

URGENT ACTION

ABDUCTED ASYLUM SEEKERS AT RISK OF TORTURE

There are grave concerns for two abducted asylum seekers, as it is feared that they have been forcibly returned to Uzbekistan and are at risk of torture and other ill-treatment.

Dilshodbek Nazarov, 42, and, **Davronbek Mamazhonov**, 38, were abducted in Kaliningrad, Russia, on 26 and 27 May 2014 respectively. On the 26 May, Dilshodbek Nazarov called his lawyer on his mobile phone telling her that he was being forced into a car and taken to an airport. His phone is now switched off. Reportedly, an officer of the Uzbekistani National Security Services (SNB) called Dilshodbek Nazarov on 23 May demanding his return to Uzbekistan. In July 2013 Dilshodbek Nazarov applied for temporary asylum in Russia, but the Federal Migration Service (FMS) refused his application. He appealed the decision in January 2014. His appeal is still pending.

On the morning of 27 May three men, two wearing camouflage uniforms, approached Davronbek Mamazhonov on a street and forced him into a car and drove to an unknown location. In February 2014 Davronbek Mamazhonov had applied for temporary asylum in Russia, however his application was refused by the FMS in Kaliningrad. He appealed against the decision but the FMS has not considered it yet. On 27 May one of the lawyers representing both men applied to the European Court of Human Rights (ECtHR) for interim measures and on the same day the Court issued the orders under Rule 39, requiring the Russian authorities not to extradite or otherwise involuntarily remove Dilshodbek Nazarov and Davronbek Mamazhonov to Uzbekistan, pending the Court's full determination of their complaints. Human rights defenders fear that both men have been abducted by Russian law enforcement officials in cooperation with the Uzbekistani SNB, and may have been forcibly returned to Uzbekistan.

In 2010 the Uzbekistani authorities put Dilshodbek Nazarov and Davronbek Mamazhonov on an international wanted list on charges of membership in "religious extremist, separatist, fundamentalist or other banned organizations" and "production and dissemination of materials containing threat to public security and public order". Dilshodbek Nazarov and Davronbek Mamazhonov were arrested by Russian police in Kaliningrad in October 2010 and March 2012 respectively. They were subsequently released following decisions by the Russian Prosecutor General's Office to refuse their extraditions to Uzbekistan. In both cases the Russian Prosecutor General's Office found that the Uzbekistani authorities had provided insufficient evidence to justify the extradition of the men.

Please write immediately in Russian, English or your own language:

- Urging the Russian authorities to investigate promptly, impartially and effectively the abductions of Davronbek Mamazhonov and Dilshodbek Nazarov, establish their whereabouts and ensure their safety;
- Calling on them to comply with their obligations under international human rights law not to deport, extradite or otherwise return any person to a country where they would be at risk of torture or other ill-treatment.

PLEASE SEND APPEALS BEFORE 11 JULY 2014 TO:

Prosecutor General

Yurii Yakovlevich Chaika
Bolshaia Dmitrovka 15 A
125993 Moscow
Russian Federation
Fax: +7 495 692 1725

Salutation: Dear Prosecutor General

Chairman of the Investigation Committee of the Russian Federation

Aleksandr Ivanovich Bastrykin
Investigation Committee
Tekhnicheskii pereulok, dom 2
105005 Moscow, Russian Federation
Fax: +7 499 265 9077; +7 499 265 9775

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

And copies to:

Representative of the Russian Federation at the ECtHR

Georgiy Olegovich Matyushkin
Ul Zhitnaya 14
119991 Moscow, Russian Federation
Fax: +7 495 955 5703

Email:
representationpermderrussie@wanadoo.f

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

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ABDUCTED ASYLUM SEEKERS AT RISK OF TORTURE

ADDITIONAL INFORMATION

On 25 July 2010, the Uzbekistani authorities put Dilshodbek Nazarov on an international wanted list on charges of membership in “religious extremist, separatist, fundamentalist or other banned organizations” under Article 244-2 of the Uzbekistani Criminal Code and “production and dissemination of materials containing threat to public security and public order” under Article 244-1. He was accused of being a member of the “Nurchilar” Islamic movement, banned in Uzbekistan. As a result, he was arrested by Russian police in Kaliningrad on 19 October 2010. However he was subsequently released following a decision in March 2012 by the Russian Prosecutor General’s Office to refuse his extradition to Uzbekistan.

Davronbek Mamazhonov was put on an international wanted list on 19 August 2010 charged under Articles 244-1 and 244-2 of the Uzbekistani Criminal Code for his alleged membership of the Islamic Movement of Turkestan, banned in Uzbekistan. He was arrested in Kaliningrad on 14 March 2012 by Russian police but also subsequently released on 10 July 2012 following a decision of the Russian Prosecutor General’s Office to refuse his extradition to Uzbekistan.

Amnesty International has closely monitored the human rights situation in Uzbekistan since its independence from the Soviet Union in 1991. Thousands of devout Muslims have been sentenced in Uzbekistan in unfair trials for alleged membership of banned Islamist organizations. Allegations of torture and other ill-treatment in detention are very frequent. Many prisoners are being held in conditions which amount to cruel, inhuman and degrading treatment. The organization is concerned that the Uzbekistani authorities actively seek the extradition from neighbouring countries, in the name of national security and the fight against terrorism, of individuals suspected of extremism in connection with their membership of Islamic movements or Islamist parties banned in Uzbekistan, such as Nurchilar, or them being devout Muslims. “Nur” (Nurchilar, Nurdzhylar) is a term which the security services of the Central Asia region use to refer to followers of the 19-th century Turkish Muslim theologian Said Nursi. In Uzbekistan and Russia the movement is classified as “extremist” and in Uzbekistan several hundred followers and alleged followers have been convicted of membership of an illegal organization following unfair trials.

The East Turkestan Islamic Movement also known as the Islamic Movement of Uzbekistan (IMU) is an Islamist opposition group originally from Uzbekistan, which advocates the forcible overthrow of President Islam Karimov of Uzbekistan and the establishment of a caliphate or Islamic state. The IMU is classified as a terrorist group by the UN and the USA and banned in all five Central Asian republics.

Amnesty International’s research has found that most of those forcibly returned to Uzbekistan are held incommunicado, thereby increasing their risk of being tortured or otherwise ill-treated. Amnesty International has continued to receive persistent and credible allegations of routine and pervasive torture and other ill-treatment of persons in custody by security forces during arrest, transfer, in police custody and in pre-trial detention, and by security forces and prison personnel in post-conviction detention facilities. Amnesty International’s research shows that in the vast majority of cases the authorities have failed to conduct effective investigations into allegations of torture or other ill-treatment by detainees.

Amnesty International documented a series of recent cases when the Russian authorities appear to have collaborated with Central Asian security services to allow for the abduction and removal of people whose extraditions had been halted by the adoption of interim measures by the European Court of Human Rights. Please see Amnesty International’s report *Return to Torture: Extraditions, forcible returns and removals to Central Asia* (Index EUR 04/001/2013) for more information, accessible at <http://www.amnesty.org/en/library/info/EUR04/001/2013/en>.

Name: Davronbek Mamazhonov and Dilshodbek Nazarov
Gender m/f: both m

UA: 144/14 Index: EUR 46/037/2014 Issue Date: 30 May 2014