

PUBLIC

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**Further Information on UA 141/05 (EUR 58/001/2005, 27 May 2005) Fear of forcible return/ Fear for safety**

**KYRGYZSTAN 541 refugees from Andizhan, Uzbekistan (men, women and children)**

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Amnesty International remains concerned for the safety of Uzbekistani nationals including the following 12 men: Ortikboy Dzhabaralievich Akbarov, Abdushukur Abubakirovich Alimov, Shomsiddin Shukurullaevich Atamatov, Abdurakhmon Abdushutolipovich Bodirov, Odil Akhmadolievich Makhsadaliev, Musazhon Rasulovich Mirzaboev, Bakhtiar Adkhamovich Mukhtarov, Tursun Ibrokhimovich Nazarov, Nushonzhon Ismoilovich Nechmatov, Burkhoniddin Badirdinovich Nuritdinov, Farrukh Farkhadovich Rashidov, Yakub Toshboevich Toshboev, who are seeking international protection in Kyrgyzstan. The Uzbekistani nationals fled the city of Andizhan after government troops reportedly opened fire on thousands of mainly unarmed and peaceful demonstrators on the night of 13 May.

The Prosecutor General of Uzbekistan is seeking the extradition of the 12 men named above. They are believed to be former detainees of Andizhan Prison, some of whom were involved in the trial of 23 local businessmen accused of "Islamic extremism". The Office of the United Nations High Commissioner for Refugees (UNHCR) says it has received assurances from the Kyrgyz Government that their applications for registration and asylum will receive equal treatment. Shomsiddin Atamatov and Burkhoniddin Nuritdinov are already known to be in a refugee camp.

At 9.30am on 4 June, the refugees arrived at a new camp location at Beshkepa some 15 km outside Jalalabad on the main road to Bishkek. They were in a convoy of 12 buses accompanied by armed troops, most of whom were 'spetsnaz' (special military forces). According to representatives from the UNHCR in Jalalabad, as of 6 June there are now 462 or 463 refugees in the camp. The Kyrgyz Migration Service is due to start individual registration procedures shortly and will be monitored by UNHCR.

The new camp is located further from the Uzbek border than the previous campsite and is larger. Despite these improvements, however, according to UNHCR it does not meet the standards for a refugee camp. It is not large enough for the numbers accommodated there and has no direct access to water. It can therefore only be considered a temporary solution. The move was effected under the direct authority of the Head of the Kyrgyz Migration Service, and monitored by UNHCR, who have been facilitating the move and who will continue to monitor the camp. Amnesty International is also concerned by the heavy involvement of the armed forces which include Ministry of Interior, Border and National Security Service troops in the running of the camp.

Reports from a military official state that persons who might be in need of international protection have been denied access to asylum procedures by Kyrgyz officials and in some cases returned to Uzbekistan. There are also reports that Uzbek police are exerting pressure upon relatives in order to obtain the return of persons seeking international protection in Kyrgyzstan.

To date, the Kyrgyz authorities have failed to initiate asylum procedures, in accordance with national and international law, for those held in the camp or nearby hospital. This emerged after interviews, conducted by Amnesty International's representatives last week with a number of people who fled as well as with relevant authorities, revealed that refugees have not yet been provided with an effective opportunity to submit a claim for asylum. Although some in the camp believe that a communal document apparently signed by all was an

application to the Kyrgyz authorities for asylum, it appears to have been only a form of registration in the camp. Moreover, those who were immediately taken to hospital after crossing the border have not been given the opportunity to register in the camp. Amnesty International's representatives helped draft asylum applications on the spot for six hospital patients interviewed and for their family members in the camp.

Under Kyrgyz law the authorities have six months to determine asylum claims. The registration cards issued to the refugees at the camp suggest that they must be repeatedly renewed. They were initially valid until 28 May then extended to 15 June, but without access to an asylum procedure it is not clear what their extension depends on.

Amnesty International is also concerned at the lack of access to asylum procedures for individuals or families who may have crossed the border in other places and/or at other times after 13-14 May in search of safe refuge.

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

- urging the authorities to ensure that asylum procedures are initiated immediately for all those who fled Uzbekistan following the events of 13 May 2005 and who wish to seek asylum, irrespective of whether they were initially registered in the camp;
- calling on the authorities to respect their obligations under international law not to forcibly return or to extradite any person who risks being subjected to serious human rights violations, including torture or other ill-treatment, unfair trial, and death penalty;
- calling for the authorities to ensure that the asylum-seekers are accommodated in conditions which guarantee their physical security and to be provided with all necessary assistance including food, shelter, and sanitary and health facilities;
- asking the authorities to ensure that the Kyrgyz armed forces fully respect the exclusively humanitarian and civilian character of the camp hosting Uzbek refugees.

**APPEALS TO: (Please note that it can be difficult getting through to fax numbers in Kyrgyzstan. If a voice answers, repeat "fax" until you hear the signal; otherwise leave your fax machine on auto-redial if possible. Fax machines may be switched off outside office hours – 5 hours ahead of GMT)**

Minister of Foreign Affairs

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**Salutation:** Dear Head of the National Migration Service

Prime Minister and Acting President

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**Salutation:** Dear Acting President

Acting Minister of National Security

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**COPIES TO:** diplomatic representatives of Kyrgyzstan accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 11 July 2005.