

PUBLIC

AI Index: EUR 58/014/2005

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Further Information on UA 141/05 (EUR 58/001/2005, 27 May 2005) and follow-ups (EUR 58/002/2005, 06 June 2005; EUR 58/003/2005, 10 June 2005; EUR 58/004/2005, 17 June 2005; EUR 58/006/2005, 23 June 2005; EUR 58/011/2005, 27 July 2005) - Fear of forcible return/fear for safety

KYRGYZSTAN 541 refugees from Andizhan, Uzbekistan (men, women and children)

On 29 July, 439 refugees from Uzbekistan were airlifted out of Kyrgyzstan to a holding centre in Romania, and over the next six months they will be resettled in countries that have offered them permanent protection. However, 15 Uzbeks are still detained in Kyrgyzstan, and the Uzbekistani authorities have issued extradition warrants on the basis of crimes the 15 are alleged to have committed. The Kyrgyz authorities have refused to transfer them into the care of the United Nations High Commissioner for Refugees (UNHCR), and they are in imminent danger of being forcibly returned to Uzbekistan, where they would be at risk of serious human rights violations, including torture.

Of these 15, the UNHCR has recognised 12 as refugees, 11 of whom have already been accepted for resettlement by three European countries. The Kyrgyzstani authorities have only recognized 11 of the 15 as refugees. The remaining four have prepared an appeal against this decision. The UNHCR has stressed that the forcible return of any of the 15 Uzbeks in detention would be a violation of both Kyrgyz and international law.

The refugees had fled the Uzbekistani city of Andizhan to neighbouring Kyrgyzstan after 13 May, when government troops reportedly fired on thousands of mainly unarmed and peaceful demonstrators. They have spent the past 10 weeks in Kyrgyzstan in temporary camps close to the border with Uzbekistan.

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

- calling on the authorities to ensure that none of the 15 people in detention are forcibly returned to Uzbekistan, as they would be at risk of grave human rights violations, including torture, or the imposition of the death penalty after an unfair trial;
- pointing out that Kyrgyzstan is prohibited under international law, including the 1951 Refugee Convention, the International Covenant on Civil and Political Rights and the Convention against Torture, from forcibly returning anyone to a country or a territory where they would be at risk of serious human rights violations, including torture or other ill-treatment;
- urging the authorities to place all 15 in the hands of the UNHCR, so that they can enjoy a durable solution to their plight without delay.

APPEALS TO:

Prosecutor General

Azimbek BEKNAZAROV

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Salutation: Dear Acting Prosecutor General

Acting President

Kurmanbek BAKIEV

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Salutation: Dear Acting President

COPIES TO: diplomatic representatives of Kyrgyzstan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 September 2005.