

A REPORT OF VIOLATIONS OF THE CONVENTION FOR THE ELIMINATION OF RACIAL DISCRIMINATION (CERD) BY THE PEOPLE'S REPUBLIC OF CHINA AGAINST THE UYGHUR PEOPLE

This Report was Submitted to the United Nations Committee on the Elimination of Racial Discrimination on Violations by the People's Republic of China Against the Uyghur People in East Turkistan (a.k.a. Xinjiang Uyghur Autonomous Region)

1 June 2009



World Uyghur Congress

A Report of Violations of the Convention for the Elimination of Racial Discrimination (CERD) by the People's Republic of China Against the Uyghur People

The 2009 Report Submitted to the United Nations Committee on the Elimination of Racial Discrimination on Violations by the People's Republic of China Against the Uyghur People in Xinjiang

World Uyghur Congress, June 1, 2009

I. Executive Summary

II. Introduction

III. China's Violation of the Convention on the Elimination of Racial Discrimination (CERD)

A. Violations of the Right to Education

B. Violations of the Right to Employment

C. Violations of the Right to Equal Treatment Before the Tribunals and All Other Organs Administering Justice

D. Violations of the Right to Public Health Services and Medical Care

E. Violations of the Right to Security of One's Person and the Right to Be Protected Against Violence and Bodily Harm

F. Violations of the Right to Freedom of Movement

G. China's Birth Control Policy - Genocide against Uighurs and Tibetans

IV. CONCLUSION AND RECOMMENDATIONS

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

I. Executive Summary

Submitted to the Committee on the Elimination of Racial Discrimination by the World Uyghur Congress for consideration in the 75th session of the Committee on the Elimination of Racial Discrimination (CERD) 3 August – 28 August 2009.

This submittal provides evidence to assist in the Committee's responsibility to monitor the progress of State parties towards the full and complete implementation of the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD). ICERD describes the measures that State parties need to undertake to combat racial discrimination.

The World Uyghur Congress wishes to bring to the Committee's attention egregious violations of the rights accorded under the ICERD that are perpetrated daily in the People's Republic of China (PRC). Taken separately, the violations may be explained away or dismissed as isolated cases or misunderstandings. However, taken as a whole the violations indicate behaviors that are not in the spirit of the ICERD, but completely at odds with the stated aim of protecting racial minorities.

One mention must be raised to place the idea of racial minorities within the PRC in perspective. The Uyghur people of Xinjiang Uyghur Autonomous Region (XUAR) number some ten million souls. Weighed against the number of Han Chinese in the PRC, this is a minority, yet that is more people than Sweden, Switzerland, or a dozen other European nations.

This submittal demonstrates that the PRC, acting in its role of the protector of the Uyghur people have undertaken policies that deny the Uyghur people:

- The Right to Education
- The Right to Employment
- The Right to Equal Treatment Before the Tribunals and All Other Organs Administering Justice
- The Right to Public Health Services and Medical Care
- The Right to Security of One's Person and the Right to Be Protected Against Violence and Bodily Harm
- The Right to Freedom of Movement

The World Uyghur Congress, as representatives of the more than ten million Uyghurs left in the world, appeal to the members of the Committee to Eliminate Racial Discrimination to investigate the assertions presented in this document, read the recommendations and use their great office to bring about changes in the future for the Uyghur people.

World Uyghur Congress
June 1, 2009

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

II. Introduction

This document outlines some of the egregious violations of the ICERD that continues to cause consequential damage to the Uyghur people's culture, language, and identity as a distinct, unique people.

The Uyghur people were at one time the majority indigenous people of Eastern Turkistan and have a unique and distinct culture separate from the Han Chinese people. Official estimates of the Uyghur population are in excess of ten million people, greater than the population of more than a dozen European states

This document relates the deficiencies in education and the consequences. A link between Chinese government programs and these deficiencies is clearly demonstrated.

This document relates the discrimination in employment and demonstrates a link between a Chinese government directive and that discrimination.

This document relates the behavior of the judicial system with regard to equal treatment under the law and shows the discrimination faced by the Uyghur people.

This document relates restrictions to health care that are imposed on the Uyghur people. Being singled out for security deposits before being seen by physicians is one such restriction.

This document relates the abuse of the right to feel secure and be protected from violence. The government and organs of the PRC and CCP are the perpetrators, not the protectors.

This document relates the restrictions on travel imposed on the Uyghur people as an Olympics 'security precaution', two years before the games started.

This document also relates information on the reality and consequences of the Chinese government's birth control policy on the Uyghur people.

There is no forum to legally discuss these issues inside the People's Republic of China for you may be accused of one of the "Three Great Evils" and taken away. Away for a day, ten years, or maybe never returning at all; this is the reality for those that want change. This document indicates the fair and reasonable motives for change that would otherwise be evidence at a Chinese government trial for 'separatism.'

This document represents hope that perhaps the hands on the clock can be turned back and that future generations of Uyghur people can rejoice in the celebration of their life, land, and culture.

III. China's Violation of the Convention on the Elimination of Racial Discrimination (CERD)

A. Violations of the Right to Education

Article 5(e)(v) of the Convention on the Elimination of Racial Discrimination (CERD) obligates China to "undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of . . . the right to education and training." Previous recommendations from the Committee on the Elimination of Racial Discrimination regarding education:

- The Committee recommended in 1996 that China ensure access by members of minority groups to education at all levels, which includes primary, secondary and higher education.
-
- The Committee further recommended that China provide instruction on the history and culture of the relevant minority nationalities in autonomous areas.

UN Committee on the Elimination of Racial Discrimination (CERD), UN Committee on the Elimination of Racial Discrimination: Concluding Observations, People's Republic of China, 27 September 1996, CERD/C/304/Add.15., available at:
<http://www.unhcr.org/refworld/docid/3ae6aebac.html>

The government of the People's Republic of China asserted in its Eighth and Ninth Periodic Reports to the Committee that it has either fulfilled its obligations under Article 5(e)(v) or that it is at least making reasonable efforts to eradicate racial discrimination in education. The following examples provide evidence demonstrating the People's Republic of China neither has fulfilled its obligations, nor has undertaken reasonable efforts to achieve specified goals with regard the Uyghur people. On the contrary, the evidence shows the government's efforts to use a distorted version of "bilingual education" to convert completely the medium of instruction from Uyghur language to Chinese and to deprive Uyghur students the right to study their true history and culture.

History of China's "bilingual education" program in XUAR

In 1992, the Chinese government first introduced "bilingual education trial classes" in schools with predominantly Uyghur students by replacing instruction of natural sciences and mathematics from the Uyghur to the Chinese language. In 2004, the Chinese Communist Party (CCP) and the government of Xinjiang-Uyghur Autonomous Region (XUAR) issued a document entitled "Decision on the Comprehensive Implementation of Bilingual Education Program" and elevated the bilingual education policy to a level of general requirement throughout XUAR.

In 2005, the CCP and the XUAR government published a document entitled "A directive on teaching the Chinese language to minority preschool children." By declaring the bilingual education the highest priority policy, the XUAR government began to found bilingual pre-school daycare centers both in urban and rural areas.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

In 2008, the CCP and the government of XUAR published another document entitled "A Guideline on Strengthening the Programs to Establish Bilingual Daycare Centers and Bilingual Elementary and Middle Schools," and called on governmental administrations at all levels to expand the bilingual education program to elementary and secondary schools. As a part of the new bilingual education program, a total of 15,600 "bilingual teachers" should be hired from 2008 to 2013 to teach Uyghur youth. Most, if not all, of the new hires are Han Chinese who do not speak nor understand Uyghur. In reality the bilingual education was turned into conversion of instruction in Uyghur by Uyghur teachers into that in Chinese by Han Chinese instructors.

Implementation of the "bilingual program" in XUAR

"Bilingual education" — conversion from Uyghur education to Chinese

The Chinese government's "bilingual education" is a program of conversion of education of Uyghur children in XUAR from their native language to the Han Chinese. According to Chinese media reports, at the end of 2004 when the bilingual education program started, about 36 thousand Uyghur students were enrolled in 946 bilingual education classes in 52 Uyghur elementary and secondary schools. According to the 2009 statistics published by the Leadership Office of the XUAR Bilingual Education Program, at the end of 2008, the total number of Uyghur children in XUAR studying in Chinese language in bilingual daycare centers and schools has reached approximately to 2 million 366 thousand (including more than 600 thousand elementary and middle school students). At present, all of the 2,805 Uyghur elementary and middle schools have established almost 12 thousand "bilingual education" classes.

Thus the number of students involved in the "bilingual program" increased 66 times, where as the number of bilingual classes increased "only" 12 times. The discrepancy is apparently explained by the fact that, between 2004 and 2008, almost 900 Uyghur middle schools were merged with Han Chinese schools; that is, the instruction in those schools became completely in Han Chinese.

At present, instruction in many "Uyghur" schools is only in Chinese language starting from daycare centers to the third or the fourth grades of elementary schools when the Uyghur alphabet is first introduced. Some schools have regulations to punish children who speak Uyghur language on children's playgrounds or on campus, and to punish teachers who occasionally used Uyghur language during instruction, even those who did so unintentionally.

Uyghur teachers are fired—Hans are hired

Between 2004 and 2008, more than ten thousand Uyghur teachers received mandatory Chinese language training. Since 2004, all Uyghur elementary and middle school teachers were required to take a test of Han Chinese language and those who failed the test were fired, transferred to other jobs, or forced to early retirement. Many of them are teachers with 20 to 30 years of teaching experience. The vacated positions are filled with Han Chinese migrants, who neither speak nor understand any Uyghur. The following is an internet posting taken from an Uyghur website registered in China:

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

"The comprehensive implementation of the "bilingual education" program puts Uyghur teachers into extreme hardships. My mother was a senior teacher who had received a regional award for excellence in teaching. But after the "bilingual education" program was implemented in her school, only the Uyghur teachers who teach Chinese language kept their teaching positions and the rest have been given the jobs of janitors. They clean offices of Han teachers, deliver coal to classrooms, and at nights serve as school guards to protect schools from "attacks of separatists"."

The policy of preferential hiring of Chinese speakers for Uyghur daycare centers and schools encourages Han Chinese to move to XUAR while more than half of Uyghur college graduates are unemployed.

Discriminations in budget allocations

Since 1950's, the Chinese government allocates hugely different budgets to Uyghur and Han Chinese schools and daycare centers in Xinjiang with the latter receiving the greater share per capita. Recently, the government increased the education budget substantially for daycare centers and schools that use the Han Chinese language as the only media of instruction. According to China's media reports, between 2004 and 2008, the Chinese government has allocated 130 million Chinese Yuan to implement "bilingual education" program in Xinjiang – the program of conversion the media of education for Uyghurs from Uyghur to Han Chinese.

Uyghurs must learn their culture in Chinese

No doubt, the best way to study an ethnic culture is with its ethnic language. The Chinese government has ordered to stop using the Uyghur language as the medium of education in higher education institutions in XUAR, and the policy affects not only courses in natural sciences and mathematics, but in the Uyghur culture as well. Under the banner of "Unification of National Education," the government replaces Uyghur history and culture courses by courses in communist ideology such as Marxism, Leninism, Maoism, the "History of the Chinese Communist Party," and "Socialist Politics in the Colonial Education System."

Special privileges for "Xinjiang class" graduates

Beginning in 2004, the Chinese government created so-called "Xinjiang class" program in many big cities in the Han Chinese regions of China thousands of kilometers away from Xinjiang, and the XUAR government has been sending more than 5 thousand Uyghur high school students to those classes every year. Admission to the "Xinjiang class" program is highly competitive and is only available for children with well-connected parents.

The problem with the "Xinjiang class" program is that the Chinese government provides special privileges for those who attended a "Xinjiang class", including special treatments in college admission and employment; thus, children from regular Uyghur schools are in disadvantage in education and employment opportunities compared to the "Xinjiang class" graduates.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Han Chinese are exempt from the bilingual education

The Chinese governments "bilingual education" policy concerns only ethnic minorities. The Han Chinese are neither required nor given an opportunity to learn Uyghur – the language of the dominant ethnic group on the Region. The Chinese government makes no effort in introducing Uyghur language and culture to Han Chinese children who were born and live in the Uyghur Autonomous Region.

Consequences

The language is the main component of an ethnic identity. Uyghur intellectuals both in China and overseas believe that the Chinese government's "bilingual education" policy could eventually erase the Uyghur cultural and linguistic identity and replace it with that of the Han Chinese. They believe that the new education policy of the Chinese government is one of the most serious threats to the Uyghur culture. If ethnic minority children are taught to read and write in the Chinese language first and wait for three or four years to begin learning their native language, then it is only a matter of time before the Han Chinese becomes the mother tongue of the majority of Uyghurs.

Nowadays, the Uyghurs are becoming a minority in their own homeland, ruled by foreigners arriving from thousands of miles away, and the latest indignity they are to suffer is the loss of their language and cultural identity. The assault of the Chinese state on the Uyghur language is a cause of greatest concern for the Uyghur people.

In an expert paper titled "Forms of education of indigenous children as crimes against humanity?" and presented in April—May 2008 at the Seventh session of UN Economic and Social Council's Permanent Forum on Indigenous Issues, Lars Anders-Baer et al. wrote the following:

"State education policies very frequently force indigenous children whose mother tongue is an indigenous language into education through the medium of the dominant state language. Firstly, these policies play an important role in the process of language shift. ... Language, culture, customs and traditions have to be lived and taught to be learned. If children are not surrounded by at least some adults and elders from their own group who (are allowed to) teach them their language, stories, customs, traditions, also in school, these will not be learned proficiently. And if the children are not proficient in their language, the likelihood of them transferring it to their own children is seriously diminished. Secondly, the harmful consequences of the use of the dominant state language as the only language of instruction in schools are much more extensive. The use of the children's language has often been either overtly or covertly forbidden. Not allowing children to learn their language, or preventing them from using it through separation from grown-up proficient users, means "prohibiting the use of the language of the group in daily intercourse or in schools". This separation, most obvious when children have been removed home and placed in residential schools, also occurs when all or most of the teachers come from the dominant group and do not speak the indigenous language.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Such policies have often resulted not only in serious physical harm but also in very serious mental harm: social dislocation, psychological, cognitive, linguistic and educational harm, and, partially through this, also economic, social and political marginalization. ... Indigenous and other minority students experience the lowest rates of educational attainment, the lowest family incomes, and, particularly among indigenous youth, the highest rates of depression and teen suicides. It is now clear that governments are often aware of these and other adverse effects of forcing indigenous children to be educated through the medium of the dominant language. That States persist in such policies, given such knowledge, has been described as a form of linguistic and/or cultural genocide... Here we consider the possibility that such policies, implemented in the full knowledge of their devastating effects, constitute international crimes, including genocide, within the meaning of the United Nations' 1948 Convention on the Prevention and Punishment of the Crime of Genocide, or a crime against humanity."

It appears that the Chinese government neither has conducted sufficient research on adverse effects of teaching only Han Chinese language to Uyghur children starting from daycare age to the third or the fourth grade, nor has studied bilingual education experiences in other countries when it launched its "bilingual education" program in Eastern Turkistan. The Chinese government punishes severely anyone who expresses concerns about the program. According to an internet posting in an Uyghur website registered in China, one high-ranking official of the XUAR Education Department said the following:

"Promoting the bilingual education program is system engineering. We must attain the spirit of "one becomes brave when forced," and look for ways to make a new breakthrough in bilingual education program."

In the Third Meeting of XUAR Language Issues held on July 27, 2004, the XUAR Chairman Nur Bekri said:

"We must look at the development and change of language intelligently on the basis of the Marxist theory, we must look at the social capabilities of various ethnic languages on the basis of whether they are beneficial or not to progress and development of respective ethnic groups, and look at the bilingual education at a level of developing more advanced cultures."

These statements and the reality in Xinjiang clearly demonstrate that the Chinese government is not interested in true bilingualism of Uyghur children, in the protection, promotion or development of Uyghur language or culture, or in raising the political, economical and social status of Uyghur people through education. The Chinese government, with its distorted "bilingual education" program is erasing the cultural and linguistic identity of the Uyghur people, which is a form of cultural genocide.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Uyghurs are not allowed to study their history

The official Chinese historians have largely falsified much of the Uyghur history. Chinese scholars manipulate historical facts and claim that East Turkestan has been an integral part of China since ancient times, and to downgrade roles of the Uyghur culture and civilization. Any scholar presenting an independent view on Uyghur history, culture, or civilization is accused of exciting "nationalism," "separatism," or "endangering the unity of the Chinese people and the great motherland." For study and dissemination of unofficial version of Uyghur history, scholars are punished, their works are banned, and publishing houses are closed.

Tohti Tunyaz is an ethnic Uyghur historian and writer, who graduated from the history department of the Central Institute of Nationalities in Beijing in 1984 and was assigned to work for the China National Standing Committee. Tunyaz began his Ph.D. study at the Tokyo University's School of Humanities in Japan in 1995 specializing in Uyghur history and ethnic relations. He published several papers on Uyghur history in Japan and a book in Beijing. Tohti Tunyaz was arrested on February 6, 1998, during his short trip to Xinjiang for research purposes. He was accused of copying a part of a 50-year-old document for his research assisted by a librarian, which the authorities claimed was "a theft of classified information," sentenced for 11 years, and kept in Prison No. 3 in the regional capital of Urumchi. After completing his prison term in 2009, Tunyaz was released from prison and put under house arrest. The government does not allow him to return to Japan to join his family who are naturalized citizens of Japan.

For example, in 2005 in southern Xinjiang, an Uyghur middle school history teacher was permanently removed from a classroom for downloading a file from the internet that contained historical information. The name is not revealed to protect this person from reprisals.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

B. Violations of the Right to Employment

Article 5(e)(i) of the CERD states that individuals shall enjoy Economic, social and cultural rights, in particular:

- (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration.

In 1996, the CERD reported:

"Concern is expressed at the underrepresentation in business in some areas of persons of minority groups, which may be indicative of structural obstacles to their enjoyment of increases in economic prosperity. Concern is also expressed with regard to allegations that members of minority nationalities may not enjoy the same working conditions as persons of Han origin."

UN Committee on the Elimination of Racial Discrimination (CERD), UN Committee on the Elimination of Racial Discrimination: Concluding Observations, People's Republic of China, 27 September 1996, CERD/C/304/Add.15., available at:
<http://www.unhcr.org/refworld/docid/3ae6aebac.html>

Studies undertaken by independent researchers demonstrate that the People's Republic of China (PRC) has failed to fulfill its obligations under international and domestic law to alleviate the problem of racial discrimination against the Uyghur people in employment. Even more important is the fact that discrimination against Uyghur people in employment has become part of the Chinese government's strategic plan to assimilate and totally eliminate the Uyghur people in Xinjiang, as will be described below.

Racial discrimination against Uyghur workers is directly related to the Chinese government's strategic plan and systematic program of transferring large number of Han Chinese populations into Xinjiang. China has frequently expressed its policy of population transfer into Xinjiang, citing the necessity of developing and opening up the "backwards" territory. In furtherance of this policy, the Chinese government either directly imports labor from Han Chinese provinces or it creates incentives that appeal to potential Han Chinese settlers, such as higher salaries, selective tax exemption, improved pension opportunities, and favorable investment. These incentives are not offered to the Uyghur people. By encouraging Han Chinese population transfer into Xinjiang and guaranteeing Han Chinese workers high pay and positions of authority, China has contributed to the marginalization of the Uyghur people in both population and the employment sector. Han Chinese settlers now control major areas of business and erect obstacles to Uyghurs who wish to enter those areas to either gain employment or open up businesses of their own.

In Employment, the Uyghur people are Treated as Second Class Citizens

It is a well-known fact that the Chinese government is transferring tens of thousands of Han Chinese population into Xinjiang each year and has built many propaganda stations in all Han Chinese provinces to encourage Han people to come to Xinjiang to find jobs under the pretext of

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

"Opening the great north-western region". However for several years, a large number of Uyghur people have been forced out of work or are living without jobs. This is true not only for the job-seeking general public in all levels of cities, but also for those young people who just graduated from colleges. Although the "XUAR Statistics Bureau" recently claimed the unemployment rate in Xinjiang cities is 11.7%, some observers have speculated that the unemployed Uyghur population now constitutes more than 50% of the Uyghur population living in cities and village town centers. The percentage of new college graduates of Uyghur nationality who can land a job after graduation remains to be less than 30%. The main excuses that the government officials and cooperative hiring offices are giving when not hiring Uyghur young people are "they are not proficient in Chinese language", "We don't have job openings", or "We don't need additional staff". The racial discrimination in employment has reached to such an acute level that now some government agencies and cooperate hiring offices can openly say "We don't hire Uyghurs". "No Uyghurs will be hired" signs can also be seen in TV job ads and in various job fairs in big cities of Xinjiang. This picture is completely different for Han Chinese college graduates: For them, there are always more jobs than the number of new graduates in Xinjiang. This is true even in the current time of financial crisis.

It is obvious that what was described above is a result of employment policy of the Chinese government to gradually move the Uyghur population from cities to rural areas and also eliminate all the Uyghurs who are working in various government posts. For example, since early 2000, all the job openings that have become available due to the retirement of Uyghur employees have been filled exclusively with Han Chinese. In 2005-2006, Urumchi Postal Service (Urumchi is the capital of Xinjiang) hired about 200 new employees, and among them only 5 people are Uyghur. The rest are Han Chinese.

Since 2000, the Chinese government has drafted new regulations on the conditions required from Uyghur young people who are seeking employment in various cities. For example, the "XUAR Bureau of People's Affairs" distributed a regulation to all county and city level human resources offices on March 22, 2004, in which Uyghur job seekers are required to have the following qualifications:

1. Must follow the four main principles (Socialist path, dictatorship of the proletariat, the CCP's leadership, and Marxism-Leninism and Mao Zedong Thought), protect the national unity, fight the ethnic separatism and the illegal religious activities with a clear standing;
2. Must have very high political quality, there is no any ethnic separatist in his/her extended family, and must not be religious;
3. Must be a CCP member, or someone who has served as a student leader and has received "Best student awards" in college.

This clearly explains that Uyghur professionals and college graduates are now facing extremely tough times. For them, there is no light at the end of tunnel.

In addition to the discrimination now the Uyghur job seekers are facing as described above, the Chinese government has been enforcing another policy called "Xiagang", meaning "emptying the posts", in Xinjiang. As a result of that policy, thousands of Uyghur professionals and

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

experienced government, cooperate and factory workers have lost their jobs, and their positions filled with Han Chinese migrants.

Not "Excess Laborers", but Assimilation Targets

One strategy that the Chinese government has been using since their occupation of Xinjiang in 1949 to strengthen their grasp on Xinjiang and to speedily assimilate its Uyghur population is the transfer of Han Chinese settlers into Xinjiang in large number every year.

There is another dimension to the above strategy, that is, to force Uyghur young people to work in Han Chinese regions of China. Right after the 16th Session of CCP's National Congress held in March 2003, the Chinese government put into effect a policy to include as an important component "the transfer of excess labor forces in the southern regions of XUAR to other places into the 10th 5-year plan". According to this policy, the various levels of government labor and people's affairs offices in Xinjiang carried out a comprehensive mobilization and started a planning process to transfer Uyghur peasants, especially young Uyghur girls and boys, into Han Chinese provinces in the other parts of China. They targeted the Uyghurs in densely populated areas first, such as Kashgar, Artush and Hoten. Within a year (2004), Chinese Communist Party (CCP) Secretary Wang Lequan managed to change the above policy into a high priority of the various party and government organizations in Xinjiang. The XUAR government initially designated the 13 counties in southern Xinjiang as the trial regions, and sent a group of young Uyghur peasants from those 13 counties, including Poskam, Maralbeshi, Yerken and Peyziwat counties, to Han Chinese provinces in the other part of the PRC. Since then, young Uyghur people, especially marriage-age Uyghur girls, have been sent as the main target to Han Chinese provinces. And the year 2005-2006 has marked as "the year of big-leap forward" in sending Uyghur girls to Han Chinese provinces; more than 300,000 Uyghur girls were sent to Han Chinese regions under this policy in those two years. According to a report published by Xinjiang News Network on March 25, 2007, the government planned to send more than 100,000 "excess labor forces" into Han Chinese regions that year alone, and various party-government leadership branches have fully mobilized to carry out that plan. On September 14, 2007, the same Xinjiang News Network reported that more than 900,000 Uyghur peasants have been transferred to other places, among them more than 100,000 were sent to Han Chinese provinces outside Xinjiang. The Chinese government achieved its one-year goal in Uyghur population transfer just in 6 months. The Uyghur girls who were sent to Han Chinese provinces were in general forced to sign a 2-year contract and are being treated like slaves. In recent 2-3 years, a lot of tragic stories involving those Uyghur girls leaked out of the PRC, and each of those stories is full of inhuman treatment of the Uyghur girls by their Han Chinese masters, including the cases in which 18-20 years old Uyghur girl workers were forced to serve as prostitutes. Several of them had died while trying to escape from where they were kept to return to their homeland.

The goal of the Chinese government in sending Uyghur young boys and girls to Han Chinese provinces is twofold. The first is to forcefully disperse the Uyghur population from their densely populated homeland in southern Xinjiang to eastern and northern regions of Xinjiang where there is high concentration of Han Chinese population, and by doing so prevent Uyghur people's uprising and accelerate their assimilation. The second is to assimilate large number of Uyghur

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

girls and boys into Han Chinese society so that the speed of the elimination of Uyghur race through assimilation is highly accelerated. The "Xinjiang classes" described in "Education" section of this report were also established by the Chinese government for the same purpose. Therefore, several international human rights organizations have called the above acts of the Chinese government as "part of the ethnic cleansing policy towards Uyghurs", and called upon the Chinese government to stop this kind of inhuman practices. However, the Chinese government has been ignoring all of the condemnations by international communities; they are not giving up their policy to send Uyghur young girls to Han Chinese provinces under the pretext of "excess laborers", instead, they are strengthening this policy and are sending aggressively more and more Uyghur girls to Han Chinese provinces every year since this policy started in 2003.

Strong evidence demonstrates that China has failed to fulfill its obligations under Article 5(e)(i) of the CERD. Uyghurs find it increasingly more difficult to maintain their current employment, find new employment and start new businesses. Also, special restrictions and qualifications imposed on Uyghur job-seekers by the Chinese government are forcing Uyghurs to move from cities to rural areas leaving the cities to the hands of Han Chinese migrants, special taxes imposed on Uyghur workers and Uyghur small business owners by the Chinese government and the compulsory sale of goods to Chinese authorities make economic life ever more oppressing for Uyghur farmers, nomads and small business owners, who must struggle to make enough money to cover just their tax liability. Accordingly, Uyghurs continue to suffer economically as a result of racial discrimination and are faced with a fate of total extinction through assimilation.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

C. Violations of the Right to Equal Treatment Before the Tribunals and All Other Organs Administering Justice

According to the International Convention on the Elimination of All Forms of Racial Discrimination, Article 5(a)

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(a) The right to equal treatment before the tribunals and all other organs administering justice;

In the 1996 Concluding Observations of the Committee on Racial Discrimination, the Committee wrote:

"Concern is expressed at the lack of protective legal provisions for minority groups that are scattered throughout China. The absence of information regarding these minorities' enjoyment of rights as enumerated in the Convention is noted with regret."

UN Committee on the Elimination of Racial Discrimination (CERD), UN Committee on the Elimination of Racial Discrimination: Concluding Observations, People's Republic of China, 27 September 1996, CERD/C/304/Add.15., available at:
<http://www.unhcr.org/refworld/docid/3ae6aebac.html>

The Lawyers of Uyghur "Political Crime Suspects" Do Not Defend Their Clients

The political situation in Xinjiang is such that it is not possible for an Uyghur political "offender" to defend or protect himself/herself in a court, but also his/her lawyer (if there is one) cannot say a single word in his/her defense in the court. The rationale behind this practice is that the "three evil forces" mean the defendants are the enemies of the government, and defending them means that the lawyer is defending the enemies of their government and their country.

Therefore, many Uyghurs coming out of Xinjiang have reported that lawyers of a general criminal, such as a killer, a thief or a rapist, can argue loudly and for a long time in the court defending his/her criminal client, but the situation is completely different if the defendant is a "political criminal." In the latter case, the lawyer avoids saying a single word, constantly approves the judge's statement with body language, and sometimes even makes statements against his/her client, forcing his/her client to admit to the "crimes." Lawyers behave this way because they were educated and trained to do so; they don't have any other choice.

In Xinjiang, There is Only One Lawyer for Every 10,000 People

According to a news report of "Xinjiang Daily" on Oct. 13, 2008, "lawyers" came into existence for the first time in Xinjiang in 1982. In that year, there were 71 lawyer stations and 250 lawyers in whole Xinjiang. In 2007, the numbers of lawyer stations and lawyers grew to 260 and 2,184, respectively. The official statistics of the Chinese authorities show that the total population of

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Xinjiang is now more than 20 millions. This means that now there is only one lawyer for every 10,000 populations in Xinjiang. For example, the official population figure of "Ili Kazakh Autonomous District" is 4.2 million, and among them 54.8% are "minorities". According to a report of "Ili News Network" on April 18, 2008, there were 25 lawyer stations and 163 lawyers in the whole district, and among them only 23 people are "minority lawyers". That is, there are only 23 lawyers for more than 3 million "minority" populations. According to reports by various international human rights organizations, the number of the Uyghurs who were arrested and sentenced to various lengths of prison terms in relation to the "1997 Ghulja Incident" have reached to several thousands. Apparently, even if they had been allowed, it has been impossible for those 23 lawyers to defend the several thousand Uyghur "political offenders" of 1997 Ghulja Incident.

At present, all Uyghur "political offenders" are not allowed to hire any lawyer to defend themselves, and are arbitrarily sentenced to long prison terms without any charges by various levels of courts. Several Uyghur witnesses of the court sentencing and execution of several Uyghur political offenders with charges of "related to the 1997 Ghulja Incident" have reported that the sentencing process of those Uyghurs were as follows: First, a prosecution lawyer of the court reads the "charges" of the arrested loudly. Then, a judge announces the sentence. After 1-2 hours following the execution of the sentence, the police delivers the body of the executed to his/her family and asks them to pay for the bullets used to execute their loved ones. The police will not release the dead body if his/her family refuses to pay for the bullets. Since all arrested "political offenders" are deprived of any legal rights to defend themselves, the authorities have been doing anything they pleased as clearly demonstrated by the fact that all the court sentencing of Uyghur "political prisoners" are carried out behind closed-doors and in secret.

In its concluding observations on China, the Committee Against Torture on 9 May, 2001, again expressed its concern "about the continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities." The Committee also urged China to "ensure the prompt, thorough, effective and impartial investigation of all allegations of torture."

Unfortunately, Uyghurs continue to be arbitrarily arrested, sentenced for long prison terms without any formal charges, tortured, and executed on a scale so systematic as to include virtually every political prisoner, man, woman or child.

As shown in the text presented, the government of the PRC does not protect the rights of the Uyghur people with regard to the right to equal treatment before the tribunals and all other organs administering justice.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

D. Violations of the Right to Public Health Services and Medical Care

Article 5(e)(iv) of the CERD guarantees the right of everyone, without discrimination based on race, color, national or ethnic origin, to enjoy "the right to public health, medical care, social security and social services." However, in contrast to their Chinese counterparts, the Uyghur people are, for a large part, left out of the state-sponsored health care system.

Hospitals require Uyghurs to pay exorbitantly high security deposits before entry to the hospital is allowed. Hospitals generally do not require such deposits from Chinese patients or the small number of Uyghurs employed by the Chinese government. The amounts of these deposits are often so high as to prevent Uyghur people from receiving medical assistance at all, even in dire circumstances. While most Chinese are covered under a state healthcare plan for medicines, most Uyghurs are forced to pay full prices. Since most Uyghurs cannot afford doctors and hospitals, they often postpone their visit to hospital until it is already too late for them.

As a result of the nuclear tests conducted in Xinjiang, cancer is commonplace among the Uyghur people, especially children. Most victims suffer and die silently at their homes without ever visiting a hospital. In recent years, because of the "Developing the West" plan, excessive population transfer from other parts of China and heavy industrial development have taken place in oasis cities that sit at the water sources of many rural areas. This has created not only water shortages but also heavy pollution of rivers that Uyghur farmers use for both irrigation and drinking needs. As a result, diseases resulting from undrinkable water are commonplace in many Uyghur villages. The government pays zero attention to farmers' complaints about this issue. They do not study the environmental problems as long as it does not concern the Chinese immigrants.

Another serious problem that the Uyghur people face is the language barrier. Because of the employment discrimination, hospitals even in predominantly Uyghur regions employ almost exclusively Chinese doctors who do not make any effort to learn the language of their patients. Since 90% of the Uyghur people do not speak Chinese and almost none of the Chinese make any effort to learn Uyghur, the language barrier is one of the biggest hurdles for Uyghurs, particularly in rural areas, to get access to medical care.

Uyghur women and children suffer the most from the lack of health care. In rural areas most Uyghur women give birth at home since they could not afford hospital services. Death at childbirth for both mothers and children is commonplace. For Uyghur women in rural areas and unemployed Uyghur women in cities, the only time they give birth at a hospital is when they are forced to have an abortion. Because of these obstacles to medical care, child mortality among Uyghurs is one of the highest in China and life expectancy for Uyghurs is close to the very bottom among the 55 nationalities in China.

In conclusion, lack of healthcare, high prices for medical care, language barrier and low incomes prevent Uyghurs from receiving the medical assistance to which they are entitled under Article 5(e)(iv) of the CERD. Since many Uyghurs do not have the necessary financial resources to

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

obtain adequate medical care, they die where similarly situated Chinese settlers are able to survive.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

E. Violations of the Right to Security of One's Person and the Right to Be Protected Against Violence and Bodily Harm

In the 1996 Concluding Observations of the Committee on Racial Discrimination, the Committee wrote:

"Concern is expressed at reported cases of violations in the autonomous regions of Xinjiang and Tibet of the right to security of person and protection against violence or bodily harm, as contained in article 5 (b) of the Convention."

UN Committee on the Elimination of Racial Discrimination (CERD), UN Committee on the Elimination of Racial Discrimination: Concluding Observations, People's Republic of China, 27 September 1996, CERD/C/304/Add.15., available at:
<http://www.unhcr.org/refworld/docid/3ae6aebac.html>

Strike Hard Campaign Abuses the Rights of the Uyghur People

The Chinese government provides clear guidance to all levels of law-enforcing institutions in the Xinjiang province of the People's Republic of China (PRC) that their main goal is to strike hard on the "three evil forces" that they call "religious extremism," "splitism," and terrorism. Religious extremism, in the terms of the ruling Chinese Communist Party (CCP), is non-government sanctioned religious observances. Splitism (or Separatism), in the terms of the CCP, is any activity that may criticize the ruling party, seek redress to injuries received by the government, or any attempt to make a change in the current political situation or structure. Terrorism, although a familiar term, is also closely linked to the term 'splitism' by the CCP. Both terms are used interchangeably and any of the "three evil forces" are enough reason for summary execution.

Special permissions and rights have been provided to the People's Liberation Army (PLA), Xinjiang Production and Construction Corps (XPCC) [Ch.: Bingtuan], various levels of party-government organizations, and even village cadres to "strike hard" against the "three evil forces". These organizations have been authorized to monitor, threaten, harass, arrest, torture and punish Uyghurs who are suspected of being connected to the "three evil forces" or "have political problems". For this reason, the number of the Uyghur people who have been arrested for "political offenses" has been increasing in an alarming speed, resulting in a situation where the majority of Uyghur prisoners in Xinjiang are political prisoners.

For example, according to a report by "Tianshan News Network", Chinese government authorities held a ceremony in Urumchi, Xinjiang on Dec. 1, 2008 to celebrate the 30th anniversary of the commencement of the Xinjiang Uygur Autonomous Region (XUAR) Judicial Department. According to a speech given during that ceremony by a government official, during the 5-year period from 2003 to 2007, the various judicial organizations in Xinjiang arrested 88,000 criminal suspects. Zhou Hailun, the Chairman of XUAR Politics-Law Committee said in the ceremony that the XUAR Judicial Department has gained tremendous achievements in the last 30 years in suppressing the "three evil forces"; that the various judicial organizations must

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

continue to concentrate their forces on the suppression of the "three evil forces", especially "ethnic separatists."

Zhou Hailun's speech indicates that the majority of the 88,000 people arrested in the last 5 years are Uyghurs put into jails for suspicion of being connected to one of the "three evil forces." According to a news report by a Chinese media on Jan. 4, 2009, the authorities arrested 1,300 Uyghurs during the first 11 months in 2008 for their offenses of "threatening the security of Olympic games," and among them 1,154 have been given various jail sentences for committing one or more of the "three evil forces" of religious extremism, "splittism," and terrorism. This is a dramatic increase from 2007, when the number of individuals arrested for state security crimes nationwide was 744.

In further examples, according to the US State Department's 2008 Human Rights Report:

"During the year authorities increased repression in the XUAR, and targeted the region's ethnic Uighur population. In August officials in XUAR reiterated a pledge to crack down on the government-designated "three forces" of religious extremism, "splittism," and terrorism. In September XUAR CCP Chair Wang Lequan stated that "this winter and next spring we will launch a concentrated antiseparatist reeducation campaign across the whole region." It was sometimes difficult to determine whether raids, detentions, and judicial punishments directed at individuals or organizations suspected of promoting the "three forces" were instead actually used to target those peacefully seeking to express their political or religious views. The government continued to repress Uighurs expressing peaceful political dissent and independent Muslim religious leaders, often citing counterterrorism as the reason for taking action."

"Uighurs were sentenced to long prison terms, and in some cases executed, on charges of separatism. In April 2007 foreign citizen Huseyin Celil was sentenced to life in prison for allegedly plotting to split the country and 10 years in prison for belonging to a terrorist organization, reportedly after being extradited from Uzbekistan and tortured into giving a confession. During the year the government reportedly sought the repatriation of Uighurs living outside the country, where they faced the risk of persecution."

"Possession of publications or audiovisual materials discussing independence or other sensitive subjects was not permitted. According to reports, those possessing such materials received lengthy prison sentences, such as Uighur Mehbube Ablesh, who was detained for expressing sensitive views online. Uighurs who remained in prison at year's end for their peaceful expression of ideas the government found objectionable included Abdulla Jamal, Tohti Tunyaz, Adduhelil Zunun, Abdulghani Memetemin, and Nurmuhemmet Yasin."

"During the year XUAR officials defended the campaign against separatism as necessary to maintain public order and continued to use the threat of violence as justification for extreme security measures directed at the local population and visiting foreigners. Han control of the region's political and economic institutions also contributed to heightened

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

tension. Although government policies brought economic improvements to the XUAR, Han residents received a disproportionate share of the benefits."

US Department of State, Bureau of Democracy, Human Rights, and Labor, 2008 Country Reports on Human Rights Practices, 2008 Human Rights Report: China (includes Tibet, Hong Kong, and Macau); report available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119037.htm>

As shown, the Uyghur people continue to be arbitrarily arrested and sentenced to long prison terms without any formal charges. Interrogations that include torture and forced confessions are executed on such a wide scale as to include virtually every political prisoner; man, woman or child. Various international human rights organizations believe that Xinjiang is the region where human rights are violated most; a region governed by military rules, where government officials reign over the most lawless region in China. In this region, Uyghurs and migrant Han Chinese are treated under two kinds of completely different standards. The authorities allow some amnesty to migrant Han Chinese, but regard Uyghurs as subhumans in all aspects of life, and treat the Uyghur "political offenders" in an extremely harsh way without showing any mercy and with zero-tolerance. At present, Xinjiang remains the only place in China where political prisoners are executed.

In its concluding observations on China, the Committee Against Torture on 9 May, 2001, again expressed its concern "about the continuing allegations of serious incidents of torture, especially involving Tibetans and other national minorities." The Committee also urged China to "ensure the prompt, thorough, effective and impartial investigation of all allegations of torture."

The government of the PRC does not protect the rights of the Uyghur people with regard to the Right to Security of One's Person and the Right to Be Protected Against Violence and Bodily Harm.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

F. Violations of the Right to Freedom of Movement

Article 5(d) of the CERD states that individuals shall enjoy:

- (d) Other civil rights, in particular:
 - (i) The right to freedom of movement and residence within the border of the State;
 - (ii) The right to leave any country, including one's own, and to return to one's country;

The People's Republic of China (PRC) discriminates against the Uyghur people by refusing or confiscating their foreign travel passports. It has always been difficult for Uyghurs to leave the PRC for any reason. In the last year, it has become virtually impossible for Uyghurs to obtain passports. There were numerous reports that many young Uyghurs who were admitted to overseas universities as students, scholars, and business people had to cancel their international study plans because the government official refused to issue them passports.

Many Uyghur Muslims had to cancel their pilgrimages to Mecca by the same reason. There are reports that the Chinese government was collecting all passports issued to Uyghurs and that many passports were confiscated. The government began collecting passports of Uyghurs after Wang Lechuan, the regional head of the communist party, called to ban and harshly punish all "illegal" pilgrimage activities.

[*"China Confiscates Muslims Passports,"* Radio Free Asia, June 6, 2007; *The National*, Abu Dhabi Media Company *"Only older men allowed in mosques,"* by Paul Mooney, April 05, 2009]

There have been no changes in issuance of travel documents for representatives of the Han ethnic group.

According to an October 2008 New York Times report,

"About two years ago, the government began confiscating the passports of Uyghurs across the region, angering many people here. Now virtually no Uyghurs have passports, though they can apply for them for short trips. The new restriction has made life especially difficult for businessmen who travel to neighboring countries.

[*"Wary of Islam, China tightens a vise of rules,"* by Edward Wong, New York Times, October 18, 2008.]

To get a passport to go on an official hajj tour or a business trip, applicants must leave a deposit of nearly \$6,000 (US dollars).

Rules posted last year on the Xinjiang government's website say the applicant must be 50 to 70 years old, "love the country and obey the law."

The state justified the travel restriction by invoking security concerns during Beijing Olympic Games, although the travel restrictions on Uyghurs began almost two years before the Olympic games. During 2008 Olympics, "Uyghurs were discouraged or in some cases, barred from air travel and access to Beijing was limited."

[Freedom House Blog, *Migration: Another Pressure Point for China's System*, February 27, 2009.]

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

It appears that the Chinese government wants to prevent Uyghurs from all contacts unsanctioned by the government with the World outside of China. The restriction concerns any travel outside of China by family, business, education, or pilgrimage reasons.

By restricting foreign travel of Uyghurs, China violates Item 5 of Article 2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities that states:

"Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties."

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

G. China's Birth Control Policy - Genocide against the Uyghur and Tibetan People

China's birth control policy, commonly known as "One Child policy," is a thirty year old controversial mass political campaign of the Chinese Communist Party controlled People's Republic of China (PRC), elevated to the level of the highest national priority. By its scale and socio-economic consequences, the birth control policy can be compared only with the Great Leap and the Cultural Revolution campaigns of the Maoist period of modern Chinese history. There are hot debates among specialists on benefits and negative effects of the campaign. A comprehensive picture of the impacts of the birth control policy on Chinese society will be seen in the future. The point that is universally accepted is that compulsion and coercion are at the core of the implementation of the policy.

The birth-control policy of the communist government of China has caused countless personal tragedies not only in Han, but also ethnic minority families. The history, methods, and effects of the birth control policy on China's ethnic minorities have received very little attention from the international community. The policy grossly violates reproductive, gender, religious, and minority rights of Uyghurs, Tibetans, and other ethnic groups in China. In recent years, when the World's attention has been distracted by the so-called War on Terror, the Chinese government has significantly tightened the birth control policy on its ethnic minorities. This document addresses history, methods, and effects of the birth control policy on the Uyghur population.

China's birth control policy

Following directives of a senior Chinese ideologue Deng Xioping, the government of PRC introduced the birth control policy in 1979. Communist party's official justifications of the policy were to solve China's malnutrition problem, to improve living standards of the Chinese people by increasing its GDP per capita indicator, and to provide people with sufficient employment, improved health care, and better education. In 1980, the marriage law went into force, which put the marriage age for men and women at 22, and made it illegal not to practice family planning.

In the course of implementation of the birth control policy in the middle of 1982, the Chinese government launched a mass sterilization campaign "with the goal of sterilizing by 1985 all childbearing-age couples with two or more children. For more than a year, this radical Maoist-style campaign was prosecuted with ruthless efficiency."

[White, Tyrene. China's longest campaign - Birth Planning in the People's Republic, 1949--2005. Cornell University Press, Ithaca, 2006, 297 p. 135]

To prevent rural unrests protesting the campaign, in 1984 the Central Committee of CCP endorsed a report of the State Birth-Planning Commission and issued the most important Document No. 7/1984 of the CCP's birth-control policies.

[Central Document 7 (1984) – "Report on the situation in birth planning work." English translation in White, Tyrene, ed., "Family Planning in China," Chinese Sociology and Anthropology 24, 3 (1992), pp. 11-16. Chinese text: PengPeiyun, ed., Zhongguo jihua shenguy quanshu, pages 24-27.]

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

The document "repudiated the use of coercion and "shock tactics" to enforce birth targets, stressing instead the need for routine and patient work to gain compliance."

[White, Tyrene. China's longest campaign - Birth Planning in the People's Republic, 1949--2005. Cornell University Press, Ithaca, 2006, 297 p. 135]

The document reflects usual hypocrisy of the Chinese communist leaders. Occurred mass irregularities were blamed on overzealous low level cadres, and not a single high ranking party official was named responsible for the abuses. On one hand, the document calls for moderate use of coercive tactics, and on the other hand, it requires the attainment of the same population growth rates and the use of the same methods. The document urged strict prevention of all non-authorized second and higher order births for Han Chinese with the goal of 1.2 billion people in year 2000.

[Aird, John S., Slaughter of the Innocents: Coercive Birth Control in China, AEI Press, Washington D.C., 1990. Pages 36-37]

In 1986, the Chinese communist party's Central Committee issued Document 13, where it required tightening of the implementation of birth control by sterilizations, intra-uterine birth control device (IUD) insertions, and abortions.

In 1988, a the State Family Planning Commission issued a "Circular on Earnestly Implementing the Marriage Law and Strictly Prohibiting Marriage in Violation of the Law" which stated:

"Those who marry early before the legal marriage age and have early childbirth and those who allow their children to practice cohabitation without registration will be criticized and educated to the extent of being disciplined by their work units... Those who violate the law must be punished accordingly."

["Profile series - China: Family Planning Policy and Practice in the People's Republic of China." [PR/CHN/95.001A], March 1995, INS Resource Information Center.
<http://www.uscis.gov/files/nativedocuments/prchn95-001.pdf>, page 6]

In 1991, the Chinese Communist Party's Central Committee and the State Council passed a new resolution on strengthening of birth planning, emphasized validity of one-child norm, and strict implementation of all rules with incentives and sanctions.

[Scharping, Thomas. Birth Control in China: Population Policy and Demographic Development. RoutledgeCurzon, New York, 2003, 406 p., page 75]

Birth control policy on ethnic minorities

Ethnic minorities were first mentioned in the context of the birth control policy in Open Letter of the Central Committee published in September 1980; that is, less than a year after the policy was launched in China.

[ZRN 1985, pages 27-29.]

The Chinese Communist Party's approach to birth control policy toward ethnic minorities was initially very cautious, nevertheless, it stressed that ethnic minorities are not exempt from the policy. In 1982, the concept of birth control policy on ethnic minorities entered in the sixth five-year plan and has been repeated ever since.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

In Document 7/1984, the rules regarding birth control on ethnic minorities were further clarified. Just a year before, in 1983, China signed the United Nations convention on genocide that describes birth prevention of ethnic minorities as a form of genocide (see the following section). China's ethnic minorities were now strictly required to practice birth control. Minorities with a population less than 10 million people were allowed to have two children. A third child was permitted in special conditions, but to have more than three children was strictly forbidden. Although one-child rule of this policy should not have applied to Uyghurs and Tibetans, birth control and sterilization policies were actively promoted, encouraged, and enforced in the autonomous regions.

Regulations of April 1988 introduced birth planning for the minorities of Uyghur Autonomous Region (Xinjiang). Uyghur families were allowed to have two children in the cities and three in the countryside. Some ethnic groups were allowed up to five children. A young Uyghur family was required a government permit to have children.

In 1990s, the Chinese state stepped-up enforcement of birth control among ethnic minorities. New birth planning regulations require a permit even for a first child. The birth-control regulations in the Uyghur Autonomous Region were amended in August 1991, and special rules for smaller groups were dropped.

A conference was convened in 1992 in order to discuss tightening birth control among China's ethnic minorities. Understanding sensitivity of the matter and that emulation of the policy for Han Chinese regions in ethnic areas may provoke open rebellion; the conference recommended a cautious course taking into account customs, religious beliefs, financial situation, and whether the ethnic region is a border or an inland area. In 1992, birth-planning rules were formulated for Tibet Autonomous Region.

[Scharping, Thomas. Birth Control in China: Population Policy and Demographic Development. RoutledgeCurzon, New York, 2003, 406 p., page 75]

In early 2000s, the Chinese government has launched a series of extensive birth control and forced sterilization campaigns targeting the Uyghur women. Like women across China, Uyghur women received regular check-ups to make sure their IUDs are in place. There were reports that Uyghur women were loaded in a truck and forcibly operated for an abortion or sterilization.

["Uyghur women in remote Chinese province clash with family planning restrictions," by Rebecca MacKinnon, CNN, November 14, 2000.]

The government significantly increased its budget on implementation of the family planning policy. According to recent reports, the Chinese state has tightened its birth control policy in the Uyghur Autonomous Region as never before.

Enforcement of the birth control policy on ethnic minorities is an act of genocide

Historically East Turkistan, known now as the Xinjiang-Uyghur Autonomous Region (XUAR), and Tibet were annexed by the Manchu Qing Empire by military conquests in the second half of the 18th century. When the PRC was established in 1949, more than 90% of population in East Turkistan and Tibet were non-Han. The two regions occupy almost 30% of China's territory,

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

whereas Uyghurs and Tibetans account only for about 1% of China's total population; East Turkistan and Tibet are the most scarcely populated territories in China.

The Chinese state denies both peoples their rights of self-determination. As a consequence, there is no political mechanism in the Chinese state for the Uyghur and Tibetan peoples to express their wills on important aspects of their lives, in particular, on the birth control policy of the Chinese state, which affects every single Uyghur or Tibetan family. The effects of birth control have special ramifications on Uyghurs and Tibetans since they do not exercise sovereignty over their own ethnic territories and social lives.

Other native peoples of Xinjiang such as Kazakhs, Mongols, Kirghiz, Uzbeks, and Tajiks also suffer from the birth-control policies. The difference between their situation with that of Uyghurs and Tibetans is that these minority groups are representatives of ethnicities most of whom live outside of China; they have own sovereign nations where they represent ethnic majorities, and where state policies support and favor population growth.

The "One Child Policy" is being implemented in Xinjiang and Tibet against wishes of indigenous peoples of these autonomous regions. Uyghurs and Tibetans have never been asked whether they agree with the birth-control policy, although it directly and negatively affects their health, family happiness, religious beliefs, and cultural habits.

Improvement of living standards of minority peoples is only a pretext of China's birth control policy. The actual goal of the birth control policy is to eliminate forever the danger of separation of ethnic territories from China by reducing proportions of ethnic minorities with respect to Han Chinese on their territories. Enforcing the birth control policy on Uyghurs and Tibetans has no effect on China's economic growth because of the small share of Uyghurs and Tibetans in the total population of China. On the other hand, the policy has a direct effect on the proportion of Han Chinese to native peoples in the autonomous regions.

China's birth control policy on Uyghurs and Tibetans along with mass transfer of Han Chinese into Xinjiang and Tibet once again demonstrates traditional hypocrisy of the Chinese government. On one hand, the government claims that the regions need additional work force to accelerate economic development, and, on the other hand, it caps growth rates of native peoples. Thus, both policies serve the same goal: to reduce drastically the share of native peoples in the autonomous regions. The enforcement by China of the birth control policy on its ethnic minorities combined with Han population transfer into autonomous regions is a form of ethnic cleansing of Xinjiang and Tibet; the ethnic structures of the regions are being changed as never before in the recent history.

Uyghur women suffer from the abuse of the Chinese government in the same degree as Han women. The difference is that there is a genocidal aspect to this abuse when the government consisting almost entirely of Han people sterilizes and forces abortions on Uyghur minority women. Adopted by Resolution 260 (III) A of the United Nations General Assembly on 9 December 9, 1948, Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as follows:

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

"In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group."

[United Nations website's page on "Convention on the Prevention and Punishment of the Crime of Genocide." <http://www.un.org/millennium/law/iv-1.htm>]

The convention came into force as an international law on 12 January 1951 and Republic of China was a party to the treaty. The People's Republic of China ratified the convention in 1983. According to items (c) and (d) of the definition, imposing the birth control policy of the Chinese state on the Uyghurs and Tibetans is an act of genocide. This birth control policy is taking place during peacetime and cannot be blamed on a war or any other extraordinary circumstances.

Resolution 1674, adopted by the United Nations Security Council on 28 April 2006, "reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity." China, a permanent member of the UN Security Council, instead of guarantying protection of populations from genocide and ethnic cleansing, blatantly violates the UN resolutions on genocide.

Coercive measures of the birth control policy on the Uyghur population

Compulsory measures have always been the core of the Chinese government's birth control policy. Disciplinary and economic sanctions for noncompliance were first introduced in the Uyghur Autonomous Region in 1981. In 1991, the list of sanctions applied on the Uyghur population was extended to the following:

1. Above quota birth fine -- 10-30% wage deduction for 14 years for both parents;
2. Family pays for medical and maternity expenses; no paid maternity leave;
3. No bonus payments, welfare items or commendation benefits;
4. No job promotion;
5. No higher allocation of housing or allotment of building tracts;
6. No work allocation in state or collective enterprises for peasants or urban unemployed;
7. Disciplinary sanctions for cadres and state employees up to discharge from work; public criticism and account of cadres;
8. Economic sanctions and no commendation benefits for work unit or area.

[Scharping, Thomas. Birth Control in China: Population Policy and Demographic Development. RoutledgeCurzon, New York, 2003, 406 p., page 140, Table 11]

According to Item 8 of the preceding list, the government collectively punishes all members of a work unit or a village with the intention that the co-workers or villagers exert additional psychological pressure on the in-compliant family.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Special "pregnancy police" cadres watch for "unlawful" pregnancies. As remedial measures for unplanned pregnancies, the government widely uses coerced or forced sterilizations of women and men, forced abortions, or even Cesarean sections.

The birth control policy violates reproductive rights of the Uyghur people

The Chinese birth control policy violates reproductive rights of ethnic minorities by regulating spacing, timing, and quantity of children in ethnic minority families. The policy is enforced not only by incentives but mostly by coercion, administrative and financial punishment, psychological and ideological pressure, and, in many cases, by physical subjugation by police or state's family planning cadres. The Chinese government acts as if it owns reproductive organs of Chinese women and men.

The Chinese state formally recognizes the provisions of the "Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" adopted by Resolution 2003/50 of the Commission on Human Rights. Item 2 of the resolution states that the document:

"Reaffirms the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities."

As first established at the United Nation's 1968 International Conference on Human Rights, reproductive rights are an important component of human rights. The World Health Organization (WHO) defines reproductive rights as follows:

"Reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence."

[Website of the World Health Organization, Gender and Human Rights:
<http://who.int/reproductive-health/index.htm>]

The WHO Constitution came into force on April 7, 1948, and China has been a member of the organization since the beginning.

The government of China violates every single aspect of the reproductive right of minorities. The Chinese state coerces and, in many cases, forces Uyghur as well as other minority and Han couples to have only one child or, in some cases, two children, to obtain a permit for a childbirth from state officials, to be sterilized after having one or two children, and finally, to submit to an abortion in case of an "illegal" pregnancy.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

The birth control policy violates gender rights of Uyghur women

The Chinese birth-control policy targets women more than men. The state requires all women of child-bearing age to have regular humiliating pregnancy check-up and to have intra-uterine birth control devices installed. Permission to have an IUD removed legally has to be granted by local authorities. Chinese IUDs are designed to be tamper-proof, and non-clinical removal can be dangerous for woman's health.

["Profile series - China: Family Planning Policy and Practice in the People's Republic of China." [PR/CHN/95.001A], March 1995, INS Resource Information Center.
<http://www.uscis.gov/files/nativedocuments/prchn95-001.pdf>, page 23]

The state strongly encourages both women and men with one child to undergo fertility sterilization operations with more pressure on women. In Uyghur families with two children, one parent must be sterilized, and this parent is usually a woman. "Illegal pregnancies" are terminated by abortion, a "remedial measure," often regardless of the health condition of a woman. The Chinese state does not reveal how many Uyghur women died or whose health was permanently damaged as direct results of enforcement of the birth-control policy.

In enforcing the birth control policy, the Chinese government treats women as biological beings whose fertility can be switched off by orders of communist party leaders. No consideration is taken for physical, moral, and psychological sufferings of women. As a crude, but an accurate, comparison, the communist government treats women just like cattle on a farm, where the farmers (senior party officials) decide when and how many calves a cow has.

The Chinese state kills unborn Uyghur babies

Every forced or coerced abortion of a Uyghur woman kills an unborn child - a potential member of the Uyghur people. Most of the forcibly terminated pregnancies would result in a birth of a baby that is wanted by her family and people. Some abortions are performed late in a woman's pregnancy. There were reports of Uyghur babies being removed from mother's womb by a Cesarean section and killed. The fact is that the Chinese state reduces the size of Uyghur population by killing thousands of its unborn live children, it is a physical annihilation of members of ethnic minority aiming to change population structure of the ethnic territory. This is a form of genocide against Uyghurs.

["Between the Abortion Knife and Nuclear Testing," Taipei Times, October 14, 1999.]

Chinese state does not protect Uyghur families

Article 23 of the "International Covenant on Civil and Political Rights" - the United Nations treaty of which China is a signatory -- states

"The family is the natural and fundamental group unit of society and is entitled to protection by society and the State."

The Chinese state interferes in a most cruel way into the most fundamental and intimate aspect of a family life - childbirth. The state dictates to Uyghur families when and how many children to have, it forces people to change the functioning of their reproductive organs; it affects the health of women by forcing them to have abortions. The Chinese state exerts psychological pressure,

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

administrative punishment, and financial fines on the families that do not comply with its birth control policy. The birth control policy of the Chinese state affects normal functioning of most of Uyghur families, and under pressures of the birth control policy, they often fall apart. The birth control policy is a clear violation by the Chinese state of its obligation to protect its families, in particular, Uyghur families.

The birth control policy violates religious rights of Uyghurs

Most of Uyghurs are Muslim, and the significant portion of the Uyghur population is devoted believers in Islam. The Chinese state imposes its birth control policy on Uyghurs without regard to their religious beliefs. For many Uyghurs sterilization is a sin because this operation changes functioning of a human body from the way as created by the God, an abortion is a sin because it destroys a life created by the God. Both of these acts are immoral according to the beliefs of Muslim Uyghurs. The Chinese state is an atheist state with a long record of persecution of its religious citizens. The Chinese state gives no consideration to religious beliefs of Uyghurs or Tibetans in implementation of the birth control policy.

The Chinese state put a cap on the size of the Uyghur population

Replacement fertility is the rate at which women have just enough babies to replace themselves; it is the total fertility rate (TFR) at which newborn girls would have an average of exactly one daughter over their lifetimes. The following table present total fertility rates (TFR, children per woman) for the Uyghur Autonomous Region from 1957 to 1995.

Year	1957	1965	1973	1979	1981	1984	1987	1989	1992	1995
TFR (AVE.)	5.12	6.66	5.43	3.70	3.58	4.15	3.71	3.37	1.77	2.35
TFR (Uyghurs)					5.59			4.66		

[Scharping, Thomas. Birth Control in China: Population Policy and Demographic Development. RoutledgeCurzon, New York, 2003, 406 p., page 267, Table 29]

The presented data show that, from 1981 to 1989, TFR of Uyghurs decreased by 17% where as the average TFR decreased by 6%; thus, the rate of decrease for Uyghurs was 3 times the average. By 1992, the average TFR in the Uyghur Autonomous Region fell to 2.25. There must be even larger decrease of TFR for Uyghurs. The current TFR of Uyghurs is apparently somewhere between 2 and 3.

If the birth control policy continuous being applied on Uyghurs, very soon the TFR of Uyghurs will be below the replacement fertility rate (around 2.1 for China; must be higher for the Uyghurs). If China does not stop its birth control policy in the Uyghur Autonomous Region, the Uyghur population will stop increasing, and may start decreasing. For a small minority ethnic group as Uyghurs, such situation is a national catastrophe. According to 2000 census data, there were 8.35 million Uyghurs in the Uyghur Autonomous Region which is 45.2% of the total population. The birth control policy appears to cap the size of Uyghur people under 10 million people. The government of China violates Uyghurs' minority rights by putting a cap on the size of its Uyghur minority population.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

IV. Conclusions and Recommendations

The People's Republic of China (PRC) is a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination and is obligated to uphold the provisions thereof. Article 2 states:

"States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races..."

Specific rights are outlined in Article 5 and include:

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;
- (c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;
- (d) Other civil rights, in particular:
 - (i) The right to freedom of movement and residence within the border of the State;
 - (ii) The right to leave any country, including one's own, and to return to one's country;
 - (iii) The right to nationality;
 - (iv) The right to marriage and choice of spouse;
 - (v) The right to own property alone as well as in association with others;
 - (vi) The right to inherit;
 - (vii) The right to freedom of thought, conscience and religion;
 - (viii) The right to freedom of opinion and expression;
 - (ix) The right to freedom of peaceful assembly and association;
- (e) Economic, social and cultural rights, in particular:
 - (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;
 - (ii) The right to form and join trade unions;
 - (iii) The right to housing;
 - (iv) The right to public health, medical care, social security and social services;
 - (v) The right to education and training;
 - (vi) The right to equal participation in cultural activities;
 - (f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

These rights are only a subset of the minimum requirements that each State Party has agreed to incorporate without delay and are recognized as basic human rights for minority peoples within the State. This document evidenced some of the egregious violations of these basic human rights that the Communist Chinese Party (CCP) controlled government of the PRC continues to impose on the Uyghur people of the Xinjiang province. This document has demonstrated that these violations of basic human rights are not the activities of non-State individuals or organizations, but part of comprehensive policies of the government of the PRC and the CCP. These policies are codified by laws and regulations and enforced by all organs of the government of the PRC and the CCP, including the People's Liberation Army (PLA), People's Armed Police (PAP), and the Ministry of State Security (MSS). Rather than protecting the Uyghur people from discrimination and promoting understanding among races, these policies are designed to eliminate the cultural identity of the Uyghur people.

The Uyghur people were at one time the majority indigenous people of Eastern Turkistan and have a unique and distinct culture separate from the Han Chinese people. Historically, the Uyghur people maintained their own affairs until the Manchu (Qing) Emperor of China sent his armies to invade their lands and seize control in the 18th century. The name 'Xinjiang' or 'New Dominion' was the name given to the area by the Manchu Emperor and reflects the short-term nature of their rule. Before the Han Chinese people threw off the yoke of the Manchu rulers in the early part of the 20th century, there had been no Chinese domination of Xinjiang, even though the Manchurian ruler of China gave it a Chinese name, "Xinjiang." Correspondingly, the number of Han Chinese people living in the region when the PLA forces "liberated" the people was 300,000 or about 6% of the population. Today, some sixty years later, the Han Chinese population is greater than 40% and steadily increasing.

The Uyghur people, in the land of their ancestors, are quickly becoming a minority. A foreign people control them with an iron fist from orders originating thousands of miles away and they are powerless to stop the inevitable destruction of their cultural identity. The Uyghur people have no voice in selecting their leaders or making any changes to the Chinese government policies that are designed to wipe them out. This is the one-party system in action, the "dictatorship of the people" instituted by Mao and successive leaders of the CCP.

This document outlines some of the fundamental rights covered by the ICERD that are being violated by the government of the People's Republic of China and its agents. Taken separately, as previously stated, the violations may be explained away or dismissed as isolated cases or misunderstandings. Taken as a whole, these government-sponsored programs, policies, regulations, and laws are calculated to remove the Uyghur cultural identity from the ten million Uyghur people in Xinjiang.

In education, the evidence indicates that Uyghur children will not study their native language until the second or third grade and up to that time they will study Chinese. Also, there are no upper-level classes that are taught in the Uyghur language. College level instruction on Uyghur literature, language, and culture is carried out in Chinese, as though it is a foreign language. This is not a recipe to encourage or save the Uyghur language except as a specimen in a Chinese bottle.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

In employment, the evidence shows that even though there is high unemployment rates among the Uyghur people, Han Chinese are being offered bonuses and special privileges to come and work in Xinjiang. These special privileges are not conferred on the Uyghur population and the Han Chinese take the jobs that would otherwise go to the local people. Local job seekers are required to show support as follows:

1. Must follow the four main principles (Socialist path, dictatorship of the proletariat, the CCP's leadership, and Marxism-Leninism and Mao Zedong Thought), protect the national unity, fight the ethnic separatism and the illegal religious activities with a clear standing;
 2. Must have very high political quality, there is no any ethnic separatist in his/her extended family, and must not be religious;
 3. Must be a CCP member, or someone who has served as a student leader and has received "Best student awards" in college;
- as related in a March 22, 2004 regulation from the XUAR Bureau of People's Affairs. These regulations are a mechanism to punish dissent and deprive blameless people of economic prosperity.

Very basic rights; the right to feel secure in your person, the right to be protected against violence and bodily harm, and the right to equal treatment before the court system are denied to the Uyghur people of Xinjiang. In the name of "suppressing terrorism and terrorists", tens of thousands of Uyghurs have been rounded up and interrogated to varying degrees of attention, including torture and summary execution. There is no feeling of personal security when the State holds such power over its citizens that they can be removed from their home to explain under intense scrutiny about what a relative may have uttered. Here, again, lies another attack on Uyghur culture, and history for the Chinese government has criminalized aspects of Uyghur history. Scholarship and even the mention of the Republic of Eastern Turkistan [(1933-1934) or (1944-1949),] are credentials for 'separatism' which is punished as one of the "Three Evil Forces" - "religious extremism," "splitism," and terrorism. Public participation should not be contingent on whether or not you got to an unsanctioned church or mosque or are proud of the homogeneous racial makeup of the Second Republic of Eastern Turkistan (or even aware of it.) The courts are no guarantee of safety as the interrogations are finished before there is any notification of anyone, including the family.

The right to freedom of movement has been stripped from the Uyghur people. Passports have been confiscated as reported in the media and the New York Times reports that 'virtually no Uyghurs have passports.' The security of the Beijing Games was also used to apply travel restrictions, even two years before the Games began. Devout Muslims fulfilling their religious duties are required to leave the equivalent of \$6000 to visit Mecca and meet other CCP approved criteria. These restrictions are applied to the Uyghur people alone. Such restrictions were not placed on any other ethnic group, inside or outside Xinjiang. By closing avenues of communication with the outside world, these travel restrictions are yet another tool used by the Chinese government to silence dissent and control information.

With regard to medical care, Uyghur people are subject to pay exorbitantly high deposits prior to being seen. This restriction is not placed on the Han Chinese patients or the Uyghurs that work

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

for the government. The language barrier complicates medical care provided by Han Chinese doctors because they do not learn the Uyghur language. A visit to the doctor in your hometown and he doesn't even try to speak your language and attempt to provide the care that is your due.

Taken as a whole, the violation of the Uyghur people's rights accorded under the ICERD are indicative of a strategy to marginalize their cultural identity. The very traits that distinguish them as Uyghur are under attack – limited Uyghur language instruction, no institutes of higher learning conducted in the Uyghur language, severe controls on religious activity, the criminalization of portions of their history, to mention just a few. The overall objective of these Chinese government policies is not to protect the "Uyghur-ness" of the Uyghur people, but to eradicate it so that in the future the only reference to Uyghurs are in Chinese language text books.

Recommendations

The World Uyghur Congress (WUC) humbly requests that the committee investigates:

- The lack of legal accountability of Chinese government organs in committing illegal acts and violating human rights when apprehending and interrogating political prisoners,
- The restrictions on free travel imposed on the Uyghur people,
- The restrictions on Uyghur language education,
- The restrictions (and in some instances criminalization) of Uyghur history,
- The unequal and unjust application of deposits on the Uyghur people for medical care,
- The restrictions on employment opportunities for relatives of political prisoners, those that don't speak Chinese, and non-CCP members.
- The lack of religious freedom,
- The lack of freedom of expression and opinion.

The following recommendations are aimed at improving the rights of all inhabitants of the People's Republic of China. Therefore, World Uyghur Congress (WUC):

Recommends that the People's Republic of China (PRC) withdraws its first reservation to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, with regards to the recognition of the competences of the Committee against Torture (CAT).

Recommends that the PRC signs and ratifies the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Recommends that the PRC ratifies the International Covenant on Civil and Political Rights (ICCPR), which it has signed in 1998.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Recommends that the PRC signs and ratifies the International Convention for the Protection of All Persons from Enforced Disappearance.

Recommends that – in line with the recommendations made by the Working Group on Arbitrary Detention (WGAD) in their report of December 2004 – the PRC officially defines terminology for which persons can be prosecuted and convicted, such as “endangering national security”, “violating the unity and integrity of the state”, ”terrorism,” ”separatism”, and ”extremism”, etcetera.

Recommends that the PRC authorities disclose the exact number of Uyghurs charged, imprisoned or executed since 9/11 under the charges of terrorism, separatism or extremism.

Recommends that the PRC authorities stop targeting the family members of prominent Uyghur dissident Rebiya Kadeer and disclose the conditions of her two imprisoned sons – Alim and Ablidik and allow monthly family visitations.

Recommends that the PRC authorities allow Canadian consular access to Uyghur Canadian Huseyin Celil who has been held and sentenced to life, violating international law.

Recommends that the PRC authorities extend an invitation to the WGAD, so that they may execute their mandate in the entire territory of the PRC, including in East Turkistan, known as the Xinjiang Uyghur Autonomous Region (XUAR).

Recommends that the PRC halts its repressive tactics under the guise of combating terrorism, extremism and separatism, which are in particular focussed on restricting Uyghurs in the in Xinjiang (XUAR) in their daily lives.

Recommends that the PRC increases its efforts to combat racism and discrimination, for instance by means of installing mechanisms to ensure and uphold employer contracts by providing safe working conditions and fair wages for all labourers, without discrimination on the basis of race, religion or other grounds.

Recommends that the PRC implement or strengthen existing programs aimed at preserving minority languages and cultures, such as that of the Uyghurs, in accordance with Article 4 of the Chinese Constitution, which states that “the people of all nationalities have the freedom to use and develop their own spoken and written languages, and to preserve or reform their own ways and customs.” The PRC authorities should abandon the “bilingual” language policy forcibly imposed upon the Uyghur people and allow the official use of Uyghur language as a language of instruction from kindergarten to college, and in all spheres of life.

Recommends that the PRC increases efforts to fully implement all freedoms and rights set out in its Constitution and in particular to fully guarantee the right to freedom of speech and of the press, as has been laid down in article 35 of the Chinese Constitution and to guarantee free religious practice as is laid down in article 36 of the said constitution.

**A Report of Violations of the Convention for the Elimination of Racial Discrimination
(CERD) by the People's Republic of China Against the Uyghur People
World Uyghur Congress, June 1, 2009**

Recommends that the PRC extends an invitation to the Special Rapporteur on freedom of religion or belief so they may investigate the current status of religious freedom in Xinjiang. The PRC should allow Uyghurs to perform hajj in both private and collective capacity.

Recommends that the PRC authorities immediately return the passports of all Uyghurs and guarantee their freedom of movement with the PRC and abroad.

Recommends that the PRC extends an invitation to the Special Rapporteur on torture to visit prisons in East Turkestan and investigate torture committed on Uyghur prisoners.

Recommends that the PRC authorities stop implementing the policy to forcibly transfer young and unmarried Uyghur women into eastern China to work as cheap or slave labor and return these women into their homes without any condition or delay.

Recommends that an official and independent evaluation of the 2004 Regulations on Religious Affairs is to be conducted in order to determine its consistency with article 36 of the Chinese National Constitution, the Universal Declaration on Human Rights, as well as the International Covenant on Civil and Political Rights (ICCPR) to which the PRC is a signatory.

Recommends that the PRC fully implement the 1984 Regional Ethnic Autonomy Law.