

PUBLIC

AI Index: EUR 44/016/2008
18 September 2008

UA 265/08	<u>Forcible return</u>		
TURKEY	Alim Rahmanov, (m),]	
	Umide Razikova, (f),]	Uzbekistani refugees
	Rahmetullah Adilof (m), 15]	

Alim Rahmanov, Umide Razikova, and their son Rahmetullah Adilof, are Uzbekistani nationals who are at risk of being forcibly returned to Iran where their lives would be at risk. The family were part of a group of 27 Uzbekistani refugees and asylum-seekers that include 15 children. They were all residing in the eastern city of Van in Turkey and were required to report to the Van General Directorate of Security (VSD), under the Turkish asylum regulations.

Amnesty International has been informed that on 11 September, police officers at the VSD reportedly invited the group to visit the Directorate to receive educational materials for the children's schooling. When 24 members of the group arrived at the VSD the next day, they were made to board a bus and were then transported to an isolated area close to the Iranian border. Once there, an unidentified group, not linked to the Iranian government seized them and reportedly threatened to kill them. For further information and to take action on behalf of the 24 refugees and asylum-seekers please refer to UA 263/08 Iran (MDE 13/138/08).

Alim Rahmanov, Umide Razikova and Rahmetullah Adilof avoided being forcibly returned to Iran along with the other members of the group as they arrived after the bus had departed. Amnesty International fears that the family is still at risk of being detained in Turkey and forcibly returned to Iran.

Returning the family to Iran would put them at risk of being held by the same unidentified group and their lives being threatened. They would also be at risk of being forcibly returned to Uzbekistan from Iran which would be in violation of the *non-refoulement* principle. This principle of international law prohibits the return of refugees and asylum-seekers to places where their lives could be in danger.

BACKGROUND INFORMATION

The family is originally from Uzbekistan, though they are reported to have left for Tajikistan in the late 1990s to escape persecution and arrest for worshipping at a mosque outside state control and under an imam accused by the Uzbekistani authorities of anti-state activities. They left Tajikistan for Afghanistan in 1999 but left because of the war there in 2001. They eventually made their way to Iran, where they were recognized as refugees by UNHCR. The group fled to Turkey from Iran in 2007 after they were threatened with forcible return from Iran to Uzbekistan. They were subsequently recognized as refugees by the UNHCR in Turkey. The families are linked to the Islamic Movement of Uzbekistan (IMU), an armed opposition group, in whose camps they stayed, both in Tajikistan and Afghanistan, and for whom they are said to have worked, in support roles, possibly under duress.

When reviewing the human rights situation in Uzbekistan the UN Committee against Torture concluded in November 2007 that torture was widespread and systematic. Amnesty International has documented numerous cases of forced returns of asylum-seekers or criminal suspects to Uzbekistan over the years. Most of those forcibly returned have been held in incommunicado detention, thereby increasing their risk of being tortured or otherwise ill-treated. They have often been sentenced to long prison terms in cruel, inhuman and degrading conditions following an unfair trial with evidence based on confessions extracted under torture.

In April 2008, the European Court of Human Rights ruled that the extradition of 12 mandate refugees from Russia to Uzbekistan “would give rise to a violation of Article 3 [prohibition of torture] as they would face a serious risk of being subjected to torture or inhuman or degrading treatment there.”

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

- urge the authorities to respect the *non-refoulement* principle of international law and not deport Alim Rahmanov, Umide Razikova and Rahmetullah Adilof to Iran;
- ask the authorities not to detain the family and remind them that the detention of refugees and asylum-seekers is, apart from in the most exceptional circumstances, proscribed by international law and standards;
- request that an urgent investigation be carried out into the deportation of refugees reportedly without any legal procedure in violation of Turkish and international law.

APPEALS TO:

Ministry of Interior

Beşir Atalay

Icisleri Bakanligi, 06644 Ankara, Turkey

Email: besir.atalay@icisleri.gov.tr

Fax: +90 312 418 7696

Salutation: Dear Minister

Ministry of Interior – Department for Foreigners Borders Asylum

Mehmet Terzioglu

Head of Department for Foreigners Borders Asylum

(*Yabancilar Hudut Itica Daire Baskani*)

General Security Directorate

Emniyet Genel Mudurlugu

Dikmen Caddesi No: 89, Dikmen / Ankara, Turkey

Fax: +90 312 466 90 11

Email: illegalmig@egm.gov.tr

Salutation: Dear Mr Terzioglu

COPIES TO:

Parliamentary Commission on Human Rights

Mehmet Zafer Uskul, Commission Chairperson

TBMM İnsan Haklarını İnceleme Komisyonu

Bakanlıklar, 06543 Ankara, Turkey

Email: inshkkom@tbmm.gov.tr

Fax: +90 312 420 53 94

Salutation: Dear Mr. Uskul

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 October 2008