

12 August 1999

Further information on EXTRA 77/98 (EUR 57/12/98, 15 October 1998) and follow-ups (EUR 57/02/99, 15 February 1999; EUR 57/04/99, 9 June 1999) - Torture/Health concern/Unfair trial/Fear of execution

PEOPLE'S REPUBLIC OF CHINA (PRC) Zulikar Memet (aka Zulfikar Memet)
Hemit Memet (aka Khamit Memet), 28
Seidakhmet Memet
Kasim Mapir
Ilyas Zordun

According to new information received by Amnesty International, Zulikar Memet was sentenced to death after he told the court that his "confession" had been extracted under torture and showed them the signs of the torture he had suffered.

Under Chinese law, such allegations of torture should be the object of an investigation and the trial of the defendant should normally be suspended pending the result of the investigation. In sentencing Zulikar Memet to death, the court, in the Xinjiang Uighur Autonomous Region (XUAR) of the PRC, appears to have ignored the allegations as well as the requirements of Chinese law.

The information received indicates that Zulikar Memet was sentenced to death on 25 July 1999 - not 25 June as previously reported - by the Ili Prefecture Intermediate People's Court. His brother Hemit Memet and eight other Uighurs whose identity is not known were also sentenced to death, presumably on or around the same date. It is not known whether they have appealed against the verdict. Another of Zulikar's brothers, Seidakhmet Memet, detained since February 1999, was sentenced to six years' imprisonment. He was reportedly accused of having helped "separatists" (nationalists) to hide.

The charge on which Zulikar Memet was sentenced to death is not known. Arrested on 4 April 1998, he was reportedly originally accused, like his brother Seidakhmet, of "helping separatists" to hide or escape, a charge which would normally be punished by a relatively light sentence. However, after his brother Hamit Memet was forcibly returned to China by Kazakstan in February 1999, Zulikar's case was reopened, and he was reportedly tortured and forced to confess to new accusations. According to unofficial sources, during his trial Zulikar denied all the accusations against him and stated in court that he had been severely tortured to force him to confess to the accusations and sign a "confession". He reportedly showed the court the signs of torture, including cut-off or missing finger nails which had been pulled out during the torture sessions.

Zulikar Memet and Seidakhmet Memet are reported to be in very poor health due to torture and detention conditions. Both are detained in Yengi Hayat jail in Gulja (Yining) city, Ili Prefecture, in the XUAR. Hemit Memet is reported to be held in harsh conditions, incommunicado and in solitary confinement, in the Ili prefectural prison. He too was reportedly tortured. The fate of Kasim Mahpir and Ilyas Zordun is still unknown. It is feared that they may be among the 10 people sentenced to death last month. Together with Hemit Memet, they were detained by the Kazakstan authorities while crossing the border from China in 1998. After seeking political asylum in Kazakstan, the three men were forcibly returned to China by the Kazak authorities in February 1999.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or in your own language:

- urging the authorities to stop the execution of Zulikar Memet, Hemit Memet and others sentenced to death in Ili Prefecture (XUAR) in July 1999;
- expressing concern at reports that Zulikar Memet and other defendants were tortured to extract confessions and that the Ili Intermediate People's Court ignored Zulikar Memet's complaint of torture, in violation of Chinese law;
- urging the authorities to grant Zulikar Memet and other defendants a new, fair and open trial, carried out according to international standards for fair trial, failing which they should be released;
- urging the authorities to launch an impartial investigation into the allegations of torture, to make the findings of the investigation public and to bring the perpetrators to justice;
- expressing concern that many political prisoners in the XUAR have been convicted after summary proceedings, and that there is the growing evidence that such convictions are largely based on confessions extracted under torture.

APPEALS TO:

Premier of the People's Republic of China

ZHU Rongji Zongli

Guowuyuan

9 Xihuangchenggenbeijie

Beijingshi 100032

People's Republic of China

Telexes: 210070 FMPC CN or 22478 MFERT CN

Telegram: Premier Zhu Rongji, Beijing, China

Salutation: Your Excellency

Procurator-General of the Supreme People's Procuratorate of the People's Republic of China

HAN Zhubin Jianchazhang

Zuigao Renmin Jianchayuan

147 Beiheyang Dajie

Donganmen, Dongchengqu

Beijingshi 100726

People's Republic of China

Telexes: 210070 FMPC CN or 22478 MFERT CN

(Please forward to the Procurator-General)

Telegram: Procurator-General of the Supreme People's Procuratorate, Beijing, China

Salutation: Dear Procurator-General

President of the Xinjiang Uighur Autonomous Regional High People's Court

Abdurehim Kadeer Yuanzhang

Xinjiang Weiwuer Zizhiqu Gaoji Renmin Fayuan

Wulumuqishi, Xinjiang Weiwuer Zizhiqu

People's Republic of China

Telegram: President of the Xinjiang Uighur Autonomous Regional High People's Court, Wulumuqi, Xinjiang Weiwuer Zizhiqu, China

Salutation: Dear President

COPIES TO:

Secretary of the Xinjiang Uighur Autonomous Regional Party Committee

WANG Lequan Shuji

Xinjiang Weiwuer Zizhiqu Zhonggong Weiyuanhui

Wulumuqishi

Xinjiang Weiwuer Zizhiqu
People's Republic of China

**Telegram: Secretary of the Regional Party Committee, Wulumuqi, Xinjiang Weiwuer
Zizhiqu, China**

Salutation: Dear Secretary

and to diplomatic representatives of the People's Republic of China accredited
to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or
your section office, if sending appeals after 9 September 1999.