

URGENT ACTION

UZBEKISTANI NATIONAL AT RISK OF TORTURE

Azamatzhon Ermakov is now back in Uzbekistan, where he is facing a real risk of being tortured and otherwise ill-treated. There is strong circumstantial evidence to indicate that he was abducted following his release from detention in Russia and put on a plane to Uzbekistan. Allegedly, he is currently being kept in pre-trial detention in Andizhan, eastern Uzbekistan.

The Investigative Committee for Nizhnii Novgorod, central Russia, informed Amnesty International in a letter dated January 2013 that **Azamatzhon Ermakov** is in Uzbekistan. The letter says that he crossed the Russian state border on 2 November 2012 after being released from detention in Nizhnii Novgorod and took a flight from Moscow to Tashkent, the capital of Uzbekistan. There is no evidence to believe that Azamatzhon Ermakov would have voluntarily returned to Uzbekistan as he was aware of the serious and real risk of grave human rights violations he would face on return – in particular incommunicado detention, torture and other ill-treatment and imprisonment in cruel, inhuman and degrading conditions following an unfair trial. The European Court of Human Rights (ECtHR) had also ordered the Russian government to stay his extradition until the Court had examined his claim that he would face torture in Uzbekistan.

Additionally when Azamatzhon Ermakov was released, he did not have any money on him, and the only document in his possession was his passport. He also had no warm clothes to protect him from the sub-zero temperatures. These factors, in addition to the fact that he cannot speak Russian, would have made it almost impossible for him to personally buy tickets required to make the journey to Uzbekistan.

On 2 November 2012, Azamatzhon Ermakov's lawyer went to visit him in the detention centre in Nizhnii Novgorod but was not able to see his client. He returned on 5 November and was told that Azamatzhon Ermakov was released on 2 November. Azamatzhon Ermakov's whereabouts was unknown until he reappeared in Uzbekistan.

Please write immediately in Russian or your own language:

- Expressing your concern that Azamatzhon Ermakov might have been unlawfully abducted and transferred to Uzbekistan;
- Urging the Russian authorities to investigate promptly, impartially and effectively the alleged abduction of Azamatzhon Ermakov and his transfer to Uzbekistan;
- Urging the Uzbekistani authorities to comply with their obligations under international human rights law, including the International Covenant on Civil and Political Rights and the Convention Against Torture, and to ensure that Azamatzhon Ermakov is neither subjected to unfair trial nor tortured or otherwise ill-treated.

PLEASE SEND APPEALS BEFORE 24 APRIL 2013 TO:

Chairman of the Investigation Committee of the Russian Federation

Aleksandr Ivanovich Bastrykin
Investigation Committee of the Russian Federation
Tekhnicheskii pereulok, dom 2
105005 Moscow, Russian Federation
Fax: +7499 265 90 77

Salutation: Dear Chairman of the Investigation Committee

Minister of Internal Affairs of Uzbekistan

Bahodir Ahmedovich Matlubov
Ministerstvo vnutrennikh del
ul. Junus Rajabiy 1
Tashkent 100029
Uzbekistan
Fax: + 9987 123 389 34
Email: mvd@mvd.uz
info@mvd.uz

Salutation: Dear Minister

And copies to:

Representative of the Russian Federation at the ECtHR

Georgiy Olegovich Matyushkin
Ul Zhitnaya 14
119991 Moscow, Russian Federation
Fax: +7495 955 57 03 (please try between 9am and 5pm GMT +4 hours)
Email:representationpermderrussie@wanadoo.fr

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 330/12. Further information:

<http://amnesty.org/en/library/info/EUR46/045/2012/en>

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ADDITIONAL INFORMATION

Uzbekistani national Azamatzhon Ermakov fled to Russia in March 2009. In November 2009 he was arrested in Nizhnii Novgorod following an extradition request from the Uzbekistani authorities. In Uzbekistan, Azamatzhon Ermakov had been charged with allegedly being involved with extremist religious groups, inciting religious and other hatred, and attempting to overthrow the constitutional order. His extradition was approved by the Prosecutor General's Office in Russia. Azamatzhon Ermakov unsuccessfully appealed against it. In December 2009, he applied for asylum to the Federal Migration Service of the Nizhnii Novgorod region but his application was rejected. On 22 September 2010, the ECtHR issued interim measures requiring the Russian Federation to not deport Azamatzhon Ermakov until his case was fully considered by the ECtHR. He was released on 13 May 2011 after 18 months in detention. However, on 1 July 2011 he was arrested again and on 7 September 2012 he was sentenced to one year and four months' imprisonment for illegal possession of weapons and ammunitions. Azamatzhon Ermakov maintains that the police planted the evidence.

Amnesty International has closely monitored the human rights situation in Uzbekistan since its independence from the USSR in 1991. The organization is particularly concerned that the Uzbekistani authorities have continued to actively seek the extradition – in the name of national security and the fight against terrorism – of suspected members of Islamic movements or Islamist parties banned in Uzbekistan from neighbouring countries, and Russia and Ukraine. Amnesty International's research has found that most of those forcibly returned to Uzbekistan are held incommunicado, thereby increasing their risk of being tortured or otherwise ill-treated.

Amnesty International is concerned that thousands of devout Muslims sentenced in Uzbekistan for alleged membership of banned Islamist organizations are being held in conditions that amount to cruel, inhuman and degrading treatment.

Amnesty International documented a series of recent cases where the Russian authorities allegedly have collaborated with Central Asian security services to allow for the forcible abduction and removal of persons, whose extraditions had been halted by the adoption of interim measures by the ECtHR.

In June 2012, the Supreme Court of the Russian Federation issued a decree regarding extradition requests by second governments. This reiterated Russia's obligations under international human rights law, including the prohibition of torture, and ordered courts not to approve extradition requests if there was a well-founded fear that the person extradited might be subjected to torture or other cruel, inhuman and degrading treatment, or might face the death penalty.

Name: Azamatzhon Ermakov

Gender m/f: m

Further information on UA: 330/12 Index: EUR 46/009/2013 Issue Date: 13 March 2013