

# URGENT ACTION

## UZBEKISTANI ASYLUM-SEEKERS AT RISK IN UKRAINE

**Umid Khamroev, Kosim Dadakhanov, Shodilbek Soibzhonov and Utkir Akramov are detained in Ukraine and are all at risk of forcible return from Ukraine to Uzbekistan, where they will be at risk of torture or other ill-treatment.**

Ukrainian law enforcement officials detained **Umid Khamroev** on 15 June 2010, **Kosim Dadakhanov** on 29 June, **Shodilbek Soibzhonov** on 6 July and **Utkir Akramov** on 8 July. They were detained because they are wanted in Uzbekistan on charges of membership of illegal religious or extremist organizations, or dissemination of materials containing a threat to public security, or attempts to overthrow the constitutional order, or all four charges. All four men are observant Muslims, who worship in unregistered mosques, and either they or their close relatives have already experienced human rights violations in Uzbekistan. All have applied for asylum in Ukraine and all have been turned down. They have appealed against the decisions not to grant them refugee status but they may be returned to Uzbekistan before their appeals are heard, which would violate Ukraine's international human rights obligations. Local human rights organizations report that the wives and family members of the four men have been threatened by Ukrainian law enforcement officers and asked to provide information about the charges. Since Umid Khamroev's detention in Ukraine, a relative has reportedly been arrested in Uzbekistan.

The Uzbekistani authorities continue to actively seek the extradition from neighbouring countries, 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. Most of those forcibly returned to Uzbekistan are held in incommunicado detention, which increases their risk of being tortured or otherwise ill-treated. In a recent European Court of Human Rights case, the court ruled that extraditing a criminal suspect to Uzbekistan would put them at serious risk of torture.

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

- Urging the Ukrainian authorities not to forcibly return Umid Khamroev, Kosim Dadakhanov, Shodilbek Soibzhonov and Utkir Akramov to Uzbekistan, as they are likely to face torture and other serious human rights violations if extradited;
- Reminding the authorities that as a state party to the 1951 Convention relating to the Status of Refugees Ukraine has an obligation not to return a refugee to any country where they would be at risk of torture or other serious human rights violations;
- Urging the authorities to release Umid Khamroev, Kosim Dadakhanov, Shodilbek Soibzhonov and Utkir Akramov, to halt extradition proceedings against them, and provide them with access to a fair asylum procedure.

### **PLEASE SEND APPEALS BEFORE 23 AUGUST 2010 TO:**

#### President

Viktor Yanukovich  
Vul.Bankovaya 11  
01220 Kyiv  
Ukraine  
Fax: +380 44 255 61 61

**Salutation: Dear President**

#### General Prosecutor

Oleksandr Medvedko  
Vul. Ryznitska 13/15  
01601 Kyiv  
Ukraine  
Fax: +380 44 280 2851 (office hours)

**Salutation: Dear General Prosecutor**

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

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

**Umid Khamroev** (d.o.b. 1976) applied for asylum in Ukraine in 2009, but his application was turned down. He appealed against this decision and his appeal was dismissed by the Kyiv District Administrative Court on 10 June 2010. He was detained before he could appeal to the Kyiv Administrative Appeal Court against this latest court decision. On 24 June, his detention was extended for 40 days. His lawyer has appealed to the Appeal Court for Kyiv region against his detention, but the decision to detain him was upheld.

**Kosim Dadakhanov** (d.o.b. 1966) left Uzbekistan for Russia in 1993 and acquired Russian citizenship in 2000. He was detained briefly in Tyumen in Russia, where he was living, when it was discovered that Uzbekistan had issued an arrest warrant against him. He was released after the intervention of the Russian Human Rights Ombudsman. In September 2009 he was asked to testify in court in connection with the allegation that he had given false testimony when he received Russian citizenship. Fearing that his Russian citizenship would be revoked, he moved to Ukraine in November 2009 with his two wives and 10 children. He and his family applied for refugee status in Ukraine upon arrival. His application for refugee status was rejected by the migration services, and he is currently appealing against this decision to the Kyiv District Administrative Court. He was detained by Ukrainian law enforcement officers on 29 June on the basis that he is wanted in Uzbekistan on charges of producing and disseminating materials containing a threat to public security and order, organizing a criminal group, and violation of fire safety regulations.

**Shodilbek Soibzhonov** (d.o.b. 1970) was detained on 2 July in Belaya Tserkov, Kyiv Region in Ukraine, because he is wanted in Uzbekistan on charges of belonging to a religious, extremist, separatist or other banned organization. Police initially retained his passport, and released him, but he was detained again on 6 July and his lawyer fears that he faces forcible return to Uzbekistan. Shodilbek Soibjonov had left Uzbekistan in 1998 and had moved to Russia where he gained Russian citizenship. Fearing that he would be returned from Russia he fled to Ukraine in April 2010 and applied for asylum. His application was turned down and he is currently applying to the Kyiv District Administrative Court against the refusal to grant him refugee status.

**Utkir Akramov** (d.o.b. 1985) was detained on 8 July and is being held in police detention in Boyarka in the Kyiv region. He came to Ukraine from Uzbekistan in August 2009 and applied for refugee status on 14 October. On 4 November, his application was rejected as manifestly unfounded and his appeal against this decision is pending. He is wanted on charges of attempts to overthrow the constitutional order, organizing a criminal group, establishing or participating in a religious, extremist, separatist or other banned organization, and terrorism.

On 10 June 2010, the European Court of Human Rights, in the case *Garayev v. Azerbaijan*, ruled that the extradition of Shaig Garayev from Azerbaijan to Uzbekistan would be in violation of Article 3 [prohibition of torture] of the European Convention on Human Rights. The Court also stated that “any criminal suspect held in custody [in Uzbekistan] faces a serious risk of being subjected to torture or inhuman or degrading treatment both in order to extract a confession and as a punishment for being a criminal.”

In another extradition case from Russia to Uzbekistan, *Abdulzhon Isakov v. Russia*, on 8 July 2010, the European Court of Human Rights also found that the ill-treatment of detainees remains “a pervasive and enduring problem in Uzbekistan” and that given that both men had been charged with politically motivated crimes and that arrest warrants had been issued for them they would be placed in custody directly after extradition and would run a “serious risk of ill-treatment”.

UA: 157/10 Index: EUR 50/009/2010 Issue Date: 12 July 2010

