

Amnesty International Women's Rights Action 2000

Women's Rights are Human Rights
The Struggle Persists

CHINA

Arbitrary Detention of Rebiya Kadeer - a women's human rights defender and prisoner of conscience

AI Index: ASA 17/04/00

[BOX]

“Women engaged in the defence of human rights must be protected. Governments have a duty to guarantee the full enjoyment of all rights set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights by women working peacefully in a personal or organisation capacity for the promotion and protection of human rights. Non-governmental organisations, women's organisations and feminist groups have played a catalytic role in the promotion of human rights of women through grass-roots activities, networking and advocacy and need encouragement, support and access to information from Governments in order to carry out these activities.”

Beijing Platform for Action, Strategic Objective I, para. 228

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Rebiya Kadeer is a well-known businesswoman and mother of 10 from the Xinjiang Uighur Autonomous Region (XUAR) in China. In 1995, she was part of China's official delegation to the UN Fourth World Conference on Women held in Beijing. A charismatic woman, she drew a lot of attention from amongst the Chinese and international women's delegates at the Conference.

As a former member of the Chinese People's Political Consultative Conference¹ and the most prominent woman among the Uighur ethnic minority in China, Rebiya Kadeer has made important contributions to promote women's rights in the country. Her contributions included the creation in 1997 of the forum - the "Thousands Mothers Movement" - which was potentially the most significant step in China since the UN World Conference on Women took place in 1995 for promoting the rights of and create employment for ethnic minority women. This initiative is particularly significant in a region, the XUAR, which is one of the least developed in China.

In 1997, Rebiya Kadeer was arbitrarily deprived of her right to freedom of movement when the government confiscated her passport. She was subsequently subjected to police harassment resulting in further restrictions of her movement. These actions by the state were apparently aimed at putting pressure on her husband - a former political prisoner who was living abroad - to stop him from making public statements critical of China's treatment of the Uighurs - the majority ethnic group among the predominantly Muslim population in the region. Rebiya Kadeer was thus made a "hostage" and

¹ The *Chinese People's Political Consultative Conference* (CPPCC) was founded before the establishment of the People's Republic of China. Its 4,000 members are personalities "representing" groups such as overseas Chinese, scientists, religious groups, etc. There are regional and local CPPCCs. It normally meets annually at the same time as the National People's Congress (parliament) and is a forum for opinions and (mild) criticism of the Party. The CPPCC has no formal powers.

prevented from joining her husband and some of her children abroad. Her business activities also suffered as a result of the persecution to which the authorities subjected her-

On 11 August 1999, she was arrested in Urumqi, the capital of the XUAR, when she was on her way to meet a group of American visitors from the United States Congressional Research Service. She has been detained since then at Liudaowan jail, notorious for its torture and ill-treatment of prisoners. In September 1999 she was eventually charged with "providing secret information to foreigners". The charge is thought to relate to her planned meeting with members of the US Congressional Research Service group. Rebiya Kadeer is not known to have had access to any information which could be legitimately described as constituting a "state secret". Nor is she known to have been involved in any political opposition activities. Rebiya Kadeer is reportedly now suffering from poor health in prison.

One of Rebiya's sons, Ablidik Abdiryim, and her secretary, Kahrیمان Abdukurim, were also arrested at the same time as her. They too were reportedly accused of "providing information to foreigners" or "people outside the borders". On 20 November 1999 Ablidik Abdiryim was assigned to two years of "re-education through labour" (an administrative punishment imposed by a government committee without charge or trial), and Kahrیمان Abdukurim to three years of "re-education through labour". Both men are reported to have been ill-treated in detention.

On 1 November 1999, Chinese officials visited Rebiya Kadeer's home and reportedly demanded a large amount of money from her relatives, apparently to pay for Rebiya to be taken to hospital. On 4 November 1999, she was reportedly taken to hospital for a check-up but no further details about her health have emerged since.

In early December 1999, a court in Urumqi examined the prosecution's case against Rebiya Kadeer, but reportedly refused to accept the case for trial and returned it to the Procuracy. 'Return of the case to the Procuracy' is a procedure often used in China when the prosecution's evidence is inconsistent or insufficient to secure a conviction, particularly in political cases. This procedure does not mean that the court has quashed the case. It means that the Procuracy has to "re-investigate" the case. In cases which are considered important, this procedure may also be used as a pretext to allow for consultation with appropriate political authorities. According to unofficial sources, Rebiya Kadeer's case has been referred to authorities in Beijing for a decision. This seems to indicate both that there is insufficient evidence against Rebiya Kadeer to convict her of the charge and that her case is considered too important to be decided upon by the regional authorities. Rebiya Kadeer is a prisoner of conscience.

[BOX]

China and International Human Rights Law

China has signed and ratified several UN human rights treaties, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified in 1988), the Convention on the Elimination of All Forms of Discrimination against Women (1980), and the International Convention on the Elimination of All Forms of Racial Discrimination (1981). In recent years, China has also signed two other key human rights treaties, the International Covenant on Economic, Social and Cultural Rights (1997) and the International Covenant on Civil and Political Rights (1998), but it has not yet ratified them. Despite these steps, serious human rights violations continue in China; arbitrary detention and torture are widespread, and freedom of expression and association remain severely curtailed.

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TAKE ACTION!

Please write letters to the Chinese authorities expressing the following concerns:

- Rebiya Kadeer is a prisoner of conscience detained arbitrarily solely for the peaceful exercise of fundamental human rights and her association with her husband. The charges brought against her are believed to be entirely unfounded and politically motivated;

- for political reasons, the government has banned the "Thousands Mothers Movement" initiative, and then proceeded to impose restrictions on and then arrest Rebiya Kadeer.

Ask the minister(s) to:

- immediately and unconditionally release Rebiya Kadeer, as well as her son, Ablikim Abdiriyim, and her secretary, Kahrman Abdukirim. AI considers all three to be prisoners of conscience.

- ensure that Rebiya Kadeer, Ablikim Abdiriyim and Kahrman Abdukirim, while in custody, are being treated in accordance with international standards for the treatment of prisoners; that they will not be ill-treated and will receive all necessary medical care to ensure they remain in good health while detained.

Please send letters in English or Chinese or in your own language to:

President of the People's Republic of China

JIANG Zemin Guojia Zhuxi

Beijingshi

People's Republic of China

Telegram: President Jiang Zemin, Beijing, China

Salutation: Your Excellency

Chairman of the Xinjiang Uighur Autonomous Regional People's Government

ABDULAHAT Abdurixit Zhuxi

Xinjiang Weiwuer Zizhiqu Renmin Zhengfu

2 Zhongshanlu

Wulumuqishi 830041

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Telegram: Chairman of the Regional People's Government, Wulumuqi, Xinjiang Weiwuer Zizhiqu, China

Salutation: Dear Chairman

Chief Procurator of the Xinjiang Uighur Autonomous Regional People's Procuratorate

MAIMAITI Yusufu Jianchazhang

Xinjiang Weiwuer Zizhiqu Renmin Jianchayuan

Wulumuqishi

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Telegram: Chief Procurator of the Xinjiang Uighur Autonomous Regional People's Procuratorate, Wulumuqi, Xinjiang Weiwuer Zizhiqu, China

Salutation: Dear Sir

Photo caption:

Rebiya Kadeer © Private

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