

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on minority issues;
the Special Rapporteur on freedom of religion or belief; and the Special Rapporteur on torture and
other cruel, inhuman or degrading treatment or punishment**

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Excellency,

We have the honour to address you in our capacity as Working Group on Arbitrary Detention; Special Rapporteur on minority issues; Special Rapporteur on freedom of religion or belief; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 33/30, 25/5, 31/16 and 34/19.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the arrest, detention and deportation of numerous Uyghur students and their family members.

According to the information received:

Reportedly, since July 3 2017, more than 150 Uyghur students and their family members have been subject to mass arrests in Egypt by the Egyptian Police. On 3 July, four Uyghur students were arrested in Cairo; on 4 July, police raided two restaurants and one supermarket in Cairo, arresting 38 people, many of them students; and on 5 July, 20 more Uyghur students and their family members were arrested in Alexandria. It is also alleged that Egyptian police have been arresting Uyghurs in their homes.

It is alleged that those arrested are currently being detained incommunicado in various locations, including in Egyptian police stations. Reportedly, more than 70 individuals have also been detained at the Chinese embassy in Cairo, where Chinese security officials reportedly questioned and forced them to sign documents declaring their membership in the Turkistan Islamic Movement. Uyghur students and their families who have been arrested and detained have reportedly not been informed of the grounds of their arrest or detention, and have been denied access to lawyers and to their families.

On 6 July 2017, at least 12 Uyghur students and the family members of those arrested were deported from Cairo to Guangzhou, China on Egypt Air. Allegedly, another 22 Uyghurs have been detained for immediate deportation.

Many of those Uyghur students and their family members affected possess valid Egyptian residency permits and are students at Al-Azhar University, one of the world's most prominent institutions of Sunni Islamic learning.

The recent arrests, deportations and detentions appear to be a result of the implementation by the Chinese authorities in the Xinjiang Uyghur Autonomous Region (XUAR) of a policy to compel all Uyghur students studying abroad to return to the XUAR. Indeed, the recent spate of arrests, detentions and deportations appear to follow a meeting held on 19 June 2017 between Egyptian Interior Minister Magdy Abd al-Ghaffar and Chinese Deputy Public Security Minister Chin Zhimin, in which the Minister stressed China's eagerness to exchange information about "extremist organizations." In September 2016, Egypt's Interior Ministry and China's Public Security Ministry also signed a technical cooperation agreement, pledging increased efforts against terrorism and the sharing of Chinese expertise.

Based on other information received in relation to forced returns of other Uyghurs to China, it is feared that those Uyghurs already deported from Egypt back to China, as well as those facing imminent deportation, may be at risk of torture, other cruel, inhuman and degrading treatment or punishment or arbitrary detention. According to information received, a number of Uyghurs studying in Egypt did return to XUAR earlier this year as a result of pressure being exerted on them to return through the detention of their family members in XUAR. Upon their return, some students were reportedly tortured and some sentenced to 15 years in prison for "spreading extremism." Others have allegedly not been seen again. Uyghurs, a Turkic-speaking Muslim minority, are often accused of "separatism" and "religious extremism" by the Chinese Authorities.

While we do not wish to prejudge the accuracy of these allegations, we wish to express serious concern about the reported practices of arrest, detention and deportations of Uyghur students and members of their families, which appear to be contrary to international human rights law. In particular, grave concern is expressed at the policy to compel all Uyghur students studying abroad to return to the XUAR, which according to the information received, may expose those affected to at risk of torture and other cruel, inhuman and degrading treatment or punishment.

In this context, we would like to draw your Excellency's Government attention to We would also like to draw your attention to articles 3, 9, 10 and 11 of the Universal Declaration of Human Rights, enshrining protection for the right to liberty and security of the person, the right to not be subject to arbitrary detention, as well as the right to a fair and public hearing before an independent and impartial tribunal in the determination of rights and obligations.

We would also like to draw your Excellency's Government attention to article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, acceded by China in 1988, which provides a prohibition on all forms of torture under international law. The absolute prohibition of torture contained in article 2(2) of the Convention explicitly states that “no exceptional circumstances whatsoever, whether ... internal political instability or any other public emergency, may be invoked as a justification of torture”. The Committee Against Torture’s General Comment No. 2 (2007) further provides that States parties must ensure that the laws in practice are applied to all persons, regardless of ethnicity or of the reason for which the person is detained, including persons accused of political offences. In this connection, we also refer to the Concluding Observations of the Committee against Torture for China dated 3 February 2016, where it noted in paragraphs 40-41 that all custodial deaths, disappearances, allegations of torture and ill-treatment and reported use of excessive force against persons in the Xinjiang Uyghur Autonomous Region, must be promptly, impartially and effectively investigated by an independent mechanism.

Furthermore, recognizing that those individuals affected constitute persons belonging to minorities in China, we would like to bring to your Excellency’s government attention the provisions of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Article 1 of the Declaration requires States to protect the existence and identity of national or ethnic, cultural, religious and linguistic minorities within their territories and to “adopt appropriate legislative and other measures to achieve those ends”. Additionally, article 4.1 notes the obligation of States to ensure that persons belonging to minorities may exercise their human rights without discrimination and in full equality before the law.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.

2. Please provide information regarding any safeguards in place to ensure that any Uyghurs deported or returned to China are not at risk of arrest, torture or other forms of ill-treatment.
3. Please provide further information regarding on what grounds students are being detained inside the Chinese Embassy in Cairo. Please also indicate if and how detainees are given access to their rights to access to legal assistance, including a right to claim asylum if requested and to initiate proceedings before a court to challenge the legality of the detention.
4. Please provide any information regarding the alleged practice of detaining of family members of Uyghurs studying abroad as a means to pressure students to return to China.
5. Please explain what measures have been taken to ensure that Uyghur students can carry out their peaceful and legitimate religious studies, without fear of arrest, detention or deportation.
6. Please provide information as to the fate and whereabouts of Uyghurs who have already been returned to China.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Please note that a communication concerning these violations has been also addressed to the Government of the Arab Republic of Egypt, for their information.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

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