



**On the Kazakhstan’s Compliance  
With the International Convention  
on the Elimination of All Forms of Racial Discrimination  
in relation to the review of the 8-11<sup>th</sup> periodical report of Kazakhstan**

Alternative Report of Anti-Discrimination Centre Memorial

for the 106<sup>th</sup> Session of the UN CERD

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## Manifestations of crisis in inter-ethnic relations in Kazakhstan

In early February 2020, Kazakhstan was shocked by reports about a large-scale inter-ethnic conflict – the pogrom of Dungan villages in the south of the country resulted in 11 victims, thousands of refugees, destruction of property. The tragic events appeared to be a trigger for public reflection on the issue of inter-ethnic relations which had almost never taken place before.<sup>1</sup> In their critical opinions, experts and public figures declared that it's time to admit the fact denied for many years that tension in the society, in particular based on ethnicity, really exists and needs research, analysis, response and prevention. It became obvious that the experience of peaceful coexistence of many ethnic groups – an indisputable achievement of the ancient and modern history of Kazakhstan – needs updated and serious institutional support than it was provided by the existing laws and mechanisms.

Before and after the anti-Dungan pogroms in Kazakhstan, a number of recent conflicts with a definite inter-ethnic dimension used to occur from time to time (some examples that received at least some public coverage – conflict of Kazakhs and Uzbeks in the village of Karamurt in the Sayram district of Turkestan Oblast (August 2014), the pogrom of the Tajik village of Bostandyk in the Saryagash district of Turkestan Oblast (February 2015), anti-Armenian rally in Karaganda (January 2019), the conflict of Kazakhs and Uzbeks in the village of Kosmezgil of Shornak rural okrug of Sauran district of Turkestan Oblast (July 2021), the conflict of Kazakhs and Uighurs in the village of Pidzhim of Panfilov district of Almaty Oblast (October 2021)).

Despite the conflicts, the existence of inter-ethnic tensions in Kazakhstan were categorically denied during the presidency of Nursultan Nazarbayev's, who positioned himself as the main guarantor of peaceful coexistence of different ethnic groups in the country. N. Nazarbayev spoke about a unique "Kazakhstan model of tolerance" and proposed to extend it to the entire OSCE region (cf. his speech at the OSCE High-level Conference, June 2010). In the media space, the existence of problems of ethnic discrimination was in fact not allowed; the statements of representatives of the authorities, civil society, opposition figures, and academic publications expressed the idea of Kazakhstan as an idyllic "country of the United Nations" living in peace and friendship.

The Assembly of the Peoples of Kazakhstan was (and in many ways remains) a kind of a symbol of such a representation, although its inconsistency with modern conditions and limited power has become clear for many experts. They pointed out some obvious contradictions in the Assembly's activities: on one hand, almost all issues of the inter-ethnic policy (including analytics, prevention and mediation of conflicts) is formally delegated to the Assembly; it has a "constitutional status" (which means that since 2007 a special article of the Constitution guarantees the representation of the Assembly in the lower house of Parliament by 9 deputies– meanwhile, in March 2022, President Tokayev proposed to abolish this norm, offering instead a quota of 5 Assembly representatives in the Senate); the Assembly is regulated by a special law (2008) – although without being a legal entity at the same time. On the other hand, the Assembly was actually known in the society by its engagement in rather cultural events (ceremonial meetings, festivals, celebrations like Days of Friendship, exhibitions, popularization of traditions of various ethnic groups, etc.), and various ethno-cultural associations, educational and charitable initiatives can operate in the framework of the Assembly.

Due to this contradiction, the society had high expectations about the Assembly and disappointment with the fact that in the years before the anti-Dungan pogroms, the Assembly never reacted to any inter-ethnic conflicts, nor published relevant analytical materials that could have prevented the conflict. After the events of 2020, the Assembly was criticized for its "decorativeness", for the failure of its main mission (the formation of a civil identity and supra-ethnic consolidation of the country's population, overcoming the isolation of individual ethnic groups), for the fact that for many years it plays a role of a "mouthpiece" of the policy of N. Nazarbayev who until recently remained the lifelong chairman of the Assembly.

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<sup>1</sup> See a number of expert opinions in the media [publication](#). The expected tragedy: why the inter-ethnic policy of the Republic of Kazakhstan failed? (in Russian, Ожидаемая трагедия: почему национальная политика в РК потерпела крах? 11.02.2020).

Kazakhstan's policy in the field of inter-ethnic relations is largely determined by the ideas and documents derived from the former President N. Nazarbayev. These are, in particular, the "Strategy-2050" (2012), which talks about the New Kazakhstan Patriotism, and the "documentary form of the national idea" – the Patriotic Act "Máńgilik El" (literally – "eternal country"), adopted at the 24th session of the Assembly of Peoples of Kazakhstan in April 2016. The latter document presents a number of universal values formulated in a brief set of symbolic phrases that, if desired, applicable for arbitrary and contradictory interpretation and, therefore, can serve as a source for conflicts. It is not surprising that Kazakh nationalists saw in the New Kazakhstan Patriotism the legitimization of preferences for the "titular nation", while representatives of ethnic minorities found there the threat of discrimination, although these documents say many correct words about equal opportunities, civil identity, and inter-ethnic harmony.

Another concept that has a potential for conflicts in inter-ethnic relations, also introduced by N. Nazarbayev, is : ethnic Kazakhs as a "state-forming nation" (sf. his speech at the 15th session of the Assembly of Peoples of Kazakhstan, October 26, 2009). Although the Head of the State also spoke about the responsibility of the Kazakhs as being the "core" and "support" of the whole people of Kazakhstan, it is easy to see here at least the division of the population into "the Kazakhs" and "all others"; besides, the proclaimed "special historical mission of the Kazakhs", if desired, with a certain assumption can be interpreted as legitimization of ethnic superiority.

The declarative formulas of the "national idea" had far-reaching consequences in practice. They are introduced into the curricula of school education, in university education (for example, in textbooks for universities on a separate discipline "Máńgilik El"<sup>2</sup>), various events (conferences, meetings, meetings) are held as part of the implementation of this idea.

Taking into account the background of the promotion of the abovementioned ideological concepts and their practical implementation, it becomes clearer why in modern Kazakhstan conflicts on daily routine grounds, quarrels of children, or commercial disputes obtain inter-ethnic dimension very quickly and turn into violent actions of groups mobilized on an ethnic basis (pogroms, beatings, destruction of property etc.). At the same time, the idea of "hospitable Kazakh hosts" who "accepted other peoples on their land" usually accompanies such events and is articulated in the media and social networks. One can see how the positive idea of gratitude, cultivated in the public consciousness, has transformed into its opposite: the day of the establishment of the Assembly of Peoples of Kazakhstan, March 1, on the initiative of N. Nazarbayev has been celebrated since 2016 as a public holiday – the Day of Gratitude (according to him, "the day of gratitude of all ethnic groups to each other and to the Kazakhs who showed mercy and accepted these people as relatives," – see his speech at the 22nd session of the Assembly, April 2015).

Some critics has been recently addressed to the advisory bodies created for harmonization of inter-ethnic relations in Kazakhstan, such as Scientific and Expert Council of the Assembly of Peoples of Kazakhstan (founded in 2009) and the regional structures of the Assembly (the Councils of Public Consent, the Councils for Mediation, the Councils of Mothers, etc.), the Center of Inter-ethnic and Interfaith Relations of the Academy of Public Administration under the President of Kazakhstan (opened in 2011), the National Council of Public Trust (created in 2019). There are even proposals to liquidate the Assembly, or at least delegate it only the sphere of culture, dissemination of information and charity, while to create new bodies for the legal and socio-political representation of ethnic minorities.

The existing structures for expertise and research are criticized for the lack of analytics and prognoses, which led to the fact that the state bodies have to respond to mass acts of violence post-factum and do not have instruments for preventing conflicts. At the same time, important analytical publications do not reach decision-makers being ignored by local authorities (for example, studies of inter-ethnic relations between Kazakhs and Uzbeks 2015-2017 conducted by the scientific center "History and Ethnology" in the Auezov South Kazakhstan State University).

A number of recent reforms have already affected the sphere of inter-ethnic relations. Thus, the lifetime primacy of N. Nazarbayev in the Assembly of Peoples of Kazakhstan has been abolished

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<sup>2</sup> For instance, a university handbook "Máńgilik El" (in Russian, «Мәңгілік Ел». Учебник для вузов. Коллектив авторов, Казахский национальный педагогический университет им. Абая. Алматы, 2015. –336 с.).

(but the Assembly is still headed by the President). After the Korday events, in May 2020, 2 new expert and research organizations were established under the Ministry of Information and Public Development of the Republic of Kazakhstan – the Committee for the Development of Inter-ethnic Relations and the Institute of Applied Ethno-political Studies. A number of reforms announced most recently – after the mass riots that shook Kazakhstan in January 2022 – are aimed at improving the inter-ethnic relations. As follows from the Message of the President Tokayev (March 16, 2022), the quota of 9 deputies from the Assembly of Peoples of Kazakhstan in the Majilis is canceled, but a quota of 5 deputies from the APK is introduced instead in the upper house of the Parliament (the Senate), which should increase the status of deputies representing ethno-cultural associations.

Welcoming the political reforms aimed at democratization and ensuring broad representation of all groups of the population of Kazakhstan, the authors of this report hope that the issues of ethnic discrimination, inter-ethnic tension, hate crimes will stop to be tabooed, will be subjected to transparent scientific analysis and will become a subject of public discussion. The results of scientific research in the field of ethnology, sociology and other relevant fields should be open to the expert community and the general public.

It is necessary to create a system for effective monitoring of inter-ethnic tensions and effective response to the respective risks, including: research aimed at conflict prognosing; training and education of representatives of local authorities and law enforcement agencies; effective response in case of risk of crimes and hate-motivated violence (including impartial investigation, fair trial, bringing perpetrators to justice and compensation for harm to victims). NGOs should be involved in conflict prevention by creating favorable conditions for their work; freedom of association and expression should be guaranteed; repressions against Human Rights defenders should be stopped.

It is necessary to ensure adequate representation of ethnic minorities in governmental and administrative bodies, law enforcement and judicial bodies, especially in the regions populated with ethnic minorities. Special attention should be paid to gender equality and promotion of women's access to managerial positions.

The rights of ethnic minorities should be protected by a comprehensive anti-discrimination law, created in line with modern international Human Rights standards.

### Anti-Dungan pogrom (February 2020): challenges in overcoming the consequences of the conflict

It is no exaggeration to say that the anti-Dungan pogrom on February 7-8, 2020, which led to victims, damage of property, thousands refugees who fled from villages of the Korday district of the Jambyl Oblast of Kazakhstan to the border regions of Kyrgyzstan, became a turning event in the socio-political history of Kazakhstan of modern times. After the tragedy, the political circles, the expert community, and the general public recognized the need of a new understanding of inter-ethnic relations, new approaches to preventing such conflicts, and at the same time, the need of further reforms in the electoral system, public administration etc.

ADC Memorial provided either the UN CERD or other international Human Rights structures with the detailed reports about the development of the situation, from the documentation of the anti-Dungan pogrom itself to the follow-up of the investigation, trials and state response. Right after the pogrom, in March 2020, a report was submitted to the Committee based on field data (interviews of victims and witnesses were conducted in the affected areas a week after the pogrom) and open sources. The UN CERD twice (in [April](#) and [December](#) 2021) requested additional information from the Kazakhstan authorities on the situation of the Dungan minority and measures taken in order to overcome the consequences of the conflict.

The abovementioned ADC Memorial report (March 2020) can be found in the **Annex** to this submission; below there is a brief summary of the events followed by the analysis of the current situation.

Ethnic clashes between Kazakhs and the Dungan minority broke out in the villages of Masanchi, Sortobe, Bular-Batyr, and Aukhatty, Korday District, Jambyl Oblast, Kazakhstan during

the night of February 7 to 8, 2020. Eleven people died (10 Dungans and one Kazakh, according to official data), over 180 Dungans received injuries and gunshot wounds (exact information about Kazakh victims is not available), and dozens of private homes, retail businesses, and automobiles were set on fire. Fearing for their lives after the pogrom, approximately 8,000 Dungans living in Korday District fled to neighboring Kyrgyzstan.

The ethnic nature of the conflict was finally recognized, but the public agreement regarding the grounds of the pogrom has not been reached. Currently, the authorities of Kazakhstan consider the conflict to be resolved, as the trials resulted in verdicts, the material damage to the victims was compensated to the extent that the state commission considered adequate; a lot has been done to improve infrastructure in the affected villages (reconstruction of roads, schools); the relevant authorities, within their understanding and scope, took measures in a post-conflict situation. At the same time, the consequences of the conflict are not overcome – first of all, due to the ethnic profiling in investigation and justice towards the Dungans, which in fact means recognizing them not as victims, but as provocateurs of the conflict.

On March 11, 2020, the Prosecutor's Office of the Republic of Kazakhstan [reported](#) that 120 criminal cases initiated in connection with the pogroms in the Korday district, in September 2020, it was [reported](#) about 60 investigations and court sentences against 7 rioters, but later the detention terms were replaced by restriction of freedom.

In April 2021, the sentences of the court of the first instance were issued; out of 51 persons brought to trial, one person (a Dungan) was acquitted. The remaining 50 people, including 13 Dungans, were sentenced to prison terms (from 7 to 20 years, 9 people, incl. 3 Dungans) and conditional terms (5-6 years, 31 people, incl. 6 Dungans), as well as restriction of freedom (2-5 years, 10 people, incl. 1 Dungan). Among the Dungans, the most severe punishment was imposed to Sh.S. and Y.Ch., accused of murder (16.5 years in prison), as well as E.D., accused of shooting at police officers (16 years in prison, the term was reduced to 10 years on appeal).

The decision issued by the court of appeals shocked Kazakhstan's Dungan community: four pogromists who participated in arson and looting were released from the courtroom (members of the Dungan community said that no compensation was ordered for the tremendous damages caused and that that matter is being reviewed in civil court). Their five-year prison terms were replaced with suspended sentences. Meanwhile, three Dungans sentenced to the same term in prison were not granted leniency, even though they were forced to defend themselves against the pogromists and protect their families.

The trials were held in the city of Taraz, located about 300 km from the Dungan villages where the pogroms took place. Dungans claim that such a distance made it difficult for relatives of the victims, witnesses and other parties to the process to attend the court sessions. Activists from Dungan villages reported that in December 2020, law enforcement officers forced local Dungans to sign written statements confirming their refusal to participate in court sessions, which, according to the Dungans, would mean refusal to claim for compensation for the lost property. Both the press and the attorneys complained about how the trial was organized: Journalists were not told when the hearings would be held, so many of them were not able to arrive on time; the internet connection was not working properly and the sound was poor; and the attorneys were searched every time they entered court.

Reports of torture and other illegal actions during the investigation (including the evidences articulated by the accused Dungans during the trial) did not find proper judicial reaction; evidences of the organized nature of the pogroms, as well of the reported facts of involvement of the authorities representatives on the side of the pogromists were not investigated; the slow reaction of law enforcement agencies during the pogrom, which allowed the violence to reach such a scale, also remained without adequate judicial evaluation. The Dungan community had high expectation for the special court opinion that could have been addressed to the State Security Committee, the police, the prosecutor's office, local authorities (akimats) – but it was not issued by the court.

The recent mass riots (January 2022) in Kazakhstan, whose organized nature was immediately recognized by the authorities, forced the society to look at the anti-Dungan pogroms from another point of view. One of the lawyers defending Dungans expressed an opinion that the pogroms in 2020 became "a prologue, a rehearsal" of the events in Almaty in 2022, which could have

been prevented if the organizers of the anti-Dungan pogroms and their patrons had been found and properly punished at the time.

The lawyer [notes](#) that "unidentified, but very influential forces organized and ruled the mass riots in the villages of Masanchi, Bular Batyr, Aukhatty...A number of facts revealed during the court investigation testify the involvement of powerful and high-ranking persons into the organizing the described mass riots. These forces may even have influenced the investigative group headed by the Prosecutor General's Office, consisting of representatives of the Ministry of Internal Affairs, the Committee of National Security KNB, and the Prosecutor's Office. They influenced not only the bodies listed above, but probably also the courts... .. they shifted responsibility for failures in their work to the Dungans who heroically, risking their lives and health, defended their villages, families, property from the attackers and actually took the duties of the employees of the internal affairs bodies."

The lawyer calls for "reconsidering unfair court sentences against Dungans who defended their villages on February 7-8, 2020."

The conflict can't be considered as resolved also due to the fact that the compensation paid to the Dungan victims of the pogrom (213 million tenge) is significantly less than the initial estimation of the specially created commission (1.7 billion tenge), and only the restoration of housing was taken into account, while compensation for the lost vehicles and the stolen cattle was in fact not considered. According to the lawyers, due to the pressure on the victims at the pre-trial stage, only 72 people out of hundreds of victims filed claims for compensation for material and moral damage; most of the claims were denied.

Proper response to the Korday conflict was also troubled due to the fact that independent observers, including representatives of international organizations (for example, the OSCE) were not allowed to enter the affected areas. Obstacles were also met by the Kazakhstan Human Rights organizations. Thus, after publication of a special appeal of the Coalition of NGOs of Kazakhstan Against Torture to the Prosecutor General of Kazakhstan in relation to illegal actions of police officers in the villages of the Korday (April 29, 2020)<sup>3</sup>, aggressive nationalist threats arrived on the mobile phone of a lawyer of the Kazakhstan International Bureau for Human Rights.<sup>4</sup> Besides, a campaign of harassment was launched in the media and social networks against Eugeny Zhovtis, head of the Kazakhstan International Bureau for Human Rights.<sup>5</sup>

The inadequate reaction of the Kazakhstan authorities to the anti-Dungan pogroms, lack of recognition of the existing problems in inter-ethnic relations in Kazakhstan, ethnic profiling during the investigation, arbitrary actions towards the Dungans affected by the conflict, obstacles for independent observers and Human Rights defenders – all this still makes the situation of the Dungan minority extremely vulnerable and raises other ethnic minorities' fear for their safety in Kazakhstan.

Welcoming the recent reforms aimed at increasing the effectiveness of state and civil society institutions responsible for the harmonization of inter-ethnic relations, the authors of this report consider it necessary:

Guarantee a fair trial, stop ethnic profiling; provide effective investigation of the reports on torture of detainees, intimidation of lawyers; give a judicial assessment of the officials and law enforcement agencies' actions during and after the anti-Dungan pogroms;

Provide individuals and businesses with full compensation for the material and moral damage caused by the pogromists, to the extent calculated in line with adequate and transparent principles;

Prevent restrictions on freedom of speech, ensure transparency of investigation and judicial proceedings, guarantee free and independent work of Human Rights organizations;

Involve representatives of international organizations, including the OSCE, the UN and other Human Rights structures into the cooperation aimed at improving the inter-ethnic policy in Kazakhstan.

<sup>3</sup> The coalition Against Torture, [Appeal](#) in relation to the police raids in the affected villages in Korday district, 29 April 2020.

<sup>4</sup> The coalition Against Torture, [Statement](#) on the threats against a coordinator of the Coalition, 30 April 2020. ,

<sup>5</sup> Frontline Defenders about the [campaign](#) against Eugeny Zhovtis.



## Problems of refugees from Xinjiang in Kazakhstan

The international community has recognized and condemned the mass repression against Muslims (mostly Uighurs) in the Xinjiang Uygur Autonomous Region of China. In recent years, numerous facts of torture, arbitrary deprivation of liberty in so-called "re-education camps", forced labor, forced birth control, separation of children from imprisoned parents, and the eradication of the cultural and religious identity have become known.

Representatives of ethnic minorities persecuted in China are trying to get asylum in Kazakhstan, but cases of granting refugee status even to ethnic Kazakhs are rare. Due to the prosecution of refugees for "illegal border crossing", they can't obtain the status and realize the right to stay for a longer period in Kazakhstan (Article 49 of the Law of the Republic of Kazakhstan "On Migration of the Population" dated 22.07.2011 No. 477-IV prescribes the refusal to permanently reside in the Republic of Kazakhstan for foreigners and stateless persons who entered the country "illegally", to persons convicted of illegal border crossing, as well as to persons prosecuted for violating the laws of the country of origin).

At the same time, the escapees often do not consider Kazakhstan safe and try to leave for the third countries. They see a risk in the agreement concluded between China and Kazakhstan on the transfer of convicted persons (2011, Law of the Republic of Kazakhstan No. 144-V of November 20, 2013), as well as in Kazakhstan's non-recognition of China's repressions against Uighurs and other minorities (cf. interview of President Tokayev to Deutsche Welle on December 4, 2019 and his statement that in general the reported persecution against ethnic Kazakhs in Xinjiang do not correspond to reality; the statement of the Minister of Foreign Affairs of Kazakhstan Mukhtar Tleuberdi that ethnic Kazakhs are no longer held in "re-education centers", his [interview to Sputnik Kazakhstan](#), February 11, 2020).

Ethnic Kazakhs escapees and activists who publicize the situation of persecuted minorities are under pressure in Kazakhstan. Thus, B.K. was detained and warned by the court for a peaceful action in front of the Consulate General of China (February 1, 2021) when he was demanding the release of his younger brother from a Chinese prison. On January 22, 2021, K.A. and M.A., who previously received refugee status, were attacked in Almaty and Nur-Sultan respectively. On the eve of the attack, K.A. and her relatives living in China received threats and demands to stop disseminating information about "re-education camps" and other Human Rights violations. The Kazakhstan International Bureau for Human Rights [stated](#) that the attacks of unknown people on refugees from China in Kazakhstan, obviously, should serve as a signal to other ethnic minorities in the PRC who intend to leave the country being at risk of persecution. Kazakhstan activists working on the issue of the ethnic minorities' rights in China might also be targeted by the intimidation action.

There are facts of persecution of Uighur activists in Kazakhstan. Serikzhan Bilash has been collecting information about repression against Uighur, Kazakh and Kyrgyz communities in Xinjiang since 2014; in 2017, he headed the "Atajurt Eriktileri" NGO in Kazakhstan. According to him, the National Security officers demanded to stop using the words "genocide" and "ethnic cleansing" in relation to the situation in Xinjiang. In March 2019, Serikzhan was put under house arrest within a case of inciting discord (Article 174 of the Criminal Code of the Republic of Kazakhstan). The Auezovskiy District Court of Almaty found him guilty and sentenced to a fine of \$280 and a ban on leading public associations for 7 years. After the trial, in August 2019, the organization changed its name to "Nağyz Atajurt". In August 2020, the administrative court in Almaty fined Serikzhan Bilash of 138,900 tenge for "participation in the activities of an organization not registered in Kazakhstan" (part 10, Article 489 of the Administrative Code of the Republic of Kazakhstan). Later the criminal case on inciting discord was terminated for lack of corpus delicti. In September 2020, Serikzhan Bilash had to emigrate.<sup>6</sup>

In September 2021, the Kazakhstan authorities banned Yevgeny Bunin, a well-known researcher of repressions in Xinjiang, who had previously lived in Kazakhstan for four years, from entering the country for 5 years. No relevant explanation had been provided about the reasons of the

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<sup>6</sup> Xinjiang campaigner says China pressure led him to flee Kazakhstan. [Financial Times](#), 28 December 2020,

ban.<sup>7</sup> Bunin has collected thousands of testimonies about more than 26,000 victims of persecution in a [database](#); this information has a great value and can be used by relatives, Human Rights activists, journalists for protection of the victims and collecting information for future trial.

Representatives of minorities repressed in China seeking asylum in Kazakhstan should enjoy the rights guaranteed by the UN Convention on the Status of Refugees (1951). Prosecution them for “illegal border crossing” and extradition them to China, where they may be subjected to torture and other violations, should be stopped.

Yevgeny Bunin should be allowed to entry Kazakhstan; conditions for the safe and free work of activists and Human Rights defenders protecting the rights of ethnic and religious minorities persecuted in Xinjiang should be guaranteed.

### **About the language policy in Kazakhstan**

The Kazakh language, despite its highest status of the “state language”, hasn’t yet play the dominant role, although there is a wide variation in data on how many people in the population of Kazakhstan can speak it well.<sup>8</sup> Russian has the status of the "language of inter-ethnic communication" and is de facto more widespread being used in all key areas: bureaucratic, commercial, scientific, technical, medical, diplomatic, etc. despite the fact that the Russian population has decreased since 1990<sup>th</sup> and is now (data as of the beginning of 2021) about 18.5% against 69% of the Kazakh majority.

This specific asymmetry and historically strong position of the Russian language in the region often serve as a reason for politicization of language issues in Kazakhstan, mainly initiated from outside (from Russia). For example, punctual facts of demonstrative actions of Kazakh nationalists – the so-called "language patrols" demanding the forced introduction of the Kazakh language in the public sphere – found a rather sensitive reaction of Rossotrudnichestvo (the Russian state agency on international relations) and later of the Russian Foreign Ministry, although these actions were immediately condemned by high-level representatives of the Kazakhstan authorities (cf. speech on TV of the first deputy head of the Presidential Administration of Kazakhstan Dauren Abayev, August 12, 2021, the program "Open Dialogue 2.0" on the Khabar channel).

Currently, the Kazakhstan authorities have demonstrated a moderate approach to the language policy and gradually strengthened the role of the state Kazakh language, avoiding drastic reforms. The State Program for the Implementation of the Language Policy in the Republic of Kazakhstan for 2020-2025 sets the goal of expanding the scope of the Kazakh language, improving its teaching in schools with a non-Kazakh language of instruction, creating conditions for effective teaching of Kazakh for adults. In some aspects, the expected results seem quite ambitious (the proportion of the population who speaks Kazakh at a high level is planned as 68.1% by 2025; the general number of Kazakh speakers is planned as 95% by 2025; the planned percentage of civil servants providing public services and speaking Kazakh at levels B1, B2 and C1 is even more than 100% by 2025). Generally, the planned results seem to be rational, such as the percentage of the Russian speakers planned as 91% by 2025, which means maintaining the existing stable high level and the development of Kazakh-Russian bilingualism; the proportion of graduates of schools with non-Kazakh language of instruction who speak Kazakh at the B2 level is planned as 55% by 2025; it is expected by 2025 to reach 50% in use of Latin graphics in written communication. At the same time, the Program does not presume indicators assessing the competence of minority languages speakers (except Russian), it does not set the goal of increasing the number of native speakers, expanding the scope of use of these

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<sup>7</sup> [Statement](#) of Human Rights Watch, 8 September, 2021.

<sup>8</sup> According to the [State Program](#) for the Implementation of the Language Policy in the Republic of Kazakhstan for 2020-2025, in 2018, 85.9% of the population speaks the state Kazakh language; 92.3% of the population speak Russian. According to the [research](#) of the Foundation. Friedrich Ebert "Values of Kazakh society in the sociological dimension" (2020), only 39% of the population of Kazakhstan speak Kazakh at a high level (fluent speaking, reading and writing); the situation is worst among Slavic languages native speakers.



languages. Thus, the development of languages of ethnic minorities is assumed only at the level of methodological assistance in learning Kazakh and native languages.

Kazakhstan implements a rather progressive model of "multilingual education", more precisely, trilingual: the schools and universities implement the task of mastering Kazakh (the state language), Russian (the language of inter-ethnic communication) and English (the language of successful integration into the global economy) – this idea was first articulated by the President Nazarbayev in 2004. The standard national test needed for enrolment to universities can be passed in these three languages.

At the same time, when implementing the trilingual approach in education, the languages of other ethnic minorities, even having fully developed educational materials, are on the periphery of the education system, although the legislation and various relevant documents guarantee their preservation and development. The quality of teaching Kazakh, Russian and English in schools with other languages of instruction is insufficient for admission to the university. Currently, there are 54% schools with the Kazakh language of instruction, 17% schools with the Russian, 29% of schools practice a mixed approach (Kazakh and Russian languages of instruction), the proportion of Uighur and Uzbek schools accounts for 0.3% (data from 2021).<sup>9</sup>

Uyghur and Dungan are examples of languages losing their positions in the field of education. In Soviet times, the Uyghur-Dungan Culture Sector of the Institute of History, Archaeology and Ethnography of the Academy of Sciences of the Kazakh SSR was created in 1946 with the aim of the research of Dungan and Uyghur languages and cultures, and then it was divided and delegated to academic institutes of two republics. The Dungan studies found its place in the institutions of Kyrgyzstan: in 1954, the Dungan Culture Sector (then the Dungan Studies Department) was created in the Academy of Sciences of the Kyrgyz SSR, now the Dungan Studies and Sinology Center of the B. Jamgerchinov Institute of History, Archaeology and Ethnology of the National Academy of Sciences of the Kyrgyz Republic. Uyghur studies were delegated to Kazakhstan as a result of a complex reform: from the already mentioned Sector of Uyghur-Dungan culture, the Department of Uyghur Studies of the Institute of Linguistics of the Academy of Sciences of the Kazakh SSR (1959) to the Institute of Uyghur Studies of the Academy of Sciences of the Kazakh SSR (1986), and finally to its successor – the Center of Uyghur Studies as part of the R.B. Suleimenov Institute of Oriental Studies under the Ministry of Education and Science of the Republic of Kazakhstan.<sup>10</sup>

Many years of work of these academic institutions has resulted in a variety of research and publications, both fundamental and practical, concerning the applied aspects of education. However, education in Uyghur and Dungan languages in Kazakhstan (and Kyrgyzstan) is facing a crisis.

Thus, according to a study by the Foundation for Support of Education in the Native Language " ÝIGÝR MAKTIVI",<sup>11</sup> in 2019, about 16 thousand children were enrolled in 12 Uyghur-schools and Uyghur classes in "mixed" schools in Almaty and Almaty Oblast of Kazakhstan, which is 31% of all Uyghur schoolchildren. The rest of the Uyghur children study in Kazakh or Russian. The study documented an outflow of students from "ethnic" schools and classes; shortage of personnel, textbooks, preschool institutions; insufficient funding, chaotic educational reforms. In 2021, there are 11 Uyghur schools remain active; teachers got the relevant education in the Kazakh National Pedagogical University named after Abai and the Jarkent Humanitarian and Technical College. According to the project "New Facets of Educational Inequality in Central Asian Countries: from the Problem Measurement to Policy Changes" (OF PaperLab, 2020-2021), the workload of teachers in the Uyghur schools is about 200 hours more per year than in schools with Kazakh and Russian languages of instruction, due to the need to overcome the shortage of educational literature and conduct

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<sup>9</sup> Nurlaev J. Inequality in the system of secondary education: the analysis of reforming small schools in the Republic of Kazakhstan. 2021. (in Russian, [Нурлаев Ж. Неравенство в системе среднего образования: анализ политики реформирования малокомплектных школ Республики Казахстан. 2021](#)).

<sup>10</sup> The detailed history of the Uyghur studies in Kazakhstan: [Каримова Р.У.](#) Центр уйгуроведения в составе Института востоковедения им.Р.Б. Сулейменова История становления и развития // Мир Большого Алтая. 2016. №2.

<sup>11</sup> [Publication](#) of the Kazakhstan Bureau of Human Rights and Rule of Law about a Round Table discussion during the presentation of the research «Monitoring of schools with the Uyghur language of instruction», 2.10.2019.

additional subjects. The number of Uzbek schools is also decreasing (from 16 in 2016 – to 11 in 2021), there are no more Tajik schools (in 2016, there were 4).<sup>12</sup>

As for the Dungan language in Kazakhstan, discussions about it (as well as about the problem of minority languages in school in general) were raised up after the anti-Dungan pogroms in the Korday district (February 2020).<sup>13</sup>

Inter alia, the Dungans were groundlessly accused in their complete ignorance of the Kazakh language – and this ignorance itself was attributed to the causes of the conflict; the President Tokayev, during a meeting with the pogromed Dungans, advised them to "learn the state language and settle in other part of Kazakhstan" ([media report](#), March 3, 2020). The speech of the deputy of the Senate, Dinar Nuketaeva, is also distinctive:

"Unfortunately, the clashes in Korday have revealed acute issues regarding the status of the Kazakh language, including education in schools. 21 schools out of 48 schools in the district teach in a mixed language, most of the teachers to whom we entrusted the upbringing of children do not know the state language, and this worries us very much. ... The arguments that the main cause of this incident was a lot of schools with a mixed language of instruction are not unfounded. ... mixed schools make up 30% of the total number of schools [in the country, i.e. 2,043 schools]. You will not see such a thing in any country in the world. This is the situation we have in Kazakhstan. If this trend continues, no one will be able to predict what will happen to the future of the Kazakh language, what will be the fate of the country."<sup>14</sup>

Meanwhile, the deputy's claims do not relate to the Dungan language at all: in the schools of the Korday district, where Dungan children study, teaching is conducted in Kazakh and Russian, while the Dungan language is not present in the curriculum.

Our Dungan respondents testify that the exclusion of native languages from the sphere of education leads to the fact that the middle-aged generation can no longer effectively communicate with the elder people, while young people do not have reading and writing skills and lose interest in their native language. This is especially dramatic for the Dungan language belonging to the Sino-Tibetan family which differs very much from the surrounding languages and needs special efforts for survival.

Shrinking scope of minority languages in the public space is also a point of concern. In particular, the Uighur community of Kazakhstan is concerned not only with the deterioration of the position of the Uighur language in the education system, but also with the revision of onomastic and toponymic signs, the renaming of streets named after Uighur figures and somehow connected with the Uighur culture (for example, from time to time proposals appear to rename the Uighur district of Almaty Oblast); elimination of inscriptions in the Uyghur language in settlements of compact residence of Uyghurs and schools with the Uyghur language of instruction. Our Uyghur respondents regret the absence of TV and radio broadcasting in the Uyghur language, the staff reduction in the Uyghur newspaper "Uıǵyr Avazi", they report about liquidation of some institutions important for the preservation and development of the Uighur language (the department of Uyghur language and literature at Abai Kazakh National Pedagogical University, the department of journalism and literature in the Uyghur language at Al Farabi Kazakh National University, the Uyghur department at the Jazýshy publishing house, and the popular literature publishing house "Kazakhstan").

Welcoming the efforts to expand the use of the state Kazakh language and to increase the number of competent Kazakh speakers, the gradual nature of reforms in the language sphere and the understanding that the language composition cannot change rapidly, the authors of this report recall the need of following the international Human Rights standards, meaning the right to free use of the native language and guarantees of its preservation and development. Delegating to the State language the main role in the consolidation of a civil nation creates conditions for the violation of the linguistic rights of minorities, their stigmatization and marginalization, which leads to a decrease in the status of minority languages and their limitation with the domestic sphere. The population unity should be

<sup>12</sup> The results of the research are partly presented in the [media publication](#), 28.02.2021.

<sup>13</sup> The Korday Pogrom: The Dungan People of Kazakhstan Seek Justice, by [ADC Memorial](#). 19.05.2020.

<sup>14</sup> Following the [media publication](#), 28.05.2020, in Russian: В Казахстане предложили расширить сферу применения госязыка. Также депутаты засомневались в необходимости смешанных школ в республике.

based on the Human Rights and non-discrimination principles, while language should remain a means of administration, communication and access to culture.

The bi- and multilingualism of the majority of Kazakhstanis should be recognized as a great advantage and presented as a tool/factor of unifying different groups of the population, not of separating. It should be recognized as an important achievement of Kazakhstan's language policy that the majority of the population supports multilingualism promoted in the education system of Kazakhstan.

At the same time, more attention should be paid to minority languages, along with guarantees of high-quality teaching languages used in higher education system of Kazakhstan (Kazakh, Russian, English). Special indicators for evaluation of linguistic competence should be elaborated for the minority languages; academic research should be supported in the field of minority languages, as well as elaboration and publication of modern school materials, digital content, publications on paper.

## **Annex. Anti-Dungan pogrom of February 7 – 8, 2020: Communication to the UN Committee on the Elimination of Racial Discrimination within the framework of the Early Warning and Action Procedure.**

March 20, 2020

Issue: Anti-Dungan pogrom of February 7 – 8, 2020 resulting in casualties, destruction of property, and the mass flight of Dungan people from villages in Korday District, Jambyl Oblast, Kazakhstan to border regions of Kyrgyzstan

This report is based on information received by Dungan community in Kyrgyzstan from Dungan people from Kazakhstan who were victims and witnesses of the February 2020 conflict and on information collected by ADC Memorial during a field mission from February 13 to 18, 2020 (one week after the dramatic events). The villages where the pogroms occurred were closed to foreigners because of the state of emergency, but human rights defenders were able to spend time in neighboring villages in Kazakhstan and northern Kyrgyzstan, where they spoke with victims and their relatives, activists from the Dungan community in Kyrgyzstan, and people of other ethnic origin. In addition, experts of ADC Memorial also reviewed materials published online and on social media during and immediately following the conflict. The report was prepared with the participation of Dungan activists and support from some civil initiatives in Kazakhstan and Kyrgyzstan.

### **Summary**

Ethnic clashes between Kazakhs and the Dungan minority broke out in the villages of Masanchi, Sortobe, Bular-Batyr, and Aukhatty, Korday District, Jambyl Oblast, Kazakhstan during the night of February 7 to 8, 2020. Eleven people died (10 Dungans and one Kazakh, according to official data), over 180 Dungans received injuries and gunshot wounds (no information is available about Kazakh victims), and dozens of private homes, retail businesses, and automobiles were set on fire. Fearing for their lives after the pogrom, approximately 8,000 Dungans living in Korday District fled to neighboring Kyrgyzstan.

The authors of this report reached the following conclusions based on field and other data:

- the conflict was ethnic in nature and involved incitement with the use of hate speech directed against the Dungans;
- for various reasons, members of different social groups, including Dungan minority who suffered from the pogroms, have remained silent about the racial and ethnic roots of the pogrom and instead only propose other explanations;
- there is evidence that the pogroms were not spontaneous but planned in advance;
- south Kazakhstan and north Kyrgyzstan have seen significant ethnic tension involving the Dungan minority; there is a high risk of ethnic conflict in this district.

The following facts are cause for concern and require a reaction from international organizations:

- the Kazakh authorities are disproportionately persecuting the Dungans who participated in the conflict;
- the authorities are treating the Dungans inhumanely, subjecting them to torture, and preventing them from accessing legal assistance;
- security agencies are trying to intimidate the Dungans and track their movements and social media activities;
- independent observers, including staff from the office of the OSCE High Commissioner on National Minorities, have not been allowed into the district;
- the measures taken by the Kazakhstan government to regulate to conflict and prevent similar events in the future have been inadequate and insufficient.

## Context: the Dungan minority in Kazakhstan

The Dungan population in Kazakhstan numbers almost 60,000. In the 1880s, their ancestors moved from northwestern China to the territory of the Russian Empire (currently the territory of Jambyl Oblast, Kazakhstan and the neighboring northern districts of Kyrgyzstan). Most Dungan live densely in monoethnic villages of Korday District, Jambyl Oblast, where they make up 26 percent of the district's population. They speak the Dungan language (Sino-Tibetan language group), are Sunni Muslims, and maintain close ties with Dungan people in Kyrgyzstan, who live nearby along the other side of the border.

Given the absence of a proper integration policy, the linguistic, cultural, religious, and other differences between local Kazakhs and Dungans became factors in the estrangement of these two ethnicities, which, used maliciously, easily developed into armed confrontation and anti-Dungan pogroms. We do not have authoritative comparative studies about the material well-being or level of education and employment of the Kazakh and Dungan communities and can only make judgments based on stereotypes in the mass consciousness and the numerous statements that appeared in the public sphere during and immediately following the pogrom (speeches by various representatives of social groups, posts and comments of social media users).

The Dungan people are attributed with the following qualities: industriousness, skills to work in agriculture; prosperity, success in trade and business due to their knowledge of Chinese and connections with China; piety and the accompanying "high morality" understood as a commitment to traditional values (family, many children, strong marriages and family ties, subordination of women to men); and ethnic solidarity. These qualities can also be viewed as negative and mean that Dungan people are treated as aliens and outsiders: Dungans are accused of overusing fertilizer and "ruining" the earth; envied for their success in business and accused of corruption and distribution of cheap, low-quality goods; criticized for their isolation, poor command of the Kazakh language, and avoidance of military service, and accused of keeping their children out of school (children start working in the fields at a young age, young girls are given away in marriage) and being largely uneducated. The association between the Dungan and the Chinese has been an additional factor in their isolation (the pogrom in Korday District occurred right at the start of the coronavirus epidemic and heightened Sinophobia worldwide).<sup>15</sup>

When Kazakh society started seeking causes of the conflict and pogrom, it found an easy explanation (or justification) in the stereotype that "the Kazakhs living in poverty in their own country have had enough: the Dungan people, who are aliens and outsiders, who have reproduced and attained prosperity, do not respect our customs and laws and have become too bold and insolent."

These kinds of explanations were heard from media figures,<sup>16</sup> from Dungan people themselves, from their close neighbors, and from government representatives:

*"In Masanchi and adjoining villages, 95 percent of the population are Dungan. The rest are Kazakh, and there is a small number of Russians. Most of the Dungan people in these villages are God-fearing, peaceful, and hard-working people. Their main source of income is working the land. After the dissolution of the Soviet Union and the fall of the iron curtain, they were able to travel to China without restrictions. Since they didn't have a language barrier with the Chinese, they were able to bring various goods back to Kazakhstan and Kyrgyzstan to sell. That's how they gradually became prosperous. If you drive around the area now, you can see how much wealthier and more luxurious the Dungan villages look in comparison to the Kazakh ones. So the local Kazakh population has become more and more envious of the Dungan. Many of them cannot understand how it is that they, Kazakhs on their own land, are worse off than the outsider Dungans"* (Dungan man, resident of Bishkek. Interview with ADC Memorial, February 16, 2020, Bishkek).

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<sup>15</sup> The connection between the COVID-19 pandemic and Sinophobia was noted by Ms E. Tendayi Achiume, the UN special rapporteur on racism in a [statement](#) on the occasion of International Day for the Elimination of Racial Discrimination, March 21, 2020.

<sup>16</sup> For a collection and analysis of inflammatory publications on the social media networks of famous media figures, see "Advice of the instigators: members of the National Council of Public Trust and the Korday pogrom." [Article](#) on the website of the Central Asia Monitor news agency, February 11, 2020, [in Russian].



*“I live near Masanchi and the other Dungan villages that experienced the pogroms. I can say that the situation has been tense for some time now. The Dungans have been living here for many years now, developing their businesses and holding markets. Their homes are much larger and better kept than Kazakh homes. Most Dungan families are affluent and large, so their numbers here keep growing. All these factors cannot help but contribute to envy on the part of the Kazakhs. I would even say that the treatment of Dungans by locals is reminiscent of the treatment of Jews”* (Russian man, resident of Aukhatty village. Interview with ADC Memorial, February 14, 2020, Korday).

*“Judge for yourself: there are more and more Dungan here. They feel their power and have already started being rude to police officers. Didn’t you watch that video where the Dungans were beating up police officers? Not long before these events, their high-school-age children beat up a female teacher at school. This [pogrom] was bound to happen at some point”* (law enforcement officer posted to Korday District from Taraz. Interview with ADC Memorial, February 14, 2020, Korday).

This stereotype was expressed quite forcefully by one of the elders of the Kazakh community in Korday District during a meeting with Berdibek Saparbayev, the akim of Jambyl Oblast, and other government representatives immediately following the pogrom in a video clip later shared on social media and messaging services. In the video, several hundred local residents applaud approvingly during his speech:

*“When a flower starts to fade, it’s easier to pull it out by the roots than to snip off the dead part. The Dungan were once driven out of China. Tell me, who’s going to drive out good people? After that, they came to us, the Kazakhs. We welcomed them with kindness, we took them in, we gave them land in Masanchi, Korday, Sortobe <...> but they started behaving as if they weren’t guests. The fact that they’re now being killed and driven from our land – well, that’s what they deserve. What kind of country are we if we let other nations behave like that on our land? What kind of people are we if we cannot protect our children and families from outsiders in our own country?”<sup>17</sup>*

Other reflections have been layered on top of this stereotype, but its foundation remains the same: “the Dungan ethnic minority, which is foreign to the hospitable Kazakh majority, lives by its own laws on land that does not belong to it.” The idea that the Dungans are the victims and not the perpetrators of the pogroms has barely been mentioned in public space: apologies on behalf of the Kazakh people have only been made by private individuals on social media. In fact, Kazakhs have expected contrition and apologies from the Dungan. In this sense, the behavior of President Tokayev, who met with residents of decimated Sortobe and separately with their Kazakh neighbors from the village of Karakemer, was typical: journalists noted his contemptuous tone in the first meeting and his warm sympathy in the second meeting:

*“Like a commandeer who had won a small war, he gazed down at the defeated people. The most esteemed citizens of the fallen enemy village stood before him (at least not on their knees), contritely hanging their heads and listening deferentially as they thanked him and asked for forgiveness. And the victor sanctimoniously scolded them and told them what they needed to do to be shown mercy and leniency—study the state language and settle in other parts of Kazakhstan. The president could find no words of sympathy, not to mention apology, for the residents of a village where over 100 children lost their fathers or were left homeless in the course of one night. The meeting in the neighboring [Kazakh] village Karakemer two hours earlier took place in a warmer environment, as a heart-to-heart conversation around a table”<sup>18</sup>*

In the context of post-Soviet Central Asia, President Tokayev’s statement during his meeting with the beleaguered Dungans about the need to learn the state language and settle in other parts of the country was taken not as a proposal to integrate, but as a threat: it was specifically to Kazakhstan and Uzbekistan that repressed peoples were deported under Stalin.

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<sup>17</sup> This recording is in the possession of ADC Memorial.

<sup>18</sup> Gulnara Bazhkenova. [Article](#) “How the president went out among the Dungan people,” March 3, 2020. [in Russian].

Kazakh society did not view the pogroms as an extreme manifestation of racial and ethnic intolerance, and international organizations did not make any targeted statements about the pogroms. Instead, discussions revolved around who could use the conflict to their advantage and who the conflict was aimed against. Various versions were proposed:

- The conflict was aimed at discrediting former president Nazarbayev by proving that he brought the country to ethnic pogroms under his rule;
- The conflict was directed against the current president, Tokayev, and proves how impotent he is in comparison to Nazarbayev;
- The conflict was aimed against the current government and its cooperation with the United States, benefited China, was organized in response to US Secretary of State Pompeo's visit to Kazakhstan and his statement about the persecution of Uighurs in the XUAR by the Chinese government, and was intended to accuse Kazakhstan of ethnic cleansing and deprive it of the moral right to intercede on behalf of Kazakhs being persecuted in China;
- The conflict was organized but related purely to criminal activities, it was an internal squabble between a Dungan criminal group and other groups, a battle for revenue from contraband and cross-border trade, the same thing could have happened to any ethnic group;
- The official version – a mundane conflict that spontaneously grew into an ethnic conflict.

Even though ethnic tension existed under Nazarbayev, it was always categorically denied as the President positioned himself as the main guarantor of peaceful co-existence for the country's various ethnicities. This is also the general situation now: the existence of a problem with ethnic discrimination is rejected by the current government, the opposition, and civil society, and the idea of Kazakhstan as an idyllic "country of united nationalities" living in peace and friendship continues to dominate in the mass consciousness.

It is only now, after the pogroms in Korday District, that experts are starting to voice rare critical opinions that these kinds of conflicts cannot be called "mundane" and that tension, including ethnic tension, does exist in society and requires study, analysis, and response, which has not been observed in Kazakhstan for many years.<sup>19</sup>

### **Incidents preceding the pogroms of February 7 and 8, 2020**

The tragic events of February 7 were preceded by two unrelated conflicts between Dungans and Kazakhs in Korday District. The first occurred on the morning of February 5 on a road near Sortobe and ended in a scuffle between a group of young Dungans and Kazakhs; one elderly Kazakh man was traumatized (his leg got broken). On the same day, Dungan elders apologized to the victim and paid compensation to the family, thus settling the conflict (this practice for settling conflicts has existed for many years). Later, the guilty party was arrested and was under investigation at the time of this writing.

After this incident, the authorities increased police patrols in Karakemer—a Kazakh village near the Dungan village of Masanchi, and in other nearby localities. Dungan informants ascribed this to the authorities' fears of an aggressive reaction from the Kazakhs:

*"On the morning of February 5, two Dungans in a truck blocked the road to make a U-turn as they drove out of a lot. Several cars were on the road and one of the drivers did not like that he could not pass. He got out of his car and rudely demanded that they clear the road. A scuffle ensued after about five to 10 minutes. There were two Dungans and three Kazakhs. They fought. Drivers in nearby cars tried to separate them. An elderly man who was in the car with the three Kazakhs also tried to stop them, but someone pushed him and he fell over and broke his leg. A patrol officer arrived several minutes later. He separated the men and wrote up a report. After this, the Dungan elders went to the man's home to apologize and pay him compensation. The elderly man accepted the apology and the*

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<sup>19</sup> See this [selection](#) of expert opinions: "An expected tragedy: why has nationality policy foundered in Kazakhstan?" February 11, 2020.

*conflict was settled. Even so, the authorities understood that provocations could follow on the part of the Kazakhs, so a large number of patrol cars were sent to Karakemer, where they stood at every turn all the way to Sortobe” (Dungan man, resident of Tokmok. Interview with ADC Memorial. February 15, 2020, Bishkek).*

The second conflict occurred on the afternoon of February 7, 2020 near Masanchi, where police officers stopped a car driven by a young Dungan residing in Sortobe. A document check showed that the car’s identification number did not meet state standards. The driver did not obey the officer’s request to follow him to the precinct and tried to escape, but the police caught up with him in his courtyard, where his relatives attacked the officers.<sup>20</sup> At the time of this writing, the three Dungans who took part in the conflict were under arrest and investigation.

According to local residents, traffic officers (over 10 teams were mobilized in the district) provoked the local population into a conflict: they stopped vehicles without any grounds, started pursuits, and collected illegal fines that exceeded the amounts set by law. Witnesses to this particular incident asserted that traffic officers tried to collect a bribe in the amount of 100,000 tenge (\$270) from the driver, threatening him with arrest if he failed to pay. This is what led to the conflict and the involvement of the driver’s relatives (this information was obtained from activists in Kyrgyzstan’s Dungan community).

Informants told ADC Memorial about selective treatment of Dungans and solicitation of bribes by the police, which they have had to deal with for a long time now. It’s likely that the police saw the February 5 incident as a kind of legitimization for this behavior:

*“Over an extended period of time, we have recorded cases where traffic officers have raised fines tenfold for breaking traffic rules without any order from above and only for Dungans. This increased the local population’s dissatisfaction, which is what led to the scuffle between the Dungans and the traffic officers” (Dungan man residing in Korday District. Interview with ADC Memorial, February 15, 2020, Bishkek).*

Both of these incidents were widely publicized on messaging apps and social media on February 7. Even though they were unrelated and did not take place at the same time, they were presented as one whole and accompanied by aggressive calls to nationalism. False information was also spread (for example, there were rumors that the elderly man who broke his leg in the first conflict died from his wounds). Responding to questions from journalists, Deputy Minister of Internal Affairs Aleksey Kalaychidi stated that the people who shared provocative messages and comments were in different parts of the country, but felt compelled to stoke the situation.<sup>21</sup> As a result, many YouTube and Instagram users reproduced provocative comments that were nationalistic in tenor and called on Kazakhs to band together and stand up to the Dungans.

Participation of residents of distant regions in the pogrom was confirmed at the end of March 2020 by Vice Prosecutor General of Kazakhstan Yerlik Kenebayev:

*«After a series of initial events, local residents through social networks and messengers began to send messages with negative comments. Criminal elements took advantage of this situation, using social networks to promote social discord and calling for violent actions. Being under the influence of unreliable and false information, some residents of neighbouring localities, other regions, cities formed groups and arrived to the villages of Masanchi, Bular Batyr and Aukhatty of Korday District».<sup>22</sup>*

### **Chronology and facts of the pogrom**

At approximately 5 p.m. on February 7, a mass brawl involving almost 30 people on each side broke out on the bridge separating the Kazakh village of Karakemer and the Dungan village of Masanchi. The brawl ended with retreat of the Kazakhs, who were the first to attack.

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<sup>20</sup> A [video](#) from the scene of the incident.

<sup>21</sup> “Unrest in Korday District started because of messaging.” [Article](#) dated February 9, 2020 on Tengrinews.kz:

<sup>22</sup> 25 people were arrested on suspicion of rioting in the Korday District. [Internet-Journal Власть](#), 27.03.2020. [In Russian]

*“The first skirmish near Masanchi took place between the Dungan and local Kazakhs on the evening of February 7. Most of the Kazakhs were local. Many of them were intoxicated. The young Dungan people fought back, and the Kazakhs ran back to their village Karakemer”* (Dungan man, interview with ADC Memorial, February 15, 2020, Bishkek).

Two hours later, however, hundreds of people from other mainly Kazakh localities started assembling at the site of the first fight. According to information in the possession of Dungan activists in Kyrgyzstan, almost 2,000 Kazakhs arrived at the bridge around 7 p.m., and almost 300 Dungan people came out to meet them (that is the estimate given by witnesses). District administration leaders, the district police chief, and leaders of the Dungan community, including Khusey Shimarovich Daurov, the head of the Dungan association in Kazakhstan, arrived at the scene.

During negotiations, shots rang out from the crowd of Kazakhs. One Dungan (a teacher of the Kazakh language at the local school) died at the scene and two were wounded. The Dungans started to flee. The shots served as a signal to attack, and the crowd of Kazakhs moved towards Masanchi. Trucks whose noses were outfitted with metal shields led the way. The attackers shot and threw stones at the Dungans from these trucks. They were followed by cars carrying the people who would loot homes and stores, loading valuables and goods into the cars and raiding livestock. Then came groups of arsonists with specially prepared bottles containing a flammable mixture, which they threw at homes. There were reports that the attackers offered some the chance to buy their way out of the pogroms.

The almost 70 officers from SOBR (a special rapid response unit) that arrived at the scene did not have the chance to stop the enormous crowd and did not use special crowd dispersal tools. At approximately 9:30 p.m., additional district police unit arrived, but they did not interfere or push back against the attackers. Moreover, there is evidence that officers in plainclothes and in uniform were part of the crowd of attackers who participated in the looting. Some witnesses reported that the police just observed the pogroms and sometimes even ran from the attackers.

It was only towards 11 p.m. that the police and local residents were able to push the crowd of attackers out of Masanchi, provide patrols and guards to control entry and exit into the village, and start to extinguish the burning structures.

Here is how a young Dungan woman from Kyrgyzstan who happened to be in Masanchi and spent the entire night in a mosque basement described the pogrom:

*“I was at my aunt and uncle’s in Masanchi because I attend the madrasa there. Their home isn’t in the center, so nothing bad happened to it. We didn’t even know that anything was going on. We went to bed at 10 p.m., but soon woke up from the noise on the street. My aunt said: ‘Get dressed. Get your documents. We’re going to the mosque.’ When we went outside, I heard screams, the screeching of iron, and the wail of sirens. I could even hear shots from far away. Half of the sky was red from everything that was on fire. As we drove to the mosque, I saw lots of Dungan people on the streets with sticks, shovels, and rakes. There were lots of police cars, but the officers weren’t doing anything. It seemed like they were fleeing with the Dungans. When we got to the mosque, we found a lot of people there, mainly Dungans. We were hidden in the basement. We sat on the floor, but there wasn’t even room to stretch out our legs. It was mainly women, children, and elderly women. The men stood near the entrance and guarded us. At one point, light was turned off throughout the entire village, which threw the basement into total darkness. When we went back upstairs in the morning, all the houses around us had burned down, their windows were smashed, and one home was still burning”* (Young Dungan woman who witnessed the pogrom, resident of Tokmok. Interview with ADC Memorial, February 16, 2020, Tokmok (Kyrgyzstan)).

After the pogrom, some of the attackers set off in an orderly manner along the road to Korday, where they were joined by a group of pogromists from relatively distant areas of Kazakhstan like Shymkent, Almaty, Taraz, and other cities. Then they returned and proceeded to destroy and loot the Dungan villages of Aukhatty and Bular-Batyr. In Sortobe, they were met by organized resistance from Dungans. There is evidence that police officers directed the attackers to a detour they could use to enter other villages (this information was provided by Dungan activists in Kyrgyzstan).

Residents of Aukhatty and Bular-Batyr learned of the pogrom by phone and social media and had to hurry to flee: some people threw themselves into the river and stood there until morning, hoping

that the pogromists would not notice them in the dark. There is evidence that the police did nothing and allowed the crowd to attack the Dungans.

Informants reported that their relatives from these villages were wounded and killed:

*The relatives of the informant found out about the pogroms at night – someone wrote them when they were already asleep. When they tried to leave Aukhatty in a car with their children, someone shot at their windshield and the husband got birdshot in his eyes. He blindly got out of the car and fell into a ditch, where his relatives found him in the morning. His wife and three children spent the night hiding in someone’s outhouse. The husband was not able to get help in the hospital in Korday because of the lack of qualified doctors. Later, he had an operation in Almaty and is preparing for the next one, because he still can’t see anything.*

*The relative of the informant (her daughter-in-law’s brother) was killed in Bular-Batyr. He left five children behind. The hospital told them he died—before that they hadn’t known what happened to him or where to look for him” (Dungan woman, resident of a village in northern Kyrgyzstan. Interview with ADC Memorial, February 17, 2020, Chuy Oblast of Kyrgyzstan).*

The Dungan village Sortobe was prepared to protect itself: after sending its women, children, and elderly to the border with Kyrgyzstan, local residents rallied to protect their village on their own. This was the scene of the largest clash, with both sides using firearms.

During the height of the pogroms on February 7 to 8, most Dungans left their villages and set out for the border with Kyrgyzstan in hope of escaping there. Informants recounted how the refugees were persecuted by the pogromists:

*“When the pogrom started, my parents-in-law collected the children and grandchildren so they could leave. Their two daughters-in-law, their son-in-law, and the children drove off along the road. A GAZ-53 truck chased after them, people were throwing stones at their car from it. They lay down on the floor of the car. The children were crying. The adults hid them behind their legs so the stones wouldn’t hit them. It was only when they reached the border post that their pursuers turned around and drove away” (Dungan woman, resident of a village in northern Kyrgyzstan. Interview with ADC Memorial, February 17, 2020, Chuy Oblast of Kyrgyzstan).*

On the night of February 7 to 8, several thousand Dungan gathered by the Tokmok and Ken-Bulun checkpoints. At the Ken-Bulun point, the Kazakhstan border guards told them that the border was closed until morning for both entry and exit. They stopped letting cars through early in the morning and only allowed people to cross on foot. Only two windows were open on the Kazakhstan side, so thousands of people were forced to spend the rest of the night and even the entire next day in line waiting to cross the border and go to their relatives in Kyrgyzstan.

*“My father and I left Masanchi for the border and Tokmok at 8 a.m. We knew that the border had been closed all night and that there could be a long line there, but we decided not to wait [in Kazakhstan]because we feared new pogroms. When we reached the border, we learned that people—mainly women and children—were only being let through on foot. Even though hundreds of people had piled up at the border and there was a huge crush on the Kazakhstan side, only two windows were open inside, so the line moved very slowly. We stood like that for nine hours until the evening. We didn’t eat that entire time and had no chance to go to the bathroom. Some of the people near us, especially the elderly, fainted. I saw several middle-aged and elderly women being carried away on stretchers. Everything went much quicker on the Kyrgyzstan side. They had five windows open and didn’t ask any questions. So we entered Kyrgyzstan at about 11 p.m.” (Young Dungan woman, resident of Tokmok. Interview with ADC Memorial, February 16, 2020, Tokmok).*

Many Dungan people decided to return home because of the long lines and because of rumors that the border would soon be closed and that they wouldn’t make it into Kazakhstan in any case.

Almost 8,000 Dungan fled their villages temporarily. According to data from Kazakhstan’s border service, 24,000 people crossed the border between February 7 and 9, but this figure includes people who returned the next day and then left again fearing a renewal of conflicts.

The people stuck in lines at the border for hours were helped by activists from the Dungan community and volunteers from other nationalities, who brought food and water to the border post



and then housed people who could not find relatives or acquaintances in Kyrgyzstan in their homes, schools, and mosques.

The pogroms ended at 5:25 a.m. on February 8, when National Guard troops arrived at the scene. A state of emergency was declared in Korday District and entry and exit checkpoints were set up in the villages.

The majority of the Dungans have now returned home to deal with the results of the pogroms, save their livestock, and continue their farming businesses. They do not feel safe and believe that new unrest is possible. They are looking at options for moving out of Kazakhstan.

### **Delayed reaction to the pogrom from Kazakh authorities**

On the evening of February 7, when the pogroms were at their height, the Kazakh president tweeted that the events were “a mass brawl incited by hooliganism” and stated that the situation in Korday District was normalizing and under the control of the police:

“A mass brawl incited by hooliganism occurred in Korday District, Jambyl Oblast. Troublemakers tried to take advantage of this. The police have normalized the situation and taken it under control. Those guilty of disturbing the peace will be prosecuted.”<sup>23</sup>

Meanwhile, as soon as the conflict started, the authorities restricted internet access and blocked messaging apps in Dungan villages and shut down mobile connections and electricity in Masanchi. So Dungan people from Kyrgyzstan, where the internet was working, tried to reach members of the Kazakh government (the president and deputies) by text message. The chair of the Kazakh Dungan association, Kh.Sh. Daurov, who was wounded during the pogrom and was lucky not to be killed, told journalists from the Kaztag news agency that, contrary to official information, the pogroms were continuing.

It was only after word spread to the public that local authorities reported that help from Jambyl Oblast and Almaty was on the way to Korday District, and it was only after that the police started taking active measures to protect Dungans and drive the pogromists out of Masanchi.

OMON and National Guard troops arrived at the scene at 5:25 a.m. on February 8, 2020, that is, thirteen-and-a-half hours after the conflict started at approximately 4 p.m. on February 7, 2020. Such an extended delay gave the Dungans reason to suspect that it was intentional. Masanchi is 365.8 km from Taraz, 260.3 km from Almaty, 127.9 km from the Otar border post, and 52.4 km from Korday. All of these localities have interior troops who could have arrived in Masanchi within one to four-and-a-half hours.

The causes for this delayed reaction require an impartial investigation. The actions of officials who ordered the slow movement of troops and forces should be given a legal evaluation.

### **Evidence of the pogrom’s organized nature**

Witness statements about the purposeful planning of the pogrom require careful review and an impartial investigation. The following evidence speaks to the fact that the pogrom was not spontaneous but was prepared in advance:

- according to witnesses, the attack on Masanchi was carried out by organized groups: shooters and stone throwers on trucks outfitted with metal shields; looters who carried property out of homes and stores and corralled livestock; arsonists who threw professionally prepared bottles containing flammable substances, which required time and skill to prepare;
- witnesses reported seeing criminal figures among the attackers who guided the process, while some of the attackers were from other regions of Kazakhstan; this kind of coordination requires time;

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<sup>23</sup> Published at 6:33 p.m. on February 7, <https://twitter.com/TokayevKZ/status/1225834968418529281>

- the cruel and unjustified actions of certain attackers give rise to suspicions that they were under the influence of psychotropic or narcotic substances (driving into a crowd, dancing on car roofs, threatening to murder women, children, and the elderly);
- According to some accounts, law enforcement officers told the attackers that they had until 6 a.m. for reprisals and that then National Guard troops would be brought in;
- Participants in the events assert that residents of Kazakh villages were warned in advance of the clashes and that the administrations of high schools and daycares cancelled classes scheduled for February 7.

If it is true that pogromists from other regions were mobilized using online apps, that special bottles containing a flammable mixture were prepared, and that vehicles were re-outfitted for attacks and pogroms, then this could not have been overlooked by law enforcement authorities, and the question of their inaction, which had such tragic consequences, should be examined.

### **Victims suffering financial damages**

At a meeting of the government of Kazakhstan on February 11, 2020, Deputy Prime Minister Berdibek Saparbayev announced that 11 people, including 10 Dungans and one Kazakh, died in the conflict and 141 people sought medical care, including 18 police officers.<sup>24</sup> A total of 39 private homes, 20 business, and 47 vehicles were set on fire.<sup>25</sup> On February 11, officials provided a preliminary assessment of the damages caused by the conflict, which amounted to 1.7 billion tenge, or approximately \$4.5 million.<sup>26</sup> On March 27, 2020, the Deputy Prosecutor of Kazakhstan announced the following figures: 11 people were killed, 192 were injured, including 19 policemen; 168 houses were damaged and burned, and 122 vehicles were damaged.<sup>27</sup>

The data at the disposal of the Dungan community in Kyrgyzstan differs somewhat (as of February 20, 2020): three ethnic Kazakhs died in the pogroms and 11 of the people who perished remain unidentified. Nearly 40 wounded Dungan are in hospitals, and approximately 180 people have sought medical care for their wounds. Another 100-plus Dungan with various injuries, including gunshot wounds, are at home and have not sought medical help in fear of criminal prosecution. The local authorities are aware of these citizens in need of medical care but have not taken any actions so as not to increase the official numbers on victims. The media has not reported on any ethnic Kazakhs who were harmed. According to local residents, 91 pieces of real property (including 63 houses, 23 commercial structures, and five outbuildings) and 47 vehicles were damaged. On top of this, Dungan families suffered financial damages due to looting, livestock raiding, and so forth; the amount of these damages has yet to be calculated.

The provision of humanitarian aid and psychological, and sometimes medical, care to the victims has mainly been handled by the Dungan community itself. The only international organization to provide assistance has been the regional office of the Red Crescent.

The work of a government committee created to assess the damages caused to the Dungan community has so far been limited to re-shuffling the leadership at the oblast and district levels and to statements that the victims will receive humanitarian aid and compensation for damages. However, this committee has not in fact taken any real action. The formulae that the committee is using to calculate damages are not transparent or trusted by the population.

Dungan activists believe that the Kazakh government is understating the scale of the conflict by controlling publications in the media and pressuring Dungan leaders.

In particular, Kazakh authorities have denied reports that Dungan people fled to Kyrgyzstan en masse. On February 9, they officially announced that 12,000 residents of Korday District left

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<sup>24</sup> “As of today, the situation in Korday District is stable – B. Saparbayev.” [News item](#) on the official website of the Prime Minister of the Republic of Kazakhstan, February 11, 2020, [in Russian].

<sup>25</sup> “Berdibek Saparbayev holds meeting at oblast HQ to mitigate the consequences of the state of emergency.” [News item](#) on the website of the Jambyl Oblast akimat, February 14, 2020, [in Russian].

<sup>26</sup> “Work continues in Korday District to rebuild villages.” [News item](#) on the website [www.24.kz](http://www.24.kz). [in Russian].

<sup>27</sup> 25 people were arrested on suspicion of rioting in the Korday District. [Internet-Journal VJACTB](#), 27.03.2020 [In Russian]

Kazakhstan.<sup>28</sup> Officials called for their return, assuring them that the situation was under control and there was no threat of danger. The next day, Deputy Prime Minister Berdibek Saparbayev admitted that the actual number of people who crossed the border was 24,000.<sup>29</sup>

Meanwhile, the consequences of the pogroms have been profound: they caused not just loss of loved ones, property, and health (injuries, trauma, miscarriage (according to the family of one woman)), but also intense psychological stress for both children and adults and a loss of a sense of security and trust.

*“The children (12 and 17) came to us not properly dressed—they were dragged out of bed at night. They are terrified. They cry all day and night, they don’t want to go to school. ‘We don’t want to go home,’ they say”* (Dungan woman, resident of a village in northern Kyrgyzstan. Interview with ADC Memorial, February 17, 2020, Chuy Oblast of Kyrgyzstan).

### **Official version of the pogrom: denial of the problem of ethnic relations**

Even though the conflict in Korday was clearly ethnic in nature and planned in advance, Kazakh officials have not acknowledged the ethnic and racial motives of the attackers. For example, during the pogrom President Tokayev wrote the abovementioned tweet calling the conflict “a mass brawl incited by hooliganism.” On February 8, officials labeled the incident a “mundane [conflict] that grew into large clashes” (with reference to the Minister of Internal Affairs),<sup>30</sup> and on March 1, President Tokayev stated at a meeting with residents of Karakemer that the cause of the unrest was a fight between two unnamed criminal groups for control of the sources of illegal revenue.<sup>31</sup>

### **Persecution of Dungan people after the pogrom**

The Dungan minority has still not been officially recognized as an injured party in the conflict. Moreover, reports are being received from Dungans in Korday District that they are being summoned to the police for questions on a daily basis in an attempt to file criminal charges against them and that torture (physical violence, stun guns) is being used against Dungans already under arrest ( seven people, four of whom were arrested in relation to the February 5 conflict involving the elderly man and the February 7 conflict involving the traffic police, both incidents unrelated to the pogroms). Another three Dungans were arrested later for organizing mass unrest and attacking law enforcement officers. Relatives of the people arrested say that lawyers are being questioned and threatened by national security agencies and are refusing to represent Dungan interests.

At the same time, 43 of the 47 ethnic Kazakhs arrested immediately following the pogroms have been released. In late February 2020, law enforcement agencies opened eight criminal and administrative cases against the “instigators” of the unrest. Officials have established the identities of only 200 participants in the pogrom, while witnesses maintain that there were from 1,500 to 2,000 pogromists.<sup>32</sup> No prosecutions of ethnic Kazakh participants had been announced. The people guilty of the deaths of 10 Dungans remain unknown.

On March 27, 2020, during a special operation carried out in three regions of Kazakhstan – in Jambyl Oblast, Almaty and Shymkent, 25 people were detained on suspicion of participating in mass riots. Deputy Prosecutor General of Kazakhstan Yerlik Keneyev at a briefing said that there are Kazakhs, Dungans, Kyrgyz among them; seven people were previously convicted.<sup>33</sup>

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<sup>28</sup> “Aid continues for victims in Jambyl Oblast.” [Article](#) on the website [www.24.kz](http://www.24.kz) of February 9, 2020, [in Russian].

<sup>29</sup> “Unrest in Korday District forced 24,000 Kazakh citizens to flee to Kyrgyzstan.” [Article](#) on the website of Sputnik Kazakhstan news agency, February 10, 2020, [in Russian].

<sup>30</sup> “Cause of the conflicts in Masanchi become known”, February 8, 2020, media [report](#).

<sup>31</sup> “Contraband and gang warfare: Tokayev names the true causes of the conflict in Korday,” [Article](#) on the website of Sputnik Kazakhstan news agency, March 1, 2020.

<sup>32</sup> “Unrest in Korday: police identify 200 participants in the provocations.” [Article](#) on the website of the Kaktus Media news agency, February 27, 2020.

<sup>33</sup> 25 people were arrested on suspicion of rioting in the Korday District. [Internet-Journal VJactb](#), 27.03.2020 [In Russian]

The persisting atmosphere of ethnic tension has been fueled by the absence of a transparent investigation and a lack of data about the situation in Korday District. State agencies are interfering in the work of the media and are pressuring attorneys protecting Dungan interests. International and Kazakh human rights organizations are not being allowed into the district where the pogroms took place. Even staff from the office of the OSCE High Commissioner on National Minorities were denied entry.

The Dungan people of Kazakhstan are afraid to talk with anyone about the pogroms or ask for help, because they do not believe the government is able to provide for their safety. They believe the situation will only deteriorate further. Many fear a repeat of the pogroms and are discussing the possibility of moving to a safer place outside of Kazakhstan.

**We appeal to the United Nations to make the following recommendations to the government of Kazakhstan:**

- conduct an effective and impartial investigation of the events of February 7 to 8, 2020 in Dungan villages: establish the guilty parties and prosecute them; end ethnic profiling, torture, and intimidation of lawyers; ensure the provision of legal assistance; conduct a legal evaluation of the actions of officials and law enforcement agencies;
- reject restrictions on freedom of speech, notify society about the results of the investigation;
- compensate private individuals and business for the material and emotional damages caused by the pogromists and calculate these damages using valid and transparent formulae;
- provide qualified medical care, including psychological care, to victims;
- allow representatives of international organizations, including the OSCE, the United Nations, and other human rights organizations, to visit the scene of the events to conduct an objective analysis.

Besides, the government of Kazakhstan must recognize the problem of ethnic tension that exists in the country and review national policies with a goal to preventing manifestations of racism and xenophobia and guaranteeing the rights of ethnic minorities.