

**PUBLIC**

**AI Index: ASA 17/037/2003**

**24 October 2003**

**Further Information on UA 119/02(ASA 31/033/2002, 22 April 2002) and follow-up (ASA 31/036/2002, 10 May 2002) - Fear of forcible return New concerns: Execution/Fear for safety/Fear of torture or ill-treatment**

<b>PEOPLE'S REPUBLIC OF CHINA</b>	<b>Shaheer Ali (also known as Xieraili, Wujimaimaiti Abasi or Ghojamamat Abbas) (m) Kheyum Whashim Ali (also known as Washim Ali) (m) Abdu Allah Sattar (also known as Abdullah Sattar) (m)</b>
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Amnesty International is deeply concerned that Shaheer Ali, a member of the Uighur ethnic group from the Xinjiang Autonomous Region (XUAR) in northwest China, has reportedly been executed after being forcibly returned to China from Nepal last year. There are concerns for the safety of Kheyum Whashim Ali, Abdu Allah Sattar and other Uighurs who have also been forcibly returned to China after seeking asylum in Nepal and elsewhere.

The exact date of Shaheer Ali's execution is unclear, but he was reportedly sentenced to death in March 2003 after being convicted of various offences including "separatism", "organizing and leading a terrorist organization" and "illegal manufacture, trading and possession of weapons and explosives". His sentence was confirmed on appeal by the Xinjiang High People's Court and he was reportedly executed "recently".

According to a report on the official Chinese website [www.tianshan.net](http://www.tianshan.net) on 21 October, the court accused Shaheer Ali of leading a number of "terrorist" organizations including the East Turkistan Islamic Party of Allah (ETIPA), also known as the East Turkistan Islamic Movement (ETIM) or the East Turkistan Islamic Party. ETIM was classified as a "terrorist" organization by the US and the UN last year at China's behest. The court claimed this group was linked to the Gulja (Yining) incident of 5 February 1997 which was described as an incident of "beating, smashing and looting". Independent eyewitness reports indicate that the Gulja (Yining) incident was in fact a peaceful demonstration by local people calling for equal treatment for Uighurs which degenerated into violence after security forces fired into the crowd in an attempt to forcibly disperse the protesters. Hundreds were arrested in the aftermath and many were subjected to torture and ill-treatment.

Shaheer Ali was tried in secret and it is not known what evidence was presented in court to substantiate the accusations against him. According to interviews that Shaheer Ali gave to Radio Free Asia while he was in Nepal and which were made public yesterday, he claimed to belong to a group called the East Turkistan Islamic Reform Party which he described as a non-militant organization. He also described eight months of torture while imprisoned in Guma (Pishan) County, XUAR in 1994, including being beaten with shackles, shocked in an electric chair and being kicked unconscious.

Shaheer Ali was among several Uighurs, including Kheyum Whashim Ali and Abdu Allah Sattar, who had been recognized as refugees by the United Nations High Commissioner for Refugees (UNHCR) after they fled to Nepal in 2000. Shaheer Ali and Abdu Allah Sattar were detained by Nepalese immigration authorities in December 2001 and forcibly returned to China in January 2002. Kheyum Whashim Ali was forcibly returned in mid-2002 after being detained by immigration and police authorities in Nepal. The fate and legal status of Abdu Allah Sattar and of Kheyum Whashim Ali remain unknown. According to reports, they were detained in the XUAR after they were forcibly returned, but it is not clear whether they have been charged or tried. Unofficial reports received earlier this year indicate that Kheyum Whashim Ali was being held in Michuan prison, outside Urumqi. They are at serious risk of torture or ill-treatment in detention, and may be at risk of execution.

## **BACKGROUND INFORMATION**

Following the 11 September 2001 attacks in the USA, China has intensified its political crackdown, closing down mosques and branding those in favour of independence for the region as “ethnic separatists” or “terrorists”. On 24 September 2003, the Chinese authorities publicly announced a renewed security crackdown in the XUAR which is due to last for 100 days from 1 October 2003 (National Day) to Chinese New Year in late January 2004. The authorities claim that the crackdown would target “violent crime, terrorist crimes, crimes involving explosives and guns and so on”. There are concerns that it will lead to an intensified crackdown on peaceful political dissent in the region.

China is also putting pressure on neighbouring countries, such as Nepal, Pakistan and Central Asian countries, to repatriate Uighurs, including asylum seekers and refugees. Amnesty International believes that any Uighurs suspected of being involved in pro-independence groups or activities and perceived by the authorities to be “terrorists, separatists or religious extremists” would be at risk of serious human rights violations, including torture, detention without charge and execution, if forcibly returned to China.

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

- condemning the recent execution of Shaheer Ali (also known as Ghojimamat Abbas or Wujimaimaiti Abasi or Xieraili), and expressing concern that his trial was held in secret and urging the authorities to substantiate the accusations against him;
- expressing concern for the safety of Kheyum Whashim Ali and Abdu Allah Sattar, who were forcibly returned from Nepal in 2002, and calling on the authorities to make public their whereabouts and their legal status, and to guarantee that if they are in detention, they are not being tortured or ill-treated, and will not be subjected to the death penalty;
- expressing deep concern at the massive use of the death penalty in China and at its increase during security and anti-crime crackdowns, and urging the authorities to immediately stop executions and to commute any death sentence handed down as part of the current security crackdown in the XUAR;
- while acknowledging the duty of the Chinese authorities to bring to justice those accused of acts of violence, expressing concern that the Chinese authorities are using the “anti-terrorism” campaign as an excuse to crack down on peaceful political dissent and to restrict the human rights of the ethnic Uighur community in the XUAR.

## **APPEALS TO:**

Chairman of XUAR Regional People's Government

Ismail TILIWALDI Zhuxi

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**Telegram: Chair of XUAR, Wulumuqi, Xinjiang Weiwuer Zizhiqu, China**

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**Salutation: Dear Chairman**

President of the Supreme People's Court of the People's Republic of China

XIAO Yang Yuanzhang, Zuigao Renmin Fayuan,

27 Dongjiao Min Xiang, Beijingshi 100726, People's Republic of China

**Telegram: President, Supreme People's Court, Beijing, China**

**Fax: + 8610 6 529 2345 (c/o Communications Ministry)**

**Salutation: Dear President**

Director of the XUAR Regional Justice Department

Rozi Simayi Tingzhang, Sifating, Jiangkanglu

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**Salutation: Dear Director**

**COPIES 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 5 December 2003.