

# URGENT ACTION

## REFUGEE AT RISK OF EXTRADITION TO UZBEKISTAN

**Uzbekistani citizen Ruslan Suleymanov is currently being held in a pre-trial detention centre in Kyiv, Ukraine awaiting extradition. He is at risk of a forcible return to Uzbekistan by 25 September, where he would be at risk of torture.**

**Ruslan Suleymanov** was a manager of a private construction company in Uzbekistan when in 2008 the company was targeted for takeover by rival business interests. When the company refused to hand over the shares, it was raided by security services and many of the company managers were investigated for economic crimes, including Ruslan Suleymanov.

Ruslan Suleymanov left the company and moved to Ukraine in November 2010, but was detained on 25 February 2011 when he went to the Ministry of Interior in Chernihiv, northern Ukraine to apply for a work permit. On 12 May 2011 the General Prosecutor's Office confirmed his extradition to Uzbekistan, to stand trial for alleged economic crimes relating to his time at the construction company. He was only granted access to a lawyer on 18 May 2011; not being granted access to a lawyer for such a period of time is in violation of Ukrainian law and international standards. On 20 May 2011, Ruslan Suleymanov applied for asylum in Ukraine. His application was rejected on appeal on 2 July 2012, and is currently being considered by the Higher Administrative Court. On 18 May 2012, the United Nations High Commissioner for Refugees (UNHCR) recognized him as a refugee under the UNHCR mandate and proceeded to seek his resettlement.

Ruslan Suleymanov also applied for permission to stay in Ukraine on the basis that he would be at risk of harm if returned to his home country, as there continue to be reports of torture and other ill-treatment of prisoners by Uzbekistan authorities. That application is under consideration. His appeals against the extradition order have also been unsuccessful. Under Ukrainian law a person may be detained for extradition for no longer than 18 months, after which they must be released. Ruslan Suleymanov is currently being held in Kyiv, Ukraine and as his 18-month period ends on 25 September it is feared that he will be soon be extradited.

### **Please write immediately in Ukrainian or your own language:**

- Urging the Ukrainian authorities to release Ruslan Suleymanov and allow him to be resettled in a third country by the UNHCR;
- Reminding the Ukrainian authorities that as a state party to the 1951 Geneva Convention relating to the Status of Refugees, they must not forcefully return refugees or asylum seekers to any country where they would face a serious risk of the death penalty, torture or other grave abuses of human rights;
- Urging the authorities to give Ruslan Suleymanov access to fair asylum procedures, including a thorough review of his asylum claim on appeal.

### **PLEASE SEND APPEALS BEFORE 25 SEPTEMBER 2012 TO:**

Prosecutor General

Victor Pshonka

vul. riznitska 13/15

01601 Kyiv, Ukraine

Fax: +38 044 280 2851

**Salutation: Dear Prosecutor General**

Chair, State Migration Service

Mykola Kovalchuk

Vul. Volodymyrska

901025 Kyiv, Ukraine

Fax: + 38 044 226 23 39

**Salutation: Dear Mykola Kovalchuk**

**Also send copies to diplomatic representatives 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

Despite repeated assertions by Uzbekistan that the practice of torture has significantly decreased over the last years, Amnesty International has continued to receive reports of widespread torture and other ill-treatment of detainees and prisoners. According to these reports, in most cases the authorities failed to conduct prompt, impartial and effective investigations into the allegations of torture and other ill-treatment. Amnesty International is concerned that impunity prevails as prosecution of individuals suspected of being responsible for torture or other ill-treatment remains the exception rather than the rule. Reports of torture or other ill-treatment stem not only from men and women suspected of membership of banned Islamic groups or Islamist parties or of having committed terrorist offences, but from all layers of civil society, including human rights activists, journalists, businessmen and former – often high-profile – members of the government and security forces. Amnesty International's research has found that most of those forcibly returned to Uzbekistan are held in detention incommunicado, thereby increasing their risk of being tortured or otherwise ill-treated. The European Court of Human Rights (ECtHR) has issued multiple rulings prohibiting states from returning persons to Uzbekistan on the basis of a risk of torture. For example, the ECtHR ruled on 10 June 2010 in the case *Garayev v. Azerbaijan* 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 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." The ECtHR has issued at least 10 more rulings prohibiting the return of criminal suspects to Uzbekistan on the basis of a risk of torture.

Ukraine has repeatedly violated the rights of refugees and asylum-seekers, in breach of its obligations under international human rights and refugee law. The asylum system in Ukraine has been subjected to constant restructuring over the past 10 years and many asylum applications are rejected at the first instance without a substantive review.

Name: Ruslan Suleymanov  
Gender m/f: m

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