

PUBLIC

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Further Information on UA 99/06 (EUR 62/008/2006, 24 April 2006) and follow-ups (EUR 62/014/2006, 19 June 2006; ASA17/037/3006, 4 July 2006; ASA 17/042/2006, 8 August 2006) - Fear of torture and ill-treatment/Forcible return/Death Penalty/Fear of imminent execution

CHINA

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

According to the Chinese Ministry of Foreign Affairs, Husein Dzhelil is not facing imminent execution. A Ministry spokesperson told the news agency Reuters that "Husein is a Chinese citizen suspected of having taken part in East Turkestan terrorist activities." According to the spokesperson, no verdict has been reached in his case, implying that Husein Dzhelil is on trial in secret on charges related to "terrorism". Amnesty International fears that any legal proceedings are likely to be unfair, and he is at risk of torture and ill-treatment.

Husein Dzhelil is being held in incommunicado detention, possibly in Urumqi, the capital of the Xinjiang Uighur Autonomous Region (XUAR), northwest China. The risk of torture and ill-treatment which he is facing is heightened by his restricted access to the outside world.

Husein Dzhelil, who is originally from the XUAR, reportedly fled China in the mid-1990s after being detained in connection with his political activities there. He eventually went to Turkey where he sought asylum through the Office of the UN High Commissioner for Refugees (UNHCR). He was recognised as a refugee, and resettled to Canada in 2001. He gained Canadian citizenship in November 2005. He was detained on 27 March 2006 in Uzbekistan where he was visiting his relatives, and handed over to the Chinese authorities at the end of June. According to his family, when Husein Dzhelil was transferred from Uzbekistan, the Uzbek authorities kept his Canadian passport. Last week, his relatives in Kashgar were informed by an unnamed police officer that Husein Dzhelil was going to be executed on or before 10 August.

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 of 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 guarantee Husein Dzhelil a fair trial in line with international standards;
- calling on the authorities to clarify Husein Dzhelil's current whereabouts and state of health;
- urging 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)

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

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

XIAO Yang Yuanzhang

Supreme People's Court

27 Dongjiao Minxiang

Beijingshi 100006

People's Republic of China

Fax: +86 10 65292345 (c/o Ministry of Communication)

Salutation: Dear President

COPIES TO:

Secretary of the Xinjiang Uighur Autonomous Regional Party Committee

WANG Lequan Shuji

Zhonggong Xinjiang Weiwuer Zizhiqu Weiyuanhui

2 Jianshanlu

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 22 September 2006.