

**PUBLIC**

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**UA 81/06**      **Death penalty/Fear of imminent execution**

**CHINA**      **Ismail Semed**

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Ismail Semed, an ethnic Uighur from Xinjiang Uighur Autonomous Region (XUAR) in northwest China, is at risk of imminent execution after being sentenced to death on political charges.

Ismail Semed was convicted by the Urumqi Intermediate People's Court on 31 October 2005 for "attempting to split the motherland" and other charges related to possession of firearms and explosives. According to Uyghur Human Rights Project (UHRP), a Washington DC-based human rights organization, there are unconfirmed reports that his appeal was heard in a closed session. If his appeal has already been rejected, he might have been executed. Execution in China normally takes place soon after the appeal hearing has concluded. However, given the political nature of the charges brought against Ismail Semed, his death sentence should be reviewed by China's Supreme People's Court.

According to UHRP, Ismail Semed first confessed to the charges during interrogations but then denied them during the trial. It is possible that the initial confession was extorted through torture.

The possession of firearms charges against Ismail Semed appear to have been based on old testimonies taken from other Uighurs, some of whom were reportedly executed in 1999. It is possible that their testimonies may have been extracted through torture. The charge of "splittism" was based on second-hand testimony which stated that Ismail Semed was a member of the East Turkestan Islamic Movement (ETIM) and attended one ETIM meeting in 1997 in Rawalpindi, Pakistan. His alleged membership of ETIM and attendance at that meeting have reportedly been disputed by people who were present at the meeting. China has highlighted ETIM as one of the "East Turkestan terrorist organizations". In 2002, after repeated lobbying from China, the United States and the United Nations classified ETIM as a "terrorist" organisation. The grounds for this decision have not been substantiated with any credible evidence.

In the 1990s, Ismail Semed reportedly served two prison terms for participating in demonstrations in the XUAR. He fled China for Pakistan following a demonstration in February 1997 in Gulja (Yining). According to local sources, the peaceful demonstration was sparked by growing levels of repression of Uighur culture and religion in and around Gulja and was brutally broken up by Chinese security sources, killing and seriously injuring dozens. Hundreds, and possibly thousands, of people died or were seriously injured in the unrest that occurred the following day when thousands of people reportedly took to the streets to protest. Extra police were brought into the city and reportedly went through the streets arresting and beating people, including children. In some areas, protesters reportedly attacked police or Chinese residents and shops and set fire to some vehicles, while the security forces reportedly opened fire on protesters and bystanders. The exact number of people who died remains unknown, and an unknown number of people remain in prison in connection with these events. Ismail Semed was deported from Pakistan to China in 2003.

#### **BACKGROUND INFORMATION**

The political crackdown on the so-called "three evil forces" of "separatist, terrorist and religious extremists" in the XUAR is continuing to result in serious and widespread human rights violations directed against the region's Uighur community, prompting many of them to flee the country. The crackdown has only intensified since the 11 September 2001 attacks in the USA, as China uses the international "war on terror" as a pretext to justify its policies of repression in the region.

Over recent years, Amnesty International has monitored growing numbers of forced returns of Uighurs to China from several of its neighbouring countries, including Pakistan. There is evidence that China has been

pressuring these countries to forcibly return Uighurs, and in some cases, the Chinese authorities appear to have been actively involved in effecting such returns. In some recent cases, returnees are reported to have been subjected to serious human rights violations, including torture, unfair trials and even execution.

The death penalty continues to be used extensively and arbitrarily in China. Amnesty International estimated that in 2004, over 3,000 people were executed and 6,000 sentenced to death. The true figures, which are classified as a "state secret", are believed to be much higher. A Chinese legal expert was recently quoted as stating the true figure for executions at approximately 8,000 per year. Except for one death penalty sentence for political crimes that was given outside of XUAR, XUAR is the only place in China where people have been sentenced to death for political crimes in recent years.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Chinese or your own language:**

- urging the authorities to stay the execution of Ismael Semed;
- urging the authorities to commute the death sentence passed on Ismael Semed;
- calling on the authorities to re-try Ismael Semed in full accordance with the international fair trial standards;
- expressing concern at reports of extensive human rights violations in the XUAR;
- urging the authorities to remove the death penalty as a punishment for non-violent offences, make public full national statistics on death sentences and executions, and introduce a moratorium on executions as immediate steps towards full abolition of the death penalty in law.

**APPEALS TO:**

President of the Xinjiang Uighur Autonomous  
Regional High People's Court  
MAIMAITI Rouzi Yuanzhang  
Xinjiang Weiwuer Zizhiqu Gaoji Renmin Fayuan  
81 Dongfenglu  
Wulumuqishi  
Xinjiang Weiwuer Zizhiqu  
People's Republic of China  
**Salutation: Dear President**

President of the Supreme People's Court of the  
People's Republic of China  
XIAO Yang Yuanzhang  
Supreme People's Court  
27 Dongjiao Minxiang  
Beijingshi 100006  
People's Republic of China  
**Fax: +86 10 65292345 (c/o Ministry of  
Communication)**  
**Salutation: Dear President**

Prime Minister of the People's Republic of China  
WEN Jiabao Guojia Zongli  
The State Council  
9 Xihuangcheng Genbeijie  
Beijingshi 100032  
People's Republic of China  
**Fax: +86 10 65292345 (c/o Ministry of  
Communication)**  
**Email: gazette@mail.gov.cn**  
**Salutation: Your Excellency**

**COPIES TO:**

Secretary of the Xinjiang Uighur Autonomous  
Regional Party Committee  
**WANG Lequan** Shuji  
Zhonggong Xinjiang Weiwuer Zizhiqu Weiyuanhui  
2 Jiankanglu  
Wulumuqishi  
Xinjiang Weiwuer Zizhiqu  
People's Republic of China  
**Salutation: Dear Secretary**

and to diplomatic representatives of China accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 22 May 2006.