

# Trapped in Xinjiang: inside the fight to reunite a family

Sadam spent years trying to get his wife and infant son out of China. His story is both familiar and unique.



My client's name is Sadam, an Australian citizen and ethnic Uyghur from Xinjiang province in China. Sadam's story is a refugee story, both familiar and unique. But the ending is special.

Sadam came to Australia in 2009 as a refugee on a boat. He was granted asylum and later became a citizen. He has lived here ever since.

In 2016, Sadam returned to Xinjiang to visit family and met Nadila, who is also Uyghur. They married and went on a honeymoon, during which they discovered that Nadila was pregnant. They made the fateful decision that she would return home to Urumqi to have their child, then join Sadam in Australia after the birth.

Their timing couldn't have been worse. The Chinese government began its massive crackdown on the Uyghurs, essentially treating the entire ethnic group as suspected terrorists. More than a million of them have been put in detention camps and many have disappeared.

Nadila was trapped in Xinjiang, as was their son Lutifeier (Lutfy) after he was born in August 2017.

When I met Sadam in June 2018, he was mired in Australia's legal system, his case going nowhere. He had made an application to the Department of Home Affairs for Australian citizenship to be granted to Lutfy, on the basis of descent. His application had been refused because he couldn't establish either Lutfy's identity or his own paternity. The proof was impossible to obtain; most obviously, there was no practicable way of getting a DNA match.

We took Sadam's case to the Administrative Appeals Tribunal, arguing that there was ample evidence even without DNA to prove that he was Lutfy's dad, and pointing out that in any event, the Citizenship Act does not require biological parenthood.

The Commonwealth fought the case, but we won. The minister was ordered to grant Lutfy Australian citizenship.

Another turning point came when Four Corners *reporter* Sophie McNeill decided to do a story on the Uyghurs' situation, and highlighted Sadam's case in the program. At the same time, we went to Canberra to get whatever meetings we could with members of parliament to highlight Sadam's story and generate some momentum for action.

It was clear to us from that point on that the government, and Foreign Minister Marise Payne in particular, had taken a direct interest in the case and was genuinely keen to see it resolved. From then until the story's ending, we had nothing but enthusiastic, generous and practical support from both the Foreign Affairs and Immigration departments, as well as the ministerial offices.

But the truth remained that Sadam's family was stuck, and there was nothing much anyone apart from the Chinese authorities could do about it. Diplomatic manoeuvrings are necessarily opaque and I do not pretend to know what went on behind the scenes, if anything. I do know that many more months went by as we waited and hoped for a shift.

In June 2020, something shifted. Out of the blue, Nadila was called in by the local authorities and told that she would be getting her passport back (it had been taken from her when she was detained), that Lutfy would be able to get a Chinese passport too, and that they could leave the country.

I do not know why that happened. I never will and I don't care. This was a gift horse we were not going to look in the mouth. So the mad scramble began — to get Nadila and Lutfy visas, to book flights out of China, and to jump through a million regulatory hoops caused by COVID-19. It took six months for everything to come together. The staff of my firm contributed or raised most of the cost of the flights, accommodation and visas, and the firm covered the rest.

The journey from Urumqi to Australia required four flights, one overnight stay in Shanghai, and nearly two days of travel in total. We rode it through every flight mile. It had been so unlikely for so long, surely something would still go wrong.

Nadila and Lutfy landed in Brisbane and went straight into hotel quarantine. Two weeks later they flew to Sydney. I was blessed to be there when Sadam was reunited with his wife, and met his three-year-old son for the first time.

Sadam, Nadila and Lutfy have begun their new life together, grateful recipients of a miracle. In the scheme of the Uyghur cultural genocide, and the even wider context of all the misery of families separated and lives torn apart in the world today, it's a vanishingly small victory. But also big beyond imagining.

---

ABOUT THE AUTHOR

## Michael Bradley

CRUIKEY COLUMNIST [@MARQUELAWYERS](#)

Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing the way law is practised.

