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USCR Condemns China's Execution of Uyghur Refugee Whom Nepal Had Forcibly Returned

Washington, D.C., October 27, 2003 China recently executed an ethnic Uyghur man who had been forcibly returned to China by Nepalese authorities-even though the UN refugee agency had granted the man refugee status. China and Nepal's actions demonstrate the vulnerability of this ethnic and religious minority, according to the U.S. Committee for Refugees (USCR).

The Uyghurs, who are Muslim, oppose Chinese occupation of their homeland in the western Chinese province of Xingiang. "The Chinese government views Uyghur nationalism as a separatist threat and suppresses the Uyghur language, culture, and religion, in clear violation of human rights norms," said USCR policy analyst Jana Mason. In recent years, China has used antiterrorism efforts as an excuse to repress and persecute Uyghurs. Many Uyghurs seek independence from China, but human rights groups note that most Uyghur groups do not advocate violence.

On October 22, Chinese authorities confirmed that they had executed a Uyghur man known as Shirali for "organizing and leading a terrorist organization" and other alleged crimes-although no acts of violence were specified. In May 2001, after he had fled to Nepal, Shirali gave an interview to Radio Free Asia in which he described the brutal torture he had suffered at the hands of Chinese authorities during eight months in prison in Xingiang during 1994. Shirali spoke of being beaten with shackles and shocked in an electric chair, along with other forms of torture.

Shirali escaped to Nepal in November 2000 by stowing away in a truck headed for Tibet, after which he spent six months trekking from Tibet to Nepal. In Nepal, the office of the UN High Commissioner for Refugees (UNHCR) granted him refugee status and issued him documents to that effect. While UNHCR was trying to arrange third-country resettlement for Shirali, Nepalese police arrested him.

Human rights observers believe that either the Nepalese police or Chinese embassy officials forcibly returned Shirali and another Uyghur man to China in January 2002. Amnesty International issued an appeal on behalf of the two men and another Uyghur, all three of whom had been recognized as refugees by UNHCR.

"China is guilty of numerous human rights violations with respect to Shirali and other Uyghurs," said Mason. "Nepal is violating norms of international refugee law by failing to protect Uyghur refugees and asylum seekers," she added.

Nepal's action was not isolated. It has similarly violated the rights of Tibetan asylum seekers in recent years, most recently by forcibly returning 18 Tibetans to China in May, despite appeals by UNHCR. "By forcibly returning Uyghur and Tibetan refugees to their persecutors, Nepal is consigning them to imprisonment, torture, and possible death," added Mason.

China-a signatory to the UN Refugee Convention-also violates the Convention and endangers the lives of people who seek refuge there. The Chinese authorities routinely forcibly return North Korean refugees and refuse to allow UNHCR access to them, Mason said. "The international community needs to do much more to pressure both China and Nepal to comply with their refugee and human rights obligations," said Mason, adding, "Lives are clearly at stake."

The U.S. Committee for Refugees (USCR) is a public information and advocacy program of Immigration and Refugee Services of America (IRSA), a nongovernmental, non-profit organization. Since 1958, USCR has defended the rights of refugees, asylum seekers, and internally displaced persons worldwide.

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