



# World Uyghur Congress

## INCREASED RELIGIOUS REPRESSION IN CHINA PRIOR TO AND DURING RAMADAN

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### **World Uyghur Congress (WUC)**

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## CONTEXT OF RELIGIOUS REPRESSION

Pastor Bob Fu at a House Foreign Affairs Committee Hearing with the **Congressional Executive Commission on China** commented in a report that religious freedom had deteriorated to its lowest level since 1982 in the first 10 months of 2011.<sup>1</sup> The **U.S. State Department** in a recent report on religious freedom in 2011 also stated that religious freedom had “[markedly deteriorated]” during the last year, describing the repression of Uyghurs as “severe”.<sup>2</sup>

**China's Constitution of 1982** states that all citizens of the People's Republic of China may enjoy freedom of religious belief under Article 36, whilst also noting that “**no state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion.**” Whilst this would appear to afford full rights to practice one's religion, the latter part of the Article which states that the state “protects normal religious activities” fails to strictly define what constitutes 'normal'. The U.S. State Department in its 2011 report said that the term 'normal religious activities' is applied in a manner that does not meet international standards. Furthermore, Chinese Communist Party members are required to be atheist.<sup>3</sup>

China routinely associates peaceful Islamic religious activities and expressions with 'separatism', 'extremism' and 'terrorism'. However, the scale of the threat of religious extremism, separatism and terrorism by Uyghurs has been over-hyped according to Central Asia Scholar, Sean Roberts (the George Washington University) in a recent essay entitled “Imaginary Terrorism?”<sup>4</sup> **Since 11 September 2011, China has sought to tie together legitimate Uyghur political movements with a larger global war on terror.** China identifies the East Turkestan Islamic Movement (ETIM) as a terrorist organisation with close ties to Al-Qaeda, though the first ever mention of the ETIM fell in November 2001; Roberts asserts that this was “certainly no coincidence.”

Since, China has stepped up restrictions on religion, using the the excuse of the fight against a global war on terror and the mere fact that Uyghurs are Muslim so as to persecute and suppress, *inter alia*, legitimate religious activities. Recently, during **June 2012**, Radio Free Asia reported that 10 Uyghurs were detained: nine on **6 June** for “inciting separatism” and “disturbing social order” over their participation in “illegal” religious activities;<sup>5</sup> and another on **19 June** for selling “illegal religious materials.”<sup>6</sup> In addition, on **26 June**, another two Uyghurs were detained on charges of “subversion” and “disrupting public order”, which was the 3<sup>rd</sup> anniversary of the brutal deaths of two Uyghurs in toy factory in Shaoguan by their Han Chinese colleagues and was one of the catalysts for the June 2009 unrest in Xinjiang.<sup>7</sup>

**Uyghurs and other Muslims (such as the Hui) have also experienced great difficulties in participating in the Hajj pilgrimages.** The pilgrimage between 4 and 9 November 2011 was particularly difficult for Uyghurs, who fear further restrictions for the Hajj in 2012. **Since 2007, the Chinese authorities have initiated a campaign to restrict “unsanctioned pilgrimages”,** a fact known since whistleblower website Wikileaks released a diplomatic cable.<sup>8</sup> (see footnote for further information) According to the U.S. State Department

1 'Freedom of Religion and the Rule of Law in China in 2011', CECC [online]. Published 3 November 2011. See here: <http://foreignaffairs.house.gov/112/fu110311.pdf>

Also, see here: <http://www.chinaaid.org/2011/11/religious-freedom-in-china-at-lowest.html>

2 'Religious Freedom Declines Markedly in China', *Radio Free Asia* [online]. Published 30 July 2012. See here: <http://www.rfa.org/english/news/china/religious-freedom-07302012183122.html>

3 'International Religious Freedom Report for 2011', *U.S. State Department* [online]. See here: <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

4 'Imaginary Terrorism? The global war on terrorism and the narrative of the Uyghur terrorist threat.' *The Institute for European, Russian and Eurasian Studies*. Published March 2012. See here: <http://www.gwu.edu/~ieresgwu/assets/docs/ponars/RobertsWP.pdf>  
Also, see here: <http://www.eurasianet.org/node/65254>

5 'Nine Uyghurs Jailed Over Religious Activities', *Radio Free Asia* [online]. Published 6 June 2012. See here: <http://www.rfa.org/english/news/uyghur/jailings-06192012151626.html>

6 'Uyghur Jailed Over Religious Materials', *Radio Free Asia* [online]. Published 19 June 2012. See here: <http://www.rfa.org/english/news/uyghur/sentence-06192012143307.html>

7 'Two Uyghurs Detained Over Leaflets', *Radio Free Asia* [online]. Published 26 June 2012. See here: <http://www.rfa.org/english/news/uyghur/leaflets-06262012124859.html>

8 In the diplomatic cables, Saudi diplomats informed U.S. Officials that China had requested that Saudi Arabia to not issue Hajj permits for all

report<sup>9</sup> on freedom of religion, media reported that Muslims could only apply online or through local official Islamic association – such as the state-controlled Islamic Association of China - to fly on one of the 41 specially chartered state-sanctioned flights for the 2011 Hajj. Uyghurs found it particularly difficult to obtain the necessary travel documents before the Hajj, with further restrictions placed on private Hajj arrangements. Furthermore, The Hindu reported from interviews with Uyghurs that police stations in XUAR had completely stopped issuing passports unless they had “connections”.<sup>10</sup>

## INCREASED RELIGIOUS REPRESSION AROUND 5 JULY ANNIVERSARY

In the run up to the 3<sup>rd</sup> anniversary of the ethnic unrest that followed a violent crackdown on a peaceful protest in Urumqi on 5 July 2009,<sup>11</sup> the Chinese authorities significantly increased the presence of security forces in Xinjiang, conditions which remained during the Muslim holy month of Ramadan. Several reputable online news agencies quoted Xinjiang Regional Communist Party Chief Zhang Chunxian during a visit to local riot police as saying that they should “remain on high alert for every kind of hostile force and **strike with an iron fist** at the forces of separatism, religious extremism and terrorism” in the run up to the 3<sup>rd</sup> Anniversary of the 5 July 2009 violent crackdown in Urumqi.<sup>12</sup>

During this time, there were two widely-reported crackdowns on religious schools in which children were injured, including the case of **Mirzahid Amanullah Shahyari who died whilst in detention**. The death of Mirzahid resembles closely the death of **Noor-ul-Islam Shebaz**, who was detained and subsequently died in similar circumstances in November 2011.<sup>13</sup>

Although the precise details surrounding Mirzahid's arrest are not clear due to the difficulties in obtaining information, according to the reputable Radio Free Asia (RFA), eleven-year old student Mirzahid was arrested and detained in Korla on **20 May 2012** along with two other students and their teacher. At the time, they were undertaking basic lessons in Islamic prayer and reading of the Koran at an “unsanctioned” religious school.

The lesson was taking place at the home of the student's teacher. Uyghurs have been forced to seek alternative ways to attain a basic religious education due to the severe religious restrictions imposed by the Chinese government in the Xinjiang Uyghur Autonomous Region (XUAR). **Only state sanctioned religious schools are legal**, which have **very limited places** and notoriously **difficult entry requirements**, thus hindering access for many Uyghurs. Children under the age of 18 are not allowed to enter mosques for prayer and are not provided the opportunity to study Islam in school. Both students and teachers at unsanctioned "home" schools take enormous risks by engaging in religious study, which is likely to result in imprisonment if discovered by authorities.

Sources close to Mirzahid's mother informed RFA that she was told Mirzahid had committed suicide while in detention. However, upon the retrieval of his body, **there were clear indications that he had been subjected to torture, including signs of strangulation around the neck, beatings, among other signs**. The police went on to tell Mirzahid's mother that she should not speak of his death and also inter his body

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Chinese Muslims outside of China. In the same leaked cable, China was confirmed to have stopped cross-border cards for Uyghurs but not Han Chinese. Finally, **age restrictions were placed only on citizens from Xinjiang**.

'China's Uighur Muslims Yearn for Liberal Hajj Regime', *The Hindu* [online]. Published 29 October 2011. See here:

<http://www.thehindu.com/news/international/article2580392.ece>

9 'International Religious Freedom Report for 2011', *U.S. State Department* [online]. See here:

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

10 'China's Uighur Muslims Yearn for Liberal Hajj Regime', *The Hindu* [online]. Published 29 October 2011. See here:

<http://www.thehindu.com/news/international/article2580392.ece>

11 On **5 July 2009**, a peaceful protest in Urumqi was brutally suppressed, resulting in riots which left hundreds of Uyghurs dead and many others disappeared.

12 'China Vows 'Iron Fist' in Restive Xinjiang', *Agence France Presse* [online]. Published 4 July 2012. See here,

[http://www.google.com/hostednews/afp/article/ALeqM5jIWriGRf\\_ppx-JgXlpHFE\\_9sTtZA?docId=CNG.729b36b74b4f8c4edaf9dedb0dad5cb.791](http://www.google.com/hostednews/afp/article/ALeqM5jIWriGRf_ppx-JgXlpHFE_9sTtZA?docId=CNG.729b36b74b4f8c4edaf9dedb0dad5cb.791)

13 'Uyghur Youth Dies in Jail', *Radio Free Asia* [online]. Published 6 December 2011. See here: <http://www.rfa.org/english/news/uyghur/jail-12062011110617.html/>

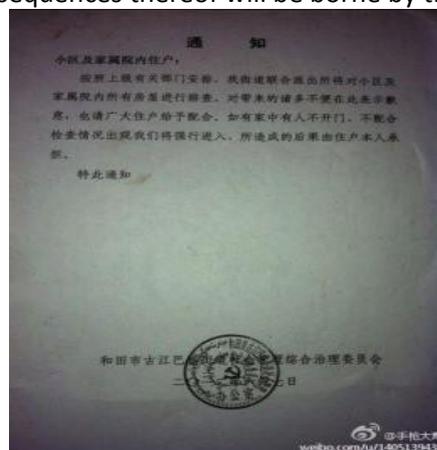
immediately. He was subsequently **buried with the presence of the police on 22 May 2012, and without any reading of the Koran** being permitted against his rights to be buried according to the principles of his religion.

Subsequently A young Uyghur man, **Pamir Yasin**, was placed under **15 days' administrative detention** for tweeting "false information" pertaining to the incident on or around **5 June 2012**.<sup>14</sup>

**In another raid on an "unsanctioned" religious school in Hotan**, XUAR resulted in 12 school children being injured, along with the arrest of 3 teachers for running an "illegal religious preaching venue".<sup>15</sup> According to the latest information received by the World Uyghur Congress (WUC) from local sources, the school where the raid took place was located on the fifth floor of a six-story building next to the Hotan Communist Party School on Beijing Road.

Local sources said that when police commenced their raid, they first fired tear gas into the religious school, causing panic among the school's students and teachers. **Police then fired shots**, but it is unclear what, if any, firearms were used and where they were aimed. Police subsequently entered the school and began beating and kicking the students, **prompting witnesses to protest their actions**. Local Uyghurs believe that police concocted later claims that staff at the school set off an explosive device in order to cover up their actions during the raid.<sup>16</sup> Contrary to the official account of this incident that the children were "saved" from "illegal preachers", the children's parents claim to have voluntarily sent their children to the "unsanctioned" school so as to obtain their religious education that continues to be extremely difficult to get due to the heavy restrictions placed on access therein as outlined above; neither were they kidnapped, held hostage nor coerced into attending.

On 18 June 2012, the Uyghur American Association issued a press release showing a notice which locals that police will undertake a search of every residence in the neighbourhood, at the behest of higher-level authorities.<sup>17</sup> According to the notice, if residents do not open the door upon the arrival of police, they will use force to enter, and any consequences thereof will be borne by the residents themselves.



14 'Uyghur Detained Over Tweets', *Radio Free Asia* [online]. Published 5 June 2012. See here: <http://www.rfa.org/english/news/uyghur/pamir-yasin-06052012181049.html>

15 'Raid on Hotan Religious School Reflects Brutality of Official Chinese Policies amid Crackdown on Religion in East Turkestan', *Uyghur American Association* [online]. Press Release Published 6 June 2012. See here: <http://uyghuramerican.org/article/raid-hotan-religious-school-reflects-brutality-official-chinese-policies-amid-crackdown>

16 For further information, see here:  
<http://www.guardian.co.uk/world/2012/jun/06/chinese-police-illegal-preaching-children?newsfeed=true>  
<http://www.bbc.co.uk/news/world-asia-china-18349613>  
<http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2012/06/06/international/i195354D91.DTL>

17 'Notice Informs Locals of Mandatory Residence Searches in Hotan Community; police reserve the right to "use force" to enter homes', *Uyghur American Association* [online]. Press release published 18 June 2012. See here: <http://uhrp.org/press-release/notice-informs-locals-mandatory-residence-searches-hotan-community-police-reserve>

## RELIGIOUS REPRESSION DURING RAMADAN 2012

On **10 August 2012**, Radio Free Asia published an online article on eminent **Uyghur scholar Mr Ilham Tohti, based in Beijing, who had been interrogated**<sup>18</sup> after his popular website reported that the Chinese authorities had sent armed forces to monitor Muslims during Ramadan in the Xinjiang Uyghur Autonomous Region (XUAR).<sup>19</sup> He also published an article on his UyghurOnline website, a moderate intellectual website addressing social issues that was shut down by the authorities in 2009, and which has been hosted abroad (see, [www.Uighurbiz.net](http://www.Uighurbiz.net)) since the beginning of 2012, but blocked by China's firewall. **Mr Tohti has been highly critical of China's policies in Xinjiang and has been watched by authorities for a number of years, occasionally resulting in his arrest and detention.** Prior to his interrogation, he had provided interviews to Association Press,<sup>20</sup> Al Jazeera and Deutsche Welle on the religious restrictions implemented in Xinjiang. Mr Tohti was previously arrested and detained for two months following the ethnic unrest in July 2009, having called for the implementation of regional autonomy as written in China's laws.<sup>21</sup>

On **8 August 2012**, Radio Free Asia reported<sup>22</sup> that seven Uyghurs in Aksu had been detained for "illegal religious practices" and a further 100 Uyghurs had been fined between 50 and 3000 Yuan (US\$7.80 and US\$471) for unauthorised study of the Quran since the beginning of Ramadan in July. According to local sources, the average monthly salary is approximately 6500 Yuan (US\$1000), therefore the fines are a considerable portion. In addition, on 19 June 2012, the Chinese authorities **sentenced a Uyghur man, Hebibullah Ibrahim, to 10 years in prison** for "selling illegal religious materials", a crime which normally carries a fine.<sup>23</sup> This came in the run up to the 5 July incident and the catalyst of those events, the brutal deaths of 17 Uyghur migrant workers in Shaoguan. It also fell against the backdrop of lengthy sentences handed down to 9 Uyghurs on similar charges, the lengthiest of which was handed down to Sidik Kurban for 15 years in prison and 5 years deprivation of political rights.<sup>24</sup> Sidik had spent the previous decade overseeing the operation of "unsanctioned" religious schools, including to children for whom the heaviest restrictions on religion apply.

It was further reported that Mosques were being guarded inside and outside by armed security personnel. Whilst calls with officials on the matter rejected these claims, it must be noted that an announcement made on **3 August** by the Tianshan district government on its website outlined a number of security measures aimed at "preventing criminal elements from harming national security and stability." Furthermore, there were reports that **fire engines with water canons were seen outside mosques** in various cities in Xinjiang, claims of which the government-run Global Times published refuted in an article, though a later visit to Kashgar by BBC journalist Martin Patience confirmed the presence.<sup>25</sup>

**Government officials under "social and stability work plans" have been sent to mosques to take down names** of those who attend services to ensure that Communist Party cadres, civil officials (including those who have retired), teachers and students under the age of 18 are not attending after local governments released statements "[forbidding]" them from attending.<sup>26</sup> Furthermore, foreigners have also been banned

18 A common euphemism used by Chinese security forces for when interrogating someone is 'to drink tea'.

19 'Scholar Gets Website Warning', *Radio Free Asia* [online]. Published 10 August 2012. See here: <http://www.rfa.org/english/news/uyghur/ilham-tohti-08102012190908.html>

20 'China Discourages Fasting for Uighur Muslims', *Associated Press* [online]. Published 3 August 2012. See here: <http://www.google.com/hostednews/ap/article/ALeqM5g829O2IUIKEH56CajdXiRnPSxmBw?docId=0e593bdde9284a2fa6b62d7f46363f29>

21 China's Regional Ethnic Autonomy Law guarantees the right to autonomy and self-determination within the wider frame of the People's Republic of China.

22 'No Respite in Ramadan Controls', *Radio Free Asia* [online]. Published 8 August 2012. See here: <http://www.rfa.org/english/news/uyghur/uyghur-08082012140933.html>

23 'Uyghur Jailed Over Religious Materials', *Radio Free Asia* [online]. Published 19 June 2012. See here: <http://www.rfa.org/english/news/uyghur/sentence-06192012143307.html/>

24 'Nine Uyghurs Jailed Over Religious Activities', *Radio Free Asia* [online]. Published 6 June 2012. See here: <http://www.rfa.org/english/news/uyghur/jailings-06192012151626.html>

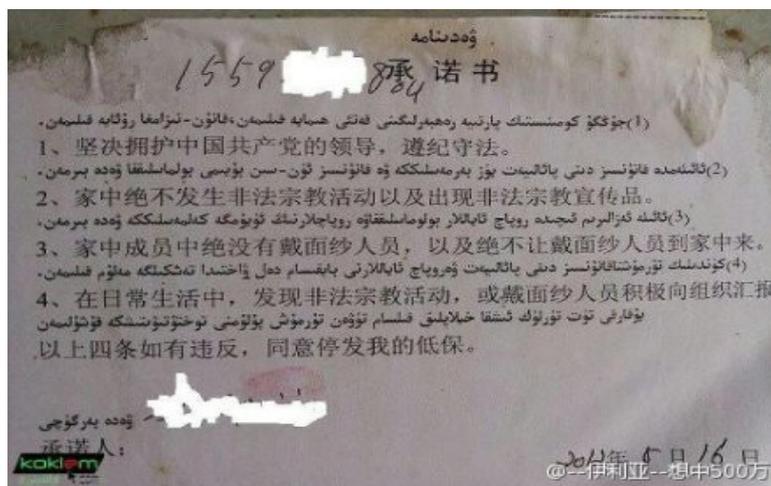
25 'Will Development Bring Stability to Restive Xinjiang city of Kashgar?', *BBC* [online]. Published 15 August 2012. See here: <http://www.bbc.co.uk/news/world-asia-china-19264601>

26 'China Restricts Ramadan Fasting for Uighurs in Xinjiang', *Agence France Presse* [online]. Published 1 August 2012. See here: <http://www.google.com/hostednews/afp/article/ALeqM5jimpXliDVVRADLRAScXMYbo5zBFCg?docId=CNG.95068329c6c42c24d7a3b142257e34f1.291>

from attending mosques. Those wishing to attend services at mosques must brandish national identity cards.<sup>27</sup> In addition, Mosques would be required to hold “ideological meetings” every Friday with Party officials so as to monitor the “mood” of local Uyghurs. <sup>28</sup> These restrictions have also drawn sympathy from other ethnic groups in Xinjiang.

**Fasting during Ramadan was also banned** for these aforementioned individuals, and widely discouraged for others. Restaurants were forbidden from closing during fasting hours.<sup>29</sup> According to Agence France Presse, a statement posted on a Xinjiang government website was urging party leaders to bring **“gifts” of food to local village leaders** to ensure that they were eating during Ramadan.<sup>30</sup> Furthermore, should teachers, for example, abstain from eating, they run a serious risk of losing their jobs. <sup>31</sup> In undertaking these restrictions, **China is in breach of its own Constitution** which affords freedom of worship.

According to information retrieved from a Weibo user by China Digital Times, those wishing or needing to receive social welfare must sign a “commitment contract” agreeing to the translated text below:



Contract of Commitment<sup>32</sup>

1. I will firmly support the CCP leaders and observe the law.
  2. Illegal religious activities will never occur in my home, nor will illegal religious materials appear there.
  3. No one in my home will wear the veil. I will never allow persons wearing the veil to enter my home.
  4. If I encounter illegal religious activities or persons wearing the veil in my daily life, I will actively report this to the Organization.
- If I violate any of these four conditions, I agree to stop receiving welfare.

Name:

May 16, 2012

This stands as evidence of the continuance of a policy that was implemented in 2011 in which low-income

27 'China Cracks Down on Ramadan in Xinjiang', *Foreign Policy* [online]. Published 2 August 2012. See here, [http://blog.foreignpolicy.com/posts/2012/08/02/chinas\\_ramadan\\_crackdown\\_risks\\_violence](http://blog.foreignpolicy.com/posts/2012/08/02/chinas_ramadan_crackdown_risks_violence)

28 'China Steps Up Curbs on Muslim', *Radio Free Asia* [online]. Published 23 August 2012. See here: <http://www.rfa.org/english/news/uyghur/ramadan-07232012132958.html>

29 'China Steps Up Curbs on Muslim', *Radio Free Asia* [online]. Published 23 August 2012. See here: <http://www.rfa.org/english/news/uyghur/ramadan-07232012132958.html>

30 'China Restricts Ramadan Fasting for Uighurs in Xinjiang', *Agence France Presse* [online]. Published 1 August 2012. See here: <http://www.google.com/hostednews/afp/article/ALeqM5jmpXliDVVRADLRAScXMYbo5zBFCg?docId=CNG.95068329c6c42c24d7a3b142257e34f1.291>

31 'Ramadan a Challenge for China's Muslims', *The National* [online]. Published 8 August 2012. See here: <http://www.thenational.ae/news/world/asia-pacific/ramadan-a-challenge-for-chinas-muslims>

32 Translated by China Digital Times. See here: <http://chinadigitaltimes.net/2012/07/commitment-contract-for-xinjiang-muslims/>

families were forced to abandon certain Islamic traditions in exchange for welfare subsidies.<sup>33</sup> It is also **in violation of China's Constitution Article 36** which states that no governmental entity nor individual may compel someone to believe in or not believe in any religion. This is reaffirmed in **China's Regional Ethnic Autonomy Law Article 11**,<sup>34</sup> which also states in Article 53 that, "The cadres and masses of the various nationalities must ... respect the spoken and written languages, folkways and customs and religious beliefs of one another..."

The commitment contract is also in violation of Article 18 of the International Covenant on Civil and Political Rights (ICCPR); although China has not ratified this treaty, it has signed it and is thus obliged to refrain, in good faith, from acts that would defeat the object and purpose of the treaty. In a blog, Arch Puddington, Vice-President of Research at Freedom House, said that to "describe this policy as "troubling" is an understatement."<sup>35</sup> In the same vein, on **26 June 2012** local sources reported to Radio Free Asia that Uyghurs are being fined for wearing veils and traditional Muslim or ethnic minority dress in public, in addition to authorities checking bags.<sup>36</sup>

A Uyghur who now lives in exile in Turkey commented that never before, either under the Kuomintang or the Qing dynasty, has any regime implemented such devastating repression on religion.<sup>37</sup> Ilham Tohti, mentioned above, said that ear's campaign against participation in Ramadan was being more strictly enforced and that the campaign seemed to be aimed solely at Uyghurs in Xinjiang, noting that Kazakh and Hui Muslims in Xinjiang and Uyghurs outside the region face no such restrictions.

## CONCLUSIONS AND RECOMMENDATIONS

Respect for the rights of freedom of religion and belief are firmly established as an international norm. Freedom of religion and belief are interdependent, interrelated and mutually reinforcing with a variety of other fundamental rights including freedom of speech and expression, freedom of thought and conscience, the principle of non-discrimination and a good indicator of wider democratic principles, all of which are also a gateway to other fundamental freedoms.<sup>38</sup> The UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55), which stands as a standard-setting instrument, asserts that discrimination based on religion or belief is an affront to human dignity (Article 3), and that states should take necessary measures to take effective measures to prevent and eliminate discrimination on the grounds of religion or belief, as well as rescinding and any legislation that would run contrary to this end (Article 4).

### The international community should call on the Chinese government to:

- take a more pragmatic approach in how to engage with Uyghurs and Islam
- ratify the International Covenant on Civil and Political Rights and to not act in a manner which would run contrary to its ratification
- allow Uyghurs, and all Chinese Muslims, the right to freely practice their religion in accordance to the principles therein
- remove all restrictions on religious institutions and access therein, including restrictions on minors, CPC cadres and government officials

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33 'China Bans Religious Activities in Xinjiang', *Financial Times* [online]. Published 2 August 2012. See here: <http://www.ft.com/intl/cms/s/0/602b650e-dc69-11e1-a304-00144feab49a.html#axzz22P4oFgYK>

34 To view the People's Republic of China Regional Ethnic Autonomy Law, see here: <http://www.cecc.gov/pages/virtualAcad/index.php?showsingle=9507>

35 "The China Exception: Uighurs well fed for Ramadan", *Freedom House* [online]. Published 8 August 2012. See here: <http://www.freedomhouse.org/blog/china-exception-keeping-uighurs-well-fed-ramadan>

36 'Two Uyghurs Detained Over Leaflets', *Radio Free Asia* [online]. Published 26 June 2012. See here: <http://www.rfa.org/english/news/uyghur/leaflets-06262012124859.html>

37 'Restrictions Imposed on Aid Recipients', *Radio Free Asia* [online]. Published 27 July 2012. See here: <http://www.rfa.org/english/news/uyghur/restrictions-07272012155718.html>

38 'Freedom of Religion or Belief', *FCO State Government* [online]. See here: <http://www.fco.gov.uk/en/global-issues/human-rights/equality/freedom-religion/>