

# URGENT ACTION

## ASYLUM-SEEKER FACING EXTRADITION, TORTURE

**The Russian authorities are preparing to extradite asylum-seeker Mamir Nematov, on charges his defence team believe are fabricated and ethnically motivated. He would face a real risk of torture and other ill-treatment if extradited to Kyrgyzstan.**

**Mamir Nematov**, an ethnic Uzbek, fled to the Russian Federation in August 2010 after days of violent clashes between ethnic Kyrgyz and ethnic Uzbeks in southern Kyrgyzstan. The Russian Federal Migration Service had at first granted temporary asylum to all ethnic Uzbeks fleeing the violence, and the Prosecutor General's Office had refused all extradition requests, on the grounds that it was not safe for Uzbeks to return. However, on 4 May the Prosecutor General's Office unexpectedly upheld a request for the extradition of Mamir Nematov on charges of murder and participation in mass disturbances, though his asylum application was still being processed and Uzbeks were still being disproportionately targeted by the security forces in southern Kyrgyzstan.

On 25 June the Supreme Court of the Russian Republic of Tatarstan turned down an appeal by Mamir Nematov's defence team against the extradition order, disregarding a decree issued by the Supreme Court of the Russian Federation on 14 June reiterating Russia's obligations under international human rights law, and ordering courts not to approve extradition requests if there was a well-founded fear that the person extradited might be subjected to torture or other cruel, inhuman and degrading treatment.

Mamir Nematov's defence team believe that the charges against him are fabricated and ethnically motivated. The final appeal hearing is scheduled for 7 August at the Russian Federation Supreme Court. Mamir Nematov maintains he had no part in the June 2010 violence, as he was in a refugee camp on the border with Uzbekistan.

Amnesty International believes that Mamir Nematov would be at serious risk of grave human rights violations if returned to Kyrgyzstan, in particular incommunicado detention, torture and other ill-treatment and imprisonment in cruel, inhuman and degrading conditions following an unfair trial.

### Please write immediately in Russian, English or your own language:

- Call on the authorities to rescind the order to extradite Mamir Nematov;
- Call on them to honour and uphold the Russian Federation's obligations under international law, and their own Supreme Court's Decree Number 11 of 14 June 2012, not to forcibly return anyone to a country where they would be at risk of serious human rights violations.

### PLEASE SEND APPEALS BEFORE 14 SEPTEMBER 2012 TO:

#### Prosecutor General

Yurii Ya. Chaika  
Bolshaia Dmitrovka 15 A  
Moscow 125993  
Russian Federation  
Fax: +7 495 987 58 41  
Email: prgenproc@gov.ru

**Salutation: Dear Prosecutor-General**

#### Minister of Foreign Affairs

Third department on CIS countries  
M. A. Peshkov - Director  
Ul. Smolenskaya-Sennaia pl, 32/34  
Moscow 119200  
Russian Federation  
Fax: +7 499 241 21 75 (if voice answers,  
ask for "Fax")  
E-mail: 3dsng@mid.ru

**Salutation: Dear Minister**

#### **And copies to:**

#### Chair of the Supreme Court

Vyachslav Mikhailovich Lebedev  
Povarskaya ul. 15  
Moscow 121260  
Russian Federation  
Fax: +7 495 695 51 72  
+7 495 691 98 77  
Email: nikibor@vsrf.ru

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Four days of violence between ethnic Kyrgyz and ethnic Uzbeks in the southern Kyrgyzstani cities of Osh and Jalal-Abad, in June 2010, left hundreds dead, thousands injured and hundreds of thousands forced to flee their homes. While serious crimes were committed by members of both ethnic groups, most of the damage, injuries and deaths were suffered by ethnic Uzbeks. This has since been confirmed on numerous occasions by officially released figures. Nevertheless, the authorities have constantly refused to acknowledge this publicly as fact.

In May 2011 the authorities also rejected the findings of the International Commission of Inquiry into the June 2010 violence,, that there was strong evidence that crimes against humanity had been committed against ethnic Uzbeks in the city of Osh during the violence. Instead they argued that it was the ethnic Kyrgyz who had suffered crimes against humanity. None of these crimes against humanity has been investigated or prosecuted.

Human rights monitors now report fewer arbitrary arrests, but torture and other ill-treatment by law enforcement officers still appear to be routine: while people are being apprehended in the street, or being taken to detention centres, while their houses are being searched during interrogation, and in pre-charge detention facilities. While investigating crimes police officers appear to have continued to target Uzbeks, threatening to charge them with serious crimes, such as murder, in relation to the June 2010 violence, in order to extort money from them. Those who have returned from seasonal work in Russia or Kazakhstan or families who have relatives working outside the country are particularly vulnerable to arbitrary detention, intimidation and extortion, since they are assumed to have ready access to money and foreign currency. Human rights monitors are concerned that ethnic Uzbeks will continue to be threatened with prosecution for complicity in the June 2010 events as the statute of limitation for this crime – mass disorder – will be in force for another five years. Relatives are still reluctant to submit complaints to police and prosecutors about the torture and other ill-treatment of Uzbek detainees, or intimidation and extortion, for fear of further reprisals. In his February 2012 report on his visit to Kyrgyzstan the Special Rapporteur on torture expressed concern that “serious human rights violations in the context of [these] investigations have continued unabated in recent months”..

Since mid-2011, lawyers defending ethnic Uzbeks have been threatened and physically attacked, even in the courtroom. Courts of all levels, including the Supreme Court, have routinely failed to exclude evidence obtained under torture.

Name: Mamir Nematov

Gender m/f: m

UA: 230/12 Index: EUR 46/032/2012 Issue Date: 3 August 2012