

# No shelter:

The harassment of activists abroad by intelligence services from the former Soviet Union.



Edited by Adam Hug

The Foreign Policy Centre



## **No Shelter: The harassment of activists abroad by intelligence services from the former Soviet Union**

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## **No Shelter: Executive summary**

This publication shows how repressive regimes from the former Soviet Union, most notably Uzbekistan, Tajikistan, Russia, Azerbaijan and Kazakhstan operate outside their borders to challenge dissenting voices. The exiles and activists targeted primarily include: members of opposition political parties and movements; independent journalists, academics and civil society activists; former regime insiders and their family members; banned clerics and alleged religious extremists, including alleged members of proscribed terrorist groups. This publication shows that these groups are at risk not only of physical and online surveillance and harassment, but vexatious extradition attempts, INTERPOL Red Notices, attacks, kidnapping and other forms of illegal rendition, and even assassination.

Security services from the former Soviet Union are adept at using the language of terrorism and state security to restrict the activities of their political opponents, triggering both formal cooperation agreements within the region through the Shanghai Cooperation Organisation (SCO) and Collective Security Treaty Organization (CSTO) and the longstanding personal networks between security service leaders, 'the RepressIntern' as Dr Mark Galeotti puts it, to put pressure on the opponents of fellow repressive regimes. The report shows that Russia has been particularly supportive of neighbouring regimes seeking the return of their nationals who are deemed to be troublesome, both through legally sanctioned extraditions and extra-legal forms of rendition or kidnapping, the latter particularly taking place when the individuals had sought protection from the European Court of Human Rights.

The security services from the former Soviet Union are particularly adept at operating within their diaspora communities in Russia, Turkey and across Europe. In the latter case, European security services need to play a more active role in monitoring the activities of these foreign security services on their soil, particularly within diaspora communities. Where possible, attempts should be made to assist exiles in protecting their emails, telecommunications and social media from hacking.

Western courts and immigration systems need to remain vigilant to resist extradition attempts that would expose individuals from the former Soviet Union to the risk of torture, unfair trial and imprisonment or worse upon their return. The case for reform of INTERPOL to stop Red Notices being used as a tool to target regime opponents abroad remains an important issue despite recent progress, noting in particular the recent case of Tajik opposition leader Muhiddin Kabiri.

### **Recommendations for Western policy makers**

- Continue to reform the Interpol Red Notice system
- Remain vigilant to politicised extradition attempts and preserve the principle of non-refoulement
- Further investigate, through Western security services, networks of informants and agents that operate on behalf of the security services of the former Soviet Union on European soil
- Support exiles who are facing hacking and other attempts to steal their personal information
- Ensure that surveillance equipment, software and technical support are subject to export controls and are not provided by Western firms to repressive regimes in the region
- Suspend plans to upgrade trade and diplomatic arrangements with those states known to target activists in exile

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## Introduction

### No shelter: The harassment of activists abroad by intelligence services from the former Soviet Union

Adam Hug<sup>1</sup>

The repressive nature of many governments in the former Soviet Union and how that they repress those who attempt to challenge these systems has been repeatedly and well documented, including through the Foreign Policy Centre's *Exporting Repression* series of which this essay collection is part. Intimidation, surveillance, bureaucratic restrictions on activities, arrest and imprisonment on dubious charges, kidnapping, torture and killings are all techniques believed to have been used against those who are seen as a threat to a number of regimes in the region. What is less well understood is that for some people who are able to go into exile, leaving the country is not the end of living in fear that they are being monitored or potentially at risk of harm from representatives of the security services of their home country. Within the former Soviet Union, more often than not, this harassment is being performed with the collusion, or at least the acquiescence, of the government of the host country.

### Understanding the problem

The authors in this publication identify the four core groups who are targeted by the security services:

- Former regime insiders and their family members;
- Members of opposition political parties and movements;
- Independent journalists, academics and civil society activists;
- Banned clerics and alleged religious extremists, including alleged members of proscribed terrorist groups.<sup>2</sup>

As touched upon in the Foreign Policy Centre's 2014 publication *Shelter from the Storm*<sup>3</sup>, the status of these individuals varies by country and by situation. Many of the people discussed in this publication are those taking advantage of visa-free movement within the Commonwealth of Independent States<sup>4</sup> to remove themselves from immediate pressures in their home state, with Russia the most common initial destination, given its sizable diaspora communities from the rest of the region. For those heading to the West the challenge remains whether or not to formally claim asylum, a move that makes the break with the home nation more permanent and impacts upon their activism, given that across Western Europe opportunities for short-term study and work opportunities, previously an important alternative, are becoming more difficult to access in a tightening immigration environment.

As a number of authors in this collection show, the ways in which the system works to put pressure on exiles, at least within the region, relies on both formal and informal processes. As discussed in *Shelter from the Storm*, the 1993 'Minsk' Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters<sup>5</sup> provides a legal framework to facilitate the return of people to other CIS member states. Shared priorities over combatting both religious extremism and any potential challenges to regime control are embedded in organisations such as the Shanghai Cooperation Organisation (SCO) and the Collective Security Treaty Organisation (CSTO)<sup>6</sup>. Both the CSTO and SCO provide opportunities for training and information sharing on a formal basis<sup>7</sup>, with the SCO's Regional Anti-Terrorism Structure (RATS) playing a role in coordinating counter extremism efforts (as defined by the participating regimes), while the CSTO is playing an active role in dealing with dissent online as discussed below.

However, as Mark Galeotti sets out in his contribution, the shared KGB heritage, the 'Repressintern' networks of many of the senior personnel within the national security services, creates informal networks that really help to drive this collaboration, even when they are operating in an extra-legal capacity. As clearly set out in the FPC's *Sharing Worst Practice* publication, a common, overly broad set of values and definitions of threats to state (and regime) security further helps to underpin regional security service collaboration.

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<sup>1</sup> Adam Hug is Policy Director at the Foreign Policy Centre.

<sup>2</sup> Some of whom may indeed be seeking to violently replace their home government. Terrorism poses a real threat to Central Asian states but it is one that is exaggerated for regime purposes.

<sup>3</sup> Adam Hug (e.d.) *Shelter from the Storm*, Foreign Policy Centre, April 2014, The asylum, refuge and extradition situation facing activists from the former Soviet Union in the CIS and Europe, <http://fpc.org.uk/publications/shelter-from-the-storm>

<sup>4</sup> Along with bilateral agreements between members on work permits

<sup>5</sup> CIS, Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, 1993,

<http://www.unhcr.org/uk/protection/migration/4de4edc69/convention-legal-aid-legal-relations-civil-family-criminal-cases-adopted.html>

<sup>6</sup> Adam Hug (e.d.) *Sharing Worst Practice: How countries and institutions in the former Soviet Union help create legal tools of repression*, May 2016,

<http://fpc.org.uk/publications/sharingworstpractice>

<sup>7</sup> PanArmenian.net, Agreement on CSTO member states' special services training enters into force, December 2009, <http://www.panarmenian.net/eng/news/40030/>



## Russia and Ukraine

The role of Russia in this particular publication is both as a primary actor and an accomplice to the actions of others, but it is this latter role that is the primary focus of this publication. Much has already been written on the extent to which Russia projects its power overseas and indeed the use of the security services in the region is steeped in Cold War imagery. Galeotti sets out the overview of Russia's security infrastructure in his contribution.

As touched on by a number of authors, the Russian intelligence services have been implicated in a number of suspected assassinations and suspicious deaths overseas. The most famous case perhaps being the assassination in London of former FSB agent turned dissident Alexander Litvinenko, although Arzu Geybulla also notes the suspicious circumstances surrounding the death of whistleblower Alexander Perepilichny which is currently under investigation in the UK.

During the Yanukovch era, Russian security services had some cooperation from the domestic security services to put pressure on exiles seeking shelter in Ukraine, a country that served as an emergency escape route for Russians seeking a quick exit. Perhaps the most prominent case was that of Leonid Razvozhayev, the Left Front political activist, in October 2012. After being implicated in an alleged plot to overthrow Vladimir Putin in a Russian TV documentary, Razvozhayev fled to Ukraine to seek refuge. He arrived at the Kiev office of the UNHCR requesting to make an application for asylum. After a discussion with UN officials he left his belongings, saying that he would go to the cafeteria. He did not return and was next seen two days later leaving a Moscow court claiming that he had been kidnapped and tortured, a claim he repeated subsequently. With the two nations' security services currently facing off across the battle-lines of a hybrid war, the relationships are fundamentally different. In fact, the issue of kidnapping has become an issue for both sides along the line of contact (between Ukraine and the separatists) and the Russia-Ukraine border, with competing claims that those captured were taken across the border or that they had moved into hostile territory either accidentally or deliberately.<sup>8</sup> Most of these conflict issues, while a fascinating insight into security service tactics, fall beyond the primary remit of this publication.

It is not only national-level Russian security services that operate abroad. Chechnya has developed a wide range of both official and informal channels to intimidate its nationals and neutralise opposition abroad. That President Kaydyrov's use of social media is not limited to Instagramming pictures of his missing cat or his children cage fighting,<sup>9</sup> with heavy monitoring of online criticism and the willingness to follow through with violence against his critics, is explained in graphic detail in the contribution by Civil Rights Defenders.

Those seeking sanctuary in Russia are supposed to benefit from the protections of the European Court of Human Rights (ECtHR), where the court has been clear in its resistance to allowing the extradition of persons to the countries of Central Asia where they would be at significant risk of re-outrage. In the last year however, the power of the court in Russia has been watered down by the December 2015 law asserting the primacy of the Russian constitution and constitutional court rulings<sup>10</sup>. In practice however, the Russian security services have shown little regard for such principles prior to this change. They have been willing to collude with the Central Asian security services to illegally return people to their country of origin, even when those persons are subject to specific rulings from the ECtHR, such as in the cases of the Uzbek nationals Yusup Kasymahunov who was kidnapped in 2012 and the attempted kidnapping of Murod Yuldashev in 2013.<sup>11</sup>

## Central Asia

It is the experience of Central Asian exiles that forms the heart of this publication, experiences less widely explored in the media and wider literature than those of Russia. As shown in this publication, the two greatest offenders are

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<sup>8</sup> See for example <https://www.rt.com/news/315182-ukraine-russia-border-kidnapping/> and <https://www.theguardian.com/world/2015/sep/29/ukrainian-pilot-nadia-savchenko-russian-court>

<sup>9</sup> Kadyrov currently has over 2 million followers on Instagram [https://www.instagram.com/kadyrov\\_95/](https://www.instagram.com/kadyrov_95/) <https://www.theguardian.com/world/2016/may/20/chechen-leader-kadyrov-instagram-cat>

<sup>10</sup> BBC News, Russia passes law to overrule European human rights court, December 2015, <http://www.bbc.co.uk/news/world-europe-35007059>

<sup>11</sup> Fergana News, Uzbek citizen Yusup Kasymahunov kidnapped in Russia, December 2012, <http://enews.fergananews.com/articles/2802>; *Yuldashev v. Russia*, Application no. 1248/09, Council of Europe: European Court of Human Rights, 8 July 2010, <http://www.refworld.org/docid/4c3716732.html> <http://www.refworld.org/topic,50ffbc40,50ffbc45a,4c3716732,0,ECHR,..html>; Elena Ryabinina, Refugees in Russia: Is there a light at the end of the tunnel?, March 2013, <http://hro.rightsinrussia.info/archive/refugees-idps/asylum/expedite>

Tajikistan and Uzbekistan, whose security services have shown that they are able to be active not only within diaspora communities within Russia but also further afield, from Turkey to Western Europe.

As both the contributions by Edward Lemon and by John Heathershaw, Rosa Brown and Eve Bishop show, Tajikistan's security services have become increasingly active in trying to extend repression beyond their borders since they began an increasing crack down and consolidation of regime power at home over recent years. Given Uzbekistan's track record as perhaps the most repressive regime in the region, it is no surprise that it seeks to extend its reach to critics abroad. Both states utilise the threat, both real and perceived, of radicalisation to target those who become recruited by both radical and more moderate (both secular and Islamic) opposition groups within the diaspora communities, particularly in Russia, and those who had been previously active in such groups whilst in their home states. In the case of Uzbekistan, the threat of recruitment to the Islamic Movement of Uzbekistan (IMU) is used, a group whose role has become increasingly detached from Uzbek politics since 2001 but still forms part of the alleged basis for cracking down on religious groups. As Lemon points out, the secular opposition Group 24, the recently banned Islamic Renaissance Party (IRPT) and Islamic proselytising movement Tablighi Jamaat are most active in Tajik migrant communities, though they are listed alongside ISIS and AL Qaeda as extremist threats to the state of Tajikistan<sup>12</sup>, thereby helping to frame pressure on political dissidents within the framework of treaties such as the Shanghai Convention on Combatting Terrorism, Separatism and Extremism<sup>13</sup>. As Tajikistan's security services become more active and the Russians remain supportive of such actions, those at most risk are looking for alternative places to seek refuge. Poland, one of the easiest EU member states for people to access directly from Russia, has seen a surge in Tajik asylum seekers, rising from almost zero prior to 2014, to 104 asylum seekers that year, to 527 in 2015 and 660 in the first half of 2016 alone<sup>14</sup>.

While the focus is on cases relating to Uzbekistan and Tajikistan, it is also worth noting the way in which Kazakhstan's security services have operated. The overall number of known incidents against exiles are lower than its two neighbours and for the most part Kazakhstan has attempted to use formal legal channels to exert pressure on exiles who the regime finds troublesome, as Heathershaw et al note, there have been a few severe incidents against high profile opposition figures and former regime officials. Most notably these have included members of the opposition Alga Party, the Respublica opposition newspaper linked to Alga and the associates of controversial banker and opposition leader Mukhtar Ablyazov, who was convicted of contempt of court in the UK Courts in 2012<sup>15</sup>. INTERPOL Red Notices were issued and extradition proceedings attempted for figures such as Muratbek Ketebayev who was initially detained by Spanish Authorities despite having refugee status from Poland, though the case was ultimately thrown out. Ablyazov's family were controversially extradited from Italy, before being returned after international outcry<sup>16</sup>, whilst Ablyazov himself is fighting attempts at extradition to Russia ordered by the French Government, on the grounds that further extradition to Kazakhstan would be likely to follow, in addition to concerns about receiving a fair trial in Russia<sup>17</sup>. Jos Boonstra, Erica Marat and Vera Axyonova suggest in a 2013 FRIDE paper that the reasoning behind Kazakhstan's decision to close down its old external security service, the Barlau, and create a new service directly answerable to the President was in order to improve its performance in tracking opponents of the regime overseas<sup>18</sup>.

## South Caucasus

In their contributions both Arzu Geybulla and Giorgi Gogia discuss the situation of Azerbaijan, currently the state in the South Caucasus with the most hostile human rights environment, the former focusing on the experience in exile, the latter on those left behind. Although there are claims of potential involvement in suspicious deaths, the majority of the complaints raised by activists surround basic surveillance, harassment and pressure on relatives, the latter being detailed in Gogia's contribution. Activists have spoken of a sense of being followed on the streets of

<sup>12</sup> Edward Lemon, The long arm of the despot, February 2016, <https://www.opendemocracy.net/od-russia/edward-lemon/long-arm-of-despot> The IRPT are a gradualist group that does not officially support the overthrow of the regime, although Group 24 do.

<sup>13</sup> Shanghai Cooperation Organisation, Shanghai Convention on Combating Terrorism, Separatism, and Extremism, June 2001, via the Council on Foreign Relations, <http://www.cfr.org/counterterrorism/shanghai-convention-combating-terrorism-separatism-extremism/p25184>

<sup>14</sup> Yan Matusevich, The Quiet Tajik Refugee Crisis, The Diplomat, August 2016, <http://thediplomat.com/2016/08/the-quiet-tajik-refugee-crisis/>

<sup>15</sup> For reasons of transparency it should be noted that in 2010 the FPC hosted a public seminar with Ablyazov, whilst members of the Respublica newspaper including Muratbek Ketebayev supported the *Kazakhstan at a Crossroads* project that ran from 2009-2011.

<sup>16</sup> BBC News, Kazakh dissident Ablyazov's family allowed back in Italy, December 2013, <http://www.bbc.co.uk/news/world-europe-25528466>

<sup>17</sup> Jim Armitage, Mukhtar Ablyazov: Kazakh billionaire to be extradited to Russia from France, The Independent, October 2015, <http://www.independent.co.uk/news/business/news/mukhtar-ablyazov-kazakh-billionaire-to-be-extradited-to-russia-from-france-a6691731.html>

<sup>18</sup> Jos Boonstra, Erica Marat and Vera Axyonova, Security Sector Reform in Kazakhstan, Kyrgyzstan and Tajikistan: What Role for Europe?, May 2013, [http://fride.org/download/EUCAM\\_WP14\\_SSR\\_Kazakhstan\\_Kyrgyzstan\\_Tajikistan.pdf](http://fride.org/download/EUCAM_WP14_SSR_Kazakhstan_Kyrgyzstan_Tajikistan.pdf)



Berlin and other major Western cities, having their email and social media accounts periodically hacked and described how their families in Azerbaijan have faced enormous pressures, from losing jobs to being jailed.

Georgia, as the least restrictive country in the Caucasus and Central Asia with reasonably straightforward transport links to Azerbaijan and Armenia, has often been the first port of call for Azerbaijanis wishing to remove themselves from government pressure. However, increasingly its government has become under pressure from Azerbaijan not to play host to Azeri dissidents and opposition figures. While the Georgian authorities are seen as being unlikely to collude in attempts to render activists back to Azerbaijan illegally, the authorities have let it be known that they cannot give guarantees to be able to ensure their safety. Furthermore, the Government of Georgia will potentially respond to Red Notices and other formal extradition requests for suspects, though these will be subject to significantly freer legal hearings than would be possible back home, as Geybulla explains in the case of Azerbaijani activist Dashgin Alagarli.

### **Surveillance and Western issues**

The dissident experience, whether within their home country or in exile, inculcates a sense of extreme caution, verging on paranoia, about the extent to which their activities are under surveillance. The threat though is very real, whether it is through security services physically keeping tabs on their movements or monitoring emails, phone calls and social media. As authors have made clear in this collection, this monitoring takes place not only on public sites such as Youtube and semi-private social media such as Facebook, through which dissidents share information, but also through private, nominally secure communications systems such as Skype, an example being the cases of Uzbek nationals Kudrat Rasulov and Fazliddin Zayniddinov whose Skype conversation transcripts were produced in court as evidence against them<sup>19</sup>. Furthermore, the Kazakhstani security services are believed to have used professionally produced spyware to target opposition figures based in the West, such as the publishers of the Respublica newspaper<sup>20</sup>.

The use of Russian-style System for Operative Investigative Activities (SORM) systems for monitoring internet and telecommunications installed directly into telecommunication companies' networks<sup>21</sup> appear to be being augmented in a number of countries by Western technology to access online systems based outside the region. According to Privacy International, a number of Western and Israeli companies are providing the technology that underpins these monitoring operations with Trovicor Intelligence Solutions from Germany (and formerly Siemens) believed to be potentially providing services to Tajikistan and both the Israeli-based NICE systems and the Israel branch of US firm Verint International are known to provide monitoring services to both Uzbekistan and Kazakhstan<sup>22</sup>.

The behaviour of the West more broadly in terms of internet surveillance, such as the US PRISM system uncovered by Edward Snowden that requires internet companies to provide access to user data<sup>23</sup>, undermines the ability to challenge regimes in the region about the use of mass surveillance to put pressure on dissidents. However, this is not the only area where Western practice has perhaps undermined its ability to push for reform. The Bush administrations' extraordinary rendition programme in the mid-2000s can be seen as providing a permission framework for kidnapping and other forms of illegal rendition that take place within the region. There is some evidence that the US transferred dozens of prisoners to Uzbekistan in the 2000s, for detention and interrogation, despite the widespread use of torture<sup>24</sup>. What is also clearly the case is that, prior to the 2005 Andijan massacre, and to a lesser extent afterwards, the US and its allies cooperated with the security services and military of Uzbekistan, in support of activities around Afghanistan, and helped support Tashkent's internal narratives around

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<sup>19</sup> Edin Omanovic and Mari Bastashevski, Private Interests: Monitoring Central Asia, Privacy International, November 2014, <https://www.privacyinternational.org/?q=node/429>

<sup>20</sup> Radio Free Europe/Radio Liberty, Uzbekistan, Kazakhstan Said To Be Hacking, Spying On Dissidents, August 2016, <http://www.rferl.org/a/uzbekistan-kazakhstan-said-hacking-spying-dissidents/27897226.html>

<sup>21</sup> Andrei Soldatov and Irina Borogan show that Ukraine under Yanukovich had access to a SORM system in their book *The Red Web*, 2015 Public Affairs Books. Privacy International show that Uzbekistan also operates a SORM system, *The Right to Privacy in Uzbekistan*, July 2015, <https://www.privacyinternational.org/sites/default/files/PI%20submission%20Uzbekistan.pdf>

<sup>22</sup> Edin Omanovic and Mari Bastashevski, Private Interests: Monitoring Central Asia, Privacy International, November 2014, <https://www.privacyinternational.org/?q=node/429>

<sup>23</sup> Glenn Greenwald and Ewen MacAskill, NSA Prism program taps in to user data of Apple, Google and others, June 2013, <https://www.theguardian.com/world/2013/jun/06/us-tech-giants-nsa-data> The UK's GCHQ is also believed to have undertaken similar work.

<sup>24</sup> Don Van Natta Jr, U.S. Recruits a Rough Ally to Be a Jailer?, *New York Times*, May 2005, [http://www.nytimes.com/2005/05/01/world/us-recruits-a-rough-ally-to-be-a-jailer.html?\\_r=0](http://www.nytimes.com/2005/05/01/world/us-recruits-a-rough-ally-to-be-a-jailer.html?_r=0) See also the Open Society Justice Initiative, *Globalising Torture*, February 2013, <https://www.opensocietyfoundations.org/sites/default/files/globalizing-torture-20120205.pdf>

the threat posed by the IMU and other terrorist groups that have been used as a pretext for far wider crackdowns against opposition and religious voices<sup>25</sup>. Cooperation has included the transfer of military vehicles following the withdrawal from Afghanistan, along with equipment and training for customs and border officials<sup>26</sup>. The EU as well has invested significant resources into funding and training the sections of Central Asian security services involved in border management and counter-narcotics through the Border Management in Central Asia (BOMCA) programme, while the OSCE has been involved in attempts at police reform in Tajikistan<sup>27</sup>. The omens from the impending arrival of President Trump are not promising in terms of exerting a positive influence in such matters, with claimed plans to reintroduce extra-legal measures including torture in the fight against terrorism and a further deprioritising of human rights in US foreign policy. This is to be set alongside an increasingly inward-focused EU and a UK absorbed by the post-Brexit trade and political environment.

As discussed in this essay collection and previous FPC publications<sup>28</sup>, the INTERPOL Red Notice system is used as a method to make life difficult to exiles by restricting travel to third countries and putting them at potential risk of extradition proceedings, particularly if they do not have refugee status. While recent work by Fair Trials International<sup>29</sup> suggests that under new leadership INTERPOL is looking to reduce the number of politically motivated Red Notices<sup>30</sup> that are being issued, there is still more work to do. For example, as John Heathershaw et al explain, the August 2016 case of Tajik opposition leader Muhiddin Kabiri<sup>31</sup> shows there are still serious cases where authoritarian regimes are able to use the INTERPOL system to harass their opponents abroad, even when the chances of extradition from Western countries remains limited to non-existent. It is of further concern that the reforming efforts of Secretary General Jürgen Stock may now be undermined by the appointment of former Chinese Vice-Minister for Public Security Meng Hongwei as the organisation's President<sup>32</sup>.

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<sup>25</sup> Reid Standish, Where the War on Terror Lives Forever, <http://foreignpolicy.com/2016/09/02/war-on-terror-forever-islam-karimov-uzbekistan-legacy-imu-isis-central-asia/>

<sup>26</sup> AsiaBizNews, Uzbekistan Gets Equipment for Customs Police Training, <http://www.asiabiznews.net/asia-tender-business-news/Uzbekistan/115136-Uzbekistan-Gets-Equipment-for-Customs-Police-Training.html>

<sup>27</sup> Jos Boonstra, Erica Marat and Vera Axyonova, Security Sector Reform in Kazakhstan, Kyrgyzstan and Tajikistan: What Role for Europe?, May 2013, [http://fride.org/download/EUCAM\\_WP14\\_SSR\\_Kazakhstan\\_Kyrgyzstan\\_Tajikistan.pdf](http://fride.org/download/EUCAM_WP14_SSR_Kazakhstan_Kyrgyzstan_Tajikistan.pdf)

<sup>28</sup> Adam Hug (e.d.) Shelter from the Storm, Foreign Policy Centre, April 2014, The asylum, refuge and extradition situation facing activists from the former Soviet Union in the CIS and Europe, <http://fpc.org.uk/publications/shelter-from-the-storm>

<sup>29</sup> See *Institutionally blind? International organisations and human rights abuses in the former Soviet Union*, Foreign Policy Centre, February 2016, <http://fpc.org.uk/publications/institutionallyblind>

<sup>30</sup> Red Notices act to seek the location and arrest of a person wanted by a judicial jurisdiction or an international tribunal with a view to his/her extradition.

<sup>31</sup> Asia Plus, Tajikistan conducts negotiations with Interpol member nations over extradition of IRPT leader, July 2016, <http://www.asiaplus.tj/en/news/tajikistan-conducts-negotiations-interpol-member-nations-over-extradition-irpt-leader>

<sup>32</sup> Benjamin Hass, New Interpol head is Chinese former deputy head of paramilitary police force, The Guardian, November 2016, <https://www.theguardian.com/world/2016/nov/10/new-interpol-head-is-chinese-former-head-of-paramilitary-police-force>

## What our authors say

**Dr Mark Galeotti** argues that as Vladimir Putin seeks to assert Moscow's hegemonic authority over post-Soviet Eurasia, one instrument at his disposal has been to offer repressive regimes the opportunity to target dissidents in Russia and also the assistance of his formidable intelligence agencies abroad, building on historic Soviet era links. Thus, Moscow has helped not only monitor and harass opposition activists in Europe in particular, it also appears to have assisted in at least some assassinations. However, this kind of collaborative repression appears to win lasting support only from the most toxic of regimes, and thus the long term value of what he dubs the 'RepressIntern' appears limited.

**Civil Rights Defenders** write that Chechens who run afoul of the Russian republic's autocratic leader Ramzan Kadyrov find there are few places where his security forces cannot reach them. Kadyrov uses both traditional strong-arm tactics and electronic surveillance to keep tabs on Chechen refugees, economic migrants, journalists, and political exiles from the Middle East to Vienna and Strasbourg. Those accused of committing real or imagined crimes against the state - as well as their friends and families - find that international borders are not significant impediments to Kadyrov's ability to terrorise, torture and murder Chechens with seeming impunity. The author of this piece is a Chechen human rights activist living abroad. They are writing anonymously, with support from Civil Rights Defenders for their and their family's safety.

**Dr John Heathershaw, Rosa Brown and Eve Bishop** introduce the University of Exeter's Central Asian Political Exiles (CAPE) database project, which details 125 cases of extra-territorial security measures being used against political exiles from the five Central Asian republics. Their data demonstrates that the concentration of cases come from Tajikistan and Uzbekistan (95 of the 125 in total). They draw attention to how informal measures, such as intimidation, take place alongside formal measures of charges, notices, arrests and renditions across three distinct 'stages' of extra-territorial security. The data show an increasing number of these cases, driven partly by Tajikistan's extensive campaign against its secular and religious opposition. While many cases take place within the post-Soviet space, a significant minority occur in EU states, including cases of attempted assassination and suspicious death. Certain patterns are discernible for exiles as they move along the three stages of extra-territorial security pressure from being put on notice/surveilled (stage one), to arrests or other forms of detention (stage two) to ultimately attempted rendition or physical attack (stage 3). For example, a repeated practice in Russia from stage 2 to stage 3 is to detain and release a Central Asian exile who then disappears for some time before lawyers and relatives finally discover that the exile is in custody in his/her home country. This pattern suggests a high degree of coordination between Central Asian and Russian security services which collaborate in illegal security measures.

**Dr Edward Lemon** examines the ways in which the security services of Tajikistan have operated beyond state borders, primarily in Russia and Turkey, attacking, intimidating, monitoring, kidnapping and assassinating opposition members in exile. Such incidences have increased dramatically in recent years as the government has outlawed opposition movements, most notably Group 24 and the Islamic Renaissance Party, forcing members to leave the country. This opposition in exile poses a limited threat to the regime of Emomali Rahmon. But returning activists to face trial in Tajikistan has become a priority for the government. Lemon profiles those who have been targeted, looks at the tactics adopted by the authoritarian Tajik regime and examines the ways those targeted have been able to use the legal system to resist being forcibly returned.

**Nadejda Atayeva's** analysis illustrates how the government of an oppressive country, in this case Uzbekistan, uses an ever more aggressive variety of methods to muzzle civil society activists abroad and how it abuses the Western open sources, social media, and INTERPOL mechanism to track down activists, migrant workers, and other groups of citizens who have spent over three months abroad. Based on these observations, she insists that there is an urgent need to carry out reforms in the systems of the UNHCR and the INTERPOL to tackle their misuse as well as ensuring greater protection of personal data of activists abroad.

**Arzu Geybulla** argues that if threats, intimidation and persecution of political activists and journalists at home were not already enough, these men and women often continue to face threats even after leaving their home countries. In most of these cases leaving persecution behind by fleeing the home country becomes a relative concept, as the

secret service apparatus, in most if not all of the former Soviet Union states, continues to use measures and methods to keep dissidents on high alert and in fear of imminent danger to their lives and the lives of their loved ones. Azerbaijan, Belarus, Russia, Uzbekistan and Turkmenistan are just a few of the countries whose political émigrés continue to face persecution and even murder when abroad.

**Giorgi Gogia** writes that Azerbaijan wages a vicious crackdown on critics and dissenting voices by arresting and prosecuting human rights defenders, youth activists, critical journalists and opposition political activists, as well as by adopting laws and regulations restricting the work of independent groups and their ability to secure funding. The Azerbaijani authorities have also arrested, prosecuted, and harassed activists' family members with the apparent aim of compelling the activists to stop their work. The authorities have often targeted the relatives of outspoken journalists and activists who have fled abroad out of fear of persecution and continued their vocal activism in exile. In some cases, relatives in Azerbaijan have publicly disowned or renounced their relationships with their close relatives abroad, possibly as a means to avoid retaliation by the authorities for their relatives' vocal criticism.

## **‘RepressIntern’: Russian security cooperation with fellow authoritarians**

Dr Mark Galeotti<sup>33</sup>

Under Vladimir Putin, Moscow has assiduously sought to retain its authority over the states of former-Soviet Eurasia (with the grudging exception of the Baltics), through a combination of political connection, military threat, security guarantees and economic cooperation. Quite how successful it has been has tended to vary over time and in relation to the complexion of the country in question. Very broadly, Moscow has found it much easier to maintain positive relations with authoritarian rather than democratising regimes, and this has been especially true of a relatively unremarked form of ‘soft power’ it has developed, that of intelligence cooperation directed towards the mutual suppression of activists and opposition forces.

This ‘Axis of Repression’ extends through Central Asia to Belarus, via Azerbaijan. It also used to include Ukraine, under semi-democratic clients such as Viktor Yanukovich, but clearly that is no longer the case. None of these regimes could be considered client states of Moscow’s. They have their own interests, and often advance them precisely by playing off Russia against other actors, whether the West in the case of Belarus’s Alexander Lukashenko, or China with Kazakhstan. However, they generally share with the Kremlin a keen interest in their own political longevity, and also a disinclination to allow Western notions of free elections, transparent government and human rights to take root.

### **The Russian security apparatus**

At the time of writing, the Russian domestic security apparatus is in a state of flux, with suggestions that almost all the agencies will be united in one super-agency, in effect recreating the Soviet-era KGB.<sup>34</sup> However, striking a statement of the increasing authoritarianism of the Putin regime, in practical terms this will simply be a ‘repackaging’ of existing services and will not have a substantive impact on the capacities and specialisms of the Russian security community.

The dominant element of this community is the Federal Security Service (FSB, *Federal’naya sluzhba bezopasnosti*), which is the main domestic security and counter-intelligence agency, yet which has in recent years also increasingly operated abroad. The lead espionage agencies are the Foreign Intelligence Service (SVR, *Sluzhba vneshnogo razvedki*) and the Main Intelligence Directorate (GRU, *Glavnoe razvedyvatel’noe upravlenie*) of the General Staff, military intelligence. Beyond that, though, is an array of other, more specialised agencies such as the Federal Guard Service (FSO, *Federal’naya sluzhba okhrany*), responsible for the security of government officials and facilities, and the infamous E Centres of the Ministry of Internal Affairs (MVD, *Ministerstvo vnutrennykh del*) tasked with combating ‘extremism,’ which in practice tends to mean political dissent.<sup>35</sup>

Even before the ascendancy of Putin – a former KGB officer whose career was largely spent monitoring Soviet citizens in East Germany – these agencies had demonstrated little enthusiasm for reform, transparency and democratisation.<sup>36</sup> Under Putin, though, they have been empowered with both steadily-growing budgets and wider remits. The accepted wisdom among Western counter-intelligence services is that their networks are now as active and extensive as during the height of the Cold War, and they have demonstrated both inventiveness and ruthlessness in their activities.

In particular, they have maintained a characteristic that pre-dates even Soviet practice, actively working against perceived challenges to domestic security abroad. This has ranged from monitoring the activities of disaffected émigrés and NGOs whose activities are deemed hostile to the interests of the state – which can include human rights agencies and those committed to fighting corruption – all the way to murdering individuals, typically current or former Russian citizens, considered traitors and security risks. The presumed assassination of FSB defector Alexander Litvinenko in London in 2006 attracted particular attention, but since then there has, for example, been

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<sup>34</sup> Soldatov, Andrei, Putin has finally reincarnated the KGB, Foreign Policy, 21 September 2016, <http://foreignpolicy.com/2016/09/21/putin-has-finally-reincarnated-the-kgb-mgb-fsb-russia/>; Galeotti, Mark, ‘New KGB’ plans betray Putin’s anxiety, ECFR Commentary, 19 September 2016, [http://www.ecfr.eu/article/commentary\\_new\\_kgb\\_plans\\_betray\\_putins\\_anxiety\\_7127](http://www.ecfr.eu/article/commentary_new_kgb_plans_betray_putins_anxiety_7127)

<sup>35</sup> For more detailed discussion of the external intelligence agencies in particular and the interactions between them, see Galeotti, Mark. (2016) Putin’s Hydra: inside Russia’s intelligence services, European Council on Foreign Relations, available at [http://www.ecfr.eu/publications/summary/putins\\_hydra\\_inside\\_russias\\_intelligence\\_services](http://www.ecfr.eu/publications/summary/putins_hydra_inside_russias_intelligence_services)

<sup>36</sup> Knight, Amy, Spies without Cloaks: The KGB’s Successors, Princeton University Press, Princeton: 1996



a steady stream of murders of Chechens associated with the rebellion in the North Caucasus which have been attributed to Russian agents.<sup>37</sup>

### **‘RepressIntern’**

The strength and spread of Russia’s intelligence apparatus, combined with various regimes’ desires to secure themselves by observing, harassing or in some cases even eliminating political rivals abroad has given Moscow a specific opportunity to gain leverage in its neighbourhood. It has demonstrated a strong commitment to developing mutually-supportive intelligence-sharing understandings that also extend to direct ‘active measures’ intended to maintain friendly authoritarian regimes in its so-called ‘near abroad.’ Although this is envisaged in terms of bi- and multi-lateral support, given Moscow’s evident and overwhelming superiority in the intelligence field, this inevitably becomes one more instrument in its campaign to dominate post-Soviet Eurasia through a mix of coercion and assistance.

This is more than just a matter of statecraft. Even though in the 1990s, Kazakhstan, Turkmenistan, and Uzbekistan purged their security services of many ethnic Russians, the intelligence and security agencies of Belarus and Central Asia, in particular, are still dominated by veterans of the KGB, as was Ukraine’s until the 2014 Euromaidan rising. They are thus also linked by a complex, invisible network of friendships and contacts that unites these agencies.<sup>38</sup> Kazakh security chief Vladimir Zhumakanov was a former KGB officer, for example, as was Belarus’s Valery Vakul’chik, while their Uzbek counterpart Rustam Inoyatov goes one better, being also the son of a KGB colonel.

What could be called a ‘RepressIntern’ – pace the Bolsheviks’ ComIntern<sup>39</sup> – extends beyond the informal connections that often mean information is shared not through official channels but over a drink or a telephone call.<sup>40</sup> There is formal intelligence sharing through bilateral arrangements, and also the Collective Security Treaty Organisation and Shanghai Cooperation Organisation structures.<sup>41</sup> Beyond that, there has been active training support and the exchange of technological and methodological assistance. For example, Belarus, Kazakhstan, Uzbekistan and – a legacy of pre-Euromaidan days – Ukraine all use telephone monitoring systems based on Russia’s SORM (System for Operative Investigative Activities).<sup>42</sup>

### **‘RepressIntern’ at home**

Beyond that, though, regimes whose paranoia or hunger to visit vengeance on their enemies abroad outmatch their capabilities find particular value in their relationship with the Russians. The FSB in particular has demonstrated a willingness to watch, arrest and sometimes deport targets of friendly regimes, especially Central Asian ones. Given that these are often connected with Islamic organisations, this especially reflects a common concern about the potential spread of jihadism. Moscow has proven willing to extradite opposition figures into the hands of its authoritarian allies, and shares information freely.<sup>43</sup> Given the large number of Tajik migrant labourers in Russia and growing concerns about their possible radicalisation, this has in particular spurred cooperation with Tajikistan’s State Committee for National Security. For example, FSB, MVD and Federal Migration Service officers detained a number of Tajiks regarded by Dushanbe as opposition activists, including Murodzhon Abdulkhakov Savriddin Juraev (both arrested in Moscow in 2011 and deported to Tajikistan) and Abdulvosi Latipov (arrested in 2012 and extradited despite a European Court of Human Rights request for a stay until it was able to consider the case in full).<sup>44</sup>

The Russian state has also appeared willing to allow its authoritarian allies a degree of latitude operating within its own borders. In the late 1990s and early 2000s, Turkmenistan’s Committee for National Security (made a Ministry

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<sup>37</sup> Including at least seven people assassinated since 2008 in Istanbul’s Zeytinburnu neighbourhood, with its large proportion of émigrés from former Soviet Eurasia.

<sup>38</sup> Lefebvre, Stéphane & Roger McDermott. 2008. Russia and the Intelligence Services of Central Asia. *International Journal of Intelligence and CounterIntelligence* 21: 254-5.

<sup>39</sup> The Communist International, or third international, that brought together the (pro-Soviet) Communist Parties from across the world.

<sup>40</sup> One Russian FSB officer, for example, told me that before 2014, he kept in touch with a counterpart in the SBU, Kiev’s security service, and they would often share intelligence when the Ukrainian accompanied his wife on ‘shopping and theatre’ visits to Moscow.

<sup>41</sup> The CSTO is a Russian-dominated regional defense alliance comprising Russia, Belarus, Armenia, Kazakhstan, Kyrgyzstan and Tajikistan. The SCO unites China, Russia and Central Asian states.

<sup>42</sup> Soldatov, Andrei and Irina Borogan, In Ex-Soviet States, Russian Spy Tech Still Watches You, *Wired*, 21 December 2012, <https://www.wired.com/2012/12/russias-hand/>

<sup>43</sup> Farooq, Umar, The hunted, *Foreign Policy*, 2 April 2015, <http://foreignpolicy.com/2015/04/02/the-hunted-islam-karimov-assassination-istanbul-russia-putin-islamic-state-human-rights/>

<sup>44</sup> David Lewis, Exporting repression: Extraterritorial practices and Central Asian authoritarianism, in Adam Hug (ed), *Shelter from the Storm: The Asylum, Refuge and Extradition Situation facing Activists from the former Soviet Union in the CIS and Europe*, Foreign Policy Centre, London: 2014, <http://fpc.org.uk/fsblob/1630.pdf>

in 2002) operated in Moscow and elsewhere surveilling and harassing émigré Turkoman opposition figures.<sup>45</sup> More recently, it has tended to be Uzbekistan's National Security Service that has been most active. In 2011, for example, Fuad Rustamkhozaev, co-founder of the opposition Popular Movement of Uzbekistan, was shot dead in the western Russian town of Ivanovo.<sup>46</sup> A wealthy businessman, he was especially dangerous to the regime precisely because of his money and contacts, and was living in self-imposed exile because he feared for his life in Uzbekistan. Under normal circumstances a state-sanctioned killing within Russia would be grounds for the most strident of protests from the government, but instead it was hurriedly covered up.

### **'RepressIntern' abroad**

Beyond that, though, the Russians are also willing to use their external intelligence capacities in support of allies' repressive campaigns. According to the VSD, Lithuania's State Security Department (foreign intelligence), for instance, while the KGB of Belarus is very active in watching Belarusian émigré opposition groups in Lithuania, it does so with the assistance and close cooperation of the Russian FSB and SVR, even to the point of mounting joint operations.<sup>47</sup>

This even appears to extend to 'wet work,' the Russian services' euphemism for assassination. In 2014, for example, Uzbek émigré Abdullah Bukhari was murdered in Istanbul. A religious leader who fled Uzbekistan in 2006, Bukhari had received death threats from the Uzbek regime.<sup>48</sup> However, the individual arrested for the killing is a Russian-born Chechen whom the Turkish authorities claim was engaged by the FSB.

In 2015, ethnic Russian Uzbekistani national Yuri Zhukovsky was arrested in Sweden and charged with the attempted murder in 2012 of another Uzbek cleric in exile, Obidkhon Qori Nazarov.<sup>49</sup> However, his alleged associate, Tigran Kaplanov, was also named as a person of interest in connection with the Bukhari murder. While he may have simply been a killer for hire, senior Swedish counter-intelligence officers have suggested he was actually also an FSB asset, and it is the case that the two men got to know each other in Moscow.<sup>50</sup>

### **Prospects for 'RepressIntern'**

It is clear that not even all regimes within post-Soviet Eurasia seek or need Russian intelligence assistance against opposition forces. Kazakhstan, Kyrgyzstan, Tajikistan, Armenia, and Azerbaijan all largely content themselves with shared intelligence from the FSB and SVR. To an extent, this sometimes correlates with the level of democratisation, but with Tajikistan and, especially, Azerbaijan it appears to be more a product of growing disenchantment with Moscow.

Azerbaijan once cooperated with the Russians quite significantly, but the partition in 2015 of the Ministry of National Security into the State Security Service and the Foreign Intelligence Service has been both cause and symptom of increasing scepticism about Moscow's motives, only exacerbated when it later tried to brand Azerbaijan's finance minister a 'triple agent' in apparent retaliation for being excluded from a major gas pipeline deal.<sup>51</sup> The head of the former was a career police officer, while Baku's new spymaster, 38-year-old Orkhan Sultanov, has a Western education and postdates the old KGB connections.<sup>52</sup>

Russia's intelligence ties in former Soviet Eurasia are under pressure. While many other nations in the region may share the so-called 'Moscow Consensus' of post-Cold War authoritarianism,<sup>53</sup> this does not extend to a desire to

<sup>45</sup> As chronicled in Shchekhochikin, Yuri, Radi GB, Moscow: 2000.

<sup>46</sup> Exiled Uzbek Political Activist Shot Dead In Russia, RFE/RL News, 26 September 2011, [http://www.rferl.org/content/exiled\\_uzbek\\_political\\_activist\\_shot\\_dead\\_in\\_russia/24340471.html](http://www.rferl.org/content/exiled_uzbek_political_activist_shot_dead_in_russia/24340471.html)

<sup>47</sup> Marcin, Andrzej and Raś Kinga, Baltic States' Intelligence Services Report Increased Threat from Russia, PISM Bulletin 42, 15 July 2016, <https://www.pism.pl/publications/bulletin/no-42-892>

<sup>48</sup> Uzbek dissident assassinated in Istanbul, one arrested, Hurriyet Daily News, 12 December 2014, <http://www.hurriyetdailynews.com/uzbek-dissident-assassinated-in-istanbul-one-arrested.aspx?pageID=238&nID=75558&NewsCatID=341>

<sup>49</sup> Sweden imam attack: The Uzbek hitman and the unanswered questions, BBC News Online, 15 December 2015, <http://www.bbc.com/news/world-asia-35009969>

<sup>50</sup> Richard Orange, Uzbekistan: Swedish Trial Features Testimony About Alleged International Assassin Network, Eurasianet, 3 December 2015, <http://www.eurasianet.org/node/76406>

<sup>51</sup> Russia suspected behind outing of Azerbaijan's Sharifov as a 'triple agent' spy over gas pipeline dispute, US-Azerbaijani Citizens for a Civil Society, 26 March 2016, <http://www.datsyn.com/press-release/10586/2016/03/17/Russia-suspected-behind-outing-of-Azerbaijans-Sharifov-as-a-triple-agent-spy-over-gas-pipeline-dispute>

<sup>52</sup> Emil Samanyan, Overhaul of Azerbaijan's National Security Ministry and its Significance, Armenian Weekly, 29 December 2015, <http://armenianweekly.com/2015/12/29/azerbaijan-national-security/>

<sup>53</sup> David Lewis, The 'Moscow Consensus': Constructing autocracy in post-Soviet Eurasia', in Adam Hug (ed.) Sharing Worst Practice: How countries and institutions in the former Soviet Union help create legal tools of repression, The Foreign Policy Centre, May 2016, <http://fpc.org.uk/publications/sharingworstpractice>

become Russian clients. As Putin's policies become more assertive and less collegiate, this creates tensions in the region, especially as other patrons may be available, from China to Iran. Ukraine's refusal to bow to military pressure has also undermined Russian authority and countries such as Moldova, Armenia, Georgia and even Kyrgyzstan and Belarus have to a greater or (sometimes very much) lesser extent committed themselves to at least some deeper democratisation and diversification of their ties, even if only for the most pragmatic of reasons.

This does not mean the 'RepressIntern' is dead. In some ways, quite the contrary, as Moscow will have to demonstrate even greater value as an ally to advance its cause. However, while this specific authoritarian alliance, rooted in collaborative repression, will be deeper, it is likely to be much more narrow, as only especially toxic regimes such as Uzbekistan find true value in this relationship.

## Chechnya - Repression without borders<sup>54</sup>

Civil Rights Defenders

*You are the ones who are hurting yourselves. Someday, in five-ten years, you will have to return, or your parents will tell that it is time for you to come back home, or you will be kicked out of Europe. You will have nowhere to go then, and we will make you answer for every single word of yours and for your every action. I know all the webpages of all the young people who are residing in Europe, every Instagram and Facebook profile, every account of every social network, we are writing down your every word and putting them on record, we have all data on you, who you are, and what you are doing, we know everything. Nowadays, the modern age and technologies allow us all of that, we know everything and can find anyone, so do not make it worse for yourselves.*

Ramzan Kadyrov, the Head of the Chechen Republic, in a video published to YouTube<sup>55</sup>

The Head of the Chechen Republic does not need to exaggerate. Ramzan Kadyrov has ruled the North Caucasian republic of 1.2 million people with an iron fist since 2007, when he was appointed by Russian President Vladimir Putin. His legitimacy largely rests on his ability to keep Chechnya, which fought two bloody wars with Moscow in the 1990s, firmly a part of the Russian Federation.

Kadyrov, who fought with his father against the Russian state until 1999, has also worked to ensure that his security apparatus is not limited by national borders. When the Head of the Chechen Republic wishes to punish those he deems guilty of even minor personal insults, location has not proved to be a serious limitation.

I know because I am one of them. In Russian, the word is *vinovny* – ‘a guilty one’. I cannot speak freely as to why I have left my home, as it is not just my own safety that is at stake, but that of my relatives, my colleagues, and my friends.

The *vinovny* include journalists, human rights activists, intellectual or religious regime critics, and the occasional rival warlord. We are far from homogenous, and joining our club is not difficult – often, a sharply-worded post on social media will suffice.

Much has been written, both in Russia and abroad, about how the *vinovny* are persecuted in Chechnya, but here I would like instead to discuss the persecution of Chechens abroad. From our perspective, abroad encompasses not just Europe and the Middle East, but also the rest of the Russian Federation. If it is as claimed that Ramzan Kadyrov can reach Boris Nemtsov on the steps of the Kremlin, - and the Nemtsov family believe there is strong evidence to suggest the head of Chechnya was responsible<sup>56</sup> – then he will have no issues doing the same to a near-anonymous Chechen in a suburban flat in Moscow or Rostov-on-Don.

Kadyrov has developed several strategies for intimidating, harassing, and when needed, murdering Chechens abroad. In recent years, he has become more proactive than reactive, as spectacular assassinations have given way to the more mundane practice of constant surveillance. It is this method we will discuss first.

Today, the Chechen state keeps close tabs on its people abroad through constant surveillance of both social media and ordinary telecommunications. The Chechen security services, whose members are a mix of former rebels who moved to Moscow’s side in the 2000’s – for a variety of reasons ranging from greed to blackmail, and not always of their own volition – and newer recruits simply desperate for a job of any kind, operate largely as Kadyrov’s private army. They are largely autonomous from federal Russian security services, and what interaction does happen between the structures is largely limited to training and intelligence sharing. Free from legal restraints, they are able to tap the phones of all relatives and friends of *vinovny* abroad.

This extends now to social media and blogs, formerly a place for dissident Chechens to organise and discuss social problems openly. Since the early 2000s, he has recruited teams of programmers and bloggers to control and

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<sup>54</sup> The author is a Chechen human rights activist living abroad. They are writing anonymously for their and their family’s safety in cooperation with Civil Rights Defenders

<sup>55</sup> See on YouTube at <https://www.youtube.com/watch?v=OZo5DE6OpEw>

<sup>56</sup> Shaun Walker, Boris Nemtsov murder investigators name Chechen mastermind, December 2015, <https://www.theguardian.com/world/2015/dec/29/boris-nemtsov-investigators-name-chechen-mastermind>

shadow all Chechens online. There is even a state apparatus, the Security Council of the Chechen Republic, for this very purpose.

Not all Chechens are deterred by constant surveillance, however. Once they have decided to move beyond general surveillance to direct action, Kadyrov's men gather all available information and weigh all possible options for punishing their target. The initial goal is to find *kompromat*, or compromising material, which can be used to shame or discredit critics on social media. If none exists, they will fabricate it.

An illustrative case is that of Chechen refugee Minkail Malizaev, who gained asylum in Germany with his family several years ago. Outraged by accounts of public humiliations, arrests, and other human rights abuses back home, he took to Facebook in May 2016 to condemn Kadyrov and his supporters using a very strong Chechen slur that roughly translates as 'Putin's bitches'.<sup>57</sup>

The retribution began immediately after the Facebook posts were published. Chechen security services rounded up all Malizaev's relatives still living in Chechnya, including women and children, and forced them to beg Minkail to return and apologise to Kadyrov. He refused, and his relatives were eventually released – with the exception of Malizaev's brother, whose fate is still a mystery, as his family does not know whether he is alive or dead.

His family has not publicly testified about how they were treated in captivity, but we can speculate based on reports from other Chechens who have been punished in the place of their relatives. If, like Malizaev, the *vinovny* fails to return, his relatives can be deprived of their social security benefits and property, their houses can be burned down, and in some cases, they can be expelled from Chechnya entirely.

Minkail Malizaev still refuses to apologise, and the threats against him continue. Years ago, these measures were more effective, and *vinovny* would often return to protect their family – often at the risk of their own life.

Returning *vinovny* can expect to be severely beaten, and after a bit of cleaning up, perhaps with makeup to hide cuts and bruises, to be forced to apologise on television. Following that, the ultimate fate of each person differs: he can either leave Chechnya forever, or with Kadyrov's pardon, he can try to resume his life at home – but later, when the public has forgotten the incident, he could still be kidnapped, murdered, or sent to prison on some new charges, usually related to drugs or financial fraud.

Most Chechens abroad are aware that their relatives will be punished for any perceived crimes they may commit against Ramzan Kadyrov or the Chechen state, and choose to proactively sever all communication with friends and family at home for their own protection.

The government also actively interferes in online media in order to create the illusion that dissident Chechens abroad are the exception, rather than the rule. In late 2015 and early 2016, Chechen emigrants held a number of public demonstrations against Ramzan Kadyrov's rule in several European cities.<sup>58</sup> Almost immediately, a simultaneous phenomenon sprung up: videos on social media of Chechens living in Europe, who instead praised Kadyrov as the true benefactor and leader of his people.

The videos appear to have been directed both at Europeans who might sympathise with Chechen refugees, as well as to remind the refugees themselves that they are not beyond Kadyrov's reach in places like Oslo or Vienna. One video, entitled 'Chechen Joke 2016' and posted to YouTube under the 'comedy' category, is 16 seconds of a Chechen living in Hamburg, Germany, brandishing a pistol and threatening to murder any Chechens in Europe who dare to criticise Kadyrov.<sup>59</sup>

Prominent Chechen activists and human rights defenders who move abroad face further difficulty escaping Kadyrov's reach. All refugees, regardless of status, are often kept in common camps where they must stay until

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<sup>57</sup> Minkail Malizaev, who called the Kadyrovtsy "Putin's bitches": I will not disown my words! - Leon Adam, YouTube video. <https://www.youtube.com/watch?v=2o1topjKyXQ>

<sup>58</sup> The humiliation of Chechens. Kadyrov. The story continues – Current Time TV, YouTube video. <https://www.youtube.com/watch?v=uc6AiADC7Ww>

<sup>59</sup> Chechen joke 2016. Kadyrov's guard Petukh Hamburgskij – YouTube video - <https://www.youtube.com/watch?v=UpFP8C-mLck>



their case is decided. As many activists and journalists are well-known people, it does not take long for them to be recognised by fellow Chechen, Ingush, Dagestani, or Russian refugees.

I can say from personal experience that refugees spend most of their spare time on social media communicating with relatives at home. Due to widespread wiretapping and monitoring of social media, often all it takes is for one refugee to innocently mention they've seen a certain human rights defender or journalist, and the *vinovny's* anonymity is lost. Unfortunately, it is also common for people to report on others for Kadyrov, in order to obtain certain rewards.

However, such opportunistic informants are only complementary, as the Chechen government also sends its own agents to Europe disguised as refugees. Sometimes they stay undercover in order to monitor the emigrant populations' political sentiments or act as informants. Other times, they make themselves known in emigrant communities as a reminder that escaping from Chechnya does not mean an escape from political violence.

There is also the case of Said Emin Ibragimov, a harsh critic of both the Kremlin and the Chechen government who obtained political asylum in France years ago. In 2015, he was kidnapped while fishing near his home in Strasbourg. His captors, who he says spoke with Moscow accents, coaxed him to agree to stop his criticism; when he refused, they spent two days torturing him, beating him with iron bars and burning his fingers with cigarettes. His tormentors left his body in a forest near where he was taken. It is unclear whether he was supposed to survive.

Ibragimov insists his captors were FSB agents, not Chechens. Although Kadyrov's agents have unquestionably taken the lead in intimidating Chechens abroad, they are by no means the only ones trying to stamp out dissent around the world.<sup>60</sup>

If the punitive methods described thus far prove impractical, the Chechen state can pressure uncooperative Chechens abroad through the lobbying, blackmail, or bribery of public and religious figures in the country where the dissident resides.

Take the case of Dzhafar, an ethnic Chechen with Jordanian nationality. After posting videos on social media criticising the Chechen government on what may seem to be mundane matters to outside observers – primarily regarding the difficulties the Chechen diaspora has obtaining visas to visit relatives at home – Adam Delimkhanov, a member of the Russian Duma who is widely regarded to be Kadyrov's right-hand man, travelled to Jordan with his entourage specifically to force Dzhafar to recant.

When death threats failed to convince Dzhafar to apologise, Delimkhanov reportedly informed the Jordanian government that Chechnya would cease to subsidise the thousands of Syrian Chechen refugees currently living in Jordan.<sup>61</sup> In response, the Jordanian government communicated to Dzhafar that they would not protect him from Delimkhanov, and it was in his best interests to publicly apologise.

Dzhafar met with Delimkhanov and agreed to repent. After apologising, he received a phone call from an unknown person in Chechnya, telling him:

*I do not want to have your blood on me, so I am telling you what I heard and what I know. You did not have to apologise, you were innocent and you did not have to make any excuses. This was done with the aim of making a public image of you apologising and being forgiven. But in three-four months, when everyone forgets about the incident, you will be killed anyhow. And no one will be held accountable for your death.*

At the end of the video telling his story, Dzhafar states his plans to give up Jordanian citizenship and move to Turkey.<sup>62,63</sup>

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<sup>60</sup> BBC Russia, Chechen human rights defender: I have been tortured by the Russian agents via <http://videolike.org/view/yt=DxhNsc.h7qr>

<sup>61</sup> According to Dzhafar, ethnic Chechen refugees receive 250-300 USD 'personally' from Kadyrov.

<sup>62</sup> During the editing process, Dzhafar Yordanskiy's YouTube account was suspended on grounds of "multiple third-party notifications of copyright infringement." At the time of writing, his videos have been uploaded by YouTube accounts, but it is unclear if they will be taken down before publication.

<sup>63</sup> Dzhafar Yordanskiy – how it happened. YouTube video <https://www.youtube.com/watch?v=ZV0XxBqPDpE>

When such coercion fails, the next step is for Kadyrov's personal security forces to physically exterminate a person. Their exact methodology has changed slightly in recent years. In the past, his close allies would travel abroad to carry out the deed personally, but now the preferred method is to engage local contractors. One of Kadyrov's close associates controls all aspects of the crime, but the one who finally carries it out is usually a local, who consents for money, blackmail, or some other reason.

A few high-profile murders of Chechens abroad that can be traced to Kadyrov himself include the killings of a former bodyguard in Vienna, a formidable pro-Moscow militiaman in Dubai, and a prominent businessman in Paris. In terms of lower-profile murders, human rights watchdogs have lost count of how many Chechen militiamen have been murdered in Turkey.

The most vivid example of the unimportance of borders for Chechens is the assassination of Sulim Yamadayev, former commander of the pro-Moscow Chechen militia *Vostok Battalion* on 28 March 2009. He was shot in the underground car park of an elite residential complex in Dubai, where he had reportedly been living under an assumed name for several months. Seven Chechens have been formally accused of the murder and placed on an Interpol wanted list, one of whom is the aforementioned Adam Delimkhanov, the member of the Russian Duma who would later travel to Jordan to threaten Dzhafar. They all remain at large, and at least one of the accused, Suleiman Germeyev, is wanted for a number of other murders.

Next is the case of Umar Israilov, a former a member of Kadyrov's paramilitary forces and at one time, one of his personal bodyguards. Israilov and his father, Ali Israilov, fled Chechnya in 2006, and both filed cases with the European Court of Human Rights alleging the systematic murder and torture of Chechen citizens by security forces led by Ramzan Kadyrov and Adam Delimkhanov. After several years in hiding, the Israilovs settled in Vienna.

Before Israilov was murdered, he reported being threatened by men claiming to represent Kadyrov and asked Austrian police for protection. He was refused. In an interview with the *New York Times* given shortly before his death, Israilov claimed Kadyrov had offered a reward for his capture. He was murdered on 13 January 2009 on the streets of Vienna.<sup>64</sup>

According to investigators, he died in a kidnapping gone wrong. Four Chechen exiles attempted to grab Israilov from a Vienna sidewalk, but Israilov broke free and began to run. Eventually one of his pursuers, Lecha Bogatirov, tired of the chase and shot Israilov several times in the back. All but Bogatirov were arrested and eventually received long prison sentences. Bogatirov escaped, and is believed to have safely returned to Chechnya, where in November 2010, he appeared, apparently by accident, on camera on the Russian television network *Rossiya 2* in a story filmed in Grozny, Chechnya's capital.<sup>65</sup>

Our final example is the still unsolved murder of Abdulla Erzanukaev, also known as Abdulla the Austrian, who was shot dead in a friend's apartment in Nice, France on 6<sup>th</sup> May 2011. The French police reported curious conflicting accounts of his death, and at one point ruled a man who had confessed to the crime could not have done so. Erzanukaev was a successful businessman who had sought political asylum in France, but who also reportedly used his wealth to financially support secessionist Chechen militant groups opposed to Ramzan Kadyrov's rule.

With the exception of a thinly reported raid on other Chechen emigrants in Nice several months later, there have been no further developments or charges in Erzanukaev's case.

In conclusion we will reiterate that these are only the accounts of the most high-profile critics, and that the murders and beatings these *vinovny* were subjected to largely pale in comparison to those who lack the means to leave Chechnya, or believe that moving as far as a Moscow suburb will protect them from Kadyrov and his sympathisers. If Dzhafar in Jordan did not have a significant following on social media, we would not know his story. If whoever killed Abdulla Erzanukaev had been a little more careful, we would not know his. Chechens are accustomed to living in fear wherever they are. So far, Europe has been no different.

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<sup>64</sup> Ali Israilov on the secret prisons and torture in Chechnya – Voice of America, YouTube video <http://videolike.org/view/yt=R11E%7C%HR97>

<sup>65</sup> Israilov's killer, on the run from Austria, filmed by "Vesti" program in Grozny -News.ru. Published 24 November, 2010. <http://www.newsru.com/russia/24nov2010/bogatirovvideo.html>

## Practices and patterns of extraterritorial security: Introducing the Central Asian Political Exiles (CAPE) database

Dr John Heathershaw, Rosa Brown and Eve Bishop<sup>66</sup>

As political opposition, free press and civil society have disappeared from much of Central Asia they have moved into exile. There are none more aware of this shift than the security ministries of the Central Asian states. Just as these individuals and movements faced repression at home, they now face it abroad, especially elsewhere in the Former Soviet Union, but also beyond. The Central Asian Political Exiles (CAPE) database was built to chart the extra-territorial security measures deployed by Central Asian states and the human rights threats, abuses and concerns faced by exiles and opposition movements. It was initiated in October 2014 by John Heathershaw and Alexander Cooley in partnership with David Lewis and Edward Lemon. At first it was constructed in an ad hoc and inductive manner as cases came up in wider research; later it became more systematic and deductive with search of the European Court of Human Rights (ECtHR) archive and other standard sources. The first publication of the CAPE database took place in November 2016.<sup>67</sup> All 125 cases included in the first public edition of the database are citizens of the five Central Asian Republics (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). What we have found is the widespread and increasing use of extra-territorial security measures by all Central Asian states but with more than 75 per cent of cases relating to Uzbekistan and Tajikistan.

Each entry in the database is a particular *political exile from one of the five republics*. An 'exile', for the purpose of our analysis, is a category of emigrant who has settled or spent a prolonged period overseas for reasons which are wholly or partly of a political character. Therefore, labour migrants and other types of migrants are excluded. In some cases, the exile may not identify as an exile and may claim to be an economic migrant but may be targeted by their home country's government for political reasons. Exiles may be refugees or asylum seekers or may not. Many of the persons in the database have sought temporary haven in many countries, often pursued by their home government. Their movements should also be included in the database entry. We identify four categories of exiles: 1) Former regime insiders and family members; 2) Members of opposition political parties and movements; 3) Banned clerics and alleged religious extremists, including alleged members of proscribed terrorist groups; 4) Independent journalists, academics and civil society activists.

Some political exiles span the boundary between two or more of these categories. Overall, the database includes some odd bedfellows from an ex-President (Kurmanbek Bakiyev of Kyrgyzstan) to lowly human rights activists and journalists. Inclusion in the database does not imply an assumption either of innocence or of guilt on charges filed by the state of concern. Many persons have been found guilty in their home states in trials that do not meet international standards. A few have been found guilty in jurisdictions where fair trials are found. Many others have not been convicted of anything. What they share in common is having been deemed threatening to some degree by the regime of their home country.

Incidents and measures recorded in the database are those based on already-published sources such as court records, reports by human rights groups and credible press reports. We also gather information direct from exiles, their family members, lawyers and activists which is not in the public domain or included in the public database. In other words, the database only includes information already made public. It serves as a place for the collation and analysis of data – a one-stop shop to learn about political exiles and, more importantly, the patterns of extra-territorial security to which they are subject.

'Extraterritorial security' denotes a range of practices to track and ultimately detain, capture or assassinate an exile who is deemed a threat to the regime in power. While security officers may portray their targets as transnational militants or terrorists who are threats to national or international security – sometimes with due cause – they are subject to extraterritorial measures due to being identified as a threat to *regime security*. We identify three stages of extra-territorial security. Individuals are:

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<sup>67</sup> For more on the CAPE Database please visit the project website: <http://blogs.exeter.ac.uk/excas/exiles/>

- 1) **Put on notice**, which includes informal warnings and threats to individuals and intimidation of family members and formal arrest warrants, including Interpol notices, and extradition requests
- 2) **Arrest and/or detention**, which includes short-term and long-term periods of detention ordered by courts and irregular detention and detention without charge, and conviction to serve a sentence at home
- 3) **Rendition and/or attack**, which includes a formal extradition to face torture and imprisonment, informal rendition often following release from detention, disappearance, assassination and serious attacks with an attempt to murder or disable.

A total of 38 persons (over 30%) of the entries in the database have been subject to these most extreme measures of extraterritorial security.

**Table 1: Central Asian political exiles by country and stage**

	Stage 1	Stage 2	Stage 3	Total
Kazakhstan	-	9	1	10
Kyrgyzstan	5	2	2	9
Tajikistan	7	26	14	47
Turkmenistan	4	5	2	11
Uzbekistan	2	27	19	48
Total	18	69	38	125

### Kazakhstan

Whilst there were only 10 cases in the database which involved Kazakhstan, all of these cases featured serious incidents associated with Stage Two – arrest, extradition – and Stage Three – torture, rendition and death. This may reflect the fact that all but two Kazakh cases involved exiles who were former insiders or secular opposition activists, indicating the acutely political nature of the state’s deployment of extraterritorial security. Many of these exiles fled to places beyond the former Soviet space to countries which will not extradite persons on politically-motivated charges or where torture is possible. However, this does not free the exiles from the long arm of the Kazakh state. In 2007, Rakhat Aliyev was sacked from his position as Kazakh ambassador to Austria, divorced from President Nursultan Nazarbayev’s daughter and sentenced *in absentia* to 40 years in prison for organised crime.<sup>68</sup> Aliyev was also charged with the kidnap and murder of two Kazakh bankers- the lawyers of whom have been accused of belonging to a cover organisation for the Kazakh secret service.<sup>69</sup> Aliyev handed himself in to the Austrian authorities, though they refused Kazakh extradition requests on the grounds of the country’s appalling human rights record.<sup>70</sup> Whilst in investigative custody, Aliyev died in an Austrian prison in February 2015. The circumstances surrounding his death remain a mystery.

### Kyrgyzstan

Since the 2005 ‘Tulip Revolution’ Kyrgyzstan has attempted to shake its authoritarian Soviet-era image, and so it is perhaps unsurprising that it contributes just nine of the cases in the CAPE database. In addition, its extraterritorial security measures have mostly targeted former regime insiders from previous governments that the successor regime claims have genuinely committed crimes and fled to avoid justice. Targets include former presidents’ families, namely the Akayevs<sup>71</sup> and the Bakiyevs. Both former President Kurmanbek Bakiyev<sup>72</sup> and his son Maxim have been convicted in absentia and given lengthy prison sentences, Kurmanbek for allegedly organising mass killings<sup>73</sup> and Maxim for attempted murder<sup>74</sup> and corruption.<sup>75</sup> The type of extraterritorial actions taken against these exiles also suggests an attempt to move away from authoritarian traditions, with formal arrest warrants and court cases favoured over intimidation and violence. This transition has not been absolute, however, with our research uncovering several cases of individuals who experienced more severe and informal forms of

<sup>68</sup> BBC, Kazakh pair in Austria trial after Aliyev jail death, April 2015, <http://www.bbc.co.uk/news/world-europe-32253434>

<sup>69</sup> Tony Paterson, Rakhat Aliyev: Claims of murder over death of rival to Kazakhstan's president in Austrian prison, *The Independent*, March 2015.

<sup>70</sup> Malta Today, Austrian judge rules Rakhat Aliyev was not murdered in jail, December 2015, [http://www.maltatoday.com.mt/news/world/60397/austrian\\_judge\\_rules\\_rakhat\\_aliyev\\_was\\_not\\_murdered\\_in\\_jail#.VvEvlrx8vwy](http://www.maltatoday.com.mt/news/world/60397/austrian_judge_rules_rakhat_aliyev_was_not_murdered_in_jail#.VvEvlrx8vwy)

<sup>71</sup> Askar Akeyev ruled from 1990 (during the Soviet era) until the March 2005 Tulip Revolution.

<sup>72</sup> Bakiyev ruled from 2005 until 2010, when protests saw his government collapse.

<sup>73</sup> BBC News, Kyrgyzstan former president Kurmanbek Bakiyev sentenced, February 2013, <http://www.bbc.co.uk/news/world-asia-21424022>.

<sup>74</sup> Jim Armitage, Despot's son with £3.5m home sued for 'ordering hit on Briton', *Evening Standard*, March 26, 2015, <http://www.standard.co.uk/news/uk/despots-son-with-35m-home-sued-for-ordering-hit-on-briton-10136191.html>.

<sup>75</sup> BBC News, Kyrgyzstan convicts ex-leader's son Maxim Bakiyev, March 2013, <http://www.bbc.co.uk/news/world-asia-21958401>.

extraterritorial action against them. These include abduction by plain clothed officers and alleged beatings by Kyrgyz authorities.<sup>76</sup> Numerous countries have also refused extradition requests from Kyrgyzstan for reasons including unfair trials and politically motivated charges.<sup>77</sup> These reports suggest that, while Kyrgyzstan's extraterritorial campaign is less severe than other Central Asian states, it still seeks to 'export repression' to places where exiles have found safe haven.

## Tajikistan

Tajikistan is one of two countries that feature most frequently in the database with a total of 47 recorded cases. This is likely to be the tip of the iceberg with the government itself claiming in the first six months of 2016, that Russia alone had extradited 71 citizens back to the country.<sup>78</sup> There appears to have been a huge spike in the number of cases in the last 2-3 years, reflecting a hardening of Tajikistan's repressive state. Just six of the 47 cases occurred before 2010, and just sixteen before 2014. In September 2015, Tajikistan's repression of political opposition movements culminated in the forced closure of the country's principle opposition party – the Islamic Renaissance Party of Tajikistan (IRPT). Official observers estimated that hundreds of IRPT members were arrested and imprisoned on politically motivated charges.<sup>79</sup> However, the regime's desire to suppress its critics has not been confined to its borders.

Table 1 indicates that Tajikistan was one of the countries with the highest number of incidents from Stage One – charges, INTERPOL notices and intimidation often against exiles who lacked a public profile prior to this persecution – in addition to having one of the highest totals overall. Included in these 47 Tajik cases were incidents of intimidation, arrest and even assassination, in the case of Umarali Kuvatov – the founder of Group 24 who was shot dead in Istanbul in March 2015. Kuvatov had previously been in cooperation with Shamsullo Sokhibov, the son-in-law of the President Imomali Rakhmon, though claimed his shares had been taken by Sokhibov by force. In March 2015 Kuvatov was shot dead on the streets of Istanbul after being tracked around the world from Russia to UAE to Kyrgyzstan before moving to Turkey.<sup>80</sup> He was arrested at the request of the Tajik government and detained in Dubai before being released; he had just acquired legal refugee status shortly before his death. The research revealed that the Tajik authorities have not simply targeted the 'high profile' secular opposition activists like Kuvatov. Less significant members of Group 24 and their families have also suffered from extra-territorial security. Nematullo Kurbonov returned to Tajikistan after threats were made against his family. Kurbonov was arrested at Dushanbe airport on 9<sup>th</sup> October 2014, though later disappeared. Some sources have claimed that Kurbonov is serving a four year prison sentence though there remains no official record of a trial.<sup>81</sup> Kurbonov's story and others like it reinforce David Lewis' proposition that transnational spaces in Central Asia have resulted in regimes targeting families as a means to bind exiles to their home countries.<sup>82</sup>

Furthermore, incidents involving the other three groups of exiles – former insiders, alleged religious extremists and independent activists - were also significant. Dodojon Atuvulloev – former publisher of the independent newspaper *Charogi Ruz* (Day Light) – was stabbed by two unidentified assailants in Moscow in 2012.<sup>83</sup> Although Atuvulloev survived, he has endured further trauma as an INTERPOL red notice denied the journalist entry to Russia and Georgia in 2013, despite having held political refugee status in Germany since 2002.<sup>84</sup> There has been an overwhelming rise in Tajik asylum applicants. In the first half of 2016, 660 Tajiks sought asylum in Poland, surpassing the 527 applicants throughout 2015.<sup>85</sup> Yet Atuvulloev's story illustrates that even those who have received refugee status do not have their freedom, in addition to Tajikistan's misuse of intergovernmental organisations. In August 2016, an INTERPOL red notice was posted for Muhiddin Kabiri in violation once again of

<sup>76</sup> Amnesty International, *Eurasia: Return to torture: Extradition, forcible returns and removals to Central Asia*, London: Amnesty International, 2013, 49-50.

<sup>77</sup> Belsat, Zhanysht Bakiyev to escape punishment?, September 6, 2012, <http://stara.belsat.eu/en/articles/9894/>; Jerome Taylor, Kyrgyzstan's 'prince' Maxim Bakiyev in the dock as US extradition battle begins, *The Independent*, December 7, 2012, <http://www.independent.co.uk/news/world/asia/kyrgyzstans-prince-maxim-bakiyev-in-the-dock-as-us-extradition-battle-begins-8393510.html>.

<sup>78</sup> Asia Plus, Tajikistan conducts negotiations with Interpol member nations over extradition of IRPT leader, July 2016, <http://www.asiaplus.tj/en/news/tajikistan-conducts-negotiations-interpol-member-nations-over-extradition-irpt-leader>

<sup>79</sup> Human Rights Watch, Tajikistan: severe crackdown on political opposition, February 2016, <https://www.hrw.org/news/2016/02/17/tajikistan-severe-crackdown-political-opposition>

<sup>80</sup> IWPR contributor, Tajik Dissident's Murder Rattles Opposition, *Global Voices*, March 2015, <https://iwpr.net/global-voices/tajik-dissidents-murder-rattles-opposition>

<sup>81</sup> Human Rights Watch, 'Tajikistan'.

<sup>82</sup> David Lewis. 2015. Illiberal spaces: Uzbekistan's extraterritorial security practises and the spatial politics of contemporary authoritarianism. *Nationalities Papers* 43: 146.

<sup>83</sup> Reporters Without Borders, Tajik opposition journalist stabbed in Moscow, January 2012, [http://en.rsf.org/russia-tajik-opposition-journalist-13-01-2012\\_41676.html](http://en.rsf.org/russia-tajik-opposition-journalist-13-01-2012_41676.html)

<sup>84</sup> Radio Free Europe, Russia denies entry to Tajik opposition journalist, July 2013, <http://www.rferl.org/content/tajikistan-journalist-russia-entry/25047058.html>

<sup>85</sup> Yan Matusevich, The Quiet Tajik Refugee Crisis, *The Diplomat*, August 2016, <http://thediplomat.com/2016/08/the-quiet-tajik-refugee-crisis/>



commitments made by the international police organisation in 2015 not to post notices in politically-motivated cases.

### **Turkmenistan**

The total number of cases in the database that involved Turkmenistan is significantly lower than those involving Tajikistan and Uzbekistan. However, it should not be assumed that these figures suggest that Turkmenistan is not a state of concern in this area of extraterritorial security. For the 11 cases that did feature in the database, the extent of Turkmenistan's wrath was felt, particularly in the case of Akmukhammet Bayhanov. As leader of the opposition movement Hereket, Bayhanov faced politically motivated charges of assisting Moscow-based Turkmen opposition exiles, which resulted in a four year prison sentence.<sup>86</sup> During his sentence, Bayhanov spent several months at Ovadan-Depe, a prison outside Ashgabat notorious for its extensive use of torture.<sup>87</sup> Like Kazakhstan, it is former insiders and secular oppositionists that compose the majority of the 11 cases. Therefore, the extent that these figures represent the full extent of Turkmenistan's extraterritorial security may be questioned due to the enforced censorship and complete lack of political space in the country for almost the entire time since independence. President Gurbanguly Berdymukhammedov's government has maintained systematic control over the country's media; Freedom House estimated that in 2014 only 12.4% of the population had access to the internet.<sup>88</sup>

### **Uzbekistan**

The state of Uzbekistan presents a strong example of trends witnessed in the region, accounting for 37% of exiles in the CAPE database. The likely reason for this is its harsh repression of political opponents and independent religious movements that has forced thousands to flee abroad.<sup>89</sup> The Uzbek regime has perhaps the most extensive and institutionalised system of extra-territorial security with many long-standing cases compared with Tajikistan. Thirty-five per cent of all Uzbek cases progress to the third and final 'stage' of extraterritorial security, compared with 26 per cent among the other Central Asian states.

Among Uzbek cases in the database, three major commonalities were identified. First, an overwhelming majority of exiles have been sought for affiliations with banned religious organisations and religious extremism.<sup>90</sup> Religious exiles from Uzbekistan are often charged with 'attempting to overthrow the constitutional order', implying paranoia within the regime about its endurance and the threat from Islamic fundamentalism. This type of accusation is also perhaps used to gain legitimacy for its extraterritorial campaign, as Uzbekistan often frames its actions as part of the wider global fight against terrorism.

The second trend identified relates to Uzbek officials using a mix of formal and informal mechanisms to attempt to control exiles, which draws parallels to its handling of domestic affairs. Formal tactics include the use and misuse of legal and policing agreements, while informal mechanisms include surveillance, threats and attacks, abductions, forcible renditions and even assassinations. The case of suspected IMU member Ikromzhon Mamazhonov is illustrative of the more severe use of these tactics. He was detained in Russia in 2012, with his extradition being ordered by Uzbekistan and upheld by Russian courts. With ECtHR involvement, Mamazhonov's extradition was eventually stayed in March 2013 and he was released from detention. He seemingly disappeared, however, and a few months later his lawyer received a phone call from a man identifying himself as Mamazhonov, who stated that he was being held in custody in Andijan, Uzbekistan. His current whereabouts remain unknown.<sup>91</sup>

The final trend seen partially in the above example is that Uzbekistan, like Tajikistan, maintains deep inter-service contacts with Russia's security services, who seemingly aid it in its extraterritorial campaign. The case of Mamazhonov implies collaboration and complicity by Russian officials, as do other abduction cases.<sup>92</sup> The database

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<sup>86</sup> Farangis Najibullah and Muhammad Tahir, Campaign Seeks Proof That Former Turkmen Minister Alive, Radio Free Europe, October 2013, <http://www.rferl.org/content/missing-turkmen-minister/25132776.html>

<sup>87</sup> Ibid.

<sup>88</sup> Freedom House, Turkmenistan, 2015, <https://freedomhouse.org/report/freedom-press/2015/turkmenistan>

<sup>89</sup> David Lewis, Exporting repression: Extraterritorial practices and Central Asian authoritarianism, in A. Hug (ed.), *Shelter From the Storm: The Asylum, Refuge and Extradition Situation Facing Activists from the Former Soviet Union in the CIS and Europe*, London: The Foreign Policy Center, 2014, 11. <http://fpc.org.uk/publications/institutionallyblind>

<sup>90</sup> Political opponents, activists and journalists feature too, in smaller numbers.

<sup>91</sup> European Court of Human Rights, *Case of Mamazhonov v. Russia. Judgment*, October 2014, <http://hudoc.echr.coe.int/eng?i=001-147333>

<sup>92</sup> For example, European Court of Human Rights, *Case of Abdulkhakov v. Russia. Judgment*, October 2012, <http://hudoc.echr.coe.int/eng?i=001-113287>; European Court of Human Rights, *Case of Ermakov v. Russia. Judgment*, November 7, 2013, <http://hudoc.echr.coe.int/eng?i=001-127816>; European Court of Human Rights, *Case of Kasymakhunov v. Russia. Judgment*, November 2013, <http://hudoc.echr.coe.int/eng?i=001-119416>.

also records occurrences of Uzbek officials interrogating citizens held in Russian prisons,<sup>93</sup> as well as Russian authorities denying Uzbek exiles' asylum requests<sup>94</sup> and using their own migration laws to assist Uzbekistan in extraditing wanted persons.<sup>95</sup> Overall, analysis of cases involving Uzbekistan highlighted the extraordinary measures it takes to control its exiles and the extent to which the Tashkent regime has exported repression.

### Conclusions

The CAPE database represents the first systematic, recurrent collation and analysis of all cases of exile and extra-territorial security in the Central Asian space.<sup>96</sup> It provides a source for further research and a resource for human rights activists and those who support asylum seekers to put individual cases in their wider political context. Annual reviews and updates are planned with the support of postgraduate research assistants at the University of Exeter. Unfortunately, the cases of extra-territorial security are increasing in number and the CAPE database is likely to increase in size at a dramatic rate as more sources become available and more cases are documented. Further research is needed to plot the relationship between informal measures of intimidation and persecution of friends and family members alongside the formal measures of exporting repression.

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<sup>93</sup> Vitaly Ponomarev, Гражданин Узбекистана совершил самоубийство в московском СИЗО после угроз сотрудников узбекских спецслужб [A citizen of Uzbekistan committed suicide in a Moscow SIZO after threats from the officials from the Uzbek special services], Memorial, December 2012, <http://www.memo.ru/d/139176.html>.

<sup>94</sup> No individual in our database who applied for full refugee status in Russia had their request accepted.

<sup>95</sup> For example, European Court of Human Rights, *Case of Rakhimov. Russia. Judgment*, July 2014, <http://hudoc.echr.coe.int/eng?i=001-145366>.

<sup>96</sup> For a more detailed discussion of the Tajik and Uzbek cases in the database see Alexander Cooley and John Heathershaw, *Dictators Without Borders: power and money in Central Asia*, London and New Haven: Yale University Press, 2017, chapter 8

## Tajikistan: The transnationalisation of domestic struggles

Dr Edward Lemon<sup>97</sup>

In 2014, Maksud Ibragimov, a 37 year old businessman from Tajikistan living in Russia established an organisation called Youth for the Revival of Tajikistan (*Javonon Boroi Ehyohi Tojikiston*).<sup>98</sup> He toured Russia criticising the government of Tajikistan and calling on migrants to join his reformist movement. Ibragimov was arrested by the Russian police based on a warrant issued by the government of Tajikistan in November 2014. But, as a Russian passport holder, he was swiftly released. An unknown assailant stabbed Ibragimov near his Moscow home shortly after. Five officers from the Ministry of Internal Affairs of the Russian Federation arrested Ibragimov in January 2015.<sup>99</sup> They took him to the local Prosecutor's Office but did not formally charge him. When he left the building, he was detained by unidentified men who took him to the airport and put him in the baggage hold of a plane. The Tajik government did not acknowledge that Ibragimov was back in Tajikistan until June 2015, when he was sentenced to 17 years in prison on a host of charges including extremism.<sup>100</sup>

Ibragimov is not alone. Often considered Central Asia's 'weakest' state, Tajikistan has nonetheless created a relatively sophisticated network through which it monitors and targets opponents abroad.<sup>101</sup> Since 2002, the government of Tajikistan has targeted at least 51 of its citizens living abroad, subjecting them to harassment, intimidation, attack, detention, kidnapping and assassination.<sup>102</sup> Such occurrences are becoming more frequent. Whereas just nine cases took place before 2010, since 2014 there have been 33 recorded cases. Legally extraditing citizens has proven difficult.

Instead, the government of Tajikistan has overwhelmingly relied on extraordinary rendition, the forcible return of citizens, without legal process. At least eighteen cases of successful extraordinary rendition have occurred since 2002. The majority of cases – 37 in total – have occurred in Russia where over one million Tajik citizens reside, with seven further incidents having taken place in Turkey.<sup>103</sup> These figures, based on publicly available sources, are likely just the tip of the iceberg. There are indications that the scale of this campaign against exiled critics is much larger. In September 2016, Minister of Interior Ramazon Rahimzoda announced that since 2015, 151 'extremists,' including 133 members of Islamic State, had been rendered to Tajikistan, with 75 of them returning 'voluntarily.'<sup>104</sup> There are currently 1661 citizens of Tajikistan on the INTERPOL wanted list, 1400 of them are accused of terrorism and extremism.<sup>105</sup>

This chapter discusses who the government of Tajikistan has targeted, what kinds of measures it has adopted and the ways in which those targeted can resist these extraterritorial security practices.

### Targets

The government of Tajikistan has targeted six types of opponent living abroad. First, it has targeted members of *terrorist* organisations, who seek to violently replace the government, such as the Islamic Movement of Uzbekistan (IMU), Jamaat Ansurallah, and Islamic State.<sup>106</sup> Second, it has targeted *revolutionary* Islamic movements, such as Hizb ut-Tahrir, whose members seek to transform the status quo, while denying they will use violence to do so. Third, the government has targeted members of the *accommodational* Islamic opposition party, the Islamic

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<sup>98</sup> Edward Lemon, *Tajikistan Extradites Opposition Leader, Arrests Sympathisers*, EurasiaNet, January 2015, <http://www.eurasianet.org/node/71916>

<sup>99</sup> В Москве похищен таджикский оппозиционер Максуд Ибрагимов [Tajik Opposition Activist Maksud Ibragimov Abducted in Moscow], *Fergana News*, January 2015, <http://www.fergananews.com/news/22998>

<sup>100</sup> Nadejda Atayeva, *Tajikistan Officially Reported that Maksud Ibragimov is Sentenced to 17 Years of Imprisonment*, Blog, July 2015, <http://nadeida-atayeva-en.blogspot.com/2015/07/tajikistan-officially-reported-that.html>

<sup>101</sup> For a discussion and critique of representations of Tajikistan as a 'weak' state, see Heathershaw, John, *Tajikistan Amidst Globalization: State Failure or State Transformation*. In: Heathershaw, John and Herzig, Edmund. (eds.). *The Transformation of Tajikistan*. London: Routledge.

<sup>102</sup> This figure is compiled from publicly-available sources in Tajik, Russian and English. For a full list of cases, see Edward Lemon, *Governing Islam and Security in Tajikistan and Beyond*, PhD Diss. University of Exeter, 2016.

<sup>103</sup> Other incidents have taken place in Ukraine, Dubai, Lithuania, Spain, Finland, Moldova, Belarus, Kazakhstan and Kyrgyzstan.

<sup>104</sup> МВД: В Таджикистан возвращены более 150 граждан, обвиняемых в терроризме и экстремизме, [Ministry of Internal Affairs: Over 150 Citizens Have Been Returned to Tajikistan, Most of them Accused of Terrorism and Extremism], *Asia Plus*, September 2016, <http://news.tj/ru/news/tajikistan/security/20160920/mvd-v-tadzhikistan-vozvratsheni-bolee-150-grazhdan-obvinyaimih-v-terrorizme-i-ekstremizme>

<sup>105</sup> Just 160 of these names are listed on the Interpol website. See, МВД: Интерпол ищет Кабири [Ministry of Internal Affairs: Interpol Searches for Kabiri] *Radio Ozodi*, July 2016, <http://rus.ozodi.org/a/kabiri-is-in-interpol-list-/27873105.html>

<sup>106</sup> Formed in around 2010 by ex-opposition warlord Amriddin Tabarov, Jamaat Ansurallah claimed responsibility for a suicide bombing in Khujand in September 2010. The organisation is present on social media under the name Irshod. The government alleges that it maintains close links to the IMU, the Taliban and ISIS.

Renaissance Party, which remains committed to the secular state. Fourth, the government has taken measures against *secular* opposition movements such as Group 24 and Youth for the Revival of Tajikistan. Lastly, it has taken aim at former regime *insiders* and commanders who sided with the opposition during the country's civil war. Sixth, it has targeted *journalists* and *activists*, many of whom have criticised the government's poor human rights record.

Over time, the profile of those targeted by the government has changed. Whereas many of those targeted before 2014 were members of the civil war-era opposition or former regime insiders, since 2014, as Tajikistan has transitioned to a post-reconciliation period, most targets have been linked to the secular and religious opposition. In the years following the country's civil war, which ended in 1997, the regime pursued a number of individuals who had once held positions in the government. Yakub Salimov, who served as Minister of Interior between 1992 and 1995, and was blamed for an attempted coup in 1997, was rendered from Moscow in 2003.<sup>107</sup> Another government opponent, Mahmadrudi Iskandarov, leader of the Democratic Party of Tajikistan, was also accused of planning a coup and rendered from Russia in 2005.<sup>108</sup> Businessman and former deputy in the Sughd regional parliament Nizomkhon Juraev was abducted and forcibly returned to Tajikistan in 2012 to face smuggling charges.<sup>109</sup> In 2013, former Prime Minister Abdulmalik Abullojonov who left Tajikistan in 1994 was detained in Kiev based on an Interpol warrant for his arrest.<sup>110</sup> During this period, the government of Tajikistan also targeted other civil war era opponents linked to the United Tajik Opposition, as well as those accused of being members of Islamic extremist organisations Hizb ut-Tahrir and the IMU.

Since 2014, the government has mainly targeted members of secular and religious opposition groups. Shortly after Group 24 leader Umarali Quvvatov called for protests in Tajikistan in October 2014, Russian and Belarussian police arrested at least 17 of his followers. The Tajik government has also targeted members of the Islamic Renaissance Party, which was declared a terrorist organisation in September 2015.<sup>111</sup> Party leader Muhiddin Kabiri was added to the INTERPOL wanted list in September 2016.<sup>112</sup> Finally, the government has targeted those attempting to join Islamic State in Syria and Iraq. In May 2016, Minister of Interior Ramazon Rahimzoda claimed that 1,400 citizens had travelled to take part in hostilities in the Middle East.<sup>113</sup> Most are recruited whilst working in Russia.<sup>114</sup> Having discussed those targeted, I will now examine the measures that the government has taken outside of its territorial borders.

## Measures

The government of Tajikistan has adopted a range of measures against opponents residing abroad, including assassination, physical attack, intimidation, surveillance, and extraordinary rendition. In March 2015, leader of Group 24 Umarali Quvvatov was assassinated in Istanbul. Poisoned and then shot by his friend Suleiman Kayumov, his death came after a two year struggle by the government of Tajikistan to extradite him to his home country. At least three other citizens – academic Bakhtiyor Sartori, opposition leader Maksud Ibragimov and journalist Dodojon Atuvullo – have been attacked by unknown assailants in Russia. Numerous others have been threatened by the security services. Exiled journalist Gulnora Ravshan, who left Tajikistan in 2013 after being accused of spying for Uzbekistan, for example, received a number of threatening calls from the Tajik security services while living in Turkey. In February 2015, she realised she was being followed on a regular basis by an unknown man; she regularly received calls from a Tajik-speaking man asking her about what she was doing in Turkey.<sup>115</sup> In at least two cases, the security service's threats of reprisals against family members still in Tajikistan resulted in the individuals 'voluntarily' returning home to face charges.<sup>116</sup> Indeed, rendering the citizens back to Tajikistan to face criminal charges is the central goal that lies behind the Tajik government's activities abroad.

<sup>107</sup> Tajikistan: Former Interior Minister In Dushanbe to Face Trial for Treason, RFE/RL, March 2004, <http://www.rferl.org/content/article/1051835.html>

<sup>108</sup> Case of Iskandarov v. Russia, European Court of Human Rights, February 2011, <http://www.refworld.org/pdfid/4ca1d1e52.pdf>

<sup>109</sup> Nargis Hamrobayeva, Nizomkhon Juraev Faces Trial, Asia Plus, May 2012, <http://news.tj/en/news/nizomkhon-juraev-faces-trial>

<sup>110</sup> Konstantin Parshin, Tajikistan: Dushanbe Targets Old Presidential Challenger for Extradition, EurasiaNet, February 2013, <http://www.eurasianet.org/node/66540>

<sup>111</sup> Formed as an all-USSR party in 1990, the Islamic Renaissance Party of Tajikistan split from this in 1991. Led by Said Abdullo Nuri until his death in 2006, the IRPT formed part of the United Tajik Opposition (UTO) which fought the government in the country's civil war between 1992 and 1997. Following the peace accord, which allocated one third of government posts to the opposition, the party was legalised in 1998. It held two seats in parliament and became the leading opposition party in the country. In 2015, the party was banned and declared a terrorist organisation following armed attacks in Dushanbe in September. Approximately 200 of its members were arrested.

<sup>112</sup> Information about Muhiddin Kabiri Appeared on Interpol's Website, Asia Plus, September 2016, <http://news.tj/en/news/tajikistan/security/20160905/230452>

<sup>113</sup> Рахимзода: [Rahimzoda The Presence of Tajiks in the Ranks of ISIS is Worrying], Radio Ozodi, May 2016, <http://rus.ozodi.org/a/27748955.html>

<sup>114</sup> See, Lemon, Edward, Daesh and Tajikistan: The Regime's (In)security Policy, The RUSI Journal, 160: 5.

<sup>115</sup> Turkey: Journalist Gulnora Ravshan Noticed Surveillance, Blog, April 2015, <http://nadejda-ataveva-en.blogspot.com/2015/04/turkey-journalist-gulnora-ravshan.html>

<sup>116</sup> Umedjon Solihov and Sherzod Komilov returned to Tajikistan in early 2015 following threats against their families. See Nadezhda Ataeva. Arrests of the Tajik Activists. In Moscow, Maksud Ibragimov is Missing, Blog, January 2015, <http://nadejda-ataveva-en.blogspot.ca/2015/01/arrests-of-tajik-activists-in-moscow.html>

At least 49 political opponents have been the targets of attempted extraordinary rendition since 2002, with 18 individuals successfully returned to Tajikistan. As far as I can ascertain, all of these cases of extraordinary rendition bypass international law, operating through informal measures. A pattern emerges from the known cases of extraordinary rendition. First, the Prosecutor General of Tajikistan issues an arrest warrant and distributes it to foreign governments. After this, an individual is detained in their host country and held in pre-trial detention. Often released after the maximum time for detention without trial elapses, the individual is then kidnapped by the security services of Tajikistan, often in collaboration with representatives of the host government. Following this, they are taken back to Tajikistan without formally passing through state borders.

### **Resisting**

Two thirds of those targeted by the government of Tajikistan have managed to resist its efforts to render them. Those detained awaiting extradition to Tajikistan have used two principal tools to fight extradition and the risk of extraordinary rendition: domestic law in the country where they were detained and international law. The majority of cases have involved people being detained in Russia. Once they have received notification from the Prosecutor General of the Russian Federation that it has decided to extradite them to Tajikistan, detainees can lodge an appeal against this decision. When this is invariably dismissed by the court, they can apply for political asylum with the Federal Migration Service (FMS). If denied asylum, they can once again appeal this decision, often with the help of the United Nations High Commissioner for Refugees (UNHCR). Most of those detained were held on a one year arrest warrant. If they have not yet been extradited when this expires, they are released. But as I state above this does not mean they are safe. Many seek to leave the former Soviet Union for the relative safety of countries in the European Union. Poland, for example, has received 660 applications for asylum from Tajik citizens in the first half of 2016, surpassing the 527 applications lodged in 2015.<sup>117</sup>

Another alternative for detainees is international law. Thirteen Tajik citizens, all detained in Russia, have taken their case to the European Court of Human Rights. While seven of these cases were lodged by those who had already been illegally transferred to Tajikistan, six individuals have used the ECtHR to successfully resist Tajikistan's attempts to render them back to the country.<sup>118</sup> Those fighting extradition used the European Convention on Human Rights, which Russia ratified in 1999. All six individuals used Article 3 of the Convention, which states that 'no one shall be subjected to torture or to inhuman or degrading treatment or punishment,' to appeal against extradition to Tajikistan. In some cases, applicants complained under Article 5 § 1 (right to liberty and security) and Article 5 § 4 (right to have lawfulness of detention decided speedily by a court) because they were held after the expiration of the extradition detention order. Whilst cases are under review at the ECtHR, the court usually issues an interim measure under Article 39 of the Rules of Court to prevent the individual being extradited before the ECtHR has made its judgement.<sup>119</sup>

Tajikistan has collaborated with Russian and other Central Asian security services to intimidate and deny entry to opposition members. Apart from Russia, Tajikistan has only successfully rendered citizens from Turkey, where the Turkish security services seem to have at least turned a blind eye to Tajik incursions. Outside of Russia and Turkey, governments have been unwilling, or unable, to send suspects back to Tajikistan, partly because of fears that they will be tortured. Human rights organisations such as Human Rights Watch, Amnesty International and the Norwegian Helsinki Committee have pressurised governments into releasing those detained on international arrest warrants. Pressure from human rights organisations helped to secure Quvvatov's release from detention in Dubai in August 2013. He later applied for asylum in Turkey through UNHCR. Shabnam Khodoydodova was released from detention in Belarus in February 2016. Later she successfully crossed the border to Poland and applied for political asylum there. Sharofiddin Gadoyev, Quvvatov's cousin and successor as leader of Group 24, was also released in June 2014 after a Madrid court ruled that sending him back would violate the UN Convention against Torture.<sup>120</sup>

### **Concluding remarks**

With the ongoing crackdown on the IRPT, Group 24 and recruitment for the conflict in Iraq and Syria, incidences of extraterritorial security measures are increasing not decreasing. Despite being frequently referred to as 'weak', the

<sup>117</sup> Yann Matusevich, The Quiet Tajik Refugee Crisis, The Diplomat, August 2016, <http://thediplomat.com/2016/08/the-quiet-tajik-refugee-crisis/>

<sup>118</sup> The six individuals are Gaforov, Mr Sidikov and Mrs Sidikov, Khodjaev and Nasrulloev.

<sup>119</sup> Rules of Court, ECtHR, January 2016, [http://www.echr.coe.int/Documents/Rules\\_Court\\_ENG.pdf](http://www.echr.coe.int/Documents/Rules_Court_ENG.pdf)

<sup>120</sup> Вопрос экстрадиции Гадовой суд рассмотрит в понедельник [The Question of Gadoyev's Extradition Will be Decided on Monday], Radio Ozodi, July 2014, <http://rus.ozodi.mobi/a/25454043.html>



deployment of Tajikistan's security apparatus beyond its territorial borders is relatively sophisticated. To understand politics and security in Tajikistan, it is increasingly necessary to extend our focus to sites outside the country, in the diaspora, in migrant communities and online. Although it is perhaps unsurprising that Tajikistan finds complicity from the security services of increasingly authoritarian Russia and Turkey, what is more worrying is the Tajik government's manipulation of the Interpol system to pursue its political goals. After a year of trying, in early September Tajikistan managed to have a Red Notice issued against IRPT leader Muhiddin Kabiri, who is accused of corruption and terrorism. Despite the fact that the charges against Kabiri are blatantly political, the move will inhibit his freedom of movement and sets a precedent for other authoritarian states to continue abusing the system.

## **The situation of the Uzbek refugees: New threats and methods of pressure**

Nadejda Atayeva<sup>121</sup>

It wasn't very long ago that citizens of Uzbekistan were confident that living abroad and having refugee status meant safety. They were sure that emigration was a panacea for them and for their relatives left behind in the country of origin. Many have already seen the loss of this illusion.

In 2005-14, within the framework of refugee assistance, the Association for Human Rights in Central Asia (AHRCA) documented 114 cases of extra-territorial repression. Almost all those concerned were declared wanted by Uzbekistan. At that time, half of them already had refugee status, others were UNHCR applicants. The AHRCA continue our monitoring activity, and we have discovered 45 similar cases over the past two years. Moreover, in half of the cases extra-territorial repression was repeated and became harsher.

Thus, refugee status or even citizenship of European countries, the US or Canada does not always provide effective protection. This situation deserves the most serious attention.

How does the secret service of Uzbekistan collect information about political emigrants? What methods of pressure are used against them if they keep up their civil engagement after emigrating? What are the threats to Uzbek citizens who live abroad for a long time? Such questions arise when we examine the risks to Uzbek political emigrants.

Over the past one and a half years, the situation of Uzbek refugees has considerably worsened. Especially most complicated are the situations of those who are still in the countries of the former USSR, with their old Uzbek passports, who are wanted by Uzbekistan but keep up their civic activity through the mass media or on their personal Facebook pages.

Even those who have been granted residence permits in Europe, the USA, or Canada do not feel safe if they are wanted by INTERPOL. The strengthening of the international investigation system after the Charlie Hebdo terrorist attacks in Paris in January 2015 has led to more frequent arrests and extradition requests. Now, hotels, transportation and other amenities in the West where personal data are registered are involved in the search system. Unfortunately, the updated security systems do not take into consideration the potential abuse of INTERPOL mechanisms such as the false charge fabrication practices used by repressive regimes such as Uzbekistan. In Uzbekistan, there are more than 12,000 prisoners convicted under politically motivated sentences.

Unfortunately, in free democratic countries where Uzbek citizens find refuge, the personal data of people under international protection are not protected. We know from reliable sources that telecommunication companies display data about their customers in open reference resources. With the help of such resources it is very easy to find the home address and telephone numbers of political emigrants just by knowing their names. Public critics of the regime are in serious danger. There are instances whereby after an interview with a human rights activist or a political leader is published, an all-round harassment in social media is unleashed against them. Insults and threats, anonymous phone calls and libel campaigns are used in which relatives living in the country of origin are forced to take part. The relatives are coerced and pressured in order to stop the political emigrants' participation in the investigation of corrupt transactions in which high ranking officials are involved or their activity in human rights projects. More and more often, law enforcement agencies put pressure on activists by confiscating their property in their home country or sentencing them to jail in absentia without the possibility of appeal. All the above mentioned circumstances emerge unexpectedly for Uzbek citizens who live abroad for a long time and affect their future lives in profound ways.

### **Daniel Anderson and the 'Norwegian syndrome'**

The number of persons who have returned from Norway to Uzbekistan between 2014 and November 2016 who have been jailed has reached 30, with varying sentences. In case of their return to their home country, dozens of

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<sup>121</sup> Nadejda Atayeva is the President and founder of the Association for Human Rights in Central Asia. For the last 14 years, she has been monitoring the human rights situation in Central Asia, and in particular, in Uzbekistan, Tajikistan and in South Kyrgyzstan. For more than ten years she has been coordinating a programme defending the rights of refugees who are often victims of modern forms of slavery, torture, extra-territorial repression and the abuse of INTERPOL. Her analysis was carried out based on her own archive materials and sources.

citizens of Uzbekistan living in Scandinavian countries risk being arrested based on self-incriminating testimonies given under duress. This process is on-going.

Norway is an attractive country for Uzbeks because it has jobs, living standards are higher than in Uzbekistan and, as it seemed until recently, life there is safe. Back in 2007, some entrepreneurs even decided to open a 'business' consisting of cheap labour recruitment to Norway. An agency was opened in Uzbekistan to recruit potential workers for jobs in Norway and it helped them in obtaining the Schengen visa. That way, it facilitated the illegal transportation of people across borders (smuggling).

There were many candidates. They paid the fraudsters between five to ten thousand US dollars in cash. The migrant workers came to Norway where they were met by other intermediaries. Instead of job contracts those intermediaries wrote false stories for them to be submitted to the migration service and dragged them into the refugee status-obtaining procedure so that their clients could live for free in the refugee camps and then obtain the right to live in Norway legally. After their applications were considered, the applicants received work permits and could find jobs without the intermediaries' help.

In 2008, a serious scandal occurred. 17 migrant workers came to Norway from Bukhara. As usual, they were taken to the refugee camp and were offered to apply for political asylum pretending they were gay or that they were witnesses of the Andijan events of 2005. It was hoped that because Uzbek law persecutes sexual minorities, Norway would grant refugee status to these pseudo-refugees. They lived for several days in the camp and video-recorded the living conditions of people from Uzbekistan, they made up a list of the Uzbek applicants and declared that they wanted to go back home because they had been cheated. Norway then deported them.

After a while, Uzbek TV ran a documentary about fraudsters exporting 'traitors of the motherland' to Norway. The people shown in the documentary said they were cheated, came back, voluntarily submitted themselves to the National Secret Service of Uzbekistan (SNB), and gave over all the information which they had collected in the refugee camp.

Norway has been under close attention from the SNB, especially since 2000, when it granted refugee status to the leader of the Erk opposition party, Mukhammad Salikh. In 2008, after the 17 Bukhara migrant workers cheated by fraudsters returned home, the Uzbek law enforcement agencies started developing their own informant network in Norway. Soon after that, the Uzbek authorities found out how and through whom migrant workers were going to Norway and Sweden and also the reasons some of them did not go back to their home country.

In December 2014, in Uzbekistan, a propaganda programme entitled Hiyona<sup>122</sup>, translated from Uzbek as 'Betrayal', was run on the O'zbekiston national TV channel just several days before the trial of the characters shown in the documentary. No-one is surprised by the violation of the presumption of innocence in Uzbekistan. For 35 minutes of the film's duration, its authors present their version of the story of the eight men, six of whom sought refugee status in Norway.

In Norway, they worked and went to the mosque on Fridays. From time to time, they would get together and watch documentaries on the internet about the suffering of Muslims in war-ridden countries and sent a share of their earnings to help them. They all repented with tears and asked for forgiveness from the Uzbek people 'for perjury against Uzbekistan' in Norway when they sought political asylum in violation of both Uzbek and Norwegian law. The film characters declared that they 'repented committing a mistake by joining extremist organisations and betraying their Motherland'.

As it transpired during the trial, the main person shown in the film learnt about the documentary which was shown on national TV where fragments of interrogations recorded with hidden cameras were featured. In the courtroom, one of the defendants showed his tongue had been torn into two pieces and confessed that he was tortured during the inquiry and investigation.

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<sup>122</sup> Link to the film Betrayal <https://www.youtube.com/watch?v=A3CiOn61xcl&feature=youtu.be>

In the court trial, it also transpired that two other men named Ilkhom Azamov and Temur Zoitov returned from Norway and reported to the SNB on six other defendants, those who had 'made a mistake and betrayed their Motherland'. Azamov and Zoitov also lived in Norway and communicated with the 'traitors'. Six people were convicted to twelve and thirteen years of jail. They were found guilty of complicity with a certain 'Islamic Movement of Turkestan'<sup>123</sup> which was declared a terrorist organisation. Three more<sup>124</sup> were convicted for the 'Non-reporting of crime or harbouring of crime'. They were released under amnesty by the court.

The film and the trial had a profound effect on the public in Uzbekistan and abroad. The Norwegian government immediately reacted to the process. It decided to suspend all deportation cases of Uzbek citizens to their country of origin. And then, all departments of the Norwegian migration agency<sup>125</sup> started reconsidering the cases of Uzbek applicants and requesting information from human rights organisations.

Upon their return to Uzbekistan, the so-called 'Norwegian Uzbeks' were convicted for actions which they had not committed in Uzbekistan. In Norway, sexual minorities are not persecuted and watching the videos which they watched is not banned. These are typical stories of Uzbek citizens who are trying to find jobs in order to provide for their families in Uzbekistan. The consequences for many of them have proved to be very grave.

On 30th September 2016, a Norwegian citizen of Uzbek origin, Daniel Anderson, came back to Oslo from Uzbekistan<sup>126</sup>. For more than 18 years he had been living outside Uzbekistan, visiting his relatives from time to time. In March 2014, he received a phone call from Uzbekistan from a female relative who informed him that his mother was very ill. He was overwhelmed with emotion and he decided to visit his mother, unsuspecting that this was a provocation.

On 13 April 2014, he went to Kyrgyzstan. For fear of political repercussions for his participation in public protests and signing petitions against forced labour and protection of torture victims, he decided to try to enter Uzbekistan unnoticed. He crossed the Kyrgyz-Uzbek border, walked through a village where houses of the residents of Uzbekistan and Southern Kyrgyzstan are divided by a road. Local residents are eligible to cross the border freely. There is no border control point there, so he walked safely into the territory of Uzbekistan. That same day he went to see his mother. After a few hours, a group of SNB officers came to his house. First, they took him to the passport agency and then to the investigation detention centre of the Ferghana SNB where he was tortured. He was sentenced to 9 years in jail<sup>127</sup>. He spent three years in jail. Anderson's health was seriously damaged; he sustained injuries to his liver and kidneys.

The SNB officer was in the possession of information about Andersen's connections with activists living abroad. The SNB investigator was a man whom he met in Oslo several times during Friday prayers in the mosque. Anderson could not deny his acquaintance with ten colleagues because during the interrogations he was shown photographs where he was with friends in Norway fishing and at public protests. The investigator told Andersen that he obtained these photos from his email; therefore, he thinks that his email inbox had been hacked. Anderson admitted that he was forced under torture to sign false evidence against Uzbek political emigrants Mukhammad Salikh, Nadejda Atayeva and Alim Ataev. He was forced to testify that these individuals sent him to Uzbekistan to organise a coup d'état.

Later, he discovered that, based on his evidence given under torture, criminal cases were opened against five persons who he used to communicate with in Norway. They rented temporary accommodation together and thus came to know each other. Based on that false evidence, criminal cases were opened against them and they were declared wanted. Such abuse of INTERPOL mechanisms has become a normalised practice in Uzbekistan.

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<sup>123</sup> They were all jailed under the Articles of the Criminal Code of the Republic of Uzbekistan: 159 (Encroachment on the constitutional order of the Republic of Uzbekistan), 244-1 (Production and dissemination of materials containing threat to public security and public order), 244-2 (Creation, leadership, participation in religious extremist, separatist, fundamentalist or other banned organisation), 246 (Contraband). See below for their names.

<sup>124</sup> Three more were convicted of the violation of article 241 CC RU (Non-reporting of crime or harbouring of crime): Zaitov Timur Tulkunivich, Agzamov Ikramhuja Bahramovich, Zakirov Akmal Akhmadalievich. They were amnestied by the court.

<sup>125</sup> Immigration Appeals Board (UNE), UNE stops return to Uzbekistan, December 2014, <http://une.no/no/Aktuelt/Redegjorelser/UNE-stopper-returer-til-Uzbekistan>

<sup>126</sup> Hege Wallenius and Gordon Andersen, Daniel tells of escape from prison nightmare in Uzbekistan, VG, September 2016, [http://www.vg.no/nyheter/innenriks/usbekistan/daniel-forteller-om-flukt-fra-fengselsmareritt-i-usbekistan-jeg-trodde-jeg-skulle-doe-der-inne/a/23808803/#xtor=CS6-6-\[23808803%20daniel%20forteller%20om%20flukt%20fra%20fengselsmareritt%20i%20usbekistan%20jeg%20trodde%20jeg%20skulle%20doe%20der%20inne\]](http://www.vg.no/nyheter/innenriks/usbekistan/daniel-forteller-om-flukt-fra-fengselsmareritt-i-usbekistan-jeg-trodde-jeg-skulle-doe-der-inne/a/23808803/#xtor=CS6-6-[23808803%20daniel%20forteller%20om%20flukt%20fra%20fengselsmareritt%20i%20usbekistan%20jeg%20trodde%20jeg%20skulle%20doe%20der%20inne])

<sup>127</sup> In 2014, Daniel Anderson was convicted for the violation of articles of CC Ruz: 160 (Espionage), 120 (Pederasty), 159 (Encroachment against constitutional order), and 223 (Unlawful entry and exit from the Republic of Uzbekistan) and sentenced to 9 years of jail. Conditional punishment was used for health reasons.

Daniel Anderson says that in July 2016, seven migrant workers were deported from Norway to Uzbekistan. In Uzbekistan, they were not arrested immediately but only in September. First they were summoned for interrogation by the SNB and then new criminal cases were opened. He knows this because he was also summoned to the interrogation because one of those seven individuals told the investigator that he knew him. Concurrently, a new criminal case is being administered in respect of the already convicted 'Norwegian Uzbeks' who returned two years ago.

### **What happens to those who return to Uzbekistan?**

Since 2012, we have been receiving information that residents of Uzbekistan who stay abroad for more than 3 months are scrutinised by passport control in the airport upon arrival. This has been documented in cases of those returning from a number of countries including Sweden, Norway, the United Kingdom, South Korea, Turkey and Egypt. This is due to the fact that there are considerable Uzbek diasporas in those countries. In a separate office room in the airport, they are interviewed by an SNB officer who often introduced himself as a counterintelligence department officer. First, he examines their passports and asked them standard questions about why they left to go abroad and what they did there. He also shows them photos of both familiar and unfamiliar persons and asked which of those persons the interviewee communicated with and under which circumstances.

We managed to interview applicants who personally experienced this, or whose relatives have done. Sometimes they were not able to recognise the people they were asked about. Those witnesses told us that the SNB officer had many photographs, mainly passport photos of a larger size. As a rule, the interviewees recognise several political emigrants<sup>128</sup>. Besides the personal photos, they are shown photos of people at meetings and rallies. It is possible that photo and video material is collected from the personal pages of political emigrants in social networks and through the SNB's agents that have infiltrated the refugee population.

In 2013, in Sweden, a criminal case was opened in respect of an Uzbek citizen who was hiding in Uzbekistan from criminal liability for domestic violence committed in Sweden. They found on his computer photos of political emigrants who live in Sweden as well as libellous articles which were published later on the internet anonymously. Furthermore, there were photographs taken with a hidden camera in the airport, in a restaurant and in other public places in Sweden. Subsequently, a criminal case was opened against him in Sweden. He returned to Uzbekistan and soon after started an online periodical with anonymous provocative materials. The interviewed witnesses described the photographs that were discovered in this agent's computer.

In 2013, in Tashkent airport, a female citizen of Uzbekistan who had a Swedish permanent residency permit due to her daughter's illness was detained. She had returned to Uzbekistan in order to renew her passport. She was pregnant and she had a young daughter with her. She was detained while passing through border control as soon as they saw that she lived in Sweden. They held her for 11 hours without explanation and just asked her one question: "Why did you come?" When she explained the purpose of her visit, they started showing her photos, then they took her to a room with one bed. For 6 hours they wouldn't let her go to the bathroom and didn't give her food or water although her little daughter was crying from hunger. When she passed out, they gave her water and took her back to the SNB officer for further interrogation. She was trying to explain that in Uzbekistan it wasn't possible to get medical treatment for her daughter and she didn't know anybody in the photos. They shouted at her and forced her to sign a false statement that she was a member of the Erk Party. She refused to write a self-incriminating paper or give evidence against people whom she didn't know and had never seen. After that, the SNB officer's tone became especially rude and he threatened to deprive her of her parental rights.

They let her go thanks to a relative who called a confidential city hotline and said that she disappeared in the airport with a young ill daughter. They let her go after midnight. For more than 4 months the woman couldn't change her passport or get permission to leave the country. They opened a criminal case against her under Article 223 of the Criminal Code of the Republic of Uzbekistan (Unlawful entry and exit from the Republic of Uzbekistan) because she left Uzbekistan without an exit visa from the Ministry of Internal Affairs. However, our applicant didn't

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<sup>128</sup> Mukhammad Solikh, the leader of the Erk opposition party; Obidkhon Nazarov, a religious authority figure; Mukhammadsolikh Abutov, the founder and editor of the Tayanch website, Nadejda Atayeva, President of the Association for Human Rights in Central Asia (this author); Kudrat Babadjanov, a journalist political emigrant; Yevgeniy Dyakonov, journalist, political emigrant; Ismail Dadadjanov, one of the leaders of the Birlik Party.

violate the passport regime. She produced all the documents proving that she married in Sweden and her daughter was undergoing treatment there. Finally, she was compelled to leave Uzbekistan secretly and now she is afraid of going back. According to her neighbours, a few weeks after her departure a district police officer and SNB officers started visiting her residence address in Tashkent. Two years later the apartment was sealed in the presence of neighbours and a representative of the prosecutor's office.

One of the applicants for support from the Association for Human Rights in Central Asia worked as the head of a shift at Tashkent airport. He testified that SNB officers have keys to all service exit doors of the airport. When individuals return to Uzbekistan via an extradition request they are always met by SNB officers. They take them to the SNB investigation detention centre on Krasnogvardeyskaya Street in Tashkent without a passport control stamp, therefore for many months, their relatives might not even know where they were arrested. They look for them in the meantime in the places where they were arrested prior to their extradition. Usually this happens if a citizen of Uzbekistan is arrested in Russia, Kazakhstan, Kyrgyzstan or Tajikistan. Even if lawyers join the search for the arrested party, it is not possible to find them quickly.

Information about who is detained in the SNB investigations detention centre is not always given to their lawyers, but only when the detainees have been taken to the Tashtyurma prison, which means that charges against them have already been brought. The main proof of guilt is the self-incriminating testimonies obtained under torture. They are even forced to give evidence against any political emigrants they have met or any that the SNB has information that they have met.

Observations by the Association for Human Rights in Central Asia show that there is an urgent need to carry out reform of the systems of the UNHCR and INTERPOL. Also, at the government level of the states who have ratified the UN Convention on Refugees, it is high time to create conditions whereby the country which is providing international protection to refugees also protects their personal data, in addition to ensuring the safety of those who engage in public activities and are subject to attacks by the secret services of their country of origin.



## Big brother and his middlemen are always watching you

Arzu Geybullayeva<sup>129</sup>

For some Azerbaijanis living abroad, Baku's official decision issued on April 30<sup>th</sup> 2015 introducing a compulsory registration of its citizens living abroad with Azerbaijan's diplomatic missions in the countries where they live meant very little if nothing at all. But the country's political émigrés had a different take on this decision<sup>130</sup>. For them, this was yet another step taken by the government of Azerbaijan to spy on and persecute its dissidents who have moved abroad.<sup>131</sup>

Azerbaijan is not the only country in the post-Soviet space to pursue its dissidents living abroad. From Uzbekistan, Belarus and Tajikistan to Turkmenistan, Russia and others, political dissidents face on-going harassment, persecution, threats and, in some cases, even murder. As a result, leaving persecution behind by fleeing their home country becomes a relative concept, as the secret service apparatus, in most if not all of the former Soviet Union states, continues to use measures and methods to keep dissidents on high alert and in fear of imminent danger to their lives and the lives of their loved ones. In some cases these threats include simple surveillance, occasional phone calls and persecution of family members left behind, while in others direct threats to life are made. An attempt to call on its citizens living abroad for a compulsory registration as in the case of Azerbaijan is yet another way used by these regimes to keep tabs on everyone, including those who leave. The following piece looks at some of the cases of émigrés from Azerbaijan, Russia, Uzbekistan and Chechnya, offering a glimpse of a dangerous life even after leaving the suffocating grip of the leaders behind.

### Future in fear and uncertainty

In the Foreign Policy Centre's 2014 publication *Shelter from the storm?* Dr David Lewis noted that 'alongside intelligence-gathering, exiles face harassment and attempts to persuade them to give up political or journalistic activity or to inform on other dissidents'.<sup>132</sup> The report argued that some of the most effective measures to silence government critics living abroad is to pressure individuals' families still living in their countries of origin. Other measures include using 'INTERPOL to target opponents, extradite or forcibly return dissidents to face persecution at home'.

Dashgin Agalarli, an activist from Azerbaijan now living in Georgia knows all too well what such methods entail. In an interview with the Institute for War and Peace Reporting, Agalarli agrees that leaving the country does not mean the persecution will end: "Those who have left the country due to political persecution are now being hounded abroad" and that the government of Azerbaijan would resort to all measures necessary to round up these individuals of interest.<sup>133</sup> Agalarli was detained in 2014 for six months in Georgia at the request of Baku officials. According to the Azerbaijan service of Radio Free Europe/Radio Liberty Agalarli was arrested for an alleged tax debt to the government of Azerbaijan who handed his information to Interpol.<sup>134</sup> He was released following a trial that was monitored by international rights organisations and the UN. Following what happened to Agalarli, the new rule introduced by Azerbaijan requiring all citizens to register with consulates is simply yet another form of surveillance.

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<sup>130</sup> Afghan Mukhtarli, Azerbaijan government watching its expats, Institute of War and Peace Reporting, May 2015, <https://iwpr.net/global-voices/azerbaijani-government-watching-its-expats>

<sup>131</sup> For Azerbaijanis this new rule is not an isolated attempt of control but goes hand in hand with 2014 amendment to the law on citizenship. According to this, deprivation of citizenship may occur if a citizen of Azerbaijan acquires new citizenship; s/he voluntarily serves in state bodies, municipalities, armed forces, and other armed units of foreign states; s/he jeopardize state security [no clear definitions on what this entails]; and document/data fraud while applying for Azerbaijan citizenship. In addition, new penalties were introduced in 2015 for failing to inform the relevant state bodies when a second citizenship is acquired. Fines range from 3,000 to 5,000AZN and community service of between 360 and 480 hours. In addition, amendments to the country's constitution passed on 26 September 2016 allows for Azerbaijanis to be stripped of their citizenship rights 'in accordance with the law'. Prior to this amendment, the Constitution served as a guarantee that under no circumstances a citizen of Azerbaijan can be stripped off their citizenship. See the Azerbaijan Service of Radio Free Europe/Radio Liberty, New penalties are proposed for nationals of Azerbaijan attaining new citizenship, April 2015, <http://www.azadliq.org/a/26971976.html>

<sup>132</sup> Dr David Lewis, Exporting repression: Extraterritorial practices and Central Asian authoritarianism in Adam Hug (ed.) *Shelter from the storm? The asylum, refuge and extradition situation facing activists from the former Soviet Union in the CIS and Europe*, Foreign Policy Centre, April 2014, <http://fpc.org.uk/publications/shelter-from-the-storm>

<sup>133</sup> Afghan Mukhtarli, Azerbaijan government watching its expats, May 2015, <http://bit.ly/2fgNOVY>

<sup>134</sup> Azerbaijan Service of Radio Free Europe/Radio Liberty, Tbilisi wants to hand over Azerbaijan opposition activist Dashgin Agalarli to Baku, July 2014, <http://www.azadliq.org/a/25452508.html>

Gulnur Kazimova, is a freelance journalist who left Azerbaijan in December 2014 shortly after she penned a piece about a village protest blocking the road to Azerbaijan's second largest city of Ganja. She was informed that the Ministry of Internal Affairs had launched a criminal case against her on the grounds of distorting the truth in her story. She travelled to neighbouring Georgia with her little boy, crossing the border overnight, her husband joined her with their daughter two days later. They have been based in Georgia since then but the close ties between the two states and the earlier incident with Dasghin Agalarli keep Gulnur and her family on high alert. Gulnur explained to Amnesty International that 'we have felt signs that we are being watched. For our own safety, we have moved 11 times in just 17 months'.<sup>135</sup> In an interview for this essay held in November 2016, Gulnur also said that she had to switch her child's kindergarten three times when she realised the same car would appear in places she visited.<sup>136</sup> In the meantime, her brother lost his job in Azerbaijan due to what she believes is a direct consequence of her work. According to Kazimova "he worked at one of the wedding restaurants as a camera person. He was fired after one of my stories was published in Azerbaijan". For almost a year since her departure, local police in Ganja kept visiting her family and asking questions. Her father-in-law lost his job as well. Police demanded that Kazimova's parents insist on her return to Azerbaijan.

Pressuring political exiles through family members and relatives is not uncommon in other country cases as well. As Dr David Lewis explained in *Shelter from the Storm?*, 'Many members of the family of exiled Turkmen dissident Annadurdy Khajiyev have been harassed, sent into internal exile or imprisoned. There have also been cases in Uzbekistan where family members of dissidents in exile have faced either criminal charges or other types of persecution or harassment in business or everyday life'.<sup>137</sup>

Among other Azerbaijani political émigrés whose family members faced similar persecution there is the case of Gunel Movlud, an Azerbaijan writer who left her home and relocated to Georgia with her husband. It was during her work with Meydan TV and the Azerbaijan Service of Radio Free Europe/ Radio Liberty that Movlud's two brothers were arrested, and charged on bogus charges of drug possession while her mother announced that she disowned her daughter in 2015. Writing on her Facebook wall, Movlud wrote, 'Friends, I do not want to talk much about what has happened. Even a child would understand these arrests are targeting Meydan TV. They don't want anyone to work with Meydan. They are using relatives to pressure [...] The arrest of my two brothers left my parents who are both battling with their health to death [Movlud's father passed away recently and she was unable to attend the funeral because of the exile] [...] They can do anything. I am afraid and fear is absolutely normal [...] Those who cannot keep silent will continue to speak up'.<sup>138</sup>

In 2013, Hebib Muntezir an influential Azerbaijani blogger living in Berlin was threatened with death. Muntezir who by then had lived in Germany for the past 12 years received information from various sources that a man named Tural Gurbanov, who had been appointed as second secretary at the Azerbaijan Embassy in Germany, was alleged to be planning an assassination on Muntezir. Muntezir reported the case to the German police.

In April 2013, Muntezir joined forces with another influential political dissident and former political prisoner Emin Milli to set up a new independent media platform called Meydan TV. After successfully launching the platform just months after being tipped off about an assassination attempt, the two learned that the same man Tural Gurbanov had been found dead in a room of a five star hotel in the Maldives. On July 31, the press service of the Azerbaijan Foreign Ministry confirmed the death of its employee stating that the cause of death was heart failure. Gurbanov was reported to be 27 years old at the time of his death. According to Emin Milli<sup>139</sup> and, as explained in an interview he gave to Deutsche Welle<sup>140</sup>, Gurbanov was believed to be an employee of the secret service working undercover in Germany.<sup>141</sup>

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<sup>135</sup> Gulnur Kazimova, Exiled from Azerbaijan just for being a journalist, Amnesty International, June 2016, <https://www.amnesty.org/en/latest/campaigns/2016/06/exiled-from-azerbaijan-just-for-being-a-journalist/>

<sup>136</sup> Interview with Gulnur Kazimova, Tbilisi, Georgia, November 2016

<sup>137</sup> Dr David Lewis, Exporting repression: Extraterritorial practices and Central Asian authoritarianism in Adam Hug (ed.) *Shelter from the storm? The asylum, refuge and extradition situation facing activists from the former Soviet Union in the CIS and Europe*, Foreign Policy Centre, April 2014, <http://fpc.org.uk/publications/shelter-from-the-storm>

<sup>138</sup> Arzu Geybullayeva, Azerbaijan, the land where parents disown their children, October 2015, <http://bit.ly/2eVPV3y>

<sup>139</sup> From personal discussions.

<sup>140</sup> Meydan TV, Emin Milli: EuroGames are PR for the ruling family, June 2015, <https://www.meydan.tv/en/site/news/6330/>

<sup>141</sup> Foreign ministry confirmed the death of its employee, Contact.az, July 2013, [http://www.contact.az/docs/2013/Politics/073100044361en.htm#.V\\_JZpN96MQ](http://www.contact.az/docs/2013/Politics/073100044361en.htm#.V_JZpN96MQ)

## Death in a time of ruthless leaders

There are grimmer stories of dissidents and political exiles from the post-Soviet space trying to dodge the intelligence services. Alexander Litvinenko, former KGB officer and author of the book *Blowing up Russia* was fatally poisoned in London's Millenium Hotel in 2006 over a cup of tea with Andrei Lugovoi, also formerly of the KGB family and Dmitri Kovtun, a Red Army deserter.<sup>142</sup>

Two years later, another murder in London of Alexander Perepilichny raised additional questions as lawyers in the Perepilichny case alleged that there were parallels between his death and that of Litvinenko.<sup>143</sup> Recent developments in the investigation indicated traces of Gelsemium elegans also known as 'heartbreak grass' poison. His dead body was found near his home in London days before Perepilichny was about to testify in a \$220 million fraud case involving Russian officials that had previously claimed the life of Sergei Magnitsky.<sup>144</sup>

The UK is among the most popular destinations for Russians who flee Putin's regime. In a story penned by Julia Loffe in 2015, the author pointed to Russian official statistics that put the number of émigrés in 2014 at nearly two hundred thousand, a total that does not include the unofficial departees escaping the 'increasingly authoritarian atmosphere of Moscow and the deepening economic crisis'.<sup>145</sup> After London, comes Paris and New York, with Riga and Prague following in terms of popularity as destinations for Russian exile seekers.

In 2009, Chechen war veteran and former bodyguard to current Chechen leader Ramzan Kadyrov, Umar Israilov was shot twice in the head outside of his home in Vienna in broad daylight. While living in exile, Israilov filed complaints with the European Court of Human Rights that he was tortured by the Kadyrov regime. Earlier that year, another Chechen, Sulim Yamadayev who fled Chechnya in 2008 was found dead from three gun shots in his car in Dubai.<sup>146</sup>

An Uzbek rights activist Nadejda Atayeva, who heads the Association of Human Rights in Central Asia from exile in France, was accused of stealing millions of dollars in an announcement on national television by Uzbek authorities in April 2012.<sup>147</sup> The defamation attempt came days after Atayeva raised the assassination of another Uzbek national, Obidhon-kori Nazarov, who was a prominent Imam based in Sweden but murdered in February 2012.<sup>148</sup> Another prominent Uzbek national was persecuted in Turkey where on December 10<sup>th</sup> 2014, Abdulla Bukhari [real name Mirzagalip Hamidov] was gunned down in Istanbul at the entrance to one of his madrasas. Known for his criticism of then Uzbek President the now late Islam Karimov, Bukhari is alleged to have been on the target list of both the Uzbek and Russian spy services.<sup>149</sup> In an interview with Foreign Policy in 2015,<sup>150</sup> another Uzbek human rights activist, Dilorom Iskhakova said that, despite her relocation to Turkey by UN asylum officials, the threats against her have not abated. The usual methods in Iskhakova's case include phone calls with a man threatening to rape and kill her on the other end of the line.

The most disturbing pattern in all these cases is that of dates and consequences. No matter whether the case took place ten years ago, three years ago or more recently, the bottom line is that political émigrés fleeing the claws of ruthless rulers continue to face threats even while living abroad. And while it is the activists and their family members who pay the price, the majority of leaders behind these continuing extortions remain unpunished, while the persecution of their nationals is a chilling reminder to the outside world, that granting asylum alone is not enough and it takes profound effort on behalf of governments and institutions in the countries where activists seek shelter to ensure their safety and wellbeing.

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<sup>142</sup> Alan Cowell, Putin 'Probably Approved' Litvinenko Poisoning, British Inquiry Says, January 2016, [http://www.nytimes.com/2016/01/22/world/europe/alexander-litvinenko-poisoning-inquiry-britain.html?\\_r=0](http://www.nytimes.com/2016/01/22/world/europe/alexander-litvinenko-poisoning-inquiry-britain.html?_r=0)

<sup>143</sup> John Keenan, The strange death of Alexander Perepilichny, September 2016, <http://www.prospectmagazine.co.uk/world/the-strange-death-of-alexander-perepilichny>

<sup>144</sup> Nico Hines, Britain warns allies: Russia's next assassination could be on your streets, January 2016, <http://www.thedailybeast.com/articles/2016/01/22/britain-warns-allies-russia-s-next-assassination-could-be-on-your-streets.html>

<sup>145</sup> Julia Loffe, Remote Control: Can an exiled oligarch persuade Russia that Putin must go? January, 2015, <http://www.newyorker.com/magazine/2015/01/12/remote-control-2>

<sup>146</sup> Brandee Leon, Killin the dissidents: Kadyrov can-and has-gotten to many other dissident outside of Chechnya, December 2014, <https://medium.com/the-eastern-project/killing-the-dissidents-513df10d65b#6d3x8dy3n>

<sup>147</sup> Atayeva is a fellow contributor to this essay collection.

<sup>148</sup> Human Rights Watch, Russia: Investigate death threats against defender, January 2013, <https://www.hrw.org/news/2013/01/21/russia-investigate-death-threats-against-defender>

<sup>149</sup> Venisafak, Mystery of worldwide assassinations of Uzbek dissidents unfolds, November 2015, <http://www.venisafak.com/en/news/mystery-of-worldwide-assassinations-of-uzbek-dissidents-unfolds-2349628>

<sup>150</sup> Umar Farooq, The hunted, April 2015, <http://foreignpolicy.com/2015/04/02/the-hunted-islam-karimov-assassination-istanbul-russia-putin-islamic-state-human-rights/>

## Azerbaijan targeting families of activists in exile

Giorgi Gogia<sup>151</sup>

Azerbaijan wages a vicious crackdown on critics and dissenting voices by arresting and prosecuting human rights defenders, youth activists, critical journalists and opposition political activists, as well as by adopting laws and regulations restricting the work of independent groups and their ability to secure funding. Although in 2016 the authorities conditionally released or pardoned a number of individuals previously convicted on politically motivated charges, they have arrested many others on spurious criminal and administrative charges to prevent them from carrying out their legitimate work. None of those released had their convictions vacated, several face travel restrictions, some had to halt their work due to almost insurmountable bureaucratic hurdles impeding their access to funding, while many chose to leave the country and continue the work from abroad.

However, in addition to using criminal and administrative sanctions against human rights defenders, journalists and activists, the Azerbaijani authorities have also arrested, prosecuted and harassed activists' family members with the apparent aim of compelling the activists to stop their work. As the cases described in this article reflect, the authorities have targeted the relatives of outspoken journalists and activists who have fled abroad out of fear of persecution and continued their vocal activism in exile. In some cases, relatives in Azerbaijan have publicly disowned or renounced their relationships with their close relatives abroad, possibly as a means to avoid retaliation by the authorities for their relatives' vocal criticism. Below are just some examples of cases from recent years when the Azerbaijani authorities explicitly targeted the relatives of journalists and activists in exile.

### **Emin Milli, Meydan TV Founder and Director**

Emin Milli is a dissident and exiled journalist, who is the founder and the director of Meydan TV, based in Berlin. Operating since 2013, Meydan TV is one of Azerbaijan's last surviving independent media outlets and is only able to operate out of Germany, cooperating with freelance journalists based in Azerbaijan and neighbouring countries. Meydan TV carries material critical of the Azerbaijani government and its policies related to human rights, corruption, and similar issues. Several journalists cooperating with Meydan TV have faced criminal investigations.<sup>152</sup>

Milli was imprisoned in 2009 for two-and-a-half years on criminal hooliganism charges, in retaliation for his criticism of the government.<sup>153</sup> In June 2015, authorities arrested Milli's brother-in-law, Nazim Agabeyov, on drug charges. In April 2016 a court sentenced Agabeyov to a three-year suspended sentence, which includes a travel ban. Milli considers the charges against Agabeyov to be "bogus and absurd," intended to punish his relatives for his critical reporting.<sup>154</sup> A week after Agabeyov's arrest, 23 of Milli's relatives sent a letter to President Aliyev calling Milli a traitor, hostile to Azerbaijan's 'great success, development, prosperity and integration with foreign countries.'<sup>155</sup>

On April 20, 2016, the Azerbaijani authorities launched a criminal investigation into 'alleged illegal practice and profit-making in an especially large amount, large-scale tax evasion and abuse of power resulting in falsification of elections and/or referendum results' involving 15 journalists who cooperate with Meydan TV.<sup>156</sup> The journalists are all at liberty pending the investigation, but at least seven of them face travel bans.<sup>157</sup>

The authorities began questioning several freelance journalists cooperating with Meydan TV in September 2015, after the journalists had reported on large-scale protests in Azerbaijan's fourth largest city, Mingechevir, where a young man died in police custody in August 2015, allegedly from ill-treatment by police.<sup>158</sup> Officials invited the journalists for questioning, claiming to be investigating the Mingechevir incidents. However, the questions related

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<sup>152</sup> Afgan Mukhtarli, Azerbaijan: Campaign against Meydan TV Continues, *IWPR*, November 3, 2015, <https://iwpr.net/global-voices/azerbaijan-campaign-against-meydan-tv>

<sup>153</sup> For more on Milli's detention and conviction in 2010, see: Azerbaijan: Young Bloggers Jailed, Human Rights Watch news release, November 2009, <https://www.hrw.org/news/2009/11/12/azerbaijan-young-bloggers-jailed>; and Azerbaijan: Appeal Court Leaves Bloggers in Jail, Human Rights Watch news release, March 10, 2010, <https://www.hrw.org/news/2010/03/10/azerbaijan-appeal-court-leaves-bloggers-jail>

<sup>154</sup> Milli published this statement on July 27, 2015: <https://www.facebook.com/emin.milli.3/posts/795862850533139?fref=nf&pnref=story>

<sup>155</sup> *Meydan TV*, Relatives disown Emin Milli, July 2015, <https://www.meydan.tv/en/site/news/7234/Relatives-disown-Emin-Milli.htm>

<sup>156</sup> *Meydan TV*, Meydan TV under criminal investigation, *Meydan TV*, April 2016, <https://www.meydan.tv/en/site/news/13800/>

<sup>157</sup> Telephone interviews with lawyer Elchin Sadigov, August 14 and 17, 2016.

<sup>158</sup> *IWPR*, Street Protest After Death in Azerbaijan Police Custody, *IWPR*, August 2015, <https://iwpr.net/global-voices/street-protest-after-death-azerbaijan-police>

almost exclusively to Meydan TV, its payroll practices, staff, and funding. The authorities placed a number of the journalists under travel bans.<sup>159</sup>

### **Mehman Huseynov, photo and video journalist**

Mehman Huseynov is a photo and video journalist and social media activist, who police have been harassing since 2012, when he photographed and publicised police violence as Azerbaijan prepared to host the Eurovision Song Contest.<sup>160</sup> Huseynov is the brother of Emin Huseynov, director of the Institute for Reporters' Freedom and Safety, who now resides in Switzerland since his offices were sealed shut by the authorities in 2014, as described above.<sup>161</sup>

The authorities initiated a criminal case against Mehman Huseynov in June 2012, detained him for a day, charged him with hooliganism 'committed with resistance to a representative of the authority', and released him on his own recognizance, but the criminal investigation is ongoing. Huseynov explained that there have not been any significant developments in the investigation in the past three years, but the case is still pending. Police have detained and interrogated him on numerous occasions since then.<sup>162</sup>

According to Huseynov, after his brother Emin left the country, the investigator has not hidden from him the motives for keeping the 2012 criminal investigation open. Huseynov said: "The investigator said, 'We could not arrest your brother, but we control whatever happens to you and your family.' They cancelled my ID card and passport and I cannot get new ones, and couldn't travel anywhere, even if I wanted. I received a response this week about my most recent request to travel abroad. They say that I am not allowed to, claiming there is a risk that I would abscond because of the pending criminal investigation."<sup>163</sup>

Officials have never questioned Huseynov about the incident with the police officer and he is not aware of any meaningful investigative steps. Without identification documents, Huseynov cannot authorise power of attorney to a legal representative and thus is also not able to file a lawsuit against any official actions. The absence of identification also prohibits him from formal employment and education."<sup>164</sup>

### **Ganimat Zahidov, *Azadlig* newspaper editor-in-chief**

Ganimat Zahidov is the editor-in-chief of the major opposition daily newspaper *Azadlig* and the pro-opposition television program *Azerbaijan Saat* (Azerbaijan Hour) which is broadcast by satellite for a few hours every week from abroad. The authorities have often jammed transmission and removed the channel from satellite broadcasts, but *Azerbaijan Saat* has continued to broadcast by frequently identifying new host channels.<sup>165</sup> Arrested after publishing articles critical of the government, Zahidov was sentenced to four years in prison in 2008 on dubious hooliganism charges. He was released under a 2010 presidential pardon, but in 2011 fled to France after officials threatened him and his family.<sup>166</sup>

According to Zahidov, several of his family members who remain in Azerbaijan have been targeted in retaliation for his continued critical journalism.<sup>167</sup> The authorities detained two of Zahidov's nephews as well as a cousin in June 2015. A court sentenced the nephews to detention for allegedly disobeying police orders, and immediately brought criminal drug charges against the cousin, Rovshan Zahidov. One nephew was released after serving his sentence, but the authorities brought drug charges against the other nephew, Rufat Zahidov. Both Rovshan Zahidov and Rufat Zahidov were convicted in 2016 on criminal drug charges and are serving six-year prison terms. Both had spent nearly a year in pre-trial detention prior to their convictions.<sup>168</sup> Both have denied the charges and said they never used drugs. Forensic examinations also could not prove any drug history.<sup>169</sup>

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<sup>159</sup> Interviews with lawyer Elchin Sadigov, August 14 and 17 2016.

<sup>160</sup> Human Rights Watch, Azerbaijan: Retribution Against Photographer," Human Rights Watch news release, June 14, 2012, <https://www.hrw.org/news/2012/06/14/azerbaijan-retribution-against-photographer>

<sup>161</sup> The Guardian, Swiss fly out opposition journalist hiding at its embassy, *The Guardian*, June 2015, <https://www.theguardian.com/world/2015/jun/14/swiss-fly-out-opposition-journalist-hiding-at-its-azerbaijan-embassy>

<sup>162</sup> Criminal Code of Azerbaijan, art. 221.2.2. Telephone interview with Mehman Huseynov, September 16, 2016.

<sup>163</sup> Telephone interview with Mehman Huseynov, September 16 2016.

<sup>164</sup> Telephone interview with Mehman Huseynov, April 10 2016.

<sup>165</sup> Reporters Without Borders, Ganimat Zahid, 2016, <https://rsf.org/en/hero/ganimat-zahid>

<sup>166</sup> Frontline Defenders, Case history of Ganimat Zahidov, 2016, <https://www.frontlinedefenders.org/en/case/case-history-ganimat-zahidov>

<sup>167</sup> Telephone interview with Ganimat Zahidov, April 11 2016.

<sup>168</sup> IRFS, Critical journalist Ganimat Zahid's relatives sentenced to 6 years in prison, June 2016, <https://www.irfs.org/news-feed/critical-journalist-ganimat-zahids-relatives-sentenced-to-6-years-in-prison/>

<sup>169</sup> Telephone interviews with Ganimat Zahidov and Natig Adilov, April 10 and 11 2016.



In recent years, the authorities have also targeted other journalists affiliated with *Azerbaijan Saat*. Its anchor, the well-known journalist Seymur Hazi was arrested in August 2014.<sup>170</sup> In the same month, the brother of the programme's other anchor, Natig Adilov, was arrested on trumped-up drug charges, which Adilov said was in retaliation for his own journalism.<sup>171</sup> Their colleague Khalid Garayev was arrested in late October 2014, when police accused him of hooliganism for 'swearing in public', after which he was sentenced to one month in detention.<sup>172</sup>

### **Tural Sadigli, blogger and social media activist**

Tural Sadigli, a blogger and political activist, fled Azerbaijan in January 2013 fearing arrest. He continued to author the popular pro-opposition Azad Soz website and Facebook page, where he often posts articles and videos on political prisoners and corruption. In January 2015, Sadigli participated in a protest outside the offices of German Chancellor Angela Merkel in Berlin, during a visit by President Aliyev. Sadigli's Berlin protest prompted authorities in Azerbaijan to retaliate against his family members.<sup>173</sup>

On February 13, 2015 police in Baku detained Sadigli's brother, Elgiz Sadigli, on spurious drug charges. According to Tural Sadigli, his brother alleged that police planted drugs on him in the police station and in his car. He was initially held in pre-trial detention for two months on charges of allegedly possessing 1.5 kilograms of marijuana, but then released to house arrest. In November 2015 an Azerbaijani court convicted Elgiz Sadigli, sentenced him to two years' probation, and banned him from traveling outside of the country. He was interrogated twice during the seven-month investigation into the drug charges, but police focused questions on Tural's activities in Germany.<sup>174</sup> He appealed the conviction but in January 2016, the appeals court left the verdict standing.

Also on February 13, 2015 police called in Sadigli's father for questioning and held him overnight on allegations of swearing in public. The police informed his father that his and Elgiz's detentions were in response to his son's political activities in Berlin.<sup>175</sup>

The relatives of at least three other exiled activists who joined the Berlin protest have also been called in for questioning, according to information gathered by Sadigli. Police in Sumgayit and Baku invited their relatives to the police station, kept them for several hours, and questioned them about their relatives' political activities and who organised the Berlin protest. In one case, police showed one of the relatives a picture of the Berlin protest. Police warned them that they would be in trouble if their relatives in Germany continue their anti-government activities. In two cases relatives apparently lost their jobs as retaliation.<sup>176</sup>

### **Rasul Murselov, opposition activist**

Rasul Murselov is an activist with the opposition Azerbaijani Popular Front Party (APFP) and is active on social media. In August 2014, Murselov participated in a workshop in Georgia, which included participants from Armenia, a neighbouring country locked in a protracted conflict with Azerbaijan. Upon his return to Azerbaijan, the authorities questioned Murselov about his contact with Armenians. Fearing arrest Murselov fled and sought asylum in a European country.<sup>177</sup>

In September 2015, Murselov's parents and five other relatives renounced all connections to Murselov in an appeal to President Aliyev and several government agencies.<sup>178</sup> Murselov explained that the authorities' pressure on his parents was in retaliation for his work: "My parents were repeatedly summoned to the police station and questioned about my activities. They were under pressure and threatened with dismissals from their jobs. Their

<sup>170</sup> Azerbaijan sentences opposition journalist to 5 years in jail, Reuters, <http://www.reuters.com/article/us-azerbaijan-journalist-prison-idUSKBN0L21VD20150129>.

<sup>171</sup> IRFS, Opposition activist Murod Adilov sentenced to 6 years in prison, May 2015, <https://www.irfs.org/news-feed/opposition-activist-murad-adilov-sentenced-to-6-years-in-prison/>

<sup>172</sup> J Contact.az, Journalist Khalid Garayev arrested for 25 days (UPDATED), October 2014, <http://www.contact.az/docs/2014/Social/102900094881en.htm>

<sup>173</sup> Human Rights Watch, Dispatches: Jailed in Azerbaijan for Protest in Berlin, February 2015, <https://www.hrw.org/news/2015/02/17/dispatches-jailed-azerbaijan-protest-berlin>

<sup>174</sup> Telephone interviews with Sadigli's family members, names withheld, and Tural Sadigli, September 15 2016.

<sup>175</sup> Telephone interviews with Tural Sadigli, April 24 and 27 2016.

<sup>176</sup> Telephone interviews with Tural Sadigli and protest participants, names withheld, August 16 2016.

<sup>177</sup> Details withheld for security reasons. Interviews with Rasul Murselov, April 8 and 9, 2016.

<sup>178</sup> "Parents disown their political prisoner son," *Musavat Daily*, September 9, 2015, [http://musavat.com/news/son-xeber/valideynleri-azerbaycanli-siyasi-mehbusdan-imtina-etdi\\_291051.html](http://musavat.com/news/son-xeber/valideynleri-azerbaycanli-siyasi-mehbusdan-imtina-etdi_291051.html)



decision to disown me was the only way for them to deflect the constant harassment from the police and other officials.”<sup>179</sup>

## Conclusion

In recent years, Azerbaijan have been engaged in a vicious crackdown on critics and independent civil society groups. In its October report, “Harassed, Imprisoned, Exiled,” Human Rights Watch documented the government’s concerted efforts to undermine civil society.<sup>180</sup> In addition to the cases described above of harassment against the relatives of activists in exile, the authorities used false, politically motivated criminal and administrative charges to prosecute political activists, journalists, and others criticising the government and its policies. The government has built a restrictive legal and policy framework to paralyse the work of independent groups. Lawyers willing to defend critics have faced retaliation and disbarment. Although the authorities released several human rights defenders and others in early 2016, many others remain in prison or fled into exile.

The international community has responded to Azerbaijan’s lack of respect for human rights in a disjointed and inconsistent manner, hindering the possibility of a clear, unified policy response to the civil society crackdown. Throughout 2015 and 2016 the European Union (EU), the United States (US), and Azerbaijan’s other bilateral and multilateral partners have issued statements deploring the arrests and convictions of activists and journalists and welcoming releases, but failed to impose consequences for Azerbaijan’s human rights crackdown.

The severe drop in global oil prices in 2015 took a significant toll on Azerbaijan’s petroleum export-dependent economy. Low economic performance and depletion of oil revenue reserves prompted the Azerbaijani leadership to seek loans from multilateral development banks.<sup>181</sup> This provided additional opportunities for these institutions to insist on institutional reforms, including fostering an enabling environment for civil society as a precondition for certain assistance.

The EU and Azerbaijan are about to embark on negotiating a new framework document to replace the 1999 Partnership and Cooperation Agreement, which provided the legal framework for EU-Azerbaijan bilateral relations in the areas of political dialogue, trade, investment, and economic, legislative, and cultural cooperation. The new agreement is designed to foster closer political and economic ties between Brussels and Baku, but the lengthy talks on the new partnership will also provide the EU with an invaluable opportunity to press Azerbaijan for concrete improvements in the area of human rights. Efforts should include urging the authorities to release journalists, political activists, and human rights defenders imprisoned on bogus charges; to stop the harassment of journalists, activists, other government critics, and their relatives; to end the crackdown on civil society; and to bring legislation related to freedom of association into line with international norms.

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<sup>179</sup> Telephone interviews with Rasul Murselov, April 8 and 9 2016.

<sup>180</sup> Human Rights Watch report, “Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society,” October 20, 2016, <https://www.hrw.org/report/2016/10/20/harassed-imprisoned-exiled/azerbaijans-continuing-crackdown-government-critics#503126>

<sup>181</sup> Jack Farchy, “IMF, World Bank Move to Forestall Oil-Led Defaults,” *Financial Times*, January 30, 2016, <https://www.ft.com/content/9759f42a-c51b-11e5-b3b1-7b2481276e45>

## Conclusion and Recommendations

Adam Hug

This publication has shown in significant detail how repressive regimes from the former Soviet Union, most notably Uzbekistan, Tajikistan, Russia, Azerbaijan and Kazakhstan operate outside their borders to challenge dissenting voices. The security services from the former Soviet Union are adept at using the language of terrorism and state security to restrict the activities of their political opponents, triggering both formal cooperation agreements within the region and the longstanding personal networks between security service leaders, 'the RepressIntern' as Galeotti puts it, to put pressure on the opponents of fellow repressive regimes. They are particularly adept at operating within diaspora communities in Russia, Turkey and across Europe.

International policy makers should be clear that the targeting of exiles by their home regimes is a regular occurrence and an issue that needs specific attention. While both the migrant crisis and increased backlash against immigration create challenges for Western policy makers, more needs to be done to provide the protection that many exiles require. This involves Western security services playing a more active role in monitoring the activities of former Soviet security services on their soil, particularly within diaspora communities. Where possible this should include being aware of and responding to attempts by foreign security services to hack into the emails, telecommunications and social media of exiles from the former Soviet Union in order to help protect activists' personal data and thereby help protect them, their families and associates from harm.

Western courts and immigration systems need to continue to be vigilant to resist extradition attempts that would expose individuals from the former Soviet Union to the risk of torture, unfair trial and imprisonment or worse upon their return. This clearly applies to overtly political cases but also to cases where allegations of radicalisation are involved, given the propensity of Central Asian and other regimes to use this issue as cover for targeting political opponents. Based on the information provided by Nadejda Atayeva in this collection, there would seem to be a case to look at halting deportations to Uzbekistan, even in cases where there is no direct link to political activity, given the risk that those returning may be harassed or forced into giving false evidence. The case for reform of INTERPOL to stop Red Notices being used as a tool to target regime opponents abroad remains an important concern, despite recent progress, noting in particular the recent case of Tajik opposition leader Muhiddin Kabiri.

There is little sign that post-Soviet regimes who are exporting repression through the use of their security services abroad are paying a political or economic price for their actions. The approval in November 2016 of the long-delayed Uzbekistan Textiles deal by the European Parliament Trade Committee does not seem to show that any penalties are being levied on Uzbekistan for the behaviour described in this publication or elsewhere. The full European Parliament still has the opportunity to hold Uzbekistan to account by rejecting the current deal when it meets in December 2016<sup>182</sup>. Similarly, EU member states seem so far to be ratifying the planned EU-Kazakhstan Enhanced Partnership and Cooperation Agreement while talks continue for a Strategic Partnership Agreement with Azerbaijan. From this author's perspective it makes little sense to approve trade enhancements with regimes who are actively harassing their political opponents on European soil, in addition to their repression at home<sup>183</sup>.

### Recommendations for Western policy makers

- Continue to reform the Interpol Red Notice system to avoid the system being used to harass exiled dissidents
- Remain vigilant to politicised extradition attempts and the need to preserve the principle of non-refoulement
- Consider halting deportations of Uzbek nationals given reports of the persecution of non-political exiles upon their return
- Further investigate, through Western security services, the networks of informants and agents that operate on behalf of the security services of the former Soviet Union in European countries with sizeable Central Asian diasporas, such as Poland and Germany.

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<sup>182</sup> Reuters, EU lawmakers back Uzbekistan trade deal opposed by anti-slavery activists, November 2016, <http://www.reuters.com/article/us-eu-uzbekistan-forced-labour-idUSKBN1351M7>

<sup>183</sup> For more please see *Institutionally Blind: International organisations and human rights abuses in the former Soviet Union*, February 2016, <http://fpc.org.uk/publications/institutionallyblind>

- Support exiles who are facing hacking and attempts to steal personal information
- Ensure that surveillance equipment, software and technical support are subject to export controls and are not provided by Western firms to repressive regimes in the former Soviet Union
- Suspend plans to upgrade trade and diplomatic arrangements with those states known to target activists in exile

## **About the Foreign Policy Centre**

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## **No shelter: The harassment of activists abroad by intelligence services from the former Soviet Union**

No Shelter examines the experiences of activists and other people who have had to leave their former Soviet country of origin due to the risk of persecution at home, but who are unable to escape the pressures of their country's security services. It looks at both the legal and illegal means used by the security services to put pressure on exiles from Interpol Red Notices and formal extradition procedures, to surveillance, harassment, physical attacks, kidnapping and assassination. Though the publication looks at the issue across the post-Soviet region there will be a particular focus on the activities of the security services from Tajikistan, Uzbekistan, Russia, Azerbaijan and Kazakhstan, and on both Turkey and Russia as places where exiles are most at risk. No Shelter examines regional security service cooperation and collusion in putting pressure on activists, alongside the influence of Western activities that have helped exacerbate the situation.

The collection contains contributions from: Nadejda Ataeva, Association for Human Rights in Central Asia; Civil Rights Defenders; Dr Mark Galeotti, Institute of International Relations, Prague; Arzu Geybulla; Giorgi Gogia, Human Rights Watch; Dr John Heathershaw, Eve Bishop and Rosa Brown, University of Exeter; Adam Hug (Ed.), Foreign Policy Centre; Dr Edward Lemon, Columbia University.

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