

UA 318/99 Fear of Imminent execution/torture/ill-treatment/unfair trial

14 December 1999

## PEOPLE'S REPUBLIC OF CHINA

Jur'at Nuri, age 26; Abduhalik Abdureshit, age 23; Saydulla Kurban, age 31; Abdurazzak Jelil, age 26; Abdurazzak Shamseden, age 29; Elyas Jalal, age 27; Sultan Jalal, age 29; Hudiyumberdi Begzad, age 35; Haziritaly Adham, age 32; Tohtahun Yarmuhammed, age 26; Abdul Aziz Sawut, age 24

Jur'at Nuri and Abduhalik Abdureshit have been sentenced to death, and others named above to life imprisonment, by a court in Xinjiang Uighur Autonomous Region (XUAR). None has committed, nor was convicted of, any act of violence. Amnesty International believes that the sentences were passed after grossly unfair judicial procedures, based on confessions extracted under torture. All 11 remain at serious risk of torture in detention.

Amnesty International has just received a court verdict issued on the case by the Ili Branch of the Ili Kazakh Autonomous Prefecture Intermediate People's Court on 19 July 1999. The prosecutor was the Ili Kazakh Autonomous Prefecture People's Procuratorate. Relatives were reportedly not informed of a trial date, and the document makes no reference to the date of any trial. Relatives were informed of the sentences through unofficial channels only three days before the final date for appeal.

Only Jur'at Nuri, Abduhalik Abdureshit and Saydulla Kurban had defence lawyers. The others had no representation.

All the men, except Sultan Jalal, were found guilty of the political crime of "splitting the country". According to unofficial reports, at an "open-questioning" session on 28 December 1998, Abduhalik Abdureshit was questioned by the authorities about having confessed to "splittist" crimes. He reportedly answered that anybody who had been tortured as severely as he had would confess to anything, even things they hadn't thought of, and that not even a dog could bear the torture he had endured.

Official documentation received by Amnesty International indicates that the accusations against the 11 men may be largely or entirely unfounded. There are numerous and major discrepancies between the prosecution's indictment, issued in December 1998, and the court verdict issued on 19 July 1999.

Substantial new accusations appear in the court verdict indicating that during the eight months after the prosecution's indictment was issued, the inconsistencies in the indictment were "resolved" by extracting further "confessions" through torture which linked these 11 cases to other political cases being tried separately.

Jur'at Nuri and Abduhalik Abdureshit were found guilty of illegally carrying and keeping arms, ammunition and explosives, and sentenced to death. They have appealed against their sentences, and the result was expected in early November, but unofficial sources say that no decision has yet been announced and the two men remain in detention.

The nine others were found guilty of crimes including illegally carrying or keeping guns and explosives, illegally giving firearms instruction and distributing propaganda leaflets. The sentences are as follows: Saydulla Kurban, life imprisonment; Abdurazzak Jelil, life imprisonment; Abdurazzak Shamseden, life imprisonment; Elyas Jalal, 20 years' imprisonment; Sultan Jalal, 12 years' imprisonment; Hudiyumberdi Begzad, 10 years' imprisonment; Haziritaly Adham, seven years' imprisonment; Tohtahun Yarmuhammed, five years' imprisonment; Abdul Aziz Sawut, one year's imprisonment.

Amnesty International believes that all 11 are political prisoners, and some may be prisoners of conscience.

All are reported to have been detained incommunicado since April 1998. They are believed to be in Yengihayat detention centre in XUAR.

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

- urging the authorities to review immediately the sentences passed on Jur'at Nuri, Abduhalik Abdureshit, Saydulla Kurban, Abdurazzak Jelil, Abdurazzak Shamseden, Elyas Jalal, Sultan Jalal, Hudiyumberdi Begzad, Haziritaly Adham, Tohtahun Yarmuhammed and Abdul Aziz Sawut;
- expressing concern that two of the men have been sentenced to death, and others have received extremely harsh sentences, having been found guilty on unfounded charges, including political offences, on the basis of confessions extracted under torture;
- expressing concern that they were subject to grossly unfair judicial proceedings and urging that they be granted a new open trial, carried out according to international standards for fair trial, failing which they should be released;
- requesting reassurance that the men will not be tortured or otherwise ill-treated in detention;
- expressing opposition to the death penalty in all cases as the ultimate form of cruel and inhuman punishment and as a violation of the right to life as guaranteed in the Universal Declaration of Human Rights.

**APPEALS TO:**

President of the Xinjiang Uighur Autonomous Regional High People's Court  
**Abdurehim Kadeer** Yuanzhang

Xinjiang Weiwuer Zizhiq Gaoji Renmin Fayuan  
Wulumuqishi, Xinjiang Weiwuer Zizhiq  
People's Republic of China

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

**Salutation: Dear President**

Chairman of the Xinjiang Uighur Autonomous Regional People's Government  
**ABDULAHAT Abdurixit** Zhuxi

Xinjiang Weiwuer Zizhiq Renmin Zhengfu  
2 Zhongshanlu  
Wulumuqishi 830041  
Xinjiang Weiwuer Zizhiq  
People's Republic of China

**Telegram: Chairman of the Regional People's Government, Wulumuqi, Xinjiang Weiwuer Zizhiq, China**

**Salutation: Dear Chairman**

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**

**COPIES TO:** your own government and to diplomatic representatives of 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 25 January 2000.