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Kyrgyzstan: Stop deportation of Uzbekistani refugees

Amnesty International is calling on the authorities of Kyrgyzstan not to forcibly return to Uzbekistan 29 people who are seeking international protection in the country.

"Forcible return of these people would violate international human rights and refugee law and standards. There are well founded reasons to believe that if returned they are at risk of grave human rights violations and flagrant denial of justice. They are at risk of being tortured and even executed after unfair trials," Amnesty International said.

The 29 people, whose forcible return to Uzbekistan is feared to be imminent, are among hundreds of people who fled the city of Andizhan after government troops reportedly fired on thousands of mainly unarmed and peaceful demonstrators on 13 May. On 22 June the acting Prosecutor General of Kyrgyzstan, Azimbek Beknazarov, reportedly described these 29 people seeking protection, as "criminals" who broke out of Andizhan prison. They were reportedly removed from the Besh-Kana camp and taken to a detention centre in Osh at the end of last week.

On 21 June the Office of the UN High Commissioner for Refugees was apparently asked by Kyrgyzstan authorities to conduct asylum determination procedures for the 29 detained people in order to assess their situation. According to reports received by Amnesty International, however, the extradition orders for the 29 people have already been signed and they are at imminent risk of forcible return to Uzbekistan, although the UNHCR has not yet completed the process of assessing whether they are in need of international protection as refugees.

A UN statement of 22 June noted that a decision to return the people who have sought international protection would contradict assurances given by the Kyrgyz authorities to UN Secretary-General Kofi Annan. In a joint public statement of the same day the UN High Commissioner for Human Rights, Louise Arbour and the High Commissioner for Refugees, Antonio Guterres, expressed their fears that the 29 may be forcibly returned to Uzbekistan irrespective of whether or not they are refugees under international law.

"The authorities of Kyrgyzstan must facilitate the UNHCR in fulfilling its mandate to protect refugees. They must comply with their obligations under international human rights and refugee law and standards not to return these people or any others to a country where they risk serious human rights violations, including torture and other ill-treatment. Serious human rights violations, including torture and unfair trial, are widespread and systemic in Uzbekistan," Amnesty International said.

Background

During the night of 12-13 May 2005, a group of armed men broke into the jail of the city of Andizhan, reportedly freeing hundreds of prisoners, and later taking hostages and occupying a local government building. Throughout the day thousands of people gathered in a city square; many spoke out to demand justice and an end to poverty. There were sporadic incidents of security forces firing indiscriminately into the crowds, killing and wounding demonstrators, most of whom were unarmed. In the early evening, security forces were reported to have surrounded the crowd of thousands of protestors on the city's main square, hemming them in with buses, armed personnel carriers and other barriers. According to witnesses, hundreds of people -- men, women and children -- were killed when government troops opened fire on the crowd in the square and as they fled. Hundreds left the country and sought international protection in neighbouring Kyrgyzstan.

On 16 June the Uzbekistan Prosecutor General's Office stated that it is seeking the extradition of 131 of the refugees whom it had reportedly "identified as direct participants of the acts of terrorism in Andizhan". Officials in Uzbekistan have publicly called the refugee camp a "terrorist camp". Sixteen men were removed from the camp on 9 June by officers of the Kyrgyz National Security Service and taken for interrogation to a detention centre in the city of Jalalabad. When UNHCR staff were given access to the detention centre 24 hours later, four men had already been forcibly returned to Uzbekistan. The four men are feared to be held in incommunicado detention; as noted in the 22 June 2005 statement of the UN High Commissioner "no international body has succeeded in having access to them since they were handed over to the Uzbek authorities".

The risk of torture is highest during incommunicado detention.

Some of the hundreds who are seeking international protection in Kyrgyzstan, with whom Amnesty International representatives have spoken, said that they fear they will be tortured if they are forcibly returned to Uzbekistan.

Kyrgyzstan is obliged under international law, including the 1951 Refugee Convention and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which it is a party, not to return anyone to a country or territory where they would be at risk of serious human rights violations.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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