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AZERBAIJAN: EXTRADITED REFUGEE FARID YUSUB IS AT RISK OF SERIOUS HUMAN RIGHTS VIOLATIONS

Amnesty International condemns the extradition of an Azeri refugee, Farid Yusub, from Russia to Azerbaijan where he is at risk of torture and other ill-treatment, as well as unfair trial. He was returned to Azerbaijan on 15 August, where he is now being held and is under investigation. Azerbaijani authorities must ensure that he is not subjected to torture or other ill-treatment and they should release him unless there is sufficient evidence of him committing a recognizable offence, in accordance with international law and standards. He must also be allowed access to a lawyer, his family and any health care he may require.

Farid Yusub is facing criminal charges of theft, forgery and illegal crossing of Azerbaijan's border, which he maintains have been fabricated because of his oppositional views and his personal animosity with a high-ranking Azerbaijani Ministry of Interior (MOI) official. The criminal charges against him were brought in 2016 shortly after he published an interview with the Radio Liberty's Russian Service in which he spoke critically about Azerbaijan's political regime and its persecution of opposition leaders and individuals critical of the president. In addition, he maintains that he has been subjected to long term harassment by the Azerbaijani authorities. According to Farid Yusub, in 2008 was taken to the police department in Baku, and severely beaten, after he had helped his sister leave Azerbaijan to escape her allegedly abusive husband, who was a senior official at Azerbaijan's Ministry of Interior. Farid Yusub left Azerbaijan shortly after the incident due to further threats of violence, approached the UN refugee agency, UNHCR, and was granted refugee status in Egypt. He left Egypt in 2014 during mass protests, fearing for his safety, and went to Russia.

Despite him being recognized as a refugee, in need of international protection, by the UNHCR, Farid Yusub was denied asylum in Russia and, on 15 August 2018, he was extradited by the Russian authorities to Azerbaijan.

In extraditing Farid Yusub to Azerbaijan, where he is at risk of torture and other ill-treatment, amongst other human rights violations, the Russian authorities have neglected their obligations under international human rights law. Russia ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1998, according to which "no State Party shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

BACKGROUND

For years, Amnesty International has been reporting serious violations of human rights in Azerbaijan. The rights to freedom of expression, association and peaceful assembly have been severely restricted and many of the journalists, human rights defenders and other activists who tried to exercise these rights have faced harassment, prosecution under false charges and imprisonment following unfair trials. According to Azerbaijani human rights defenders, in 2017, more than a hundred individuals remained in prison following arrest under politically motivated charges, and the number of such cases continues to grow.

Torture and ill-treatment remains widespread in Azerbaijan, while authorities have persistently failed to investigate allegations of torture and other ill-treatment and the Azerbaijani courts have on numerous occasions admitted as evidence "confessions" allegedly obtained under torture.