

KINA (73)

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PEOPLE'S REPUBLIC OF CHINA: Xinjiang Uighur Autonomous Region

Appeal for Uighurs arbitrarily detained

January 1999

SUMMARY

AI INDEX: ASA 17/02/99

DISTR: SC/CO/GR

Following ethnic unrest in February 1997 in the city of Gulja (*Yining*), in the west of the Xinjiang Uighur Autonomous Region (XUAR), the Chinese authorities have tightened controls over the local Uighur population and repressed any activity suspected of lending support to Uighur nationalism. Such measures are believed to have exacerbated ethnic tensions and contributed to the escalation of violence in the region.

Amnesty International is concerned about reports of continuing arbitrary arrests of Uighurs in the XUAR and elsewhere in the People's Republic of China (PRC). It is also concerned about reports that Uighur political detainees are frequently subjected to torture and that some have been left physically and mentally scared as a result.

This document cites the cases of some of the people who are reported to have been arbitrarily detained for their suspected views, associations or peaceful activities, in violation of international human rights standards.

KEYWORDS: ARBITRARY ARREST1 / ETHNIC GROUPS1 / TORTURE/ILL-TREATMENT / TRADERS / BUSINESS PEOPLE / RESTRICTION ON MOVEMENT

This report summarizes a 6-page document (3085 words): *People's Republic of China: Xinjiang Uighur Autonomous Region, Appeal for Uighurs arbitrarily detained* (AI Index: ASA 17/02/99) issued by Amnesty International in January 1999. Anyone wishing further details or to take action on this issue should consult the full document.

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INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

PEOPLE'S REPUBLIC OF CHINA: Xinjiang Uighur Autonomous Region

Appeal for Uighurs arbitrarily detained

Amnesty International is concerned about reports of continuing arbitrary arrests of Uighurs in the Xinjiang Uighur Autonomous Region (XUAR) and elsewhere in the People's Republic of China (PRC). It is also concerned about reports that Uighur political detainees are frequently subjected to torture and that some have been left physically and mentally scarred as a result.

The Uighurs are the majority ethnic population of the XUAR, where the local population is predominantly Muslim. Following ethnic unrest in February 1997 in the city of Gulja (*Yining*),¹ in the west of the XUAR, the authorities have tightened controls over the local population and repressed any activity suspected of lending support to Uighur nationalism - officially termed "separatism" - including peaceful religious activities. Such measures are believed to have exacerbated ethnic tensions and contributed to the escalation of violence in the region. A growing number of violent incidents, including clashes between small groups of Uighur nationalists and the security forces, have been reported since then.

The cases cited in this document are those of people who are reported to have been arbitrarily detained for their suspected views, associations or peaceful activities, in violation of international human rights standards. Some have also been arbitrarily detained merely because they are relatives or friends of political prisoners or fugitives, or simply because they are Uighurs. Their relatives have received no news of them and they have been held without charge for several months, in violation of Chinese law.²

Amnesty International is calling on the Chinese authorities to release without delay all those held for the peaceful exercise of fundamental human rights and to take effective measures to ensure that Uighur and other ethnic detainees and prisoners are not subjected to torture or other cruel, inhuman or degrading treatment or punishment.

¹ See *People Republic of China: Summary of Amnesty International Concerns*, February 1998, AI Index: ASA 17/06/98, page 3.

² Under the revised Criminal Procedure Law of the PRC, in force since January 1997, detainees should either be formally "arrested" (charged) within 14 days after being taken into police custody or released. They have the right to engage a lawyer soon after being taken into custody. Furthermore, the police should in principle inform the family of the detention or arrest of a relative and of the place where he or she may be detained within 24 hours after arrest or detention, unless the police deems that this "would hinder the investigation". Even in such cases, the law does not provide for detention to continue if the detainee has not been charged within 14 days of being taken into police custody.

GULJA (YINING) CITY AND ILI PREFECTURE, XUAR

The cases described below concern people reported to have been detained in the past few months in or around the city of Gulja (*Yining*), in Ili prefecture. They are not known to have been involved in violence. Many others have been arbitrarily detained in this area over the past two years. It is feared that the prisoners may have been tortured to force them to give information about others or to sign "confessions", and that they may still be at risk of torture or other ill-treatment

1. Detentions in July 1998

Alimjan, a teacher at Gulja Middle School No.5 and Secretary of the school's Communist Party Committee, is reported to have been arrested at his home by officers of the People's Armed Police on 18 July 1998. He was reportedly accused of secret participation in a gathering of "nationalist separatists". From 18 to 28 July, he was reportedly held in a prison of the 4th Division of the Xinjiang Production and Construction Corps (known in Chinese as the "*Bingtuan*"), a military-run "economic" institution which has its own prisons, police and courts with independent jurisdiction over detainees and prisoners in areas under its control.³ Since the 5 February 1997 incident in Gulja, the prison facilities of the Bingtuan's 4th Division have been used for the temporary detention of 'non-Bingtuan' political detainees from Gulja. On 22 July 1998, Alimjan was reportedly removed from all his posts by decision of the Gulja city government, and deprived of his salary. On or after 28 July, he was transferred to Gulja city jail in Yengi Hayat district. He is believed to be still detained. It is not known whether he has been formally charged with a crime.

Tursun Mehmet, the Deputy Director of the study section of Middle School No.14 in Gulja city, was reportedly arrested on 18 July 1998 and accused of helping "nationalist separatists". On 22 July 1998, like Alimjan, he was reportedly removed from his post and deprived of his salary. From 28 July, he was held in Gulja city jail in Yengi Hayat District. He is believed to be still detained-but is not known to have been charged.

Abdushukur, the Deputy Head of the administration of Doletbagsk district of Gulja city, is reported to have been arrested on 20 July 1998 in the office of Gulja city Communist Party Committee. He was reportedly accused of helping "nationalist separatists" to leave the country. On 22 July 1998, like the two others named above, he was reportedly removed from his posts and deprived of his salary. His current place of detention is not known.

Abdat Patar, a medical surgeon at the military hospital of Gulja city, was reportedly arrested at the beginning of July 1998 and accused of having given medical treatment to "nationalist

³ The *Bingtuan*, established in the Xinjiang since the 1950s, enjoys considerable autonomy and is administered independently from the XUAR regional government. The *Bingtuan* is divided into 10 prefecture-level divisions. The 4th Division is based in Gulja (*Yining*). See "*New Ghosts, Old Ghosts - Prisons and Labour Reform Camps in China*", by James D. Seymour and Richard Anderson, M.E. Sharpe, 1998, pp.45-70.

separatists". He is reported to be held in a military prison, with his case coming under the authority of the Lanzhou Military Court.⁴

2. Detentions in April 1998

Scores of Uighurs were reportedly detained in villages near Gulja city in April 1998 following an incident in Hudiyaryuzi village in which the security forces reportedly shot dead six local Uighur youths. Little is known about the incident, which has not been publicly reported by official sources. According to unofficial sources, on 18 April 1998 several trucks of armed police and soldiers reportedly arrived in the village and surrounded a farmer's house where the six youths had gathered. Some of the youths, all aged in their early 20s, had allegedly collected guns and were sought by police for their suspected involvement in clandestine opposition activities. The circumstances in which they were shot dead by the security forces on 18 April 1998 is not known to Amnesty International.

Following the incident, the security forces carried out large scale arrests in the area, detaining scores of villagers, including relatives, friends and neighbours of the youths. According to unofficial sources, most of those detained had no connection with the youths' activities. They were reportedly severely tortured in detention. Some were released after a few weeks or months. Others are believed to be still held incommunicado and without charge. Their relatives have had no news of them. It is feared that they may have been subjected to torture and that they may still be at risk of torture or other ill-treatment. They include the following people:

Abdurazzak Shamseden, a 28 year-old farmer and wood worker in Kepekyuzi (*kebaikeyuzi*) village, near Hudiyaryuzi village, Ili prefecture. He is reported to have been arrested following the 18 April 1998 incident described above. One of the six youths killed in the incident was his nephew. This is believed to be the reason for his detention. Abdurazzak is not known to have ever been involved in political activities. Described as a "quiet" man, he was about to get married when he was arrested. He is believed to be held in Gulja (*Yining*) city jail in Yengi Hayat district.

Abduhalik Abdureshit, aged in his early 20s, a farmer from Kepekyuzi village, was reportedly arrested following the 18 April 1998 incident, though he is not known to have been charged or tried. He is believed to be held in Yengi Hayat district jail in Gulja.

Abdulhekim Abdulletip, aged about 25, a farmer from Kepekyuzi village; he was a friend of one of the youths killed on 18 April 1998. He is believed to have been arrested following the incident and to be held in Gulja city, but his legal status and whereabouts are not known.

Hudiyumberdi Begzad, aged about 33, a farmer from Kepekyuzi village; he is believed to have been arrested following the 18 April 1998 incident and to be held in Gulja city, but his legal status and whereabouts are not known.

⁴ The Xinjiang *Bingtuan* and the Xinjiang Military District are subordinate to the Lanzhou Military Region. Lanzhou is the capital of Gansu province.

Other farmers reportedly arrested in the area following the 18 April 1998 incident include **Elyas Jalal, Jur'at Nuri, Nurmuhimmat Yarmuhammad, Saydulla Kurban and Tohtahun Yarmuhammad**. They are presumed to be held in Gulja city.

KASHGAR, XUAR

Four men and four children are reported to have been detained in the XUAR in September 1998 after being forcibly returned from Kazakstan in late August or early September 1998. The four children were detained for 18 days before being released. The four men are believed to be still held in the city of Kashgar, in the south-west of the XUAR. It is feared that they may have been subjected to torture in order to extract from them information about their escape, and that they are still at risk of torture or other ill-treatment. They include:

Yasim Kari, aged about 35, a Mullah (religious teacher) from Kashgar; he is reported to have left China in July 1998 together with his three children (a 12 year-old girl called Mina, a 10 year-old boy called Kersen, and a boy aged 5), and four other people.

Abla Karim, another Mullah from Kashgar aged about 40; he was among the four people who left China in July 1998 with Yasim Kari and his children. The three others were Abla Karim's 8 year-old son and 70 year-old uncle, and another man aged about 30 whose identity is not known to Amnesty International.

Yasim Karim had reportedly been detained for four months in 1995 because of his peaceful religious activities. He had formed a religious class in Kashgar to teach the Koran. Koranic schools and independent religious classes have been banned by the Chinese authorities in the XUAR in recent years and many religious teachers and leaders have been detained for their peaceful religious views or activities. Both Yasim Kari and Abla Karim had reportedly failed to comply with the authorities' requirement that religious leaders should publicly acknowledge in the mosque the 'merits' of the government policies. Amidst the government's growing repression of religion, they were fearing arrest and fled the PRC in July 1998, reaching Kazakstan in August 1998.

On or around 25 August 1998, the four men and four children were detained by Kazak custom police at Almaty airport, Kazakstan, as they were about to board a plane for another country. They were reportedly detained because, unlike other travellers, they had PRC passports and they refused to pay bribes allegedly demanded by the custom officers. The PRC Embassy in Almaty was reportedly immediately informed of their detention by the Kazak authorities and requested their extradition. The group was forcibly returned to the PRC within a few days. They were reportedly sent back to Urumqi, the regional capital of the XUAR, where they were detained for a week before being transferred to a prison in Kashgar. The four children were detained for 18 days after their return, then released. Three of the men's wives were also reportedly detained in September 1998 for interrogation about their husbands' escape. Two of them were released at the end of September, but the fate of the third one is not known. Yasim Kari, Abla Karim and the two other men are believed to be still detained. Their legal status and exact whereabouts are not known.

DETENTION OF UIGHUR TRADERS IN ZHEJIANG PROVINCE

Amnesty International is deeply concerned about a report that a group of Uighur traders have been arbitrarily detained in Yiwu city, Zhejiang province, where they were held without charge for several weeks and brutally beaten by local police to force them to admit that they were involved in "separatist" activities.

According to the report, some 20 Uighur traders who had come to Yiwu to trade in the city's large wholesale small goods market, were taken into police custody by local Public Security officers on 26 August 1998. Their arrest was reportedly ordered by some local government leaders for reasons which had to do with business competition in the city's market, though the pretext for their detention was the current government campaign against Uighur "separatists".

Some time after their arrest, local lawyers in Yiwu and Urumqi cities reportedly publicly denounced their illegal detention, but 18 of the traders were still illegally detained without charge in November 1998. They were reportedly brutally beaten in detention to make them "confess" to involvement in "separatist" activities. Two of them reportedly suffered broken bones, as a result of the beatings, but were refused medical treatment. Those who could still move were reportedly forced to work for up to 14 hours a day. All were held in harsh conditions of detention and became ill as a result. Relatives of the traders have declined to reveal their identity for fear of reprisals. There has been no news about the traders since November 1998 and their current whereabouts are not known.

URUMQI, XUAR

Kahriman Abdukirim, 29, secretary to Uighur businesswoman Rebiya Kadeer (see below), was taken away by police from his place of work in Urumqi, the regional capital of the XUAR, on 21 November 1998. He was held for one night in a local police station, where he was reportedly beaten, then transferred on 22 November 1998 to the Detention Centre of Urumqi city Public Security Bureau. He is reported to be still detained incommunicado and without charge.

Originally from Kashgar, Kahriman Abdukirim had studied at Xinjiang University in Urumqi, from which he graduated in 1996. While at university, he had reportedly discussed political issues with other students and spoken about "Eastern Turkestan". A bright student, upon graduation, he was given a job at the regional Academy of Sciences, but he was reportedly dismissed after a few months when the academy learnt that he had spoken about Eastern Turkestan while at University. He started working as Rebiya Kadeer's secretary at the end of 1996.

The authorities have not disclosed the reason for his detention, though it is believed to be related to his political discussions with other students while he was at university and possibly to his association with Rebiya Kadeer. Several of her employees were detained in March 1998, reportedly to force them to sign statements accusing their employer of involvement in illegalities.

Rebiya Kadeer, 50, a well-known Uighur businesswoman and the mother of 10 children, has been under restriction in Urumqi since 1997. Until then, she was referred to in Chinese press articles as the "millionaire woman of Xinjiang" and had an entry in *"Who's Who In The World (Chinese Volume)"*. She was a member of the Chinese People's Political Consultative Conference (CPPCC), and had been a delegate to the UN Fourth World Conference on Women,

held in Beijing in September 1995, where her charisma made her a popular figure with both Chinese and international women's representatives.

Since early 1997, Rebiya Kadeer has suffered harassment and restrictions apparently in connection with her husband's alleged opposition activities abroad, as well as her own efforts to promote the advancement of Uighur women by forming the "Thousand Mothers Movement". This venture, aimed at building Uighur businesses run by women, was officially launched in Rebiya Kadeer's store in Urumqi in November 1997. Local Chinese officials reportedly declined her invitation to attend the launch meeting, but sent a young female representative with flowers instead. At a second meeting of the group in December 1997, Rebiya Kadeer spoke about the power of women and her desire to help Uighur mothers, many of whom wish to work to help sustain their families but lack the opportunity to do so. Shortly after the third meeting of the Movement in December 1997, its assets were frozen by the authorities and the group have not met since.

Prior to the setting up of this venture, in March 1997 police confiscated Rebiya Kadeer's passport as she was about to board a plane to go on business to Kazakhstan, and told her that she no longer had the right to travel abroad. This followed her husband's departure for the USA the previous year. Following the confiscation of her passport, she was reported to have been administratively detained for a short time in April 1997.

At the end of December 1997, Rebiya Kadeer was reportedly taken to a police station where she was held for a few days before being brought before a judge and placed under restrictions involving the obligation to report on a weekly basis to the authorities. The process appears to have been highly irregular and reports say that Rebiya Kadeer did not receive any documentation about the restrictions imposed on her.

In a further move in early 1998, she was barred from re-election to her seat on the CPPCC. In a public comment on the matter in March 1998, Wang Lequan, the XUAR Communist Party Secretary, said the reasons she was not re-elected were that her business had run into difficulty in recent years and that her husband, Sidik Roze, resident in the USA since 1996, had been "engaging in activities of splitting the motherland and endangering the state's security from a foreign country." Wang Lequan added: "One must say that she (Rebiya Kadeer) is not qualified to say that she maintains the motherland's unification and she is patriotic. Therefore she was not elected a member of the current term of the CPPCC."⁵

Rebiya Kadeer is still deprived of her passport and the restrictions imposed on her, which prevent her from leaving Urumqi without police authorization, are reportedly still in force.

⁵ Zhongguo Xinwen She news agency, Beijing, 12 March 1998.