

## COUNTER-TERRORISM MEASURES AND THE BAN ON TORTURE: DEVELOPMENTS UN EUROPE, CENTRAL ASIA AND NORTH AMERICA IN 2006<sup>1</sup>

The prohibition on torture and other cruel, inhuman or degrading treatment is a fundamental human rights principle and a core element of the international human rights protection system established since World War II. In the aftermath of September 11, this principle has been openly challenged in ways previously unseen. While governments of longtime democracies have called for a rethinking of old rules in the face of the threat of terrorism, governments of more authoritarian countries have exploited the global “war on terrorism” to reinforce longstanding abusive policies.

In 2006 governments in Europe, Central Asia and North America continued to circumvent the prohibition on torture and ill-treatment in their efforts to combat terrorism, for example, by failing to prevent and remedy abusive interrogation practices; allowing for the use of evidence extracted under torture; sending terrorist suspects to countries where they faced a real risk of being subjected to torture and ill-treatment; and holding alleged terrorists in secret detention facilities outside the protection of the law. Taken together, these developments represented one of the most pressing human rights issues in the region.

A growing coalition of human rights NGOs and international bodies and officials spoke out about the use of abusive practices in the name of enhancing security and called for a renewed commitment to the absolute ban on torture and ill-treatment in the fight against terrorism.<sup>2</sup> Among those taking a clear stand on the issue was outgoing UN Secretary General Kofi Annan, who stated in an address marking Human Rights Day on 10 December 2006 that: “We must fight terrorism in conformity with international law, those parts of it that prohibit torture and inhumane treat-

ment, and those that give anyone detained against his or her will the right to due process and the judgment of a court. Once we adopt a policy of making exceptions to these rules or excusing breaches of them, no matter how narrow, we are on a slippery slope. This line cannot be held half way down. We must defend it at the top.”<sup>3</sup>

### New legal instrument to prevent torture

A major positive development during the year was the entry into force of the Optional Protocol to the UN Convention against Torture (OPCAT), which provides for the establishment of a new international system for monitoring places of detention. The protocol represents a milestone in the global struggle against torture and other ill-treatment and is of particular importance at a time when the absolute prohibition on torture has come under growing attack in the context of the fight against terrorism.<sup>4</sup>

The OPCAT, which was adopted by the UN General Assembly in December 2002, entered into force in June 2006 after receiving its twentieth ratification.<sup>5</sup> Under the protocol, an international expert body and national monitoring bodies will conduct regular and complementary visits to places of detention. The international body, which will operate under the existing UN Committee against Torture (CAT), was established on 18 December 2006,<sup>6</sup> while states parties are required to either create new national monitoring mechanisms or entrust existing bodies with this task within one year of ratifying the protocol.

The monitoring bodies will have the right to visit all places where people deprived of their liberty are being held, in-

cluding unofficial places of detention, and will not need prior invitation or consent by states parties to carry out visits. They will also have the right to obtain all relevant information relating to the treatment of detainees and the conditions they are held in as well as to conduct private interviews with detainees. Following their visits, they will make recommendations to states parties and work together with the authorities of these countries to facilitate implementation of the recommendations.<sup>7</sup>

As of late December 2006, the protocol had been ratified by a total of 30 countries.<sup>8</sup>

## North America and Europe

### *US violations of torture ban*

In its post-September 11 campaign against terrorism, the government of the United States (US) has repeatedly acted in ways inconsistent with its international obligations relating to torture and ill-treatment, thereby establishing a problematic precedent for other, less democratic countries. In 2006 the US government faced growing censure from civil society, international human rights mechanisms and domestic opposition for its counter-terrorism policies. However, despite certain steps forward, no major change in US policy occurred. During the year, there was also increasing scrutiny of the role of European governments, as well as the Canadian government, in counter-terrorism activities undermining the ban on torture and ill-treatment.

While the US government argued that cases of torture and ill-treatment against detainees captured in its counter-terrorism campaign had been few and exceptional, NGO research revealed that abuse against detainees held in US custody in Iraq, in Afghanistan, at Guantánamo Bay and elsewhere had been widespread and systematic and that officially approved procedures and policies had contributed to such abuse.<sup>9</sup> NGO research also showed that many cases of abuse had not been effectively in-

vestigated, mostly lower-ranking officials had been prosecuted and individuals found guilty had typically been given lenient sentences, such as administrative penalties.<sup>10</sup>

In early December, a federal court began a hearing into a lawsuit against former US Secretary of Defense Donald Rumsfeld<sup>11</sup> and other US top officials brought by two human rights groups on behalf of nine victims of torture and ill-treatment in US custody in Iraq and Afghanistan. The two NGOs argued that the officials should be held legally accountable for ordering or permitting abuse.<sup>12</sup> A decision by the court was still pending at the end of the year.

There were particular concerns about interrogation techniques employed by the Central Intelligence Agency (CIA). A set of revised army interrogation rules adopted in September explicitly prohibited a number of previously approved interrogation techniques, including forced nudity or sexual acts and simulated drowning known as “waterboarding,” but these rules did not apply to intelligence services.<sup>13</sup> Moreover, President Bush openly defended the continued use of “alternative procedures” by the CIA in a September speech, in which he – for the first time – admitted the existence of secret overseas detention facilities operated by the CIA. Without disclosing any exact location of these facilities, he asserted that the program had helped the government obtain “life-saving” information. He claimed that the program had been discontinued following the transfer of 14 high-profile terrorist suspects from CIA custody to the US detention facility at Guantánamo Bay, but did not rule out the possibility of using this practice again in the future.<sup>14</sup>

Those held at secret CIA detention sites, often for prolonged periods of time, were in effect placed outside the protection of the law and subjected to enforced disappearances.<sup>15</sup> Detention under such conditions does not only facilitate the perpetration of torture and other ill-treatment

but can *per se* be considered to amount to prohibited treatment.<sup>16</sup>

In a decision with direct bearing for the secret detention program, the US Supreme Court ruled in *Hamdan v. Rumsfeld* in June that everyone captured in the “war on terror” has the right to enjoy humane treatment as protected by common article 3 of the Geneva Conventions.<sup>17</sup> The government subsequently proposed restricting the scope of a 1996 law – the War Crimes Act – that criminalizes violations of this article. An agreement reached with lawmakers did not go as far as the government sought, but introduced into the War Crimes Act a list of “serious” acts of cruelty not rising to the level of torture that are considered to constitute crimes under the law, while granting the president the authority to interpret the “meaning and application” of the common article 3 of the Geneva Conventions with respect to abuses deemed to be of lesser gravity.<sup>18</sup> Human Rights Watch commented on the new provisions by saying that they should be sufficient to prohibit the most abusive techniques previously used, but expressed concern that the government may try to use them to allow certain humiliating and degrading practices banned by the Geneva Conventions.<sup>19</sup>

In the *Hamdan v. Rumsfeld* decision, the US Supreme Court also declared invalid a system of military commissions introduced by the Bush administration shortly after September 11.<sup>20</sup> In response, the administration proposed a new system of such commissions, which represented certain improvements over the old one, but retained a number of problematic features. The provisions on military commissions approved by Congress and signed into law by the president in October prohibit these commissions from using evidence obtained under torture, but allow them to admit statements extracted through other forms of abuse if they consider these statements

to be “reliable” and in “the interests of justice.”<sup>21</sup> The military commissions can try individuals for numerous terrorism-related crimes and can impose any period of imprisonment, as well as the death penalty.<sup>22</sup>

During the year, the US faced growing criticism for its policies of transferring terrorist suspects, frequently outside of formal legal procedures, to countries with well-established records of torture for the purpose of detention and interrogation. These policies have been documented by many human rights organizations.<sup>23</sup> When considering the US record in light of the International Covenant on Civil and Political Rights, the UN Human Rights Committee expressed concern at “numerous, well-publicized and documented allegations” that persons sent to third countries by the US government have received treatment “grossly violating” the ban on torture and ill-treatment.<sup>24</sup> Likewise the UN CAT called on the US to “cease the rendition of suspects, in particular by its intelligence agencies, to States where they face a real risk of torture.”<sup>25</sup> Both committees also voiced strong disapproval of other abusive elements of the US campaign against terrorism and rejected claims by the US that it is not bound by its treaty obligations outside of US territory or in wartime.<sup>26</sup>

Lawsuits brought on behalf of rendition victims, who had been subjected to torture and ill-treatment while detained without charge at US detention facilities abroad, were dismissed by US federal courts. The courts argued that allowing the lawsuits to proceed would “jeopardize state secrets,” thereby following the reasoning of the US government.<sup>27</sup>

### *Canada's role in US renditions*

The possible complicity of Canadian authorities in US rendition activities was subject to investigation during the year. A public inquiry commission established to consider the actions of Canadian officials

in the case of Maher Arar, a dual Canadian-Syrian citizen who was rendered to Syria by the US government in 2002 and repeatedly tortured while detained for ten months without charge in a Syrian prison, made public its findings in September.

The commission concluded that there was no evidence that Arar was ever linked to terrorist groups or constituted a threat to national security and criticized the Canadian national police for giving misleading intelligence information about Arar to US authorities. According to the commission, while Canadian authorities did not participate or acquiesce in the detention and removal of Arar from the US, the national police force provided inaccurate information about his person to the US, which most likely served as the basis for these operations.<sup>28</sup>

The head of the national police force subsequently apologized publicly for the mistakes made by his force in handling the Arar case, and eventually resigned from his

post.<sup>29</sup> In a second report presented in December, the inquiry commission made 13 detailed recommendations for how to improve review of national security activities in the country.<sup>30</sup> Human rights groups welcomed the recommendations and called for their immediate implementation.<sup>31</sup>

#### *European complicity in US renditions*

New evidence emerged about the complicity of European governments in US rendition and secret detention activities. Investigations undertaken by the Council of Europe and the European Parliament were instrumental in attracting attention to, and shedding light on, the role played by European governments. In some countries, national investigations into rendition activities were also under way.

#### *Council of Europe inquiries*

Several bodies of the Council of Europe looked into issues relating to the invol-



*A Canadian public inquiry commission investigated the role of Canadian authorities in the case of Maher Arar, a Canadian victim of US rendition policies. © AP/CP, Tom Hanson*

vement of European governments in CIA operations. Secretary General Terry Davis sent out an inquiry to all member states on the matter, and in a February report based on replies to this inquiry he concluded that existing procedures to monitor who and what is transiting through European airports and airspace “do not provide adequate safeguards against abuse” and made a number of recommendations to member states for how to prevent abuses from reoccurring.<sup>32</sup> At the end of the year, Davis remarked that member states had yet to respond to his recommendations, noting that the delay in responding was “in itself is a reason for serious concern.”<sup>33</sup>

In a report presented in June, Swiss Senator Dick Marty, rapporteur of the Parliamentary Assembly of the Council of Europe (PACE), identified what he called a global “spider’s web” of disappearances, secret detentions and unlawful inter-state transfers by the CIA and concluded that authorities in several European countries

had tolerated, colluded or actively participated in such activities. He listed seven Council of Europe member states that he found could be held responsible, in varying degrees, for violations of the rights of specific individuals in the context of CIA-led operations: Sweden, Bosnia and Herzegovina, the United Kingdom, Italy, Macedonia, Germany and Turkey.<sup>34</sup> Strongly backing Marty’s report, the PACE urged the Council of Europe member states, *inter alia*, to ensure that relevant bilateral agreements with the US conform to international human rights norms; any person responsible for human rights violations in connection with rendition or secret detention, including those who have aided or abetted such crimes, are brought to justice; and victims of rendition or secret detention have access to effective remedies and receive official apologies.<sup>35</sup>

Upon request by Marty, the Venice Commission, an independent Council of Europe advisory body on legal matters, is-



Council of Europe Rapporteur Dick Marty found that several European governments had tolerated, colluded or actively participated in unlawful CIA rendition and secret detention activities. He also called for investigations into allegations of secret prisons in Chechnya. © AP/Hartmann

sued an opinion on the international legal obligations of Council of Europe member states in respect of secret detention facilities and inter-state transport of prisoners. The commission, *inter alia*, found that the obligation of member states to secure to everyone within their jurisdiction internationally agreed fundamental rights may also be violated by “acquiescence or connivance in the conduct of foreign agents” and stressed that they have a “duty to investigate into substantial claims of breaches of fundamental rights by foreign agents, particularly in case of allegations of torture or unacknowledged detention.”<sup>36</sup> It, further, asserted that the obligation of the member states not to send anyone to a country where there are substantial grounds for believing that he or she may be subjected to torture or ill-treatment entails an obligation for them not to allow for the transit of prisoners through their territories in cases where there is a real risk that those transferred may face proscribed treatment in the country of destination.<sup>37</sup>

#### *EU Investigation*

Within the European Union (EU), the question of CIA activities in Europe was investigated by a temporary committee of the European Parliament. In a final report adopted in January 2007, which was based on information obtained during more than 40 missions and hearings as well as confidential information procured from different sources, the committee documented a number of cases in which European governments assisted or participated in CIA operations to transfer terrorist suspects to countries that routinely practice torture. The committee criticized the reluctance of EU member states and EU institutions to cooperate with its investigation, and faulted the EU Council for failing to keep the European Parliament duly informed about developments in EU security policies. According to the committee,

confidential records of a meeting held in December 2005 between EU and NATO foreign ministers and US Secretary of State Condoleezza Rice confirmed that: “Member States had knowledge of the US program of extraordinary rendition and secret prisons.”

Among its major recommendations, the committee called on all EU member states to ensure that national level investigations are undertaken into alleged violations relating to CIA operations, if such investigations have not yet been initiated, and to make public the results of the investigations. The committee also called on the EU institutions to “take all appropriate measures” in light of the conclusions of its work and stated that it expects the EU Council “to start hearings and commission an independent investigation without delay” and “where necessary, to impose sanctions on Member States in cases of serious and persistent breaches of Article 6 [of the EU Treaty],” which provides that the EU is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.<sup>38</sup> At the time of writing, the report had yet to be considered by the entire European Parliament.<sup>39</sup>

#### *German and Italian investigations*

Turkish citizen and German resident Murat Kurnaz was released and returned to Germany in August after more than four years of detention without charge at Guantánamo Bay.<sup>40</sup> Kurnaz was arrested on terrorist suspicions in Pakistan at the end of 2001 and subsequently handed over to US authorities, which brought him to Guantánamo Bay. During his detention at this facility, he was allegedly tortured and ill-treated.<sup>41</sup>

The German government was criticized for failing to take adequate measures to ensure an earlier release of Kurnaz and for permitting security and intelligence officers



to interrogate him during his detention at Guantánamo Bay, despite having knowledge of the inhumane detention conditions there.<sup>42</sup> A German parliament inquiry committee<sup>43</sup> was established to look into the actions of German security and intelligence authorities in various counter-terrorism contexts, including with respect to the case of Kurnaz as well as that of Khaled el-Masri, a German citizen who was abducted and rendered from Macedonia to Afghanistan by the US in 2003 and subjected to inhumane conditions and coercive interrogation during several months of detention without charge at a secret CIA detention facility in Kabul.<sup>44</sup> In January 2007, German prosecutors issued arrest warrants for 13 suspected CIA agents in connection with the rendition of el-Masri.<sup>45</sup>

In December, Italian prosecutors requested that 25 CIA agents, a US air force colonel and eight Italian secret service officials – including the former head of the country's intelligence and security services – be put on trial in the case of Osama Mustafa Hassan (also known as Abu Omar).<sup>46</sup> Hassan, an Egyptian cleric granted asylum in Italy, was abducted in Milan in 2003 and rendered to Egypt, where he has allegedly been held without charge and subjected to torture.<sup>47</sup> His abduction disrupted an ongoing Italian investigation into his involvement in terrorist activities, which was likely to have resulted in prosecution.<sup>48</sup> A court hearing to decide on whether to bring charges against the US and Italian officials began in early 2007,<sup>49</sup> while a request by prosecutors for the extradition of the US citizens implicated in the case was still pending approval by the Italian justice minister.<sup>50</sup>

### *Diplomatic assurances*

The use of so-called diplomatic assurances to return terrorist suspects to countries where they are at risk of torture or ill-treatment remained an issue of debate. While certain governments continued to

defend the use of such assurances, there was broad consensus among international human rights officials and bodies that they do not provide an effective safeguard against abuse.<sup>51</sup> For example, UN Special Rapporteur on Torture Manfred Nowak stated that diplomatic assurances “are not legally binding, undermine existing obligations of States to prohibit torture and are ineffective and unreliable in ensuring the protection of returned persons, and therefore shall not be resorted to by States.”<sup>52</sup>

On the initiative of several member states, an expert group of the Council of Europe was tasked in late 2005 with considering the possibility of establishing minimum standards for the use of diplomatic assurances in respect of a risk of torture or other ill-treatment. Following widespread concern expressed by NGOs and human rights officials,<sup>53</sup> the expert group subsequently rejected the idea of elaborating such standards at a March meeting. According to the meeting report, diplomatic assurances concerning torture and ill-treatment in the context of expulsion procedures are “inherently unreliable” and cannot be regarded “as having a sufficient weight to amount to an effective mitigation of the risk.”<sup>54</sup>

### *Swedish case: precedent-setting decision*

In an important precedent-setting decision, the UN Human Rights Committee concluded in October that the expulsion in late 2001 of an Egyptian terrorist suspect, Mohammed Alzery from Sweden to Egypt violated the prohibition of torture and ill-treatment, despite the assurances for his safety that the Swedish government claimed to have obtained from the Egyptian government. According to the committee, the Swedish government had failed to show that the assurances procured, the implementation of which was not monitored in any effective way, were sufficient to eliminate the risk of abuse.<sup>55</sup>

The UN CAT had previously in May 2005 found that the expulsion of another suspect, Ahmed Agiza, who was returned to Egypt at the same time as Alzery, was in violation of the non-refoulement principle established by the Convention against Torture.<sup>56</sup>

Following their expulsion, which was implemented under the command of CIA officials,<sup>57</sup> both men have allegedly been ill-treated and tortured and, at the end of 2006, Agiza was still serving a lengthy prison sentence handed down in a trial conducted in gross violation of international standards.<sup>58</sup> At the time of writing, the Swedish government had not taken any effective measures in response to the either decision of the CAT or the Human Rights Committee.

#### *UK "memoranda of understanding"*

The government of the United Kingdom (UK) continued its efforts to agree

so-called memoranda of understanding with countries with well-established records of torture. Such agreements, which provide formal blanket guarantees that those deported to the countries in question will be treated humanely, were entered into with Jordan, Lebanon and Libya in 2005, while negotiations with Algeria, Egypt and other countries were ongoing in 2006. These policies were criticized not only by NGOs but also by the UK Joint Parliamentary Committee on Human Rights, which concluded that, if relied on in practice, the diplomatic assurances foreseen under the memoranda "present a substantial risk of individuals actually being tortured, leaving the UK in breach of its [international] obligations."<sup>59</sup>

The first case concerning a return of a terrorist suspect under a so-called memorandum of understanding was heard by the Special Immigration Appeals Commission (SIAC) in May, but a decision in this



*The case of Khalid el-Masri, a German victim of US rendition policies, attracted much attention – both within and outside Germany – in 2006. © AP /Hartmann*



case – which concerned a person threatened by return to Jordan – had yet to be delivered at the end of the year.<sup>60</sup> In another case, the SIAC ruled in August that an Algerian terror suspect may be deported despite credible information that he would be at risk of torture and ill-treatment if returned to Algeria.<sup>61</sup>

### The Russian Federation<sup>62</sup>

Shortly after September 11, President Putin linked the Russian campaign in Chechnya to the international “war on terrorism” and portrayed Russia as a vanguard in the fight against religious extremism. This campaign still continued in 2006, characterized by gross human rights violations.

While the situation in Chechnya appeared to be stabilizing on the surface, the underlying conflict remained unresolved and insecurity and impunity continued to reign among the population. In their efforts to hunt down rebel fighters, federal and local law enforcement authorities engaged in torture, ill-treatment and related abuses with little or no accountability. Reflecting the “Chechenization” of the conflict that has taken place in the last few years, most violations were perpetrated by local pro-Russian forces, particularly forces under the direct control of Prime Minister Ramzan Kadyrov.<sup>63</sup>

In a growing trend, suspected rebel fighters and supporters were abducted and subjected to torture and ill-treatment in an attempt to force them to provide information or to “confess” to serious crimes, such as terrorist activities. Among the torture methods used were, *inter alia*, prolonged beatings, electric shock treatment, suffocation and inflicting of burns.<sup>64</sup> The “confessions” obtained under coercion were subsequently used to bring criminal charges against the individuals concerned, with courts typically disregarding allegations of ill-treatment when considering the cases and handing down convictions.

Relatives of suspected rebel fighters were also taken hostage and tortured to put pressure on or to force the suspects to surrender.

The practice of secret detention was closely linked to the pattern of abductions. The IHF and its Russian partner organizations documented the existence of numerous unofficial places of detention in various parts of the republic, including several in the capital Grozny. Moreover, official places of detention sometimes served the same purpose, with the detention of those held in such facilities not being duly registered.<sup>65</sup> In his June report (see above), PACE rapporteur Dick Marty stated that allegations about secret prisons in Chechnya “deserve to be investigated in the same way as the violations committed by American [secret] services.”<sup>66</sup>

The NGO Memorial registered a total of 172 cases of abductions in the period January-December 2006. At the end of the year, 9 of the victims of these abductions had been found dead and 60 remained “disappeared,” while 17 eventually had been formally arrested and 86 released (including for ransom). The monitoring work of Memorial covered, however, less than one third of the territory of Chechnya.<sup>67</sup> It is estimated that as many as 5,000 people may have been abducted in Chechnya since 1999.

Problems of torture and related human rights violations committed in the name of enhancing security also increasingly spread from Chechnya to other parts of the North Caucasus, in particular to Ingushetia, North Ossetia, Dagestan and Kabardino-Balkaria.

Throughout the region, investigations into allegations of torture and other abuses were typically ineffective, and only few cases were brought to court. Moreover, in most cases in which officials were punished for abuse, the sanctions were disciplinary or administrative in nature.

**Excerpts from a number of documents issued by international organizations on the issue of counter-terrorism measures and torture in the course of 2006:**

*Conclusions and Observations of the UN Human Rights Committee: United States of America (CCPR/C/USA/Q/3/CRP4), July 2006, at [www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/0d83f7fe89d83ed6c12571fb00411eb5?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/0d83f7fe89d83ed6c12571fb00411eb5?Opendocument)*

Par. 12: The Committee is concerned by credible and uncontested information that the State party has seen fit to engage in the practice of detaining people secretly and in secret places for months and years on end, without keeping the International Committee of the Red Cross informed. [...]

*Dick Marty, Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, Alleged secret detentions and inter-state transfers involving Council of Europe member states, June 2006, [http://assembly.coe.int/CommitteeDocs/2006/20060606\\_Ejdoc162006PartII-FINAL.pdf](http://assembly.coe.int/CommitteeDocs/2006/20060606_Ejdoc162006PartII-FINAL.pdf)*

Par. 285 (Conclusion): The impression which some Governments tried to create at the beginning [of the debate about CIA activities in Europe] – that Europe was a victim of secret CIA plots – does not seem to correspond to reality. It is now clear – although we are still far from having established the whole truth – that authorities in several European countries actively participated with the CIA in these unlawful activities. Other countries ignored them knowingly, or did not want to know.

*European Parliament Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners, Final Report (A6-9999/2007), 26 January 2007, at [www.europarl.europa.eu/comparl/tempcom/tdip/pe382246.pdf](http://www.europarl.europa.eu/comparl/tempcom/tdip/pe382246.pdf)*

Par. 226 (Final Conclusions): [C]alls on the EU institutions [...] to take all appropriate measures in the light of the conclusions of the work of the Temporary Committee, the facts revealed in the course of the Temporary Committee's investigation and any other facts that may emerge in the future; expects the Council to start hearings and commission an independent investigation without delay, as foreseen in Article 7 [of the EU Treaty], and, where necessary, to impose sanctions on Member States in case of a serious and persistent breaches of Article 6, including where a violation of human rights has been declared by an international body but no measure has been taken to redress the violation.

*Committee against Torture, Russian Federation: Conclusions and Recommendations (CAT/C/RUS/CO/4), November 2006, at [www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.RUS.CO.4.pdf](http://www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.RUS.CO.4.pdf)*

Par. 23: The Committee is concerned about:

- I. Reliable reports of unofficial places of detention in the North Caucasus and the allegations that those detained in such facilities face torture or cruel, inhuman or degrading treatment;
- II. Numerous, ongoing and consistent allegations that abductions and enforced disappearances in the Chechen Republic, in particular during anti-terrorist operations, are inflicted by or at the instigation or with the consent or acquiescence of public officials or other persons acting in official capacities and the failure to investigate and punish the perpetrators.

Because of the limited opportunities of obtaining redress for abuses within the Russian criminal justice system, an increasing number of victims of abuse in Chechnya and neighboring regions have brought their cases to the European Court of Human Rights (ECtHR). During the year, the ECtHR handed down several judgments in disappearance cases related to Chechnya, finding the Russian government in violation of several of its obligations under the European Convention on Human Rights, including with respect to the right to life and the prohibition on torture and ill-treatment.<sup>68</sup> Many other similar cases were pending before the court.

When considering Russia's compliance with the Convention against Torture during its November session, the UN CAT expressed particular concern about reports of abductions, secret detention, torture and enforced disappearances in Chechnya and called on the Russian government to take effective measures to prohibit, prevent and remedy such practices. The committee urged the Russian government to ensure that "any counter-terrorism measure taken with regard to Chechnya and any other territory under its jurisdiction, remain in full conformity with the Convention's prohibitions against torture and ill-treatment."<sup>69</sup>

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out two visits to the Russian North Caucasus in 2006.<sup>70</sup> During the first visit, the committee took the exceptional measure of temporarily interrupting its visit after being denied access to a Chechen village where one or several unofficial places of detention were believed to be operating.<sup>71</sup> Mission reports issued by the CPT are confidential and not made public unless the state concerned explicitly allows it. The Russian Federation has only once agreed to the publication of a report prepared by the CPT following a mission to the country.<sup>72</sup>

A planned visit by UN Special Rapporteur on Torture Manfred Nowak to Chechnya and neighboring republics in October was cancelled because the Russian government refused to accept some of the terms of his mission, in particular with respect to conducting unannounced visits to places of detention and holding private interviews with detainees.<sup>73</sup>

### **Central Asia<sup>74</sup>**

#### ***Uzbek campaign against independent Muslims***

During the past decade, the Uzbek government has waged a persistent campaign of harassment against independent Muslims, who practice their beliefs outside of state-controlled institutions. In this campaign, which has been described as forming part of the global "war on terrorism," the Uzbek authorities have imprisoned thousands of Muslims without making any distinction between those who advocate violent methods and those who peacefully express their convictions. In this campaign, torture and other forms of ill-treatment have been routinely used to extract "confessions" and such statements have frequently been accepted into evidence and used as the basis for conviction.<sup>75</sup>

New arrests and abuses targeting religious opponents followed the May 2005 events in the city of Andijan, when hundreds of civilians who had gathered to protest repressive government policies died as a result of the indiscriminate and disproportionate use of force by police and security forces. The government argued that the shootings formed part of a legitimate law enforcement operation to capture a group of armed men who had initiated a prison break-out and committed other crimes and insisted that the responsibility for these events rested with "extremist" religious movements.<sup>76</sup> In a series of trials related to the Andijan events, which took place in late 2005 and early

2006, more than 200 defendants charged with crimes such as “terrorism” or attempting to overthrow the constitutional order were sentenced to lengthy prison terms in seriously flawed processes mostly conducted behind closed doors. Most of the defendants were held in incommunicado detention for prolonged periods of time, both prior to and after their conviction, and there were concerns that many of them may have been subjected to torture and ill-treatment.<sup>77</sup> The government tried to use these trials to support its claim that the Andijan violence was linked to “religious extremism” and to justify its long-standing campaign against independent Muslims.<sup>78</sup>

In addition to those charged with crimes related to the Andijan violence, dozens others were arrested or convicted on charges related to religious extremism in 2006.<sup>79</sup>

◆ In April 2006, a Tashkent court found eight men guilty of establishing an illegal religious group with the aim of overthrowing the government and establishing an Islamic state and sentenced two of them to two years in a labor colony and the rest to two-three years of corrective labor. The verdict was based almost exclusively on confessions allegedly obtained under torture. During the court proceedings, the defendants revoked their earlier confessions and described how they had been subjected to abuse and named those who they accused of perpetrating it. The judge, however, admitted the confessions and concluded that the men had alleged torture only to avoid responsibility for their crimes.<sup>80</sup>

Western governments have long been criticized for allowing security and other concerns to take precedent over human rights concerns in their counter-terrorism cooperation with the Uzbek government. During the year, a former British Ambassador to Uzbekistan, who appeared

before the temporary European Parliament committee examining the participation of European governments in CIA activities (see above), asserted that the CIA and the British intelligence service MI6 cooperated on obtaining and sharing information on terrorist activity extracted through the use of torture by Uzbek authorities. He also indicated that other European governments may have made use of Uzbek intelligence extracted under torture.<sup>81</sup>

### *Forcible returns of Uzbek refugees*

As in the previous year, the Uzbek government aggressively pursued the forced return of Uzbek refugees who fled the country after the Andijan events, accusing them of membership in illegal religious groups and “extremist” activities. In a number of cases, Andijan refugees were forcibly sent back to Uzbekistan despite an apparent risk that they may be subjected to torture and ill-treatment upon return. These returns, which sometimes were implemented outside of formal extradition procedures, were in apparent violation of the *non-refoulement* principle. Only limited information was available about the fate of those forcibly returned to Uzbekistan after the Andijan events, but serious concerns for their safety remained at the end of 2006.<sup>82</sup>

### *Returns from Kyrgyzstan*

In August, the Kyrgyz authorities extradited five Uzbeks who had been detained shortly after seeking protection in Kyrgyzstan following the Andijan events. Four of these men had already been recognized as refugees by the UN High Commissioner for Refugees, which also had identified permanent resettlement sites for them.<sup>83</sup> The Uzbek government reportedly offered the Kyrgyz government assurances that the men would not be subjected to torture upon return, but as highlighted by international officials (see above) such assuran-

ces do not provide adequate protection against abuse.<sup>84</sup> Several Uzbek asylum seekers also disappeared in Kyrgyzstan, raising concern that they may have been forcibly returned to Uzbekistan.<sup>85</sup>

#### *Returns from Russia*

Also in August, Russian authorities decided to extradite to Uzbekistan 12 Uzbeks and one Kyrgyz charged with funding and organizing the uprising in Andijan. The men, who had been held in detention since June 2005, had been granted UN refugee status. The Uzbek government had reportedly provided written assurances that the men would not be tortured or sentenced to death upon return.<sup>86</sup> The extradition was, however, suspended after the ECtHR requested that it be halted while it considers the case.<sup>87</sup>

In another case, in October, an Uzbek asylum seeker was forcibly returned from Russia to Uzbekistan although the ECtHR had asked the Russian authorities to sus-

pend the return pending its examination of the case. The man was first arrested in February 2006 on the request of the Uzbek government, which accused him of membership in a banned religious group and involvement in the Andijan events. The extradition request was rejected by a Russian court in early October, after which the man was released. However, only days later, he was rearrested on charges of violating Russian immigration legislation and ordered to be deported.<sup>88</sup>

#### *Returns from Ukraine*

Ten Uzbeks accused of involvement in the Andijan events were sent back from Ukraine to Uzbekistan in February. The men, who had all registered as asylum seekers or were in the process of doing so, had been arrested on the basis of an extradition request from the Uzbek authorities.<sup>89</sup> They were charged with terrorism, membership in extremist organization and anti-constitutional activities upon return.<sup>90</sup>

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### **Endnotes**

- <sup>1</sup> In 2006 the IHF carried out a yearly campaign on the topic of counter-terrorism measures and human rights, with a particular emphasis on measures undermining the absolute ban on torture. This campaign consisted of monitoring, information, awareness-raising and advocacy activities, as well as efforts to mobilize opposition to counter-terrorism policies violating fundamental human rights norms among local NGOs. A campaign website feature is available at [www.ihf-hr.org/cms/cms.php?sec\\_id=49](http://www.ihf-hr.org/cms/cms.php?sec_id=49)
- <sup>2</sup> In connection with its 2006 General Assembly in Sofia, on 17 November 2006, the IHF organized a seminar to discuss counter-terrorism policies jeopardizing human rights, including the ban on torture, and strategies for counteracting this trend. In connection with the briefing a press release was adopted, "Call for Renewed Commitment to Human Rights in the Fight against Terrorism," available at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=58&d\\_id=4344](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4344).
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- <sup>9</sup> See, for example, Human Rights Watch, *"No Blood, No Foul" - Soldiers' Accounts of Detainee Abuse in Iraq*, July 2006, [www.hrw.org/reports/2006/us0706/](http://www.hrw.org/reports/2006/us0706/); Amnesty Interna-

tional, USA - Supplementary Briefing to the UN Committee against Torture, May 2006, [web.amnesty.org/library/Index/ENGAMR510612006?open&of=ENG-USA](http://web.amnesty.org/library/Index/ENGAMR510612006?open&of=ENG-USA).

- <sup>10</sup> New York University's Center for Human Rights and Global Justice, Human Rights Watch and Human Rights First, *By the Numbers - Findings of the Detainee Abuse and Accountability Project*, April 2006, at <http://hrw.org/reports/2006/ct0406/>.
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- <sup>15</sup> According to Declaration on the Protection of All Persons from Enforced Disappearances, which was adopted by General Assembly Resolution 47/133 of 18 December 1992, enforced disappearances occur when "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty" followed by "a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law." The declaration is available at [www.ohchr.org/english/law/disappearance.htm](http://www.ohchr.org/english/law/disappearance.htm).
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- <sup>17</sup> See *The Washington Post*, Charles Lane, "High Court Rejects Detainee Tribunals," 30 June 2006, at [www.washingtonpost.com/wp-dyn/content/article/2006/06/29/AR2006062900928.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/06/29/AR2006062900928.html).
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- <sup>23</sup> See, for example, Amnesty International, *Below the Radar – Secret Flights to Torture and 'Disappearance'*, 5 April 2006, <http://web.amnesty.org/library/index/ENGAMR510512006>; and Human Rights Watch, *Still at Risk – Diplomatic Assurances No Safeguard against Torture*, 12 May 2005, at [www.hrw.org/reports/2005/eca0405/](http://www.hrw.org/reports/2005/eca0405/), as well as the chapter on the United States in part one of this report. For an IHF comment on US rendition policies see IHF, "The United States Should Comply with its Obligations under the UN Convention against Torture and Stop Sending Terrorist Suspects to Torture Countries," 9 May 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4244](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4244).
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- <sup>25</sup> *Conclusions and Recommendations of the Committee against Torture: United States of America*, May 2006 (CAT/C/USA/CO/2), par. 17, at [www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/e2d4f5b2dccc0a4cc12571ee00290ce0?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/e2d4f5b2dccc0a4cc12571ee00290ce0?Opendocument).
- <sup>26</sup> *Conclusions and Observations of the UN Human Rights Committee: United States of America*, in particular par. 10; and *Conclusions and Recommendations of the Committee against Torture: United States of America*, in particular par. 20.
- <sup>27</sup> *Toronto Star*, Tim Harper, "US ruling dismisses Arar lawsuit," 17 February 2006, at [www.thestar.com/NASApp/cs/ContentServer?pagename=thestar/Render&c=Article&cid=1140130214126&call\\_pageid=968332188492](http://www.thestar.com/NASApp/cs/ContentServer?pagename=thestar/Render&c=Article&cid=1140130214126&call_pageid=968332188492); ACLU, "Day in Court Denied for Victim of CIA Kidnapping and Rendition, Khaled El-Masri," 19 May 2006, at [www.aclu.org/safe-free/torture/25606prs20060519.html](http://www.aclu.org/safe-free/torture/25606prs20060519.html).
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- <sup>29</sup> CTV, Maher Arar accepts RCMP chief's apology," 29 September 2006, at [www.ctv.ca/servlet/ArticleNews/story/CTVNews/20060929/us\\_response\\_rcmp\\_060929?s\\_name=&no\\_ads=](http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20060929/us_response_rcmp_060929?s_name=&no_ads=); CBC News, "RCMP Commissioner Giuliano Zaccardelli," 6 December 2006, at [www.cbc.ca/news/background/rcmp/zaccardelli.html](http://www.cbc.ca/news/background/rcmp/zaccardelli.html).
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- <sup>49</sup> BBC News, "Italy considers CIA kidnap trial," 9 January 2007, at <http://news.bbc.co.uk/2/hi/europe/6243991.stm>.
- <sup>50</sup> This formal request was first issued in November 2005, and renewed a year later. See *International Herald Tribune*, "Prosecutors renew extradition request for Americans in alleged CIA kidnapping," 7 November 2006, at [www.iht.com/articles/ap/2006/11/07/europe/EU\\_GEN\\_Italy\\_CIA.php](http://www.iht.com/articles/ap/2006/11/07/europe/EU_GEN_Italy_CIA.php).
- <sup>51</sup> See Human Rights Watch, "Diplomatic Assurances' against Torture: Questions and Answers," November 2006.
- <sup>52</sup> *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/61/259)*, 14 August 2006, at <http://daccess-ods.un.org/TMP/3156135.html>.
- <sup>53</sup> Together with a number of other NGOs, the IHF appealed to the working group not to adopt any minimum standards. See joint statement by Amnesty International, Association for the Prevention of Torture, International federation for Human Rights, Human Rights Watch, International Commission of Jurists, IHF, Redress Trust and Organisation Mondiale Contre la Torture, "Reject the Use of Diplomatic Assurances in all Cases of Real Risk of Torture or other ill-treatment," 29 March 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4241](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4241).
- <sup>54</sup> Council of Europe, Steering Committee on Human Rights, Group of Specialists on Human Rights and the Fight against Terrorism, "Meeting Report: 2nd Meeting, Strasbourg, 29-31 March 2006.
- <sup>55</sup> Human Rights Committee, *Communication No. 1416/2005: Sweden*, 25 October 2006, at [www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/13fac9ce4f35d66dc1257220049e394?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/13fac9ce4f35d66dc1257220049e394?Opendocument). See also IHF, "United Nations Human Rights Committee Says that Expulsion of Terrorist Suspect from Sweden Violated Torture Ban on Numerous Counts," 8 November 2006; and Swedish Helsinki Committee for Human Rights (SHC), "Sweden criticized for not investigating events at Bromma Airport," 8 November, both at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4340](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4340).
- <sup>56</sup> UN Committee against Torture, *Communication No. 233/2003: Sweden*, 24 May 2005, at [www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/4dec90a558d30573c1257020005225b9?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/4dec90a558d30573c1257020005225b9?Opendocument).
- <sup>57</sup> An investigation into the expulsion undertaken by the Swedish parliamentary ombudsman in 2005 showed that the Swedish officials involved in the operation relinquished control to their US colleagues and allowed these to take command of the situation as well as to subject the men to degrading treatment. When considering the Alzery case, the Human Rights Committee held the Swedish government responsible for this ill-treatment, arguing

that although the acts were perpetrated by CIA officials, they were imputable to the Swedish government because they occurred within Swedish jurisdiction and in the presence of Swedish officials. See the chapter on Sweden in IHF, Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2006 (Events of 2005), at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4255](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4255); and Human Rights Committee, Communication No. 1416/2005, 25 October 2006.

- <sup>58</sup> Information from SHC to the IHF.
- <sup>59</sup> House of Lords and House of Commons, *Joint Committee on Human Rights – Nineteenth Report* (Session 2005-06), 18 May 2006, par. 131, at [www.publications.parliament.uk/pa/jt200506/jtselect/jtrights/185/18502.htm](http://www.publications.parliament.uk/pa/jt200506/jtselect/jtrights/185/18502.htm).
- <sup>60</sup> See Human Rights Watch, “Diplomatic Assurances’ against Torture: Questions and Answers,” November 2006, at [hrw.org/backgrounder/eca/ecaqn1106/](http://hrw.org/backgrounder/eca/ecaqn1106/).
- <sup>61</sup> See IHF, “UK: Terror Suspect May Be Deported to Algeria despite Risk of Torture,” 27 August 2006, [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4290](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4290). An appeal to the SIA decision was pending at the end of the year.
- <sup>62</sup> Unless otherwise noted, this section is based on an IHF intervention to the OSCE 2006 Human Dimension Implementation Meeting on “International Humanitarian Law,” September 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4320](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4320); Human Rights Center “Memorial”, Demos Cente, IHF, FIDH and Norwegian Helsinki Committee, *In a Climate of Fear*, January 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=54&d\\_id=4205](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4205); and *Russian NGO Shadow Report on the observance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the Russian Federation for the period from 2001 to 2006*, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=54&d\\_id=4349](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4349). See also the chapter on developments in the North Caucasus.
- <sup>63</sup> In February 2007, Kadyrov was appointed Acting President of Chechnya. See IHF, “Concerning Ramzan Kadyrov’s Appointment as Acting President of Chechnya,” 16 February 2007, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=58&d\\_id=4373](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4373)
- <sup>64</sup> Human Rights Watch, *Widespread Torture in the Chechen Republic. Human Rights Watch Briefing Paper for the 37th Session of the UN Committee against Torture*, 13 November 2006, at [hrw.org/backgrounder/eca/chechnya1106/](http://hrw.org/backgrounder/eca/chechnya1106/).
- <sup>65</sup> See IHF, *Unofficial Places of Detention in the Chechen Republic*, 15 May 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=58&d\\_id=4249](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4249).
- <sup>66</sup> Dick Marty, Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, *Alleged secret detentions and inter-state transfers involving Council of Europe member states*, June 2006, p. 49.
- <sup>67</sup> Information from Memorial to the IHF, December 2006.
- <sup>68</sup> IHF intervention to the OSCE 2006 Human Dimension Implementation Meeting on “Violations of International Humanitarian Law in the North Caucasus”; and IHF, “Rulings of the European Court of Human Rights regarding Disappearances in Chechnya,” 10 November 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4341](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4341).
- <sup>69</sup> Committee against Torture, Russian Federation: Conclusions and Recommendations (CAT/C/RUS/CO/4), November 2006, at [www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.RUS.CO.4.pdf](http://www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.RUS.CO.4.pdf).



- <sup>70</sup> One visit was undertaken on 25 April – 4 May, and the other on 4-10 September 2006. See press releases at [www.cpt.coe.int/documents/rus/2006-09-13-eng.htm](http://www.cpt.coe.int/documents/rus/2006-09-13-eng.htm).
- <sup>71</sup> See [www.cpt.coe.int/documents/rus/2006-05-09-eng.htm](http://www.cpt.coe.int/documents/rus/2006-05-09-eng.htm).
- <sup>72</sup> This report concerned a 2001 visit to Russia and was made public in 2003. It is available at [www.cpt.coe.int/documents/rus/2003-30-inf-eng.pdf](http://www.cpt.coe.int/documents/rus/2003-30-inf-eng.pdf).
- <sup>73</sup> See IHF, "Torture Epidemic in Russian North Caucasus Region Makes UN Access to Detention Sites Essential," 5 October 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=54&d\\_id=4312](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4312).
- <sup>74</sup> See also the chapter on developments in Central Asia.
- <sup>75</sup> For more information, see the chapter on human rights abuses in Chechnya and Central Asia in IHF, *Anti-terrorism Measures, Security and Human Rights*, April 2003 and the chapters on Uzbekistan in the IHF annual reports published in 1998-2006, at [www.ihf-hr.org/documents/index.php?s\\_doctype=4&sec\\_id=71](http://www.ihf-hr.org/documents/index.php?s_doctype=4&sec_id=71).
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- <sup>77</sup> *Ibid.*; Amnesty International, *Andizhan – Impunity Must Not Prevail*, 11 May 2006, at [web.amnesty.org/library/index/engneur620102006](http://web.amnesty.org/library/index/engneur620102006).
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- <sup>80</sup> Human Rights Watch, "Uzbekistan: Eight Convicted Despite Torture Allegations," 22 April 2006, at [hrw.org/english/docs/2006/04/21/uzbeki13240.htm](http://hrw.org/english/docs/2006/04/21/uzbeki13240.htm).
- <sup>81</sup> See European Parliament press release, "Former British ambassador says CIA and MI6 use testimony obtained under torture," 21 April 2006, at [www.europarl.europa.eu/news/expert/infopress\\_page/017-7417-110-04-16-902-20060411IPR07238-20-04-2006-2006-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/017-7417-110-04-16-902-20060411IPR07238-20-04-2006-2006-false/default_en.htm).
- <sup>82</sup> Human Rights Watch, *The Andijan Massacre – One Year Later, Still No Justice*, 11 May 2006.
- <sup>83</sup> See IHF, "Open Letter to the President of the Kyrgyz Republic," 11 August 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=58&d\\_id=4283](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4283).
- <sup>84</sup> Human Rights Watch, "Do Not Trade Refugees for Empty Promises," 12 January 2006, at [hrw.org/english/docs/2006/01/12/kyrgyz12404.htm](http://hrw.org/english/docs/2006/01/12/kyrgyz12404.htm). See also and IHF, "Kyrgyzstan: Denying Asylum to Uzbek Refugees in Violation of International Human Rights Standards," 14 June 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4263](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4263).
- <sup>85</sup> See IHF, "Kyrgyzstan: IHF Concerned about Safety of Missing Uzbek Asylum Seekers," 28 August 2006, at [www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=58&d\\_id=4288](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4288).
- <sup>86</sup> *Radio Free Europe/Radio Liberty*, Gulnoza Saidazimova, "Uzbekistan: Russian Prosecutors Order Extradition of Andijon Refugees," 4 August 2006, at [www.rferl.org/featuresarticle/2006/08/bb024f08-7b25-452a-8cd3-b752d49f0f80.html](http://www.rferl.org/featuresarticle/2006/08/bb024f08-7b25-452a-8cd3-b752d49f0f80.html); Inter Press Service News Agency, "Groups Fight Uzbek Extradition," August 2006, at <http://ipsnews.net/news.asp?idnews=34360>.
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