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PEOPLE'S REPUBLIC OF CHINA

@Secret Violence: Human Rights Violations in Xinjiang

Government authorities in Xinjiang have detained and imprisoned dissidents who peacefully demanded political independence and others who protested against curbs on religious activities. They are holding political prisoners in incommunicado detention, without trial, for long periods. Conditions of detention are reported to be harsh. Dissidents and their relatives may suffer harassment solely because of their imputed political views. Security forces put down a protest by villagers in April 1990, reportedly killing as many as 50 civilians as a result of excessive use of force. Dozens of so-called "serious criminals" are sentenced to death and executed every year. They have no chance of getting a fair trial or a pardon.

The information in this document comes from unofficial sources in Xinjiang, internal documents of the ruling Chinese Communist Party (CCP) and official press reports. The Chinese authorities oppose attempts by Xinjiang people to report independently on human rights violations and have never made public the names and places of detention of the prisoners mentioned in the present document. Despite repeated requests, the government has never permitted Amnesty International to enter the country.

1. Background

Xinjiang is one of the five autonomous regions of the People's Republic of China (PRC), where the officially recognized national minorities maintain a degree of formal self-government. Xinjiang borders Afghanistan, Mongolia, Pakistan, the Russian Federation and the republics of Kazakhstan, Kyrgyzstan and Tadjikistan. Ethnic Chinese, or *Han*, form 38% of the population of about 15 million according to official 1990 census figures; Turkic peoples, including Uighur, Uzbek, Khalkhas and Kazakh, are the main officially recognized "national minorities" and together comprise about 56% of the population. The Turkic peoples of Xinjiang are predominantly Muslim.

A pattern of human rights violations appears to have emerged in Xinjiang since 1989. Most violations have occurred in relation to one of these contexts: efforts by the authorities to restrict religious activities; repression of public demonstrations and other peaceful expressions of political views; the suppression of a series of protest actions in Baren county, some of which may have been violent.

1.1 Detention of political activists

Unofficial Uighur sources in Xinjiang report that dozens of peaceful demonstrations have occurred across Xinjiang since 1989 and that many alleged participants have been detained. Official reports have suggested that political activists have been arrested because they were members of illegal organizations advocating independence for Xinjiang.

On 19 May 1989 (that is, during the pro-democracy movement which was to be crushed in Beijing on 4 June 1989), a large demonstration took place in Urumqi, the capital of the Xinjiang Autonomous Region.

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Demonstrators protested against the publication in Shanghai of a book purporting to describe Muslim sexual customs and which Muslims in China said was offensive. The book was later banned, but an unknown number of protesters were reportedly detained as a result of the incident. They were accused of entering the headquarters of the CCP in Urumqi and of injuring policemen. The whereabouts of those detained are not known to Amnesty International.

In Yining, in the Yili Kazakh Autonomous Prefecture in northern Xinjiang, it was reported that students who were members of ethnic minority groups and who allegedly took part in a religious festival in September 1989 were subsequently denied access to university in Urumqi and in Beijing. On 4 April 1990, the official Communist Party newspaper *Xinjiang Ribao* (*Xinjiang Daily*) reported that "an illegal organization bent on splitting the unity of the motherland" (a phrase commonly used in official reports in China to refer to advocates of political independence for national minorities) had been "suppressed" in the Yili Prefecture. Apparently referring to the same incident, Tomur Dawamat, Chairman of the People's Government of the Xinjiang Autonomous Region, stated that those detained were "spies scheming to help Xinjiang residents to flee abroad". He said that the alleged "spies" were arrested in December 1989.

Three Uighur men were reportedly detained in 1992 in connection with the authorities' repression of alleged "separatist" and "counter-revolutionary" activities. Unofficial sources indicated that they were all political activists but Amnesty International does not know the exact charges against them, or indeed whether they have been charged at all. Amnesty International believes that they may be prisoners of conscience (see further information p. 11).

A large demonstration reportedly took place in Kashgar in western Xinjiang on 8 March 1992, near the Idgah mosque. The demonstrators reportedly demanded "respect for human rights" and "self-determination"; an unknown number was detained when the demonstration was broken up by security forces. There were unconfirmed reports that security forces had fired on the demonstrators, killing several civilians.

1.2 The Baren "counter-revolutionary rebellion"

Violent incidents, described by the Xinjiang authorities as a "counter-revolutionary armed rebellion", took place in April 1990 in Baren, a rural county in the Akto district south of Kashgar. Official accounts of the events stated that a total of 22 people, including seven members of the security forces, died in the various disturbances, but Amnesty International has received unofficial reports that over 50 protesters were killed by security forces.

According to unofficial sources, the Baren incident began as a protest by villagers against the closure of a local mosque prior to a religious festival (in March 1990, the authorities had reportedly banned the construction of new mosques and Islamic schools).

The most detailed official account of the Baren incident appears in a speech by Xinjiang Communist Party Secretary Song Hanliang entitled *General Report on the Quelling of the counter-revolutionary armed rebellion of Baren county, Akto district*, delivered on 21 April 1990 at a meeting of party cadres.

Song Hanliang alleged that the incident was related to demands by Uighur demonstrators for the independence of Xinjiang and stated that members of a pro-independence and "Islamic" political party were involved. The incident was described officially as a "counter-revolutionary rebellion" - a phrase

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identical to that used by the authorities to describe the events in Beijing prior to the massacre of unarmed demonstrators on 4 June 1989.

According to unofficial sources, the Baren incident was the culmination of several weeks of protests at official restrictions on religious activities. In March 1990 the authorities had reportedly banned the construction of all new mosques and Islamic schools. A local mosque was reportedly subsequently closed by the authorities prior to a religious festival.

On 4 April 1990, groups of 60 to 200 Uighur demonstrators reportedly assembled in two or three village mosques to demand more religious freedom. The authorities apparently attempted to persuade the protesters to disperse, but resorted to the use of force on 5 April, hours after the end of a peaceful public prayer meeting held by about 200 protesters near government offices. The public prayer meeting was described by Xinjiang Communist Party Secretary Song Hanliang as "an open challenge to the People's government". The protest appears to have been peaceful until at least the morning of 5 April.

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Alleged Extra-judicial executions

Over 1,000 members of the security forces were sent into Baren from 4 to 6 April 1990 to put down the protests, including army and armed police units with heavy weapons, reportedly assisted by air cover.¹ The number of Uighur protesters appears not to have exceeded 2,000 people, almost all of whom were local peasants. There were violent clashes between small groups of protesters and soldiers in the outskirts. According to Song Hanliang's account, seven officials died in two separate clashes which both took place away from the main protests near the Baren government offices. In this context, Amnesty International fears that civilian protesters in Baren, who were not involved in the violent clashes and posed no immediate threat of violence may have been deliberately shot and killed by security forces. International standards provide that lethal force should only be used when absolutely necessary and in direct proportion to the legitimate objective it is intended to achieve. Amnesty International is concerned that some of those killed may have been victims of extra-judicial executions: deliberate killings by government forces acting outside the limits of the law.

Reports of torture of detainees

Communist Party reports state that over 200 people suspected of involvement in the Baren incident were detained in the following weeks. Unofficial reports suggest that hundreds of suspected protesters were detained in Baren county alone and thousands more elsewhere in Xinjiang. Amnesty International is concerned that some of those allegedly associated with the Baren protests were arrested and sentenced after unfair trials. It fears that some of those tried may have been sentenced to death and executed (see below p. 14).

A Uighur source told Amnesty International that most of those detained in Baren county after 5 April 1990 were local peasants who were severely ill-treated over several weeks of detention without charge. The source alleged that detainees were held in extremely harsh conditions and that some had teeth and limbs broken as a result of beatings suffered in detention. Amnesty International is concerned that these allegations of torture and ill-treatment should be urgently investigated by an independent and impartial authority.

1.3 Curbs on religious activities

Limitations on the activities of religious leaders and Islamic schools were reinforced after the crackdown on the Baren protests in April 1990. An early indication of this appeared on 12 April 1990 when the *Xinjiang Daily* reported the closure of a religious school which had been set up "without permission" by five Muslim clerics in a village near Hetian (Hotan) in southwest Xinjiang. The report said that they "realized after criticism" that the establishment of the school "was neither in line with the CCP's policy on religion nor conducive to the maintenance of overall stability in Xinjiang" and that they "dissolved the religious school of their own accord". Two other clerics lost their official recognition as Imams for

¹ According to Song Hanliang's report the security forces sent to Baren to put down the protests included at least 700 officers of the People's Armed Police (*Renmin Wuzhuang Jingcha, PAP*), under the command of the Ministry of Defence. There were at least 62 officers from the PAP's Kizilsu Prefecture headquarters; 130 officers from the Kashgar PAP headquarters; the 2nd, 5th and 6th Brigades under the Kashgar PAP headquarters and a battalion under the Kashgar PAP headquarters. There were also at least 200 officers of the Public Security Bureau (*Gong'anju, PSB*), the civilian police under the Ministry of Public Security. These forces included brigades from the Kizilsu prefecture and from "other areas", apparently Akto district.

Forces dispatched to Baren county on 5 April also reportedly included elements from the Border Defence Force (*Bianfangdui*); the People's Liberation Army (*PLA*); local militia; and armed groups from the nominally civilian Production and Construction Brigades (*Shengchan Jianshe Dui*). A Uighur witness told Amnesty International that over 650 PAP and PLA men were still in Baren three weeks after the end of the protest.

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allegedly engaging in "illegal religious activities" and "forcing others to become believers", the report said.

On 16 September 1990, the Xinjiang authorities promulgated new regulations stipulating that "religious professionals" in Xinjiang must "support the leadership of the CCP... and oppose national separatism". According to the regulations, all religious leaders must be "licensed" by officially recognized "patriotic religious organizations"; their credentials must be reviewed yearly and may be cancelled by local Religious Affairs Departments. The regulations also ban the teaching of religion and the distribution of religious material outside the premises of officially registered organizations.

Mosques and other places of worship were closed. The *Xinjiang Daily* reported on 25 November 1990 that 50 "religious facilities" had been closed in Akto district, which includes Baren county, and that the construction of 153 mosques in the district was discontinued.

On 3 September 1991, the *Xinjiang Daily* reported that 500 "religious personalities" in Zepu district, southeast of Kashgar, had been subjected to a form of investigation referred to as "democratic appraisal (*minzhu pingyi*)". Of these, an unspecified number were reportedly punished for "illegal activities". "Control files" were opened on all religious personalities "of Imam status or higher". Religious personalities who allegedly "used the authority of religion" to "avoid mandatory work" or "obtain food and money" were investigated and punished, the newspaper said. In the district of Kashgar, over 12,000 people underwent "democratic appraisal". While the majority were given a positive appraisal, 208 were reportedly found to have "made grave mistakes" and four were said to have "violated the criminal law".² There was no indication of the nature of their punishment or what crime had allegedly been committed. Amnesty International does not know whether any of those "punished" were brought to trial.

Amnesty International is concerned that the implementation in Xinjiang of legislation aimed at controlling religious activities resulted in peaceful religious activities being declared illegal and may have resulted in the imprisonment of religious teachers and believers for the mere exercise of their right to freedom of conscience. The religious dissidents detained in Yecheng in 1990 and 1992 and whose case is described below (see p. 10) appear to have been detained as a result of these curbs on religion.

²See *Xinjiang Social Sciences Studies*, No 2, 1991, p. 6.
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2. Possible prisoners of conscience

Amnesty International has received details about individuals who appear, on the information available, to be prisoners of conscience -- that is, people imprisoned, detained or otherwise physically restricted by reason of their non-violent political, religious or other conscientiously-held beliefs or on account of their ethnic origin, sex, colour or language.

There is no precise information available on the conditions of detention of these prisoners, but they are reported to be generally harsh and torture and ill-treatment are regularly reported. According to the "*Work Report*" of the Xinjiang Higher People's Procuratorate, published on 16 March 1992, a total of 44 cases of "forcible extraction of torture and malpractice committed out of personal interest" by Public Security Bureau (police) and court officials were reported in 1991. Only 18 of these cases were investigated by the authorities. The results of these investigations have not been made public.

2.1 Kajikhumar Shabdan

Kajikhumar Shabdan³, an ethnic Kazakh writer and poet born in 1924 in Kazakhstan in the former Soviet Union, was reportedly detained in December 1988 in the district of Tacheng, in northern Xinjiang, and sentenced to 12 years' "re-education through labour".⁴ Although the exact charges against him are not known to Amnesty International, Kajikhumar Shabdan appears to have been suspected of belonging to an illegal organization in Xinjiang with links to a nationalist political group in what was then the Kazakhstan Soviet Socialist Republic of the USSR.

Kajikhumar Shabdan was reportedly detained together with about 10 other people following disturbances in Tacheng in the summer of 1988. The disturbances followed a peaceful demonstration by university students in June 1988 in Urumqi in protest at alleged government discrimination against members of "national minorities" in Xinjiang. Other demonstrations were reported in several cities across Xinjiang between late June and August 1988.

Official sources did not acknowledge that these disturbances had occurred, but the official Xinjiang Radio criticized in a broadcast on 22 June 1988 "a handful of people who desire to see the world plunged into chaos" who it said were "hiding in dark corners and engaging in activities detrimental to the unity of nationalities and the unity of the homeland". Amudun Niyaz, deputy secretary of the Xinjiang Regional Committee of the CCP and chairman of the regional People's Congress, was quoted by Xinjiang Radio on the same day as saying that "people who undermine the unity of nationalities... [are] national traitors and will be opposed by the peoples of all nationalities... We will wage resolute struggle against such people".

Kajikhumar Shabdan emigrated from Kazakhstan to Xinjiang in 1931 with his family and trained in Xinjiang as a teacher. According to sources in Kazakhstan, he was imprisoned for several years by successive governments in Xinjiang in the 1930s and 1940s on suspicion of "nationalism" and under other political charges. In 1958, in the aftermath of the "anti-rightist movement" launched by the authorities of the PRC, he was sentenced to 18 years' imprisonment for allegedly "opposing socialism". He was released in 1976.

Between his release and his re-imprisonment in 1988, Kajikhumar Shabdan published several volumes of

³This name is transcribed by some sources as Haji Omar Shabdanoglu or as Khajikhumar Shabdanbek. The official *pinyin* transcription for the Chinese characters of the Chinese translation of his name is *Hajihumaer*. He is a citizen of the PRC.

⁴According to one report he was sentenced to 15 years' imprisonment.

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a novel, *Crime*, part of which he had reportedly written in prison. The first three volumes of the novel were printed in Urumqi between 1982 and 1988 but the manuscript of the fourth volume was reportedly retained by the publisher on the orders of the authorities. The novel chronicles the historical upheavals in Central Asia since the 1920s and criticizes the policies towards the region's Turkic peoples implemented by successive governments in the region.

There is no information about Kajikhumar Shabdan's current place of imprisonment. Amnesty International is concerned that he may be a prisoner of conscience imprisoned solely for peacefully exercising the right to freedom of expression. It calls on the authorities of the PRC to make public the exact charges under which he was sentenced, the evidence on which he was convicted and information about his place of imprisonment and state of health. Amnesty International urges that Kajikhumar Shabdan either be charged with a recognizably criminal offence and tried in accordance with international standards of fairness or be released.

2.2Mantimyn

In April or May 1990, Mantimyn⁵, the administrator of the No 5 Middle School in Urumqi, was reportedly detained and taken to a place of detention in southern Xinjiang. According to an unofficial Uighur source Mantimyn was detained because he was suspected of having written an appeal to the United Nations in 1988, in which he made detailed allegations of human rights violations perpetrated by the PRC authorities in Xinjiang.

The appeal was reportedly found on a pilgrim to Mecca in 1988 and the Xinjiang authorities determined that Mantimyn was its author more than 18 months later. Mantimyn was reportedly held in incommunicado detention for at least a year, but Amnesty International is concerned that he may still be detained and unable to receive visits. Mantimyn is reported to be aged about 50 and is from Wusu district, in the Yili Kazakh Autonomous Prefecture in northern Xinjiang. Amnesty International is calling on the Xinjiang authorities to clarify the legal status of Mantimyn. He should either be charged with a recognizably criminal offence and tried in accordance with international standards of fairness or be released.

2.3Zhang Jianxin and four others, unnamed

Zhang Jianxin and four other people whose names are not known to Amnesty International, all taxi drivers in Urumqi, received three-year terms of "re-education through labour" for taking part in an illegal demonstration in Urumqi on 1 October 1991, according to a report in the *Xinjiang Daily*.

The newspaper reported on 31 October 1991 that Zhang Jianxin and his co-detainees, "pretexting among other things that the competent municipal departments were levying unreasonable fees on taxi meters, liaised with taxi drivers" in various areas of Urumqi "to drive their cars through some main thoroughfares in the city and in front of the municipal government and municipal Party committee" buildings. According to the newspaper, they "finally seriously blocked traffic on the People's Square, jeopardizing the social order and the order of the people's daily life". Zhang Jianxin and four others, whom the report did not name, were given administrative detention terms of three-years "re-education through labour". "Re-education through labour" is an administrative punishment imposed by a committee consisting of police and other local government officials. Those detained for "re-education through labour" cannot

⁵The *pinyin* transcription of the Chinese characters for his name is *Maimaitiming*.
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present a defence before a court and have no access to lawyers. There is no information on the place of detention of Zhang Jianxin and his co-detainees.

Amnesty International is concerned that Zhang Jianxin and his co-detainees are prisoners of conscience held without charge or trial solely because they organized a peaceful demonstration to express their views. They should be released immediately and unconditionally.

2.4 Turgun Almas, academic and writer

Turgun Almas⁶ is a 68 year-old Uighur historian and researcher at the Xinjiang Academy of Social Sciences in Urumqi. Turgun Almas is currently residing in Urumqi where he is reportedly under house arrest, restricted in his freedom of movement and subjected to police surveillance. He has reportedly been barred from publishing academic research and appears to have been dismissed from his position at the Academy of Social Sciences.

Turgun Almas is the author of several books on history and music, including *The Uighurs (Weiwuer Ren)*; *A Summary History of the Huns (Xiongnu Jianshi)*, and a book on ancient Uighur literature. *The Uighurs*, published in October 1989, came under heavy official criticism in 1990 and 1991 for allegedly presenting a "nationalistic" view of Uighur history. Academics, schoolteachers and other intellectuals in Xinjiang have reportedly been urged to "criticise" the works of Turgun Almas at "political study" meetings held under the leadership of the Communist Party.

Attacks against Turgun Almas and his books became public in mid-1991 when the official newspaper *Xinjiang Daily* published at least four lengthy articles between July and October 1991, criticizing Turgun Almas' historical methods and his imputed political objectives. On 16 August 1991 the newspaper criticized Turgun Almas for supporting "independence and separatism". Unofficial Uighur sources reported that Turgun Almas' home has been repeatedly searched by police and that some of his relatives have suffered harassment as a result of his imputed political and academic "mistakes".

Amnesty International is concerned that Turgun Almas may be held under house arrest for his political views and the peaceful exercise of his right to freedom of expression. It calls on the authorities in Xinjiang to lift all restrictions imposed on him for his imputed political views.

2.5 Religious dissidents in Yecheng

Five Uighur men were reportedly detained in July and August 1990 as a result of an incident on 5 January 1990 in which a pamphlet protesting against the closure of mosques and other curbs on religious activities was circulated in the town of Yecheng, in southwest Xinjiang.

One of the men, a shop worker named Abdul Malik, was reportedly detained on 10 August 1990 in Yecheng and sentenced to five years' imprisonment in October on unspecified charges of "counter-revolutionary" activities. The others were named as Abdu Kadir Ayup, aged 45; Abdurahman Abliz, aged 47; Alimjan Karihajim, aged 60; Omer Khan Mahsun, aged 70. They were reportedly detained in July 1990 and were still reported to be in detention in mid-1992, but there was no indication that they had been charged or tried.

Another group of religious dissidents were reportedly detained in Yecheng in 1992. Three men, described by unofficial sources in Xinjiang as "intellectuals and religious personalities" were reportedly detained in March 1992. They were named as Abdukerim Kari, aged 65, and Abdukerim Yakup, aged 58, both reportedly detained on 17 March; and Omar Turdi, aged 26, reportedly detained on 13 March. They are not known to have been formally charged. All three men were said in May 1992 to be detained in Yecheng.

⁶The *pinyin* transcription of his name into Chinese is *Tuergong* (or *Tuerhong*) *Alemasi*.
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Amnesty International is concerned that the eight people named above may be prisoners of conscience detained for exercising their right to freedom of conscience and religion. It is calling on the Xinjiang authorities to release them immediately and unconditionally if they are not to be charged with a recognizably criminal offence and promptly tried in accordance with international standards for fair trial.

2.6 Other political arrests

Amnesty International has received information about six Uighur men and a woman who were detained after April 1990 and appear to be still detained because of their alleged involvement in the Baren protests. They are:

Name, age of reported detainee	Date and place of arrest	Remarks
Abaydulla Marop Damollan (52)	April 1990 - Shaya	Born in Shaya
Yasin Turdi (48)	June (?) 1990 - Kuche	Born in Shaya
Ismail Haji (25)	July 1990 - Yingjisha	Born in Yingjisha
Kerim Kari (29)	July 1990 - Urumqi	Born in Kuche
Muhammad Amin Yapqan (26)	July 1990 - Yingjisha	Born in Yingjisha
Abdulkadir	October 1990 - Kashgar	Born in Kashgar
Mukarram Hadji Nenim (female) (22)	1990 - Kuche	Born in Kuche

Three men were reportedly detained in Xinjiang in early 1992 for their political activities. Abdurezzak, a 35 year-old worker at a food processing factory in the district of Guma, northwest of Hetian, was reportedly detained in January 1992. Kawol Kurban, aged 39, and Yasin Kari, aged 28, were reportedly detained in their home district of Jiashi, east of Kashgar, respectively in February and March 1992. They were still reported to be in detention in May 1992. They were not known to have been charged or tried. Amnesty International is concerned that they may be prisoners of conscience. They should either be charged with a recognizably criminal offence and tried in accordance with international standards of fairness or be released.

3. Unfair trials of political prisoners

International human rights standards set out minimum procedural safeguards which Amnesty International is concerned are not upheld in trials in China. These include in particular the presumption of innocence for everyone charged with a criminal offence until proved guilty according to law.

There is no provision in Chinese law concerning the presumption of innocence. Chinese officials and legal experts have often indicated that in China, "defendants are not presumed guilty or innocent". In practice, in all the Chinese political trials in which Amnesty International has been able to study the relevant documents, tribunals have declared political prisoners to be guilty as charged. In all those cases, the court verdicts were almost verbatim repetitions of the indictments and never gave any indication that the court attempted to challenge the findings of the public prosecutor.

Amnesty International is concerned that the alleged participants in the Baren protests and others who have been sentenced to prison terms on charges of "counter-revolutionary crimes" were denied basic legal protections and received trials which failed to meet international standards for fairness.

3.1 Namat Abdumat, Ubul Emil and Balat Niyaz Mohammad Tohti

Namat Abdumat⁷, a Uighur from Moyu county, near Hetian in western Xinjiang, was reportedly sentenced in early 1991 to 15 years' imprisonment and a further five years' deprivation of political rights on charges of "counter-revolutionary propaganda and agitation" and "counter-revolutionary arson". Two other men, who appear to have been accused of complicity with Namat Abdumat, Ubul Emil and Balat Niyaz Mohammad Tohti, were sentenced to three years' imprisonment and a further year of deprivation of political rights. They were reportedly aged under 18 at the time of arrest.

The *Xinjiang Daily* reported on 13 April 1991 that the prisoners were accused of illegally posting leaflets in four places in Moyu county, including the local middle school, a bookshop and the local government offices. It said the posters criticized the Chinese Communist Party and official family planning policies allegedly carried out in Xinjiang. According to the newspaper Namat Abdumat was also accused of setting fire to an office of the family planning administration in Moyu county. It is unclear whether Ubul Emil and Balat Niyaz Mohammad Tohti were also accused of involvement in the alleged arson.

An unofficial report suggested that the three men were arrested in connection with demonstrations which took place in Moyu and Yutian, in southwest Xinjiang, in April 1990. Little is known about these incidents but reports that communication and transport links to the area were cut off during April 1990 suggest that the demonstrations may have involved a large number of participants. A family planning office was reportedly set on fire.

Amnesty International is concerned at the fairness of Namat Abdumat's trial. Amnesty International urges the Chinese Government to make public evidence that Namat Abdumat was tried in accordance with the above international human rights safeguards.

Amnesty International is further concerned that Ubul Emil and Balat Niyaz Mohammad Tohti were sentenced for "counter-revolutionary arson", an offence they may not have committed. In that case, they may be prisoners of conscience imprisoned solely for non-violent activities. Amnesty International urges the Chinese authorities to make public the evidence on which they were charged and to ensure that they were tried in accordance with international standards for fair trials.

4. The death penalty in Xinjiang

Amnesty International is gravely concerned at the number of death sentences imposed on prisoners by tribunals in the Xinjiang Autonomous Region. According to information gathered by Amnesty International, mainly on the basis of reports published in China's official press, at least 30 prisoners were sentenced to death in Xinjiang in 1991 and at least 18 executions were reportedly carried out. In the first six months of 1992 alone, some 22 executions are known to have been carried out. Amnesty International believes the real figures to be very significantly higher. The ratio of death sentences to the population appears to be several times higher in Xinjiang than elsewhere in China.

Those sentenced to death included 15 prisoners accused of theft, robbery or murder, who were reportedly executed on 21 January 1992 shortly after being paraded at a mass sentencing rally in Urumqi, the capital

⁷The *Pinyin* transcription for the Chinese characters of his name is: *Namadi Abudoumadi*.

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of Xinjiang.⁸ Mass sentencing rallies are meetings organized jointly by local government authorities and the judiciary, ostensibly to "educate" the public and deter crime. Attendance is usually mandatory for selected employees and school students. Prisoners are displayed before the meeting and the sentence imposed on them is read out; they are unable to present a defence and are forced by guards to adopt a humiliating posture, head bent down. Amnesty International considers such mass sentencing rallies to constitute cruel, inhuman and degrading treatment.

4.1 Death sentences for Baren protesters

Some of the alleged organizers of the Baren incident, who were tried in 1990 and 1991, were sentenced to death. Those tried included Jamal Mamat, Abdurehim Turdy, Ahad Tiliwaldy, Turgun Isaak, Sidikhajy Isaak and Abla Kasim. They were all accused of being leading members of a political group, the "Eastern Turkestan Islamic Party", which the Communist Party leaders in Xinjiang said had "planned" the disturbances in Baren. Amnesty International fears that some or all of them were sentenced to death and may have been executed.

The total number of alleged participants in the Baren incident who were sentenced to death and executed is not known to Amnesty International. On 5 March 1992, the President of the Xinjiang Higher People's Court stated in his annual report to the Xinjiang National People's Congress that sentences imposed on prisoners accused of involvement in the Baren "counter-revolutionary rebellion" had been submitted for "review" to the Supreme People's Court in Beijing. He said that in 1991 some 113 prisoners "had been sentenced to death, to death with a two-year stay of execution or to life imprisonment" for "counter-revolutionary crimes". It is unclear how many of these were charged with involvement in the Baren protests. He indicated that the review had not been completed at the time he made his report. Amnesty International believes that the sentences submitted for review were all death sentences, as only death sentences must by law be the object of such a review by the Supreme People's Court.

Amnesty International does not know the outcome of that review or the names of those sentenced to death. It does not know whether any of the death sentences which were still under review in March 1992 had been carried out by mid-September 1992.

⁸A report in the official *Xinjiang Daily* named three of the prisoners as Yu Jianming, Zhang Xincheng, and Zhang Luxun. The names of the twelve other prisoners have not been published.
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5. Conclusions and recommendations

Curbs on the exercise of fundamental human rights, laws and regulations which may be used to imprison prisoners of conscience, and ineffective safeguards for the rights of detainees and prisoners contribute to a pattern of human rights violations in Xinjiang. Amnesty International is calling on the Xinjiang authorities:

a. to investigate all the individual cases of prisoners and detainees mentioned in the present report, to release immediately and unconditionally all people held solely for the non-violent expression of their political views or religious beliefs;

b. to initiate independent and impartial investigations that conform to the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, into the killings reportedly committed by security forces in Baren county in April 1990, and to make public the findings;

c. to make public the names, trial circumstances and current whereabouts of all those who have been tried and sentenced to imprisonment or death as a result of their alleged participation to the Baren incident;

d. to make public information on all those detained without charge or trial in Xinjiang and to release them if they are not to be charged with recognizably criminal offences and tried in accordance with international standards for fair trial;

Amnesty International is unconditionally opposed to the death penalty, which it considers a violation of the rights to life and the ultimate form of torture and cruel, inhuman and degrading punishment. The United Nations has endorsed the goal of worldwide abolition of the death penalty. In moving towards this goal, it is essential that internationally agreed safeguards and restrictions be observed in all countries which have not yet abolished the death penalty. Amnesty International considers that several of these safeguards and restrictions are not observed in China; it calls on the government to adopt the following measures in line with international human rights standards:

a. To ensure that every prisoner accused of an offence punishable by death is afforded all facilities, including free access to a lawyer of his or her choice, for a fair trial before an independent, competent and impartial tribunal, and that the rights of the accused are protected at all stages of the judicial process;

b. To ensure that everyone sentenced to death has the right to seek pardon or commutation of sentence;

c. To ensure that people aged under 18 at the time of the offence are not sentenced to death, death with reprieve, or executed;

d. To ensure that everyone sentenced to death has the right to seek pardon or commutation of sentence;

e. To stop practices, including mass sentencing rallies and the parading of prisoners prior to execution, which constitute a form of cruel, inhuman and degrading treatment;

f. To ensure that the scope of the death penalty does not extend beyond the "most serious crimes" and to

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take steps towards total abolition of the death penalty, including the restriction of the number of offences punishable by death.

Amnesty International also recommends that prisoners under sentence of death should be afforded adequate time and effective opportunities to present appeals against their sentence to the highest judicial authorities and to appeal for commutation of sentence to the highest executive authorities.