

# URGENT ACTION

## UIGHUR JOURNALIST DETAINED, RISKS TORTURE

**Uighur journalist Hairat Niyaz was taken from his home on 1 October. On 4 October, police delivered a notice to his family which said he had been arrested for "endangering state security." He is at risk of torture or other ill-treatment.**

Police told his family he had been detained because he had "given too many media interviews." His family, and friends within the Uighur community, believe he has been detained because of his comments in interviews about the cause of unrest in the Xinjiang Uighur Autonomous Region (XUAR) that began on 5 July. He told journalists that 20 years of discriminatory ethnic policies, including the use of "anti-terrorism" legislation to target Uighurs, and marginalizing Uighurs economically, were the root cause of the unrest. He warned the local authorities on 4 July that unrest was possible. They ignored his warning, but later used it to place him under investigation.

Hairat Niyaz has been held incommunicado since he was detained. He is now held at the Tianshan detention centre in the XUAR capital, Urumqi.

### **PLEASE WRITE IMMEDIATELY in Chinese, English or your own language:**

- urging the authorities to release Hairat Niyaz immediately and unconditionally, unless he is charged with an internationally recognizable criminal offence;
- calling on them to guarantee Hairat Niyaz will not be tortured or otherwise ill-treated;
- calling on them to ensure that he is given access to legal counsel of his choice, his family and any medical attention he may require.

### **PLEASE SEND APPEALS BEFORE 8 DECEMBER 2009 TO:**

**Chairman, XUAR Government**

Nur BEKRI Zhuxi

Xinjiang Weiwuer Zizhiqu Renmin

Zhengfu, 2 Zhongshanlu, Wulumuqishi,  
830041

Xinjiang Weiwuer Zizhiqu

People's Republic of China

**Email: [master@xinjiang.gov.cn](mailto:master@xinjiang.gov.cn)**

**Salutation: Dear Chairman**

**Director, XUAR Department of Public**

**Security**

LIU Yaohua Tingzhang

Xinjiang Weiwuer Zizhiqu Gong'anting

58 Huanghelu

Wulumuqishi 830001

Xinjiang Weiwuer Zizhiqu

People's Republic of China

**Salutation: Dear Director**

**And copies to:**

**Chairman, Ethnic Affairs Commission**

YANG Jing Zhuren

Guojia Minzu Shiwu Weiyuanhui

252 Taipingqiaodajie, Xichengqu

Beijingshi 100800

People's Republic of China

**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date.

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INTERNATIONAL**



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### ADDITIONAL INFORMATION

Hairat Niyaz is a well-known journalist within China's Uighur community. He graduated from Beijing National University in 1982, has since worked for several publications and is deliberately using the Chinese language to report on the culture and situation of Uighurs in the XUAR to better reach Chinese-speaking domestic and overseas audiences. He has been a senior journalist with the Xinjiang Economic Daily, Chief Editorial Director of Xinjiang Legal Daily, and Deputy Director of the legal magazine *Fazhi Zongheng*. A collection of interviews he gave on the 5 July unrest, can be found in Chinese on the Uighur Online International Forum <http://www.uighurbiz.net/bbs/viewthread.php?tid=227486&highlight=>

Violence and widespread unrest broke out in Urumqi and other parts of the XUAR on 5 July, after a police crackdown on demonstrations by Uighurs in Urumqi, which had begun peacefully. The demonstrators were protesting at the authorities' failure to take immediate action following the death of two Uighur workers during a riot at a factory in the city of Shaoguan, in the southern province of Guangdong. After a violent crackdown, the authorities accused overseas Uighurs, in particular the World Uyghur Congress and its president, Rebiya Kadeer, of having masterminded the unrest.

Since the July unrest in the XUAR the authorities have detained thousands of people, brought dozens to trial, threatened those involved in the unrest with harsh sentences and in October announced that 11 people had received the first death sentences handed down for involvement in the unrest. The authorities have interpreted all dissent as stemming from "terrorist" or "separatist" activities, justifying their harsh crackdown while ignoring the underlying causes of the discontent. Eyewitness accounts received by Amnesty International contradict government accounts of the events of July, and suggest the authorities used excessive force against the protesters, resulting in the deaths of possibly hundreds of people.

In the XUAR, the authorities routinely associate Uighur cultural activities, religious practice and expressions of dissent with the "three evils" of "terrorism, separatism and religious extremism." Many Uighurs are arbitrarily detained and jailed as political prisoners or prisoners of conscience.

The editor of the popular Uighur website Uighurbiz.net, Ilham Tohti, was taken from his home on 8 July, shortly after the authorities said that articles posted on his website had fuelled the violence. Ilham Tohti has denied this, saying that he would never agree with using violence. He was released on 23 July but remains under surveillance. There are unconfirmed reports that some other staff or regular contributors to Uighurbiz.net have gone missing.

Another journalist, Dilixiati Paerhati, has been detained incommunicado since 7 August, after being interrogated over around eight days from 24 July, in relation to the 5 July unrest. (For details see: UA 262/09, ASA 17/056/2009, 30 September 2009.)

On 27 September the XUAR Regional People's Congress Standing Committee issued new regulations that explicitly forbade the use of the internet to "endanger state security" or "instigate ethnic separatism."

The Criminal Law already includes the crime of "endangering state security," which includes "subversion of state power," "separatism" and "leaking state secrets." However, over recent years the authorities have increasingly used these vaguely-worded provisions to silence and imprison peaceful activists and to curtail freedom of expression.

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