

URGENT ACTION

IMMINENT RISK OF DEPORTATION

Eleven Afghan citizens are at imminent risk of deportation from Ukraine to Afghanistan, without any opportunity to challenge their deportation, including on asylum or other international protection grounds. Three of them have self-harmed in protest.

The 11 Afghan citizens are currently being held at Boryspil airport in Kyiv, Ukraine. Three people from the same group were already deported on 14 March, including an unaccompanied minor. The people who have self-harmed in protest have received medical treatment, but have been told that their deportation will go ahead.

Some of the group had applied for asylum in Ukraine, but their asylum applications were turned down. They were not given the opportunity to appeal the rejected claim, or appeal their deportation. The group claim they have not been provided with interpreters while applying for asylum or during the deportation process and that they were required to sign documents in a language they do not understand. Some were not present during the hearing in which their case was considered. They have said that they have been ill-treated during detention during transportation to Kyiv.

The Ukrainian authorities have obligations under domestic and international law to ensure that all those who wish to apply for asylum are given full and unimpeded access to asylum procedures. Applications by asylum-seekers should be determined on an individual basis, according to fair and efficient refugee status determination procedures, including the right of appeal.

PLEASE WRITE IMMEDIATELY in Ukrainian or your own language:

- urging Ukrainian authorities not to deport the eleven Afghan citizens currently being held in Boryspil airport until they have had access to an effective procedure to challenge their deportation to Afghanistan, and to appeal against the negative asylum decisions respectively, in line with obligations under domestic and international law;
- calling on the Ukrainian authorities to consider appropriate alternatives to detention, pending further review of such an appeal;
- calling for all eleven to be given access to medical care to allow for proper assessment and treatment of their health needs and, in the case of the three who have injured themselves, for continuing attention to their wounds;
- seeking assurances that each individual is given access to legal representation and access to the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to guarantee their right to fair consideration of their asylum claims and right to appeal;
- calling on the Ukrainian authorities to investigate into allegations that the asylum-seekers have been ill-treated.

PLEASE SEND APPEALS BEFORE 26 APRIL 2011 TO:

Chairman of the State Border Guard Service of Ukraine

Mykola Mykolayovych LYTVYN
Ukraine Administration of the State

Border Guard Service
Volodymyrska Street, 26

Kyiv 01001

Ukraine

Email: dkk@pvu.gov.ua

Fax: +380 44 239 8480

Salutation: Dear Mr Lytvyn

The First Deputy Head of the State

Colonel-General Pavlo SHYSHOLIN

Border Guard Service of Ukraine

Ukraine Administration of the State

Border Guard Service

Volodymyrska Street, 26

Kyiv 01001

Ukraine

Email: dkk@pvu.gov.ua

Fax: +380 44 239 8480

Salutation: Dear Colonel-General Shysholin

And copies to:

If you are able to, please phone and express your concern, in Ukrainian, Russian or your own language to:

The Secretariat of the State Border Guard Service of Ukraine

Volodymyrska Street, 26

Kyiv 01001

Ukraine

Tel: +380 44 527 6348

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The group of 14 Afghans had reportedly been held in a detention centre in Volyn, north-west Ukraine, for six months, on grounds of illegally attempting to cross the Ukrainian border into the European Union. At least eight of them had applied for asylum in Ukraine after they had been in detention for several months. It appears that they did not have access to adequate legal counselling while in detention. In Ukraine, their asylum applications were turned down and they were issued on the same day with a deportation order. Without the possibility of appealing against their deportation order, they were transported to Kyiv by train and then on to Boryspil airport in Kyiv.

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