

Act Now! Free Uighur prisoners of conscience in China

Amnesty International (AI) has documented human rights violations against the ethnic Uighur community in the Xinjiang Uighur Autonomous Region (XUAR) in northwest China for many years. China's ongoing political crackdown on the so-called "three evil forces" of "separatists, terrorists and religious extremists" is continuing to result in serious and widespread human rights violations directed against the Uighur community in the XUAR. The crackdown has intensified following the events of 11 September 2001 as China uses the international "war on terror" as a pretext to justify its policies of repression in the region.

AI is concerned that current levels of repression in the XUAR are narrowing the space for any independent expression of Uighur ethnic, cultural or religious identity. There is a high risk that such expression will be deemed to constitute "separatist", "terrorist" or "illegal religious" activities by the authorities, leading to arbitrary detention, torture and other serious human rights violations.

The continued detention of prisoners of conscience in the XUAR is evidence that China's policies of repression in the region stretch far beyond concerns with combating acts of violence or "terrorism". Given official restrictions on access and information, the total number of those detained solely for engaging in peaceful acts of freedom of expression, association or other rights in the region is impossible to determine. Many of those falling within this category are believed to be held without charge or trial in "re-education through labour" camps or other places of detention.

AI is also concerned about reports of torture and ill-treatment in prisons, police stations and other places of detention in the region. Methods of torture in the XUAR appear to be particularly brutal, often including techniques which have not been documented elsewhere in China. Prisoners in the XUAR also often receive poor food, inadequate sanitation and little medical treatment.

Rebiya Kadeer (f) and Tohti Tunyaz (m) whose cases are featured in this action, continue to serve long prison sentences, despite repeated calls for their release from other governments, human rights mechanisms of the United Nations, and non-governmental organizations, including Amnesty International. They have both been sentenced on charges related to "state secrets". In addition, Tohti Tunyaz was also sentenced for "inciting separatism". The Chinese government's use of the term "separatism" refers to a broad range of activities, many of which amount to no more than peaceful opposition or dissent, or the peaceful exercise of the right to freedom of religion. Similarly, the concept of "state secrets" is ill-defined in the Chinese Criminal Law, and often used against political and human rights activists.

AI considers both Rebiya Kadeer and Tohti Tunyaz prisoners of conscience and is calling for their immediate and unconditional release.

Appeal Cases

REBIYA KADEER 热比亚·卡德尔

Rebiya Kadeer, aged 57 and a mother of eleven was sentenced in a secret trial in March 2000 to eight years' imprisonment by the Urumqi Intermediate People's Court on charges of "providing secret information to foreigners" under Article 111 of the Chinese criminal law. During the trial neither Rebiya Kadeer nor her lawyer were allowed to speak in her defence. The verdict of her trial describes the "secret information" as copies of the publicly available newspapers, *Kashgar Daily*, *Xinjiang Legal News*, *Yili Daily* and *Yili Evening News*, that she sent to her husband – a former political prisoner from the XUAR who has lived in the USA since 1996. Her appeal was rejected in November 2000, and the verdict was confirmed.

Rebiya Kadeer had travelled to the USA together with her husband in 1996, but she later returned to the XUAR. In 1997, the Chinese authorities placed her under surveillance and confiscated her passport. According to Wang Lequan, the secretary of the regional Communist Party Committee, this was because "her husband was engaged in subverting the government and separatist activities outside the country". This appeared to refer to

© Private

his activities as a broadcaster with the radio stations, *Voice of America* and *Radio Free Asia*.

America and *Radio Free Asia*.

Rebiya Kadeer was detained in August 1999 on her way to meet a member of a United States Congressional Research delegation which was visiting China at the time. She was accused of having in her possession a list of ten people "suspected of having a connection with national separatist activists." Her family was not allowed to visit her for the first 15 months of her detention, and since then family visits have been restricted and closely monitored by the prison officials. On some occasions family visits have been cancelled, often at short notice. She is currently being held at Urumqi Women's Prison and reportedly suffers from chronic gastritis and occasional high blood pressure. She is on daily medication.

At the time of Rebiya Kadeer's detention in August 1999, her son Ablikim Abdurehim and her secretary Kahriman Abdukirim were also detained and sentenced without charge or trial to two and three years' "re-education through labour" terms respectively. Both were reportedly ill-treated in detention. In December 2002, four of Rebiya Kadeer's children living in the XUAR were briefly detained, apparently to prevent them from meeting with a senior US official visiting the region.

Rebiya Kadeer's sentence was reduced by one year in March 2004, reportedly because she had "recognised her mistakes and was resolved to stand on the side of the Party and people". She is now due for release on 12 August 2006. According to reports, the Chinese authorities may consider further sentence reductions if Rebiya Kadeer continues to demonstrate "genuine repentance and willingness to reform."

Rebiya Kadeer was once celebrated as a model Uighur businesswoman, and in 1995 her success won her a place in China's official delegation to the United Nations Fourth World Conference on Women in Beijing. In 1997 she was involved in creating the "Thousand Mothers Movement" – a forum promoting the rights of ethnic minority women, and creating employment opportunities for them. The forum was launched in Rebiya Kadeer's department store in Urumqi, and at a second meeting of the "Thousand Mothers Movement", she spoke about the power of women and her desire to help Uighur mothers, many of whom wished to work to help sustain their families, but had no opportunity to do so. Rebiya Kadeer had also been an official member of the Chinese People's Political Consultative Conference (CPPCC), a broad-based official body which includes representatives of the Chinese Communist Party, other official political parties, mass organizations and other key figures. In 1998, however, she was banned from re-election to the CPPCC, ostensibly because she had "failed" to condemn her husband's "separatist" activities in the USA.

Amnesty International welcomes the recent reduction in her prison sentence, but remains deeply concerned at Rebiya Kadeer's continued imprisonment in violation of her

fundamental human rights to freedom of expression and association. The organization considers her to be a prisoner of conscience and reiterates its calls for her immediate and unconditional release.

Please send your appeals on behalf of Rebiya Kadeer:

- ◆ Urging the Chinese authorities to immediately and unconditionally release Rebiya Kadeer as a prisoner of conscience imprisoned for the peaceful exercise of her right to freedom of opinion and expression;
- ◆ Expressing concern that Rebiya Kadeer's trial did not meet international standards for fair trial;
- ◆ Urging that Rebiya Kadeer receives proper and adequate medical care while in detention and that she be allowed regular visits by her family members in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners;
- ◆ Urging the Chinese authorities to ensure that members of Rebiya Kadeer's family are not arbitrarily detained or otherwise harassed;
- ◆ Noting that Rebiya Kadeer's work on behalf of ethnic minority women and participation in the 1995 UN World Conference on Women indicate that she is a human rights defender, and urging the authorities to ensure that all human rights defenders in China can carry out their legitimate human rights activities without fear of arbitrary detention or other human rights abuses;
- ◆ Calling for the Chinese authorities to ensure that everyone in the XUAR is able to exercise their right to freedom of opinion and expression regardless of race, religion or political opinion.

Send your appeals to:

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
Salutation: Dear Chairman

Premier of the People's Republic of China
WEN Jiabao Zongli
Guowuyuan
9 Xihuangchenggenbeijie
Beijingshi 100032
People's Republic of China
Salutation: Your Excellency

Copies to:

Secretary of the Xinjiang Uighur
Autonomous Regional Party Committee
WANG Lequan Shuji
Zhonggong Xinjiang Weiwuer Zizhiqu
Weiyuanhui
Wulumuqishi
Xinjiang Weiwuer Zizhiqu
People's Republic of China
Salutation: Dear Secretary

**Please send appeals in Chinese,
English or your own language with a
copy also to the Chinese diplomatic
representatives in your country.**

Appeal Cases

TOHTI TUNYAZ 托合提·吐尼亚孜

Also known as Zhang Xuemin;
writes under a pen-name Tohti Muzart

Tohti Tunyaz, an ethnic Uighur historian aged 44, has now served six years of his 11-year sentence on charges of “illegally acquiring state secrets” and “inciting separatism” under Articles 111 and 103 of the Criminal Law. He is being held in the XUAR No.3 Prison in Urumqi.

Before his arrest in China on 11 February 1998, Tohti Tunyaz was a postgraduate student at the University of Tokyo in Japan. He specialized in China’s policy towards ethnic minorities, and had travelled home to the XUAR to collect material for his thesis on the region’s history before the establishment of the People’s Republic of China in 1949, in particular the period of the East Turkestan Republic between 1944-49. He was arrested during this visit and convicted in March 1999 by the Urumqi Intermediate People’s Court. His sentence was later confirmed on appeal. He is due for release in February 2009.

The charge of “illegally acquiring state secrets” referred to a list of 50-year-old documents Tohti Tunyaz obtained with the help of an official librarian in the XUAR. During his trial, the charge of “inciting separatism” was linked with a book entitled “The Inside Story of the Silk Road” that the Chinese authorities claimed Tohti Tunyaz had published in Japan. However, according to his professor, he had not published such a book, or any book that “incites separatism”. © Private

Tohti Tunyaz writes under the pen-name Tohti Muzart, which refers to a river in Baicheng County in Aksu Prefecture of the XUAR, where he was raised. In 2002 PEN American Center honoured Tohti Tunyaz with the PEN/Barbara Goldsmith Freedom to Write Award. His family lives in Japan.

In May 2001, the United Nations Working Group on Arbitrary Detention (WGAD) adopted an opinion on Tohti Tunyaz’s case which stated that the deprivation of liberty of Tohti Tunyaz was arbitrary and contravened several of the articles of the Universal Declaration of Human Rights, including rights to freedom of thought, opinion and expression. The WGAD also emphasized that:

“Mr Tohti Tunyaz cannot be sentenced merely for writing a research paper, which, even if it were published, lay within his right to exercise the freedoms of thought, expression and opinion which are enjoyed by everyone and which can by no means be regarded as reprehensible if exercised through peaceful means, as they were in this case.”

To date, the Chinese authorities have failed to comply with WGAD’s ruling to “remedy the situation” and Tohti Tunyaz remains in prison. Amnesty International considers him to be a prisoner of conscience and continues to call for his immediate and unconditional release.

Please send appeals on behalf on Tohti Tunyaz:

- ◆ Urging the Chinese authorities to immediately and unconditionally release Tohti Tunyaz as a prisoner of conscience imprisoned for the peaceful exercise of his right to freedom of thought, opinion and expression;
- ◆ Expressing concern that Tohti Tunyaz's trial did not meet international standards for fair trial;
- ◆ Urging that Tohti Tunyaz receives proper and adequate medical care while in detention in line with the UN Standard Minimum Rules for the Treatment of Prisoners;
- ◆ Calling for the Chinese authorities to ensure that everyone in the XUAR is able to exercise their right to freedom of opinion and expression regardless of race, religion or political opinion.

Send your appeals to:

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
Salutation: Dear Chairman

Premier of the People's Republic of China
WEN Jiabao Zongli
Guowuyuan
9 Xihuangchenggenbeijie
Beijingshi 100032
People's Republic of China
Salutation: Your Excellency

Copies to:

Secretary of the Xinjiang Uighur
Autonomous Regional Party Committee
WANG Lequan Shuji
Zhonggong Xinjiang Weiwuer Zizhiqu
Weiyuanhui
Wulumuqishi
Xinjiang Weiwuer Zizhiqu
People's Republic of China
Salutation: Dear Secretary

**Please send appeals in Chinese,
English or your own language with a
copy also to the Chinese diplomatic
representatives in your country.**