

PUBLIC

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Extradition/Torture/Death Penalty

RUSSIAN FEDERATION

Bairamali Yusupov (m), Uzbekistani national

Uzbekistani national Bairamali Yusupov, who has applied for asylum in Russia, is facing extradition to Uzbekistan, where he would be at risk of torture and even the death penalty following an unfair trial. On 20 April a regional court in the Siberian town of Tiumen rejected his appeal against the Russian Procurator General's decision to extradite him, and he could now be handed over to Uzbek authorities at any time.

Bairamali Yusupov was reportedly expelled from university in Samarkand, Uzbekistan for his Muslim religious convictions in 2000, after religious literature was found during a search in his student accommodation. He and his father were reportedly questioned several times by the authorities about their knowledge of and their involvement in the activities of extremist Islamist organizations, and who had taught them about Islam. On one occasion he was beaten by security service agents who tried to force him to confess that he planned to set up a theocratic state in Uzbekistan. Reportedly, Bairamali Yusupov did not sign this confession but signed a statement that he had taught others about Islam. Because of this and because he could not continue his studies, Bairamali Yusupov moved to Russia in 2003 and started working for a construction company.

In early 2005 his parents in Uzbekistan learned that he was wanted by the authorities there for "attempting to overthrow the constitutional order in Uzbekistan". In July 2005 Bairamali Yusupov found out that the authorities in Uzbekistan had asked the Russian authorities to arrest him. Fearing that he could be extradited, he applied for asylum on 16 August. On 31 August he was detained in Tiumen and has been held there since then in a pre-trial detention centre known as SIZO 1.

On 8 December 2005 the Federal Security Service (FSB) sent a letter to the department for migration at the Main Department for Internal Affairs of Tiumen Region, of which Amnesty International has seen a copy, saying that "Uzbekistan has abolished the death penalty and in addition to this, according to information available to the FSB, currently on the territory [of Uzbekistan] the practice of political persecution has been ended due to the change of course of that country, therefore threats to the life of Bairamali Yusupov do not exist. In line with international agreements and treaties, Bairamali Yusupov after an extradition will be handed over to the Uzbek courts, where all his civil rights will be protected."

The following day, the department for migration informed Bairamali Yusupov that his claim for asylum had been rejected. The rejection was based on the claims of the FSB that Bairamali Yusupov's civil rights would be protected in Uzbekistan. Bairamali Yusupov appealed against this decision. The Central District Court in Tiumen refused to consider his appeal against this decision as did the Regional Court of Tiumen region on 3 April 2006. The General Procuracy of the Russian Federation decided in March 2006 that Bairamali Yusupov should be extradited to Uzbekistan.

BACKGROUND INFORMATION

The death penalty has not been abolished in Uzbekistan. Uzbekistani President Karimov issued a decree in August 2005 to abolish the death penalty from 1 January 2008, but Amnesty International has learned of at least six men sentenced to death since then. Torture and ill-treatment are systematic and widespread in Uzbekistan. Amnesty International has documented many cases of people forcibly returned or extradited to Uzbekistan at the request of the Uzbekistani authorities who were tortured to extract "confessions", sentenced to death after unfair trials and executed.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Russian, English or your own language:

- urging the Russian authorities not to extradite Bairamali Yusupov to Uzbekistan, where he would be at risk of serious human rights violations, including torture and ill-treatment, and where he might be sentenced to death following an unfair trial;
- reminding the authorities that the Russian Federation is obliged under international law, including the UN 1951 Refugee Convention, the UN Convention against Torture and the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which it is a party, not to return anyone to a country or territory where they would be at risk of serious human rights violations, including torture.

APPEALS TO:

Vladimir Ustinov
Procurator General
General Procuracy of the Russian Federation
Bolshaia Dmitrovka 15d., Moscow, 125993, Russian Federation
Fax: +7 495 692 17 25
Salutation: Dear Procurator General

Rashid Nurgaliev
Minister of Internal Affairs of the Russian Federation
Ministry of Internal Affairs of the Russian Federation
Ul. Zhitnaia 16, Moscow, 117049, Russian Federation
Fax: +7 495 237 49 25
E-mail: mvd12@mvdrrf.ru
Salutation: Dear Minister

COPIES TO:

Nikolai Patrushev
Director General
Federal Security Service of the Russian Federation
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E-mail: fsb@fsb.ru
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and to diplomatic representatives of the Russian Federation accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 June 2006.