

URGENT ACTION

UZBEKISTANI JOURNALIST AT RISK OF EXTRADITION

Journalist and poet Narzullo Akhunzhonov was detained by Ukrainian border guards on 20 September, following an Interpol Red Notice requested by Uzbekistan. He remains remanded in custody, pending a formal extradition request from the Uzbekistani authorities. If forcibly returned to Uzbekistan, he would be at risk of torture and other ill-treatment.

On 20 September, the Ukrainian border authorities detained Uzbekistani journalist and poet **Narzullo Akhunzhonov** at Kyiv Zhulyany airport. He had arrived with his wife and five children on a flight from Istanbul, Turkey. The family had lived as asylum-seekers in Turkey since 2013, after Narzullo Akhunzhonov was forced to flee Uzbekistan to escape arbitrary detention and prosecution for his critical investigative journalism. In Turkey, Narzullo Akhunzhonov believed he continued to be monitored by the National Security Service of Uzbekistan (SNB) and received death threats in connection with his work as a critical journalist. Fearing for the safety of his family, Narzullo Akhunzhonov decided to flee to Ukraine and ask for protection there. His application for asylum in Ukraine is currently under consideration.

In detention, Narzullo Akhunzhonov learned that the reason for his arrest is an Interpol Red Notice, requested by Uzbekistan in 2014, in relation to a fraud case dating from 2009. Narzullo Akhunzhonov has always denied the accusations, and has said that the authorities brought the case against him in order to punish him for his investigative work into allegations of torture by SNB officers. The authorities in Uzbekistan commonly request Interpol Red Notices against political opposition activists and independent journalists abroad, in order to prosecute them on fabricated and politically-motivated charges.

On 27 September, the Solomyanskyi District Court in Kyiv remanded Narzullo Akhunzhonov in custody for 40 days pending the receipt of a formal extradition request from the Uzbekistani authorities. If forcibly returned to Uzbekistan, he would be at risk of human rights violations immediately upon return, including incommunicado detention, torture and other ill-treatment, unfair trial and imprisonment in conditions amounting to cruel, inhuman or degrading treatment. According to his family, Narzullo Akhunzhonov's vision is rapidly deteriorating. He requires urgent medical attention. The next appeal hearing in relation to his remand is scheduled for 19 October.

Please write immediately in Ukrainian or your own language:

- Urging the State Migration Service to take all necessary steps to ensure Narzullo Akhunzhonov is not extradited or in any other way forcibly returned to Uzbekistan, where he is at risk of arbitrary detention, torture and other ill-treatment;
- Urging the Solomyanskyi Prosecutor's Office to request an immediate release of Narzullo Akhunzhonov as he appears to be under an Interpol Red Notice solely because of his work as a critical journalist;
- Calling on the State Penitentiary Service to ensure Narzullo Akhunzhonov's rights are fully respected while in detention, including regular access to the medical treatment he requires.

PLEASE SEND APPEALS BEFORE 22 NOVEMBER 2017 TO:

Head of State Migration Service

Maksym Sokolyiuk
Volodymyrska 9
Kyiv, 01001 Ukraine
Email: hotline@dmsu.gov.ua

Salutation: Dear Head of State
Migration Service

Head of Solomyanskyi Prosecutor's Office

Iryna Chechotka
Heroyiv Sevastopolya 3-A
Kyiv 03124, Ukraine
Email: zvern9@kyiv.gp.gov.ua

Salutation: Dear Head of
Solomyanskyi Prosecutor's Office

And copies to:

Deputy Minister of Justice for the Penitentiary Service

Denys Chernyshov
Horodetskogo 13
Kyiv 01001, Ukraine
Email: dostup@kvs.gov.ua

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below.

Please check with your section office if sending appeals after the above date

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The rights to freedom of expression and peaceful assembly are severely restricted in Uzbekistan. Prominent human rights defenders, government critics and independent journalists are subjected to sustained harassment and intimidation, routine monitoring, arrests, beatings and smear campaigns. Many have been forced to flee abroad while others are prevented from leaving the country. Human rights defenders and independent journalists, both those abroad and those in Uzbekistan, continue to find themselves and their families the target of extensive and repeated media campaigns on websites owned or controlled by the government, both on national television and in the official printed media.

Amnesty International has received persistent and credible allegations of routine and pervasive torture and other ill-treatment by Uzbekistan's security forces during arrest and transfer, in police custody and pre-trial detention and by security forces and prison personnel in post-conviction detention facilities. Torture is used to coerce suspects, detainees and prisoners, including women and men charged with criminal offences such as theft, fraud or murder, into confessing to crimes or incriminating others. Individuals charged with or convicted of anti-state and terrorism-related offences, including those forcibly returned to Uzbekistan, have been particularly vulnerable to torture both in pre-trial detention and in prison following conviction.

The Uzbekistani authorities have continued to secure the return – including through extradition proceedings – of numerous Uzbekistani citizens whom they have identified as threats to the “constitutional order” or threats to national security. In October 2016 the authorities informed Amnesty International that they had secured the return of 542 individuals between January 2015 and July 2016. Often the Uzbekistani government has offered “diplomatic assurances” to sending states to secure the returns, pledging free access to detention centres for independent monitors and diplomats. Amnesty International opposes the use of “diplomatic assurances” against torture and similar abuses to facilitate such transfers. In practice the Uzbekistani authorities have not honoured these guarantees.

Officers of Uzbekistan's National Security Service have continued to secretly abduct individuals abroad and return them to Uzbekistan. Many of those abducted or otherwise forcibly returned to Uzbekistan have been subjected to incommunicado detention, often in undisclosed locations, and tortured or otherwise ill-treated to force them to confess or incriminate others.

Ukraine is obliged under international law – specifically, the principle of *non-refoulement* – to refrain from transferring any person to a country where there is a real risk of torture or other ill-treatment on return. This is a rule of customary international law that applies to all states irrespective of their specific treaty obligations. It is also part of Ukraine's obligations under treaties to which it is a state party, including the European Convention on Human Rights, International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), as well as the UN Convention Relating to the Status of Refugees, and the European Convention for the Protection of Human Rights and Fundamental Freedoms. The CAT explicitly sets out in Article 3 the obligation of states not to expel, return or extradite a person to another state where there are grounds for believing that she/he would be in danger of torture, and goes on to stipulate the responsibility of requested states to carefully assess the risk of torture in individual cases: “For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights”. Amnesty International research demonstrates that in Uzbekistan there is credible and consistent evidence of such a pattern of violations.

Name: Narzullo Akhunzhonov

Gender m/f: m

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