

Witness Statement

Nyrola Elimä

Female aged 36

1. My name is Nyrola Elimä. I am an ethnic Uyghur and was born on 30th 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.¹ 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, 43,² 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.³ 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, 66,⁴ and my mother Gulebaikeremu Maimitimin, 63,⁵ 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.⁶
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.⁷ On 3 July 2013, immediately after receiving the transfer, Marhaba withdrew 54,000 AUD,⁸ and deposited it into her mother Bahaer Maimitiming's bank account.⁹
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.¹⁰ On 3 July

¹ Family contact is available for confirmation

² Chinese ID 654101197710050028

³ See "Certificate of Real Property".

⁴ Chinese ID 652401195410151412

⁵ Chinese ID 652401195710181429

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

⁷ See "Bank Transfer", page 3, at the yellow mark.

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

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

¹⁰ See "Bank Transfer", page 8, at the first yellow mark.

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

8. On 8 July 2013, Mayila's parents paid for the house with 377,500 AUD.¹³ Of this amount, 348,913.53 AUD came from her mother Bahaer Maimitiming's bank account.¹⁴
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 2019¹⁵ and CNN in Dec 2020¹⁶.
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 2013.¹⁷ 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

¹¹ See "Bank Transfer", page 8, at the second yellow mark.

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

¹³ See "Residential Contract Schedule", page 2.

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

¹⁵ 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

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

¹⁷ 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.