



AN INTERNATIONAL PEOPLE'S TRIBUNAL

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\*Please note that all recordings of the Uyghur Tribunal hearings can be found on You Tube: [Uyghur Tribunal - YouTube](#)



# Witness Statement

## Nyrola Elimä

### Female aged 36

1. My name is Nyrola Elimä. I am an ethnic Uyghur and was born on 30<sup>th</sup> January 1985 in Yining City, Xinjiang, China. In 2011 I moved to Sweden, of which I am a citizen. I am doing this testimony on behalf of myself and the family of the victim in Australia: Shabier Yakefu, Bahaer Maimitiming and Marhaba Yakub Salay. This testimony has their consent.<sup>1</sup> A relative has been telling me about their situation in Xinjiang for the last three and a half years. They revealed when they could, such as sending me the procuratorate document.
2. On 2 July 2013, my cousin Mayila Yakufu, 43,<sup>2</sup> tried to transfer approximately 130,000 AUD to her mother Bahaer Maimitiming, who is a permanent resident in Adelaide. The transaction was to help her parents buy a house in Australia.<sup>3</sup> The transaction was completely legal and was facilitated by the Bank of China Yining branch, a Chinese state-run bank.
3. But the transaction amount exceeded the limits to foreign exchange in place according to Bank of China policy. So, on 3 July 2013, my cousin sought help from my father Hasimu Tuoheti, 66,<sup>4</sup> and my mother Gulebaikeremu Maimitimin, 63,<sup>5</sup> who both lived in Yining city. Together, they were able to transfer the full amount.
4. Transfer details are as follows (please see footnotes for bank details):
5. On 2 July 2013, my cousin Mayila Yakufu transferred 53,085 AUD to her mother Bahaer Maimitiming's bank account through the Bank of China Yining branch.<sup>6</sup>
6. On 3 July 2013, my mother Gulebaikeremu Maimitimin transferred 53,985 AUD to Mayila's sister Marhaba Yakub Salay bank account through the Bank of China Yining branch.<sup>7</sup> On 3 July 2013, immediately after receiving the transfer, Marhaba withdrew 54,000 AUD,<sup>8</sup> and deposited it into her mother Bahaer Maimitiming's bank account.<sup>9</sup>
7. On 3 July 2013, my father Hasimu Tuoheti transferred 27,863 AUD to Mayila's father Shabier Yakefu's bank account through the Bank of China Yining branch.<sup>10</sup> On 3 July

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<sup>1</sup> Family contact is available for confirmation

<sup>2</sup> Chinese ID 654101197710050028

<sup>3</sup> See "Certificate of Real Property".

<sup>4</sup> Chinese ID 652401195410151412

<sup>5</sup> Chinese ID 652401195710181429

<sup>6</sup> For specific bank records, see "Bank Transfer", page 10, at the yellow mark.

<sup>7</sup> See "Bank Transfer", page 3, at the yellow mark.

<sup>8</sup> See "Bank Transfer", page 3, at the yellow mark with the red star.

<sup>9</sup> See "Bank Transfer", page 10, where it is marked yellow at the second red star.

<sup>10</sup> See "Bank Transfer", page 8, at the first yellow mark.

2013, immediately after receiving the transfer, Shabier withdrew 27,900 AUD,<sup>11</sup> and deposited it into his wife Bahaer Maimitiming's bank account.<sup>12</sup>

8. On 8 July 2013, Mayila's parents paid for the house with 377,500 AUD.<sup>13</sup> Of this amount, 348,913.53 AUD came from her mother Bahaer Maimitiming's bank account.<sup>14</sup>
9. On March 2nd, 2018, however, my cousin Mayila Yakufu was arrested, without explanation, and brought to a concentration camp in Yining City – one of China's so-called "vocational training center." She was detained for nearly ten months and released on December 24, 2018. She was hospitalized once she was released from the concentration camp. My relative also confirmed that Mayila got the liver damage in the camp and her liver condition was diagnosed in Bingtuan Sishi Hospital. She did not receive surgery.
10. She has not fully recovered. She lost lots of weight. Yet, on the morning of April 9, 2019, she was taken by the local Public Security Bureau to another detention facility, the Yining City Detention Center; this time she was told she was being detained for "financing terrorist activities" in 2013 for the transfer she sent to her mother.
11. Police interrogated Mayila, and she was taken into custody without regard to due process. She was not provided an arrest warrant; the police did not provide evidence that she had committed any recognizable criminal offense; she was not given access to legal counsel. None of my relatives were allowed to visit her either. She was released after seventeen months in the camp, on 4th September 2020. We were thrilled to hear that she had returned home. But then she was arrested again the next day. Again, we had no explanation for her arrest. On 12th December 2020 she was sentenced for 6 years and 6 months. No court, no lawyer, no documentation of the verdict.
12. Her case was covered by The Washington Post in September 2019<sup>15</sup> and CNN in Dec 2020<sup>16</sup>.
13. Since April 2019, in relation to Mayila Yakufu's second arrest, my mother Gulebaikeremu Maimitimin and my father Hasimu Tuoheti have been under home arrest at No. 11, 5th Lane, Fazhanxiang Street, in Yining city, Xinjiang. In August 2019, the People's Procuratorate of Ili Kazak Autonomous Prefecture issued documents accusing Mayila Yakufu, Gulebaikeremu Maimitimin and Hasimu Tuoheti of "suspicion of aiding terrorism activity" for transferring funds from China to Australia in 2013.<sup>17</sup> The documents also accused them of "illegally owning extremist items". Police officers told my mother Gulebaikeremu Maimitimin that the "extremist items" referred to the 66

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<sup>11</sup> See "Bank Transfer", page 8, at the second yellow mark.

<sup>12</sup> See "Bank Transfer", page 10, where it is marked yellow at the first red star.

<sup>13</sup> See "Residential Contract Schedule", page 2.

<sup>14</sup> See "Bank Transfer", page 11, where marked yellow at the first red star.

<sup>15</sup> Anna Fifield, "For China's embattled Uighurs, a bank transfer abroad can become a 'terrorism' ordeal", [https://www.washingtonpost.com/world/asia\\_pacific/for-chinas-embattled-uighurs-a-bank-transfer-abroad-can-become-a-terrorism-ordeal/2019/09/19/eb6a8b1e-c3dd-11e9-b5e4-54aa56d5b7ce\\_story.html](https://www.washingtonpost.com/world/asia_pacific/for-chinas-embattled-uighurs-a-bank-transfer-abroad-can-become-a-terrorism-ordeal/2019/09/19/eb6a8b1e-c3dd-11e9-b5e4-54aa56d5b7ce_story.html)

<sup>16</sup> <https://edition.cnn.com/2020/12/16/china/uyghurs-silenced-abroad-intl-dst-hnk/index.html>

<sup>17</sup> See documents "Procuratorate document".

photographs she took with my cousin Mayila Yakufu when they travelled to Malaysia in 2015.

14. For the last two years, I have had sent bank transfer and property purchase records to the relevant Chinese government departments to prove that the funds Mayila transferred in 2013 were indeed used for purchasing a house and not for “terrorism.” Those documents have been certified in Australia. Anna Fifield, a former Washington Post journalist who reported about my cousin’s ordeal, has also sent all the documents to the Xinjiang Propaganda Department in hopes of a response, but she received only silence. Despite credible evidence, Chinese authorities still won’t withdraw the unjustified accusations against my cousin. Now she is serving a prolonged prison sentence for something she did not commit.
15. I have submitted the aforementioned documents (Bank Transfer details, Residential Contract Schedule, Certificate of Real Property, Procuratorate documents) to the Uyghur Tribunal. All documents have been certified in Australia. Where necessary, a NAATI-certified translator has translated the documents from Chinese to English.
16. It is clear that and as her immediate family members, Mayila’s parents and sister cannot help her and her kids because they are so far away in Australia. My mother, who is caring for the children, is the only person who can care for them who has not been taken away or living in exile, as Mayila’s parents and sister are. We now fear that the Chinese government will use my cousin’s imprisonment as justification for sending her three kids to highly securitized boarding schools, where we know that children live lives completely disconnected from their own family, traditions, and cultures. These forcible family separations happen to the children of those who are imprisoned, sometimes even when the children have relatives who can care for them, as Mayila’s children currently are by my mother. These family separations are part of a Chinese program to destroy families, assimilate Uyghur children, and forcibly transferring Uyghur children to the care of the Chinese state without their family’s consent.
17. Mayila has not been allowed to speak to her parents and sister under the Chinese government’s coercion. We have not been able to support her through this excruciating process or care for her in her illness. We would like to return to care for her and to fight for her freedom, but we know that we will be at risk of imprisonment ourselves if we return. We have little hope that we will ever be able to see Mayila or her three children ever again. This forcible family separation is one of the means by which the Chinese government is enacting a genocide upon the Uyghur people.
18. When it comes to the concentration camps, the Chinese government has consistently claimed the camps in Xinjiang Uyghur Autonomous Region offer education to unemployed and impoverished Uyghur citizens. My cousin worked both as an insurance saleswoman and as a Mandarin tutor to Uyghur people before she was taken to the concentration camps. She needs no education or vocational skills training. She clearly had access to significant amounts of money, as evidenced by the bank transfer. She needs no poverty alleviation program. Chinese officials also maintain that what they called vocational training centers do not infringe on Uighurs’ human rights.

The truth is the Chinese government detained my cousin against her will and violated her right to meet her three children and seek medical treatment. She was completely isolated from the outside world. Chinese government further claimed that “all students have graduated” from the camps. In reality, the Chinese government is escalating persecution even further. My cousin was brought to a high-security prison-like location only four months after her supposed “graduation” from concentration camp. Now she is sentenced to a real prison.

19. Lastly, I want to say, Mayila is unjustly detained for nothing but for her ethnicity. I lost a cousin, Marhaba lost a sister, her parents lost a daughter, my niece and nephews lost their mother. But my cousin’s case is just one example of the situation Uyghurs face in their homeland. Her story represents the story of millions of Uyghurs. Millions of Uyghurs’ lives and families are similarly being destroyed by the Chinese government’s systematic crackdown policy toward the Uyghur people. China has succeeded in destroying my family, and they are doing the same with hundreds of thousands of other families across the Xinjiang Uyghur Autonomous Region. This is a systematic program bent on destroying the Uyghur community, its people, and its culture. I beg you: Call it genocide.

#### Supporting Evidence

Counsel has a digital copy of the ‘Certificate of Real Property’, the ‘Bank Transfers’, the ‘Residential Contract Schedule’, the ‘Procuratorate documents’.

Counsel has access to the bank account numbers and family contact.

**All are available upon request.**

5612 **7 June 2021 (00:07:36 – 00:50:23)**

5613 **Nyrola Elima (UTFW-044)**

5614

5615 *Counsel – Your cousin Mayila tried in 2013 to transfer a significant amount of money to*  
5616 *her mother in Australia to help her buy a house. Your cousin was then arrested and being*  
5617 *charged with financing terrorism. Can you elaborate?*

5618 NE – In 2019 the Public Security Bureau arrested her for this crime and said the transfer  
5619 was funding terrorism. The transfer was in 2013 but the law they referred to was from  
5620 2015. We tried to reach out to Xinjiang government to explain but they never responded.  
5621 The document from the Ili Kazakh Prefecture was given to my cousin by a government  
5622 representative.

5623 *Counsel – Do you have any knowledge of how she was treated when she was arrested*  
5624 *and whether she was sent to a vocational camp?*

5625 NE – In March 2018 she was taken to a camp and stayed there for ten months. On  
5626 December 24, 2018, she was released. She was then hospitalised and diagnosed with  
5627 liver damage by a doctor. She had to stay home for around 100 days. She was not able  
5628 to tell me too much about the conditions in the camps. I did ask her once how it was: she  
5629 took a long pause, and then she asked me if I remembered how we would throw left over  
5630 food after a day. She said now if a piece of food fell on the floor she would pick it up and  
5631 eat it because it was a luxurious thing for her in the last ten months. She also mentioned  
5632 that she had to sing communist songs, songs about the party. She had to sing songs  
5633 about her mother, so it would make her think about her mother and her kids. She felt so  
5634 wrong doing that. They would punish her, ask her why she was crying, and they would  
5635 have her sing the song again and again. That is the kind of mental torment she went

5636 through. Besides that, we did not talk about it. She had lost around 13 kilos so my mother  
5637 was very worried about her health. That's when she was diagnosed with liver damage.

5638 *Counsel – She is now facing 6 years imprisonment, who will be looking after her children?*

5639 NE – It will be my mother. My mother has been taking care of her three kids since 2018.  
5640 The local community officials wanted to take the kids away but my mother begged to take  
5641 care of the kid, she said with her pension she was able to, and somehow they let her take  
5642 care of the kids. But my parents are also under house arrest and the authorities can take  
5643 them at any time. I don't know what will happen to the kid if they do.

5644 *Panel – Could you describe the background about how your cousin's parents were able*  
5645 *to leave the PRC for China?*

5646 NE – I think it was in May 2007. They got "visiting family" visa to their son in Australia.  
5647 [Six months later], their son, my cousin, died in an accident on New Year's Eve. He  
5648 drowned in the ocean. He left two kids behind (3 and 1 year old), so his parents, Mayila's  
5649 parents, stayed in Australia with the children. Then in 2011 the Australian government  
5650 issued a family reunion to Mayila's sister, Marhaba, and she ended in Australia as well.  
5651 So, we all left the country legally. In fact, in Australia, China issued my uncle and aunt  
5652 visas. My aunt was able to back to China and to return to Australia without any issue,  
5653 although it was after the money transactions, they did not question her or anything.

5654 *Panel – How did you become aware of your cousin Mayila's detention and your parents'*  
5655 *house arrest?*

5656 NE – The first time I found out after a few weeks, because at that time we were not allowed  
5657 to contact each other. But we were always checking if she updated her social media,  
5658 that's how we knew she was safe, if she updated her social media. On 2<sup>nd</sup> March she  
5659 disappeared. I asked friends to help me find information and eventually after a few weeks  
5660 we found out she had been taken.

5661 The second time, my cousin's arrest was confirmed by Australia's department of foreign  
5662 affairs and trade in May 2019. She had been taken in April.

5663 *Panel – And they had learned it through official channels?*

5664 NE – Through the Chinese Embassy in Australia, yes.

5665 *Panel – Regarding the transfer, is it quite common for PRC citizens to transfer money*  
5666 *abroad?*

5667 NE – Yes, it is very normal. There are limits on transfers, for all citizens of China. In this  
5668 case the bank, a state bank: the Bank of China, approved the transfer. If they believed  
5669 that my aunt was a terrorist, the authorities would ask the bank to verify every penny ever  
5670 transferred on that account. But they allowed the transaction.

5671 *Panel – Were they aware of the linkage between the various transfers that made up the*  
5672 *payment which went to your cousins' parents in Australia?*

5673 NE – They told my cousin that you cannot transfer this big amount, so they had to divide  
5674 in three. So, my cousin did that. They had told us to do it that way.

5675 *Panel – Do you know if it is legal to do this?*

5676 NE – It is legal. Mayila transferred her mother. My mother transferred to my Marhaba, my  
5677 sister, and my father transferred to my cousin's father. Those were three different  
5678 transfers that were under the limit, it was legal.

5679 *Panel – Do you have an understanding of why your cousin was first detained in 2018? It*  
5680 *was 5 years after the transfer.*

5681 NE – The first time they gave no explanation. They would take almost every Uyghur in  
5682 each household. In 2019, when they arrested her, they did not give any explanation. But  
5683 in May, so for the second time, when the Australian authorities approached the Chinese  
5684 authorities, they gave a reason: which was this alleged terrorist activity.

5685 The authorities did not get an arrest warrant, there was no document for Mayila's case. I  
5686 asked my mother if we could find a lawyer, but my mom said: "when the state calls you  
5687 a terrorist, who will defend you? Who will represent you?" No one will represent a Uyghur.

5688 *Panel – What is meant by "house arrest" in Xinjiang at the moment?*

5689 NE – My mother can leave the house to buy groceries. So, she can go to the city, but she  
5690 is not allowed to call her younger sister in another city. She is not allowed outside the city.

5691 She has severe health conditions and she asked many times to be allowed to go to  
5692 Urumqi for her legs, and my father for his own condition, but they are not letting them go  
5693 to a hospital.

5694 *Panel – It was alleged that they were in possession of “extremist items,” I believe they*  
5695 *were photographs?*

5696 NE – Yes. The police told my parents that they had 66 pictures taken in Malaysia. A  
5697 journalist from Associated Press presented my cousin’s case to the XUAR propaganda  
5698 bureau a few days ago, they changed the number to 129 pictures of their trip to Malaysia.  
5699 They travelled to Malaysia as tourists in 2015 and 2016, it had nothing to do with terrorism.  
5700 They framed my mother, accusing of wearing a burqa when she only covers her hair. She  
5701 loves her hair and wearing make-up, she would never wear a burqa. But in the Malaysia  
5702 pictures, she was covering her hair because sometimes you have to in certain specific  
5703 places in Malaysia.

5704 *Panel – When you refer to the police, is that local police?*

5705 NE – Yining police. Yining Public Security Bureau.

5706 *Panel – Do you have any idea where the decision was made to detain your sister twice*  
5707 *and put your parents on house arrest?*

5708 NE – I believe it is from Yining local public security bureau, because I do not think XUAR  
5709 even know who my mother is, I think they just give directives, but it was local authorities  
5710 who decided to target my relatives.

5711 *Panel – How were the photographs discovered?*

5712 NE – When they arrested my cousin Mayila the second time, they confiscated my  
5713 mother’s telephone, their computer and Mayila’s telephone, and that’s where they found  
5714 the pictures.

5715 *Panel – Your parents were never subject to formal proceedings for these allegations?*

5716 NE – No. There was no lawyer, no due process, they just said “you are under house  
5717 arrest.”

5718 *Panel – You said that you subsequently sent to Chinese authorities the bank transfers*  
5719 *documents, the property purchase in Australia. Which authorities did you send the*  
5720 *documents to?*

5721 NE – As I recall, I sent the inquiry to Xinjiang Public Security bureau through journalists  
5722 at the Washington Post, CNN, and several Australian journalists.

5723 *Panel – And they received no reply?*

5724 NE – I think [Zhang Ming], the Ambassador of the Chinese Mission in the EU has the  
5725 document as well. We sent it to him as well, to prove my cousin's innocence. They have  
5726 our documents, they know we are innocents.

5727 *Panel – You have made efforts to contact the Chinese authorities, what were these*  
5728 *efforts?*

5729 NE – Marhaba called several times the Chinese Embassy in Australia. They would either  
5730 say that it is under investigation, or they had no comment, or they would just hang up.  
5731 When I tried to call the Embassy in Sweden, I got nothing back either. That's why we  
5732 asked the journalists to do it for us.

5733 *Panel – Could you just explain the level of education that you have?*

5734 NE – I studied retail management in Lund University, Sweden.

5735 *Panel – How would people in Xinjiang understand how policies might be made at a local*  
5736 *level? Is there an understanding that direction may come from Beijing, or from regional*  
5737 *power structures?*

5738 NE – The local government receives directive from the autonomous region government,  
5739 and the autonomous region receives directive from central government. They give  
5740 general orders, but from local government to local public security bureau, the local  
5741 communities and the police stations, they will apply these directives to the individuals. It  
5742 is like a reverse pyramid.

5743 *Panel – Is that generally understood by people in Xinjiang?*

5744 NE – I cannot speak for all the people but in my own case that is how we understand it.  
5745 As I said I don't think the central government or the autonomous knows who Mayila is,  
5746 but the local authorities know. I want to point out that the general order is to destroy the  
5747 Uyghur people. They arrest my cousin, it affects me in Sweden, my parents, my sister in  
5748 Australia. One innocent person in prison destroys several people.

5749 *Panel – When your cousin's case was covered by the Washington Post and CNN, how*  
5750 *did they learn about it?*

5751 NE – I reached out to the journalist from the Washington Post, I showed her the  
5752 documents, the bank transfer and the prosecutor document. She went to Yining city to  
5753 observe. She contacted XUAR to ask about Mayila's case. It is the same for other  
5754 journalists. They have examined all the evidence I submitted to them.

5755 *Panel – Did this have any repercussions on Mayila?*

5756 NE – My cousin is in prison now, I don't know where she is. When the Bureau confirmed  
5757 her sentence to the journalist from Associated Press, they only said she was sentenced.  
5758 They did not reveal where she is held, which prison, nothing.

5759 *Panel – What was the difference between the different detention centres (camps, prison,*  
5760 *detention facilities)?*

5761 NE – Re-education camp hold people without reason, without judicial process. Detention  
5762 facilities are for people who the authorities assume committed a crime. They hold them  
5763 on suspicions, but they don't charge them. In prison, they hold people who have been  
5764 formally charged. However, in Xinjiang there is no court, no judicial process, so all of it is  
5765 illegal detention.

5766 *Panel – Is the treatment different, for example in the detention centre?*

5767 NE – From what my cousin told me, she lost a lot of weight in detention centre. After the  
5768 second time we had a very short video conversation, and there was only skin on her skull,  
5769 and she showed me her broken ribs. I did not recognise her. We were so thrilled to see  
5770 her home. She also lost a lot of weight.

5771 *Panel – You said she had liver damage, what was the diagnosis and the symptoms?*

5772 NE – The diagnosis is liver damage according to the doctor. I do not know the exact  
5773 symptoms, but she lost so much weight. Before being arrested, in around 2017, she had  
5774 a medical exam, at that time she only had an issue with her breast, but never liver  
5775 damage. Only after she left the camp did she have liver damage. So it was caused by the  
5776 detention.

5777 *Panel – You said the local community tried to take her children away, who and what are*  
5778 *the local community?*

5779 NE – They have not taken them yet, but they have mentioned it. The officers are not  
5780 police, they are local community officers. Every community, for every street, has  
5781 community officers. They are in charge of this community, of what people do and what  
5782 they do, and who should be arrested. They have a quite strong power.

5783 If they had taken my cousin's daughter from my mother, they would have transferred her  
5784 to an orphanage. We know this from rumours mainly. She can't really talk a lot because  
5785 there is so much surveillance.

5786 *Panel – So they used the term “orphanage”, which implies that there are no parents, yes?*

5787 NE – Yes, they have nursing homes, orphanages, and it is all for the same purpose.  
5788 Nursing homes are for older people whose children are detained, while orphanages are  
5789 for children whose parents are detained.

5790 *Panel – Are orphanages the same as “boarding schools”?*

5791 NE – Yes, they are the same.

5792 *Panel – You have mentioned that the documents had been sent to the propaganda*  
5793 *bureau via the journalists and the Chinese embassy in Australia. How were they sent?*

5794 NE – The documents were sent by fax. I did not do that, the journalists did it, so I believe  
5795 they can prove it was sent.

5796 *Panel – Is there anything else that you wish to tell us?*

5797 NE – I want the panel to understand: I am taking a lot of risks to speak here. Once I leave  
5798 this place, they can take my parents because of me testifying here. I just hope that this

5799 whole thing can be ended soon. I don't think my cousin can survive in these severe health  
5800 conditions.

5801 *Panel – Would any request from this tribunal help or harm?*

5802 NE – I don't know what will happen, I'm scared. They are not happy with us speaking up.