

URGENT ACTION

FORCIBLY RETURNED ASYLUM SEEKER AT RISK

Ershidin Israil, an ethnic Uighur and a Chinese national, was forcibly returned from Kazakhstan to China on 30 May and is now being treated as a “major terror suspect” by the Chinese authorities. He is at risk of torture and ill-treatment in custody and unfair trial.

Ershidin Israil was forcibly extradited back to China from Kazakhstan and now faces charges as a “major terror suspect”. Kazakh authorities reportedly turned Ershidin Israil over to Chinese authorities on 30 May 2011. On 14 June Chinese authorities confirmed he was in their custody, and being treated as a “major terror suspect”.

Ershidin Israil fled China to Kazakhstan in September 2009, days after having given an interview to Radio Free Asia during which he exposed the alleged beating to death in custody of Shohret Tursun, a young Uighur man involved in the July 5, 2009, unrest in Urumqi. He applied to the UN High Commissioner for Refugees (UNHCR) for asylum shortly after his arrival in Kazakhstan. In March 2010, the UNHCR recognized Ershidin Israil as a refugee and he was accepted for resettlement in Sweden. However, on 3 April 2010 he was taken into custody by the Kazakh authorities and formally arrested in June 2010. Between 23 June 2010 and 18 May 2011, courts in Kazakhstan considered and rejected his application for asylum a total of five times. The UNHCR revoked his refugee status on 3 May 2011.

While the reasons behind the revocation of his refugee status are unknown, Amnesty International considers that Kazakhstan’s extradition of Ershidin Israil to China was a breach of the international obligation not to return individuals to a country where they are at risk of serious human rights violations. He is at risk of torture and other ill-treatment in custody and could be sentenced to death or to a long prison term. Amnesty International considers the charges against Ershidin Israil to be based solely on his having exercised his right to freedom of expression.

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

- Call on the Chinese authorities to immediately release Ershidin Israil as he was detained solely for exercising his right to freedom of expression;
- Urge the Chinese authorities to ensure that he has access to family, legal assistance of his choice and any medical care he might require and to ensure that he is protected from torture or other ill-treatment while in detention.

PLEASE SEND APPEALS BEFORE 29 JULY 2011 TO:

President of the People’s

Republic of China

Hu Jintao Guojia Zhuxi

The State Council General Office

2 Fuyoujie, Xichengqu

Beijingshi 100017

People's Republic of China

Fax: +86 10 63070900

Email: gov@govonline.cn

Salutation: Your Excellency

Secretary of the Political and

Legislative Affairs Commission of

the CPC Central Committee

Zhou Yongkang Shuji

Zhongyang Zhengfa Weiyuanhui

6A Beichizi Dajie, Dongchengqu

Beijingshi 100006

People's Republic of China

Salutation: Dear Secretary

And copies to:

Nur Bekri Zhuxi

Xinjiang Weiwuer Zizhiqu Renmin

Zhengfu Bangongting

2 Zhongshanlu, Urumqi 830041

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Fax: +86 991 2817567 or

2803621

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Ershidin Israil is from Huocheng County, XUAR, where he was a schoolteacher. On 23 September 2009, he and two other ethnic Uighurs, Haji Memet and Abdusalam Nasir, provided the US-based Radio Free Asia information about allegations of torture that led to the death of Shohret Tursun, Haji Memet's relative. Haji Memet and Abdusalam Nasir were detained the same day, reportedly on suspicion of having "leaked state secrets". At the time, the police were said to be looking for a third person, now believed to be Ershidin Israil. Amnesty International has no information about the current whereabouts or status of Haji Memet and Abdusalam Nasir. For more information please see: <http://www.amnesty.org/en/library/info/ASA17/053/2009/en>

Since 2001, Amnesty International has documented cases in which Uighur asylum seekers or refugees who were forcibly returned to China were detained, reportedly tortured and in some cases sentenced to death and executed.

In December 2009, the Cambodian authorities forcibly returned to China 20 ethnic Uighur asylum seekers. Like Ershidin Israil, most of them had left the XUAR after the riots of July 2009, fearing persecution by the Chinese authorities. The UNHCR in Cambodia was still in the process of reviewing their applications for refugee status when they were taken to a military airport and put on a plane back to China. Two people managed to flee – one of them, Memet Eli Rozi, escaped to Laos where his wife and their five children joined him from China. However, they were caught by the Laotian police who deported them back to China in March 2010. Ever since, Memet Eli Rozi has been in custody but he has not been charged, tried or convicted. He is believed to be seriously ill. For more information please see: <http://www.amnesty.org/en/library/info/ASA17/011/2011/en>.

International observers including Amnesty International have no information about the status and current whereabouts of the 20 who were forcibly repatriated to China.

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