

Mandates of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context and the Special Rapporteur on minority issues

Ref.: AL KGZ 2/2025
(Please use this reference in your reply)

23 May 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context and Special Rapporteur on minority issues, pursuant to Human Rights Council resolutions 52/10 and 52/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the threat of **forced evictions and ongoing and planned demolitions of residential homes and shops in Navoi and Abdykadyrov Streets in Osh City, mostly belonging to the Uzbek ethnic minority. The demolitions were reportedly carried out without any required judicial orders, without adequate consultation with the affected homeowners, nor was any compensation paid to the affected property owners. In addition, concern is expressed that some of the affected residents have been intimidated into signing agreements to self-demolish their properties and that at least one resident who participated in a press conference during which they criticized the demolitions and requested fair compensation have been cited to police offices.**

Forced evictions and housing demolitions affecting the Uzbek ethnic minority in Kyrgyzstan have already been reported to us previously. On 24 June 2016 we raised similar forced evictions in the city of Jalal-Abad (see KGZ 2/2016). We regret that we have not received a response to this communication to date.

According to the information received:

On 23 January 2025 the President of Kyrgyzstan appointed a new mayor of Osh city. In the first days after his appointment, the mayor conducted a series of urban inspections, often at night, which were broadcast and where he could be seen orally instructing the heads of municipal and state entities while walking through different streets and determining on the spot which buildings should be demolished, as they allegedly would violate urban planning and building regulations.

The planned (partial or total) demolition of houses and commercial shops by local authorities affects structures that reportedly are located beyond the "red line" included in the Osh City Plan for 2016-2024, that foresees to expand significantly the width of certain roads. However, the affected homes, shops and land plots in Navoi Street had earlier, during 2011-2013, reportedly been registered to their current owners in the State Register, before an official

regulation to determine “red lines” was adopted¹ on which the Osh City Plan was developed. Formally the regulation gives the local population the right to participate in the discussion of city plans, however the affected residents were not consulted at that time.

In urban planning in Kyrgyzstan, “red lines” are the boundary in city plans that mark where buildings can or cannot be constructed. They are official planning lines drawn on architectural blueprints and urban maps, defining the setback distance between buildings and streets or public spaces. No construction can go beyond or overlap the red line without special permission.

Background

The planned housing demolitions in Osh affect mainly areas inhabited by the Uzbek speaking minority. In April 2010 some of the affected areas had been flashpoints of interethnic violence, during which more than 1.500 houses were destroyed. On 26 June 2010, in order to support the rapid reconstruction of the affected areas in Osh and Jalal-Abad, a State Directorate for the Reconstruction and Development of Osh and Jalal-Abad (“State Directorate”) was established, to coordinate the work of state and local self-government bodies, their interaction with civil society, the private sector and international organizations.² With support from international organizations, the restored damaged houses were registered as properties in the State Register during the following two years.

Navoi and Abdykadyrov Streets are places of compact residence of ethnic Uzbeks, a minority community that suffered significant losses during the 2010 interethnic clashes, when most houses in Navoi Street that had been burned down were reconstructed with support from the international community and in close cooperation with the State Directorate for reconstruction and development of the city of Osh. Approximately 1,620 buildings were reconstructed. Most residents have reportedly ownership documents for land plots and their homes and commercial buildings and agreements with international organizations that had been responsible for the provision of construction materials.

In line with the recognition of the Sulaiman-Too Museum complex as a part of the UNESCO World Heritage Site in 2009 (under the urban planning jurisdiction of the Ministry of Culture) buildings burned during the conflict were reconstructed in the same places and respecting “red-line” regulations that had been in force at that time.

Navoi Street

The houses and shops in Navoi Street affected by the demolitions concern approximately 100 to 200 properties. As usually more than one family lives in

¹ On 31 December 2015, the Decree of the State Agency of Architecture, Construction and Housing and Communal Services under the Government of the Kyrgyz Republic (Gosstroy) approved the Regulation on the procedure for designing and establishing red lines and other lines in cities, towns and settlements in the Kyrgyz Republic, available at <https://cbd.minjust.gov.kg/52-621/edition/1193753/ru>.

² <https://cbd.minjust.gov.kg/92404/edition/415690/ru>.

each house, probably around 1.000 or more individuals are affected.

On 22 February 2025, the mayor's office inspected Navoi Street. Immediately after the inspection, unknown individuals spelled the word "сНОС" ("snos" means demolition in the Russian language) using a red spray in front of the buildings. In many cases also marking the quantity of metres that should be demolished as falling outside of the "red line".

On 27 February, after a regular session of the City Council where the question of compensation was raised, residents of Navoi Street met the mayor of Osh city in the square outside of the Mayor's Office. According to information received, the mayor stated that residents who have their ownership documents in order would be offered the choice of financial compensation or another land plot of similar value. In addition, the mayor committed not to start demolishing buildings during Ramadan (1-30 March).

At the end of February, residents of Navoi Street sent a letter to the mayor's office, requesting an official meeting with the mayor and a formal notification of the legal basis of the announced demolitions. Residents also sent a letter to UNESCO informing them about the developments of their concern. No responses were received.

On 10 April, residents of the downtown portion of Navoi Street found on their doors written notices from the Sulaiman-Too Territorial Municipal Administration, stating that starting from 11 April 2025 the Sulaiman-Too Territorial Municipal Administration will begin forced demolition of constructed buildings as part of a street widening project and asking the residents to take the necessary measures to preserve their property and their own safety.

On 12 April, a bulldozer started to partially demolish, one by one, the facades of buildings on both sides of Navoi Street. The demolition was led by a group of local public officials who were surrounded by a team of 10-15 individuals in dark clothes. A group of 10-15 policemen joined the demolition team in the afternoon. The demolition continued from 9:30 a.m. until 4-5 p.m. and was widely reported on social media.

Local residents were intimidated by the mayor's office representatives who demanded that they finish the demolition of the buildings themselves by 22 April. On 12 April, parts of approximately 190 buildings were demolished on Navoi Street. On that day, reportedly one 11-year-old girl and one adult resident were injured falling from the roof of their house that was subject to demolition.

On 14 April, state media disseminated information about a meeting between the mayor and residents of Navoi Street. The mayor was quoted stating that reportedly only three or four of the resident families have property documents in order, and that only those are entitled to compensation.

In response to this allegation, a local human rights defender, posted a video maintaining that all residents of Navoi Street possess legal ownership documents, that the residents had not constructed beyond the “red line”, as they had re-built their homes and shops after the 2010 violence, fully respecting the instructions of the Osh State Directorate for reconstruction and development. The human rights defender alleged that Navoi Street was the first instance in which local authorities had failed to discuss their urban renewal plans with local communities and that no fair compensation was foreseen before the demolitions.

The following morning, on 15 April, the mayor inspected Navoi Street again and stated that all the houses on the side of the Sulaiman-Too Mountain along Navoi Street would be completely demolished. He added that smaller streets within the neighbourhood may also require widening, and that more houses may need to be partially or fully demolished.³

Following the morning visit of the mayor, approximately 25 residents of Navoi Street organized at lunch time a one-hour press conference, where they stressed that they wished to settle the situation amicably and through constructive dialogue with the Osh city authorities, but that dialogue had been missing from the very beginning. They requested fair compensation for their properties. They visibly showed their land title documents (red books), rejecting accusations of illegal possession. They referred to the involvement of the city and international organization in the re-construction after the interethnic clashes of June 2010.

On 16 April, one of the participants in the press conference was reportedly called in for a “clarificatory meeting” by the police after he had made a statement at the press conference calling for meaningful consultations on urban planning. Reportedly, the press conference participant was only released by the police after he admitted his guilt to make suspicious public statements, apologized and promised not to do it again.

On 17 April, unknown men in civilian clothes approached several affected community members asking them to sign written agreements confirming their willingness to demolish their own properties to bring them in line with requirements. Reportedly some homeowners signed such documents.

Abdykadyrov Street

Similar housing demolitions without due process and compensation threaten other areas in Osh inhabited by the Uzbek minority. On 3 April 2025, the mayor instructed municipal workers about the need to widen the road above Abdykadyrov Bridge. On 7 April, residents of four streets adjacent to the Abdykadyrov Bridge in Osh reported the writing of “сhoc” signs on the fences of their homes by individuals affiliated with the mayor’s office. On the same day, a meeting was held with the participation of the vice-mayor of Osh city, where he stated that the houses located above the Abdykadyrov bridge would be partially or fully demolished to allow the expansion of Abdykadyrov Street, with the aim of connecting Kurmanzhan-Datka and Amir-Temur Streets.

³ <https://www.super.kg/kabar/news/463318>

On 14 April, residents of Abdykadyrov Street sent an appeal to the Mayor's Office asking for a meeting and to receive a formal notification of the legal basis for the announced demolitions. No answer was received.

On 16 April, during a regular session of the City Council, the Mayor's Office informed that there are three streets where road widening is currently planned: Navoi Street, the Ozgur Microdistrict and Toloykon Street. The Mayor's Office also said that only 28 out of 87 houses in the Abdykadyrov area will receive compensation (based on the availability of legal ownership documents). According to local interlocutors, a municipal commission was formed to look into matters related to property assessment. The composition and terms of reference of the municipal commission are not publicly available.

As of 6 May 2025, demolitions in the Abdykadyrov Street area have only affected part of a kindergarten.

Without prejudging the accuracy of the information received, we wish to express our serious concern about forced evictions, home and shop demolitions carried out in Osh affecting in particular members of the Uzbek ethnic minority, which appear to have been implemented without any consultation, judicial order, due process, compensation, or advance provision of alternative housing. Article 2 paragraph 3 of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities expressly states that persons belonging to minorities have the right to participate effectively in decisions concerning the minority to which they belong or the regions in which they live. From the information received, it seems that this requirement has not been met in the present case for the affected members of the Uzbek ethnic minority. Furthermore, all evictions and home demolitions appear to have been carried out or planned without providing residents any effective opportunity to seek judicial relief. We are also concerned that during housing demolitions already carried out two residents were reportedly injured and that residents who demanded fair compensation for their loss of homes and shops were intimidated by police or requested under pressure to sign agreements confirming the willingness to demolish their own houses.

We are concerned that forced evictions and housing demolitions have a disproportionate impact on women, children and older persons, resulting in the disruption of their social networks, education and access to education and care. The demolitions in Navoi street affect also shops and are thus endangering the livelihood of affected shop-owners and their families. We are also concerned about reports indicating that only some of the affected home and shop owners in Navoi and Abdykadyrov Street shall receive compensation. In this respect, we would also like to highlight that persons who have acquired property rights through their use of homes or shops require compensation for their material and immaterial losses and that several residents have contested that they have rebuilt or extended their homes or shops in violation of building regulations.

Finally, we express our concern that some of the housing demolitions will also affect an area that was fifteen years ago affected by interethnic violence. The planned street widening projects may endanger the peaceful coexistence of communities if they

are implemented without adequate consultation, due process, and without any fair compensation for the material and immaterial losses of the affected residents and shop owners.

We would kindly like to alert your Excellency's Government that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing (Commission on Human Rights resolution 1993/77). Forced evictions violate prima facie article 11 of the International Covenant on Economic, Social and Cultural Rights and relevant protections against forced evictions as set out in general comment No. 7 of the Committee on Economic Social and Cultural Rights, in Human Rights Council resolution 13/10, and in the Basic Principles and Guidelines on Development-based Evictions and Displacement (A/HRC/4/18, annex I). We are also concerned that the housing demolitions appear to result in discrimination in relation to the right to adequate housing as they target an ethnic minority in the country. In this respect, we would like to refer to the recent report of the Special Rapporteur on the right to adequate housing on housing discrimination (A/76/408).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please specify whether any prior consultation was held with the affected persons and households before the forced evictions and demolitions were carried out.
3. Please indicate whether all feasible alternatives to forced evictions and demolitions have been explored. If alternatives were explored, please provide details on why these alternatives were not deemed suitable.
4. Please provide any information about the efforts that the Government has made to ensure access to adequate housing, livelihoods and work for the affected persons and households following the forced evictions and demolitions. Specifically, please provide information on housing and land alternatives that have been offered to the affected persons, avoiding that they are homeless and destitute after state actions.
5. Please indicate whether any compensation has been provided or offered to the affected residents that have either lost their homes or shops or are at risk to see them demolished for their material and immaterial losses, and why reportedly several residents have reportedly been excluded from receiving any compensation.

6. Please inform us what concrete steps the Government has taken to ensure that affected owners and users of the homes and shops that have been demolished or are at risk to be demolished have access to effective legal remedies and access to an impartial and independent legal review.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Balakrishnan Rajagopal
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Nicolas Levrat
Special Rapporteur on minority issues

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards.

We wish to remind your Excellency's Government of the obligations it assumed upon acceding on 10 April 1979 to the International Covenant on Economic, Social and Cultural Rights (ICESCR), in particular concerning the right of everyone to an adequate standard of living for himself and his family, including adequate housing (article 11). In its general comment No. 4 interpreting obligations under the ICESCR, the Committee on Economic, Social and Cultural Rights (CESCR) affirmed that all persons should possess a degree of security of tenure, which guarantees legal protection against forced evictions, harassment and other threats. The General Comment clarified that "forced evictions are prima facie incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law". In the same general comment No. 4, the Committee stated that States should take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups.

Further, in its general comment No. 7 on forced evictions, the CESCR clarified that if an eviction is to take place, procedural protections must be guaranteed, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness, and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, is available to affected individuals, where they are unable to provide for themselves. States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons. Legal remedies or procedures should be provided to those who are affected by eviction orders. States parties shall also see to it that all the individuals concerned have a right to adequate compensation for any property, both personal and real, which is affected.

The Basic Principles and Guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), further state that urban planning and development processes should involve all those likely to be affected and should include: appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives; effective dissemination by the authorities of relevant information in advance, including proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; a reasonable time period for public review of, comment on, and/or objection to the proposed plan; opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities. Moreover, these Principles and Guidelines

underscore that States must give priority to exploring strategies that minimize harm. Comprehensive impact assessments should be carried out prior to the initiation of any project that could result in development-based evictions and displacement, with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. The State must make provision for the adoption of all appropriate measures, to the maximum of its available resources, especially for those who are unable to provide for themselves, to ensure that adequate alternative housing, and resettlement, is available and provided.

In addition, we would like to refer your Excellency's Government to the Guidelines for the implementation of the right to adequate housing (A/HRC/43/43) and the Principles on security of tenure for the urban poor (A/HRC/25/54). Guideline No. 6 clarifies that, in order for any eviction to comply with human rights law, certain conditions must be met. These include meaningful engagement with those affected, exploration of all viable alternatives, relocation to adequate housing agreed upon by the affected households so that no one is rendered homeless, access to justice to ensure procedural fairness, and compliance with all human rights. Recognizing the significant difficulties faced by the urban poor in accessing justice, the Principles on security of tenure for the urban poor specify that States should take all measures to remove these barriers and ensure that the urban poor can access effective remedies through a range of judicial and administrative mechanisms. Remedies for violations of the right to adequate housing may include, among others, restitution, reparation, the provision of alternative adequate housing, rehabilitation of housing or livelihoods, as well as financial or non-financial compensation for loss and damage.

We would further like to bring to your Excellency's Government's attention the international standards regarding the protection of the rights of persons belonging to minorities, in particular article 27 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Kyrgyzstan in 1994, and the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt the measures to that end (article 1). The Declaration also provides that persons belonging to minorities have the right to participate effectively in decisions at the national and regional level concerning the minority to which they belong or the regions in which they live (article 2) and that States have the obligation to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination and in full equality before the law (article 4).

Finally we would like to point out that evictions and housing demolitions that target mainly homes of an ethnic minority, must be considered prohibited acts, violating article 2.2 of the ICESCR, which prohibits any form of discrimination in the enjoyment of the right to adequate housing. For further elaboration on this issue see the report of the Special Rapporteur on the right to adequate housing on discrimination in the context of housing (A/76/408). International human rights law also specifies that everyone should have access to justice and effective legal remedies as set out in article 8 of the Universal Declaration of Human Rights and set out in more detail in the report of the Special Rapporteur on the right to adequate housing on access to justice (A/HRC/40/60).