

ABDUL SABOUR*

CHINESE UYGHUR GUANTÁNAMO DETAINEE IN NEED OF PROTECTION



Abdul Sabour fled China seeking a better life. He was living in a Uyghur village in Afghanistan when he and seventeen others were forced to flee for safety after the U.S. bombing campaign began in Afghanistan. All eighteen were turned over to the United States by bounty-hunters. Five among them were classified as non-enemy combatants and, years later, released to Albania. Though his circumstances are virtually identical to those classified as non-enemy combatants, Abdul was classified as an enemy combatant. He has long ago been cleared for release, yet he remains in Guantánamo today.

Summary

Abdul Sabour is an ethnic Uyghur from China. He fled China intending to go to America because, as he told his Combatant Status Review Tribunal (CSRT) panel, “I saw the Chinese government putting too much pressure on [the Uyghurs] and torturing us. We don’t have any religious freedom, or any other cultural and traditional activities; we don’t have those kinds of freedoms. Then I had no choice but to leave the country.” Abdul traveled to Pakistan after hearing about business opportunities there for Uyghurs, and was then advised by another Uyghur man to go to Afghanistan where there were other Uyghurs living together in a village. However, when the U.S. bombing campaign began in Afghanistan, Abdul and 17 other Uyghurs in the village were forced to flee, and were subsequently sold by bounty-hunters. Though he was cleared for release years ago, he remains in Guantánamo today for lack of a safe country to return to. China’s brutal repression against the Uyghurs is well-documented and notorious.

Personal History

Abdul grew up on a farm near Aksu, a city in Xinjiang Autonomous Region in China. He is now in his early thirties. In his youth in China, like many other Uyghurs, he became all too familiar with the Chinese government’s brutal repression of the Uyghur minority. Abdul told his CSRT panel of the repression that he and other Uyghurs experienced.

Inspired by radio programming sponsored by the United States (Radio Free Asia), Abdul left China hoping to make his way to the United States. He traveled first to Kyrgyzstan, where the police stole most of his money. Having heard about business opportunities for Uyghurs, Abdul traveled to Pakistan. There he met another Uyghur man who advised him to go to Afghanistan. Once in Afghanistan, he was befriended by Uyghurs who helped him get to a Uyghur expatriate village, where he could live and work. He arrived there in August 2001. However, not too long after, in late 2001, the villagers were forced to flee U.S. aerial bombardment of the surrounding area. Abdul fled with seventeen other Uyghurs. They first fled to the mountains for immediate protection, and then after a few days were able to escape to Pakistan, where they thought they might reach safety. However, they were instead captured and sold to U.S. forces by local villagers for a substantial bounty. At the time, the U.S. military offered large sums of money – \$5,000 or more – to anyone who handed over alleged “terrorists.” The United States blanketed Afghanistan and Pakistan with leaflets promising “wealth and power beyond your dreams” or “enough money to take care of your family, your village, your tribe for the rest of your life.”

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He was held at the U.S. military base at Kandahar, Afghanistan before he was transferred, in approximately June of 2002, to Guantanamo Bay, Cuba. Abdul had been held largely in isolation since his transfer until late 2008.

Allegations

Five of the Uyghurs among the group of eighteen captured together and sold by bounty-hunters in Pakistan were classified as non-enemy combatants and, years later, released to Albania. There is nothing to materially distinguish Abdul from the five Uyghurs who were deemed noncombatants and released to Albania in 2006. However, given the fundamental inadequacies of the Combatant Status Review Tribunal (CSRT) processes, Abdul was designated an "enemy combatant" by a CSRT in approximately October 2004. The CSRT transcript indicates that his enemy combatant status was ostensibly predicated on allegations that he is affiliated with the East Turkestan Islamic Movement (ETIM), and that ETIM is associated with al Qaeda. This is the same allegation that the government has made against each of the Uyghurs in Guantánamo. Abdul had never even heard of ETIM prior to Guantánamo. Indeed, there is no evidence to support the claim that Abdul is a member of ETIM or has any connection to al Qaeda, the Taliban, or any other group hostile to the United States. Moreover, ETIM was not even on the U.S. list of terrorist organizations at the time of Abdul's detention, only subsequently added presumably under Chinese pressure. Abdul has never engaged in military activity, never received military training, and never carried a weapon. Abdul was not even captured on a battlefield or in a combat zone.

In July of 2008, a U.S. federal court overturned the CSRT's enemy combatant classification of another Uyghur, Houzaifa Parhat, ruling that the government's allegation that ETIM has links with Al Qaeda was tenuous and unsubstantiated. Following the court's wholesale rejection of the CSRT's allegations against the Uyghurs, the government has now conceded that the remaining Uyghurs will be treated as non-enemy combatants.

Fear of Torture and Persecution

Abdul has explicitly asked not to be returned to China. Like all of the Uyghurs held at Guantánamo, Abdul would be imprisoned, tortured, and potentially executed if returned to China, or to a country subject to Chinese control or influence. Chinese persecution of the Uyghurs is well-documented, and the Chinese have made it clear, through the interrogation of the Uyghur prisoners in Guantánamo and the pressure they have brought to bear on governments contemplating asylum for the Uyghurs, that they will mistreat the Uyghurs should they be released to Chinese custody. The recent imprisonment of Uyghur activists Husein Celil and Ablikim Abdureyim, as well as China's denunciation of President Bush's June 2007 meeting with World Uyghur Congress president Rebiya Kadeer, confirm that Chinese persecution of the Uyghurs continues unabated.

Urgent Need for Humanitarian Protection

While maintaining at home that the Uyghurs are "enemy combatants," the U.S. government has been peddling Abdul and his countrymen abroad to dozens of countries as innocents in need of resettlement. Recent press accounts note that privately government officials concede that they determined as early as 2003 that most or all of the Uyghurs at Guantanamo had been wrongly detained and should be released. Yet, for almost six years, Abdul Sabour has been held without charge in Guantanamo and continues to be detained without justification, even after having been formally cleared for release in February 2007.