

PUBLIC

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Fear of forcible return/torture and ill-treatment/unfair trial/ death penalty

RUSSIAN FEDERATION /
UZBEKISTAN

Rustam Muminov (m), Uzbekistani national

Uzbekistani national Rustam Muminov was detained by police on 17 October at the office of the human rights organization Civic Assistance Committee (Komitet "Grazhdanskoe Sodeistvie") in Moscow. He is facing imminent deportation to Uzbekistan, where he faces a charge of membership of Hizb-ut-Tahrir, an Islamic organization which is banned in Uzbekistan and Russia. Amnesty International is concerned that if Rustam Muminov is returned to Uzbekistan, he will be at high risk of torture and ill-treatment, and may even be sentenced to death after an unfair trial.

Rustam Muminov reportedly moved from Uzbekistan to Russia in 2000 and acquired a temporary residency permit. According to information received from Komitet "Grazhdanskoe Sodeistvie", in 2005 the authorities in Uzbekistan allegedly accused Rustam Muminov of membership of Hizb-ut-Tahrir. In February 2006 he was detained in the city of Lipetsk in the Russian Federation, allegedly following an extradition request from the General Procuracy of Uzbekistan. In September 2006, the General Procuracy of the Russian Federation decided not to extradite Rustam Muminov, and he was released from detention on 29 September. His temporary residence permit had expired while he was in detention, and the authorities in Lipetsk refused to renew it. Rustam Muminov then travelled to the Moscow office of the United Nations High Commissioner for Refugees (UNHCR), in order to request protection as a refugee. On 12 October, he reportedly visited the office of Komitet "Grazhdanskoe Sodeistvie", and telephoned his lawyer in Lipetsk from there. About five minutes after his call, the lawyer received a call from the Federal Security Service (FSB), asking for the whereabouts of Rustam Muminov and the contact details of Komitet "Grazhdanskoe Sodeistvie".

On 17 October, Rustam Muminov again visited the office of Komitet "Grazhdanskoe Sodeistvie". While he was there, at around 11.45am, a local police officer, accompanied by officers in plain clothes believed to be from the FSB, came into the office and asked to check the identity documents of Rustam Muminov and a few other people who were in the office at the time. The law enforcement officers ordered Rustam Muminov to come with them as he had no residency permit. At about 5pm, Komitet "Grazhdanskoe Sodeistvie" received news from the Federal Migration Service that a district court in Moscow had already ordered Rustam Muminov's deportation to Uzbekistan due to his failure to present a residency permit. During the hearing he was denied the right to be represented by a lawyer and was not given an opportunity to speak on his own behalf. He is currently held in a deportation centre in Moscow. The lawyer from Komitet "Grazhdanskoe Sodeistvie" has filed a complaint with the court, which will be examined on 26 October 2006.

BACKGROUND INFORMATION

Amnesty International has documented many cases of people who have been forcibly returned to Uzbekistan as alleged members of banned Islamic groups, who have been tortured, convicted after unfair trials, and some have been sentenced to death. The transnational Islamic organization Hizb-ut-Tahrir is considered to be a "terrorist" organization by the Uzbekistani authorities.

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

- expressing concern for the fate and well-being of Rustam Muminov;
- noting that the Procurator General of the Russian Federation had already decided not to extradite Rustam Muminov to Uzbekistan;

- urging the Russian authorities not to forcibly return Rustam Muminov to Uzbekistan;
- asking the authorities to ensure that he has access to full, fair and satisfactory refugee status determination procedures and that he has access to the UNHCR;
- reminding the authorities that the Russian Federation is obliged under international law, including the UN 1951 Refugee Convention, UN Convention against Torture and the European Convention on Human Rights, to which it is a state party, not to return anyone to a country or territory where they would be at risk of serious human rights violations, including torture.

APPEALS TO:

Yuri CHAIKA, Procurator General of the Russian Federation

103793 Moskva, Ul. Bolshaya Dimitrovka 15a, Generalnomu Prokuroru Rossiyskoy Federatsii, Yurii Chaika, RUSSIAN FEDERATION

Fax: + 7 495 692 1725 (if someone answers say "fax please")

Salutation: Dear Procurator General

COPIES TO:

Vladimir Lukin, Ombudsman on Human Rights

107084 Moskva, Ul. Miasnitskaia 47, Upolnomochnomu po pravam cheloveka

Vladimiru Lukinu, RUSSIAN FEDERATION

Fax + 7 495 207 3977

E-mail: press-sl@ropnet.ru or via website: <http://ombudsman.gov.ru>

Gen. Nikolai Patrushev, Director General of the Federal Security Service of the Russian Federation

Federal Security Service of the Russian Federation

101000 Moskva, Liubianskaia pl. d.2, Generalnomu Direktoru Federalnoi Sluzhbi Besopasnosti, Nikolaiu Patrushevu, RUSSIAN FEDERATION

Fax: + 7 495 975 24 70

E-mail: press@fsb.ru or check website: <http://www.fsb.ru/>

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 December 2006.