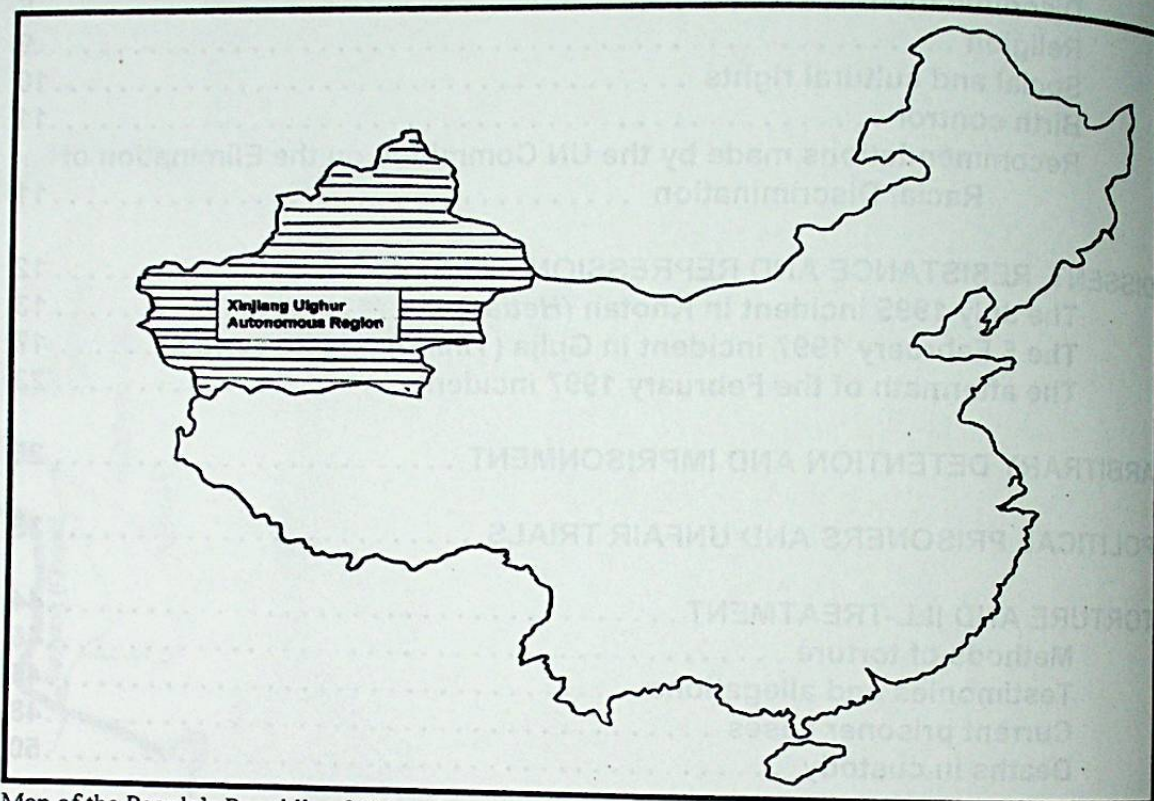


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"We say China is a country vast in territory, rich in resources and large in population; as a matter of fact, it is the Han nationality whose population is large and the minority nationalities whose territory is vast and whose resources are rich ..." [Selected Works of Mao Tse-tung, Vol. V, Beijing, Foreign Language Press, 1977, pp.295-296.]



Map of the People's Republic of China showing Xinjiang Uighur Autonomous Region

The Xinjiang Uighur Autonomous Region (XUAR) represents almost 17% of the territory of the People's Republic of China (PRC) and has common borders with Mongolia, the Russian Federation, Kazakstan, Kyrgyzstan, Tajikistan, Afghanistan and Pakistan. The region or parts of it have in the past been referred to by various names, including Uighuristan and Eastern Turkestan. It was given the Chinese name "Xinjiang" – which literally means "new frontier" or "new dominion" – in the late 19th century when it was incorporated into the Chinese Empire.

The indigenous peoples of the XUAR are Turkic people who are predominantly Muslim. They include Uighurs, Kazaks, Uzbeks, Kyrgyz, Tajiks, Tatars and other groups officially classified as "national minorities" of the PRC, including the Huis who are ethnic Chinese Muslims. The Uighurs are the largest indigenous group. According to official statistics, in 1997 the region had over 17 million inhabitants, divided approximately into 47% Uighurs, over 42% ethnic Chinese (over 38% Han and 4% Hui), about 7% Kazaks, and the rest divided between other ethnic groups. These figures however are believed to be below the real number of both Han Chinese and "national minorities" in the region.

PEOPLE'S REPUBLIC OF CHINA

Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." [Universal Declaration of Human Rights, Article 1].

"All nationalities in the People's Republic of China are equal. The state protects the lawful rights and interests of all national minorities and safeguards and promotes relations of equality, unity and mutual assistance among all nationalities." [Constitution of the PRC, 1982, Article 4].

INTRODUCTION

Gross violations of human rights are being perpetrated in the Uighur Autonomous Region of Xinjiang, in the west of China, with little about it being known to the international community. The main victims of these violations are the Uighurs, the majority ethnic group among the predominantly Muslim local population.

Thousands of people have been arbitrarily detained in the region over the past few years and arbitrary arrests continue. Thousands of political prisoners, arrested at various times during the 1990s, are reported to remain imprisoned, some having been sentenced to long prison terms after unfair trials, others still detained without charge or trial after months or years in jail.

Many of those detained are reported to have been tortured, some with particularly cruel methods which, to Amnesty International's knowledge, are not being used elsewhere in the People's Republic of China. Political prisoners held in prisons or labour camps are reported to be frequently subjected to cruel, inhuman and degrading treatment or punishment. Some have reportedly died of ill-treatment or neglect in detention.

Scores of Uighurs, many of them political prisoners, have been sentenced to death and executed in the past two years. Others, including women, are alleged to have been killed by the security forces in circumstances which appear to constitute extra-judicial executions.

These gross violations of human rights are occurring amidst growing ethnic unrest fuelled by unemployment, discrimination and curbs on fundamental freedoms. Over the past ten years the local ethnic population has witnessed a steady erosion of its social, economic and cultural rights. Economic development in the region has largely bypassed the local ethnic population and they have faced increased restrictions. This trend has exacerbated long-standing ethnic tensions between Uighurs and Han Chinese in the region, and contributed to the escalation of violence.

A growing number of violent incidents have been reported in the region. They include violent clashes between small groups of Uighurs and the security forces, as well as attacks against government officials and bombings by underground opposition groups.

The government has blamed the unrest and violence on a "small number" of "separatists", "terrorists" and "religious extremists" who are accused of having links with "foreign hostile forces" whose aim is to "split the motherland". The government's response has been harsh repression. Since 1996, the government has launched an extensive campaign against "ethnic separatists", imposing new restrictions on religious and cultural rights and resorting increasingly to executions, show trials and arbitrary detention to silence real and suspected opponents.

The official reports about "separatists and terrorists" obscure a more complex reality in which many people who are not involved in violence have become the victims of human rights violations. Over the years, attempts by Uighurs to air their views or grievances and peacefully exercise their most fundamental human rights have been met with repression. The denial of legitimate channels for expressing grievances and discontent has led to outbursts of violence, including by people who are not involved in political opposition activities.

Amnesty International recognises that it is the duty of the state to take the measures necessary to maintain law and order, but even in situations of internal strife, this must be exercised within the limits set by international human rights law. International law makes clear that certain fundamental rights – in particular the right to life and the right not to be subjected to torture – must be upheld by governments at all times and in all circumstances.

These fundamental rights are laid down in international human rights instruments which China has signed or ratified. They include the International Covenant on Civil and Political Rights (ICCPR), which China signed in 1998, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), which China ratified in 1988, the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), which China ratified in 1982, The Convention on the Right of the Child, which China ratified in 1992, and the Convention on the Elimination of All Forms of Discrimination against Women, which China ratified in 1980.

Without taking any position on their political cause or the status of conflict in which armed opposition groups may be engaged, Amnesty International also opposes human rights abuses by such groups, particularly the killing of defenceless people and torture, which are prohibited in international humanitarian law, more particularly in Article 3 common to the four Geneva Conventions of 1949. Such prohibition applies equally to government forces. Killings by members of armed opposition groups can never provide justification for government forces to deliberately kill defenceless people or torture prisoners in police custody.

This report attempts to describe the patterns of human rights violations in the region in recent years. It does not pretend to be comprehensive. In view of the strict control exercised by the Chinese authorities over information about these issues, the intimidation to which victims of human rights violations and their relatives are subjected, and the lack of access to the region by independent human rights monitors, it is difficult to crosscheck many reports of human rights violations and detailed information is available only about some areas and incidents. This report focuses mainly on patterns of human rights violations which Amnesty International has been able to document with various sources. In some instances it cites allegations made by single sources where the allegations refer to individual prisoners and particularly serious human rights violations, such as torture.

The information in the report is based on a wide variety of sources, including former prisoners, relatives and friends of prisoners, official Chinese documents and statements, reports in the local and national media, scholarly research and publications from academics and experts on the region, reports from Uighurs and foreign nationals of various professions, and reports in the international media.

This report documents the cases of nearly 200 political prisoners, including prisoners of conscience, known or believed to be currently imprisoned (see Appendix 3). It also documents 210 death sentences recorded in the region since January 1997, including 190 executions. The vast majority of those sentenced to death and executed were Uighurs.

BACKGROUND

The Xinjiang Uighur Autonomous Region (XUAR) is one of the five autonomous regions of the PRC, where the officially recognised 'national minorities' are granted some formal representation in the organs of regional government. The autonomy conferred to these regions by the PRC Constitution and Law on Regional Autonomy has remained largely symbolic. In the XUAR as in the rest of the PRC, all major policy decisions are taken by the Chinese Communist Party (CCP) and almost all senior posts in the regional and local CCP



Map of Xinjiang Uighur Autonomous Region
showing the transliterated names of major cities in Uighur and Chinese

committees are held by ethnic Chinese (or *Han*). The region is rich in natural resources and has been an important target for population resettlement from inland China since 1949.¹

With the massive influx of Han Chinese in the XUAR since 1949, the indigenous population has felt increasingly marginalised in what they regard as their ancestral land. Aspirations towards independence have their roots in both the distant past and recent history. During the 1930s and 1940s, two independent Republics of Eastern Turkestan were formed successively in Kashgar (1933) and Ili (1944) as attempts to resist Chinese rule.² Both republics were short-lived, but they have continued to inspire nationalist opposition since 1949, particularly among the Uighurs. Over the years, various opposition groups militating for Eastern Turkestan's independence were formed clandestinely in the XUAR - some reportedly supported by exiled nationalist groups established among the Uighur diaspora in various countries. Some of these groups have resorted to violence, including attacks on

¹ See Lillian Craig Harris, "Xinjiang, Central Asia and the Implications for China's Policy in the Islamic World", in *The China Quarterly*, No.133, March 1993, pp.111-129, and Nicholas Becquelin, "Trouble on the Marches", in *China Perspectives* No.10, March/April 1997, pp.19-28.

² See Linda Benson, "The Ili Rebellion: The Moslem Challenge to Chinese Authority in Xinjiang, 1944-1949", M.E. Sharpe, New York, 1990; and Dru C. Gladney, "Internal colonialism and the Uyghur nationality: Chinese nationalism and its subaltern subject", in *CEMOTI (Cahiers d'Etudes sur la Mediterranee Orientale et le monde Turco-Iranien)*, No.25, janvier-juin 1998, pp.47-61.

government officials and offices, and the planting and detonation of bombs. The emergence of independent Central Asian states with the breakup of the Soviet Union, together with the rise of Islamic movements and protracted conflicts in other neighbouring countries appear to have heightened the Chinese authorities' fears of organised political opposition in the XUAR, leading to a reversal of the relatively liberal policies implemented during the 1980s.

Since the late 1980s, government policies and other factors have generated growing ethnic discontent in the XUAR. The continuing influx of Han Chinese migrants, discrimination and unequal economic opportunities, curbs on religious and cultural rights, the enforcement of the government's birth control policy, official corruption, and the perception that the authorities are not seriously tackling growing crime are among the factors which have fuelled unrest.

Population balance

In 1949, the local Turkic population, in majority Uighur, accounted for at least 93% of the region's population, while ethnic Chinese in the region amounted to about 6 or 7% of the population. By 1997, according to official statistics, the population of the XUAR was over 17 millions, divided into 47% Uighurs, 42% ethnic Chinese (38% Han and 4% Hui), 7% Kazaks and the rest divided between other groups. The official statistics, however, are widely believed to be unreliable. According to some foreign experts, the number of ethnic Chinese in the region was already equal to that of other ethnic groups by the late 1970s. Since then, many Han Chinese have continued to migrate to the region, while many old Chinese settlers have left the XUAR to return to their native provinces in inland China.³ Since the late 1980s, many young Uighurs have also left the XUAR to seek employment in the Chinese provinces and some have gone abroad.

There is evidence that the influx of Han migrant workers has considerably increased in the XUAR in recent years.⁴ Since 1997 in particular, various official sources have indicated that the number of Han migrants every year is in the hundreds of thousands, with an unknown proportion coming temporarily for seasonal work. For example, in a 1997 report on cotton-producing in Yarkant (*Shache*) in the Tarim basin, the official Xinhua News Agency said:

"A phenomenon similar to that of the building sites of Beijing or south China's booming areas, where waves of migrant workers come looking for

³ The old Han settlers, many of whom have now left the region or died, were familiar with local customs and some knew local languages. In contrast, many of the newcomers are uneducated young farmers who have no such knowledge. In addition to the magnitude of the Han migration and the economic implications for local people, this too contributes to ethnic tensions.

⁴ An article in the *South China Morning Post* of 16 February 1997, basing itself on official population statistics for the years 1994 and 1995, estimated that the influx of Han in the XUAR for this two-year period was at least 250,000. According to the article, the statistics showed that during the same period the ethnic minority population had declined by nearly 130,000.

jobs, is taking place in northwest China's Xinjiang Uighur Autonomous Region, where an increasing number of migrant farmers are looking for work – but in the cotton fields. Hundreds of thousands of surplus labour from inland rural areas [Chinese provinces] are coming to Xinjiang during the region's cotton harvest time. Some of the cotton pickers come in the fall and go back in early spring, while others stay as caretakers in cotton fields.”⁵

The role of the “Bingtuan”

During the first three decades of the PRC, the resettlement of Han Chinese in the region was facilitated by what is now called the Xinjiang Production and Construction Corps (commonly known as the *Bingtuan*), an institution which was established in the early 1950s. The *Bingtuan*, described by many scholars as an institution which served to colonize Xinjiang, is both an administrative organ with a somewhat military structure and a large development corporation.⁶ It is established along the border and in pockets of territory roughly across the centre of the XUAR, separating the north where most Kazaks live from the mainly Uighur south. The *Bingtuan* has jurisdiction over several million hectares of land and the vast majority of its population is ethnic Chinese. It is now a unique institution in the PRC and enjoys a special status⁷. It is administered independently from the XUAR regional government and has its own police force, courts, agricultural and industrial enterprises, as well as its own large network of labour camps and prisons⁸. Over the years it has expanded, appropriating land when necessary⁹, including in the south which is considered the heartland of Uighur culture and traditions and where most Uighurs live.

The *Bingtuan* always had the dual function of developing the region's economy and protecting it against any external and internal threats. It is considered an important force in guaranteeing the “stability” of the XUAR and over the years its armed police units have taken part in quelling ethnic unrest. In May 1997, for example, the XUAR Communist Party

⁵ Xinhua news agency, Urumqi, 19 May 1997. Yarkant (*Shache*) is China's largest cotton-producing county. Cotton production has been made a priority in the XUAR in recent years.

⁶ See “New Ghosts Old Ghosts – Prisons and Labor Reform Camps in China”, by James D. Seymour and Richard Anderson, M.E. Sharpe, 1998, p.45. Chapter 3 of the book includes detailed information about the *Bingtuan* and its network of labour camps and prisons, as well as the separate penal establishments under the Department of Justice of the XUAR regional government.

⁷ During the 1990s, the *Bingtuan* has been placed directly under the authority of the central government in Beijing and has been granted privileges giving it the same status as the XUAR regional government (see *South China Morning Post*, 17 April 1997, and *Ming Pao*, 28 August 1998).

⁸ See “New Ghosts Old Ghosts”, op.cit., pp.45-70.

⁹ *ibid*, p.53. According to the authors, there are plans to nearly triple the *Bingtuan*'s farmland by 2001, which would have to be largely at the expense of traditional animal husbandry, and therefore of the Uighurs and Kazaks. The authors conclude that this can only happen in the context of political repression (p.125).

leader, Wang Lequan, praised the role the Bingtuan's armed police units were playing in this respect: "In recent years, the corps' armed police units have been playing an important role in safeguarding Xinjiang's political stability and unity."¹⁰ After ethnic unrest broke out in February 1997 in the city of Gulja (*Yining*), in Ili Prefecture in the west of the XUAR, the prison facilities of the Bingtuan's 4th Division, located in Ili, were used to detain protesters and other people arrested in Gulja. They have continued to be used to detain suspected government opponents.

Discrimination

Despite the economic development in the XUAR since the 1980s, unemployment is high among Uighurs. Many Uighurs complain that racial abuse and discrimination against ethnic minorities is common, and that they have no equal opportunity in education, health care and employment. Unlike their Chinese counterparts, for example, many Uighur schools and hospitals are poorly equipped, and some Uighur village schools are reported to be so poor and totally deprived of equipment that the pupils have to sit and write on the earthen floor. Many hospitals reportedly have discriminatory practices, giving preferential treatment to Han Chinese patients and top jobs to Chinese doctors at the expense of their Uighur counterparts.

Since the 1980s, the opportunities afforded by the economic development have benefited mainly Han Chinese. In the agricultural sector, many Uighur farmers have become impoverished due to new policies, the multiplication of taxes, and corrupt or discriminatory practices. In some areas, Uighur farmers have to sell their crops to state agencies at lower prices than those of the free market, whereas Chinese farmers are reportedly allowed to trade on the market. Some Uighur farmers have had to sell their land and joined the ranks of the unemployed and vagrants.¹¹ In industry, the vast majority of workers employed in the new oil fields and other enterprises in the north, which are key to the region's development, are Han Chinese.¹² In the south, according to some sources, many enterprises which have been privatized have come under Chinese management and increasingly hired Han Chinese workers instead of Uighurs. This has reportedly extended to some factories producing local carpets and silk which were the traditional craft of Uighurs¹³. With the economic and social changes during the past two decades, crime has substantially risen in the region, as in the rest of the PRC. In some areas, drug addiction and prostitution have become widespread among the unemployed.

¹⁰ Report by Chinese regional TV from Xinjiang, 14 May 1997, BBC Monitoring, 15 May 1997.

¹¹ According to official sources, one million people in the region (one in 17 of the population) live below the poverty line. See "Xinjiang Uighurs bitter at invasion of Chinese immigrants", Agence France Presse report from Urumqi, 13 May 1997, citing officials from the Xinjiang Economic Commission.

¹² See "Trouble on the Marches", op.cit., p.22, and Agence France Presse report of 13 May 1997 cited above.

¹³ This is reported to be the case with carpet and silk factories in Kashgar and Khotan.

Religion

With the "open door" policy launched in the late 1970s and the subsequent economic reforms, there was a religious revival in the XUAR as in the rest of the PRC. The authorities allowed the reopening of mosques and the use of funds contributed from some Islamic countries to build new mosques, found Koranic schools and import religious materials. Many Muslims were allowed again to travel to Islamic countries, and contacts with Muslims abroad were encouraged¹⁴. This liberalisation however stopped during the late 1980s. The government reverted to restrictive policies, amidst fears that Islam might provide a rallying point for ethnic nationalism and that Islamist movements abroad might inspire young Uighurs who had gone to study in foreign Islamic schools. These fears were apparently reinforced by an incident in Baren, near Kashgar, in April 1990, when protests and rioting, reportedly led by members of an Islamic nationalist group, resulted in many deaths (see below page 65)

Since then, many mosques and Koranic schools have been closed down, the use of the Arabic script has been stopped, tight controls have been imposed on the Islamic clergy, and religious leaders who are deemed to be too independent or "subversive" have been dismissed or arrested. Muslims working in government offices and other official institutions are prohibited from practising their religion, failing which they lose their jobs. Since 1996, the government has intensified its campaign against "national separatists", "religious extremists" and "illegal religious activities", launching at the same time an "in-depth atheist education" campaign to purge grassroots communist party committees and other institutions of Muslim believers. Reporting on such a campaign in Turpan Prefecture in 1997, the official newspaper *Xinjiang Daily* said: "Those party members who firmly believe in religion and who refuse to change their ways after education should be given a certain time period to make corrections, be persuaded to withdraw from the party or dismissed from the party according to the seriousness of their case. In recent years, 98 religious party members [in Turpan prefecture] have been dealt with." The newspaper further reported:

"Party organisations and government organs at all levels have tightened the control of religious affairs, and further improved religion control committees at township, town and village levels." [Xinjiang Daily, 9 April 1997].

In June 1997, the same newspaper reported on the crackdown on "illegal" religious activities in Ili Prefecture following ethnic unrest there in February 1997. It said: "Illegal religious activities were cleaned up in Ili, village by village, hamlet by hamlet." The newspaper also reported that 40 "core participants in illegal religious activities" had been arrested, 35

¹⁴ See Lillian Craig Harris, op.cit., p. 121, and Gaye Christoflensen, "Xinjiang and the Great Islamic Circle: The Impact of Transnational Forces on Chinese Regional Planning", *The China Quarterly*, No.133, March 1993, pp.130-151.

communist party leaders in villages and towns and 19 village mayors or factory owners had been sacked, and the unauthorised construction or renovation of 133 mosques had been stopped in the area.¹⁵

On 17 April 1998, the *Urumqi Evening News* reported on police searches carried out in the 56 mosques of Egarqi, in Aksu district: "Recently, the police has searched these mosques and tightly controlled their activities, their Imams and Muezzins. Activities not seen as normal have been halted."



Police searches in mosques of Egarqi, Aksu district
17 April 1998

Unofficial sources report that many secret Koranic classes and religious groups were founded during the 1990s when the authorities started closing down the religious schools which they had initially encouraged to open. Some religious leaders then started religious classes to teach the Koran in people's homes. Many such private classes were formed in the south, where Islamic traditions remain strong. These classes were periodically discovered by police and closed down. According to unofficial sources, the Mullahs (religious teachers) - and sometimes also the religious students - were taken into police custody, detained for two or three months, and usually then released on condition of paying a fine. Some were detained repeatedly. Others, whether leaders or participants in these groups, were kept in detention. In recent years, some have been sent to "re-education through labour" camps or sentenced to prison terms.

Social and cultural rights

Social and cultural rights have also been curtailed. In Urumqi, the regional capital, some Uighur entrepreneurs who manufactured traditional ethnic clothes or who became involved in social issues have suffered harassment - some had to close down their businesses as a result. In cities in the north, some people are also reported to have been harassed or detained simply for displaying signs of their ethnic or religious identity, such as headscarves for Muslim women. In Ili and other areas, a social and cultural forum known as the "meshreps", which was revived in 1994 by Uighurs in Gulja (*Yining*) city, was banned by the authorities in 1995 (see below, page 18)

¹⁵ See Reuters, Beijing, 26 June 1997, citing the *Xinjiang Daily* of 21 June 1997.

Birth control

Since the late 1980s, the enforcement of the national birth control policy in the XUAR has created strong resentment among Uighurs and other ethnic groups. Both official and unofficial sources indicate that the implementation of the policy has led to incidents of violence, including attacks on birth control offices or personnel (see page 52). Under the official birth control policy, national minority couples are allowed to have three children in rural areas and two children in urban areas. According to unofficial sources, however, the authorities in the region have increasingly exerted pressure on couples to reduce the number to two and one. As in the rest of the country, pregnancies have to be planned according to the quotas of permitted births allocated to a particular area for a given period. A couple may then be denied permission to conceive for a number of years until the "plan" allows it. The plan is enforced in principle with a system of rewards and penalties. However, many women who become pregnant "outside the plan" are reportedly forced to have abortions and those who give birth outside the plan face penalties which often jeopardise the family's livelihood. Forced sterilisation is also reported to be common.

Recommendations made by the UN Committee on the Elimination of Racial Discrimination

In 1996, the Committee, which monitors the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) to which China is a party, examined China's combined fifth, sixth and seventh periodic reports on its implementation of the CERD. In its concluding observations the Committee expressed concern about several issues, including the "lack of protective legal provisions for minority groups" in China, reports about "incentives granted to members of the Han Nationality to settle in autonomous areas", the "actual enjoyment of the right to freedom of religion", particularly in Xinjiang and Tibet, and "disparities in access to economic, social and cultural benefits by different ethnic groups" - which the Committee thought "may generate racial discrimination towards disadvantaged groups".

The Committee also expressed concern about "reported cases of violation in the autonomous regions of Xinjiang and Tibet of the right to security of the person and protection against violence or bodily harm, as contained in article 5(b) of the Convention." It made a number of recommendations to the PRC government, including "to make all acts of racial discrimination, as specified in article 4 of the Convention, punishable by law", to review "any policies or practices that may result in a substantial alteration of the demographic composition of the autonomous areas" and to avoid "any restriction on the exercise of religious rights of the members of minority nationalities." It also requested China to provide information in its next report on "the number and percentage of person detained who are of

minority origin relative to the total prison population of the State party."¹⁶ China has not yet presented any new report to the Committee. It is clear, though, that most of the recommendations made by the Committee in 1996 have been ignored in the XUAR.

DISSENT, RESISTANCE AND REPRESSION

An official research study on "Pan-Islamism and Pan-Turkism",¹⁷ published in 1994 by the Xinjiang Academy of Social Sciences (XASS) for "internal" (non-public) distribution, listed a number of "major incidents" of "ethnic rebellion" which had occurred in the XUAR from the 1950s to the early 1990s. The book distinguished between various types of individuals and groups who were directly or indirectly seeking or promoting independence from Chinese rule. It cited for example a number of clandestine opposition parties which had been formed and crushed over the years. Most of these parties bore the name of "Eastern Turkestan" in reference to the short-lived independent republics of Eastern Turkestan formed in Kashgar in 1933 and in Ili in 1944. For example, the "Islamic Party of Eastern Turkestan" was named as the force behind the 1990 riots in Baren township, near Kashgar (see below page 65 for details of the incident), and members of the "Islamic Reformist Party of Eastern Turkestan", set up in 1990 in Urumqi, were blamed for bombings there in February 1992. According to the book, 60 "counter-revolutionary" organisations and other dissident groups were "investigated" during the years 1990-93, which amounted to more than four times the number investigated in the previous four-year period.

The authors of the book also blamed other types of "counter-revolutionary elements" for inciting unrest among the masses and causing "public disturbances". It cited such "disturbances" as the 1985 demonstrations by 7000 students in Urumqi against nuclear testing, birth control and Han migration in the XUAR, and public protests by Muslims in 1989 against the publication of a book on "Sexual Customs" which contained material offensive to Islam.

The XASS book also attacked nationalist intellectuals for generating "counter-revolutionary separatist thinking among the public" through their literary works and scholarly research, which "distorted the history of Xinjiang, propagating a reactionary, nationalist point of view which promoted the independence of Xinjiang". It gave the example of Turgun Almas, criticising in particular his book "The Uighurs" for being "erroneous" on several counts, including for having "elevated the historical importance of the Uighurs" and "denied the harmony of the coexistence of the Chinese and Uighur people". Turgun Almas, a Uighur

¹⁶ United Nations, CERD, Forty-ninth session, "Concluding observations of the Committee on the Elimination of Racial Discrimination - People's Republic of China", CERD/C/304/Add.15, 27 September 1996, pp.3-4.

¹⁷ "Fan yisilan zhuyi, fan tujue zhuyi yanjiu" (Research on Pan-Islamism and Pan-Turkism), Xinjiang Academy of Social Sciences, October 1994, pp. 47-48.

historian and researcher at the Xinjiang Academy of Social Sciences in Urumqi, came under heavy and prolonged public criticism after the publication of his book "The Uighurs" in 1989. Then aged in his 60s, he was placed under house arrest and his family has suffered discrimination and police harassment since then.¹⁸

With growing repression during the 1990s, dissent of this nature has now been driven underground. According to various sources, poems, songs, plays and other works by Uighur artists and writers have been banned by the authorities when they were deemed to arouse nationalist feelings, and some people have reportedly been detained merely for possessing banned tapes or literature. However, ethnic unrest and public protests have continued. The following are two of the "major incidents" of unrest which have taken place since the mid-1990s.

The July 1995 incident in Khotan (Hetian)

On 7 July 1995, a protest started in Khotan (*Hetian*) when local Muslims arrived at the Baytulla mosque for Friday prayer and found that the Imam (Islamic preacher), Abdul Kayum, had disappeared. He was reported to have been arrested the previous day. According to unofficial sources, Abdul Keyum, a young man, had been appointed Imam after two other Imams were dismissed by the authorities for interpreting the Koran by making reference to current events, which drew a growing number of worshippers to the mosque. Abdul Keyum reportedly was as charismatic as his predecessors and had started to refer to women's rights while interpreting the holy scriptures in the mosque. His reported arrest on 7 July 1995 provoked anger. Several hundred people among those gathered at the mosque went to the nearby local government offices, located in a compound which also housed the local police and Communist Party headquarters.

According to unofficial sources, the crowd first stood outside the compound, asking where the Imam was and calling for his release; then, as they received no satisfactory response, they walked into the compound and occupied some of the offices. A violent confrontation soon developed between the protesters and the approximately 50 armed police present there. Some cadres, police officers and civilians in the crowd were injured, and equipment was destroyed. As the fighting got worse, more than 20 lorries full of riot police arrived on the scene. They closed the doors of the compound trapping inside some of the protesters, fired tear gas, and arrested the protesters there, reportedly beating them up badly in the process.

According to official sources, 66 cadres and officers were injured during the confrontation, five of them seriously, and a police car, some doors and many window panes were damaged or broken by the protesters. An official account of the incident published in the *Khotan Daily*

¹⁸ See Amnesty International, "PRC – Secret violence: Human rights violations in Xinjiang", November 1992, AI Index: ASA 17/50/92, p.10.

PRISONERS ARRESTED FOLLOWING THE 7 JULY 1995 INCIDENT IN KHOTAN



Mehmet Emin Omer, 25, arrested following Khotan incident 7.7.95. Sentenced September 1995.



Abdulhalil Tursun, 20, arrested following Khotan incident 7.7.95. Sentenced to 10 years imprisonment and 3 years deprivation of political rights at sentencing rally in September 1995.



Omerjan Abdullah, 25, arrested following Khotan incident 7.7.95. Sentenced to 5 years imprisonment at sentencing rally in September 1995.



Tursun Tohti, 28, arrested following Khotan incident 7.7.95.



Rozi Mehmet Baki, arrested following Khotan incident 7.7.95.



Abdulkayyum Abdulkadir, 23, arrested following Khotan incident 7.7.95



Salih Ahmet, 20, arrested following Khotan incident 7.7.95.



Omer Abdullah, sentenced to 15 years imprisonment and 15 years deprivation of political rights at a sentencing rally. September 1995 in Khotan.



Abdulhalil Tursun, sentenced to 10 years imprisonment and 3 years deprivation of political rights at a sentencing rally. September 1995, Khotan.



Tursun Tohti Ahmet, sentenced to 12 years imprisonment and 4 years deprivation of political rights at a sentencing rally. September 1995, Khotan.



Salih Ahmet Ismail, sentenced to 10 years imprisonment at a sentencing rally, September 1995, Khotan.



Omerjan Abdullah, sentenced to 5 years imprisonment at a sentencing rally. September 1995, Khotan.



Rozi Mehmet Baki, sentenced to 9 years imprisonment at a sentencing rally, September 1995, Khotan.

On 25 July 1995, in a separate case, a group of 21 Uighurs were also tried in Guma (*Pishan*), in Khotan district. They were accused of being active members of a clandestine organisation founded in 1991, the "Eastern Turkestan Democratic Islamic Party", and were sentenced to terms of imprisonment ranging from four to 15 years. (see list of prisoners, Mehmet Sadir and others, in Appendix 3)

Arrests of suspected separatists and members of religious groups subsequently continued in Khotan. During the 1996 "strike hard" anti-crime campaign, more riot police were moved into Khotan and, according to some sources, at least 600 people, mostly young educated people, were arrested.¹⁹ Incidents of violence have also been reported. In November 1996, one Uighur nationalist reportedly killed 16 Chinese policemen with a machine gun.²⁰

Many of those detained in Khotan since 1995 were arrested for taking part in "illegal" religious activities. Some have received sentences of three years of "re-education through labour", an administrative punishment imposed without charge or trial, and were sent to carry out the sentences in a labour camp at Mush, near Kashgar. The camp, a "re-education through labour farm", reportedly held some 380 political prisoners in 1998 (see below page 48).

The 5 February 1997 incident in Gulja (Yining) and its context

In 1994, a movement was started by Uighurs in the city of Gulja (*Yining*) in Ili Prefecture to revive a traditional form of social gathering, the "meshrep", in order to tackle social problems. The meshreps are traditional parties which may involve women, men, young people or a mixed group, and are held like a play, with one person leading the group and giving turns to those assembled to speak, play music, sing songs or recite poems. According to unofficial sources, the Ili Youth Meshrep was organised by some young Uighurs in Gulja at the end of 1994, with the agreement of the city authorities. It was set up as an attempt to tackle drug abuse which had become widespread among young Uighurs - mostly the uneducated and unemployed - and related problems affecting the local Uighur community. The initiative is said to have been initially supported by several cultural institutions in the city, who donated materials for a library set up by the Youth Meshrep in Kepekyuzi, one of the villages surrounding Gulja.²¹ The meshreps were organised regularly in villages for a period of months. They tried to revive cultural and Islamic traditions and a sense of moral values, enforcing rules which prohibited drinking, smoking and drug taking. They reportedly achieved some success in reducing the drug problem among the young. The movement was

¹⁹ See Michael Winchester, *Inside China Story*, in *Asiaweek*, 24 October 1997, p.42.

²⁰ See "China's rebellious province", *The Economist*, 23 August 1997, p. 29.

²¹ Article in *New Life*, a Uighur publication in Kazakstan, 17 January 1998.

popular and spread to other areas in the XUAR. According to some sources, there were soon some 400 meshreps in the region.²²

In April 1995, a meeting of the youth meshreps of the Ili region was held, during which one of the initial founders of the movement, Abdulhelil (see below page 26), was elected as their main leader. Immediately after, the police reportedly summoned Abdulhelil and other participants for questioning but took no further action at that time. However, the authorities apparently became increasingly worried about the strength of the meshreps. On 13 August

1995, for no apparent reason, Abdulhelil was detained again together with two other Uighurs. This provoked a protest demonstration by young Uighurs in Gulja the next day. Soon after, the authorities banned the meshreps. According to unofficial sources, other initiatives launched by members of the Uighur community in Gulja to give a sense of purpose to local youths, such as the formation of a local Uighur football team, were also stopped by the authorities.



Demonstrators in Gulja, 5 February 1997

unofficial sources, the 5 February demonstration was provoked by a series of incidents during the Holy month of Ramadan, marked that year by a heavy police presence in the city.



Demonstrators in Gulja, 5 February 1997

The meshreps reportedly continued secretly and arbitrary arrests increased over the following eighteen months, particularly during the 1996 "strike hard" anti-crime campaign, which led to large-scale arrests and numerous executions.²³ Discontent apparently grew in Gulja in proportion with repression. On 5 February 1997, a demonstration was held in the city, followed by sporadic protests and rioting for two days. According to

²² "Le 'separatisme' ouïgour au XXème siècle: histoire et actualité", by Artoush Kumul, in CEMOTI, no. 25 janvier-juin 1998, pp.83-91.

²³ The "Strike Hard" anti-crime campaign applied throughout China, though in Xinjiang and Tibet it was escorted by a political campaign to crackdown on "separatists". The anti-crime campaign led to thousands of executions across the PRC, on a level unprecedented since 1983. For further information, see Amnesty International report, "The death penalty in China: Breaking records, breaking rules", AI Index: ASA 17/38/97, August 1997.

Shortly before 5 February, an incident reportedly occurred at a mosque when police came to arrest two Uighur "talibs" (religious students). According to reports, people at the mosque tried to intervene, a violent fight ensued and both civilians and police were killed or injured in the clash. Dozens of civilians were then reportedly arrested.

On 5 February 1997, at 9 o'clock in the morning, several hundred young Uighurs started demonstrating through the streets of Gulja, holding banners, shouting religious slogans and calling for equal treatment for Uighurs. Unofficial sources say that the demonstration lasted for about two hours and was peaceful. At around 11.00 am the demonstrators were stopped by armed police units escorted by trained dogs. Arrests started soon after. According to some sources, between 300 and 500 demonstrators and bystanders were arrested on 5 February. The protests continued sporadically for two days, spreading to the suburbs, and rioting broke out in some areas. It is not clear when or how violence started. Some unofficial sources claim that there was no violence until 6 February, though too little is known about what happened across the city to confirm this claim. By 6 February, a large number of anti-riot squads and troops had been brought into the city. They reportedly went through the streets arresting and beating people, including children. In some areas, protesters reportedly attacked police or Chinese residents and shops and set fire to some vehicles, while the security forces reportedly opened fire on protesters and bystanders. Many people were killed

or injured (see page 65, "extra-judicial executions".) Soon after, more troops were brought into the city, a curfew was imposed, the airport and the railway station were closed and the city was sealed off for two weeks.

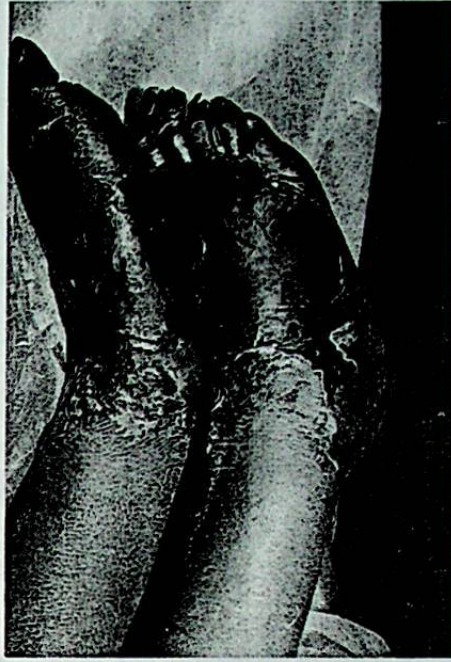


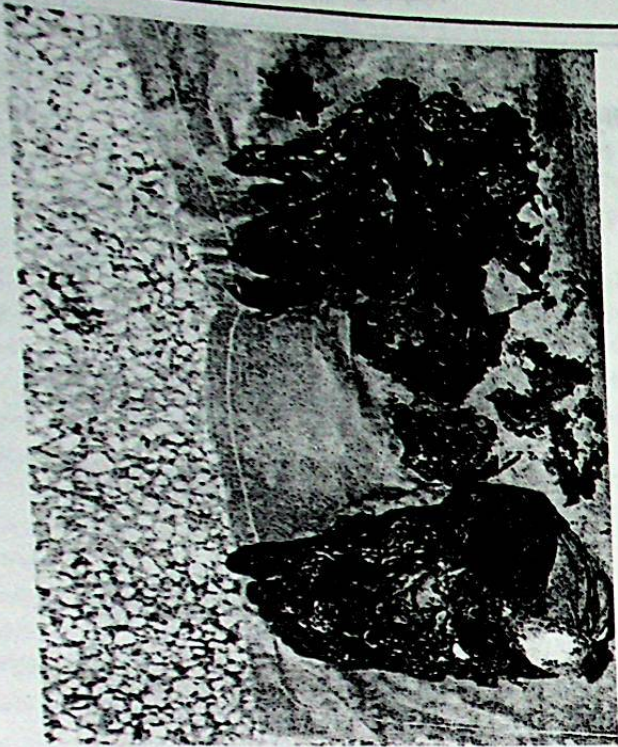
Uighur demonstrators face the police, Gulja, 5 February 1997

Amnesty International has received many reports alleging that the security forces carried out arrests and treated people detained in Gulja during and after the protests with extreme brutality. One incident reported by various sources concerned a group of 300 or 400 of the demonstrators and residents arrested on 5 February. According to some sources, they were hosed with icy cold water

by some soldiers or riot police in an open place, identified by some sources as a stadium, where they were temporarily held. The group, including some children, were reportedly kept there, wet, for two hours in the freezing cold February temperature. According to other sources, some young men and women among the detainees were forced to run barefoot in the snow. It is also alleged that one of the detainees, a young man identified as Abdu Gani, was taken away by soldiers when he tried to question their actions, and had a dog set upon him. Eventually, after two hours, those among the detainees who were suffering from severe

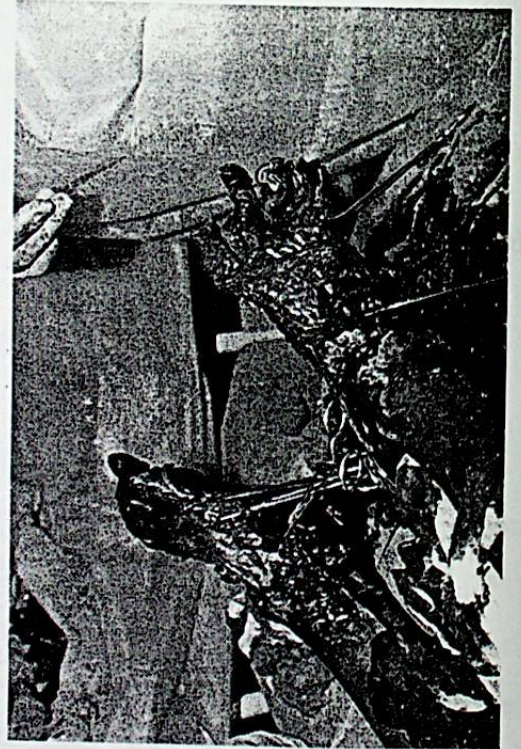
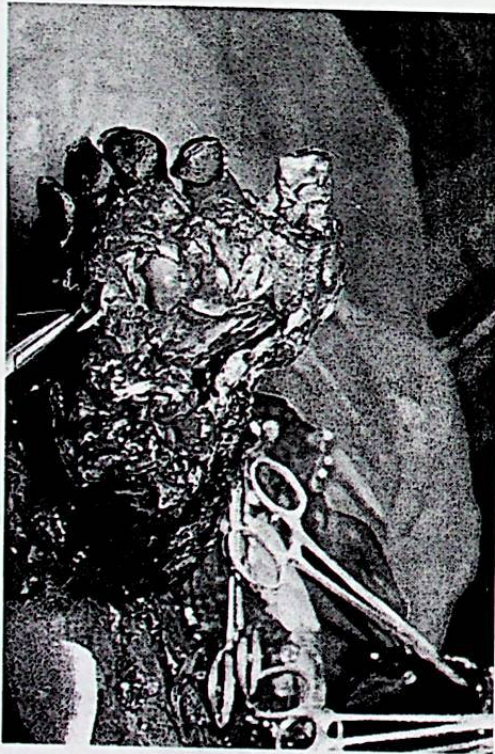
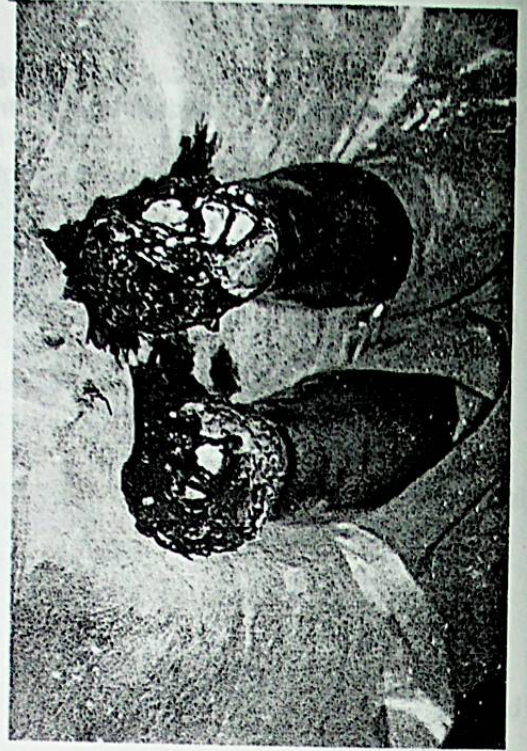
frostbite were taken to hospital - some allegedly had to have their feet, fingers or hands amputated. The rest of the group was taken to prison.





Amnesty International, April 1999

AI Index: ASA 17/18/99



Amnesty International, April 1999

AI Index: ASA 17/18/99

The aftermath of the February 1997 incident

On 25 February 1997, three bombs exploded in the regional capital Urumqi, causing civilian casualties. Eight Uighurs were executed three months later for allegedly carrying out the bombings (see below, page 54 on the death penalty). The crackdown against suspected "separatists" and "terrorists" intensified across the region, particularly in May and June 1997 during the weeks which preceded the handover of Hong Kong. On 22 May 1997, for example, the *Ili Evening News* reported on police raids carried out in the eight counties of Ili Prefecture and Gulja city. As part of a "strike hard" action, 61 trucks carrying 248 police officers had been sent on 18 May in various directions to arrest "violent criminals", "terrorists" and "main religious leaders". As a result, 84 criminal suspects were arrested that day.

A report in the *Xinjiang Daily* of 28 June 1997 indicated that, in addition to Gulja, the police crackdown in the region had focussed on the cities of Kashgar, Aksu, Khotan and the regional capital, Urumqi. The report said that more than 1000 denunciations of "separatists" or "terrorists" had been received "recently" from just three of these cities - Urumqi, Khotan and Aksu. The report further said that some of those investigated as a result of denunciations had "given information" about others, allowing the authorities to smash "organisations and illegal groups". In the context of this crackdown, the number of denunciations indicates that at least hundreds of suspected opponents may have been detained in these three cities alone at that time. There were also reports that summary executions were carried out in several cities towards the end of June 1997.

In July 1997, the head of the Xinjiang Regional Communist Party Committee, Wang Lequan, called for renewed efforts in the campaign against separatism in the region, indicating that 17,000 officials had already been sent to carry out "propaganda and education" in key villages, work units and military farms. Later the same month, Amudun Niyaz, Chairman of the Xinjiang Regional People's Congress, called for a "people's war" against "ethnic separatists and illegal religious activities". "Our struggle against national separatists is neither an ethnic nor a religious problem", he said. "It is a political struggle between those who safeguard the motherland's unification and security and those who split the motherland."²⁴ This was repeated in 1998 by regional Party leader Wang Lequan in more radical language, ominously reminiscent of that used during the Cultural Revolution, as being "a life-or-death struggle between ourselves and the enemy".²⁵

The crackdown has continued. As well as arbitrary arrests, a growing number of violent clashes between Uighurs and the security forces have been reported from the Ili region and elsewhere. In the past few months, numerous executions of alleged "terrorists" have been

²⁴ *Xinjiang Daily* of 17 July 1997, see Reuters, 22 July 1997.

²⁵ Xinjiang Television, Urumqi, 28 April 1998.

carried out in Ili (see page 64) and, in January 1999, Chinese official sources reported that 1,000 riot police had recently been posted in the area.

تۇتۇش بۇيرۇقى

غۇلجا شەھەرلىك جامائەت خەۋپسىزلىكى (بىلانى) نومۇرلۇق 3 (1998)

1. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

2. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

3. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

4. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

5. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

6. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

7. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

8. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

9. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

10. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

11. سۇلتان نۇراھمەت، 28 يېشى، 25.4.98 - گەمەت كۆرۈنۈپ چىققان. ئىسمىنى ئۆزگەرتىپ، ئىسمىنى ئۆزگەرتىپ، 1998 - يىلى 4 - ئايدا ئېلىپ كېتىلگەن. كۆپىنچە بېيىزا 2 - كەنت 2 - كۆچمە ئۆيىدە ئولتۇرىدۇ.

12. كۆن قورال ئېلىپ قاچقان. 1998 - يىلى 4 - ئايدا.

پاش قىلىش تېلېفونى 110

- "WANTED: Gulja City Pubic Security Bureau Announcement. No.3 1998
 From left to right, top to bottom:
Hamit Mamet, 28, trained abroad, escaped with arms on 6.4.98.
Anwar Tohtahun, 32, member of Hamit's group, escaped 25.4.98.
Sultan Nurahmet, 28, member of Hamit's group, escaped 25.4.98 with arms.
Tursuntay Abdukerim, 36, escaped on 25.4.98.
Srajidin Rashidin, 28, escaped on 25.4.98.
Abdukahar Kamil, 23, national separatist, escaped.
Shirmamet Abdurishit, 28, a person in Hamit's group, on the run.
Alimjan Hudaberdy, 24, escaped on 10.4.98 with arms.
Jumahun Jamal, 24, national separatist.
Abduvali Avakri, 26, arrested 5.2.98 then rease. On 20.4.98 escaped with arms.
Mametimin Sidik, 29, ran away June 1997.
Shorhat Mahmut, 29, national separatist, escaped with arms."

ARBITRARY DETENTION AND IMPRISONMENT

The following are illustrative cases of untried detainees and convicted prisoners who are believed to have been jailed for the peaceful exercise of fundamental human rights, in violation of international standards. Other cases are cited in a list of prisoners included in the Appendices. In many of the cases described below, the prisoners are not known to have been charged or tried. They have been held incommunicado since their arrest and their relatives have received no notification about their detention or the charges against them. In other cases, the prisoners were sentenced to long prison terms for the peaceful exercise of fundamental human rights. Others who are reported to be detained on political grounds have received terms of "re-education through labour", an administrative punishment involving long-term detention without charge or trial which is inherently arbitrary.

In view of the secrecy with which the authorities treat cases of political detainees and prisoners, detailed information is lacking in some cases and the legal status of those who have been held incommunicado since their arrest is not known. However, Amnesty International believes that most of them are prisoners of conscience arbitrarily detained or imprisoned in violation of international human rights standards. Amnesty International's specific concerns in the light of the information currently available about these prisoners is stated in each case. Amnesty International calls on the Chinese authorities to disclose without delay information about their cases, including their whereabouts and details of the charges against those who have not yet been tried, and to release immediately and unconditionally all those held for the peaceful exercise of fundamental human rights.

Abdulhelil, a 28 year-old businessman from Gulja (*Yining*), married with three children, was arrested on 5 February 1997 after taking part in a demonstration in the city (see above page 18). According to unofficial sources, he was arrested immediately after the demonstration was stopped by the security forces and did not take part in the subsequent violence. His arrest was officially confirmed on 13 February 1997. An official in the city said that Abdulhelil was "under investigation" as the suspected "ringleader" of the 5 February demonstration. The official added that he had been detained previously in 1995, but released "after receiving education".²⁶ Abdulhelil was the main leader of the "meshreps", a socio-cultural forum revived in Gulja in 1994 which was banned by the authorities in 1995 (see above, page 18). According to unofficial sources, Abdulhelil was subjected to severe torture in detention (see below page 49). As of late 1998, his family had reportedly received no official notification about the charges against him or his place of detention. According to unofficial sources, he was held in the prison of the Bingtuan 4th Division outside Gulja. As of March 1999, he was not known to have been charged or tried. Amnesty International believes that Abdulhelil is arbitrarily detained for the peaceful exercise of fundamental

²⁶ See *Reuters*, Beijing, 13 February 1997.

human rights, in violation of international standards, and that he should be released immediately and unconditionally.

Abdulhajat Haji (also known as **Ablat Kari Haji**), a 60 year-old Islamic scholar and Mullah (Koranic teacher) from Uchun village, near Gulja city in Ili Prefecture, was reportedly arrested shortly after the 5 February 1997 demonstrations in Gulja (see above page 18). During the mid-1980s, several religious leaders from Gulja, including Abdulhajat Haji, had formed an Islamic school, the creation of which had reportedly been encouraged by the authorities. From the late 1980s, however, the government policy on religion changed and such activities were curbed. Others involved in the religious school included **Abdulshukur Abliz Haji**, the head of the Islamic Society in Gulja who was also arrested in 1997 and is reported to be still detained (see page 50). According to unofficial sources, Abdulhajat Haji had continued to teach the Koran privately to students in his village of Uchun. This is believed to be the reason for his arrest. There has been no news of him since then and his legal status is not known. Amnesty International is concerned that Abdulhajat Haji and Abdulshukur Abliz Haji are reported to have been arbitrarily detained for the peaceful exercise of their right to freedom of religion. It is calling on the authorities to disclose without delay their whereabouts, the charges against them and the specific accusations on which these charges are based, or to release them immediately and unconditionally.

Kasim Sadik, a 45 year-old writer and poet from Gulja (*Yining*), was reportedly arrested in early 1998 because of his suspected nationalist sympathies. The exact date of his arrest is not known. During the mid-1980s, Kasim Sadik had studied at the Xinjiang Teacher Training College in Urumqi. He then returned to Gulja (*Yining*) and first became a school teacher, later joining the Yining Art Institute as a writer. He wrote some plays and poems, some of which reportedly included political messages. This is believed to be the reason for his arrest. There has been no news of him since his arrest. Amnesty International is concerned that Kasim Sadik is reported to have been detained for the peaceful exercise of his right to freedom of opinion and expression. It is calling on the authorities to disclose without delay his whereabouts and legal status and, should he still be detained, to release him immediately and unconditionally.

Kasim Haji, aged about 35, a businessman from Gulja, was among several people arrested in late March or April 1997 for meeting a team of foreign reporters visiting Gulja. The reporters were themselves detained by police then expelled from the country. Other Uighurs detained for talking to the reporters reportedly included two men identified as **Shevket Sakhal** (or **Shevket Tursun**), a 35 year-old businessman in Gulja, and **Hamit Mejit**, 39, also from Gulja. There are unconfirmed reports that the three men were subsequently sentenced to prison terms of 15 or 18 years for passing on "secret" information to foreigners. According to some sources, in 1998, the three men were held in Gulja and their relatives were allowed to take food for them to the prison, but not to see them. The reports that they

were tried and sentenced have remained unconfirmed and their legal status is not known. Amnesty International is concerned that they were detained for the peaceful exercise of their right to freedom of opinion and association, in violation of international human rights standards. It is calling on the authorities to disclose without delay their whereabouts and legal status and, should they still be detained, to release them immediately and unconditionally.

Alimjan, a teacher at Gulja's Middle School No.5 and Secretary of the school Communist Party Committee, is reported to have arrested at his home by officers of the People's Armed Police on 18 July 1998 and accused of participation in a secret gathering of "nationalist separatists". From 18 to 28 July, he was held in a prison of the Bingtuan 4th Division, located in Ili. On 22 July 1998, Alimjan was reportedly removed from all his posts by decision of the Gulja city government, and deprived of his salary. On or after 28 July, he was transferred to Gulja city jail in Yengi Hayat district. He is believed to be still detained, though it is not known whether he has been formally charged with a crime. Three other men were reportedly arrested on similar charges in Gulja in July 1998. They included **Tursun Mehmet**, the Deputy Director of the study section of Middle school No.14 in Gulja, and **Abdushukur**, Deputy Head of the administration of Doletbagst district in Gulja. Both were accused of having helped "nationalist separatists". A third man, **Abdat Patar**, a medical surgeon at Gulja's military hospital, is reported to have been detained in early July 1998 accused of having given medical treatment to "nationalist separatists".²⁷ All four were reported to be still detained in December 1998, but their current whereabouts and legal status are not known. Amnesty International is concerned that they were detained for the peaceful exercise of their right to freedom of opinion and conscience. It is calling on the authorities to disclose without delay their whereabouts and legal status and, should they be still detained, to release them immediately and unconditionally.

Abdurazzak Shamseden, a 28 year-old farmer and wood worker in Kepekyuzi (*Kebaikeyuzi*) village, near Gulja in Ili prefecture, was arrested following an incident in Hudiyaryuze village on 18 April 1998 in which six Uighur youths, including Abdurazzak's nephew, were killed during a clash with the security forces. His relation to one of the youths is believed to be the only reason for his detention. Abdurazzak Shamseden is not known to have been involved in political activities. Described as a "quiet" man, he was about to get married when he was arrested. He was still detained in early 1999 but he was not known to have been charged or tried. He is believed to be held in Gulja (*Yining*) city jail in Yengi Hayat district. Scores of other villagers were reportedly detained in the area following the 18 April incident in which the six youths were killed. They included **Abduhalik Abdureshit**, **Abdulhekim Abdulletip**, **Hudiyumberdi Begzad**, **Elyas Jalal**, **Jur'at Nuri**, **Nurmuhammad Yarmuhammad**, and **Saydulla Kurban**, all farmers from Kepekyuzi

²⁷ For further information, see Amnesty International report, "Appeal for Uighurs Arbitrarily Detained", AI Index: ASA 17/02/99, January 1999, p.2.

PRISONERS ARRESTED IN APRIL 1998 NEAR GULJA



Abdurazzak Shamseden, 35 years old, arrested 4.98 near Gulja.



Attawulla Begzad, born 1966 arrested 4.98 near Gulja.



Eiyas Jalal, born 1970, arrested 4.98 near Gulja.



Jur'at Nuri, arrested 4.98 near Gulja.



Noormuhammat Yarmuhammad, born 1969, arrested 4.98 near Gulja.



Saydulla Kurban, born 1967, arrested 4.98 near Gulja.



Tohtahun Yarmuhammad, born 1977, arrested 4.98 near Gulja.

STUDENTS ARRESTED IN JANUARY 1995 IN KASHGAR



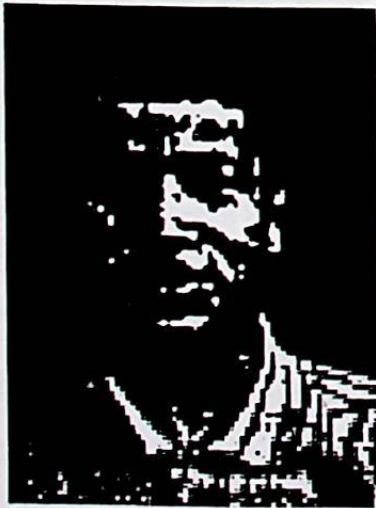
Abidjan Obulkasim, 23 years old, arrested January 1995. Sentenced in Mid 1995 to 15 years imprisonment



Ismael Mehmet, 22, arrested in Mid. 1995 sentenced to 8 years imprisonment.



Reshat Mehmet, 20, arrested January 1995. Sentenced to 12 years imprisonment in Mid. 1995.



Tursunjan Mehmet, 22, sentenced to 5 years imprisonment in Mid. 1995

Amnesty International, April 1999

illage.²⁸ Amnesty International is concerned that Abdurazzak Shamseden and others are reported to have been detained because of their relation or connection with suspected opponents. It is calling on the authorities to disclose without delay the whereabouts and legal status of Abdurazzak Shamseden and others detained in connection with the 18 April incident and, unless they have been charged with offences which are recognisably criminal by international standards, to release them immediately and unconditionally.

Abidjan Obulkasim (or **Abit Ubulkasim**), is one of four students from Kashgar who were arrested in early 1995 and subsequently sentenced to prison terms ranging from 5 to 15 years for having discussed political issues among themselves. They were aged in their late teens or early 20s at the time of their arrest. Abidjan Obulkasim, now aged about 23, was a student at the Physics Department of the Kashgar Teacher's Training College. He was sentenced to 15 years' imprisonment in mid-1995 and the sentence was reportedly increased by one year in appeal. Those arrested and tried with him included **Aichat Mehmet** (or **Reshat Mehmet**), also a student at the Kashgar Teacher's Training College, then aged about 20, who received a 12 years' prison sentence subsequently increased by one year; **Ismael Mehmet**, a student at the same college in Kashgar, then aged about 19, who was sentenced to 8 years' imprisonment subsequently increased by one year on appeal; and **Tursun Mehmet**, a friend of the other three who, according to some sources, was a student at the Minorities Institute of Xian University (Shanxi province). He was tried with the others in Kashgar and sentenced to 5 years' imprisonment. The four students had reportedly discussed political and human rights issues on a few occasions, including during a birthday party for Ismael Mehmet in August 1994. At their trial in mid-1995, they were accused of having formed a "counter-revolutionary group" and of "planning" to engage in "separatist" activities. About 100 people attended their trial, during which Abit Obulkasim spoke in his own defence, reportedly arguing that he had not committed any crime under the law and had been detained illegally for several months. He also reportedly objected to being referred to as "the criminal" by the judge before he was convicted. The four students however were convicted. In September 1995, their sentences were announced at a sentencing rally held in a public place in Kashgar during which Abidjan Obulkasim was ill-treated by a soldier in front of the assembled crowd (see below page 50). The three students who had received the longest sentences subsequently appealed against the verdict to the XUAR High People's Court 1997 but their sentences were reportedly increased by one year as a result. They are reported to be held at Liu Daowan prison in Urumqi. Amnesty International believes that all four are arbitrarily imprisoned for the peaceful exercise of their right to freedom of opinion and association, in violation of international standards. It is calling on the authorities to release them immediately and unconditionally.

Mat Tursun Ahun, a 70 year-old Uighur from Kashgar, is reported to have been arrested for making copies of an unapproved or banned religious newspaper. The exact date of his

²⁸ *ibid*, p.3.

arrest is not known, but is believed to have been in 1996. On the basis of this accusation, he was reportedly sentenced without trial to three years of "re-education through labour" - an administrative punishment imposed without charge or trial, which involves detention in a forced labour camp. **Hedayitila**, a 22 year-old Uighur from Kashgar, reportedly received the same sentence for distributing copies of the religious newspaper. The two men were sent to carry out their sentence at a "Re-education Through Labour Farm" at Mush, south of Kashgar, a labour camp where several hundred political prisoners are reported to be detained (see below page 48). Both were reported to be still held there in 1998, but their current whereabouts are not known. Amnesty International is concerned that they are reported to have been arbitrarily detained for political reasons and sentenced to a punishment which is inherently arbitrary. It calls on the authorities to disclose their legal status and current whereabouts and, if they are still detained for labour-reeducation, to release them immediately and unconditionally.

Yasim Kari, aged about 35, and **Abla Karim**, aged about 40, both Mullahs (religious teachers) from Kashgar, are reported to have been detained in Kashgar since they were forcibly returned to the XUAR from Kazakstan in September 1998. They were returned together with their four children and two other men who were also detained. The four children were held for 18 days before being released, while the four men were kept in detention. Yasim Kari had reportedly been detained for four months in 1995 because of his religious activities. He had formed a religious class in Kashgar to teach the Koran. According to unofficial sources, both he and Abla Karim had failed to comply with the authorities' requirement that religious leaders should publicly acknowledge the 'merits' of government policies. Amidst the government's growing repression of religion, they were fearing arrest and fled the PRC in July 1998, reaching Kazakstan in August 1998. They were forcibly returned at the end of August, detained first in Urumqi, then transferred to a jail in Kashgar.²⁹ They are reported to be still detained but it is not known whether they have been charged. Amnesty International is concerned that they are reported to be detained for seeking political asylum abroad. It is calling on the authorities to disclose without delay their whereabouts and legal status and, unless they have been charged with offences which are recognisably criminal by international standards, to release them immediately and unconditionally.

Nurhahmat Yusup, a 22 year old Uighur from Kashgar, is reported to have been arrested in July 1996 after replacing the PRC flag on People's Square in Kashgar with the banned flag of Eastern Turkestan. According to unofficial sources, police searched his home and found a banned tape of poems from a well-known Uighur poet. The tape had at first circulated legally but was later banned by the authorities when the poems were found to be "reactionary". Possession of the tape in itself reportedly became an offence. According to the sources, Nurhahmat Yusup was charged with "counter-revolutionary" offences and

²⁹ See AI Index: ASA 17/02/99, op.cit, p.4.

sentenced in September 1997 to 20 years' imprisonment. After his trial, his family was allowed to visit him in prison. He is held at Liu Daowan jail in Urumqi. Amnesty International is concerned that Murhahmat Yusup is reported to have received a heavy prison sentence for the peaceful exercise of his right to freedom of opinion and expression. It calls on the authorities to disclose information about his trial, the exact charges and the evidence against him and, if he is imprisoned as reported in violation of international standards, to release him immediately and unconditionally.

Azimet, a 26 year-old Uighur from Urumqi, is reported to have been arrested in Urumqi in early 1998 on suspicion that he was involved in a nationalist political organisation. Three of his friends were also arrested between January and March 1998, reportedly as a result of denunciations. According to unofficial sources, the group had just had a few meetings during which they discussed political issues, including the issue of Uighur nationality and culture, but they were not involved in any organised opposition activities. Following his arrest, Azimet was held in the detention Centre of Urumqi city Public Security Bureau. As of late 1998, he was reported to be still detained without charge or trial. His current legal status is not known. Amnesty International is concerned that Azimet is reported to be detained for peacefully exercising his right to freedom of opinion and association. It calls on the authorities to disclose without delay his legal status and whereabouts and, unless he has been charged with offences which are recognisably criminal by international standards, to release him immediately and unconditionally.

Kahriman Abdukirim, 29, secretary to the well-known Uighur businesswoman Rebiya Kadeer, was taken away by police from his place of work at her office in Urumqi on 21 November 1998. He was held for one night in a local police station, where he was reportedly beaten, then transferred on 22 November 1998 to the Detention Centre of Urumqi city Public Security Bureau. Originally from Kashgar, Kahriman Abdukirim had studied at Xinjiang University from which he graduated in 1996. While a student, he had reportedly discussed political issues with other students and spoken about "Eastern Turkestan". A bright student, upon graduation, he was given a job at the regional Academy of Sciences, but he was reportedly dismissed after a few months when the academy learnt that he had spoken about Eastern Turkestan while at University. He started working as Rebiya Kadeer's secretary at the end of 1996. The authorities have not disclosed the reason for his detention, though it is believed to be related to his political discussions with other students while he was at university and possibly to his association with Rebiya Kadeer.³⁰ He is reported to be still detained incommunicado and without charge. Amnesty International is concerned that Kahriman Abdukirim is detained for peacefully exercising his right to freedom of expression and association. It calls on the authorities to release him immediately and unconditionally.

³⁰ See AI Index: ASA 17/02/99, op.cit, p.5.

Tohti, a Uighur scholar who spent several years as a visiting scholar in Japan, was reportedly arrested when he returned to China to visit his relatives in 1998. Prior to visiting Japan, he had worked at the Minorities Institute in Beijing. According to unofficial sources, after his arrest, he was tried in Beijing and sentenced to seven years' imprisonment for publishing a book in Chinese language on Uighur history while he was studying in Japan. The date of his trial and the place where he is imprisoned are not known. There has been no official report about his arrest and trial. Amnesty International is concerned that Tohti is reported to be imprisoned for peacefully exercising his right to freedom of opinion and expression. It calls on the authorities to disclose without delay information about his reported trial and current whereabouts and, if he is imprisoned as reported in violation of international standards, to release him immediately and unconditionally.

Abdul Ayrat, a 37 year-old Uighur from Khotan district, is reported to have been arrested in 1997 in Khotan for organising a religious class. According to unofficial sources, he was accused of involvement in "illegal religious activities" and sentenced, without charge or trial, to three years of "re-education through labour". He was sent to carry out the sentence at the "Re-education Through Labour Farm" at Mush, south of Kashgar, a labour camp where many political detainees are held. He is believed to be still held there. Amnesty International is concerned that Abdul Ayrat is reported to have been arbitrarily detained for peacefully exercising his right to freedom of religion, and sentenced to a punishment which is inherently arbitrary. It calls on the authorities to disclose information about his legal status and, if he is still detained as reported, to release him immediately and unconditionally.

Abdu Habar, 32, and **Mehmet Abdullah Mersum**, 36, two Uighurs from Kargilik (*Yecheng*) were arrested in late 1995 or early 1996 for taking part in a religious class. A few months after their arrest, they were sentenced, without charge or trial, to three years of "re-education through labour" after being accused of having "taken part in illegal religious activities". They were subsequently detained at the labour-reeducation camp at Mush, south of Kashgar. Their sentences were due to expire in early 1999, but it is not known whether they have been released. Five other Uighurs from Kargilik were reported in late 1998 to be held at the same labour camp near Kashgar because of their religious activities: **Abdulah**, 25, **Idris**, 32, **Mehmet Imin**, 25, **Kahar**, 25, **Abdujelil**, 29. According to unofficial sources, they had been accused of "carrying out religious propaganda" and received terms of three years of "re-education through labour". Two other Uighurs from Kargilik were also serving similar sentences in the labour camp: **Memetimin**, 34, had been sentenced for "taking part in an illegal organisation" and **Bavudun**, 58, for "insulting the government". Amnesty International is concerned that these prisoners are reported to have been arbitrarily detained for peacefully exercising their rights to freedom of religion or association, and sentenced to a punishment which is inherently arbitrary. It calls on the authorities to disclose information about their legal status and current whereabouts and, if they are still detained as reported, to release them immediately and unconditionally.

Habubilla, aged 16, **Abduvely**, 22, **Abdumijit**, 27, all three from Karakash (*Moyu*), located a few miles north-west of Khotan city, were reported in late 1998 to be serving administrative sentences of three years "re-education through labour", imposed without charge or trial, at the Mush labour camp near Kashgar. All three had reportedly been sentenced for reading a banned "foreign magazine". The nature of the foreign magazine and the exact date of their arrest are not known, though they are believed to have been sent to the camp on or after March 1996. **Abdugine**, a 23 year-old man from Keriya (*Yutian*), east of Khotan, was reportedly held in the camp for the same reason, having also received a term of three years of "re-education through labour". Amnesty International is concerned that these prisoners are reported to have been arbitrarily detained for political reasons, and sentenced to a punishment which is inherently arbitrary. It calls on the authorities to disclose information about their legal status and current whereabouts and, if they are still detained as reported, to release them immediately and unconditionally.

Abdukerim Mettersun, a 24 year-old Uighur from Lop (*Luo Pu*), near Khotan, was reportedly taken into police custody in August 1995 on suspicion that he had given out "nationalist propaganda" to Uighur students. According to unofficial sources, he was taken to the detention centre of Lop county Public Security Bureau and continued to be detained there for more than three years without being questioned or charged. At some point he reportedly requested a defence lawyer, but his request was ignored. He was last reported to be still held without charge at the end of 1998. At the time, the Lop county detention centre reportedly held some 280 untried political detainees who had been detained for periods varying from a few months to nearly four years without being charged. They included a detainee identified as **Ansary Bary**, aged 32, who had reportedly been held without charge since 1995 for speaking out against the government. Another detainee, **Abdullah Ahun**, a 65 year-old Uighur from Dol village, had reportedly been taken into police custody in mid-1998 when his son, Tohti Niyaz, escaped from the Lop county detention centre, and was then held there as hostage instead of his son. Others reportedly held without charge at the detention centre in late 1998, several months after they were taken in police custody, included: **Ablimet**, aged 30, detained for "expressing dissatisfaction with the government"; **Memit Tursun**, aged 22, detained for "reading a newspaper"; **Mohtar**, aged 29, and **Rozi Mamet Tohti**, aged 19, both detained for "speaking out against the government"; **Abdul Hemitgaz**, aged 24, detained for "taking part in an organisation"; **Ili Mamet Tursun**, aged 19, detained for "swearing at Han Chinese". The current fate of these men is not known, but it is feared that they and many others may still be held without charge at the Lop county Public Security Bureau detention centre. Amnesty International is concerned that these detainees are reported to have been arbitrarily detained for political reasons and held without charge for periods varying from several months to several years. It is calling on the authorities to investigate their situation without delay and, if they are still detained as reported, to release them immediately and unconditionally.

POLITICAL PRISONERS AND UNFAIR TRIALS

In the XUAR, as elsewhere in the PRC, political trials are a mere formality. The verdict is usually pre-determined and decided by or in consultation with the political authorities. Political prisoners in the XUAR are often held incommunicado for months or even years before they are tried, and torture is reported to be systematic. Few defendants have access to lawyers. According to some sources, some defendants in the XUAR are not given a formal trial hearing but are simply informed of their sentences after the court's adjudication committee deliberates on the case among themselves and decides on the verdict on the basis of files prepared by the police and procuracy.

The cases below are illustrative examples of political prisoners who were arrested at various periods during the 1990s and sentenced to long terms of imprisonment after unfair trials. The case of a prisoner who was executed at the end of January 1999 is also cited as an example of those sentenced to death after unfair trials (see also section on the death penalty, page 54). The prisoners cited below were convicted of political offences and/or politically-motivated crimes which usually involved the advocacy or the use of violence. In many cases, they were tried behind closed doors, often without defence lawyers. Some of them were taken to "public sentencing rallies" - show trials attended by hundreds or thousands of people - during which their sentences were announced. In all cases, the prisoners are reported to have been tortured to force them to give incriminating information or to sign "confessions".

Amnesty International is concerned that they were convicted and sentenced after unfair trials and that some of them may be prisoners of conscience held for the peaceful exercise of fundamental human rights. It is calling on the authorities to review these cases, to release all those held for the peaceful exercise of fundamental rights and to grant others a new, fair and open trial, in accordance with international standards for fair trial, or failing this release them.

Abdukiram Abduveli, a Uighur from Kucha county in Aksu district, aged 37 in 1993, was sentenced to 12 years' imprisonment and four years' deprivation of political rights in May 1993 on "counter-revolutionary" charges. The court verdict against him by the Urumqi city Intermediate People's Court, a copy of which is available to Amnesty International, shows that Abdukiram Abduveli was tried in a "closed" hearing and did not have a lawyer to represent him. It also indicates that the charges against him may have been manipulated in order to ensure his conviction. At his trial, Abduveli was found guilty on two political charges: "organising a counter-revolutionary group" and "carrying out counter-revolutionary propaganda and agitation". According to the court verdict, the first charge referred to the organisation of a political party called the "Islamic Reformist Party", which Abdukiram Abduveli and four other Uighurs had allegedly planned to form in October 1990. Abduveli, however, was arrested soon after on 17 November 1990, before the group had undertaken any activities and long before others in the group were arrested (in 1992). According to the

death and damaging property during the protests on 6 February 1997. According to a report on the sentencing rally published on 24 July 1997 by the *Ili Evening News*, during the "Ili event", on 6 February, Rahmatjan had allegedly taken part with others in beating two "innocent persons" identified by the newspaper with Chinese surnames, one of whom was reportedly killed. Rahmatjan was also accused of having joined others in overturning a minibus during the protests on 6 February. Some unofficial sources claim that the boy was in fact arrested when police searched his mother's house, where he lived, and found a package reportedly containing explosives which had been left there by a friend. According to the sources, neither the boy nor his mother knew what the package contained and, by the time police searched their house, the man who had left the package there had already been sentenced to death and executed. Amnesty International is concerned that Rahmatjan, a juvenile, received a long prison sentence after an unfair political trial. The conflicting accounts about the reason for his arrest reinforce concerns that the charges on which he was convicted may be unfounded. His current whereabouts are unknown.

Over 50 people were sentenced at public rallies in Gulja in 1997 for involvement in the February 97 protests. 30 of them were sentenced at a rally on 24 April 1997, including three Uighurs who were sentenced to death. One defendant, identified as Xiernali Shadeke, was sentenced to life imprisonment for "hooliganism". The 26 others received prison terms ranging from seven to 18 years. Another rally involving 29 defendants, including Ramatjan took place on 22 July 1997: seven Uighurs were sentenced to death; three others were sentenced to death with suspension of execution for two years; seven received life imprisonment and ten others prison terms of up to 18 years. (see page 54, section on the death penalty, for further details on the rallies).

Among other cases of people who are reported to have been sentenced after unfair trials in connection with the February 97 protests in Gulja are **Turgan Tay**, a 27 year-old businessman in Gulja, and **Iminjan**, a 28 year-old teacher who was reportedly severely tortured after his arrest (see below page 50). According to unofficial sources, both were accused of involvement in "illegal religious activities" and sentenced in March or April 1998 to 10 years' imprisonment at trial hearings which were closed to the public. It is reported that their family were not informed of the trial and that they had no lawyer.

Ibrahim Ismael, 42, a religious scholar from Memeyuzi village, near Gulja city, Ili Prefecture, was executed on 28 January 1999 after a public sentencing meeting by the Ili Intermediate People's Court. Ibrahim Ismael had been arrested in 1997. A report published in an official newspaper just a few days after his arrest shows that Ibrahim Ismael was considered guilty long before he was tried. According to unofficial sources, Ibrahim Ismael was well known in Ili for having held private religious classes to teach the Koran to youths in villages around Gulja for several years before his arrest. A warrant for his arrest had been issued by the authorities before the February 1997 protests in Gulja and he had been in hiding since then. According to an official report in the *Ili Evening News* of 26 August 1997

(Uighur edition), Ibrahim Ismael was arrested in the evening of 18 August 1997 at the house of a person named as Rozahun Abbas, in Gulja city, and the officials involved in his arrest received rewards. The newspaper described Ibrahim Ismael as a terrorist and "the main criminal" and leader of the February 1997 protests. It said "he held the Koran in one hand but at the same time he attacked cadres and innocent people spreading counter-revolutionary propaganda". The newspaper warned Ibrahim's followers that they should turn themselves in and could "only save their lives" by "confessing their crimes", failing which they would "suffer the same fate as Ibrahim."



Report in the Ili Evening News of 26 August 1997 on the arrest of Ibrahim Ismael

This report, published in an official newspaper just a few days after his arrest, shows clearly that Ibrahim Ismael was considered guilty long before he was tried. The warning given to his followers by the newspaper also ominously suggested that Ibrahim Ismael might be sentenced to death, which was indeed the case seventeen months later. Ibrahim Ismael is reported to have been tortured after his arrest. He was reportedly shown on local television soon after his arrest was officially reported, with his face showing signs of bruises and appearing to be in pain when he sat down. He reportedly admitted on television that he and his friends, three of whom he named, had been wrong - a

"confession" apparently out of character which is believed to have been the result of torture. He was reportedly held in Chapchal county jail near Gulja after his arrest. A photograph of him being interrogated by police officials was published in August 1997 in a local newspaper. Following his execution on 28 January 1999, official sources stated that he had joined a "reactionary organisation" in 1991 and had taken part in "illegal religious activities" and a series of protests in 1995 (see above, page 18). He was also accused of having helped to plan the February 97 protests in Gulja and of involvement in an attack in June 1997 in which four civilians and one police officer were killed.³¹ The official date of his arrest does not tally with unofficial reports according to which Ibrahim Ismael was arrested during police raids on villages around Gulja in late June 1997. The police raids reportedly targeted groups of people attending religious activities (tablih) in the villages of Turpanyuzi, Pangem, Araostang, Kepekyuzi and Yingeavat. According to the reports, apart from Ibrahim Ismael, 73 people were arrested during the raids on these villages between 26 and 28 June 1997, including Abbas Abdukerim (imamahun), Abduhabar, Abdumijit Masum, Tohtahun Turdi,

³¹ See Reuters, Beijing, 5 February 1999.

Hamit Abdulhay, Imam Hasan, Dilshat Shamahun, Naserdin, Amerdin, Hal Muhamat Abdusalam, Halmurat, and Azat.

Omer Abdullah, a Uighur from Khotan, was one of around 20 people who were taken to a "mass sentencing rally" in Khotan in August or September 1995. The group was tried for having taken part in a protest which developed into rioting, following the reported arrest of a local Imam (Muslim preacher) on 7 July 1995 (see above page 14). The sentencing rally, attended by 5000 people in the city stadium, was held by the Khotan district Intermediate People's Court and chaired by the deputy secretary of the Khotan Communist Party Committee. The prisoners were taken to the sentencing rally with their arms tied behind their backs and wire placed across their mouths, tied behind their heads, to prevent them speaking or shouting. They had reportedly been held incommunicado since their arrest and tortured in detention. According to unofficial sources, there was no public trial hearing before the rally. Those sentenced at the rally included **Omar Abdullah**, sentenced to 15 years' imprisonment and 5 years deprivation of political rights; **Tursun Tohti Ahmed**, sentenced to 12 years' imprisonment and 4 years' deprivation of political rights; **Abdulhalil Tursun**, sentenced to 10 years' imprisonment and 3 years' deprivation of political rights; **Salih Ahmed Ismael**, sentenced to 10 years' imprisonment; **Roze Mehmet Baki**, sentenced to 9 years' imprisonment; and **Omerjan Abdullah**, sentenced to 5 years' imprisonment. The exact charges against them are not known, though they are believed to have been accused of a range of crimes including "hooliganism". The place where they are imprisoned is not known.

Jelil Aval and seven other Uighurs, most of them farmers from Baren township, in Akto county, near Kashgar, were tried in August 1993 by the Intermediate People's Court of the Kizilsu Kirgiz Autonomous Prefecture. They had been detained in October 1992 and were charged with forming a "counter-revolutionary group" in an attempt to allegedly re-organise the "Eastern Turkestan Islamic Party", whose leaders had reportedly led the uprising in Baren in April 1990 (see below page 65). Several of the defendants were also charged with "counter-revolutionary sabotage" for allegedly buying arms, ammunitions and material to make bombs. According to the court verdict against them, they were planning "to take action to follow in their predecessors footsteps" by carrying out "sabotage". However, they were arrested before they could put any of their alleged plans into action. Several of the defendants had previously been detained in April and May 1990 for taking part in the April 1990 Baren "rebellion", but had been released after periods varying from a few weeks to over a year. The court verdict said that Jelil Aval had been released on bail from this first period in detention in 1991, suffering from "bad health". According to the court verdict, at his trial in 1993, Jelil Aval and six other defendants were represented by lawyers. However, the verdict states that "from the beginning to the end of the prosecution's accusations" Jelil Aval "refused to confess anything and did not defend himself"; his defence lawyer "refused to defend Jelil Aval because he did not present his version of what really happened and during the Judge's investigation he behaved stubbornly". Another defendant, **Aysa Yoldash**, apparently behaved in the same way, "pretending in court that he was dumb and stubbornly

aged 18 at the time, was sentenced to 19 years' imprisonment reportedly for failing to report the Eastern Turkestan Islamic Party to the authorities; he was sent to carry out his sentence in Wusu (*Xihe*). **Turgun Abduyim**, then aged 28, from Khorgan village, was sentenced to 18 years' imprisonment and sent to carry out the sentence in Nashim Bulak labour camp in Wusu. Many others are known to have received long prison sentences. They are presumed to be still imprisoned, but there has been no news of them for several years.

PRISONERS ARRESTED DURING THE BAREN INCIDENT, APRIL 1990



Ahad Allaverdi, 30, from Baren, arrested April 1990.



Jamal Muhammed, from Baren, arrested 4.4.90, sentenced to life imprisonment.



Ibrahim Ahmed, from Baren, arrested April 1990. Sentenced to life imprisonment.



Kurban Juma, from Baren, arrested April 1990, sentenced to 16 years imprisonment.



Aziz Kurban, from Baren, arrested in April 1990.



Huseyin Kurban, from Baren, arrested 1990.



Mehmet Rozi, from Baren, arrested April 1990, sentenced to 14 years imprisonment.



Muhammed Emin Omer, from Baren, arrested 1990, sentenced to 10 years imprisonment.



Rozi Juma, from Baren, arrested in 1990.



Rahmanjan Ahmed, from Baren, arrested in April 1990, sentenced to 16 years imprisonment.



Rozi Hasim, from Baren, arrested in April 1990.



Sulayman Isa, from Baren, arrested April 1990, sentenced to 18 years imprisonment.



Turgan Abdulkarim, from Baren, arrested 5.4.90, sentenced to 19 years imprisonment.



Tohti Islam, from Baren, arrested in 1990, sentenced to 19 years imprisonment.



Turgunjan Muhammed, from Baren, arrested April 1990, sentenced to 18 years imprisonment.

TORTURE AND ILL-TREATMENT

Although Chinese law explicitly prohibits "torture to extract confessions", and China has been a party to the UN Convention against Torture since 1988, torture remains widespread in the PRC. The XUAR is no exception. The reports received by Amnesty International from many sources indicate that torture and ill-treatment of prisoners are endemic in the region.

Particularly disturbing allegations have been made about the brutal treatment of people held in Gulja after the February 97 protests there and about the use in the XUAR of some forms of torture which, to Amnesty International's knowledge, are not being used elsewhere in the PRC.

While Amnesty International is not in a position to verify the specific allegations made in individual testimonies and reports, it believes that the number and consistency of these allegations suggest a pattern which warrants immediate action by the authorities, including thorough and impartial investigations of all reports and complaints of torture.

Amnesty International is concerned that the authorities appear to have taken no action to curb torture in the region or to bring alleged perpetrators of torture to justice. There is a striking absence of official reports about prosecutions for torture in the XUAR. Amnesty International has not come across any such report in the regional media over the past two years. This contrasts sharply with the Chinese provinces, where local newspapers and other media have often reported cases in which police officials have been prosecuted for torture. The absence of such reports in the XUAR suggests that the authorities either ignore or cover up the widespread practice of torture in the region, or may even sanction its use in the context of repression.

One former court official, for example, told Amnesty International that ninety percent of defendants who appear in court in the XUAR tell the judges they have been tortured in police custody to force them to confess to the accusations, but the judges invariably ignore these allegations. The informant added that, in his three years of work in a criminal court in the region, he had not come across a single case in which a judge receiving allegations of torture had asked the procuracy to investigate the allegations or suspended the defendant's trial.

Under international human rights law, the right not to be tortured can never be derogated from, even "in time of public emergency which threatens the life of the nation".³² This right applies whoever the detainee may be and whatever the crimes he or she is suspected of having committed.

³² International Covenant on Civil and Political Rights, Article 4.

Methods of torture

The forms of torture most frequently reported in the region are similar to those used across the PRC. They include severe beatings with fists or a variety of instruments; kicking; the use of electric batons which give powerful electric shocks; the use of handcuffs, shackles or ropes to tie prisoners in ways which cause intense pain; suspension by the arms or feet, often combined with beatings, and exposure to extreme cold or heat. Some sources have also reported the use of trained dogs to attack prisoners; the use of live electric wires to give electric shocks; and the insertion of sticks or needles under the nails or having fingernails pulled out.

Other reported methods of torture, which to Amnesty International's knowledge are not being used elsewhere in the PRC, include the use of unidentified injections which caused the victims to become mentally unbalanced or to lose the ability to speak coherently; the insertion of pepper, chilli powder or other substances in the mouth, nose or genital organs; and, in the case of male prisoners, the insertion of horse hair or wires into the penis.

Testimonies and allegations

Following are some of the testimonies received by Amnesty International from victims of torture and relatives or friends of prisoners. Their names and some details of their account which may help identifying them are withheld in order to protect them and their families. For narrative purposes, some are identified by names which are not their real names. It is impossible to confirm these specific accounts, but they are consistent with many other reports of torture in the region. They are reported here in detail because of the gravity of the allegations they make and the pattern of torture they suggest.

The relative of a 17 year-old boy who was detained in Gulja (*Yining*) in February 1997 has given the following account to Amnesty International of how prisoners were treated in the aftermath of the protests in the city at that time. He referred to the prison in which his young relative was held as the "Yining city jail" - presumably the detention centre of the Yining city Public Security Bureau. According to his account, *"the jail was so crowded that prisoners were held 5 or 6 to a single cell - too small to allow them all to lie down at night; they had to take turns to sleep. Whenever police officers "visited" them in their cells, they were beaten. Those prisoners selected for interrogation were taken to a special room where they were beaten, kicked and given electric shocks with electric batons. The interrogation room was equipped with a rail fixed on the wall. Some prisoners were hung on the rail with one foot and one hand tied to the rail with handcuffs. They were left in that position for 24 hours. When they were untied, they could not stand straight. Some prisoners had their fingernails pulled out with pliers. Others had wires inserted under the nails. Some prisoners had paper shoved into their anus by interrogators who then set the paper on fire. The prisoners were made to run in the "flying aeroplane" position, arms spread out and bent*

forward [...]". The source said that his young relative was detained for about two months and that his family managed to get him released by paying 2,000 yuan to some police officers. Many police officers were corrupt, he said, and giving them money was about the only way to obtain the release of a relative or friend if the case was not considered important.

Severe torture of suspected political opponents is reported to have continued in the Ili area since the February 97 protests. According to some sources, the extent of torture in Ili Prefecture is such that many political detainees have been brought to court barely conscious and unable to walk.

One former detainee, named Yusuf for the purpose of this account, reported to Amnesty International how he was tortured by police while detained for a few weeks in Urumqi in 1998. Yusuf had been arrested together with several friends on suspicion they had formed a political group and had links with exiled Uighur organisations. According to Yusuf, he and his friends had merely discussed political issues on a few occasions. He believed their discussions were overheard and they were denounced to the police. After his arrest, he was held in the Detention Centre of Urumqi city Public Security Bureau (PSB). According to his account, *"next to the detention centre is an underground place where some suspects are interrogated. He was questioned there in the evenings and tortured in various ways. For example, his hands were tied behind his back and the interrogators would lift his arms, pulling them up high in a twisted and painful position behind his back. He was given electric shocks with electric batons. The shocks were applied all over his body, including in his mouth and on his penis, which caused intense pain. The interrogators hit him on the bones of the legs with a wooden baton. They made him kneel down and hit him on the thighs and the shoulders with the baton. While tortured, he was made to wear a kind of metal helmet which came down over his eyes. The interrogators used this helmet to prevent fatalities, as some prisoners cannot bear the pain of torture and try to kill themselves by bashing their heads against the walls. He knew one prisoner who had bashed his head against a radiator to escape torture. The prisoner did not die, but he suffered skull fractures and became mentally disturbed. He was released as a result [...]".* Yusuf reported that he was himself released after a few weeks due to the efforts of a relative who used his connections to secure his release. His friends are still imprisoned.

Abdul (not his real name), a Uighur in his late 20s, has given Amnesty International the following account of his treatment in police custody in Kashgar city in 1996. He was held in what he described as an "underground prison" within the jail (detention centre) of the Kashgar Public Security Bureau [*Kashe diqu gonganju jianyu*]. The police had detained him on suspicion that he had some connection with several Uighurs arrested earlier on political grounds, though Abdul said he did not know them. According to his account, *he was held in a cell alone for two weeks and questioned every day for at least two hours. His interrogators were ethnic Chinese. During interrogation, he was tortured with 20 different methods. This*

included beatings, being kicked, having needles inserted under his toe nails while he was tied up, and being given electric shocks with both electric batons and electric wires. The wires were attached to his chest. The interrogators used a generator to control the electric current, increasing the power as they went along. Still, Abdul maintained he did not know the prisoners of interest to them. On the fourth day of his detention, Abdul was stripped of his pants and tied to a chair with his arms twisted and handcuffed behind the back the chair, and his legs tied to the front legs of the chair so that his knees were wide apart. The interrogators then inserted horsehair into his penis, causing extreme pain. This lasted for about 20 to 30 minutes. Afterwards, his genitals were very swollen and he bled a lot. [...] However he kept denying that he knew the prisoners in connection with whom he had been detained, so his interrogators eventually let him go. His release was also speeded up by the assistance of a friend who paid 5,000 yuan to the police. Before Abdul was released, his interrogators told him not to speak about the torture to anyone. They threatened that they would arrest and kill his family if he did. For two months after his release Abdul continued bleeding from the penis whenever he urinated. He went to hospital to get some treatment and the bleeding gradually subsided after six months.

Other sources, who were unrelated to Abdul and came from different areas in the XUAR, have reported to Amnesty International that either horse hair, thin wires or chilli powder are sometimes used in this fashion to torture male prisoners. One source from Khotan (*Hetian*) for example alleged that some prisoners, usually "important" political cases, were tortured with horse hair inserted into the penis, and claimed that this was a fairly well known method of torture in the Khotan area. Two sources from Gulja (*Yining*) alleged that some political prisoners there had been tortured by having a special wire inserted into the penis: the wire had small spikes which folded flat against the wire when it was inserted but which extended when it was pulled out. These methods of torture are not known to be used elsewhere in the PRC. According to former political prisoners who were imprisoned at various periods since the 1960s, such methods of sexual torture have been used for many years in the XUAR.

Former prisoners and other sources claim that torture and ill-treatment of prisoners is common across the XUAR. Some places of detention are particularly notorious for the extent of torture and harsh treatment inflicted on prisoners. This is notably reported to be the case at Liu Daowan jail in Urumqi, where many political prisoners are held, and in some jails of Ili Prefecture (see list of places of detention in Appendix 1). One example of the torture reportedly inflicted on political prisoners at Liu Daowan jail is given in the Section on extra-judicial executions (see below, page 65).

Prisoners serving sentences are also subjected to ill-treatment. Below are extracts from a report received by Amnesty International about political prisoners held in a labour camp near Kashgar. The labour camp is a "re-education through labour farm", located at a place called Mush, about 36 kilometres from Kashgar on the way to Akto. In 1998, the camp reportedly held some 380 Uighur political prisoners serving sentences of up to three years of