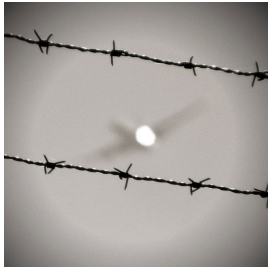


## JALAL JALALDIN<sup>1</sup>

### CHINESE UYGHUR GUANTÁNAMO REFUGEE IN NEED OF PROTECTION



*Jalal Jalaldin has been imprisoned at Guantánamo for over six years. For years, he has known that the U.S. has no intention of charging him and plans to release him. Since February of 2007, he has been officially “cleared” to be released from Guantánamo, though government officials have publicly acknowledged that the Uyghurs have been eligible for release since at least 2003. Yet, because he is a Uyghur refugee, he remains there – in near-constant solitary confinement, with no hope or expectation of an imminent departure. Jalal is still in Guantánamo because no country has yet intervened to offer him safe haven.*

### **Summary**

Jalal Jalaldin has been cleared for release from Guantánamo. He remains in Guantánamo because he is a Uyghur refugee – a member of a highly persecuted Muslim minority in China. Like the other Uyghurs, he was interrogated and threatened by Chinese officials while imprisoned in Guantánamo, and he knows that he would likely be tortured or killed if he were returned to China. He remains in Guantánamo because no country has been willing to take him.

He had previously fled religious and political persecution in China and found his way to a Uyghur settlement in Afghanistan. The settlement was bombed by U.S. forces following 9/11, and the community was forced to flee. After making their way across the border with Pakistan, they were picked up by local Pakistani villagers, sold to the U.S. military for \$5,000 each, and then sent to the prison at Guantánamo. Though five Uyghurs who fled with Jalal were classified as *non-enemy* combatants and released as refugees to Albania, Jalal and others from the same Uyghur settlement in Afghanistan remain in Guantánamo desperately seeking a country which will offer safe haven. The U.S. claims that it has approached many countries and none has been willing to accept them.

### **Background**

Jalal is a 28-year-old Uyghur refugee – part of a peaceful, Muslim ethnic minority from a far-western province of China, an area known to its native Uyghur population as East Turkistan. Uyghurs from this region are subject to severe political and religious persecution by the communist government. Jalal escaped from China with the intention of resettling in Turkey, where there is a sizable Uyghur community. Upon leaving China, he traveled first to Kyrgyzstan. He could not afford a direct flight from Kyrgyzstan to Turkey, so he traveled to Pakistan, with the intention of traveling from there through Iran to Turkey. Unable to obtain the required Iranian visa, in late August 2001, he traveled to Afghanistan, which did not require a visa, and found a small Uyghur village located in the White Mountains. Jalal was able to remain in the Uyghur village only briefly, however. Because of the violence in Afghanistan following 9/11, Jalal was forced to flee again.

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<sup>1</sup> Jalal Jalaldin is represented by Sabin Willett and Susan Baker Manning at Bingham McCutchen. 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).

In October of 2001, the area surrounding the Uyghur village was bombed and Jalal and seventeen other Uyghur men fled to the mountains. He crossed into Pakistan where he and the other Uyghurs hoped that they might find safety. However, in Pakistan, they were picked up by Pakistani villagers. They thought initially that they were being offered protection, yet they were soon sold for a bounty and turned over to the U.S. military for \$5,000 each. Previously, the U.S. had peppered the area with flyers promising “wealth and power beyond your dreams” to those who turned someone in.

Jalal was initially held at the U.S. military base at Kandahar, Afghanistan where he was interrogated and beaten for approximately six months before he was transferred, in approximately June of 2002, to Guantánamo. Since then, Jalal has been held in virtual isolation – denied access to his family, friends, counsel and the outside world.

### **Allegations**

Jalal was designated an “enemy combatant” by a Combatant Status Review Tribunal (CSRT) in approximately October 2004. The transcript of those proceedings indicates that his status was ostensibly predicated on vague allegations of an affiliation with the East Turkestan Islamic Movement (ETIM). This is the same allegation that the government has made against each of the Uyghurs in Guantánamo. There is no evidence to support this claim or any assertion that he would be a threat. Indeed, Jalal had never even heard of ETIM prior to his transfer to U.S. custody. Acknowledging that he poses no threat, Jalal was officially “cleared” for release by the U.S. Defense Department in February of 2007, though government officials had publicly acknowledged that the Uyghurs have been eligible for release since 2003.

Indeed, there is nothing to materially distinguish Jalal from the five Uyghurs living in the same Uyghur village in Afghanistan, sold for bounty, transferred to U.S. custody and subsequently released years ago as refugees after having been officially deemed to be *non*-enemy combatants.

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

Jalal has explicitly asked not to be returned to China. Like all of the Uyghurs held at Guantánamo, Jalal 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 offering them asylum, that they will mistreat the Uyghurs should they be released to Chinese custody.

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

Jalal has been detained in Guantanamo, without charge, for almost six years. The government formally announced in February 2007 that he has been cleared for release, and 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.

Nonetheless he remains detained at Guantanamo because no country has offered him the humanitarian protection necessary for him to be released.