

PUBLIC

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13 September 2006

Further Information on UA 99/06 (EUR 62/008/2006, 24 April 2006) and follow-ups (EUR 62/014/2006, 19 June 2006; ASA 17/037/2006, 4 July 2006; ASA 17/042/2006, 8 August 2006; ASA 17/044/2006, 11 August 2006) - Fear of torture and ill-treatment/Forcible return/Death Penalty

CHINA Husein Dzhelil (known as Huseyin or Huseyincan Celil) (m), aged 37, Canadian citizen

According to unconfirmed reports, Husein Dzhelil has been sentenced to 15 years' imprisonment and is currently being held in Baijiahu prison in Urumqi, the capital of Xinjiang Uighur Autonomous Region (XUAR). Some accounts suggest that he is going to appeal against his conviction. Amnesty International fears he is at risk of torture or ill-treatment.

Husein Dzhelil was reportedly tried and convicted in early August 2006. He is said to have denied all charges brought against him but the exact nature of these charges remains unclear. This news was passed on to his relatives in the XUAR. Last month news about him facing imminent execution was similarly passed on to his family by an unnamed police officer but was later denied by the Chinese Ministry of Foreign Affairs in a statement implying that Husein Dzhelil was being tried for charges related to "terrorism". Amnesty International urges the Chinese authorities to confirm the current status of Husein Dzhelil.

Husein Dzhelil fled China in the mid-1990s, and sought asylum through the Office of the United Nations High Commissioner for Refugees (UNHCR) in Turkey. He was recognized as a refugee and resettled to Canada where he obtained Canadian citizenship in November 2005. He was detained on 27 March 2006 in Uzbekistan when he was visiting his relatives and handed over to the Chinese authorities at the end of June where he has been held incommunicado ever since.

BACKGROUND INFORMATION

The Chinese authorities have been mounting a crackdown on the "three evil forces" of "separatist, terrorist and religious extremists" in the XUAR. It has resulted in serious and widespread human rights violations directed against the region's Uighur community, prompting many of them to flee the country.

The Chinese authorities continue to accuse Uighur activists of terrorism without providing credible evidence for such charges. Those charged in connection with the "three evil forces" are most commonly tried behind closed doors; hence very little information is usually available about the actual proceedings of their trials. However, Amnesty International has obtained copies of the court verdicts issued following some such trials. These suggest that it is common for defendants not to have any legal representation at their trial and no access to legal aid during the entire period following their detention. In recent years, the organization 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, in Chinese, English or your own language:

- urging the authorities to clarify Husein Dzhelil's current status, whereabouts and state of health;
- calling for a guarantee that Husein Dzhelil receives a fair trial, in line with international standards;
- calling on the authorities to grant Husein Dzhelil access to a lawyer of his choosing, his family and any medical care he may require;
- calling for guarantees that he will be treated humanely in detention, and will not be tortured or ill-treated, or sentenced to death;

- reminding the authorities that Husein Dzhelil is a Canadian citizen and urging that he be given access to Canadian consular officials in China while he remains in detention.

APPEALS TO:

Prime Minister of the People's Republic of China

WEN Jiabao Guojia Zongli

The State Council

9 Xihuangcheng Genbeijie

Beijingshi 100032

People's Republic of China

Fax: +86 10 65292345 (c/o Ministry of Communication) (it may be difficult to get through; please keep trying)

Email: gazette@mail.gov.cn

Salutation: Your Excellency

Minister of Foreign Affairs of the People's Republic of China

LI Zhaoxing Buzhang

Ministry of Foreign Affairs

2 Chaoyangmen Nandajie

Chaoyang District

Beijingshi 100701

People's Republic of China

Fax: +86 10 6596 1109 or 2660

Email: webmaster@mfa.gov.cn

Salutation: Your Excellency

Chairman of the Xinjiang Uighur Autonomous Regional People's Government

Ismail TILIWALDI Zhuxi

Xinjiang Weiwuer Zizhiqu Renmin Zhengfu

2 Zhongshanlu

Wulumuqishi 830041

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Email: master@xinjiang.gov.cn

Salutation: Dear Chairman

COPIES TO:

Secretary of the Xinjiang Uighur Autonomous Regional Party Committee

WANG Lequan Shuji

Zhonggong Xinjiang Weiwuer Zizhiqu Weiyuanhui

2 Jiankanglu

Wulumuqishi

Xinjiang Weiwuer Zizhiqu

People's Republic of China

Salutation: Dear Secretary

and to diplomatic representatives of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 October 2006.