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Human rights situations that require the Council's attention

Written statement* submitted by the Nonviolent Radical Party, Transnational and Transparty, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 August 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

New wave of human rights violations against the Uyghur people

The Nonviolent Radical Party Transnational Transparty (NRP) is deeply concerned about new wave of human rights abuses against the Uyghur people in the Xinjiang Uyghur Autonomous Region (XUAR), People's Republic of China.

Incidents in Hotan and Kashgar

According to the state-controlled Chinese Xinhua news agency, on 18 July 2011 "thugs" forced their way into a police station in **Hotan**, XUAR, where they took hostages and engaged in a gunfight that resulted in several people dead. However, eyewitnesses told the World Uyghur Congress (WUC), that the shooting took place not at a police station, but at the close main bazaar of Hotan, in the Nurbagh area, when more than 100 local Uyghurs peacefully gathered to protest a police crackdown imposed on the city since the beginning of July 2011. Demonstrators gathered and demanded to know the whereabouts of relatives who had gone missing into police custody. Police opened then fire on the demonstrators, killing at least 20 people. Xinhua later stated that 14 "rioters" had been killed by the security forces and another four died (one police man, one security guard, a woman and a teenage girl) during the incident. At least a dozen were injured seriously and more than 70 people were arrested. After the incident, the Chinese authorities established roadblocks on all streets leading to the city immediately blocked internet searches on the incident to avoid that news on the events are spread in the country. One day after the incident, Chinese officials changed their rhetoric and suddenly blamed "terrorists" from the ethnic Uyghur population to be responsible for the incident.

Two weeks later, on 30 and 31 July 2011, two separate incidents took place in Kashgar, resulting in the deaths of at least 14 people and injuries of 42. Details of the attacks remain unclear, as no independent sources have confirmed the details. Chinese authorities claimed that Uyghurs that were said to be part of the East Turkistan Islamic Movement (ETIM) and trained in neighbouring Pakistan, organized the attacks. However, many experts have raised serious doubts about the existence of ETIM, which China and other countries consider a terrorist organization. All evidences on the existence of ETIM have been presented by Chinese sources whose credibility has to be taken with a lot of precaution. Chinese security forces shot dead two Uyghurs, Memtieli Tiliwaldi and Tursun Heseni, allegedly behind the Kashgar violence. Despite having the opportunity to capture the two men alive, Chinese authorities opted to kill them on the spot, sending not only a clear message to the Uyghur population in the XUAR that any form of dissent would not be tolerated, but also making it impossible to verify the alleged ETIM membership of these two men.

Instead of recognizing that the root causes of these incidents lay within the discriminatory policies against the Uyghur population, the Chinese government attributed, in typical fashion, both incidents to the "three forces" (terrorism, separatism, and religious extremism). The authorities regularly use the fact that the Uyghurs are Muslim to appeal to racist stereotypes and portray the Uyghurs as religious extremists and terrorists. However, Uyghurs have long practiced a moderate, traditional form of Sunni Islam, and religious extremism has no roots in Uyghurs' practice of Islam.

- The NRP urges the Human Rights Council (HRC) and the international community to view Chinese state media reports on the incidents with extreme skepticism since similar events in the past have proven that the Chinese government is systematically spreading false information and suppressing accounts that contradict its official narrative. So far, no independent sources were able to confirm the details and the Chinese authorities have not presented corroborating evidences for their claims. In

this regard, the NRP urges the Chinese government to allow international media and observers to freely and independently investigate both incidents to reveal the real circumstances of the events.

- Also the Chinese government’s accusations of the Uyghurs as “terrorists” and the charges that outside forces are to blame for orchestrating violence in the region have to be viewed with extreme caution. Claims on the relation between radical Islamic groups and the Uyghur people are deliberately inflated to hide domestic sources of discontent and justify a crackdown on Uyghur human rights.
- The NRP believes that the Chinese authorities’ distorted portrayal of both incidents is an attempt to avoid dealing with the actual root causes of such events, namely, the crackdown on Uyghur culture, identity, freedom of expression and religion, as well as the ongoing economic discrimination of Uyghurs in Xinjiang. The NRP is convinced that increased oppression of the Uyghurs only serves to exacerbate the already tense situation in the region. The Chinese government must not only re-think its policies towards ethnic groups in the country, but also recognize that its policy of “social harmony” is failing and that policies of economic development implemented in Xinjiang since July 2009 are not leading to the desired results.
- The NRP is also concerned that Uyghurs detained in connection with the events in Hotan and Kashgar will be subjected to torture and a lack of due process. In this regard, the NRP urges the international community to follow China’s handling of the cases closely.

New “strike hard” campaign launched in east Turkestan

Following the Hotan and Kashgar incidents, the Chinese authorities announced the implementation of a new “Strike Hard” campaign starting on 11 August and lasting until 15 October 2011 “against violence, terrorism and radical Islam in Xinjiang, ensuring the region’s stability.” Beijing dispatched to the XUAR its elite Snow Leopard anti-terrorism unit, which is specially trained in anti-terrorism, riot control, bomb disposal and responding to hijackings. The Public Security Bureau of Xinjiang also warned it would “severely punish” anyone who publicized or spread “extreme religious thought” and crack down on “illegal religious activities.” It said investigations will be stepped-up and suspects dealt more harshly through accelerated trials. The campaign includes around-the-clock patrols of trouble spots, identity checks and street searches of people and vehicles.

In Urumqi, XUAR’s regional capital, security forces set up a total of 39 checkpoints encircling the city, in addition to of a total of 200,000 security personnel. In Kashgar, public security units across the city have been strengthened and security forces are patrolling around the clock in the main Uyghur residential area. In addition, the police have established checkpoints to check the IDs of residents; people without IDs are being detained. The “Strike Hard” campaign, which began in the middle of the Muslim holy month of Ramadan, also includes a curb on peaceful religious activities in Xinjiang.

Based on the experience on similar past campaigns, the NRP is deeply concerned about the consequences of this new campaign for the Uyghur population:

- “Strike Hard” campaigns always lead to a brutal campaign of arrests and enforced disappearances in the XUAR. Chinese officials are using these campaigns as a pretext to oppress the most peaceful forms of dissent and expressions of Uyghur identity. In addition, these campaigns result in egregious human rights abuses against the whole Uyghur population, and in the deterioration of existing tensions, without addressing the root causes of social unrest.

- Human Rights Watch (HRW) noted that “Strike Hard” campaigns consistently result in accelerated judicial proceedings, a lower threshold for arrests and convictions, and a higher number of people who are sentenced, including to death.
- Amnesty International (AI) has documented that, under these types of campaigns, tens of thousands of people are reported to have been detained for investigation in the region, and hundreds, possibly thousands, have been charged or sentenced under the Criminal Law.

The NRP therefore urges the HRC to follow the developments in the coming month in the XUAR very closely and to denounce any violation of Uyghur human rights.

Extraditions of Uyghur refugees and asylum seekers

The NRP is also very worried about the recent extraditions of at least 18 Uyghur refugees from countries surrounding China:

- On 30 May 2011, the Kazakh authorities handed Uyghur refugee Ershidin Israel over to China, arguing that he was not a refugee but a “mayor terror suspect.” However, human rights groups believe that the Chinese government requested his extradition because Israel leaked the case of a young Uyghur man tortured to death in detention. Israel remains disappeared until today.
- Nur Muhammed, who fled to Thailand in 2009, was over to Chinese officials on 6 August 2011 in Bangkok. Although it is not clear if he remains in Thailand or not, it is very likely that he was deported back to China.
- On 8 August 2011, five ethnic Uyghurs, among them one woman (identified as Menzire Memet) and two children, were forcibly deported from Pakistan to China. Further details on the case, including their whereabouts, are unknown. Although the reasons for the deportation of the five people could not be ascertained, Uyghur groups believe that Pakistani authorities acted on the request of the Chinese government in order to underline the positive relations between the two countries. After the above-mentioned Kashgar incidents, Pakistan, which is a close ally of China, immediately stated that it would extend its full support to China against “terrorist forces.”
- On 18 August 2011, 11 Uyghurs, who were among 16 Uyghur men arrested by Malaysian authorities on 6 August 2011, were deported from Malaysia to China. Malaysian authorities reportedly alleged that the deported people had been involved in human trafficking and were not refugees. UNHCR was not granted access to the men before they were repatriated, despite that some of them had approach UNHCR before seeking protection. Another 5 Uyghur asylum seekers are currently in danger of being deported from Malaysia to China.

These extraditions follow the disturbing trend of the last two years: in March 2010, seven Uyghurs were deported from Laos; 17 Uyghurs were deported from Myanmar on 18 January 2010, and 20 Uyghurs were deported from Cambodia on 19 December 2009. Chinese officials have refused to release information about the fates of any of the Uyghurs who have been deported from other countries in recent years, and it is therefore likely that no further news will be heard about the recently deported Uyghurs.

In all extradition cases, the Chinese authorities convinced the countries where the Uyghurs sought protection to forcibly deport them by accusing the Uyghur refugees of having either been involved in “criminal” or “terrorist” activities or having illegally entered the country where they sought asylum. However, these claims of criminal activity have not been substantiated by evidence. In all cases, the countries that extradited Uyghurs back to China

were granted with huge economic and financial benefits from the Chinese counterparts after the deportations.

- By extraditing these individuals to China, all above mentioned countries violated international law standards. Whether or not a country has signed the 1951 Refugee Convention or other international human rights treaties, it is obliged by international customary law to protect refugees, since it stipulates that states may not expel individuals to a place where their life or freedom may be threatened due to their “race, religion, nationality, membership of a particular social group or political opinion.”
 - Since China is notorious for ill-treatment and torture of Uyghur detainees and it has also a track record of publicly executing, torturing, imprisoning or disappearing Uyghurs who have been forcibly sent back to China, the NRP fears for the fate of the extradited Uyghurs.
 - The NRP urges the international community to prevent that China is extending its fierce suppression of Uyghurs beyond its borders, as Uyghurs are forced to flee intense repression in the XUAR. The deportations of Uyghurs from countries surrounding China signals the Chinese government’s increasing ability to use its economic and diplomatic power to influence other countries to deport Uyghurs, in violation of international and domestic obligations regarding the rights of refugees and asylum seekers.
 - Western governments and international organizations, including UNHCR, must work actively to prevent Uyghur asylum seekers from being deported to China, as even the act of applying for asylum makes Uyghurs vulnerable to torture and detention upon repatriation to China.
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