

# AMNESTY INTERNATIONAL

## Public Statement

AI Index: EUR 50/001/2006 (Public)  
News Service No: 043  
20 February 2006

### Ukraine: Ten asylum-seekers forcibly returned to Uzbekistan

Amnesty International is extremely concerned about the fate of 10 asylum-seekers from Uzbekistan, who had been seeking international protection in Ukraine, but were forcibly returned to Uzbekistan by Ukrainian authorities during the night of 14-15 February 2006. They are at risk of serious human rights violations, including incommunicado detention, torture or other ill-treatment, a flagrantly unfair trial followed by either long prison sentences or even the death penalty.

The Uzbekistani authorities reportedly issued extradition warrants for 11 asylum-seekers on the grounds that they allegedly participated in the Andizhan events in Uzbekistan on 13 May 2005. The remaining man was reportedly allowed to stay as he has relatives in Ukraine.

On 7 February the Security Service of Ukraine (SBU) allegedly detained the 11 men in two different locations in Crimea based on the extradition warrants issued by the Prosecutor General of Uzbekistan. They were reportedly transferred to a Ministry of Interior detention facility in Simferopol, Ukraine, and 10 of them were forcibly returned to Uzbekistan on the night of 14-15 February. The men are believed to be held in detention by the Uzbekistani authorities, but their exact whereabouts remains unknown.

Nine of the 11 men were registered asylum-seekers while the remaining two had not applied for asylum in Ukraine but had expressed their intention to do so.

Between 7-14 February, the United Nations High Commissioner for Refugees (UNHCR) contacted the Ukrainian authorities "requesting official guarantees that no asylum-seeker would be forcibly returned unless they had been determined not to be a refugee, after going through full and fair asylum procedures, including the right to appeal". However, the Migration Service of Crimea rejected their asylum applications on the basis that they were considered to be "manifestly unfounded". They faced immediate forcible return and were not given the right to appeal. The remaining two men were returned without being given the opportunity to apply for asylum.

Amnesty International strongly condemns the Ukrainian authorities for violating their obligations under international human rights and refugee law to uphold the principle of *non-refoulement*, as enshrined in the 1951 Refugee Convention, the International Covenant on Civil and Political Rights and the Convention against Torture, which prohibit the return of a person to a country or territory where they would be at risk of persecution, torture or other forms of ill-treatment

The systematic use of torture and ill-treatment and the systemic and fundamental flaws of the criminal justice system result in widespread violations of international standards for fair trial in Uzbekistan and there are significant risks faced by these 10 men given the context and nature of the crimes of which they are accused.

