

PUBLIC

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Fear of torture or ill-treatment/Forcible return/Fear of death penalty

UZBEKISTAN/CANADA Husein Dzhelil (known as Huseyin Celil) (m), aged 37, Canadian national

Husein Dzhelil, a Canadian citizen and ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR) in northwest China, was arrested on 27 March while visiting relatives in Uzbekistan, and is at risk of torture or ill-treatment. He is also believed to be at risk of forcible return to China, where he would be at risk of further torture or ill-treatment and possibly the death penalty if his "crimes" are deemed to be "serious". The Uzbekistani authorities reportedly refused to allow Canadian government representatives to see Husein Dzhelil until 14 April.

Husein Dzhelil reportedly fled China in the mid-1990s after being detained in connection with his political activities there, which included advocating the rights of Uighurs. He appears to have travelled first to Kyrgyzstan before eventually going to Turkey where he sought asylum through the Office of the UN High Commissioner for Refugees (UNHCR). He was recognized as a refugee and resettled to Canada in 2001. He now has Canadian citizenship.

Husein Dzhelil was visiting his wife's family in Uzbekistan when he was arrested. He was detained on 27 March when he tried to get an extension to his visa. The authorities did not tell his family, who are also Canadian citizens, why they had detained him. His family have not been allowed to visit him. Representatives of the Canadian government were allowed to meet him for the first time on 14 April for 20 minutes.

Husein Dzhelil is reportedly also being sought by the Kyrgyzstani authorities, although the reasons for this are unclear.

BACKGROUND INFORMATION

The Chinese authorities are engaged in a crackdown on the so-called "three evil forces" of "separatist, terrorist and religious extremists" in the XUAR, and this has involved serious and widespread human rights violations directed against the region's Uighur community, prompting many of them to flee the country. The crackdown has 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 those in Central Asia, such as Kyrgyzstan and Uzbekistan. There is evidence that China has been pressuring these countries to forcibly return Uighurs. 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 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 people were 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 the true figure for executions to be approximately 8,000 per 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:

To the Uzbekistani authorities, in Uzbek, Russian, English or your own language:

- calling on the authorities to ensure that Canadian citizen Husein Dzhelil is either charged with a recognizably criminal offence or released immediately;
- urging them to ensure that he has access to his family and to a lawyer of his choice;
- asking them whether there is an extradition request from the Chinese or Kyrgyzstani authorities;
- urging them to ensure that Husein Dzhelil is not forcibly returned to China, where he would be at risk of torture and execution;
- reminding Uzbekistan of its international obligations not to forcibly return anyone to a situation where they would be at risk of torture or other serious human rights violations.

To the Canadian authorities, in English or French, calling on them to:

- calling on them to make immediate diplomatic representations on behalf of Canadian citizen Husein Dzhelil, in custody in Uzbekistan;
- calling on them to urge the authorities in Uzbekistan to either charge Husein Dzhelil with a recognizably criminal offence or release him immediately.

Uzbekistani authorities:

President

Islam A. KARIMOV,
Rezidentsia prezidenta; ul. Uzbekistanskaia, 43; Tashkent 700163; UZBEKISTAN
Fax: +998 71 139 53 25
Email: presidents_office@press-service.uz
Salutation: Dear President Karimov

Minister of Internal Affairs

Bahodir MATLIUBOV
Ministerstvo vnutrennikh del RU, ul. Novruz, 1; Tashkent 700029; UZBEKISTAN
Fax: +998 71 133 89 34
Salutation: Dear Minister Matliubov

Canadian Authorities:

Minister of Foreign Affairs

Peter MacKay
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and to diplomatic representatives of Uzbekistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 June 2006.