

Austrian Presidency of the Council of the European Union

**Permanent Council No. 613
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EU statement on Uzbek refugees in Kyrgyzstan

1. The European Union has learned with regret of the decision by the Supreme Court of Kyrgyzstan declining refugee status to the last of four Uzbek nationals who had sought refuge in Kyrgyzstan in the aftermath of the events in Andijan. This decision, which cannot be appealed, was taken in spite of a positive refugee status determination carried out by the UNHCR in 2005.
2. Kyrgyzstan is one of several States where Uzbek citizens are currently seeking refuge. We reiterate our call on these States to act in full compliance with their international commitments, especially the 1951 Convention relating to the Status of Refugees and the 1984 UN Convention Against Torture, and to refrain from extraditing these individuals to Uzbekistan.
3. Kyrgyzstan has set a positive example by allowing 450 Uzbek refugees to be relocated to other States in 2005. We sincerely hope that the Kyrgyz side will follow this precedent in the case of the four individuals mentioned, and will grant them the right to stay in Kyrgyzstan or will work with the UNHCR to find a humanitarian solution outside the country. All four refugees have been accepted for resettlement by other States.
4. Furthermore, we would like to point out that the United Nations Human Rights Committee is currently examining the cases of three of the four refugees pursuant to Optional Protocol No. 1 to the International Covenant on Civil and Political Rights, to which Kyrgyzstan is a Party. We hope the Kyrgyz authorities will refrain from creating irreversible facts before the legal procedure before the Human Rights Committee has been duly completed.

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia¹ and the former Yugoslav Republic of Macedonia, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

¹ Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process