one-third of migrants are working illegally in Russia anyway to circumvent legalization procedures.

38. The introduction of a license system can be welcomed because, if successful, the risks connected with intermediaries, who supply migrants with fake documents and essentially resell labor in violation of the labor rights of migrants, will be lowered. Now the only intermediary is the Russian government: commercial structures of the Federal Migration Service (for example, the Federal State Unitary Enterprise Passport – Visa Service of the Russian FMS in Saint Petersburg) now provide services to help migrant workers complete paperwork. Now migrant workers can have a medical exam, take a test in Russian language, buy health insurance, have their documents translated and notarized, and receive any guidance needed under one roof. Employees at these offices assert that “migrants will not spend much more money than they would have if they had handled this on their own, and they might even spend less.”²⁰
39. However, regional authorities have brought additional complications to the license system. For example, on 22 January 2015 Saint Petersburg Governor Georgy Poltavchenko signed a resolution pursuant to which universal labor licenses will note the area (position, type of labor activity) that the migrant worker must work in (this area must be indicated in the labor contract, if one has been signed, or be based on what the migrant himself says, if he has not yet entered into a contract). A migrant can change his place of work, but only if the new job is within the profession indicated.²¹ Thus the amount of freedom granted by the license system is limited, and most likely in the future there will be a mechanism for holding migrant workers to the profession indicated and some sort of punishment will be instituted if this is violated.

Articles 30

Violations of the Rights of the Children of Migrant Workers from Kyrgyzstan to Education

40. On 1 January 2014, amendments to the law “On the Procedures for Entering and Leaving the Russian Federation” took effect. Now, pursuant to Article 5(1) of this law, a foreign national arriving in the Russian Federation under a visa-free regime cannot stay in Russia for more than a total of 90 days in each 180 day period. Thus, migrant workers who have labor contracts, students at institutes of higher education, soldiers in the Russian army, and some other categories of foreign nationals are in the best situation under this regime.
41. The children of foreign nationals, including those who attend Russian schools, have the right to spend only 90 days out of 180 days in Russia. Their term of stay is not in any way connected to the length of stay permitted their parents: migrant workers may stay in Russia without a visa for up to one year (up to three years for Tajik citizens) as long as they have work permits. This means that a child who has attended school for three months must suspend his or her schooling, leave Russia, and remain outside the country for three months. Only then can he or she return to Russia and reenroll in school. This child will have missed the program that his or her classmates studied over the previous three months, so the quality of his or her education suffers. This also violates the right of the child to live in a family. Most children have nowhere to go—they no longer have homes in their native countries because their parents are in Russia.
42. Since most migrant workers come to Russia with children, it can be said with certainty that the right to education of thousands, and perhaps even tens of thousands, of school-age children is being

²⁰http://www.spbvedomosti.ru/news/obshchestvo/cherез_ternii_k_nbsp_patentu/?sphrase_id=7182

²¹ Registry of Laws and Regulations of Saint Petersburg, 26 January 2015. Registration No. 17588.

violated. This is also a violation of the guarantee of equal access to education, which is enshrined in the Convention on the Rights of the Child, international obligations, and Russian law.

43. In addition to norms that ban staying in Russia for a period of more than 90 days out of 180 days, the Directorate of the Federal Migration Service has set additional rules that are not enshrined in any legal acts or domestic orders but must be complied with, thus lending them pseudo-legal effect. For example, ADC Memorial requested clarification on this issue from E.V. Dunayeva, the head of the Saint Petersburg Directorate of the Federal Migration Service. The organization received a response dated 30 May 2013²² stating that the duration of stay for the children of foreigners could be extended and timed to coincide with their parents' terms of stay, but in order to do this, parents are required to file an application with the local branch of the Directorate of the Federal Migration Service, located at 39 Rimsky-Korsakov Street. Nevertheless, when A.M., a citizen of Kyrgyzstan, filed a request to extend the term of stay of her son, who studied at a lycée in Saint Petersburg, to match her term of stay, her request was denied. Thus, minor children were not able to receive permission to stay in Russia based on the permits that their parents had, in spite of the written instructions issued by the heads of various directorates of the Federal Migration Service.
44. As these amendments were being introduced, the FMS was developing a special database containing the names of foreign nationals banned from entering Russia for one reason or another. This database operated with a number of glitches. For example, foreign nationals, including minors, whose documents were in order and who had never been held liable for administrative offenses ended up in the database.
45. Kyrgyz citizen M.M., an ethnic Uzbek and a minor born in 1996 who was in Osh during the ethnic clashes, was a victim of one of these glitches. He had lived in Saint Petersburg since 2011 and was a successful student at a lycée. His mother worked in Saint Petersburg under a work permit she received legitimately. M.M. learned that he was on the list of banned people in the summer of 2013, when he and his mother decided to cross the border again to process new documents. He told human rights defenders that:

“On 28 June 2013, my mother and I left Russia through Kazakhstan. When I tried to reenter, I learned from the border guards that at the instructions of the Federal Migration Service, the Directorate of the Federal Migration Service for Volgograd Region had placed a ban on my entry until 2016 for exceeding the term of my stay. My mother was allowed in, but I wasn't. So I had to return to Kyrgyzstan until the error in the database was corrected.

“I had been living with my mother in Saint Petersburg since 2011, and for that entire period of time I had not once been held liable for administrative offenses in either Volgograd Region or Saint Petersburg. In fact, this never could even have happened because I am a minor. According to the border guards, the ban had been instituted one year before, but I had left and returned to Russia twice over that period of time and never met with this problem.”
46. M.M. was in a difficult situation. Unable to return to Russia, where his mother and his school were, he was forced to return to Kyrgyzstan, which was not without danger for him as a native of Osh and an ethnic Uzbek. This entry ban on the minor M.M. was a direct consequence of the shortcomings in Russian law that do not allow minor foreign nationals to register for the same period of stay in Russia as their parents.
47. It was only through the joint efforts of human rights defenders from Russia, Kazakhstan, and Kyrgyzstan that the ban was removed, M.M.'s rights were redressed, and he was able to return unhindered to Saint Petersburg. Later the FMS acknowledged that it had violated M.M.'s rights when it placed an entry ban on him because, as a minor, he could not have been held liable for administrative offences and also because, pursuant to the norms on the Convention on the Rights of the Child, he should not have been separated from his mother, who was living in Russia legally.
48. B.L. Altshuler, a member of the RF Civic Chamber, composed and sent an appeal to FMS head K.O. Romodanovsky requesting him to review M.M.'s situation, to remove the entry ban on him, and “to

²² This document is on file at ADC Memorial.

review the possibility of softening requirements of Russian law related to terms of temporary stay in Russia for the minor children of migrant workers, to establish that this term should be determined by their parents' legal term of stay in Russia, and also to equate parent-child relationships with the category of "extraordinary and unavoidable circumstances under the given conditions" (Article 26(8) of Federal Law No. 114-FZ), under which sanctions in the form of entry bans for a period of three years shall not be applied." A response was received stating that the entry restrictions on M.M had been lifted and that the paperwork had been sent to regional FMS agencies for execution. Even though the procedure for implementing the decision proved to be extremely difficult and required the active assistance of B.L. Altshuler, in the end M.M. received confirmation that the ban was lifted and he was able to enter Russia to continue his studies despite the delay.

49. ADC Memorial knows of several cases in one Saint Petersburg district when the registration of migrant schoolchildren was extended for one year based on applications and documents of their parents, who had work permits. However, this practice is not observed throughout the system and the fate of migrant children depends on the good will of specific school and local FMS officials. In the meantime, these decisions meet the best interests of children and protect their rights. They should be expanded to other regions, and changes in the law would be a further step in this direction.

Articles 16, 17, 22

Expulsion of Children without their Parents

50. According to employees at social institutions working on matters related to child migrants, up to 40 foreign children are deported without their parents annually from Saint Petersburg alone, which contradicts the principle of family unity.²³ Children are generally separated from their parents after joint FMS-police raids to uncover illegal migrants in one region or another. As a result of these raids, children whose parents are found to be illegal migrants or whose parents cannot confirm their relationship to the children end up in shelters for homeless or neglected children or at a temporary detention center for juvenile offenders. After the identity of each child is established, officials at these shelters escort children from other cities or countries back to their native cities or countries, where they are handed over to relatives, if such can be found, or representatives of orphanages, where the children will remain until relatives come for them. In most cases this occurs because the parents are still in Russia dealing with violations of migration rules, or because their documents have been confiscated during the FMS raids. When children are collected in the course of these raids, they are taken to hospitals or social service agencies. In theory, their parents can pick them up there, but they are frequently not allowed to if they cannot present documents or show that they are residing and working in Russia legally. However, there have been cases when parents are not allowed to take their children even when they have the proper documents and express their readiness to leave Russia with their children immediately and their children are taken to children's homes in their native country instead.

Articles 7, 9, 10, 16, 17, 22, 23

Violation of Migrant Rights in Special Institutions for the Temporary Detention of Foreign Nationals (SITDFN)

51. Pursuant to current migration rules, violation of the regime for staying in Russia results in administrative liability (Article 18.8(3) of the RF Code of Administrative Offenses) and punishment in the form of a fine and mandatory expulsion. Thus, foreign nationals fall under this article even in cases where they have committed technical violations of migration law (lack of an insurance policy, failure to leave at the end of 90 days, etc.), after which they are deported from Russia. For this

²³ An interview with a social worker at a shelter for neglected children is on file at ADC Memorial.

purpose, in accordance with Article 31(9) of Federal Law No. 115 FZ “On the Legal Situation of Foreign Nationals in the Russian Federation” dated 25 July 2002 they are placed in foreign national detention centers (FNDC), which are virtually indistinguishable from prisons in terms of detention conditions. The period of confinement in these centers can reach up to two years and is not subjected to any kind of periodic court review. Many regions of Russia did not have special FNDCs until recently. Up until that time, the functions of this kind of center were performed by reception centers run by the Saint Petersburg and Leningrad Regional Main Directorate of Internal Affairs (6 Zakharevskaya St.). Usually people serving a short-term arrest of 1 – 15 days are kept there. The cells, which hold 2 – 4 people are like a dungeon and have an area of 8m². They lack the required furnishings and toilets and do not provide access to drinking water. From 2008 – 2011, foreign nationals sentenced to administrative expulsion were kept in these inhuman conditions.

52. An 8-story building in Krasnoye Selo that is administered by the FMS has served as an FNDC since 2011. Most of the people held there are from republics in Central Asia, particularly Tajikistan, Kyrgyzstan, and Uzbekistan. ADC Memorial has tried numerous times to draw attention to the detention conditions and regulations in these centers. Here is what one inmate at the Saint Petersburg SITDFC had to say about the conditions there:

“This institution is an 8-story building. The guard’s booth, visiting room, and nurse’s office, etc. are on the first floor, the second floor is for administrative personnel, and floors three to eight have cells holding people for expulsion and deportation. There are on average 10 -11 cells on each floor. There are both large and small cells.

“The center is meant to hold 176 people, but almost 300 people were held there at once, and in the summer, especially during city events, there might be 400 people there, but the set norm was never followed, I mean, during the time I was there there were never less than 200 people. There were 10 people in my cell. The area was 17m², leaving 1.7m² per person. There weren’t any beds at all and we were forced to sleep side by side on the floor.

“We were taken out for a walk no more than once a week for a total of 5 – 10 minutes, sometimes once every 2 – 3 weeks, and in the winter just once a month, since there were not any special personnel to watch over us.

“The exercise space is enclosed by trailers topped with barbed wire. There are no windows, so this is really like a wooden sack with an area of no more than 50 meters. These are not conditions for exercise and there aren’t even special benches.

“The sanitary conditions are simply horrific. There was no way to wash personal items, there was no laundry room, we washed our underwear in the shower or right in the cell and dried it in the cell. Personal hygiene items like detergent and shampoo were not given out at all. Soap, toilet paper, and toothpaste were initially handed out once a week, then twice a week, but mainly we bought them ourselves or received them in packages. The clothing of new arrivals is not treated in any way: it is not disinfected or boiled thoroughly. What’s more, there is no quarantine or medical exam given. Since homeless people infested with lice and other parasitic insects also came in, we did everything ourselves: we cut off all their hair and shared our clothes after throwing out their dirty ones.

“I also would really like to focus attention on how officials at this institution dealt with us. They treated us like actual criminals. OMON officers checked our cells on a daily basis for banned items. Mobile phones were not allowed and were taken away. During the check, which lasted almost half an hour, we were sent out into the hallway and forced to stand with our hands on our heads and our legs further apart than our shoulders. They confiscated everything that was banned—money, phones, chargers, even though the ban on mobile phones was not specified anywhere.

“People were placed in the so-called ‘glass’ as punishment for violating the regime or failing to obey OMON officers. The glass is a stone or iron cylinder where you can only stand or sit on a small bench. There is no room to lie down. People can be placed in this glass for several hours or even for entire days without food. There is no access to water or a toilet and to go to the bathroom you have to knock and call for the duty guard, and there is no guarantee that he will come. The main thing is that there are no written rules as to what specifically constitutes a violation of the regime. Whether a

person violates the detention regime or not is determined at the discretion of the administration or OMON officers.

“So, the detention conditions in this center cannot be called anything other than torturous. They break down a person’s mind and debase human dignity. They are even worse than conditions in prison. They take advantage of the fact that people don’t understand Russian or speak the language poorly, of the fact that they don’t have attorneys (attorneys never visit during the entire period of their detention). They treat people like animals, degrade them, and mock them however they want.”²⁴

Articles 24, 25

Violation of the Rights of Migrant Workers from Kyrgyzstan in Russia

53. An analysis of the treatment of Kyrgyz nationals who arrive in Russia, including for the purposes of work, exposed a number of systemic problems leading to violations of the rights of migrant workers and generally attributable to system-wide shortcomings in the work of Russian law enforcement agencies, primarily agencies of the Prosecutor General’s Office, the Labor Inspection, and Federal Migration Service.
54. For example, over the course of 2011 – 2014 ADC Memorial workers most frequently met with complaints about the activities of so-called “outsourcing” companies that provide intermediary services for workers and employers. There is a huge demand for their services among migrants since constant changes in the rules for filing documents, unfamiliarity with all the subtleties of migration law, and a basic lack of money and time give migrants no other choice. When migrants apply to an intermediary company, they generally enter into a sham contract with the company, a copy of which is never given to them. Then the migrant workers are sent to the “customer,” which is to all intents and purposes their employer. These “customers” include chain stores, constructions sites, and other places of employment where migrant workers become the victims of deceit and exploitation.
55. Outsourcing firms are also quite popular with organizations that want to hire migrant workers. Any company that hires migrant workers directly, on its own, must have a special permit and, before 2015, had to submit an application to the FMS for a specific quota almost one year in advance. In order to circumvent this complicated system, most companies turn to outsourcing firms, which enter into agreements with migrant workers and then send them to work at other businesses and companies. By taking advantage of this arrangement, employers can protect themselves from unwanted bureaucratic problems. Also, if the company fails observe the norms of labor laws this arrangement removes all responsibility to the foreign worker from the company, since there is actually not any labor relationship between the actual employer and the migrant worker because the migrant entered into a contract (sometimes this is not a labor contract, but an agreement for “information services) with a different organization.
56. For example, in August 2010 ADC Memorial started to receive complaints from migrant workers who suffered from the illegal actions of Megapolis LLC. It emerged that this company was entering into contracts with foreign nationals and sending them to work for other companies like chain stores and gas stations while at the same time committing gross violations of their labor rights. The workers were not paid a salary for several months and their employer did not bear any responsibility for this since technically they were working for Megapolis SPb.
57. Kyrgyz national U.A., who appealed to ADC Memorial for assistance, was one of the victims of this so-called outsourcing company. In the summer of 2010, Megapolis sent her to work at the chain store *Pyaterochka*. As customary with foreign workers, the store did not execute a labor contract with U.A. Her work day lasted 12 hours and she was not even given time for a lunch break. She also did not receive a salary for several months, and when she decided to ask her employer about this, she found that she was not on the store’s list of workers and was thus not an employee. ADC Memorial helped other workers who suffered from the actions of *Pyaterochka* and Megapolis file a lawsuit

²⁴ From an interview with a former inmate at the SITDFC conducted by O.P. Tseytlina on 3 December 2014.

demanding payment of their salaries. Their claim was granted because the court deemed that their de facto employer—*Pyaterochka*—should be held responsible. However, the workers never received their salaries because it turned out that the bank accounts of *Pyaterochka*—an enormous network of supermarkets—were empty.

58. ADC Memorial received another complaint about Megapolis in 2013. This complaint was made by Kyrgyz national Matlyuba R., who stated that she had not received her monthly salary of approximately 10,000 rubles for working at the DIXY supermarket, where she was placed by Megapolis. After one month she was injured in a car accident and had to leave her job. In this case a contract had been executed, but it was a commercial contract, not a labor contract. One of the clauses stated that “The Contractor may not share information received by him / her in the course of the performance of this contract or any other information about the Company’s business with any third parties without the consent of the Company.” This is a totally illegal requirement aimed at intimidating migrant workers if their rights are violated. Unfortunately, appeals to law enforcement agencies did not lead to any result and the victim’s rights were not redressed.
59. Since ADC Memorial began actively defending the rights of foreign nationals, thereby interfering in Megapolis’ illegal “business,” the group has started receiving threats from Megapolis employees, including menacing phone calls. The company’s CEO company stated that he was prepared to “remove impediments” represented by ADC Memorial workers, who were interfering in an intermediary “business” bringing in enormous profits.
60. Numerous appeals and complaints about the activities of intermediary companies to the Public Prosecutor’s Office and the Labor Inspection have not resulted in any actions. These companies continue to exist and to commit mass violations of the rights of foreign nationals, which raises the question of corrupt links between these companies and state agencies.

ADC Memorial and BirDuino Kyrgyzstan request the Committee to make the following recommendations to the government of Kyrgyzstan:

61. Welcoming the concern shown by the government of Kyrgyzstan about the growth of xenophobia and hate crimes against Kyrgyz nationals in Russia, ADC Memorial calls on the government of Kyrgyzstan to stop trying to reach agreements with nationalists and instead respond on a diplomatic level to displays of xenophobia and violence and demand that the Russian Federation government conduct rigorous investigations of hate crimes and other incidents involving Kyrgyz nationals (including disappearances and on-the-job accidents).
62. Conduct an objective, unbiased investigation into the events of 2010; cease persecution of Uzbeks from South Kyrgyzstan and stop trying to secure the extradition from Russia of individuals who were forced to flee from persecution.
63. Defend the rights of migrant workers from Kyrgyzstan residing in the Russian Federation to live in a family and to educate their children; demand that the Russian authorities change migration rules and adjust the period of legal stay for children in Russia to match the legal stay of their parents; demand that the Russian authorities ensure that children from Kyrgyzstan have access to a high-quality education in Russian schools without discrimination.
64. Defend the rights and interests of Kyrgyz nationals confined in foreign national detention centers; visit Kyrgyz nationals in these centers and assist in the speedy filing of any documents they need; track Russia’s compliance with decisions issued by the European Court for Human Rights finding that the detention conditions in these centers are torturous and that the lack of court review of detention terms is illegal; demand that the Russian authorities improve conditions in foreign national detention centers and ensure free legal assistance for inmates.

65. Demand that the Russian Federation ensure observance of the socio-economic rights of migrant workers from Kyrgyzstan; track compliance with Russian and international laws on migrant workers, particularly the RF Labor Code; demand that Russian authorities hold unscrupulous employers and intermediary companies accountable for violating the rights of migrant workers.