



Inter-Parliamentary Union  
For democracy. For everyone.

## Kyrgyzstan

**Decision adopted unanimously by the IPU Governing Council at its 215th session (Tashkent, 9 April 2025)**



© PHOTO by Toktosun Shambatov / RFE/RL – Kyrgyz Service

### KGZ-02 – Adakhan Madumarov

#### Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Failure to respect parliamentary immunity

#### A. Summary of the case

Mr. Adakhan Kumsanbayevich Madumarov is a seasoned parliamentarian and former Speaker of the Kyrgyz Parliament, the *Jogorku Kenesh* (Supreme Council). Mr. Madumarov was the main challenger to interim President Sadyr Japarov in the disputed 2021 presidential elections and is also the leader of *Butun Kyrgyzstan* (United Kyrgyzstan), one of the largest opposition parties in parliament.

According to the complainant, on 2 September 2023, as Mr. Madumarov was out on a stroll with his then 13-year-old son, they were both arrested by a *Spetsnaz* (special forces) unit led by agents of the Interior Ministry. His son was later released and the parliamentarian transferred to the Bishkek Pervomaysky District Court, where he was charged with high treason and ordered to be held in pretrial detention in a State Committee on National Security (GKNB) remand prison. The complainant stresses that Mr. Madumarov remained in prison for over six months with no possibility of carrying out his mandate, as every appeal for his release was rejected without justification. In addition, the complainant claims that Mr. Madumarov faced mistreatment and inhumane conditions of detention while being detained in violation of applicable legal norms.

#### Case KGZ-02

**Kyrgyzstan:** Parliament affiliated to the IPU

**Victim:** Opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the Committee Procedure (Annex I)

**Submission of complaint:** January 2024

**Recent IPU decision:** March 2024

**IPU Mission(s):** - - -

**Recent Committee hearing(s):** - - -

#### Recent follow-up:

- Communication from the authorities: March 2025
- Communication from the complainant: March 2025
- Communication to the authorities: January 2025
- Communication to the complainant: March 2025

The complainant adds that the arrest violated Mr. Madumarov's parliamentary immunity, as in March 2022, parliament had rejected the Prosecutor General's initial request to lift Mr. Madumarov's immunity. The complainant shares that, following a new request in June 2023, parliamentarians rejected charges related to preparing mass riots and attempting to seize power but allowed the abuse of power case against Mr. Madumarov to go ahead. However, the complainant stresses that the fact that the authorities subsequently upgraded the abuse of power charge to the charge of high treason was never explained. The complainant adds that the authorities later introduced fraud charges related to a 2015 electoral donation supported by questionable evidence. Parliament's approval to prosecute in the fraud charge case was reportedly never sought. According to the complainant, the Pervomaysky District Court further violated Mr. Madumarov's rights by extending his custody and declaring the proceedings a closed trial. The complainant highlights the arbitrary classification of the case as "secret", imposing a non-disclosure obligation on Mr. Madumarov's lawyers and undermining their ability to defend their client. According to the complainant, the aim of the secret nature of the trial was to hide statements of witnesses supporting Mr. Madumarov's innocence from the public. The authorities have also made statements that seem to presume Mr. Madumarov's guilt.

According to the complainant, the charge of high treason against Mr. Madumarov is linked to his participation in a bilateral meeting with Tajikistan in March 2009, where he was sent, together with a larger delegation, as Secretary of the Security Council to discuss long-standing issues related to the un-demarcated border between the two countries. The complainant adds that Mr. Madumarov was acting on instructions from the Head of State at the time when he co-signed the protocol (minutes) of the meeting, where the idea of a land swap was flagged. According to the complainant, the document carries no legal value, as it was never endorsed by parliament, nor implemented.

The complainant stresses that the detention of Mr. Madumarov violates due process, which they see as a punishment for his criticism of the authorities, including his opposition to a recent controversial land swap deal with Uzbekistan, and an attempt to stamp out opposition in parliament. Statements from his party describe a campaign of "unthinkable threats, psychological pressure and criminal prosecution" following the 2020 elections and the subsequent political upheaval. Regarding Mr. Madumarov specifically, the statement reads that there is "no doubt that the protocol of 2009 is just a pretext for the total destruction of our party and our leader".

During the 148th IPU Assembly in March 2024, the IPU Committee on the Human Rights of Parliamentarians met with representatives of the Kyrgyz Government, who responded to its questions related to the case. In particular, they elaborated on the sensitive nature of the border dispute with Tajikistan following an armed attack by Tajik armed forces in September 2022, which had caused 64 casualties and 250,000 internally displaced persons. According to the authorities, the seriousness of this matter had led the presiding judge to conduct the trial in secret. As a result, much of the information sought by the Committee could not be made available. Nevertheless, the representatives of the authorities undertook to share with the Committee any information that was made available.

On 26 March 2024, the complainant shared that Mr. Madumarov was found guilty but received no prison sentence, as the statute of limitations had expired. The complainant reports that he had to remain in detention until the proceedings were concluded, which is apparently unlawful. As Mr. Madumarov had not appealed the court decision by 26 April 2024, it entered into force, and he was released from the GKNB prison. On the same day, the Central Electoral Commission terminated his parliamentary mandate in line with Article 79 of the Constitution, which holds that a parliamentarian is to be recalled following the entry into legal force of a court verdict against them. Addressing a crowd of supporters who came to greet him upon his release, Mr. Madumarov declared that "all this happened due to my mandate ... Everything that happened over the [last] months brought shame to Kyrgyzstan in front of the entire world". In a letter dated March 2025, the parliamentary authorities of Kyrgyzstan stressed that the trial had followed due process, and that Mr. Madumarov had chosen not to appeal, whereas the decision to terminate his mandate did not fall within the competence of parliament.

On 13 March 2025, the Heads of State of Kyrgyzstan and Tajikistan signed an agreement demarcating their shared border in Bishkek, putting an end to their long-standing border dispute. Both presidents hailed the agreement as historic.

## B. Decision

### The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the parliamentary authorities of Kyrgyzstan for providing their official views on this case; *takes note* of the assurance made that the trial of Mr. Madumarov followed due process and that the revocation of his mandate was in conformity with constitutional norms; *fails to understand*, however, why Mr. Madumarov was arrested with overwhelming force without a warrant and later charged with treason over facts dating back to 2009; *is dismayed* that he remained in prison for more than six months with no possibility of exercising his mandate, even though his immunity had not been lifted by parliament for that charge; and *wishes* to meet with the parliamentary authorities at a future IPU Assembly to discuss this case further;
2. *Fails to understand*, based on information provided by the complainant and the authorities, why Mr. Madumarov's engagement in diplomacy with his counterparts from Tajikistan in 2009 was the subject of criminal proceedings featuring extensive restrictions, including prolonged detention without bail, in light of the latest progress made by the Heads of State of the two countries, who reached a binding agreement including difficult compromises that allowed the resolution of a long-simmering dispute that had led to hostilities; and *sees no reason* not to assume that Mr. Madumarov's actions were aimed at resolving this dispute that had plagued the two States for decades;
3. *Is deeply concerned* that Mr. Madumarov's immunity was not respected, that the trial was conducted in secret and that GKNB Chairperson Kamchybek Tashiev made statements that seemed to presume the guilt of Mr. Madumarov soon after his arrest in violation of the right to be presumed innocent until proven guilty;
4. *Acknowledges* the fact that Mr. Madumarov was ultimately freed on 26 April 2024, as requested in the decision of the Governing Council of 27 March 2024; *regrets*, nevertheless, that the Central Electoral Commission deprived Mr. Madumarov of his parliamentary mandate upon the entry into force of a guilty verdict against him; and *believes* that the fact that Mr. Madumarov was detained without bail for more than six months and was only freed on the day his mandate was terminated as a result of the entry into force of a guilty verdict lends serious weight to the allegation made by the complainant that the proceedings initiated against Mr. Madumarov were politically motivated and that their purpose was to silence him and deprive him of his mandate;
5. *Notes*, moreover, that the verdict acknowledges that the statute of limitations has long been exhausted in all charges against Mr. Madumarov; and *believes* that, as a result, Mr. Madumarov should never have been prosecuted in the first place, much less deprived of the parliamentary mandate bequeathed to him by the people;
6. *Takes note* of the information submitted by the authorities that Article 79 of the April 2021 Constitution makes the premature termination of a parliamentarian's mandate by the Central Electoral Commission automatic when a court verdict finding him guilty of an offence enters into force; *is concerned* that such a serious measure is provided for without defining a sufficiently serious threshold for revoking the mandate of a duly elected parliamentarian; and *urges* the parliamentary authorities of Kyrgyzstan to consider reviewing their domestic norms to ensure that such cases do not recur in the future and to guarantee that the rights and mandate of parliamentarians are respected, which is a key condition for preserving the independence of parliament;
7. *Requests* the Committee on the Human Rights of Parliamentarians to continue monitoring the situation of Mr. Madumarov, including with regard to respect for his right to freely take part in future legislative elections;
8. *Requests* the Secretary General to convey this decision to the Speaker of the Kyrgyz Parliament (*Jogorku Kenesh*), the complainant and any third party likely to be in a position to supply relevant information;
9. *Requests* the Committee to continue examining the case and to report back to it in due course.