

# ABDULGHAPPAR ABDULRAHMAN<sup>1</sup>

## CHINESE UYGHUR GUANTÁNAMO REFUGEE IN NEED OF PROTECTION



*"[I]n 2004 and 2005 we were told that we were innocent, however, we are being incarcerated in jail for the past 6 years . . . We fail to know why we are still in jail here. . . . Being away from family, away from our homeland, and also away from the outside world and losing any contact with anyone, also being forbidden from the natural sunlight, natural air, being surrounded with a metal box [ ] is not suitable for a human being. . . . If the oppression was not unbearable, who would want to throw himself on a burning fire?"*

*-- Abdulghappar Abdulrahman, in a letter to his attorneys, December 2007*

### Summary

Abdulghappar Abdulrahman is an ethnic Uighur who has been cleared for release from Guantánamo. He is thirty-five years old. Abdulghappar was arrested in Pakistan, after fleeing, under bombardment, from a Uighur village in Afghanistan, and subsequently sold by Pakistani bounty hunters to the United States for approximately \$5,000. Five of the Uighurs with whom Abdulghappar fled Afghanistan and was captured in Pakistan were later determined to be non-combatants and released to Albania in 2006. But after more than six years of indefinite imprisonment, the many broken promises of freedom that he has received from personnel at Guantánamo, and daily humiliation and abuse, Abdulghappar is losing hope that he will ever be released.

### Personal History

Abdulghappar fled his native China, where he worked in a shoe business, to escape torture and persecution by the Chinese government. He settled temporarily in a Uighur village in Afghanistan, where he worked a construction job helping to build a toilet and fix a kitchen. When that village was mistakenly bombed during U.S. military operations in Afghanistan, Abdulghappar, seeing that other Uighurs were injured and killed, was once again forced to flee for his life. He, along with other Uighurs, ran to nearby mountains, hoping to find safety. Abdulghappar and the other Uighurs followed a road into Pakistan where they were greeted by local tribesmen who welcomed them into their village and provided them with food and shelter for the night. Unbeknownst to Abdulghappar and his Uighur companions, however, their hosts had already decided to kidnap them and sell them to U.S. forces. Locals led them into a mosque, where they were arrested and later turned over to the United States in exchange for approximately \$5,000 each.

Abdulghappar was transferred to Guantánamo, where he has been held by the United States military for over six years, virtually incommunicado, and cut off from his family, friends, and the rest of the world. He has never been charged with a crime, and has not been given even the semblance of fair legal process.

### Allegations

The U.S. government has indicated that Abdulghappar was designated an "enemy combatant" by a Combatant Status Review Tribunal (CSRT). Abdulghappar's enemy combatant status was ostensibly

---

<sup>1</sup> Abdulghappar Abdulrahman is represented by Eric Tirschwell and Seema Saifee at Kramer Levin Naftalis & Frankel LLP. His profile was prepared by his counsel and the Center for Constitutional Rights. For more information about Guantánamo's refugees, contact [emaclean@ccrjustice.org](mailto:emaclean@ccrjustice.org).

predicated on allegations that he is a member of the East Turkestan Islamic Movement (ETIM), and that ETIM receives support from al Qaeda. This is the same allegation that the U.S. government has leveled against each of the Uighurs in Guantánamo. However, there is no evidence supporting the claim that Abdulghappar is a member of ETIM or has any connection to al Qaeda, the Taliban, or any other group that is or has been engaged in hostilities with the United States. As Abdulghappar testified in his CSRT, he has no interest in fighting the United States and never has.

Again, Abdulghappar had been living in Afghanistan and was captured in Pakistan with the five Uighurs who were later determined to be non-enemy combatants and released to Albania in 2006. There is nothing to materially distinguish Abdulghappar from these five Uighurs. Indeed, there is good reason to believe Abdulghappar was subjected to multiple CSRTs, after the initial CSRT panels determined he, too, was not an enemy combatant.

### **Fear of Torture or Persecution in China**

Like all of the Uighurs held at Guantánamo, Abdulghappar 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 Uighurs is well-documented, and the Chinese have made it clear, through the interrogation of the Uighur prisoners in Guantánamo and the pressure they have brought to bear on governments contemplating asylum for the Uighurs, that they will mistreat the Uighurs should they be released to Chinese custody. The recent imprisonment of Uighur activists Husein Celil and Ablikim Abdurehim, as well as China's denunciation of President Bush's June 2007 meeting with World Uighur Congress president Rebiya Kadeer, confirm that Chinese persecution of the Uighurs continues unabated.

Abdulghappar became a hero, and risked reprisal by the Chinese, when he released, through his lawyers, a letter candidly portraying the desperation and injustice suffered by the Uighurs in Guantánamo. In his letter, Abdulghappar explains that he and his Uighur brothers left their homeland in order to escape the Chinese government's brutal oppression and persecution of their people. Abdulghappar fears severe treatment if returned to China, including imprisonment, torture and possible execution. He was likely subjected to interrogation by the Chinese while in Guantánamo, and threatened with return to China.

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 imprison, torture and likely execute the Uyghurs should they be returned to China.

### **Urgent Need for Humanitarian Protection**

In late 2007, Abdulghappar wrote a letter to his attorneys from Camp 6, a maximum-security facility where he is being held in solitary confinement in the harshest conditions at Guantánamo. In this rare direct appeal from Guantánamo, Abdulghappar describes how the U.S. government is holding him and his fellow Uighurs in steel cells with no window to the outside world, even though authorities told them years ago that they are innocent and would soon be released. In his letter, Abdulghappar asks whether one of the Uighurs must die or suffer severe bodily injury in order to be released.

Abdulghappar has developed rheumatism since he was transferred to Camp 6. He is a very intelligent, thoughtful man who cares deeply for his fellow Uighurs. In Abdulghappar's own words, he and his fellow Uighurs are "cleared for release but have nowhere to go." Abdulghappar would welcome release to a country that would ensure that he would not be repatriated to China where his life and safety would be at risk. His will to survive this ordeal is waning, and he has grown steadily more despondent as he enters his seventh year of unlawful imprisonment.