

URGENT ACTION

UZBEK MAN BELIEVED TO BE FORCIBLY DISAPPEARED

Azamatzhon Ermakov has disappeared after being released from detention on 2 November in Nizhnii Novgorod, Russia. There are serious grounds to believe he has been abducted and forcibly returned to Uzbekistan. He is at risk of torture, unfair trial, and other human rights violations in Uzbekistan.

Uzbekistani national **Azamatzhon Ermakov** fled to Russia in March 2009. In November 2009 he was arrested in Nizhnii Novgorod following an extradition request from the Uzbekistani authorities. In Uzbekistan, Azamatzhon Ermakov has been charged with alleged involvement in extremist religious groups, incitement to religious and other hatred, and attempting to overthrow the constitutional order. His extradition was approved by the Prosecutor General's Office in Russia. Azamatzhon Ermakov unsuccessfully appealed against it.

In December 2009, Azamatzhon Ermakov applied for asylum to the Federal Migration Service of the Nizhnii Novgorod region; his application was rejected. On 22 September 2010, the European Court of Human rights (ECtHR) issued interim measures requiring the Russian Federation to not deport Azamatzhon Ermakov until his case is fully considered by the ECtHR. He was released on 13 May 2011 after 18 months in detention. However, on 1 July 2011 he was arrested again and on 7 September 2012 he was sentenced to one year and four months' imprisonment for illegal possession of weapons and ammunitions. Azamatzhon Ermakov maintains that the police planted evidence against him. His appeal against conviction is due to be heard on 23 November.

On 2 November, Azamatzhon Ermakov's lawyer went to visit him in the detention centre in Nizhnii Novgorod but was not able to see his client. He returned on 5 November and was told that Azamatzhon Ermakov was released on 2 November. Azamatzhon Ermakov's whereabouts are unknown.

If Azamatzhon Ermakov has been forcibly returned to Uzbekistan, he is at serious risk of grave human rights violations – in particular incommunicado detention, torture and other ill-treatment and imprisonment in cruel, inhuman and degrading conditions following an unfair trial. By not ensuring Azamatzhon Ermakov's protection from possible forcible return to Uzbekistan, the Russian authorities have violated the rule of absolute prohibition of torture under international law.

Please write immediately in Russian or your own language:

- Urging the Russian authorities to promptly, impartially and effectively investigate the disappearance of Azamatzhon Ermakov and establish his whereabouts;
- Calling on the Russian authorities to comply with 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 21 DECEMBER 2012 TO:

Chairman of the Investigation Committee of the Russian Federation

Aleksandr Ivanovich Bastrykin
Investigation Committee of the Russian Federation
Tekhnicheskii pereulok, dom 2
105005 Moscow
RUSSIAN FEDERATION
Fax: 011 7 499 265 90 77 -OR-
011 7 499 265 97 75
Salutation: Dear Chairman of the Investigation Committee

Minister of Justice of the Russian Federation

Aleksandr Vladimirovich Kononov
Ministry of Justice of the Russian Federation
ul. Zhitnaya, dom 14; GSP-1
119991 Moscow
RUSSIAN FEDERATION
Fax: 011 7 495 955 57 79 -OR-
011 7 495 677 06 78
Salutation: Dear Minister

And copies to:

Prosecutor General of the Russian Federation

Yurii Ya. Chaika
Bolshaia Dmitrovka 15 A
125993
Moscow
RUSSIAN FEDERATION
Fax: 011 7 495 987 58 41
Salutation: Dear Prosecutor General

Also send copies to:

Ambassador Sergey I. Kislyak, Embassy of the Russian Federation
2650 Wisconsin Ave NW, Washington DC 20007
Phone: 1 202 298 5700 | Fax: 1 202 298 5735 | Email: russianembassy@mindspring.com
Twitter: @MID_RF for tweets in Russian-OR-@MFA_Russia for tweets in English

Please check with the AIUSA Urgent Action Office if sending after the above date.

**AMNESTY
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ADDITIONAL INFORMATION

Amnesty International has closely monitored the human rights situation in Uzbekistan since its independence from the Soviet Union in 1991. The organization is particularly concerned that the Uzbekistani authorities have continued actively seeking the extradition from neighbouring countries, in the name of national security and the fight against terrorism, of suspected members of Islamic movements or Islamist parties banned in Uzbekistan. 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 is concerned that thousands of devout Muslims sentenced in Uzbekistan for alleged membership of banned Islamist organizations are being held in conditions which amount to cruel, inhuman and degrading treatment.

Amnesty International documented a series of recent cases when the Russian authorities allegedly have collaborated with Central Asian security services to allow for the forcible abduction and removal of persons, whose extraditions had been halted by the adoption of interim measures by the European Court of Human Rights.

In June 2012, the Supreme Court of the Russian Federation issued a decree regarding extradition requests by second governments. This reiterated Russia's obligations under international human rights law, including the prohibition of torture, and ordered courts not to approve extradition requests if there was a well-founded fear that the person extradited might be subjected to torture or other cruel, inhuman and degrading treatment, or might face the death penalty.

Name: Azamatzhon Ermakov (m)

Issues: Incommunicado detention, Unfair trial, Risk of torture

UA: 330/12

Issue Date: 9 November 2012

Country: Russia