

Parallel Submission to the Committee on the Elimination of Racial Discrimination (CERD) for the People's Republic of China (PRC)

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World Uyghur Congress

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The World Uyghur Congress, established in April 2004, is an international organization that represents the collective interests of the Uyghur people in both China and abroad. The principle objective of the WUC is to promote democracy, human rights and freedom for the Uyghur people and to use peaceful, nonviolent and democratic means to determine their future.

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INTRODUCTION:

1. The present report provides information to the Committee on the Elimination of Racial Discrimination (CERD) ahead of the review of the People's Republic of China (PRC) at its 96th session in August 2018, with the view that Committee members take into consideration the information and ask pointed questions regarding the treatment of the Uyghur population in China.
2. The World Uyghur Congress (WUC) has organised the report into themes most relevant to the current review and most relevant to issues faced since the last review at the 75th session in 2009.

EQUAL TREATMENT BEFORE THE LAW:

LEGAL RIGHTS

3. Basic legal rights, including the right to legal representation, a fair and prompt trial and due process are virtually non-existent for Uyghurs in China. There is no evidence suggesting that the countless Uyghurs arrested each year on charges relating to illegal religious practice, separatism, or extremism are provided any legal representation whatsoever.
4. Even in exceptional cases, like that of Ilham Tohti, lawyers have been prohibited from meeting with clients for months.¹ The arrest and detention of suspects is often shrouded in secrecy with no legal requirement that authorities provide family members with information on cases. This becomes a particular problem in cases of enforced disappearances or when Uyghurs die in custody without investigation.
5. Legal aid is often denied in cases involving “leaking state secrets” or “endangering state security”. China’s amended Criminal Procedure Law (CPL) stipulates that, “Where a defense lawyer files a request during the period of criminal investigation for a meeting with a criminal suspect in custody who is suspected of compromising national security, terrorist activities, or extraordinarily significant bribery, the meeting shall be subject to the permission of the criminal investigation authority.”² This effectively allows investigative authorities to deny lawyers access to their clients if they are accused of these broadly defined crimes.
6. During the investigative process, detainees are often forced to wait long periods of time until the People’s Procuratorate approves of the arrest. According to CPL, detainees can be held up to seven days before approval or disapproval by the People’s Procuratorate of an official arrest, or up to an additional 30 days under special circumstances.³ Once the arrest has been officially approved, it can then take months, and even years, for authorities to conduct and conclude official investigations in preparation for trial.

Suggested questions for Chinese delegation:

- *What is the current health status of Ilham Tohti? Will your government allow Ilham Tohti to be transferred to a Beijing prison to ensure family visits are possible? What is the status of the seven students of Ilham Tohti? On what charges were the students arraigned?*
- *Please provide information on suspects arrested on charges of “endangering state security”. What legal mechanism is available to those who are arrested on such charges?*

¹ Human Rights Watch (2014, September 15). China: Uighur Scholar’s Trial a Travesty of Justice, available at: <https://www.hrw.org/news/2014/09/15/china-uyghur-scholars-trial-travesty-justice>

² Criminal Procedure Law of the People’s Republic of China, art. 37 (2012).

³ Criminal Procedure Law of the People’s Republic of China, art. 69 (2012).

TORTURE

7. China has not amended its CPL to conform to the Convention Against Torture to recognize a broader range of abuses that constitute torture under the Convention.⁴
8. Police are legally entitled to deny access to lawyers for suspects charged with terrorism and state security offenses, expanding opportunities for the use of torture without legal supervision.⁵ China continues to allow use of evidence collected (including forced confessions) to be used at trial.⁶
9. Recent reports of torture include Ilham Tohti,⁷ Shohret Tursun,⁸ Abdukiram Abduweli,⁹ Noor-UI-Islam Sherbaz¹⁰ and Mirzahid Amanullah Shahyari.¹¹

Suggested questions for Chinese delegation:

- *What steps has your government taken to amend the CPL to conform to the definition provided by the Convention Against Torture?*
- *How has your government taken steps to prevent torture relating to cases related to national security?*

COUNTER-TERRORISM LAW

10. The Counter-Terrorism Law of the PRC was passed on December 27, 2015,¹² and includes an excessively broad definition of “terrorism” and “terrorist activities” in Article 3¹³ that will lead to curbs on freedom of movement, and religious belief and practice.
11. Regional implementation guidelines for the XUAR were passed by the regional government on July 29, 2016. The guidelines refine the scope of the national legislation and make direct connections between what is broadly defined as “extremism” and terrorism. The legislation makes a direct link between religious practice, extremism and terrorism in Article 7.¹⁴

CIVIL & POLITICAL RIGHTS:

RELIGIOUS FREEDOM

12. In June 2017, China passed a revised version of its Regulations on Religious Affairs (RRA) which codifies greater state control over religious practice. The amendments give greater control to the government to monitor religious practice, control religious activities, and contains restrictions designed to “curb

⁴ Committee Against Torture (CAT), *Concluding observations of the Committee Against Torture: China*, 21 November 2008, CAT/C/CHN/CO/4, available at: <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.CHN.CO.4.pdf>

⁵ Criminal Procedure Law of the People's Republic of China, art. 37 (2012).

⁶ UN Human Rights Council, *Study on the phenomena of torture, cruel, inhuman or degrading treatment or punishment in the world, including an assessment of conditions of detention*, A/HRC/13/39/Add.5, 5 February, 2010, available at: http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.39.Add.5_en.pdf

⁷ Lu Huang, Keira. (2014, June 27). Detained Uyghur economist Ilham Tohti denied food for 10 days in custody, lawyer says, *South China Morning Post*. Retrieved from: <http://www.scmp.com/news/china/article/1541335/detained-uyghur-economist-ilham-tohti-denied-food-10-days-custody-lawyer>

⁸ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel inhuman or degrading treatment or punishment*, Juan E. Méndez, 1 March 2011, A/HRC/16/52/Add.1, available at: http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.16.52.Add.1_EFOnly.pdf

⁹ Amnesty International Urgent Action, Health of Uyghur Prisoner 'Critical' (2012, September 20). Retrieved from: <http://www.amnestyusa.org/sites/default/files/uua27112.pdf>

¹⁰ Uyghur Human Rights Project (2013). To Strike The Strongest Blow: Questions Remain Over Crackdown On 2009 Unrest In Urumchi, available at: <http://docs.uyghuramerican.org/to-strike-the-strongest-blow.pdf>

¹¹ Uyghur Human Rights Project (2013). Sacred Right Defiled: China's Iron-fisted Repression of Uyghur Religious Freedom, available at: <http://docs.uyghuramerican.org/Sacred-Right-Defiled-Chinas-Iron-Fisted-Repression-of-Uyghur-Religious-Freedom.pdf>

¹² Counter-Terrorism Law of the People's Republic of China (2015), art. 3.

¹³ International Campaign for Tibet & FIDH (November 2016). China's New Counter-Terrorism Law: Implications And Dangers For Tibetans And Uyghurs, pp. 9-10. Retrieved from: https://www.fidh.org/IMG/pdf/20161103_china_ct_report_final_.pdf

¹⁴ Xinjiang Implementing Measures for the P.R.C. Counter-Terrorism Law (2016, July 29), art. 7, available at: <http://npc.people.com.cn/n1/2016/0801/c14576-28601824.html> and <http://www.chinalawtranslate.com/xjcounter-terror/?lang=en>

extremism” and “resist infiltration”. A much greater focus on the role of religious practice, national security and online expression is included.¹⁵

13. The regional government in the Xinjiang Uyghur Autonomous Region (hereafter XUAR) passed a Regulation on ‘De-extremification’ – legislation that targets Islam in particular. Under the Regulation, signs of “extremification” include: Wearing clothing with face coverings; growing “irregular beards”; bearing symbols of “extremification”; publishing or possessing information with “extremist content”; and parents have been prohibited from choosing 28 baby names for their children under the legislation.¹⁶
14. Uyghurs under the age of 18 are not able to enter mosques to pray or take part in religious activity,¹⁷ religious activity has been confined to “officially approved religious premises”, imams are selected by the government and heavily scrutinized, Ramadan practices are increasingly restricted,¹⁸ religious sites are monitored¹⁹ as well as religious ceremonies,²⁰ and Uyghurs are often detained for quotidian religious practice.²¹
15. Mosques are now highly regulated and supervised and reports have indicated that thousands have been destroyed under the guise of a “Mosque Rectification Campaign” over the last half of 2016. The regional government cited “safety concerns” as a justification for the actions.²²
16. China has convicted and imprisoned Abdukiram Abduveli,²³ Qamber Amber²⁴ Eli Yasin,²⁵ Eziz Emet,²⁶ and Horigul Nasir,²⁷ Abdusemet Qarihaji,²⁸ and Memet Réhim and Memet Sidiq,²⁹ among others, for their religious beliefs and practices.

Suggested questions for Chinese delegation:

- *Please provide information on cases of Uyghurs arrested for showing signs of “extremification”. On what grounds are Uyghurs arrested on these charges? What kind of legal protections are afforded to Uyghurs arrested under the new Regulation on De-Extremification?*
- *What kind of religious expression is now legal in China? How many Uyghur families have been required to change their children’s names as a result of the name ban? How does the Chinese government justify*

¹⁵ Sheperd, C. (2017, September 7). China tightens regulation of religion to 'block extremism', *Reuters*. Retrieved from: <https://www.reuters.com/article/us-china-religion/china-tightens-regulation-of-religion-to-block-extremism-idUSKCN1B11IH>

¹⁶ Hernandez, J. (2017, April 25). China Bans ‘Muhammad’ and ‘Jihad’ as Baby Names in Heavily Muslim Region, *The New York Times*. Retrieved from: <https://www.nytimes.com/2017/04/25/world/asia/china-xinjiang-ban-muslim-names-muhammad-jihad.html>

¹⁷ Long, Q. (2014, October 30). China Clamps Down on ‘Underage Religion’ Among Muslim Uyghurs, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/underage-10302014120731.html>

¹⁸ Freedom House (2016). Freedom in the World Report 2016. Retrieved from: <https://freedomhouse.org/report/freedom-world/2016/china>

¹⁹ Irade (2016, October 24). Chinese Government Sends Religious Monitors to Xinjiang’s Hotan, *Radio Free Asia*. Retrieved from: <http://www.rfa.org/english/news/uyghur/the-chinese-government-sends-10242016142604.html>

²⁰ Press Trust of India (2016, November 23). Report all religious activities; China to Xinjiang residents, *Press Trust of India*. Retrieved from: http://www.business-standard.com/article/pti-stories/report-all-religious-activities-china-to-xinjiang-residents-116112300751_1.html

²¹ Hoshur, S. (2016, March 16). Uyghur Imam, Farmers Sentenced For Illegally Practicing Religion in China’s Xinjiang, *Radio Free Asia Uyghur Service*. Retrieved from: <http://www.rfa.org/english/news/uyghur/uyghur-imam-farmers-sentenced-for-illegally-practicing-religion-in-chinas-xinjiang-03162016112010.html>

²² Hoshur, S. (2016, December 19). Under the Guise of Public Safety, China Demolishes Thousands of Mosques, *Radio Free Asia Uyghur Service*. Retrieved from: <http://www.rfa.org/english/news/uyghur/under-the-guise-of-public-safety-12192016140127.html>

²³ Long, Q. (2014, April 25). Uyghur Religious Leader on Hunger Strike After Fifth Jail Term, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/hunger-04252014152239.html>

²⁴ Hoshur, Shohret (2015, April 8). Uyghur Religious Scholar Jailed Nine Years For ‘Refusing to Cooperate’ With Authorities, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/scholar-04082015120808.html>

²⁵ Hoshur, Shohret (2016, May 9). Uyghur Given 7-Year Prison Term For Viewing Muslim Film, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/film-05092016151441.html>

²⁶ Hoshur, Shohret (2016, March 16). Uyghur Imam, Farmers Sentenced For Illegally Practicing Religion in China’s Xinjiang, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/uyghur-imam-farmers-sentenced-for-illegally-practicing-religion-in-chinas-xinjiang-03162016112010.html>

²⁷ Hoshur, Shohret (2017, September 19). Uyghur Woman Handed 10-Year Prison Term Over Headscarf Claim, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/headscarf-09192017174307.html>

²⁸ World Uyghur Congress (2017, September 8). Political Prisoner Database: Abdusemet Qarihaji, available at: <http://www.uyghurcongress.org/en/?s=Abdusemet+Qarihaji>

²⁹ World Uyghur Congress. Political Prisoner Database: Memet Réhim and Memet Sidiq, available at: http://www.uyghurcongress.org/en/?page_id=32974

its control over the selection of Uyghur imams in the XUAR? Are Uyghurs able to attend mosque after they turn 18?

- *How many mosques were destroyed since 2016? Are Uyghurs able to rebuild the mosques that were destroyed since then?*

FREEDOM OF OPINION & EXPRESSION

17. Freedom of expression for Uyghurs is effectively non-existent. Many Uyghur websites have been shut down and their administrators imprisoned on charges of “harming ethnic unity” or “endangering state security.”³⁰
18. Ilham Tohti, Uyghur economist, writer and professor, founded the website “Uighurbiz.net” to promote conciliation between Uyghurs and Chinese. Tohti was arrested in January 2014 and WGAD found his deprivation of liberty to be arbitrary in April 2014.³¹ He was tried from September 23-24, 2014, and convicted of “inciting separatism” and sentenced to life in prison. Tohti’s lawyers could not meet him for six months after detention, the defense team was not provided with complete evidence by the prosecutor, nor were their requested witnesses allowed to testify.³² Seven of Tohti’s students were sentenced from three to eight years in 2014 on separatism charges.
19. Uyghur journalist Gheyret Niyaz was sentenced to 15 years in 2010 for “threatening national security” after criticising government policy towards Uyghurs.³³ Nureli Obul, Dilshat Perhat and webmaster Nijat Azat were given three, five and ten year prison sentences respectively for “endangering state security” for online posts in 2010 as well as webmasters Obulkasim and Muhemmet.³⁴
20. Internet access in the region is routinely shut down following violent incidents, as it was for six months following violence in Yarkand County.³⁵ Reporters Without Borders found in October 2009 that more than 85 per cent of the surveyed sites focusing on Uyghur content were “blocked, censored or otherwise unreachable.”³⁶
21. Additional cases include: Gulmira Imin, Ahmet Tursun, Muhter, Memetjan Abdulla, Tursun Mehmet, and Gulnisa Memet who were sentenced following violence in July 2009 in Urumqi on charges of “endangering state security”;³⁷ Tursunjan Memet, Omerjan Hesun, Ababekri Muhtar, Akbarjan Eset and one additional writer were detained between March and May 2016 to prevent them from criticizing Chinese policy during Ramadan.³⁸ Tursunjan Muhemmet Marshal, Tursunjan Hezim, Memet Turghun Abdulla, Memetjan (Muhemmetjan) Abdulla, Ekbar Eset have also been sentenced for expression.³⁹

³⁰ Long, Q. (2016, January 27). China Shuttters Uyghur Websites For ‘Harming Ethnic Unity’, *Radio Free Asia Mandarin Service*. Retrieved from: <http://www.rfa.org/english/news/china/china-uyghur-01272016122318.html>

³¹ UN Human Rights Council, Opinions adopted by the Working Group on Arbitrary Detention at its sixty-ninth session (22 April–1 May 2014): No. 3/2014, China, 21 July 2014, A/HRC/WGAD/2014/3, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/091/36/PDF/G1409136.pdf?OpenElement>

³² Congressional Executive Commission on China (2014, November 17). Lawyers Cite Procedural Violations, Await Decision on Appeal in Ilham Tohti Case. Retrieved from: <http://www.cecc.gov/publications/commission-analysis/lawyers-cite-procedural-violations-await-decision-on-appeal-in>

³³ Reporters Without Borders (2010, August 2). Jail terms for three Uyghur webmasters accused of jeopardising state security, *Reporters Without Borders*. Retrieved from: <https://rsf.org/en/news/jail-terms-three-uyghur-webmasters-accused-jeopardising-state-security>

³⁴ Committee to Protect Journalists. Detained Journalists, Nijat Azay. Retrieved from: <https://cpj.org/data/people/nijat-azat/>

³⁵ International Federation of Journalists (2014, August 21). Xinjiang authorities shut down internet after deadly riot. Retrieved from: <http://www.ifi.org/nc/news-single-view/backpid/33/article/xinjiang-authorities-shut-down-internet-after-deadly-riot/>

³⁶ Reporters Without Borders (2009, October 29). Survey of blocked Uyghur websites shows Xinjiang still cut off from the world, *Reporters Without Borders*. Retrieved from: <https://rsf.org/en/news/survey-blocked-uyghur-websites-shows-xinjiang-still-cut-world>

³⁷ World Uyghur Congress (2011, August 4). Political Prisoner Database: Gulmira Imin, available at: <http://www.uyghurcongress.org/en/?p=9898>

³⁸ Sulaiman, E. (2009, June 13). Authorities Detain Uyghur Web Masters And Writers in China’s Xinjiang, *Radio Free Asia Uyghur Service*. Retrieved from: <http://www.rfa.org/english/news/uyghur/authorities-detain-uyghuer-web-masters-and-writers-in-chinas-xinjiang-06132016153910.html>

³⁹ World Uyghur Congress, Uyghur Political Prisoners. Retrieved from: <http://www.uyghurcongress.org/en/?p=33221>

Suggested questions for Chinese delegation:

- *Please provide details of charges against Uyghurs imprisoned for “endangering state security” including Gheyret Niyaz and Gulmira Imin. What is the status of these detainees?*
- *What guarantees are in place to ensure that Uyghurs are able to communicate within the region and with family and friends outside of China? Are communications between Uyghurs in and out of China monitored by the government?*

FREEDOM OF ASSEMBLY & ASSOCIATION

22. Authorities in the XUAR exercise broad powers to suppress peaceful assembly, often labelling actions as terrorist activity. Police and security forces have indiscriminately fired into crowds of Uyghurs in recent years leaving many killed in Awat,⁴⁰ Kucha⁴¹ and Luntai County.⁴²
23. Strong limitations on freedom of assembly exist, particularly in light of state security laws. Criminal Law of the PRC provides authorities broad powers to arrest and sentence protest organizers. Article 291 provides for criminal sanctions that include up to five years in prison for the main organizer of crowds that “disturb order in a public place.”⁴³
24. A Uyghur student, Abdulbasit Ablimit, was shot dead and two others wounded after he drove through a security checkpoint on his motorcycle in Aksu prefecture in April 2014.⁴⁴ Around 400 Uyghurs marched to the county office to protest and 70 of them were arrested and 17 were sentenced to between six months and seven years on unclear charges.
25. On July 28, 2014, Uyghurs protested in Elishku Township in reaction to the killing of eleven people in a dispute during a house to house search by police in Bashkent Township.⁴⁵ According to Chinese media, 96 civilians were killed and hundreds injured when security forces clashed with protestors, though reports from the ground suggest the number is much higher.⁴⁶

Suggested questions for Chinese delegation:

- *Please provide details of incidents where numerous Uyghurs were killed demonstrating in Awat, Kucha and Luntai County as well as information on violence that took place in Elishku Township in 2014. Has an independent investigation been launched into the killings of at least 96 civilians and what were the outcomes of official investigations?*

FREEDOM OF MOVEMENT

26. Uyghurs are ethnically profiled at checkpoints and are routinely stopped to have cell phones inspected.⁴⁷ Chinese officials search the devices for unauthorized religious material or communication

⁴⁰ Pokalova, E. (2012). Authoritarian regimes against terrorism: lessons from China. *Critical Studies on Terrorism*, 6(2), 285.

⁴¹ Sulaiman, Eset (2014, May 20). Xinjiang Police Open Fire at Protest Against Clampdown on Islamic Dress, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/dress-05202014202002.html>

⁴² Hoshur, Shohret (2014, October 3). Innocent Bystander Shot by Police in Xinjiang’s Bugur Violence, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/civilian-10032014170450.html>

⁴³ CECC (2016, October 6). Congressional Executive Commission on China Annual Report 2016, pp. 101, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/2016%20Annual%20Report.pdf>

⁴⁴ Wee, S. (2014, April 17). Chinese police shoot man dead at checkpoint in Xinjiang, *Reuters*. Retrieved from: <https://www.reuters.com/article/us-china-xinjiang/chinese-police-shoot-man-dead-at-checkpoint-in-xinjiang-idUSBREA3G0BC20140417>

⁴⁵ Hoshur, S. (2014, August 5). ‘At Least 2,000 Uyghurs Killed’ in Yarkand Violence: Exile Leader, *Radio Free Asia Uyghur Service*. Retrieved from: <http://www.rfa.org/english/news/uyghur/yarkand-08052014150547.html>

⁴⁶ Al Jazeera America (2014, August 3). China: 96 dead in Xinjiang attacks last week, *Al Jazeera America*. Retrieved from: <http://america.aljazeera.com/articles/2014/8/3/china-96-dead-inxinjiangattackslastweek.html>

⁴⁷ Niyaz, K. (2017, August 29). Urumqi Officials Confirm Security Checks For Uyghur, Kazakh Vehicle Registrants, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/checks-08292017154534.html>

with anyone living abroad. In June 2017, all vehicles in the Bayingol Mongol Autonomous Prefecture were required to install GPS devices that allow officials to track movements.⁴⁸

27. The Chinese government has heavily restricted Uyghurs' rights to travel. On October 19, 2016, it was announced by the Shihezi Public Security Bureau that all Uyghurs living in the XUAR must hand in their passports to police or risk punishment.⁴⁹ In 2017, these measures were applied to all Uyghurs living in China, and Uyghurs living abroad faced difficulties when trying to renew passports at Chinese embassies.⁵⁰ In April and May 2017, the Chinese government ordered all Uyghur students studying abroad to return. Many who voluntarily returned were arrested and detained on their arrival, with at least five dying in custody.⁵¹
28. Mass-collection of personal data from CCTV scanners, facial recognition software, public databases, police checkpoints and from DNA and blood samples is now underway.⁵² DNA samples, fingerprints, iris scans, and blood types of all residents in the region between the ages of 12 and 65 were collected from 18.8 million people in 2017 and adds to a database of 40 million nation-wide.⁵³ Samples collected have no connection with criminality, with only 1.5 million samples being related to physical evidence related to a crime.⁵⁴
29. In 2014, 200,000 CCP cadres were dispatched to the countryside to monitor Uyghur households.⁵⁵ This has been replicated on two occasions in 2017 during Ramadan⁵⁶ and again in December 2017 as part of an 'ethnic unity campaign'.⁵⁷
30. China incentivizes Uyghurs and others to report on their neighbors.⁵⁸ Liu Huijun, Party Secretary of the Kizilsu Kirghiz Autonomous Prefecture published an open letter to the Kyrgyz herdsmen urging them to spy on Uyghurs on its news portal on March 31, 2017, offering financial incentives.⁵⁹
31. The Chinese government has also made use of the Interpol Red Notice system to limit the movements of dissidents and activists.⁶⁰ WUC President Dolkun Isa was issued a Red Notice in the late 1990s that severely restricted his travel, though it was deleted in February 2018.
32. Uyghurs have been banned from entry to many hotels in inner China. In May 2015, Uyghurs and Tibetans were put on a security blacklist for hotels in major Chinese cities.⁶¹ Uyghurs were also banned

⁴⁸ Wong, E. (2017, February 24). Western China Region Aims to Track People by Requiring Car Navigation, *The New York Times*. Retrieved from: <https://www.nytimes.com/2017/02/24/world/asia/china-xinjiang-gps-vehicles.html>

⁴⁹ Al Jazeera (2016, November 25). China: Xinjiang residents told to turn in passports, *Al Jazeera*. Retrieved from: <https://www.aljazeera.com/news/2016/11/china-xinjiang-residents-told-turn-passports-161124134129535.html>

⁵⁰ Hoja, G. (2017, December 8). China Expands Recall of Passports to Uyghurs Outside of Xinjiang, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/passports-12082017152527.html>

⁵¹ Hoshur, S. (2017, December 21). Two Uyghur Students Die in China's Custody Following Voluntary Return From Egypt, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/students-12212017141002.html>

⁵² Human Rights Watch (2018, February 26). China: Big Data Fuels Crackdown in Minority Region, available at: <https://www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region>

⁵³ Human Rights Watch (2017, December 13). China: Minority Region Collects DNA from Millions, Human Rights Watch. Retrieved from: <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>

⁵⁴ Ibid.

⁵⁵ Phillips, T. (2014, October 20). China launches massive rural surveillance project to watch over Uyghurs, *The Telegraph*. Retrieved from: <https://www.telegraph.co.uk/news/worldnews/asia/china/11150577/China-launches-massive-rural-surveillance-project-to-watch-over-Uighurs.html>

⁵⁶ Hoja, G. (2017, June 8). China Embeds Cadres in Uyghur Homes During Ramadan, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/cadres-06082017164658.html>

⁵⁷ Hui, H. (2018, January 11). Xinjiang officials assigned as relatives to Uyghur villagers for ethnic unity campaign, *Global Times*. Retrieved from: <http://www.globaltimes.cn/content/1084401.shtml>

⁵⁸ Wen, P. (2017, April 10). Fellow Uighurs should beware of two-faced in separatism fight, official says, Reuters. Retrieved from: <https://www.reuters.com/article/us-china-xinjiang-security/fellow-uighurs-should-beware-of-two-faced-people-in-separatism-fight-official-says-idUSKBN17C0HJ>

⁵⁹ Sulaiman, E. (2017, April 12). Authorities Urge Kyrgyz Herdsmen to Spy on Uyghurs in China's Xinjiang, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/authorities-urge-kyrgyz-herdsmen-to-spy-on-uyghurs-in-chinas-xinjiang-04122017153521.html>

⁶⁰ Human Rights Watch (2017, September 25). Interpol: Address China's 'Red Notice' Abuses. Retrieved from: <https://www.hrw.org/news/2017/09/25/interpol-address-chinas-red-notice-abuses>

⁶¹ Qiao Long (2015, May), 'Tibetans, Uyghurs 'Blacklisted' at Hotels in Chinese Cities', *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/china/china-minorities-05142015143907.html>

from staying at hotels during the 19th Party Congress in 2017. Chinese authorities reportedly fined a hotel 15,000 yuan for accepting a Uyghur guest during that period.⁶²

Suggested questions for Chinese delegation:

- Please provide a list of all countries from which China has requested the return of Uyghurs, the names of those returned, and their current status. In particular, what is the status of the numerous Uyghurs returned from Egypt in July 2017? What is the status of the 109 Uyghurs who were returned from Thailand in 2015? On what grounds were Uyghurs forcibly returned and what charges were laid against them when they returned?
- How many DNA samples from Uyghurs have been collected, and what control will Uyghurs have over how that information is used? Are Uyghurs able to access passports following passport confiscations in the fall of 2016?
- Please provide detailed information on the case of Dolkun Isa. Why has your government continued to label him in such a way? Why was the Interpol Red Notice used in the first place in the 1990's against him?

POLITICAL INDOCTRINATION CAMPS (RE-EDUCATION CENTERS)

33. China has been operating political indoctrination camps (also called 're-education' centers, holding an estimated one million Uyghurs (and a minority of Kazakhs) in July 2018.⁶³
34. Those detained in the camps are detained indefinitely without charge, forced to undergo indoctrination classes, march shouting Communist Party slogans, provided very little food throughout the day, and housed in small rooms with many other inmates.⁶⁴ Detentions are extra-legal, with no legal representation allowed throughout the process of arrest and incarceration.
35. Reports of torture in the camps is widespread and an increasing number of Uyghurs have died in the camps including prominent Uyghur scholar and religious figure Muhammad Salih Hajim,⁶⁵ who died in January 2018 at age 82, two young Uyghurs who died in custody under uncertain circumstances in December 2017,⁶⁶ a teenager who died under mysterious circumstances in March 2018,⁶⁷ another who was driven to suicide in February 2018,⁶⁸ and Ayhan Memet, the mother of WUC President Dolkun Isa, who reportedly died in a camp in May 2018 at the age of 78.⁶⁹ In June 2018, 26 people reportedly died in a camp in Hotan prefecture.⁷⁰
36. A number of prominent Uyghurs have been detained in the camps for unclear reasons including Abdulqadir Jalaaliddin, a prominent Uyghur professor and poet, who was detained on January 29,

⁶² UNPO (2017, October), 'East Turkestan: Hotel Fined for Accepting Muslim Guests', *UNPO*, available at: <http://unpo.org/article/20389>

⁶³ Denyer, S. (2018, May 17). Former inmates of China's Muslim 'reeducation' camps tell of brainwashing, torture, *The Washington Post*. Retrieved from: https://www.washingtonpost.com/world/asia_pacific/former-inmates-of-chinas-muslim-re-education-camps-tell-of-brainwashing-torture/2018/05/16/32b330e8-5850-11e8-8b92-45fdd7aaef3c_story.html

⁶⁴ Special Correspondent (2018, February 28). A summer vacation in china's Muslim gulag, *Foreign Policy*. Retrieved from: <http://foreignpolicy.com/2018/02/28/a-summer-vacation-in-chinas-muslim-gulag/>

⁶⁵ Hoshur, S. (2018, January 1). Uyghur Muslim Scholar Dies in Chinese Police Custody, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/scholar-death-01292018180427.html>

⁶⁶ Hoshur, S. (2017, December 21). Two Uyghur Students Die in China's Custody Following Voluntary Return From Egypt, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/students-12212017141002.html>

⁶⁷ Hoshur, S. (2018, March 14). Uyghur Teenager Dies in Custody at Political Re-Education Camp, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/teenager-03142018154926.html>

⁶⁸ Hoshur, S. (2018, February 5). Threat of Re-Education Camp Drives Uyghur Who Failed Anthem Recitation to Suicide, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/suicide-02052018165305.html>

⁶⁹ Hoshur, S. (2018, July 2). Uyghur Exile Group Leader's Mother Died in Xinjiang Detention Center, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/mother-07022018164214.html>

⁷⁰ Hoshur, S. (2018, June 27). More Than Two Dozen Uyghurs From One Xinjiang County Perished in Re-Education Camps, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/deaths-06272018141605.html>

2018,⁷¹ Ablajan Ayup, a 34-year-old Uyghur pop singer who was detained on February 15, 2018,⁷² after he returned from Shanghai, and Obulkasim Haji, the 67-year-old owner of the Kasir Hotel in Kashgar, who was detained around December 5, 2017.⁷³

Suggested questions for Chinese delegation:

- Please confirm reports of an estimated one million Uyghurs detained in political indoctrination centers. On what basis are people being detained there? What due process rights do people sent to these facilities have?
- Please provide information on reports of deaths in the camps including Muhammad Salih Hajim and Ayhan Memet. Under what circumstances did these Uyghurs die in the centers? Are detainees provided medical treatment in the centers?

ECONOMIC, SOCIAL & CULTURAL RIGHTS:

ECONOMIC RIGHTS

37. Rapidly developing industries including the energy service sector, construction, resource extraction and government positions are dominated by Han Chinese living in the region and Uyghurs are largely excluded⁷⁴ from the benefits and employment opportunities on account of ethnicity and language.⁷⁵
38. The Xinjiang Production and Construction Corps (Bīngtuán), a state-controlled organization, employs upwards of 2.7 million people, though Uyghurs made up only seven percent of its workforce in 2014.⁷⁶
39. Uyghurs disproportionately reside in the rural and southern parts of the region while Chinese reside in the northern and more populated areas and cities. Uyghurs relying largely on agriculture for employment and have reported increased rates of poverty and unemployment, citing land degradation, lack of water and land grabs from Chinese settlers.⁷⁷ Uyghur migration to the north has resulted in low-paying and labor-intensive jobs paying significantly less than Chinese workers.⁷⁸
40. Uyghur language teachers have lost their jobs in significant numbers as Han Chinese teachers from outside the region are preferred.⁷⁹
41. China's Belt and Road Initiative has boasted the potential development advantages for the entire region, but many past development campaigns have actually exacerbated economic problems for Uyghurs and led to greater inequities.⁸⁰

⁷¹ Hoshur, S. (2018, April 25). Prominent Uyghur Scholar Detained in Xinjiang Capital Urumqi: Official, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/scholar-04252018140407.html>

⁷² Hoshur, S. (2018, May 18). Popular Uyghur Singer's Whereabouts Unknown, Believed Detained in Xinjiang Re-Education Camp, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/singer-05182018131924.html>

⁷³ Hoshur, S. (2018, May 7). Chinese Authorities Detain Uyghur Hotelier in Xinjiang's Kashgar City, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/hotelier-05072018130431.html>

⁷⁴ Uyghur Human Rights Project (2018). UHRP releases new report- 'The Bingtuan: China's Paramilitary Colonizing Force in East Turkestan', available at: <https://docs.uhrp.org/pdf/bingtuan.pdf>

⁷⁵ Uyghur Human Rights Project (2016). End of the Road: One Belt, One Road and the Cumulative Economic Marginalization of the Uyghurs, available at: <http://uhrp.org/docs/End-of-the-Road.pdf>

⁷⁶ The State Council Information Office of the People's Republic of China, The History and Development of the Xinjiang Production and Construction Corps, 5 October 2014.

⁷⁷ Shepard, W. (2015, December 16). Xinjiang: Has China's crackdown on 'terrorism' worked? *The Diplomat*. Retrieved from: <https://thediplomat.com/2015/12/the-complex-impact-of-urbanization-in-xinjiang/>

⁷⁸ Howell, A. & Fan, C., Migration and Inequality in Xinjiang: A Survey of Han and Uyghur Migrants in Urumqi, (Eurasian Geography and Economics, 2011).

⁷⁹ Uyghur Human Rights Project (2015, May), 'Uyghur Voices on Education: Chinese Assimilative 'Bilingual Education' Policy in East Turkistan', available at: <https://uhrp.org/press-release/uhrp-releases-report-bilingual-education-east-turkestan-uyghur-voices-education.html>

⁸⁰ Uyghur Human Rights Project (April 2017). Discrimination, Mistreatment and Coercion: Severe Labor Rights Abuses Faced by Uyghurs in China and East Turkestan, available at: https://uhrp.org/docs/Discrimination_Mistreatment_Coercion.pdf

42. Uyghurs businesses are also actively discriminated against, especially during Ramadan. Uyghur business owners have been forced to sell alcohol, cigarettes and pork⁸¹ and Uyghur businesses have been forced to remain open during Ramadan – refusals risk business license revocation in some instances.⁸²

Suggested questions for Chinese delegation:

- *Can you provide disaggregated statistics on employment rates, income, poverty, and health for populations living in the XUAR?*
- *What protections are embedded within the One Belt One Road Initiative that will ensure that the Uyghur population are included and benefit from the project?*

EDUCATION

43. Discriminatory education policies targeting Uyghurs are widespread. Curriculum for Uyghurs has de-emphasized or eliminated teaching on language, culture and religion, and language policies in education continue to erode the Uyghur language from a young age.⁸³
44. Teaching and use of the Uyghur language has been dramatically weakened, largely through the 'bilingual education' program, initiated in the mid-1980s and intensified in the early 2000s.⁸⁴ Substantial increases in funding for the program has led to comparable increases in enrollment. In 1995, 5,533 students were enrolled in 'bilingual' schools, by 2007 it was 294,000, by 2010, 994,300 and by 2012, 1,410,000. The regional government has now set a target of 2,600,000 students in East Turkestan by 2020 which constitutes nearly all non-Chinese students.⁸⁵
45. In practice, 'bilingual education' in the XUAR is stands as a policy of transitioning Uyghur students at all levels of education to speak and learn only in Chinese. To facilitate this, there has been a substantial influx of Han Chinese teachers incentivized to relocate to the region to work, while Uyghur teachers are fired or are not able to find jobs in education.
46. A directive was issued by the Education Department of Hotan prefecture in late June 2017 outlawing the use of the Uyghur language for students at all education levels from primary to secondary school.⁸⁶ China has built of a system of 'bilingual education' that has substantially eroded the use of the Uyghur language in schools and in public life.⁸⁷
47. Religion is now prohibited from curriculum at all education levels.⁸⁸ Outside of schools, Uyghurs under 18 are unable to enter mosques or participate in any religious activities. In 2018, reports indicated that Uyghur students were forced to sign pledges in schools stating that they would not fast during Ramadan.⁸⁹

⁸¹ Simon Denyer (2015, May 5), 'China orders Muslim shopkeepers to sell alcohol, cigarettes, to 'weaken' Islam', *Washington Post*, https://www.washingtonpost.com/news/worldviews/wp/2015/05/05/china-orders-muslim-shopkeepers-to-sell-alcohol-cigarettes-to-weaken-islam/?utm_term=.efe4e1155666

⁸² Hoja, G. (2017, May 26), 'Restaurants Ordered to Remain Open in Xinjiang Amid Ramadan Fast', *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/ramadan-05262017080553.html>

⁸³ Gupta, S. & Veena, R. (2016). Bilingual Education in Xinjiang in the Post-2009 Period. *China Report*, 52(4), pp. 306–323.

⁸⁴ Schluessel, E. (2007, September 10). 'Bilingual' education and discontent in Xinjiang, *Central Asian Survey*. Retrieved from: <https://supchina.com/2017/06/16/where-does-chinese-islamophobia-come-from/>

⁸⁵ Uyghur Human Rights Project (2015, May), 'Uyghur Voices on Education: Chinese Assimilative 'Bilingual Education' Policy in East Turkistan', available at: <https://uhrp.org/press-release/uhrp-releases-report-bilingual-education-east-turkestan-uyghur-voices-education.html>

⁸⁶ Sulaiman, E. (2017, July 28). China Bans Uyghur Language in Schools in Key Xinjiang Prefecture, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/language-07282017143037.html>

⁸⁷ Uyghur Human Rights Project (2015). *Uyghur Voices on Education: China's Assimilative 'Bilingual Education' Policy in East Turkestan*, p. 3, available at: <http://docs.uyghuramerican.org/pdf/Uyghur-Voices-on-Education.pdf>

⁸⁸ Hoja, G. (2006, February 6), 'China Bans Officials, State Employees, Children from Mosques'. *Radio Free Asia Uyghur Service*. Retrieved from: https://www.rfa.org/english/uyghur/uyghur_religion-20060206.html

⁸⁹ Hoja, G. (2018, May 21), Uyghur Schoolchildren, Parents Forced to Abstain From Fasting During Ramadan, *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/schoolchildren-05212018151019.html>

Suggested questions for Chinese delegation:

- *Please provide details of the language ban in Hotan prefecture. What is the nature of the ban and what students are affected? How is your government supporting minority language rights for Uyghurs in the XUAR considering protections in the Constitution and in Regional Autonomy Laws?*
- *What kind of support do Uyghur language teachers receive from the Xinjiang Education Department? What policies are in place to ensure that Uyghur language teachers continue to be employed?*

CULTURAL PARTICIPATION

48. Nearly 85 percent of the old town of Kashgar, a 2000 year-old city, was demolished by the Chinese government between 2009 and 2017,⁹⁰ displacing hundreds of thousands of residents without consultation.⁹¹ The demolitions resulted in the loss of physical structures including homes, shops and religious sites, as well as patterns of traditional Uyghur life.⁹²
49. Uyghur dance and music has been promoted in domestic and international media, while repressing other aspects of Uyghur culture and identity, such as the Uyghur language and religion. These representations emphasize ostensible freedom of cultural expression while at the same time eroding more fundamental tenets of the Uyghur identity. After over 200 Uyghur students were rounded-up by Egyptian authorities because of Chinese pressure, the Chinese government sent a troupe of Uyghur dancers and musicians to Egypt shortly afterwards to deflect attention.⁹³
50. Uyghurs are often essentialized and portrayed to the international community through stereotypes leading to patronizing and discriminatory characterisations – either portrayed as an exotic novelty through representations of dancing and music or as extremists and terrorists. This is also reflected in Chinese social media, where Islamophobia, racism and ethnic hatred towards Uyghurs is very common and even promoted in some cases by the state.^{94,95}

Suggested questions for Chinese delegation:

- *What official process is in place to ensure that appropriate consultations take place between local communities and government officials who wish to remove, alter or acquire historical buildings and other cultural relics?*

PUBLIC HEALTH & MEDICAL CARE

51. Nuclear tests conducted in the Lop Nor region of the XUAR from 1964 until 1996 continue to affect the Uyghur population in significant numbers. It is estimated that radiation from the tests affected at least 1.2-1.43 million people during and after testing.⁹⁶
52. Doctors and researchers have noted a significant increase in the rate of cancer and related afflictions in Uyghurs as a result. Estimates of the number of deaths caused by the nuclear tests range from

⁹⁰ Uyghur Human Rights Project (2012, March). Living on the margins: The Chinese state's demolition of Uyghur communities, available at: <http://docs.uighuramerican.org/3-30-Living-on-the-Margins.pdf>

⁹¹ Society for Threatened Peoples (July 2009). Save Kashgar's Old Town! Treasure of the Silk Road in danger: China's authorities ordered destruction, available at: https://www.gfbv.de/fileadmin/redaktion/Reporte_Memoranden/2009/KashgarEnglisch.pdf

⁹² Levin, D. (2014, March 5). China Remodels an Ancient Silk Road City, and an Ethnic Rift Widens, *The New York Times*. Retrieved from: <https://www.nytimes.com/2014/03/06/world/asia/china-remodels-an-ancient-silk-road-city-and-an-ethnic-rift-widens.html>

⁹³ Xinhua (2017, July), Feature: China's Xinjiang cultural shows enchant Egyptian audience in Alexandria, *Xinhua*. Retrieved from: http://www.xinhuanet.com/english/2017-07/11/c_136435462.htm

⁹⁴ Rose Luqiu and Fan Yang (2017, May), 'Anti-Muslim sentiment is on the rise in China. We found that the Internet fuels – and fights – this.', *Washington Post*. Retrieved from: https://www.washingtonpost.com/news/monkey-cage/wp/2017/05/12/anti-muslim-sentiment-is-on-the-rise-in-china-we-found-that-the-internet-fuels-and-fights-this/?utm_term=.a0fa4d2dce85

⁹⁵ Evans, E. (2017, June 16). Where Does Chinese Islamophobia Come From? *Sup China*. Retrieved from: <https://supchina.com/2017/06/16/where-does-chinese-islamophobia-come-from/>

⁹⁶ Jun Takada, Dose Prediction for surface nuclear explosions Case studies for Semipalatinsk and Lop Nur tests, ([International Radiation Protection Association](http://www.iaea.org/publications/2008/01/International_Radiation_Protection_Association), 2008).

194,000⁹⁷ to 750,000⁹⁸ and a British investigation in 1997 determined that the likelihood of contracting cancer is 30% higher in the XUAR compared to the rest of China.⁹⁹

53. The health and treatment of Uyghur political prisoners in particular is a major concern. Numerous deaths in custody, especially of the elderly, in 're-education' camps have been reported, though little information exists as to the cause of death or availability of medical care.¹⁰⁰
54. Numerous reports of organ harvesting of Uyghur political prisoners remains a concern.¹⁰¹

Suggested questions for Chinese delegation:

- *Has your government undertaken independent investigations into the short and long-term effects of prolonged nuclear testing in the Lop Nur region of the XUAR?*
- *How does your government protect against organ harvesting of imprisoned Uyghurs and others?*

⁹⁷ Ibid.

⁹⁸ The Epoch Times Staff (2009, March 31). Chinese Nuclear Tests Allegedly Caused 750,000 Deaths, *The Epoch Times*. Retrieved from: https://www.theepochtimes.com/chinese-nuclear-tests-allegedly-cause-750000-deaths_1524571.html

⁹⁹ Hering, R. & Tanner, S. (2001). Death on the Silk Road, *Channel 4 Dispatches*.

¹⁰⁰ Lok-to, Wong. (2018, June 28). China Locks Up, Tortures Muslims in 'Re-education Camps', *Radio Free Asia Uyghur Service*. Retrieved from: <https://www.rfa.org/english/news/uyghur/china-locks-up-tortures-muslims-in-re-education-camps-06272018150827.html>

¹⁰¹ James Griffiths (2016, June). Report: China still harvesting organs from prisoners on a massive scale', *CNN*. Retrieved from: <https://edition.cnn.com/2016/06/23/asia/china-organ-harvesting/index.html>



**Parallel Submission to the Committee on the Elimination of Racial
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