

PUBLIC

**AI Index: MDE 13/139/2008
17 September 2008**

**UA 263/08 Forcible Return/Fear for Safety
IRAN **24 Uzbekistani nationals including 15 children****

On 12 September, a group of 24 Uzbekistani nationals, who have been living for around a year in the eastern Turkish town of Van, were expelled to Iran. The group are now held by an unidentified Iranian group. Amnesty International fears for their safety while they are being held by the unidentified group and also that they could be subjected to forcible return to Uzbekistan by the Iranian authorities if and when they are released by the group that is currently holding them.

If returned to Uzbekistan the adults of the group would be at risk of incommunicado detention, torture or other ill-treatment. The group have been recognized as refugees by the UNHCR.

Police officers at the Security Directorate in Van reportedly invited the group to visit the Directorate to receive educational materials for the children's schooling. When the group arrived at the Security Directorate, they were allegedly put onto a bus and transported to an isolated area close to the Iranian border. The Turkish security officials who transported them told the group that "we don't need you here" as they forced them into Iranian territory. Once there, an unidentified group apparently not linked to the Iranian government seized them and allegedly threatened to kill them.

BACKGROUND INFORMATION

The families are originally from Uzbekistan, though they left for Tajikistan in the late 1990s to escape persecution and arrest for worshipping at a mosque outside state control and under an imam accused by the Uzbekistani authorities of anti-state activities. They left Tajikistan for Afghanistan in 1999 but left because of war there in 2001. They eventually made their way to Iran, where they were recognized as refugees by the UNHCR. The group fled to Turkey from Iran in 2007 after they had been threatened with forcible return to Uzbekistan. 22 of them were subsequently recognized again as refugees by the UNHCR in Turkey. The status of two is yet to be determined. The families were linked to the Islamic Movement of Uzbekistan (IMU), an armed opposition group in whose camps they stayed, both in Tajikistan and Afghanistan, possibly under duress.

When reviewing the human rights situation in Uzbekistan the UN Committee against Torture concluded in November 2007 that torture was widespread and systematic. Amnesty International has documented numerous cases of forcible returns of asylum-seekers or criminal suspects to Uzbekistan over the years. Most of those forcibly returned have been held in incommunicado detention, thereby increasing their risk of being tortured or otherwise ill-treated. They have often been sentenced to long prison terms in cruel, inhuman and degrading conditions following an unfair trial with evidence based on confessions extracted under torture.

In April 2008, the European Court of Human Rights ruled that the extradition of 12 mandate refugees from Russia to Uzbekistan “would give rise to a violation of Article 3 (prohibition of torture) as they would face a serious risk of being subjected to torture or inhuman or degrading treatment there.”

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Farsi or your own language:

- urging the Iranian authorities to take all appropriate steps to ensure the safe release of the 24 refugees by the group holding them;
- calling on the Iranian authorities not to return the group to Uzbekistan, where they would be at risk, if and when they are released by the group now holding them.

APPEALS TO:

Office of the Head of the Judiciary

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani

Howzeh Riassat-e Ghoveh Ghazaiyeh

Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Iran

Fax: +98 21 3390 4986 (please keep trying)

Email: fsharafi@bia-judiciary.ir (In the subject line: FAO Mohammad Javad Larijani)

int_aff@judiciary.ir (In the subject line: FAO Mohammad Javad Larijani)

COPIES TO:

Turkish Minister of Interior

Mr. Besir Atalay

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and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 October 2008.