

UA 119/02

Fear of f

**NEPAL**Kheyum Whashim Ali (m) (also known as Washim Ali)  
Shaheer Ali (m) (also known as Shir Ali)  
Abdu Allah Sattar (m) (also known as Abdullah Sattar)

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The three men named above are members of China's ethnic Uighur minority. The Office of the United Nations High Commissioner for Refugees (UNHCR) recognised all three as refugees after they fled to Nepal. However, the Nepali authorities are feared to have sent two of them back to China, and the third may also be at risk of being returned. All three would be at risk of torture, and possibly execution, if they were returned to China.

Kheyum Whashim Ali was recognized as a refugee by the Office of the UNHCR in Nepal in October 2001. The Nepali immigration authorities have since detained him, apparently because he originally claimed to be from Afghanistan.

The two other men, Shaheer Ali and Abdu Allah Sattar, were detained in December 2001. They were held at Hanuman Dhoka police station in Kathmandu, but were taken from there in January 2002, and their whereabouts are now unknown. There are conflicting reports of who took them from the police station: some say it was the Nepali police, while others say it was officials from the Chinese embassy. The UNHCR has asked the Nepali authorities repeatedly for information about their current whereabouts, but received no response.

International human rights law prohibits the return of anyone to a country where they might face serious human rights violations.

#### **BACKGROUND INFORMATION**

All three men are from the Xinjiang Uighur Autonomous Region (XUAR) in the northwest of China. Human rights violations have escalated in the region over the last year in the context of a new crackdown on suspected Uighur political opponents. 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".

There are unconfirmed reports that China has put significant political pressure on neighbouring countries, including Nepal, to return those it suspects of being involved in "terrorist" activities.

Any Uighur asylum-seekers or refugees sent back to China are at risk of serious human rights violations, including torture, unfair trials and possibly the death penalty, if they are suspected of being involved in pro-independence groups or activities.

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

- urging the authorities to guarantee that they will not send Kheyum Whashim Ali back to China;
- asking where Shaheer Ali and Abdu Allah Sattar are now, and calling for them to be handed over immediately to UNHCR protection if they are still in Nepal;
- urging the authorities to ensure that no Chinese nationals are deported to China if the UNHCR has recognised them as refugees, or if their case is still pending with UNHCR.

**APPEALS TO:**

Mr Ananda Raj Pokharel  
Director General  
Department of Immigration  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu  
Nepal

**Telegrams:Immigration Director, Home Affairs Ministry, Kathmandu, Nepal**

**Fax:+977 1 223127**

**Salutation:Dear Director General**

Mr Vijaya Bhatrai  
Home Secretary  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu  
Nepal

**Telegrams:Home Minister, Kathmandu, Nepal**

**Fax: + 977 1 228687**

Rt Hon Khum Bahadur Khadka  
Minister of Home Affairs  
Ministry of Home Affairs  
Singha Durbar  
Kathmandu  
Nepal

**Telegrams:Home Minister, Kathmandu, Nepal**

**Fax:+ 977 1 240942**

**Salutation:Dear Minister**

**(Please note: it may be difficult to get through to these fax numbers, but please keep trying).**

**COPIES TO:** diplomatic representatives of Nepal accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 3 June 2002.