

PUBLIC

AI Index: EUR 15/001/2007

20 April 2007

UA 95/07 Torture/legal concern

BULGARIA **Annadurdy Khadzhev (m), aged 49, Russian and Turkmenistani national**

The Bulgarian authorities have received an extradition request from Turkmenistan for Annadurdy Khadzhev, a leader of Turkmenistan's exiled opposition *Watan* (Fatherland) Party, who fled to Bulgaria in 2001. He is now in danger of forcible return to Turkmenistan, where he would be at serious risk of torture and imprisonment following an unfair trial.

He was detained on 19 February after Turkmenistan lodged the extradition request with Interpol, accusing him of embezzling about US\$41 million from the Central Bank of Turkmenistan, where he had been deputy chairman from 1992 to 1998. He was held until 12 April, when Varna district court ruled that he should not be extradited, and released him, stating that if returned to Turkmenistan he would face persecution because of his opposition activities. The Varna district prosecutor lodged an appeal the following day, urging that Annadurdy Khadzhev should be rearrested and extradited. The appeal hearing at Varna appeal court has not yet been scheduled, but may take place very soon.

Annadurdy Khadzhev had been granted "humanitarian status" in Bulgaria in March 2004, which allowed him to stay in the country on the grounds that he would face serious human rights violations if returned to Turkmenistan. He had been arrested in 2002 following an earlier extradition request by Turkmenistan arising from the same accusation. In May 2003 Varna district court had ruled against the extradition, referring to Annadurdy Khadzhev's membership of the opposition *Watan* movement and to human rights violations in Turkmenistan, including limitations on the right to freedom of expression.

BACKGROUND INFORMATION

President-for-life Saparmurad Niyazov, who had dominated all aspects of life in Turkmenistan and surrounded himself with a bizarre personality cult, died in December 2006. He was replaced in February 2007 by Kurbanguly Berdimukhammedov, who came to power after elections, in which no opposition parties were able to field candidates. The new President announced improvements in the education and health systems and said he would restore pension payments that had been abolished by his predecessor.

However, there have been virtually no improvements with regard to civil and political rights in Turkmenistan. The media remains state-controlled; access to certain internet sites remains banned and people trying to access information that is critical of the authorities risk repercussions; no opposition parties are allowed; politically motivated detention and imprisonment continue to be reported; thousands of dissidents and their families remain barred from leaving the country; there have been no moves to release prisoners of conscience and no steps have been taken to release or retry political prisoners jailed after unfair trials under the Niyazov regime.

Many relatives and associates of Annadurdy Khadzhev and his wife, Tadzbigul Begmedova, who is the director of the human rights group Turkmenistan Helsinki Foundation for Human Rights (THF), have been subjected to human rights violations. His sister Ogulsapar Muradova, who was a THF member and a correspondent of the US-funded *Radio Liberty*, died in custody in September 2006 in disputed circumstances. Amnesty International had adopted her as a prisoner of conscience after she was imprisoned on fabricated charges following an unfair trial.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Bulgarian or your own language:

- urging the Bulgarian authorities not to extradite Annadurdy Khadzhev to Turkmenistan, where he would be at risk of serious human rights violations, including torture and ill-treatment;
- reminding the authorities that Bulgaria is obliged under international law, the UN Convention against Torture and the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which it is a party, not to return anyone to a country or territory where they would be at risk of torture or other serious human rights violations;
- asking for assurances that Annadurdy Khadzhev will not be arrested again on the basis of an extradition request from Turkmenistan.

APPEALS TO:

Minister of Interior
Mr Rumen Yordanov Petkov
29, 6th September Str.
1000 Sofia, Bulgaria
Fax: +359 2 987 79 67
Salutation: Dear Minister

Minister of Justice
Mr Georgi Petkov Petkanov
1 Slavianska Str.
1040 Sofia, Bulgaria
Fax: +359 2 981 91 57
Salutation: Dear Minister

Chief Prosecutor of Bulgaria
Mr Boris Velchev
2 Vitosha Blvd. Floor 4
Sofia 1000, Bulgaria
Fax: +359 2 989 01 10
Salutation: Dear Chief Prosecutor

Chairperson of Varna district court
Mr Vanukhi Arakelian
Pl. Nezavisimost
Varna 9000, Bulgaria
Fax: +359 52 61 79 53
Salutation: Dear Chairperson

COPIES TO: diplomatic representatives of Bulgaria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 June 2007.