

# URGENT ACTION

## LIFE SENTENCE FOR 18-YEAR-OLD, UNFAIR TRIAL

**18-year-old Noor-UI-Islam Sherbaz was sentenced to life imprisonment on 13 April 2010, following demonstrations and subsequent violence in western China in July 2009. His trial was unfair and his confession may have been extracted under torture.**

**Noor-UI-Islam Sherbaz** has been held incommunicado since 27 July 2009, when he was detained in the wake of unrest in the Xinjiang Uighur Autonomous Region (XUAR). Police informed his family that he was detained because of his alleged participation in demonstrations in Urumqi (in Chinese: Wulumuqi) on 5 July 2009 and told them that a boy of his build was suspected of attacking people with stones.

His trial by the Aksu (in Chinese: Akesu) Intermediate People's Court on 13 April lasted only 30 minutes. His mother attended the trial, but was told about it only one day in advance. The Court was shown video footage of a group of Uighurs beating a man. Noor-UI-Islam Sherbaz was not present in the group beating the man in the video nor is he shown on the video carrying a stone. The video does, however, show him on the same street. The Court was also shown another video, shot a couple of months later, in which he was taken by police officers to visit the alleged murder scene. On this video, he confesses to the killing. It is possible that his confession was extracted through torture. The Court found Noor-UI-Islam Sherbaz guilty of "murder (or intentional homicide)" and "provoking an incident" (Criminal Law articles 232 and 293 respectively). During his trial, he was represented by a lawyer appointed by the court. He is appealing his verdict.

Noor-UI-Islam Sherbaz was held for the first 8 months in Xishan Detention Centre in Urumqi, but was then transferred to a detention centre in Aksu in western XUAR, approximately 1000 km from Urumqi for the trial. He was 17 years old at the time of the July 2009 unrest and turned 18 on 16 January in detention.

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

- expressing concern that Noor-UI-Islam Sherbaz did not receive a fair trial and may have been convicted based on a confession extracted through torture;
- calling on the authorities to conduct a retrial for Noor-UI-Islam Sherbaz, in line with international fair trial standards without recourse to the death penalty;
- calling on the authorities to guarantee he is not tortured or otherwise ill-treated while in custody;
- calling on the authorities to ensure that he is given access to a lawyer of his choice, his family and any medical treatment that he may require.

### PLEASE SEND APPEALS BEFORE 1 JUNE 2010 TO:

Chief Procurator of the Xinjiang Uighur  
Autonomous Regional People's  
Procuratorate, Maimaiti YUSUFU  
Jianchazhang ,Xinjiang Weiwuer Zizhiqu  
Renmin Jianchayuan, 63 Jianguolu,  
Tianshanqu, Urumqi, Xinjiang Weiwuer  
Zizhiqu  
People's Republic of China  
**Salutation: Dear Chief Procurator**

President of the Xinjiang Uighur  
Autonomous Regional Higher People's  
Court, Rozi ISMAIL Yuanzhang,  
Xinjiang Weiwuer Zizhiqu Gaoji Renmin  
Fayuan, 19 Kunlunlu, Urumqi 83003,  
Xinjiang Weiwuer Zizhiqu  
People's Republic of China  
Telephone: +86 991 2617869  
**Salutation: Dear President**

### And copies to:

Chairman of the State Ethnic Affairs  
Commission, YANG Jing Zhuren, Guojia  
Minzu Shiwu Weiyuanhui  
252 Taipingqiaodajie, Xichengqu  
Beijingshi 100800  
Fax: +86 10 66017375  
Email: zhuren@seac.gov.cn  
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. This is the first update of UA: 336/09 (Index: ASA 17/071/2009, 15 December 2009). Further information:

<http://www.amnesty.org/en/library/info/ASA17/071/2009/en>

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### ADDITIONAL INFORMATION

A police crackdown on an initially peaceful demonstration by Uighurs in the Xinjiang Uighur Autonomous Region (XUAR) capital, Urumqi, was followed by violent riots in July 2009. The initial demonstration on 5 July was in reaction to authorities' initial inaction following the death of at least two Uighur workers after a riot at a factory in Shaoguan, in the southern province of Guangdong, on 26 June 2009.

The aftermath of the crackdown saw violence on the part of both Uighurs and Han Chinese, sweeping house-to-house searches and widespread detentions by security forces, and the likely enforced disappearance of hundreds of Uighurs. The unrest was fuelled by years of repression and discriminatory government policies towards ethnic minorities in the region, including arbitrary detention, unfair trials, employment discrimination, and repression of religious freedoms and cultural rights.

According to the official figures, nearly 200 people died in the violence, the majority of them "innocent Han Chinese killed by angry mobs," and over 1,600 were injured. However, Amnesty International interviews with eyewitnesses following the unrest contradict the official version of events, suggesting that excessive force on the part of security forces, including beatings, the use of teargas and shooting directly into crowds of protesters, resulted in possibly hundreds of additional Uighur deaths.

It is not known how many people have been or remain detained in connection with the unrest. However, in August of last year, the Chinese authorities told the UN Committee on the Elimination of Racial Discrimination that they were holding 718 people in connection with the July unrest and in December they announced the arrest of an additional 94 individuals who had been on the "wanted" list following the unrest as part of a "strike hard" campaign. The authorities have not provided names of those detained and have failed to respond to inquiries regarding disappeared individuals or those believed to be in their custody.

The Chinese authorities commonly launch periodic "strike hard" campaigns on crime. During the "strike hard" campaigns, police, prosecutors and judges are under pressure to demonstrate speed and resolve to meet quotas at the expense of procedural protections and justice.

Similarly, it isn't clear how many people have been tried and sentenced in connection with the unrest. In March 2010, Nur Bekri, the governor of the XUAR attending the annual meeting of China's legislature the National People's Congress, told journalists that 198 people had been convicted in 97 separate cases for their alleged involvement in the unrest, and that more would follow. He also said that several dozen death sentences had been handed down. To date, official state media has reported the execution of nine individuals, and death sentences for an additional 26 individuals, including death sentences with a two-year reprieve in connection with the July unrest in the XUAR

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