



## **THE UNITED NATIONS AND AMNESTY INTERNATIONAL ON TORTURE IN EAST TURKESTAN**

**June 26, 2009**

On the occasion of the *United Nations International Day in Support Of Torture Victims and Survivors*, the Uyghur Human Rights Project (UHRP) has compiled documentation from the United Nations and Amnesty International on torture in East Turkestan.

The People's Republic of China (PRC) signed the United Nations Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment on December 12, 1986; however, as the documentation presented illustrates, the use of torture against Uyghurs by the Chinese authorities is endemic.

Torture is also explicitly outlawed under Chinese law, and the government of the PRC is regularly pressed by sources ranging from the United Nations and Amnesty International to offices within the Chinese government itself to implement mechanisms whereby people who have suffered torture can report the fact and have the allegation independently investigated. To date, however, no measures to address or curb torture in China have been seen to be demonstrably effective.

There are many specific examples of the use of torture in East Turkestan. In mid-2006, Tudahun Hoshur, a 31-year old trader from Ghulja City, was suspended from a ceiling by his hands, beaten, and denied food for three days for failing to memorize all 45 articles of the detention center's regulations in Chinese.<sup>1</sup>

Alim and Ablikim Abdureyim, the sons of prominent Uyghur democracy leader Rebiya Kadeer, were sentenced to seven and nine years in prison respectively. Alim and Ablikim were severely beaten by police officers on June 1, 2006 after they were detained near Urumchi.<sup>2</sup> As a result of his beating, Ablikim lost consciousness and was taken to a hospital. Alim was detained and tortured, later "confessing" to the criminal and political charges brought against him as a direct result of this torture.<sup>3</sup>

The following information offers independent evidence of this widespread torture in East Turkestan.

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<sup>1</sup> UHRP, *Details Emerge of Uyghur Political Detainee Suffering Torture, Abuse*, June 5, 2006.

<sup>2</sup> UHRP, *Rebiya Kadeer's Adult Children Severely Beaten in front of Her Grandchildren*, June 1, 2006.

<sup>3</sup> UHRP, *Rebiya Kadeer's Son Tortured*, June 23, 2006.

## SECTION I: UNITED NATIONS

**Committee Against Torture, Forty-first session, Geneva, 3-21 November 2008**

***Consideration Of Reports Submitted By States Parties Under Article 19 Of The Convention, Concluding observations of the Committee against Torture, China***

*“National, ethnic or religious minorities and other vulnerable groups*

18. The Committee is greatly concerned by the allegations of targeted torture, ill-treatment, and disappearances directed against national, ethnic, religious minorities and other vulnerable groups in China, among them Tibetans, Uighurs, and Falun Gong practitioners. In addition, the return of North Korean border-crossers and refugees is also an area of concern for the Committee with regard to vulnerable groups, as articulated below...

...(B) Discrimination and violence against persons belonging to national, ethnic or religious minorities

The Committee is concerned with allegations raised in relation to acts of discrimination against and ill-treatment of persons of ethnic minority groups, in particular the Tibetans and the Uighurs, such as Ablikim Abdureyim, and with the alleged reluctance on the part of the police and authorities to conduct prompt, impartial and effective investigations into such acts of discrimination or violence (arts. 2, 12 and 16).

Recalling the Committee’s general comment No. 2 (CAT/C/GC/2, para. 21), the State party should ensure the protection of members of groups especially at risk of ill-treatment, by ensuring prompt, impartial and effective investigations into all ethnically motivated violence and discrimination, including acts directed against persons belonging to ethnic minorities. The State party should prosecute and punish those responsible for such acts and ensure implementation of positive measures of prevention and protection.

The State party should give prompt consideration to expanding the recruitment of persons belonging to ethnic minorities into law enforcement.”

<http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf>

**United Nations High Commissioner for Human Rights**

***Special Rapporteur On Torture Highlights Challenges At End Of Visit To China, Beijing, 2 December 2005***

“Nearly a decade after the initial request, the visit to the PRC by the United Nations Special Rapporteur on Torture, Manfred Nowak, finally materialised from 20 November to 2 December, and included visits to Beijing, Lhasa, Tibet Autonomous Region (TAR) and Urumqi, Xinjiang Uighur Autonomous Region (XUAR)...

...The Special Rapporteur recalls that over the last several years his predecessors have received a significant number of serious allegations related to torture and other forms of ill-treatment in China, which have been submitted to the Government for its comments. These have included a consistent and systematic pattern of torture related to ethnic minorities, particularly Tibetans and Uighurs, political dissidents, human rights defenders, practitioners of Falun Gong, and members of house-church groups. These allegations have been and continue to be documented by international human rights organizations.

The methods of torture alleged include, among others: beatings; use of electric shock batons; cigarette burns; hooding/blindfolding; guard-instructed or permitted beatings by fellow prisoners; use of handcuffs or ankle fetters for extended periods (including in solitary confinement or secure holding areas), submersion in pits of water or sewage; exposure to conditions of extreme heat or cold, being forced to maintain uncomfortable positions, such as sitting, squatting, lying down, or standing for long periods of time, sometimes with objects held under arms; deprivation of sleep, food or water; prolonged solitary confinement; denial of medical treatment and medication; hard labour; and suspension from overhead fixtures from handcuffs. In several cases, the techniques employed have been given particular terminologies, such as the “tiger bench”, where one is forced to sit motionless on a tiny stool a few centimetres off the ground; “reversing an airplane”, where one is forced to bend over while holding legs straight, feet close together and arms lifted high; or “exhausting an eagle”, where one is forced to stand on a tall stool and subjected to beatings until exhaustion. On the basis of the information he received during his mission, the Special Rapporteur confirms that many of these methods of torture have been used in China...

...During his mission, the Special Rapporteur noted the inefficiency of current complaint mechanisms. He was informed, for example, that in Prison No. 4 in Urumqi, the procurators have not received a single torture complaint during the last decade. In the Tibetan Autonomous Region, he was told that no complaint had been received since 2003 and in the Beijing Municipal Detention Centre, none were received since its establishment in June 2004. In the Xinjiang Uighur Autonomous Region, two cases of torture were established by the courts since 2000, and in the Tibet Autonomous Region one such case had been confirmed. The Deputy Procurator-General of the PRC informed the Special Rapporteur that only 33 law enforcement officials had been prosecuted for torture throughout the country during the first nine months of 2005.”

<http://www.unhchr.ch/hurricane/hurricane.nsf/view01/677C1943FAA14D67C12570CB0034966D?opendocument>

## SECTION II: AMNESTY INTERNATIONAL

### *People's Republic of China: Briefing for the Committee against Torture in advance of their consideration of China's fourth periodic report, 3-21 November 2008*

“Even after trial, the authorities frequently restrict family visits to those in prison, particularly if they are deemed to be “uncooperative.” Ablikim Abdiriyim, the son of exiled Uighur human rights activist Rebiya Kadeer, was denied access to his family for eighteen months after he was first detained in June 2006. During their 15-minute visit to Baijiahu prison, just outside Urumqi on 6 December 2007, his relatives found him to be extremely pale and weak and claimed that he had difficulty in recognising some of them. He told them he had fainted frequently and fallen into a coma on two occasions while in prison. When his family questioned the prison authorities about his health, officials apparently attributed this to a heart condition, suggesting that it could deteriorate further if he refused to “cooperate” or “admit his guilt”. Despite repeated requests from his family, the authorities have refused to grant him release on parole for hospital treatment. Ablikim Abdiriyim was sentenced to nine years in prison for “separatism” in April 2007. According to state media sources, his legal rights were protected during the trial, the information concerning the trial was publicised three days in advance, and he confessed to the charges against him during the trial. However, his family claims that he was not given the right to legal representation of his choice, they were given no advance notice of the trial, and that any “confession” was likely to have been made under torture...

...The Chinese authorities have also actively engaged in operations abroad to detain and forcibly return Chinese nationals who have fled to other countries, including some who have claimed asylum or been recognized as refugees. Such returns have often been effected secretly without recourse to formal extradition procedures. Individuals forcibly returned to China from abroad are at high risk of torture and ill-treatment, particularly Uighurs and Tibetans. Reports from local sources indicate that several Tibetans and Uighurs were subjected to torture or other ill-treatment in detention after being forcibly returned. For example:

Husein Dzhelil (also known as Huseyin Celil), an ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR) of China, was detained on 27 March 2006 in Uzbekistan and forcibly returned to China at the end of June 2006. He had originally fled China in the mid-1990s after being detained in connection with political activities. He was recognised as a refugee and resettled in Canada in 2001 where he later obtained Canadian citizenship.

After being forcibly returned to China, the authorities held him incommunicado and denied him access to Canadian consular officials. He

later claimed that he had been deprived of food and sleep during the first fifteen days of detention and that the authorities threatened that he would ‘disappear’ and ‘be buried alive’ if he refused to sign an official document.

The document was later used as a ‘confession’ although Husein Dzhelil claimed that he did not know what he had signed and that it had been extracted under torture. He was denied access to a lawyer of his choice and represented by a court-appointed lawyer at trial. He was tried on 2 February 2007 and sentenced to life imprisonment for “plotting to split the country” and “joining a terrorist organization”. He requested that representatives of the Canadian consulate attend the trial but this was rejected by the authorities.

His mother, who was allowed to attend the trial, reported that after the judge read the verdict, her son shouted that everything was a lie and he did not accept anything that had been stated. His sentence was finalised on 10 July 2007 when the regional high court rejected his appeal. Amnesty International remains deeply concerned that the charges against Husein Dzhelil were politically motivated and that his conviction was the result of an unfair trial, and based on a confession that Husein Dzhelil claims was extracted through torture.”

[http://www2.ohchr.org/english/bodies/cat/docs/ngos/AI\\_China\\_41.pdf](http://www2.ohchr.org/english/bodies/cat/docs/ngos/AI_China_41.pdf)

***Gross Violations Of Human Rights In The Xinjiang Uighur Autonomous Region  
April 1999***

***“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". This right applies whoever the detainee may be and whatever the crimes he or she is suspected of having committed.

### *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."

### ***Amnesty International Urgent Actions: Fear of Torture***

In the past 10 years, Amnesty International has issued a number of *Urgent Actions* alerting the human rights community to fears of torture of Uyghurs in East Turkestan.

The number of alerts over the years indicate an endemic pattern of torture by Chinese authorities.

*18 June 2009:* Yusufjan (Yuesefujiang) (m), aged 27; Memetjan (Maimaitijiang) (m), aged 24

<http://www.amnestyusa.org/actioncenter/actions/uaa15809.pdf>

*5 December 2008:* Abdushukur Qurban (m) aged 32

[http://www2.amnesty.se/uaonnet.nsf/7d4a30a4bfe49590c1257011005d92fb/e5aec0c4dc3310a8c1257519003e78f2/\\$FILE/31711108.pdf](http://www2.amnesty.se/uaonnet.nsf/7d4a30a4bfe49590c1257011005d92fb/e5aec0c4dc3310a8c1257519003e78f2/$FILE/31711108.pdf)

*14 December 2007:* Ablikim Abdiriyim (m) aged 33; Alim Abdiriyim (m) aged 31; Rushangul Abdiriyim (f) aged 37; Kaysar (m), aged approx 39; Rayila (f), aged 25; Razia (f), aged 16; Sardar Kaysar (m), aged 10; Epar Alim (f), aged 5; Turghun (m), aged 9; Kahar Abdiriyim (m) aged 42; Mamat Kadeer (m)

<http://www.amnesty.org/en/library/asset/ASA17/058/2007/en/c9d97f6e-aa67-11dc-a783-95b6ae9ecbe6/asa170582007eng.pdf>

*6 July 2007:* Osman Alihan (m), businessman, aged 33

<http://www.amnesty.org/en/library/asset/ASA33/014/2007/en/161bdb43-d37d-11dd-a329-2f46302a8cc6/asa330142007en.pdf>

*25 April 2006:* Yusuf Kadir Tohti (also known as Erdagan) (m), aged 35; Abdukadir Sidik (m), aged 30

<http://www.amnesty.org/en/library/asset/EUR57/001/2006/en/4c370a59-d43a-11dd-8743-d305bea2b2c7/eur570012006en.pdf>

*24 April 2006:* Husein Dzhelil (known as Huseyin Celil) (m), aged 37, Canadian national

<http://www.amnesty.org/en/library/asset/EUR62/008/2006/en/305c23c9-fa08-11dd-b1b0-c961f7df9c35/eur620082006en.pdf>

*16 June 2005:* Abdulla Jamal (m), aged 42, teacher

<http://www.amnesty.org/en/library/asset/ASA17/019/2005/en/a96d3eef-fa1c-11dd-999c-47605d4edc46/asa170192005en.pdf>

*13 May 2005:* Ruzi Mamat (m), aged 25; Aysham Kerim (f), aged 34; Karima (f); Shu Shao Chan

<http://www.amnesty.org/en/library/asset/ASA17/016/2005/en/4bcb8754-d4ed-11dd-8a23-d58a49c0d652/asa170162005en.pdf>

*21 June 2000:* Jelil Turdi (aka Zhalil Turdi), aged 28

<http://www.amnesty.org/en/library/asset/ASA17/029/2000/en/3c7c71a3-fc37-46f0-a886-acc5c6e1a6f1/asa170292000en.pdf>

*11 January 2001:* Jur'at Nuri, age 27; Abduhalik Abdureshit, age 24; Nine others  
<http://www.amnesty.org/en/library/asset/ASA17/002/2001/en/ea61d07e-dd6b-4150-b41c-b56ab3245bc3/asa170022001en.pdf>

*16 June 2000:* Hemit Memet (aka Khamit Memet); Kasim Mahpir; Ilyas Zordun; Zulikar Memet (aka Zulfikar Memet); Saydakhmet Memet  
<http://www.amnesty.org/en/library/asset/ASA17/028/2000/en/5b96e2e5-5f97-4fcd-bd28-473c98aad90d/asa170282000en.pdf>

*14 December 1999:* Jur'at Nuri, age 26; Abduhalik Abdureshit, age 23; Saydulla Kurban, age 31; Abdurazzak Jelil, age 26; Abdurazzak Shamseden, age 29; Elyas Jalal, age 27; Sultan Jalal, age 29; Hudiyumberdi Begzad, age 35; Haziritaly Adham, age 32; Tohtahun Yarmuhammed, age 26; Abdul Aziz Sawut, age 24  
<http://www.amnesty.org/en/library/asset/ASA17/063/1999/en/00db71a5-59ac-4b5a-bbc3-396e897d0ff2/asa170631999en.pdf>

*25 November 1999:* Ablikim Abdiriyim, Uighur, male, 26; Kahriman Abdukirim, Uighur, male, 29; Rebiya Kadeer, Uighur, female  
<http://www.amnesty.org/en/library/asset/ASA17/059/1999/en/bdb13f1e-16f7-4396-a053-8d60312a65b9/asa170591999en.pdf>

*26 January 1999:* Abdushukur Nurallah, 33, teacher; Perhat Mollahun, 35, teacher  
<http://www.amnesty.org/en/library/asset/ASA17/003/1999/en/89d742a3-f879-11dd-a0a9-2bd73ca4d38a/asa170031999en.pdf>

### **Further Reading:**

16 Uyghur Political Prisoners of Special Concern  
<http://uyghuramerican.org/docs/16.pdf>

Common methods of torture and abuse in the People's Republic of China  
<http://www.ishr.org/index.php?id=1047>

Congressional-Executive Commission on China Political Prisoner Database  
<http://www.cecc.gov/pages/victims/index.php>

Human Rights Concerns In Xinjiang: A Human Rights Watch Backgrounder  
<http://www.hrw.org/legacy/backgrounder/asia/china-bck1017.pdf>

Xinjiang in the Congressional-Executive Commission on China 2008 Annual Report  
<http://www.cecc.gov/pages/roundtables/2009/20090213/CECCannRpt2008-XJ.pdf>





The Uyghur American Association (UAA) works to promote the preservation and flourishing of a rich, humanistic and diverse Uyghur culture, and to support the right of the Uyghur people to use peaceful, democratic means to determine their own political future in East Turkestan.



The UAA launched the UHRP in 2004 to promote improved human rights conditions for Uyghurs and other indigenous groups in East Turkestan, on the premise that the assurance of basic human rights will facilitate the realization of the community's democratic aspirations.

UHRP also works to raise the profile of the Uyghur people and the plight of all “minority” peoples in East Turkestan by:

Researching, writing and publishing news stories and longer reports covering a broad range human rights issues involving civil and political rights, through to social cultural and economic rights;

Preparing briefings – either written or in person – for journalists, academics, diplomats and politicians on the human rights situation faced by the Uyghur people and others in East Turkestan.

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