

**OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2006**

**CANADIAN STATEMENT FOR THE WORKING SESSION 5:  
HUMANITARIAN ISSUES AND OTHER COMMITMENTS  
4 OCTOBER 2006  
WARSAW**

Thank you, Mister Moderator.

Canada joins others in expressing its concern for the well-being and safety of the Uzbek refugees and asylum-seekers following the Andijan incident.

We listened carefully to the September 7 statement made by Kyrgyz officials on their government's position regarding the return of refugees and asylum-seekers to Uzbekistan.

Canada recognizes and appreciates the generosity which the Kyrgyz Republic has extended to other refugees and asylum-seekers in the past, and its cooperation with UNHCR. We would encourage the Kyrgyz Republic to maintain this approach, which is in keeping with international human rights and refugee law.

It is with this in mind that Canada regrets the Kyrgyz Republic's recent decision to deport five Uzbek nationals, without further exploring with UNHCR resettlement to a third country as an option. We would have anticipated that the Kyrgyz authorities would have shown the same cooperative approach as they took in 2005, an approach for which they have been commended.

Canada would remind the Kyrgyz Republic that it is a State party to the 1951 Geneva Convention on the Status of Refugees and the Convention Against Torture and must respect its obligations under these Conventions.

These Conventions take precedence over any other international legal documents dealing with the return of individuals to another State.

A determination of refugee, as well as resettlement options provided by the UNHCR, should be given due consideration by State authorities.

Also, we call upon the Uzbek Government to accept the UNHCR request that international observers be granted humanitarian access to ensure that the basic human rights of the deportees from Kyrgyzstan are respected.

On the same matter, Canada wishes to express its appreciation for Russia's decision not to extradite Uzbek refugees and asylum seekers back to Uzbekistan following a decision of the European Court for Human Rights.

We also appreciate Kazakhstan's decision to work with the UNHCR for the resettlement of one Uzbek refugee and hope the Kazakh authorities will continue to do so.

Finally, the UNHCR is well placed to assist the Government of the Kyrgyz Republic and Uzbekistan in providing guidance on issues related to international refugee law. We strongly encourage the Kyrgyz Republic, Uzbekistan and all participating States to continue to cooperate and maintain an open dialogue with the UNHCR on issues related to refugees and asylum seekers.

Thank you, Mister Moderator.