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Yang Jiechi Buzhang
Minister of Foreign Affairs of the People's Republic of China
Waijiaobu
2 Chaoyangmen Nandajie
Chaoyang District
Beijingshi 100701
People's Republic of China

22 December 2009

Dear Minister,

OPEN LETTER ON FORCIBLY DEPORTED UIGHUR ASYLUM-SEEKERS

I am writing as a matter of urgency about 20 ethnic Uighur asylum-seekers, including two very young children, who were forcibly deported to the People's Republic of China by the Cambodian authorities on 19 December at the request of your government. A list of the 20 is appended to this letter.

Since 2001, Amnesty International has documented cases in which Uighur asylum seekers or refugees who were forcibly returned to China, were detained, reportedly tortured and in some cases sentenced to death and executed. Amnesty International would like to request information about the well-being and safety of the members of this group. We urge you to disclose the whereabouts of these 20 people immediately and to ensure that the Chinese authorities fully respect their rights.

The 20 should either be charged with recognizably criminal offences or released. Their trials should meet international fair trial standards, and under no circumstances should the death penalty be imposed. Our concerns in this regard are heightened by the fact that the Chinese authorities have already executed nine people and sentenced eight others to death in relation to the July 2009 unrest in the Xinjiang Uighur Autonomous Region.

Amnesty International calls on your government to ensure that they are not tortured or otherwise ill-treated, and that they receive proper medical care in detention. As a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Chinese government is obliged to uphold the absolute prohibition on torture and other cruel, inhuman or degrading treatment, which is a principle of international customary law. It is also crucial that all the members of this group are immediately allowed to meet with their families and lawyers of their choosing.

We are particularly concerned that two very young children are among the 20 individuals. Article 2.2 of the Convention on the Rights of the Child, to which China is a state party, states: "States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members." Moreover, Article 37(c) states inter alia that children deprived of their liberty "...shall be treated with humanity...and in a manner which takes into account the needs of persons of his or her age."

**AMNESTY
INTERNATIONAL**



AMNESTY INTERNATIONAL INTERNATIONAL SECRETARIAT
Peter Benenson House, 1 Easton Street
London WC1X 0DW, United Kingdom
T: +44 (0)20 7413 5500 F: +44 (0)20 7956 1157
E: amnestyis@amnesty.org W: www.amnesty.org

Finally, Amnesty International urges the government to provide the UN Refugee Agency UNHCR with immediate access to the 20 individuals, to monitor their well-being.

I have also sent a copy of this letter to the Ministry of Justice. I look forward to your reply, and please feel free to contact us if you have any further queries or comments.

Yours very truly,

Sam Zarifi
Asia-Pacific Director
Amnesty International

APPENDIX

AMNESTY INTERNATIONAL, 22 DECEMBER 2009

UIGHUR ASYLUM-SEEKERS FORCIBLY DEPORTED TO CHINA FROM CAMBODIA ON 19 DECEMBER 2009

1. Abdugheni Abdulkadir and family
2. Abulkadir Shahida
3. Abulkadir Bilal
4. Abulkadir Maymuna
5. Abdugheni Halil
6. Abdullah Kasim
7. Ali Ahmat
8. Ali Nur
9. Amat Eli
10. Ebrayim Mamut
11. Hazirtieli Umar
12. Islam Urayim
13. Kuban Kanwul
14. Mahmut Bilal
15. Mamat Ali
16. Mohammed Musa
17. Mutallip Mamut
18. Omar Mohammed
19. Tuniyazi Aikaebaier Jiang
20. Turik Muhamed