

# URGENT ACTION

## UZBEKISTANIS AT RISK OF FORCIBLE RETURN

**A group of 24 Uzbekistani refugees and asylum-seekers have been detained on 9 June and are at imminent risk of forcible return from Kazakhstan to Uzbekistan, where they would be at risk of torture or other ill-treatment.**

The 24 refugees and asylum-seekers, all men, fled due to fear of persecution for their affiliation to religious groups banned in Uzbekistan. They have been arrested by security forces on 9 June during early morning raids on their homes in the southern city of Almaty. The Almaty city prosecutor's office told the wives of the detainees on 10 June that they face extradition to Uzbekistan on charges of membership of illegal religious or extremist organizations and charges of attempting to overthrow the state. The families say that the men are pious Muslims who worship outside state-approved mosques in Uzbekistan, but deny that they have been involved in violent attempts to overthrow the state.

Eleven of the men were due to have their asylum applications examined on 10 June by a newly established State Committee responsible for assessing asylum applications. The rest had been given refugee status by the Office of the UN High Commissioner for Refugees (UNHCR) in Almaty and were awaiting resettlement to a safe third country.

At least 45 men and one woman, all refugees and asylum-seekers from Uzbekistan, were detained in the raid. Twenty-one were released later the same day following lengthy interrogations by migration police. Those released and several of the relatives of those still in custody told human rights defenders and journalists that security forces had threatened them and their families during the raids and accused them of being terrorists. They also said that security forces beat and kicked some of the men, and confiscated mobile phones, computers, books and other personal items. Security forces reportedly failed to produce search warrants and forced their way into the homes. Families and lawyers have not been able to gain access to the 24 detained men and the authorities have not confirmed their whereabouts.

### PLEASE WRITE IMMEDIATELY in English, Russian or your own language:

- urging Kazakhstani authorities not to forcibly return refugees and asylum-seekers to Uzbekistan, as they are likely to face torture and other serious human rights violations if returned;
- calling on Kazakhstani authorities to fulfil their obligations under international law, including the 1951 Convention Relating to the Status of Refugees and the Convention against Torture, prohibiting the return of anyone to a country where they would be at risk of torture or other serious human rights violations;
- urging the authorities to release detained refugees unless they are promptly charged with a recognizably criminal offence and provide asylum seekers with access to a fair asylum procedure.

### PLEASE SEND APPEALS BEFORE 23 JULY 2010 TO:

Minister of Internal Affairs  
Serik Baimaganbetov  
Ministry of Internal Affairs  
ul. Manasa, 4  
Astana 010000  
KAZAKHSTAN  
Fax: +7 7172 37 36 01  
Email: [usmvd@asdc.kz](mailto:usmvd@asdc.kz)  
Salutation: Dear Minister

Minister of Foreign Affairs  
Kanat Saudabayev  
Ministry of Foreign Affairs  
35, No.1 Street  
Astana 010000  
KAZAKHSTAN  
Fax: +7 7172 72 05 16  
Email: [midrk@mid.kz](mailto:midrk@mid.kz)  
Salutation: Dear Minister

### And copies to:

General prosecutor  
Mami Kairat  
Prosecutor General of Kazakhstan  
37, Seifullina Street  
Astana 010000  
KAZAKHSTAN  
Fax: +7 7172 33 39 28  
Email: [procuror@nursat.kz](mailto:procuror@nursat.kz)

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

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The names of the detained men are:

1. Muhitdin Gulamov
2. Abror Kasimov
3. Otabek Sharipov
4. Ahmad Boltaev
5. Kobilzhon Kurbanov
6. Oibek Kuldashv
7. Ulugbek Ostonov
8. Oibek Pulatov
9. Maruf Juldoshev
10. Olimzhon Holturaev
11. Bahtijor Nurillaev
12. Bahriddin Nurillaev
13. Shuhrat Botirov
14. Nigmatulla Nabiev
15. Toirzhon Abdusamatov
16. Suhrob Bazarov
17. Uktam Rahmatov
18. Sirozhiddin Talipov
19. Faizullohon Akbarov
20. Sarvar Hurrarov
21. Dilbek Karimov
22. Akmalzhon Shodiev
23. Tursunbaj Sulaimanov
24. Hurshid Kamilov

The Uzbekistani authorities continue to actively seek the extradition, in the name of national security and the fight against terrorism, of members or suspected members of Islamic movements or Islamist parties banned in Uzbekistan, from neighbouring countries. Most of those forcibly returned to Uzbekistan are held incommunicado, increasing their risk of being tortured or otherwise ill-treated.

In April 2008, the European Court of Human Rights ruled in the case of *Ismoilov and Others VS Russia* that the extradition of 12 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.” The Court also stated that it was “not convinced by the Government’s argument that they had an obligation under international law to cooperate in fighting terrorism and had a duty to extradite the applicants who were accused of terrorist activities, irrespective of a threat of ill-treatment in the receiving country” and reiterated that “even in these circumstances, the Convention prohibits in absolute terms torture or inhuman or degrading treatment or punishment, irrespective of the victim’s conduct.” The Court also was “not persuaded that the assurances from the Uzbek authorities offered a reliable guarantee against the risk of ill-treatment” in this case. The 12 refugees were accused by the Uzbekistani authorities of being members of an illegal Islamist group.

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