

PUBLIC

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**Further Information on UA 180/05 (EUR 46/027/2005, 30 June 2005) and follow-ups (EUR 46/028/2005, 18 July 2005; EUR 46/040/2005, 24 October 2005; EUR 46/036/2006, 3 August 2006) - Fear of forcible return**

**RUSSIAN FEDERATION**

**13 ethnic Uzbek men**

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Amnesty International has learned that 13 ethnic Uzbek men have been released from detention and are now at liberty in Russia. Amnesty International welcomes the release of the men, who had been held in a pre-trial detention centre in Russia's Ivanovo region since June 2005. However Amnesty International is concerned that they could still face forcible return to Uzbekistan in the future. There is good reason to believe that if they were returned, the men would be at risk of serious human rights violations, including torture, unfair trials leading to long prison terms or even the death penalty.

The men had been detained since June 2005. The Uzbekistani authorities have charged them with involvement in the events in the eastern Uzbekistani city of Andizhan on 13 May 2005, when hundreds of people were reportedly killed when the security forces opened fire on mainly unarmed demonstrators in the city. The Uzbekistani authorities have also accused the 13 of involvement in a banned Islamic movement called *Akramia*, and of financing "terrorist" activities. All 13 men reportedly deny these accusations.

Most of the men were released on 5 March, after court rulings on 2 March that they should be released in order to comply with the law regarding the maximum period of detention in a pre-trial detention centre. A court ruled separately on Kyrgyzstani national Marmirzhon Tashtemirov, who was then released on 6 March. After being released, all 13 men were registered as individuals seeking temporary asylum in Russia.

In July 2006, Russia's General Procurator ruled to extradite the men to Uzbekistan. The men appealed against this decision, but the Ivanovo Regional Court rejected their appeal in August. However, later that month, the General Procurator's office halted the extradition procedure following a request by the European Court of Human Rights to stay the extradition. The Supreme Court of the Russian Federation turned down the men's appeal against the extradition decision on 28 November, which means that they could still face being returned to Uzbekistan, even though the process is stalled because of the European Court decision.

In November 2006, the Federal Migration Service of the Russian Federation (FMS) denied the men temporary asylum, having previously turned down their claims for refugee status. In December 2006 a district court in Ivanovo ruled that the FMS had violated a number of laws and regulations in turning down the request for temporary asylum. The court found that the FMS had failed to demonstrate that forcibly returning the men to Uzbekistan would not put them at risk of torture and ill-treatment. The court also noted that the FMS had failed to note that the Office of the UN High Commissioner for Refugees had recognized the men as refugees.

**Amnesty International will continue to monitor this case closely. No further action is currently required by the UA network. Many thanks to all those who sent appeals.**