

Further Information on UA 177/07 (ASA 33/014/2007, 6 July 2007) Forcible return/ Fear for safety/ Possible enforced disappearance

CHINA Osman Alihan (m), businessman, aged 33

Amnesty International has received information that ethnic Uighur activist Osman Alihan has been forcibly returned from Pakistan to China. His whereabouts are not known, and the Pakistani and Chinese authorities have made no official comment on his case. He may be at risk of torture and ill-treatment, unfair trial, and possibly the death penalty.

Osman Alihan was detained by Pakistani security forces at midday on 4 July, as he ate in a restaurant in the city of Rawalpindi. According to reports, Osman Alihan is one of the four most wanted people on a list compiled by the Chinese authorities of between 20 and 22 ethnic Uighurs who are said to be in hiding in Pakistan. The Chinese authorities have demanded that Pakistan locate and hand over all those named on the list, whom they allege are members of the armed group, the East Turkistan Islamic Movement (ETIM).

BACKGROUND INFORMATION

China claims that ETIM is an armed secessionist group with bases in China's Xinjiang Uighur Autonomous Region (XUAR) and Pakistan. The group was listed as a 'terrorist organization' by both the US and the UN in 2002 after repeated lobbying from China. The evidence that formed the basis for this decision remains unclear. 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" of "separatist, terrorist and religious extremism" 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 of these 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.

Amnesty International is concerned that Uighurs suspected of involvement in what China terms as "separatist, terrorist or illegal religious activities" are at risk of serious human rights violations if forcibly returned to China, including unfair trial, torture and execution.

In a recent case, Husein Dzhelil, a Uighur who had been recognised as a refugee and resettled to Canada, was tried in the XUAR after being forcibly returned to China from Uzbekistan in June 2006. He claimed to have been tortured after his return to China, including by being starved, deprived of sleep and subjected to death threats to force him to sign a 'confession'. He was denied access to Canadian consular representatives and to a lawyer of his choice, and sentenced to life in prison in April 2007 (see UA 99/06, EUR 62/008/2006, 24 April 2006, and follow-ups). Another Uighur, Ismail Semed, was executed in the XUAR on 8 February 2007 after being sentenced to death for 'attempting to split the motherland' and other offences related to possession of firearms and explosives. He had been forcibly returned to China from Pakistan in 2003 (see UA 81/06, ASA 17/027/2006, 10 April 2006, and follow-up).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Chinese, English or your own language:

- urging the Chinese authorities to provide full information on the whereabouts of Osman Alihan, an ethnic Uighur whom Amnesty International believes has been forcibly returned from Pakistan to China;
- calling on the Chinese authorities to guarantee the safety of Osman Alihan and, if he is in detention, to give him access to lawyers of his choice and to members of his family;
- calling on the authorities to give details of any charges he may face, and calling for guarantees that any legal proceedings against him will meet international fair trial standards;
- calling for guarantees that he will be treated humanely if he is in detention, and not tortured or ill-treated.

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)

Email: gazette@mail.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:

Mayor of Wulumuqi Municipal People's Government
Shokrat Zakir Shizhang
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Wulumuqi Shi 830063, Xinjiang Weiwuer Zizhiqu, People's Republic of China
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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 12 September 2007.*****