

# URGENT ACTION

## ASYLUM SEEKER BACK IN TAJIKISTAN

**Nizomkhon Juraev, a Tajikistani asylum seeker who disappeared after his release from detention in Russia on 29 March, reportedly re-appeared in Tajikistan on 7 April. While he has claimed that he is free, sources close to him have stated that he is detained by Tajikistani security services.**

On 7 April, a statement by **Nizomkhon Juraev** was aired on television in Tajikistan, claiming that he had returned to Tajikistan from Russia voluntarily, for the sake of his elderly mother, and describing how he managed to travel back.

Anna Stavitskaya, the Russian lawyer who has taken Nizomkhon Juraev's case to the European Court of Human Rights, stated that she doubted that Juraev returned voluntarily since he had been fighting his return to Tajikistan, where he could be at risk of torture or other ill-treatment. Moreover, his lawyer stated that she still had his passport. Without his passport or sufficient funds it would have been extremely difficult, if not impossible, for Nizomkhon Juraev to travel back to Tajikistan.

On 26 April, the Head of Tajikistan State Agency for Financial Control and Combating Corruption, Fattokh Saidov, announced in his interview to the Tajik service of the US-funded Radio Liberty that Nizomkhon Juraev is allegedly free, lives in Dushanbe and is actively cooperating with the Agency's investigators. This was later reportedly confirmed by Nizomkhon Juraev himself in an interview with the British broadcaster, the BBC. He, however, refused to disclose his exact whereabouts. Following this, sources close to Nizomkhon Juraev contested information about his release, claiming in a telephone interview to Radio Liberty that he was still in detention.

**Thank you to all those who have taken action. Amnesty International will continue to monitor this case, and will take further action as appropriate. For now, no further action is required.**

This is the second update of UA 84/11. Further information: <http://www.amnesty.org/en/library/info/EUR46/020/2011/en>

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### ADDITIONAL INFORMATION

In 2007, a criminal case was opened in Tajikistan against Nizomkhon Juraev, a former local parliamentarian and businessman from the Soghd region in Tajikistan. He and 33 other people were charged with having committed violent organized crimes, economic crimes and unlawful possession of weapons. Some of them were also accused of killing the former Deputy Prosecutor General in 1999. At the time when the criminal case was brought, Nizomkhon Juraev was in Russia.

In June 2009, 31 people, mostly relatives of Nizomkhon Juraev or staff of his business were sentenced to long terms of imprisonment. During the trial several of the accused reportedly gave accounts of how they had been tortured, including with electric shocks. There were allegations that one man who had been extradited from Russia to Tajikistan was raped by police in September 2008 in order to extract a "confession" against Nizomkhon Juraev.

Nizomkhon Juraev was detained in Moscow by Russian authorities in August 2010 after an extradition request from Tajikistan. He applied for refugee status but his request and subsequent appeals were refused. On 16 February 2011 the Prosecutor General's office of the Russian Federation ruled that he should be extradited, and in April 2011 the Moscow City Court upheld this ruling, claiming that allegations of torture and unfair trial in Tajikistan were unfounded as the country had given diplomatic assurances that Nizomkhon Juraev would not be tortured in Tajikistan.

On 24 November 2011 the European Court of Human Rights applied interim measures under Rule 39 of the Rules of Court preventing Nizomkhon Juraev from being sent back to Tajikistan until the Court had ruled on his case.

Nizomkhon Juraev's term of detention expired on 27 February 2012, whereupon he was reportedly detained on charges of attempted murder at a time when he alleges he was not in Russia. Nizomkhon Juraev's lawyer learned on 29 March 2012 that the attempted murder charges had been dropped, but that he now faced charges of threatening to murder which she had not been informed of. Nizomkhon Juraev was reportedly released with the obligation to remain in the Moscow region.

In recent years the Russian Federation has extradited several people to countries such as Tajikistan or Uzbekistan despite existing legal obligations to provide protection for those at risk of torture or ill-treatment in these countries.

Amnesty International is concerned at recent reports of collaboration between the Russian and Tajikistani Security Services, resulting in the unlawful abduction of Tajikistani citizens, some of whom were applicants to the European Court of Human Rights (ECtHR), and their forcible return to Tajikistan. There were several illegal returns in 2011 despite the ECtHR having applied interim measures requesting Russia to halt extraditions pending the Court's ruling on the cases. For example, Savridin Dzhurayev was abducted and forcibly returned to Tajikistan in November 2011 and has since written to his lawyers reporting he was ill-treated upon return to Tajikistan. Suhrob Koziev was forcibly returned to Tajikistan in August 2011 and there are witness reports that he was ill-treated there in order to extract "confessions" from him. In January 2012 the European Court of Human Rights called on Russia to explain how "applicants could against their will be moved across the Russian State border notwithstanding the Government's official assurances that no extradition would be effected pending examination of their cases by the Court".

Name: Nizomkhon Juraev

Gender m/f: M

Further information on UA: 84/11 Index: EUR 46/020/2012 Issue Date: 9 May 2012