

URGENT ACTION

SON OF UIGHUR ACTIVIST TORTURED IN PRISON

Alim Abdiryim, son of Uighur activist Rebiya Kadeer, is being tortured and otherwise ill-treated in detention, according to his family. They believe his life is at risk. He has been in prison in Urumqi, in the Xinjiang Uighur Autonomous Region of China since 2006 on tax evasion charges,

According to sources in China, **Alim Abdiryim** has suffered a serious deterioration in his health and shows signs of physical and psychological trauma. He is reported to have said that the prison authorities were “turning a blind eye to what was happening” to him in prison, had not given him the medical attention he required, and that if the situation persisted he feared for his life. Rebiya Kadeer and her family believe his life to be at risk unless urgent action is taken to urge the authorities to address the situation.

Alim Abdiryim was detained on 30 May 2006 and severely beaten by police. On 13 June 2006, he was charged with tax evasion, following an investigation by the authorities into the family business, and “subversion of state power”. In November 2006, Alim was sentenced to seven years in prison and fined 62,500 US\$. He is believed to have confessed to the charges after being tortured while in detention.

Rebiya Kadeer's family has been targeted by the authorities since she was first detained as a prisoner of conscience in 1999. This intensified after she was released on medical parole on 17 March 2005 and left China for the USA. Alim Abdiryim and his brother Kahar Abdiryim were sentenced on 27 November 2006, the day after Rebiya Kadeer was elected president of the World Uyghur Congress (WUC). Amnesty International believes that the pattern of retribution against Rebiya Kadeer's family for her human rights activities casts serious doubt on the credibility of the police investigation into their business affairs and the fairness of the trial process.

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

- Urge the authorities to ensure that Alim Abdiryim is not tortured or ill-treated in prison and is provided with all necessary medical treatment including for any injuries sustained in custody;
- Urging them to order a full and impartial investigation into allegations that Alim Abdiryim has been tortured and ill-treated in prison with the aim of bringing those responsible to justice;
- Calling on the authorities to end the human rights violations directed at Rebiya Kadeer's family, including torture and ill-treatment in detention, police harassment and other restrictions on their freedom of expression.

PLEASE SEND APPEALS BEFORE 27 OCTOBER 2010 TO:

Premier of the People's Republic of China

WEN Jiabao Guojia Zongli
The State Council General Office
2 Fuyoujie, Xichengqu
Beijingshi 100017
People's Republic of China
Fax: +86 10 65961109 (c/o
Ministry of Foreign Affairs)
Salutation: Your Excellency

Chairman of the Xinjiang Uighur
Autonomous Regional People's
Government

Nur BEKRI Zhuxi
Xinjiang Weiwuer Zizhiqu Renmin
Zhengfu Bangongting
2 Zhongshanlu, Urumqi 830041
Xinjiang Weiwuer Zizhiqu
People's Republic of China
Fax: +86 991 2817567 or
2803621
Email: master@xinjiang.gov.cn
Salutation: Dear Chairman

And copies to:

Mayor of Wulumuqi People's
Government
Gela YISHAMUDIN Shizhang
Wulumuqi Shizhengfu Bangongting
72 Nanhulu
Urumqi 830002
Xinjiang Weiwuer Zizhiqu
People's Republic of China
Fax: +86 991 4689654
Salutation: Dear Mayor

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

The Chinese authorities have used the global "war on terror" to justify harsh repression against the ethnic Uighur community in the Xinjiang Uighur Autonomous Region and to deny them their human rights. Uighurs are the only known group in China currently sentenced to death and executed for political crimes.

Rebiya Kadeer was sentenced in 2000 to eight years' imprisonment on charges of "providing state secrets outside the country", which were publicly available newspaper clippings she sent to her husband in the USA. During her trial, neither she nor her lawyer was allowed to speak in her defence. She was released on medical parole after almost six years in prison in March 2005. She has never been charged or accused of violent crimes. Amnesty International considered her a prisoner of conscience and campaigned to bring about her release.

Rebiya Kadeer's family has experienced intensified persecution by Chinese authorities since she was released on medical parole in March 2005. In 2006 Rebiya Kadeer was nominated by Swedish parliamentarian Annelie Enochson for the Nobel Peace Prize. Annelie Enochson stated in her nomination, "Rebiya Kadeer champions the rights of western China's Uighur ethnic group and is one of China's most prominent advocates of women's rights...[She] has also used her resources as founder and director of a large trading company in north-western China to provide fellow Uighurs with training and employment."

Torture and other ill-treatment are endemic in all forms of detention, although China ratified the UN Convention against Torture in 1988. Amnesty International also receives regular reports of deaths in custody, many of them caused by torture, in a variety of state institutions, including prisons, Re-education Through Labour facilities and police detention centres.

The authorities have passed numerous regulations intended to strengthen the formal prohibition of torture contained in China's Criminal Law. However, the categories of prohibited behaviour are limited, and do not comply fully with definitions of torture under international law. Articles 247 and 248 of the Criminal Law list several offences related to the prohibition of torture; however, these charges can only be brought against a limited range of officials in particular circumstances or places. The prosecuting authorities, who also investigate and prosecute torture offences, set criteria for taking up cases which further limit the application of these provisions.

The broad discretion given to the police by the Criminal Procedure Law (CPL) to detain suspects for long periods before trial increases opportunities for torture and other ill-treatment. During this time detainees' access to their families and legal representatives may be limited. Under the CPL, the police should inform the family of a detainee about their arrest and place of detention within 24 hours, except where it "would hinder the investigation" (Articles 64 and 71). However, in practice communication with the family is frequently denied until the detainee is brought to trial or sentenced.

Provisions on access to legal counsel also fall short of international standards. Article 96 of the CPL states that a suspect "may appoint a lawyer to provide legal advice or to file petitions and complaints on his behalf," after the first session of interrogation by the "investigative organ," or from the day when the suspect is subjected to one of the forms of detention or restriction provided by the law. In cases "involving state secrets" the approval of the police is required before a lawyer is appointed or any meeting between lawyer and client can take place.

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