

23 August 2000

**UA 250/00 Fear of forcible deportation/torture/unfair trial****RUSSIAN FEDERATION/UZBEKISTAN Khadji Khudjaev, imam**

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Khadji Khudjaev, an ethnic Uzbek imam (Islamic leader) from the city of Ishim in the Tyumen Region, Russian Federation, could face imminent, forcible deportation to Uzbekistan, where he risks being tortured or ill-treated in incommunicado detention in order to extract a confession from him. He could also face an unfair trial and long term imprisonment.

According to a newspaper report, he was arrested last weekend by Russian police in Omsk, Russian Federation, where he attended a meeting of two of the main Muslim organizations in Russia. He was allegedly detained at the request of the Uzbek authorities, who issued an arrest warrant, accusing him of attempting to overthrow the constitutional order of Uzbekistan under Article 159 of the Uzbek Criminal Code. This charge is reportedly related to his alleged part in the February 1999 bombings in the Uzbek capital, Tashkent. He could face up to 20 years' imprisonment, if found guilty.

Khadji Khudjaev reportedly had to leave Uzbekistan three years ago because he was harassed by Uzbek authorities after the murders of several Uzbek police officers sparked a wave of mass detentions and arrests of people thought to be members of independent Islamic congregations. Khadji Khudjaev fled to the city of Ishim in the Tyumen Region of the Russian Federation, where he settled and worked as an imam, reportedly applying for Russian citizenship.

Amnesty International believes that the forcible return of Khadji Khudjaev to Uzbekistan by the Russian authorities would be contrary to the Russian Federation's obligations under international law, in particular Russia's obligation under Article 3 of the United Nation Convention against Torture, which prohibits the return of a person to a country or territory where they may face serious human rights violations. It also violates the norms enshrined in the European Convention for the Protection of Human Rights and Fundamental Freedoms, and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Both were ratified by the Russian parliament in May 1998 as part of Russia's obligations on entering the Council of Europe.

**BACKGROUND INFORMATION**

A number of violent incidents, including a series of explosions in February 1999 in the capital of Uzbekistan, Tashkent, were followed by a clampdown on individuals and groups perceived as a threat to the stability and authority of the government. Thousands of supposed conspirators were detained, including members and presumed members of independent Islamic congregations, members of banned opposition parties and movements, and their relatives. The authorities blamed the bombings on violent foreign-trained Islamic groups operating in concert with the exiled secular, democratic opposition. Heavy sentences, including death sentences, were imposed after trials which were conducted in circumstances giving serious cause for concern. In the majority of cases known to Amnesty International, those detained were denied prompt access to a lawyer of their choice, to their families and to medical assistance. According to independent and credible sources, self-incriminating evidence extracted by torture was routinely included in trial proceedings, and in many cases served as the basis for a guilty verdict. At least 19 men sentenced to death for their alleged involvement in the February 1999 bombings have reportedly been executed.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Russian, English or your own language:**

- asking the Russian authorities to refrain from forcibly returning Khadji Khudjaev to Uzbekistan, where he may face serious human rights violations;

- noting that agreements between countries of the Commonwealth of Independent States permit Russia to refuse extradition based on fears that the person in question will face human rights violations if extradited;
- reminding the Russian authorities of their obligations under international law.

**APPEALS TO:**

Procurator General of the Russian Federation, Vladimir USTINOV  
 Rossiyskaya Federatsiya,  
 103793 g. Moskva K-31,  
 Ul. B. Dimitrovka, d 15a,  
 Prokuratura Rossiyskoy Federatsii, Generalnomu prokuroru USTINOVU V.  
 RUSSIAN FEDERATION

**Telegrams:** generalnomu prokuroru 103793 g. Moskva, RUSSIA  
**Fax:** + 7 095 925 18 79 or + 7 095 292 88 48  
**Salutation:** Dear Procurator General

Head of the extraditions unit of the international legal affairs department  
 at the office of the General Procurator, Leonid Ermolaev  
 Rossiyskaya Federatsiya,  
 103793 g. Moskva K-31,  
 Ul. B. Dimitrovka, d 15a,  
 Prokuratura Rossiyskoy Federatsii, Otdel ekstraditsii Mezhdunarodno-pravovogo  
 upravleniya, Nachalniku ERMOLAEVU L.  
 RUSSIAN FEDERATION

**Telegrams:** Otdel ekstraditsii, Prokuratura Rossii, Moskva, 103793 g.  
 RUSSIA  
**Fax:** + 7 095 292 85 62  
**Salutation:** Dear Director

**COPIES TO:**

Procurator of Omsk City,  
 Rossiyskaya Federatsiya,  
 g. Omsk,  
 ul. Korolenko, 10,  
 Gorodskaya prokuratura, prokuroru  
 RUSSIAN FEDERATION

Head of the Federal Migration Service of the Russian Federation,  
 Vladimir KALAMANOV  
 Rossiyskaya Federatsiya,  
 107078 g. Moskva,  
 Boyarsky pereulok, 4,  
 Federalnaya Sluzhba Migratsii, Predsedatelyu KALAMANOVU L.  
 RUSSIAN FEDERATION

**Tel/Fax:** + 7 095 923 89 45 or + 7 095 925 80 82

Chairman of the Presidential Human Rights Commission of the Russian Federation,  
 Vladimir Alekseyvich KARTASHKIN  
 Rossiyskaya Federatsiya,  
 103132 g. Moskva,  
 Staraya ploshchad, d 8/5, pod 3,  
 Predsedatelу Komissii po pravam cheloveka pri Prezidente, KARTASHKINU V.A.  
 RUSSIAN FEDERATION

**Fax:** + 7 095 206 48 55 or + 7 095 206 48 15

and to diplomatic representatives of Russian Federation/Uzbekistan accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 4 October 2000.