

PUBLIC

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Further Information on UA 99/06 (EUR 62/008/2006, 24 April 2006) and follow-ups (EUR 62/014/2006, 19 June 2006; ASA17/037/3006, 4 July 2006) - Fear of torture and ill-treatment/Forcible return/Fear of imminent execution

CHINA

Husein Dzhelil (known as Huseyin Celil) (m), aged 37, Canadian citizen

According to unconfirmed reports, Canadian citizen Husein Dzhelil is due to be executed in the Xinjiang Uighur Autonomous Region (XUAR) of northwest China, on or before 10 August, for alleged 'separatist' or 'terrorist' activities.

The news about his pending execution was passed on to his relatives in Kashgar in the XUAR by an unnamed police officer, according to whom he is held in Urumqi, the regional capital. He is believed to be held incommunicado and is at high risk of torture or ill-treatment. Further details of his trial and conviction remain unclear.

Since Husein Dzhelil was forcibly returned to China, his family in Canada have been trying to find out his whereabouts and any charges against him but the Chinese authorities have refused to disclose this information. The Canadian authorities have also tried to obtain further information about his situation but this has apparently been unsuccessful.

Husein Dzhelil, who is originally from the XUAR, reportedly fled China in the mid-1990s after being detained in connection with his political activities there. He eventually went to Turkey where he sought asylum through the Office of the UN High Commissioner for Refugees (UNHCR). He was recognised as a refugee and resettled to Canada in 2001. He was detained on 27 March 2006 in Uzbekistan where he was visiting his relatives, and handed over to the Chinese authorities at the end of June. The Chinese authorities have refused to recognize Husein Dzhelil's Canadian citizenship, which he gained in November 2005. According to his family, when Husein Dzhelil was extradited from Uzbekistan, the Uzbek authorities kept his Canadian passport.

BACKGROUND INFORMATION

Over recent years, Amnesty International has monitored growing numbers of forced returns of Uighurs to China from several of its neighbouring countries, including those of Central Asia, such as Uzbekistan. In some recent cases, returnees are reported to have been subjected to serious human rights violations, including torture, unfair trials and even execution.

The Chinese authorities have been mounting a crackdown on the "three evil forces" of "separatist, terrorist and religious extremists" in the XUAR. It has resulted in serious and widespread human rights violations directed against the region's Uighur community, prompting many of them to flee the country. Many of those who leave go to Central Asia. The plight of Uighurs asylum seekers in Central Asia has, however, worsened as these countries have strengthened their economic, military and political cooperation with China through the Shanghai Cooperation Organization (SCO). In June this year, just prior to the SCO Council of Heads of State meeting in Shanghai and the extradition of Husein Dzhelil to China, the Chinese and Uzbek leaders reaffirmed that cracking down on the so-called "three evil forces", including "East Turkestan forces", is the common interest of China and Uzbekistan.

The death penalty is used extensively and often arbitrarily in China. Based on public reports available, Amnesty International estimated that at least 1,770 people were executed and 3,900 sentenced to death in

2005. 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 that approximately 8,000 executions are carried out in China each year. Over recent years, Amnesty International has documented several cases of Uighurs being sentenced to death and executed in the XUAR for alleged "separatist" or "terrorist" activities.

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

- urging the authorities to stay the execution of Husein Dzhelil immediately;
- calling on the authorities to provide full information about his whereabouts and state of health;
- expressing deep concern that Husein Dzhelil appears to have been convicted and sentenced to death after an unfair trial;
- urging the authorities to conduct a full and open review of the evidence and legal procedures used to convict and sentence Husein Dzhelil, and based on the outcome of that review, to either retry Husein Dzhelil in full accordance with international fair trial standards, or release him immediately and unconditionally,
- reminding the authorities that Husein Dzhelil is a Canadian citizen and urging that he be given access to Canadian consular officials in China while he remains in detention.

APPEALS TO:

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

Chairman of the Xinjiang Uighur Autonomous Regional People's Government

Ismail TILIWALDI Zhuxi

Xinjiang Weiwuer Zizhiqu Renmin Zhengfu

2 Zhongshanlu

Wulumuqishi 830041

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Email: master@xinjiang.gov.cn

Salutation: Dear Chairman

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

Salutation: Dear President

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

and to diplomatic representatives of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.