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In July 2004 *Amnesty International* reported that the Chinese authorities were cracking down on the "three evils" of "separatists, terrorists and religious extremists", in the Xinjiang Uighur Autonomous Region (XUAR) and that members of the Uighur community were fleeing human rights violations in the region,

“The following document examines recent developments in the continuing political crackdown in the Xinjiang Uighur Autonomous Region (XUAR) of the People’s Republic of China and the plight of members of China’s mainly Muslim Uighur community fleeing human rights violations in the region. Amnesty International has published a number of reports on its concerns in the region since the 1990s, including two major reports in April 1999 and March 2002. Repression has continued in the region over the last two years, in the context of an ongoing political and security crackdown against the so-called "three evils" of "separatists, terrorists and religious extremists", as China continues to use "anti-terrorism" as a pretext to suppress all forms of political or religious dissent in the region.

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Anyone in the XUAR found passing information to the outside world about human rights abuses is at risk of arbitrary detention, torture and other serious human rights

violations. High levels of repression have severely curtailed the flow of information from the region on human rights violations over recent years.¹

In 2004 *Amnesty International* reported that there was a lack of publicly available information on the number of death sentences and executions in China and that XUAR was the only location in China where people had received the death sentence for political crimes,

“One example [lack of information on human rights violations] is the general lack of publicly available information about death sentences and executions in the region over the last two years. Amnesty International has documented reports of such cases on a yearly basis for the whole of China, including the XUAR. Until 2002, sentences and executions were regularly being reported in the media in the XUAR - the only place in China where people were sentenced to death for political crimes. Now, however, death sentences and executions are only rarely being reported in the official media in the region, apparently because the authorities have become more sensitive to concerns raised by the international community over such cases.”²

In 2004 *Amnesty International* reported that their research into the position of Uighur’s showed several trends including that relatives of Uighur asylum seekers who remained in China faced harassment from authorities; that China sought to inhibit the activities of Uighur activists in other countries and that Uighur asylum seekers feared being forcibly returned to China,

“According to Amnesty International’s research, several disturbing trends have emerged or intensified over recent months, including harassment by the Chinese authorities of relatives of Uighurs who flee abroad; increasing attempts by the Chinese authorities to curtail the political and human rights activities of Uighur activists in other countries; and growing fears among many Uighurs abroad, including asylum seekers and refugees, of being forcibly returned to China.”³

In 2004 *Amnesty International* stated that Uighur asylum seekers and refugees had been returned to China from Nepal, Pakistan, Kazakstan and Kyrgyzstan, returnees were reportedly subjected to torture, unfair trials and execution and family members were threatened with reprisals should they pass such information abroad,

“Over recent years, Amnesty International has monitored growing numbers of forced returns of Uighur asylum seekers and refugees to China from several neighbouring countries, including Nepal, Pakistan, Kazakstan and Kyrgyzstan. Several Uighurs accused of committing criminal offences have also been forcibly returned, either clandestinely or under the terms of extradition agreements between China and other countries.

Such cases appear to have increased with the intensification of China’s crackdown in the XUAR following the attacks in the USA of 11 September 2001, and in some cases

¹ Amnesty International, People’s Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

² Amnesty International, People’s Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

³ Amnesty International, People’s Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

there is evidence that the Chinese authorities have instigated or taken part in such returns. The fate of Uighurs returned to China is often difficult to establish due to tight restrictions on information, including the threat of reprisals against family members who pass such information abroad. However, in some recent cases, returnees are reported to have been subjected to serious human rights violations, including torture, unfair trial and even execution.”⁴

In 2004 *Amnesty International* reported the execution of a Uighur refugee returned from Nepal,

“In one recent case, a Uighur activist, Shaheer Ali (also known as Shir Ali, Xieraili, Wujimaimaiti Abasi or Ghojamamat Abbas) was executed after being forcibly returned from Nepal to China. He had been recognised as a refugee by UNHCR in Nepal and was awaiting resettlement at the time of his detention and subsequent forcible return (*refoulement*).

Shaheer Ali was a young Uighur nationalist from the city of Khotan (Hetian) in the south of the XUAR. According to his testimony, which he requested be withheld until he was "in a safe place", he had been imprisoned and tortured in China in 1994 in connection with his political activities. He fled to Nepal via Tibet in November 2000 and applied for recognition as a refugee with UNHCR. He was recognised as a refugee in May 2001. In spite of this, he was detained by the Nepalese immigration authorities in December 2001 and held in Hanuman Dhoka district police office in Kathmandu for several weeks.

He is believed to have been taken away from the police office by a group of Nepalese police and officials from the Chinese embassy in Nepal on or around 10 January 2002 and forcibly returned to China shortly thereafter. One, possibly two, other Uighur detainees were taken away at the same time. One of them, Abdu Allah Sattar (also known as Abdullah Sattar), had been detained at the same time as Shaheer Ali and is also presumed to have been forcibly returned to China. Amnesty International has received no further information on his current whereabouts. The identity of the third possible returnee remains unclear.

Amnesty International received no further information on the fate of Shaheer Ali until October 2003, when it was reported in the official Chinese media that he had been executed. The exact date of Shaheer Ali's execution is unclear, but he was reportedly sentenced to death in March 2003 after being convicted of various offences including "separatism", "organizing and leading a terrorist organization" and "illegal manufacture, trading and possession of weapons and explosives". His sentence was confirmed on appeal by the Xinjiang High People's Court.”⁵

In 2004 *Amnesty International* reported concerns about the well being of another Uighur refugee returned from Nepal to China, *Amnesty* received reports that he had been detained in Michuan prison, isolated and tortured,

⁴ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

⁵ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

“Kheyum Whashim Ali(also known as Washim Ali), who was forcibly returned from Nepal in mid-2002. Kheyum Whashim Ali was recognised as a refugee by UNHCR in Nepal in October 2001, but was arrested and detained by the Nepalese immigration authorities soon afterwards. He was transferred to Hanuman Dhoka district police office on 1 May 2002 apparently for "investigation", although the charges against him were unclear. He was reportedly taken to the office of the Chief District Officer in Kathmandu on 23 May 2003 before being taken away again to an unknown location. According to one eyewitness, Kheyum Whashim Ali was in tears as he was being taken away.

It is not known exactly when Kheyum Whashim Ali was forcibly returned to China, but in February 2003, Amnesty International received reports that he was detained in Michuan prison, around 40km outside Urumqi, the regional capital. Later reports from unofficial sources indicated that he was being held in isolation in a single cell; his face was swollen and he lacked mobility in his legs, allegedly as a result of torture or ill-treatment. Unconfirmed reports suggest that he has been charged with "subversion, separatism, involvement with an illegal organization and collecting money to buy weapons". To date, it remains unclear whether Kheyum Whashim Ali has been tried and sentenced. Amnesty International is seriously concerned for his safety.”⁶

In 2004 *Amnesty International* reported concerns regarding several Uighurs returned to China from Pakistan, although in most cases their whereabouts were unknown, *Amnesty* fears that some of them may have been executed and that in one case accusations against a returnee included having applied to UNHCR for asylum,

“In May 2002, it was announced by Chinese officials at a news conference in Urumqi, that Ismail Kadir (or Ilham Kadir), alleged to be the "third highest leader" of ETIM, had been returned to China in March 2002 following his arrest in Pakistan earlier the same month. Official reports suggested that he had been captured by Pakistani authorities in Kashmir. Overseas Uighur activists, however, claim that he was arrested in the city of Rawalpindi, northern Pakistan, home to a sizeable community of exile Uighurs. They have also disputed official allegations that he was an ETIM member. Since his forcible return to China, no further information has become available about Ismail Kadir's place of detention or legal status. Given his alleged background, Amnesty International fears that he may have been subjected to torture, and possibly sentenced to death and executed, as is often the case with such prisoners.

On 2 February 2002, two Uighurs, Ismayil Abdusemed Haji (also known as Ilham), and Abdulhakim were arrested in Rawalpindi, and unconfirmed reports suggest that they were handed over to China immediately without any legal process. Some reports indicate that Chinese officials in plain clothes accompanied Pakistani police at the time of their arrest. It is possible that Ismayil Abdusemed Hajimay be a pseudonym for Ismael Kadir, mentioned above. Amnesty International has received no further information about the fate of the two men.

⁶ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

Elham Tohtam, Ablitip Abdul Kadir and Enver Tohti(or Enver Dawut) all went missing in Rawalpindi, northern Pakistan on or around 22 April 2002. All had reportedly applied to UNHCR for asylum and were awaiting the results of their applications. Elham Tohtam was picked up by the police at around 6.30am and, according to eye-witnesses, blind-folded and led away to an unknown destination. Elham Tohtam is originally from Gulja city in the XUAR and was detained and tortured there in 1996 and 1999 for his suspected political activities. In April 1999, fearing further persecution, he fled first to Kyrgyzstan, then Kazakstan. In November 2000 he went to Pakistan where he lived with his wife and four children in Rawalpindi. He had approached UNHCR in Islamabad and the Australian government for emergency visas to Australia, where he has family members. Both Ablitip Abdul Kadir and Enver Tohti are also from Gulja. Ablitip Abdul Kadir lived together with his wife and three of his children in Pakistan. Unofficial sources suggest that the three were detained upon their return to China, although the charges against them and other details about their imprisonment remain unknown.

Three other Uighurs from Gulja are reported to have been arrested in Rawalpindi at around the same time. Their names are Golamjan Yasin, Tilivaldi and Ablikim Turahun. One Uighur from Kazakstan, identified as Ezizhan, and one Kyrgyz from Gulja, identified as Zayir (or Zaher), are also reported to have been arrested. Their fate remains unknown.

More recently, on 16 July 2003, two Uighurs, Abdulwahab Tohti and Muhammed Tohti Metrozi went missing in Rawalpindi. Both were reportedly engaged in pro-independence activities in the XUAR before fleeing to Pakistan. Muhammed Tohti Metrozi had become a student leader in Pakistan and had already been recognised as a refugee by UNHCR in Pakistan. He was awaiting resettlement to Sweden.

They both "disappeared" after Muhammed Tohti Metrozi received a telephone call from an official who reportedly worked for the Pakistani Intelligence Bureau asking them to come for a meeting. They went to meet the official and unconfirmed reports suggest that the two were transferred to China around three days later. As of August 2003, they were reported to be detained in Urumqi.

Amnesty International recently received information from an unofficial source that Muhammed Tohti Metrozi was tried on or around 10 April 2004 in Urumqi. The accusations against him reportedly related to sheltering Uighur activists who fled from China to Pakistan, belonging to a "separatist" group and applying to UNHCR for asylum. Muhammed Tohti Metrozi reportedly rejected these accusations, but the outcome of the trial, his health condition, and his exact place of detention remain unknown. No further information is available about the fate of Abdulwahab Tohti.

Fears of the safety of those returned are heightened by an earlier case in Pakistan when, in 1997, a group of around 14 Uighur religious students were arrested in Gilgit close to the Chinese border and handed over to the Chinese authorities without any legal process. They were reportedly summarily executed on the Chinese side soon after being driven across the border."⁷

⁷ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

In 2004 *Amnesty International* reported concerns that Uighur asylum seekers returned from Kazakhstan and Kyrgyzstan may have been tortured, sentenced to death or executed,

“Local NGOs in the region who assist Uighurs from China estimated that Kazakhstan may have returned around 20 Uighurs, and Kyrgyzstan around 50 Uighurs in recent years, but the exact number is impossible to determine. On 23 May 2002, two Uighurs, Memet Sadik (or Mamet Sadyk) and Memet Yasin (or Mamet Yasyn) were reportedly handed over to China by the Kyrgyz authorities on suspicion of being "international Islamic terrorists". According to a spokesman from the US embassy in Beijing, they were suspected of being ETIM members who were planning "terrorist attacks" in Kyrgyzstan, including an attack on the US embassy in the Kyrgyz capital, Bishkek. Kazak Commercial Television later reported that they had been arrested in a "joint operation by Chinese, US and Kyrgyz special services", adding that "a detailed chart of localities and explosives had been seized from them." The report concluded by stating that "the fact that both the terrorists are ethnic Uighurs provides grounds that they are linked to the East Turkestan Islamic Movement." The case was later cited by the US in part justification for its decision to formally list ETIM as a "terrorist organization" (see below). No further information is available about the current whereabouts or legal status of the two men. Amnesty International fears that they may be sentenced to death or may have already been executed.

On 31 March 2004, it was reported in the official Chinese media that two men, Rahmutulla Islyil and Arken Yakuf, both Uighurs from Urumqi, had been executed after being transferred to China from Kyrgyzstan in July 2002. They were reportedly sentenced to death in January 2004 after being convicted of the murder of a Chinese diplomat and his chauffeur in the Kyrgyz capital, Bishkek, in June 2002. Shortly after their arrest in Bishkek, the Kyrgyz Interior Minister reportedly suggested that the crime was not political in nature, but was rather the accidental result of a struggle for power between criminal gangs. However, at the time of their handover to China, it was announced that according to Kyrgyz Foreign Ministry data, the two were "active members" of the East Turkestan Liberation Organization (ETLO), a group that had previously been condemned by China as a "terrorist organization".

Official Chinese sources indicate that they were "officially arrested" (i.e. charged) in China on 31 October 2002. They were sentenced to death on 12 January 2004 by the Urumqi Intermediate People's Court. Their appeal to the Xinjiang Regional High People's Court was rejected, and the court issued the execution order on 25 March 2004. No further details have been made public about the nature of the evidence against them or the circumstances of their trial.

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In April or May 2003, Abdukakhar Idris, a Uighur asylum seeker reportedly "disappeared" in Almaty, Kazakhstan. He is believed to have been detained and forcibly returned to China. According to a copy of his testimony, obtained by a local NGO before he went missing, Abdukakhar Idris, aged 22, is a former tailor and bookkeeper from Kashgar in the southern part of the XUAR. He fled across the border in April 2001 after being detained for investigation for three months in connection with his funding of

a sports club which the authorities suspected of being a front for Uighur oppositional activities. Abdukakhar Idris was detained in the Kazak border town of Panfilov on 19 April 2001 and reportedly sentenced to one year in prison by Panfilov District Court on 19 September 2001 for "illegally crossing the border". He was released early, on 7 March 2002, after which he approached UNHCR for asylum. He then lived in hiding in Almaty, until he went missing around one year later after reportedly being taken from his home by Kazak police. No further information is available about his current whereabouts, legal status or state of health.

In late 2001, two Uighurs, Ahat Memet (aged 21) and Turgan Abbas (aged 27), both Islamic students from Yerken county, Kashgar prefecture, went missing in Kazakhstan and are believed to have been forcibly returned to China. They had fled from the XUAR in August 1999, after their release from Yerken detention centre, Kashgar prefecture, where they had reportedly been detained and interrogated for one month on suspicion of engaging in "illegal religious" and "separatist" activities. They were reportedly arrested on their arrival in Kazakhstan and sentenced in April 2000 to eighteen months in prison for "illegally crossing the border". Following their release, they applied to UNHCR in Almaty for refugee status. Shortly afterwards, they moved to Charyn village, 250 km outside Almaty, after reportedly being harassed by the police. Unofficial sources report that they were taken away from their home in Charyn by uniformed officers, and that the two were being detained in Panfilov in December 2001. Since then, there was no further news of their fate until it emerged earlier this year that the two were reportedly imprisoned in the XUAR. There are no further details about their exact whereabouts, legal status or state of health.

Amnesty International's concerns for their safety are heightened by an earlier case of forcible return from Kazakhstan in February 1999 which reportedly resulted in death sentences and possible execution. Hemit Memet, Kasim Mapir (or Kasim Mahpir) and Ilyas Zordun, three young Uighur asylum seekers, who had reportedly participated in the Gulja demonstration of 5 February 1997, were forcibly returned to China by the Kazak Ministry of National Security on 11 February 1999. They had been arrested as they tried to cross the border into Kazakhstan. It was later reported that two brothers of Hemit Memet, Saydakhmet Memet and Zulfikar (or Zulikar) Memet, had also been arrested in the XUAR for "assisting terrorists". They were held in Yengi Hayat prison in Gulja city and Zulfikar Memet was reportedly tortured in detention, including by having his fingernails pulled out. He was reportedly executed in secret in June 2000. Saydakhmet Memet was sentenced to six years in prison.

The fate of Hemit Memet, Kasim Mapir and Ilyas Zordun remains unclear. Some reports suggest that Hemit Memet was sentenced to death in a secret trial in July 1999, and that all three men had been executed in August 1999. Subsequent reports indicated however, that they did not face trial until March 2001, when they were given suspended death sentences after being convicted of "splitting the country, illegal storage of firearms, and illegally crossing the border". Amnesty International also received unconfirmed reports that they had been tortured in detention in order to force them to confess, but further details of their treatment remain unclear.⁸

⁸ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

In 2004 *Amnesty International* reported that Uighur activists who return to China have been subjected to arbitrary detention and harassment,

“More recently, another Uighur activist, Ahmed Yasin who had lived in Turkey for seven years and had also received Turkish citizenship, was detained by the police for ten days during a visit home to the XUAR in mid-2002. Ahmed Yasin had been involved in peaceful political activities in Istanbul including participating in demonstrations outside the Chinese consulate there. He claimed he had since been in contact with six other Uighurs based in Turkey, who had had similar treatment when they returned to the XUAR, but that most of them were too scared to publicise their experiences.”⁹

In an undated report *Amnesty International USA* reported that a pro-independence activist who had previously been beaten during two months detention in China had sought refuge in Pakistan, the asylum seeker disappeared whilst awaiting settlement to Sweden in July 2003. *Amnesty International USA* refer to reports that he was returned to China, detained and tried on charges relating to his application for refugee status, and his work supporting other Uighur refugees in Pakistan,

“Muhammed Tohti Metrozi fled the Xinjiang Uighur Autonomous Region (XUAR) of northwest China to seek refuge in Pakistan after he had spent two months in detention in China on suspicion of "separatist" activity. A pro-independence activist and a member of the Uighur ethnic minority, he reported that while in detention, he was beaten with wooden sticks.

Muhammed was accepted as a refugee by United Nations High Commissioner for Refugees UNHCR, and was awaiting resettlement to Sweden in July 2003 when he reportedly went to meet a Pakistani government official. He has not been seen since. Reportedly, Muhammed was forcibly returned to China, where he was detained. According to some reports, he was tried on charges relating to his application for refugee status and his work helping Uighur refugees in Pakistan.

Muhammed's case is typical of several Uighurs thought to have been forcibly returned to China from neighboring countries in recent years.”¹⁰

In July 2006 the *Unrepresented Nations and Peoples Organization* issued a statement concerning the return of a failed asylum seeker from Germany to China, reporting the concerns of the Eastern Turkestan Europa Union that he is at risk of being tortured,

“This first violent extradition of an Uyghur asylum seeker to China from a democratic country like Germany upset me, said Dolkun Isa, President of the Eastern Turkestan Europa Union. I am deeply worried for Mr. Tiliwaldi as there is a high risk that he will be tortured in China. This event has dismayed every Uyghur living in Germany and

⁹ Amnesty International, People's Republic of China Uighurs fleeing persecution as China wages its "war on terror", 6 July 2004, <http://www.amnesty.org/en/library/info/ASA17/021/2004/en>, accessed 10 August 2011

¹⁰ Amnesty International USA, China: Protect Muslim Uighur refugees, undated, http://takeaction.amnestyusa.org/site/c.qoJTI0VvEIH/b.1111195/k.7121/China_Protect_Muslim_Uighur_Refugees.htm, accessed 10 August 2011

Europe. This is the first time that an Uyghur can't feel safe in a western democratic country.

Every attempt by Uyghurs [in China] to preserve their own traditional culture and religion is described as separatism and criminalised.

Chinese government reactions to Uyghur demonstrations are very harsh. This may entail the arrest and imprisonment of peaceful Uyghurs. Use of torture, summary trials, and death sentences are also common.”¹¹

In December 2009 *Human Rights Watch* reported that ethnic violence in Xinjiang during 5 -7 July 2009 led to violent attacks against Han Chinese by Uyghurs, in response the Chinese government undertook mass arrests of Uyghurs,

“The protests of July 5-7, 2009, in Xinjiang's capital of Urumqi were one of the worst episodes of ethnic violence in China in decades. The unrest appears to have been sparked by an attack on Uyghurs in the southeast part of the country, which served as a rallying cry for Uyghurs angry over longstanding discriminatory policies in Xinjiang. The initially peaceful Uyghur demonstration quickly turned into a violent attack against Han Chinese, leaving scores dead or injured.

Instead of launching an impartial investigation into the incidents in accordance with international and domestic standards, Chinese law enforcement agencies carried out a massive campaign of arrests in the Uyghur areas of Urumqi. Official figures suggest that the number of people detained by the security forces in connection with the protests has reached well over a thousand people. Fourteen people, including Han and Uyghurs, have been sentenced to death so far. The trials related to the July violence fell short of minimum standards for the administration of justice, with restrictions on legal representation, pre-determined verdicts, failure to publicly announce or hold open trials as mandated by law - all chronic problems in China's judicial system. “¹²

In December 2009 *Radio Free Asia* reported that Chinese authorities had detained Uyghurs for attempting to flee the country or for aiding others in fleeing,

“China has tightened its southeastern border after several groups of ethnic Uyghurs managed to bribe their way into Vietnam and then Cambodia to avoid possible detention for allegedly taking part in deadly ethnic riots in July, Uyghur sources in Asia say.

The sources, who asked not to be named, said Chinese authorities have detained 31 Uyghurs since Sept. 15 in the southern cities of Shenzhen and Guangzhou and in the central city of Kunming, either for trying to flee the country or for allegedly aiding others in fleeing China.”¹³

¹¹ Unrepresented Nations and Peoples Organization, 18 July 2006, <http://www.unpo.org/article/4948>, accessed 12 August 2011

¹² Human Rights Watch, China: Forcibly returned Uyghur asylum seekers at risk, 22 December 2009, <http://www.hrw.org/en/news/2009/12/22/china-forcibly-returned-uyghur-asylum-seekers-risk>, accessed 10 August 2011

¹³ Radio Free Asia, Uyghur asylum bid in Cambodia, 3 December 2009, <http://www.rfa.org/english/news/uyghur/cambodia-12032009115438.html>, accessed 10 August 2011

In January 2010 the *Asia Pacific Refugee Rights Network* reported that level of persecution faced by Uighurs in China has increased since the July 2009 riots,

“Turkic-speaking ethnic minority, predominantly Muslim and living mostly in western China, are facing various forms of mistreatment and persecution which has intensified since the crackdown by the Chinese government that follows the July 2009 riots in Urumqi.”¹⁴

In December 2009 *IRIN News* reported the concerns of the Uyghur American Association (UAA) that the 22 Uighurs who had applied to UNHCR in Cambodia for refugee status would face the death penalty if returned to China,

“Ilshat Hassan, vice-president of the UAA, said his organization expected back-channel intervention from the Chinese government. “If they are sent back to China, they will face the death penalty and the Cambodian government will be an accomplice,” he told IRIN.”¹⁵

In December 2009 *Human Rights Watch* reported that the Cambodian government forcibly returned 20 Uighur asylum seekers to China, *Human Rights Watch* reported that these individuals had been labeled as criminals by the Chinese authorities and expressed concern about their treatment and whereabouts on return,

“China's record of torture, disappearance, and arbitrary detention of Uighurs, its failure to extend due process for prosecutions in Xinjiang, and its intense pressure on Cambodia to return the group are cause for gravest concern about the asylum seekers' whereabouts and wellbeing, Human Rights Watch said.

The Chinese foreign ministry unilaterally labeled these Uighur men, women and children ‘criminals,’” said Brad Adams, Asia director at Human Rights Watch. “The Chinese government must be pressed as hard as possible to announce the location of the returnees, to allow access to members of the international diplomatic community, and to release them unless it produces credible evidence in public to show that each one committed acts that could be described as criminal in light of international standards.”¹⁶

In December 2009 *Amnesty International* called for the whereabouts of the 20 Uighur asylum seekers forcibly returned to China from Cambodia to be made known,

“Amnesty International has called on the Chinese authorities to reveal the whereabouts of 20 ethnic Uighur asylum-seekers who were forcibly deported from Cambodia to China on 19 December. The group, which includes two very young children, may be at

¹⁴ Asia Pacific Refugee Rights Network, Joint Statement on the Principle of Non-*Refoulement* and the Recent Forced Deportations of the Uighurs from Cambodia and the Lao Hmong from Thailand, 14 January 2010, <http://www.cawinfo.org/2010/01/joint-statement-against-forced-departation-of-refugees-in-asia/>, accessed 10 August 2011

¹⁵ IRIN News, Cambodia: Pressure grows over Uyghur asylum seekers, 17 December 2010, <http://www.irinnews.org/report.aspx?reportid=87462>, accessed 12 August 2011

¹⁶ Human Rights Watch, China: Forcibly returned Uighur asylum seekers at risk, 22 December 2009, <http://www.hrw.org/en/news/2009/12/22/china-forcibly-returned-uyghur-asylum-seekers-risk>, accessed 10 August 2011

risk of torture or even execution since their forcible deportation at the request of the Chinese government.”¹⁷

In December 2009 the *British Broadcasting Corporation (BBC)* reported the concerns of human rights organisations that,

“the asylum seekers are likely to face persecution on return to China.”¹⁸

In February 2010 *The New York Times* reported that Chinese authorities had indicated that the 20 Uighurs returned from Cambodia to China would be or have been put on trial for criminal activities,

“The Chinese Foreign Ministry has indicated that 20 Uighur asylum seekers who were deported from Cambodia to China in December are being or have been put on trial for what China considers criminal activities.

“China is a country ruled by law,” Ma Zhaoxu, a Foreign Ministry spokesman, said in a written statement to *The New York Times*. “The judicial authorities deal with illegal criminal issues strictly according to law.”

Mr. Ma’s statement came last week in a brief reply to a list of detailed questions *The Times* sent to the Foreign Ministry inquiring about the fate of the Uighurs.

Chinese officials promised to deal with the Uighurs in a transparent manner when they were returned to China in December, but the Chinese government has so far refused to release any information on the whereabouts and well-being of the Uighurs.”¹⁹

In December 2010 on the anniversary of the refoulement of 20 Uighur asylum seekers from Cambodia to China the *Jesuit Refugee Service* stated that return often meant imprisonment, torture or death,

“Uighur asylum seekers were returned last year to a country where their lives were in danger. While they were in Cambodia, JRS staff worked with them, trying to protect their right to live safely. Since then, JRS can only assume that these friends have been executed, tortured or imprisoned.

“I would prefer to die rather than be returned to China,” is what one Uighur man, who came to be friends with the JRS Cambodia staff, said before they were forcibly returned to China on December 19, 2009.

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Refoulement – forced return – is truly a worst case scenario and for the Uighur asylum seekers, was likely fatal. Newspapers have reported that four have been executed and

¹⁷ Amnesty International, China must reveal fate of Uighur asylum seekers, 23 December 2009, <http://www.amnesty.org/en/news-and-updates/news/china-must-reveal-fate-uighur-asylum-seekers-20091223>, accessed 10 August 2010

¹⁸ BBC, US concern after Cambodia deports 20 Uighur asylum seekers, 20 December 2009, <http://news.bbc.co.uk/1/hi/8422022.stm>, accessed 12 August 2011

¹⁹ *The New York Times*, China hints at trials for 20 Uighur asylum seekers, 13 February 2010, <http://www.nytimes.com/2010/02/14/world/asia/14uighur.html>, accessed 12 August 2011

fourteen imprisoned, however no official information has been released. Repeated questions to Chinese and UN authorities have brought no answer as to their whereabouts, and one year later our questions remain unanswered.

While to many people refoulement is just a word, JRS has seen the faces of those effected, and possibly killed because of it. There was "B," a young and entrepreneurial man who could have been the next Steve Jobs if given the chance. Sensitive and intellectual, "T" who made traditional Uighur food for the staff at JRS. "H," who spoke with sadness of the family he left behind.

One of the Uighur men spoke to JRS about the daily beatings and torture he suffered whilst in a "re- education through labor" camp in China. He was sentenced to one year for minor political offenses. While in Cambodia he spoke publicly about this persecution and for this reason it is likely that upon return he has either been executed, imprisoned or again subjected to the horrors of "re-education through labor." "This is what the Uighur asylum seekers told JRS they feared before they were returned.

Refoulement is not an abstract term. It means imprisonment, torture or death. [].²⁰

In July 2011 Japanese based current affairs magazine on issues relating to the Asia-Pacific, *The Diplomat*, reported that the asylum seekers were removed at gunpoint,

"The group of now 20 Uighurs — two had fled days earlier — were removed at gunpoint from a designated safe house on December 18. The next evening, an unscheduled charter jet lifted off from a Cambodian military airbase, located beside Phnom Penh's international airport, with the 20 Uighurs on board. Ground crews at the airport told human rights observers at the time that the plane was a 'V.I.P. plane to China,' a December 21 cable summarizing the events stated."²¹

The Diplomat further reported that the whereabouts of the returned asylum seekers was unknown but that one report suggested they were being held in a military detention centre in Kashgar, Xinjiang,

"The fate of the deported Uighurs remains unclear. Both the UNHCR and the US Embassy in Phnom Penh say they don't know the group's whereabouts. But in a March 2011 report, Radio Free Asia cited unnamed sources to suggest that all but three were being held at a detention centre in Xinjiang's Kashgar."²²

In August 2011 *Radio Free Asia* reported that a Uighur refugee had been arrested in Thailand and that his supporters feared that he might be forcibly returned and "punished,"

"Authorities in Thailand have arrested a Uyghur fleeing China's restive northwestern Xinjiang region, according to reports Monday as Uyghur exile groups expressed

²⁰ Jesuit Refugee Service, Cambodia: What happened to the Uighur asylum-seekers?, 17 December 2010, http://irsusa.org/news_detail?TN=NEWS-20101217085047, accessed 12 August 2011

²¹ The Diplomat, Cambodia's Uighur Madness, 19 July 2011, <http://the-diplomat.com/2011/07/19/cambodia%E2%80%99s-uighur-%E2%80%98madness%E2%80%99/>, accessed 10 August 2011

²² The Diplomat, Cambodia's Uighur Madness, 19 July 2011, <http://the-diplomat.com/2011/07/19/cambodia%E2%80%99s-uighur-%E2%80%98madness%E2%80%99/>, accessed 10 August 2011

concern he could be deported home and be severely punished like many of his compatriots.

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He was allegedly part of a group of Uyghurs that took flight from China in the aftermath of the violence and sought refuge with the U.N. High Commissioner for Refugees (UNHCR) in Cambodia after traveling through Vietnam, according to the reports.

Twenty-two members of that group eventually made it to Cambodia, though most were deported to China and prosecuted.

Muhemmed was believed to have escaped from Cambodia, and moved to Burma and then entered Thailand illegally via the border town of Mae Sai nearly two years ago, according to Thai officials quoted in the reports.

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Dolkun Isa, general secretary of the Munich-based World Uyghur Congress (WUC), said Thailand should not bow to pressure from the Chinese to repatriate Muhemmed, where Isa said he could face torture and even death upon his return.

“No matter who he is or how he got there, the reality is that Uyghurs inside and outside of China face various tragedies because of China’s long and strong reach,” he said, calling on members of the international community to prod Thailand to respect Muhemmed’s right as a refugee.”²³

In August 2011 *Radio Free Asia* reported that five Uyghurs, including a woman and two children, had been returned to China,

“Pakistani authorities have deported five ethnic Uyghurs to China’s northwestern Xinjiang Uyghur Autonomous Region where they may face persecution on their return, according to the head of a Uyghur exile group.

“According to the information we received, all five were Uyghurs,” said Omer Khan, the founder of the Omer Uyghur Foundation in the Pakistani capital of Islamabad.

They were believed to have been forcibly repatriated this week to Xinjiang, where Uyghurs say they have long suffered ethnic discrimination, oppressive religious controls, and continued poverty and joblessness.

“The deportation of Uyghurs is happening a lot these days [in Pakistan], but this is one of the rare cases which has been exposed to the media,” Omer Khan said.”²⁴

In August 2011 the *World Uyghur Congress* expressed concern at the return of five Uyghurs from Pakistan to China stating,

“Uyghurs who have been extradited to China in the past, were detained, imprisoned, sentenced, tortured, executed or disappeared after their return to China.

²³ Radio Free Asia, Uyghur held in Thailand, 8 August 2011, <http://www.rfa.org/english/news/uyghur/deportation-08082011175204.html>, accessed 12 August 2011

²⁴ Radio Free Asia, Pakistan Deports Uyghurs, 10 August 2011, <http://www.rfa.org/english/news/uyghur/pakistan-08102011175506.html>, accessed 12 August 2011

The five people, blindfolded and handcuffed, were brought on 9 August 2011 to the Benazir Bhutto International Airport where they boarded a flight of China's Southern Airline for Urumqi, East Turkestan, between 8-9 p.m. (local time). According to local sources, another Uyghur, Abduxur Ablmit (Abdushukur Ablimit), who was to accompany his compatriots, was taken from the plane before the departure for unknown reasons. The deportees were taken to the plane through a special gate meant for VIPs. According to media reports, the woman was identified as Manzokra Mamad (Menzire Memet) who was accompanied by a minor girl and a boy."²⁵

²⁵ World Uyghur Congress, Press Release: WUC Strongly Condemns New Extradition of Uyghurs from Pakistan to China, 11 August 2011, <http://www.uyghurcongress.org/en/?cat=231>, accessed 12 August 2011