

URGENT ACTION

FEAR FOR SAFETY OF TAJIKISTANI ASYLUM SEEKER

On 3 December Tajikistani asylum seeker Ismon Azimov was abducted from the Centre for temporary placement of immigrants in the Russian region of Tver. It is feared that he could have been illegally transferred to Tajikistan where he will be at risk of torture and an unfair trial.

At around 8 pm on 3 December five unidentified men, two of them wearing police uniforms, arrived at the Centre for temporary placement of immigrants, located approximately 350 km away from Moscow. They told the Centre watchwoman that they were from the police and ordered her to let them into the building. They forcibly took **Ismon Azimov** out of his room, put him in a black Jeep and drove him away. The administrators at the Centre promptly called the police and informed the Federal Migration Service and Federal Security Service. Investigation into abduction and search activities were initiated. Ismon Azimov's representatives were also promptly informed.

Ismon Azimov is an applicant to the European Court of Human Rights (ECtHR) appealing against his extradition to Tajikistan. On 18 April, the ECtHR stated that returning Ismon Azimov to Tajikistan would breach Article 3 (prohibition of torture) of the European Convention on Human Rights. Having received news about Ismon Azimov's abduction, his representatives immediately started to call and send faxes to the Representative of the Russian Federation at the ECtHR and the Head of the Border control service of the Federal Security Service, asking for urgent measures to prevent Ismon Azimov's illegal transfer to Tajikistan as it would be contrary to the ECtHR's judgment. At this time Ismon Azimov's representatives have not been informed of any progress into the search, and Ismon Azimov's whereabouts remain unknown.

Please write immediately in Russian or your own language:

- √ Urging the Russian authorities to promptly, impartially and effectively investigate Ismon Azimov's abduction;
- √ Expressing concern for the life and safety of Ismon Azimov who, if transferred to Tajikistan, is facing torture, unfair trial and other human rights violations;
- √ Calling on the Russian authorities to ensure that Ismon Azimov's alleged abductors are unable to traffic him across the border;
- √ Reminding the Russian authorities of their obligation under international human rights law not to deport or extradite any person to a country where they are at risk of torture and/or other ill-treatment.

PLEASE SEND APPEALS BEFORE 17 JANUARY 2013 TO:

Chairman of the Investigation Committee
of the Russian federation

Aleksandr Ivanovich Bastrykin
Tekhnicheskii pereulok, dom 2
105005 Moscow
Russian Federation
Fax: +7499 265 90 77; +7499 265 97 75

**Salutation: Dear Head of the
Investigation Committee**

Head of the Border Control Service of
the Federal Security Service

Vladimir Grigorievich Kulishov
Ul. B.Lubianka, d.1/3,
107031 Moscow
Russian Federation
Fax: +7 495 914 26 32

**Salutation: Dear Head of the Border
Control Service**

And copies to:

Representative of the Russian
Federation at the ECtHR,
Deputy Minister of Justice
Georghii Olegovich Matiushkin
14 Zhitnaya street
119991 Moscow
Russian Federation
Fax: +7 495 955 57 03

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

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

**AMNESTY
INTERNATIONAL**



Please check with your section office if sending appeals after the above date. This is the second update of UA 214/11. Further information:
<http://www.amnesty.org/en/library/info/EUR46/042/2012/en>

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ADDITIONAL INFORMATION

The Tajikistani authorities have accused Ismon Azimov of membership of Islamic Movement of Uzbekistan (IMU) and requested his extradition from Russia due to his alleged involvement in military training and propaganda activities for the IMU in October 2007. There are grounds to believe that the charges may be politically motivated.

Ismon Azimov was arrested in Russia on 3 November 2010. After his arrest, he applied for asylum in Russia but his application was refused. Since that time he has been fighting his extradition first, unsuccessfully, through the Russian justice system. He then took his case to the European Court of Human Rights (ECtHR). On 23 November 2011, the European Court of Human Rights ordered interim measures preventing his extradition pending substantive examination of his application and he remained in detention. Around this time, officials from the security forces reportedly visited Ismon Azimov at night and pressurised him to return to Tajikistan "voluntarily", and took photos of him, possibly in order to prepare a travel document as he had no passport. Ismon Azimov refused to return "voluntarily".

In early November 2012, Ismon Azimov's defence lawyer received information that her client was due to be released from detention on 2 November 2012. This unexpected news alarmed Russian NGOs and Amnesty International who issued public statements and Urgent Actions expressing concerns that Ismon Azimov would be at risk of abduction and forcible return to Tajikistan upon release. In the end Ismon Azimov was not released from detention. Human rights observers believe that this decision was taken after NGOs issued public statements about the risk of Ismon Azimov being abducted.

Amnesty International has repeatedly expressed concerns at the recurrence in recent years of incidents where Tajikistani asylum-seekers in Russia have been allegedly abducted and forcibly returned to Tajikistan. For example, Savridin Juraev was released from detention in Russia on 20 May 2011 and reportedly abducted on 31 October 2011. On 1 November 2011 he reportedly flew from a Moscow airport to Tajikistan without possessing a passport - he had only a temporary asylum certificate with him. On 19 April 2012 he was sentenced to a 26-year prison term, but he maintains his innocence. He has also reported being tortured and ill-treated while in detention.

Another Tajikistani national, Nizomkhon Juraev, disappeared upon his release from temporary detention in Russia on 29 March 2012 and 'reappeared' days later in Dushanbe, Tajikistan, while his case was pending hearing before the European Court on Human Rights. Anna Stavitskaya, the Russian lawyer who has taken Nizomkhon Juraev's case to the European Court of Human Rights, stated that she doubted that her client had returned voluntarily since he had been fighting his return to Tajikistan, where he was at risk of torture or other ill-treatment. Moreover, his lawyer stated that she still had his passport. Without his passport or sufficient funds it would have been extremely difficult, if not impossible, for Nizomkhon Juraev to travel back to Tajikistan. More details about these and other cases could be found in our report Return to Torture: Extradition, Forcible Returns and Removals to Central Asia at: <http://www.amnesty.org/en/library/info/EUR04/001/2013/en>

The Russian Federation is bound by minimum requirements set out in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and other binding international standards, and should uphold the rights of asylum-seekers and irregular migrants accordingly and in good faith. In particular, the prohibition of torture and ill-treatment, enshrined in Article 3 of the ECHR, requires that no-one should be removed to a country or territory if there are substantial grounds for believing that upon removal they will face a real risk of torture or other inhuman or degrading treatment. Article 13 provides for the right for an effective remedy before national authorities for violations of rights under the Convention.

Name: Ismon Azimov

Gender m/f: m

Further information on UA: 214/11 Index: EUR 46/054/2013 Issue Date: 6 December