

URGENT ACTION

UZBEK MAN RISKS FORCIBLE RETURN FROM RUSSIA

Uzbekistani national Yusup Kasymakhunov went missing in Moscow region on 14 December. He may have been abducted by Uzbekistani security services and taken to Uzbekistan, where he would be at serious risk of torture and other ill-treatment.

Yusup Kasymakhunov was released from jail in Murmansk in the north of Russia on 10 December. He was met by Russian human rights activists who went with him to Moscow. There he filed a request for temporary asylum in Russia in order to prevent him being returned to Uzbekistan. He then went to a village in Moscow region where an apartment had been rented for him.

Two days later, he saw that two cars were following him wherever he went in the village. While he was at home those cars were parked in his apartment block's yard. He immediately contacted his representatives, who contacted the office of the Russian representative at the European Court of Human Rights (ECtHR) with a request to take all necessary steps to ensure that he was not abducted. Fearing abduction, Yusup Kasymakhunov stayed indoors all of the next day. On 14 December, from about 11 pm his mobile phone could not be reached. Human rights activists working on his case immediately went to his apartment but he was not there. The door was locked and there were no visible signs of anything unusual. Only Kasymakhunov's coat and some of the documents were missing. The police were informed but apparently did not start to investigate immediately.

A neighbor told Kasymakhunov's representatives on 15 December that he had called her at about 1.20 pm the day before, asking for some household tools. She had suggested that he come to her apartment block, phoning her when he left, so that she could meet him and hand over the tools. However, he never called her. Kasymakhunov's representatives later found out that the cars that had been following him were not seen in his apartment block's yard after around midday on 14 December. Human rights defenders believe that Yusup Kasymakhunov might have been abducted from his flat, transported to Uzbekistan on a passenger flight and might be now either in Tashkent or Andizhan pre-trial detention facility. Yusup Kasymakhunov is at serious risk of incommunicado detention, torture and other ill-treatment and imprisonment in cruel, inhuman and degrading conditions following an unfair trial.

Please write immediately in Russian or your own language:

- Urging the Russian authorities to investigate promptly, impartially and effectively the disappearance of Yusup Kasymakhunov and establish his whereabouts;
- Calling on them to comply with their obligations under international human rights law not to deport or extradite any person to a country where they would be at risk of torture or other ill-treatment;
- Urging the Uzbekistani authorities to establish Yusup Kasymakhunov whereabouts and ensure that he is not tortured or otherwise ill-treated.

PLEASE SEND APPEALS BEFORE 28 JANUARY 2013 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 7499 265 90 77 -OR- 011 7499 265 97 75

Salutation: Dear Chairman of the Investigation Committee

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, @MFA_Russia for tweets in English

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

Minister of Internal Affairs of Uzbekistan

Bahodir Ahmedovich Matlubov
Ministerstvo vnutrennikh del
ul. Junus Rajabiy 1
Tashkent 100029
UZBEKISTAN
Fax: 011 998 71 233 89 34
Email: mvd@mvd.uz, info@mvd.uz
Salutation: Dear Minister

And copies to:

Deputy Director of FSB, Director of Border Agency

Vladimir Egorovich Pronichev
Ul. Bolshaia Lubyanka, dom 1/3
107031 Moscow
RUSSIAN FEDERATION
Fax: 011 7 495 914 26 32
Email: fsb@fsb.ru

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In 2004, Yusup Kasymakhunov was charged in Russia with involvement in the banned Islamist organization Hizb-ut-Tahrir and sentenced to seven years and four months in prison. In June 2011, a day before his sentence would have expired, a Russian court extended his detention on the basis of an extradition request from Uzbekistan. In April 2012 Yusup Kasymakhunov was informed that the Russian Prosecutor General's office had decided to extradite him. He appealed against this decision to the Russian Supreme Court and his case was taken to the European Court of Human Rights (ECtHR). On 18 July 2012 the Russian Supreme Court ruled in favor of the extradition, contrary to some of its own Plenary rulings. However, at the same time the ECtHR ruled that Yusup Kasymakhunov could not be extradited until his case had been considered in Strasbourg, and the extradition could not go ahead.

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 neighboring countries, in the name of national security and the fight against terrorism, of suspected members of Islamic movements or Islamist parties banned in Uzbekistan, such as Hizb-ut-Tahrir. 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.

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 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.

The Supreme Court of the Russian Federation issued a decree regarding extradition requests by second governments in June 2012. 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: Yusup Kasymakhunov (m)

Issues: Forced return, Risk of torture/ill-treatment, Incommunicado detention

UA: 361/12

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Country: Russian Federation