

PUBLIC

AI Index: EUR 50/004/2008

07 March 2008

Further Information on UA 207/07 (EUR 50/003/2007, 9 August 2007) and follow-up (EUR 50/004/2007, 4 October 2007) - Forcible return/torture

UKRAINE

Lema Susarov (m)

Ethnic Chechen refugee Lema Susarov is still in detention in the Ukrainian capital, Kyiv. The UN High Commissioner for Refugees (UNHCR) has recognized him as a refugee and is trying to arrange for him to be resettled in Finland. However, the Ukrainian authorities have refused to release him.

Lema Susarov applied to Ukraine's State Committee for Nationalities and Religions (SCNR) for refugee status in the country in August 2007. However, as the SCNR did not take any decisions on refugee status between May and November 2007 because of a dispute about its terms of reference, the UNHCR office in Kyiv carried out an individual assessment of Lema Susarov's case, and on 22 August 2007 determined him to be a refugee in accordance with its mandate. The UNHCR subsequently submitted an application for his emergency resettlement, and on 11 October 2007, Finland recognized his refugee status and accepted him for resettlement. However, when the SCNR resumed its work, it also considered his application for refugee status, and rejected it on 15 January 2008. On 6 March, Amnesty International wrote to President Viktor Yushchenko to request that Lema Susarov be released and be given access to the UNHCR so that he can be resettled in Finland. There has been no response to this request to date.

Lema Susarov was first recognized as a refugee by the UNHCR in 2006, in Baku, Azerbaijan. According to the UNHCR, he arrived in Ukraine at the end of 2006. The Russian Federation sought his extradition on 16 February 2007, and the decision to extradite him was taken by the Prosecutor General of Ukraine on 27 July 2007. He has been in detention in Ukraine since 20 July 2007.

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

- calling on the authorities to fulfil their obligations as a state party to the 1951 Convention relating to the Status of Refugees (Refugee Convention), which says that refugees should not be returned to any country where their life or freedom would be threatened
- requesting that Lema Susarov is immediately released and allowed full access to UNHCR so that he can be resettled in Finland.

APPEALS TO:

Viktor Yushchenko
President of Ukraine
Bankovaya Str. 11
01220 Kyiv
Ukraine

Fax: +380 44 255 61 61

Email: postmaster@ribbon.kiev.ua

Salutation: Dear President Yushchenko

Oleksandr Medvedko
Prosecutor General
Riznitska Str.13/15
01601 Kyiv
Ukraine

Fax: +380 44 280 2851

Salutation: Dear Prosecutor General

COPIES TO:

Oleksandr Sagan
Chair, State Committee for Nationalities and Religion
Vul. Volodymyrska 9
01025 Kyiv
UKRAINE
Fax: + 38 044 226 2339

and to diplomatic representatives of Ukraine accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 April 2008.