

CONFERENCE REPORT

UYGHURS CALL FOR DIALOGUE WITH CHINA – IMPLEMENTATION OF THE CHINESE CONSTITUTION TO SAFEGUARD AND PROTECT THE RIGHTS OF THE UYGHUR PEOPLE

29 – 30 April 2010 European Parliament - Brussels, Belgium



WORLD UYGHUR CONGRESS
UNREPRESENTED NATIONS AND PEOPLES ORGANIZATION



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The conference was sponsored by the ALDE (Alliance of Liberals and Democrats for Europe) Group of the European Parliament and the National Endowment for Democracy (NED) and was organised in collaboration with the Unrepresented Nations and Peoples Organization (UNPO) and the World Uyghur Congress (WUC).

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The conference report can be downloaded from WUC's and UNPO's websites.

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FOREWORD

One year has passed since our last international NED-WUC-UNPO conference entitled “*East Turkestan: 60 Years under the Communist Rule of the PRC; Past, Present and Future*”, which was held in May 2009 in Washington, DC. Since that date, one event has followed the other; some of them have required the Uyghur exile community to strongly campaign in order to raise the voice of their people.

JULY 2009

The July 2009 Protest and Ethnic Unrest in Urumqi

A few weeks after the last WUC conference, on 5 July 2009, Uyghurs in Urumqi, the regional capital of East Turkestan (also known as the Xinjiang Uyghur Autonomous Region or XUAR) staged a peaceful protest. The spark for the protest was government inaction on the killing of at least two, but possibly several dozen, Uyghur workers (who had been forced by Chinese authorities to work out of East Turkestan), by Han Chinese workers, at a toy factory in the city of Shaoguan, in the southern province of Guangdong on June 26, 2009.¹ Chinese security forces brutally and lethally suppressed the Uyghurs' peaceful protest. Eyewitnesses interviewed by Amnesty International indicated that security forces fired on demonstrators and many were subsequently killed extrajudicially. Eyewitnesses also told Amnesty International that security forces beat and kicked protestors. Security forces used stun batons and tear gas on the demonstrators. Uyghur human rights organizations and overseas media outlets received similar witness accounts of security forces extrajudicially killing Uyghur demonstrators and using other types of brutal and excessive force against them. Witness accounts received by Uyghur human rights organizations also indicated that protestors fled to other points of the city, where they were forced into several enclosed areas from which they could not escape and the police indiscriminately shot and killed Uyghur protestors in these enclosed areas and arrested those who remained. Ethnic unrest and violence followed the Chinese security forces' violent suppression of the peaceful Uyghur protest and killing of an untold number of Uyghur protestors (according to the Chinese Xinhua news agency, 197 people were killed, but the WUC estimates that more than 1000 people died during the July events).

Since the July 2009 incidents, the Chinese authorities have arrested thousands of people and a vast number of Uyghurs, including teenage boys, have been forcibly “disappeared”. Uyghurs arrested and detained in connection with the July 2009 incidents have been subjected to unfair trials marked by lack of judicial independence, lack of due process, and non-transparency. On 15 October 2009, UNPO condemned the death sentences handed down by an XUAR court to six Uyghur men after closed trials². When the Chinese government executed eight Uyghurs and one Han Chinese in early November 2009, UNPO vehemently condemned the executions and demanded an end to unfair trials and an international investigation of the July events³. Sweden, the holder of the EU Presidency at the time, condemned these executions, stating that, “*The EU reiterates its concerns about the conditions under which the trials were conducted, especially with regard to whether due process and other safeguards for a fair trial were respected. The EU calls on China to review urgently the cases of those who remain under sentence of death for their alleged involvement in this year's unrest and for their sentences to be commuted*”⁴.

On 3 December 2009, the WUC and the Uyghur American Association (UAA) published a joint statement against the death sentences handed down to five Uyghurs⁵. On 11 December 2009, UNPO published a press release stating that “*UNPO is deeply concerned that an additional 94 individuals have been arrested for their alleged involvement in the Urumqi unrest earlier this year, due to reservations about the fairness of the trials that have already taken place*”⁶.

So far, at least 24 Uyghurs have been sentenced to death and at least another eight Uyghurs have been sentenced to death with a two-year reprieve for murder or other crimes allegedly committed during the July 2009 events. Thus far, according to official information, at least eight Uyghurs have been already executed, but the WUC believes that all 24 Uyghurs sentenced to death have already been executed. The last reported cases of Uyghurs being sentenced to death in connection with the July 2009 incidents were in January 2010. The WUC believes that since January 2010, the Chinese authorities have stopped reporting death sentences in connection with the July 2009 incidents in Urumqi and have secretly sentenced more Uyghurs to death. The WUC reacted with press releases, calling on the international community to: help halt China's campaign of state terror against Uyghurs; help to protect the innocent Uyghur people being sentenced to death after unjust trials and help to end the continued oppression of Uyghurs⁷.

Following the July 2009 incidents, the Chinese authorities imposed the most repressive information crackdown and blackout on Uyghurs in history. East Turkestan was hermetically cut off from the outside world for about ten months. The entire area was completely sealed off from outside world without having any functional

communication channels available. During that time period, Internet, wireless, text messaging and international long distance calls have been banned and closely monitored.

The WUC made urgent appeals to the UN, European Parliament and governments to take actions on the July 2009 events⁸. Reactions from other organisations and groups followed. Italian MPs who belong to the Nonviolent Radical Party started a hunger strike to demand a G8 intervention for the respect of Uyghur rights⁹. On 8 August 2009, one month after the July 2009 incidents, the WUC organised a protest rally in Geneva, Switzerland to keep up the pressure on China and hold them accountable for the tragic loss of human life in Urumqi¹⁰.

On 02 November 2009, the official Xinhua news agency reported that police in East Turkestan had launched a "strike hard" campaign to "wipe out lawlessness". Added to the "100-day campaign" launched by Chinese authorities in September 2009 to capture alleged suspects in the July events, and the adoption of a law on "national unity" by the regional government in late December 2009, the measure formed part of a series of initiatives to criminalise Uyghurs' peaceful expression and activity¹¹.

On 13 November 2009, UNPO published a report entitled "Repression in China - Roots and Repercussions of the Urumqi Unrest"¹². The report not only outlines the events that took place in Shaoguan and Urumqi in summer 2009 in which hundreds of people were killed, but also a series of recommendations for future actions to assuage the resentment and mistrust between Uyghurs and ethnic Hans that has been allowed to develop in East Turkestan over the past five decades as a result of policies pursued by the Chinese government.

Other reports on the events of 5 July have been published by Human Rights Watch (HRW), Amnesty International, the Society for Threatened Peoples (GfbV), and the Uyghur Human Rights Project (UHRP). The URLs of these reports can be found in "References and Bibliography" at the end of this report.

JULY, SEPTEMBER, AND NOVEMBER 2009

Rebiya Kadeer and WUC delegations visit the European Parliament in Brussels. Resolution of the European Parliament on "China: minority rights and application of the death penalty"

Due to the tragic events of July 2009, WUC delegations visited the European Parliament three times from July to December 2009 to discuss the terrible happenings in East Turkestan with Members of the European Parliament, representatives of the political parties and EU Committees.

Asgar Can (WUC Vice-President for Europe) and Dolkun Isa (WUC Secretary General) headed the first visit in July 2009¹³, while WUC's President Ms. Rebiya Kadeer headed the second¹⁴. In her statement before the Subcommittee on Human Rights of the European Parliament on 31 August 2009¹⁵, Ms. Kadeer presented the situation in East Turkestan from a Uyghur perspective focusing on the July 2009 incidents and the situation in the region since the incidents. She also highlighted that she is willing to establish a dialogue with the Chinese authorities on the situation in East Turkestan¹⁶. Her statement ended with a call on Chinese authorities to start reforms in China: The time has come for the Chinese government to reform its failed policies, not only in East Turkestan and Tibet, but also in all of China:

*"The time has come for China to embrace human rights, freedom and democracy, and become a respected member of the international community. Uyghurs, Tibetans, Chinese and all ethnic groups in China have suffered too long under the Chinese Communist Party administration's repressive policies. The time has come for healing and reconciliation. President Hu Jintao, you can become the greatest Chinese president in five thousand years of Chinese history if you take a bold, righteous and historic stand towards creating a liberal, tolerant and modern China by talking with leaders of China's marginalized communities. I ask you not to go down in the history of China and the world as one of its greatest dictators."*¹⁷

On the same day, Ms Rebiya Kadeer held a joint press conference together with Heidi Hautala, Chair of the Human Rights Subcommittee. Questions were raised following Ms Kadeer's earlier address to the Human Rights Subcommittee. Ms Kadeer responded to questions from a variety of international journalists focusing on her call for dialogue with the Chinese authorities and on her account of the situation in East Turkestan. Ms Kadeer reaffirmed her rejection of separatist activity and her support for nonviolent solutions.¹⁸

The visit of Ms. Rebiya Kadeer to Brussels concluded with strong public statements of support from Members of the European Parliament (MEPs) and productive conversations with the European Commission and leading human rights NGOs. Successive meetings have reaffirmed the support from MEPs for concrete action in response to the Uyghurs' deteriorating human rights situation in the People's Republic of China¹⁹.

In November 2009, Dolkun Isa travelled again to Brussels to meet together with UNPO staff members and EU

representatives²⁰. He appealed to the EU to exert pressure on the Chinese authorities to end the ongoing crackdowns in East Turkestan and gross human rights violation against the Uyghur people.

On 25 November 2009, after several meetings between UNPO, WUC and MEPs, the European Parliament adopted a resolution²¹ on *"China: minority rights and application of the death penalty"* in a general meeting in Strasbourg, calling upon Beijing to *"suspend all...death sentences"* and *"make every effort to develop a genuine Han-Uighur dialogue"*. The resolution was sent to the European Commission, Council of the European Union, and the twenty-seven Member States of the European Union. It was also conveyed to the Council of Europe, United Nations Human Rights Council and the Government of the People's Republic of China.

It comes after a series of meetings coordinated by UNPO that brought MEPs and representatives of the WUC together to candidly discuss the situation in East Turkestan. These meetings included the appearance of Ms. Rebiya Kadeer before the European Parliament's Subcommittee on Human Rights in September 2009. They also laid the groundwork for the European Parliament's swift response following China's execution in November 2009 of prisoners accused of involvement in the unrest in Tibet and East Turkestan.

UNPO issued a statement on the resolution²² with General Secretary of the UNPO, Mr. Marino Busdachin noting that the resolution represented *"a milestone in support of implementing human rights in China"*, adding that he hoped it would *"provide a guideline for further relations and negotiations with China"* as the European Union continues its rounds of dialogue with Beijing.²³ Ms. Rebiya Kadeer, President of the WUC, expressed her relief that *"after many months, the international community has acted...Beijing must know that it cannot arrest, try, and execute people without giving them their basic rights of justice and defense."*²⁴

In late November 2009, the EU raised the Chinese government's human rights violations against the Uyghur people in its bilateral Human Rights Dialogue with China²⁵. Key issues for the EU were the death penalty, situation in Tibet and Xinjiang, rule of law, freedom of expression, including freedom of the press, torture, and the ratification by China of the International Covenant on Civil and Political Rights (ICCPR). The EU and China also discussed a number of specific items concerning the rule of law.²⁶ Ironically, while the Human Rights Dialogue was in progress, the Chinese authorities still sentenced to death five Uyghurs on 3 December 2009 and three Uyghurs on 4 December 2009 in connection with the July 2009 incidents.

In December 2009, following her visit to six other countries, Ms. Rebiya Kadeer ended her one-month European tour with a productive visit to the Dutch city of The Hague²⁷. There Ms. Kadeer discussed the Chinese suppression of the Uyghur people with human rights organizations, Dutch Members of Parliament, the press and academic experts. After discussing the dire situation of the Uyghurs in East Turkestan following the July 5th unrest, the Dutch MPs agreed to submit parliamentary inquiries into the ongoing media blackout in Urumqi, capital of East Turkestan, which is used by the Government of China to inhibit all communication with and amongst the Uyghur inhabitants of the region.

15 SEPTEMBER 2009

Arrest of Dolkun Isa, WUC Secretary General in South Korea

China has often succeeded to demonstrate that its arm is long and that even outside its borders it is able to act. Even Uyghur human right activists who operate outside of China face danger. The detention of WUC General Secretary Mr. Dolkun Isa on 15 September 2009 in the airport of Seoul, South Korea is evidence of this. Mr. Isa was detained in South Korea when he tried to enter legally and with a German passport to attend the World Forum for Democratization in Asia to which he had been invited. He was detained for three days. It was only because of intervention of Western governments and embassies, human rights organisations such as Amnesty International²⁸, the Society for Threatened Peoples²⁹, UNPO³⁰, the Uyghur American Association (UAA)³¹, and also the World Forum for Democratization in Asia (WFDA) itself³², and Italian Senator Marco Perduca³³ that the authorities in Seoul released him and sent him back to Germany. If he would have been deported from South Korea to China, it is certain that he would have been arbitrarily detained and subjected to torture and other ill treatment and it is possible that he would have been executed. Mr. Isa's detention has to be seen against the background of the July 2009 incidents in Urumqi. The Chinese authorities have repeatedly accused the WUC and its President Rebiya Kadeer in particular, of having masterminded the events in Urumqi despite not having substantiated such claims with any credible evidence. The detention of Mr. Isa is not the first time that the Chinese authorities have put pressure on foreign governments or parliaments to prevent visits from Uyghur human right activists. As the Society for Threatened Peoples published in a press release on 25 November 2009, the Chinese government started a defamation campaign against Uyghur human rights activists six years prior when *"in December 2003, the Chinese Foreign Ministry termed the fore-runner organisation of the WUC, the World Youth Congress of the Uyghurs with its seat in Munich, a 'terrorist' organisation. The German government was called on to close its office, to block its bank accounts and to deport all its members to China."*

The Bavarian Ministry of the Interior and the Bavarian Office for the Protection of the Constitution gave an assurance in their reply to the question from the Society for Threatened Peoples that they had no objections to the activities of the human rights activists. The Uyghurs were concerned to maintain a high level of transparency and gave regular reports to the Bavarian Office on their work³⁴.” Since that moment, the Chinese authorities have not stopped their efforts to block and defame the activities of the Uyghur diaspora. In 2008, for example, Dolkun Isa was prevented from entering Turkey³⁵. This new detention of Dolkun Isa is just a continuation of this strategy.

DECEMBER 2009

Forced Repatriation of 20 Uyghurs from Cambodia

In gross violation of international conventions and despite strong opposition by the UNHCR, the WUC³⁶, the Uyghur American Association³⁷, the UNPO³⁸, the Society for Threatened Peoples (GfbV)³⁹, the United States⁴⁰ as well as other western democratic countries, Cambodia forcibly repatriated 20 Uyghur asylum-seekers including one woman and two children (aged 6 months, 1 year old respectively) to China in late December 2009. The Chinese government had arbitrarily labeled these Uyghurs as “criminals”, claimed that many were wanted for their participation in the ethnic unrest, and pressured Cambodia to forcibly return them. The Chinese authorities put forth no evidence at all to support their allegations against these 20 Uyghurs. Cambodia yielded to the pressure from China and in violation of international law, forcibly returned the refugees to China on 19 December 2009. The Chinese authorities have failed and refused to disclose the whereabouts, conditions, and legal statuses of the returnees, despite calls to do so from Amnesty International⁴¹, other human rights organizations, and the United Nations and despite having promised the international community that it would deal with the Uyghurs transparently upon their return in December 2009. European Parliament Member Graham Watson MEP (UK Liberal Democrat MEP for South West England and Gibraltar) said in January 2010 that “China must now agree to allow representatives of the international community to be present at the trials of these poor people. It has a moral responsibility to treat them fairly, and should guarantee that there will be no executions.”⁴²

Shortly after the return of the Uyghurs, the Chinese and Cambodian governments signed a \$1.2 billion aid and investment package, which both denied was linked to the return of the refugees⁴³.

In response to this inhumane behaviour of Cambodian government, the United States authorities announced on 1 April 2010 the termination of a military aid program that provided surplus trucks and trailers to Cambodia⁴⁴.

In March 2010, a staff member of UNPO made an intervention⁴⁵ on behalf of Interfaith International during the consideration of Cambodia's Universal Periodic Review report at the 13th Session of the UN Human Rights Council. The intervention expressed – among other topics – grave concern at the refoulement of 20 Uyghur asylum-seekers despite Cambodia's ratification of the 1951 Refugee Convention.

21 MAY 2010

End of information blackout in East Turkestan

International media expressed interest again in the Uyghur issue, when the Chinese authorities lifted the internet blockade in East Turkestan on 21 May 2010, which had been imposed in the region right after the 5 July 2009 Urumqi Massacre.

JUNE - JULY 2010

Worldwide protests on the first anniversary of the 5 July massacre

To commemorate the first anniversary of the 5 July massacre, the WUC and its supporters created and implemented a global action plan⁴⁶ to ensure that the world did not forget about the devastating plight of the Uyghur people. Demonstrations were held in 17 countries, including but not limited to the United States, Japan, Turkey, Canada, United Kingdom, Germany, France, Norway, Sweden and the Netherlands⁴⁷. The WUC and its affiliate supporters urged the Chinese government, the UN, the EU and national governments to take action to improve the human rights situation in East Turkestan. They also stressed repeatedly that for the World Uyghur Congress and its members, the only way to solve the conflict in East Turkestan is through peaceful dialogue and negotiation with the Chinese authorities. They reaffirmed their rejection of all types of violence and their belief that a satisfactory solution for both sides can only be found through a peaceful approach. The demonstrators also called for an international and independent investigation into the tragic events of July 2009 and denounced the unfair trials and death sentences. The participants demanded the liberation of political prisoners, an end to the torture of Uyghurs and the forced resettlement of Uyghur

women, as well as religious and cultural freedom for the Uyghur population in East Turkestan and the respect for human rights in China.

The actions around the globe on 5th July 2009 have to be understood also as a call on Chinese authorities to start a meaningful dialogue with the leaders of the Uyghur community on the situation in East Turkestan. The WUC as well its member associations and the president of the WUC, Ms. Rebiya Kadeer, have repeatedly highlighted that governmental violence as a political tool is a dead-end-street in the relation between Han Chinese and Uyghur population in East Turkestan and that only through an honest dialogue peace can be reached in the region.

MARCH AND MAY-JUNE 2010

UN Human Rights Council

The Uyghur movement made further steps in raising the Uyghurs' plight in the international scene. The Uyghur issue was substantially discussed during the 13th⁴⁸ (March 2010) and 14th⁴⁹ (May 31 – June 18, 2010) sessions of the UN Human Rights Council in Geneva. International non-governmental organizations, such as Reporters Without Borders, Human Rights Watch, the Society for Threatened Peoples, International Educational Development, UN Watch, Amnesty International, and Freedom House, as well as governments and UN experts raised Uyghur human rights issues on different dates at the HRC sessions. The video of the strong intervention of the Society for Threatened Peoples highlighting lack of due process in the trials that led to execution of Uyghurs following the July 2009 incidents in Urumqi can be seen [here](#).

JUNE 2010

Special Award for Rebiya Kadeer by Societa Libera

On 18 June 2010, *Societa Libera* awarded Ms. Rebiya Kadeer with the Special Award of the 8th International Prize of Freedom⁵⁰ which was created by this organisation in 2003. Societa Libera is a non-profit organisation fostering freedom and promoting liberalism, in order to strengthen the concept of individual responsibility. The jury that decides the recipient of the prize includes prestigious academics, senior media editors, leading civil society representatives, and well-known entrepreneurs. The ceremony was organised in Lucca, Italy.

In the midst of all these events, the WUC and UNPO, with the sponsorship of the the National Endowment of Democracy (NED) (which funds WUC), UNPO, and ALDE (Alliance of Liberals and Democrats for Europe) Group of the European Parliament, organised an international conference entitled:

"UYGHURS CALL FOR DIALOGUE WITH CHINA – IMPLEMENTATION OF THE CHINESE CONSTITUTION TO SAFEGUARD AND PROTECT THE RIGHTS OF THE UYGHUR PEOPLE"

With the aim of establishing a meaningful dialogue with the Chinese authorities on the situation in East Turkestan, and to outline WUC's future goals and work towards achieving them as well as educating the Uyghur leadership and to inform and create a solid basis for effective international advocacy, to establish a counterweight and address the continued repression by the Chinese government of the Uyghur Muslim minority population, the WUC and UNPO convened an international conference on *"Uyghurs Call For Dialogue With China – Implementation Of The Chinese Constitution To Safeguard And Protect The Rights Of The Uyghur People"*, as well as an Uyghur Leadership Training Seminar (see separate report).

The international conference, sponsored by NED and the ALDE Group of the European Parliament and co-organized by the WUC and the UNPO, of which the WUC is a member organisation, was convened in the European Parliament in Brussels, Belgium from 29 - 30 April 2010. The collaboration between the WUC and UNPO made the event a great success, and proved again to be a fruitful partnership with effective cooperation in terms of planning and implementing of aims and objectives and a joint pool of resources and an expert network being made available to the participants.

The WUC is particularly pleased that it was possible to again invite a large number of participants. Approximately 70 Uyghurs from Germany, Belgium, Netherlands, France, Kyrgyzstan, Turkey, Kazakhstan, Norway, Sweden, United States, Canada, Switzerland and Australia participated, as well as 15 international scholars, academics, MEPs and experts. The Uyghur participants were all recruited by the WUC from the Uyghur Diaspora organizations worldwide. The participants were dedicated and resourceful individuals, ranging from young leaders to human rights activists, intellectuals and professionals. The number of participants clearly illustrated the need and interest in the conference. In fact, 150 Uyghurs requested to participate in the conference, but the lack of financial means prevented the conference organizers from accommodating

everyone. Unfortunately, Chinese opposition to such events became clear once again. Two brothers from the Uyghur community in Pakistan, were prevented from travelling to Brussels⁵¹. After having applied for a Belgian visa at the Belgian embassy in Islamabad, they were told that their close relatives had been detained for several hours and they fled from police. The brothers blame China, rather than their adopted homeland, and said the raid came in response to pressure from Beijing on the Pakistani authorities to step up pressure on Uyghur exiles, many of whom are human right activists.

This conference renewed and strengthened the commitment to establish an open and meaningful dialogue with the Chinese authorities on the situation in East Turkestan (see also Conference Declaration). By being held in the European Parliament, the very heart of European politics, the conference augmented awareness within the international community and media of the plight of Uyghurs.

Website of the conference: <http://unpo.org/article/10887>

A short video of the conference can be found at: http://www.youtube.com/watch?v=DntOkfG8_q4

... But the need for campaigns on the Uyghur issue goes on.

Despite the increasing international support of the Uyghur people, the need for campaigns and lobbying for the Uyghur issue continues, as recent events show. Rebiya Kadeer and Dolkun Isa are not allowed to travel to Turkey to meet the large Uyghur community of this country, and when visiting Spain in May 2010, the office for Human Rights of the Spanish Government cancelled a meeting due to pressure from the Chinese government⁵². Furthermore, the Taiwanese government refused to allow Ms. Kadeer and Uyghur human rights activist Mr. Omer Kanat to enter the country to attend a film festival where Ms. Kadeer's film "The 10 Conditions for Love" was being screened⁵³.

In July 2010, three Uyghur webmasters and one journalist/website editor were sentenced to significant prison terms for "endangering state security"⁵⁴. The vague and arbitrary provision in China's Criminal Law of "endangering state security" on which the men were prosecuted and convicted has regularly been used by the authorities to criminalize Uyghurs' peaceful exercise of their human rights and prosecute and imprison them. The authorities' use of this charge against Uyghurs has drastically increased in recent years.

As Henry Szadziewski, Manager of the Uyghur Human Rights Project, says:

"The Chinese government's continuing justification for this repression on state security grounds shows no sign of abatement and remains constant in the face of changing circumstances. In the past, China justified its repression of the Uyghurs on fears of "splittism"; after 9/11, it justified its repression in the context of the war on terror; and in the post-July 5 unrest era, it will prolong the repression on the grounds of stability -- all without acknowledging the systemic economic, social and political marginalization of the Uyghur people that has caused so much of the suffering. The role of the international community is vital in securing a future for Uyghurs free of repression. In the context of the increase in newsworthy events regarding Uyghurs, the concerns surrounding Uyghur human rights issues have gained a greater prominence. Should the international community choose to ignore the deterioration of conditions in East Turkestan this would not only affect stability in both China and Central Asia, but it would also open the door to the possibility that China's non-democratic approach to governance will become an attractive model for others to follow."⁵⁵

However, fortunately, from time to time there are small signals that minds are changing slowly. After Uyghur journalist/website editor Gheyret Niyaz was sentenced to a 15-year prison term in July 2010, more than fifty Chinese lawyers and scholars in China urged his release in a public, open letter.⁵⁶ The signatories stated:

"Niyazi is a Uyghur intellectual who upholds the spirit of independence, and who for a long time has been greatly concerned about the fate of China and its ethnic minorities, as well as with problems affecting citizens' civil rights and livelihood. He promoted increasing mutual understanding between Uyghurs and Han and his views about politics and culture are moderate and rational, to the point that some believed he was sympathetic to the regime. This kind of intellectual is extremely important in advancing communication and reconciliation between ethnic groups. The groundless charges brought against Niyazi, and the severe sentence he has received, are bound to foment extremist thoughts and actions and deepen ethnic tensions. Chinese citizens of all ethnicities, including Han and Uyghur, are affected negatively by this sentence.

Additionally, we have learned that more Uyghur website managers and journalists have been arrested or imprisoned for expressing their opinions. We are deeply troubled by this news. We believe

that the thoughts and opinions of every person, regardless of their background, ethnicity, or beliefs, deserve full and equal respect. We believe that charging Niyazi and others with speech crimes violates the constitutional promise that "the state respects and guarantees human rights," contradicts explicit constitutional protections for citizens' freedom of speech, and runs counter to provisions in the Universal Declaration of Human Rights and other international human rights treaties which China has signed. We hope that the relevant authorities are able to respect the rule of law, and wisely and courageously act to ensure citizens are guaranteed their freedom and dignity. This will form a solid foundation for the easing of ethnic tensions, safeguarding of social peace, and unity of the country."

In hopes for a better future for the Uyghur people in East Turkestan and for peace among all Chinese citizens, we can only assent to this statement.

**World Uyghur Congress
August 2010**

¹ **WUC:** "WUC calls all Uyghur organizations around the world to organize protests in front of the Chinese embassies", 1 July 2009, available at: <http://www.uyghurcongress.org/en/?p=978>

² **UNPO:** "UNPO Condemns Chinese Death Sentences without Fair Trial", 15 October 2009, available at: <http://www.unpo.org/article/10191>

³ **UNPO:** "Enough is Enough: End Execution Without Fair Trial", 9 November 2009, available at: <http://www.unpo.org/article/10312>

⁴ **EU Presidency:** Declaration by the Presidency on behalf of the European Union regarding the recent executions of nine persons in Xinjiang, 12 November 2009, available at: <http://www.uyghurcongress.org/en/?p=1344>

⁵ **WUC and UAA:** "World Uyghur Congress and Uyghur American Association call for urgent international action against death sentences for five Uyghurs", 3 December 2009, available at: <http://www.uyghurcongress.org/en/?p=840>

⁶ **UNPO:** "Ninety Four New Arrests over Ethnic Riots in Urumqi", 11 December 2009, available at: <http://www.unpo.org/article/10473>

⁷ **WUC:** "The World Uyghur Congress appeals to the people and governments in the free world as well as human rights organizations around the world to take urgent action to stop the ethnic massacre in East Turkistan!", 07 July 2009, available at: <http://www.uyghurcongress.org/en/?p=959> and "WUC Condemns China's Brutal Crackdown of a Peaceful Protest in Urumchi City", 6 July 2009, available at: <http://www.uyghurcongress.org/en/?p=966> and "WUC Condemns Death Sentences and strongly appeal the international community to protect the innocent Uyghur people", 13 October 2009, available at: <http://www.uyghurcongress.org/en/?p=837>

⁸ **WUC:** An urgent appeal to the UN, European Parliament and all governments from the World Uyghur Congress, July 2009, available at: <http://www.uyghurcongress.org/en/?p=845>

⁹ **WUC:** Human Rights: World Uyghur Congress supports the hunger strikes of Italian Radical MPs, 9 July 2009, available at: <http://www.uyghurcongress.org/en/?p=952> and "HUMAN RIGHTS IN CHINA: PARLIAMENTARIANS ON HUNGER STRIKE TO DEMAND A G8 INTERVENTION FOR THE RESPECT OF UIGHURS RIGHTS", available at: <http://www.uyghurcongress.org/en/?p=956>

¹⁰ **WUC:** Protestors Call for China to End Discrimination and Violence towards Uyghurs, 20 July 2009, available at: <http://www.uyghurcongress.org/en/?p=833>

¹¹ **Henryk Szadziewski:** 2009 - The Uyghur Human Rights Year in Review, 14 January 2010, Huffington Post, available at: http://www.huffingtonpost.com/henryk-szadziewski/2009-the-uyghur-human-rig_b_423547.html

¹² **UNPO:** Repression in China Roots and Repercussions of The Urumqi Unrest, November 2009, available at: http://www.unpo.org/images/reports/repression_in_china_roots_and_repercussions_of_the_urumqi_unrest_unpo_november_2009.pdf

¹³ **Lazslo Tökés,** Ujghur Communiqué, 22 July 2009, available at: http://tokeslaszlo.eu/en/index.php?option=com_content&view=article&id=77:ujghur-communique&catid=2:press-room&Itemid=3

¹⁴ **UNPO:** European Parliament Press Release on Kadeer's Visit, 7 September 2009, available at: <http://www.unpo.org/article/10016>

¹⁵ **UNPO:** Official Statement released by Ms Rebiya Kadeer, 11 September 2009, available at:

<http://www.unpo.org/article/10049> or
http://www.europarl.europa.eu/meetdocs/2009_2014/documents/droi/dv/droi_20090831_8speechkadeer_/droi_20090831_8speechkadeer_en.pdf ; *Rebiya Kadeer addresses Human Rights Subcommittee: hearing minutes*, 11 September 2009, available at: <http://www.unpo.org/article/10050>

¹⁶ **European Parliament:** “*Uyghur leader tells MEPs she is willing to talk to Beijing*”, 04 September 2009, available at: <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20090904STO60187>

¹⁷ **UNPO:** *Official Statement released by Ms Rebiya Kadeer*, 11 September 2009, available at: <http://www.unpo.org/article/10049> or
http://www.europarl.europa.eu/meetdocs/2009_2014/documents/droi/dv/droi_20090831_8speechkadeer_/droi_20090831_8speechkadeer_en.pdf ; *Rebiya Kadeer addresses Human Rights Subcommittee: hearing minutes*, 11 September 2009, available at: <http://www.unpo.org/article/10050>

¹⁸ **UNPO:** *Press conference with Rebiya Kadeer and Heidi Hautala (minutes)*, 11 September 2009, available at: <http://www.unpo.org/article/10048>

¹⁹ **WUC:** *Messages of Support and Calls for Action in Support of Uyghur Human Rights Echo As Rebiya Kadeer Concludes Brussels Visit*, 4 September 2009, available at: <http://www.uyghurcongress.org/en/?p=817>

²⁰ **UNPO Press Release:** *Condemning China’s Executions: MEPs Ready to Act After UNPO-WUC Meetings Conclude in Brussels*, 13 November 2009, available at: <http://www.unpo.org/images/reports/2009-11-12%20press%20release-europarl%20visit.pdf>

²¹ **European Parliament:** *Joint Motion for a Resolution on China: minority rights and application of the death penalty*, 25 November 2010, available at: <http://www.unpo.org/images/rc%20b7-0180-2009.pdf>

²² **UNPO:** *Update: Condemnation by MEPs of Executions in China*, 26 November 2009, available at: <http://www.unpo.org/article/10395>

²³ Idem

²⁴ Idem

²⁵ **Swedish Presidency to the European Union:** *EU-China Dialogue on Human Rights*, November 2009, available at: http://www.se2009.eu/en/meetings_news/2009/11/24/eu-china_dialogue_on_human_rights

²⁶ Idem

²⁷ **UNPO:** *Kadeer Ends European Tour with a Productive Visit to the Netherlands*, 15 December 2009, available at: <http://www.unpo.org/content/view/10487/81/>

²⁸ **Amnesty International:** “*Secretary General of World Uyghur Congress denied entry to South Korea*”, 17 September 2010, available at: <http://www.amnesty.org/en/news-and-updates/news/secretary-general-world-uyghur-congress-denied-entry-south-korea-20090917> and “*South Korea: Dolkun Isa release welcome but authorities should not have denied him entry*”, 18 September 2009, available at: <http://www.amnesty.org/en/for-media/press-releases/south-korea-dolkun-isa-release-welcome-authorities-should-not-have-denied>

²⁹ **Society for Threatened People:** “*China’s long arm*” *threatens human rights activists Prominent Uyghur human rights activist from Germany arrested in South Korea – Immediate release is called for*, 16 September 2009, available at: <http://www.gfbv.de/pressemit.php?id=2007&highlight=dolkun>

³⁰ **UNPO:** *UNPO issues letter with urgency securing support from the European Parliament for a safe release of the currently detained Mr. Dolkun Isa, Secretary General of the World Uyghur Congress (WUC)*, 16 September 2009, available at: <http://www.uyghurcongress.org/en/?p=1347> and “*Arrest of Mr. Dolkun Isa in South Korea*”, 16. September 2009, available at: <http://www.unpo.org/article/10070> and “*WUC Secretary General Released*”, 18 September 2009, available at: <http://www.unpo.org/article/10088> and “*Dolkun Isa: UNPO Issues Letter to MEPs*”, 17 September 2009, available at: <http://www.unpo.org/article/10071>

³¹ **Uyghur American Association (UAA):** *South Korean detention of Uyghur activist Dolkun Isa raises concern over Chinese influence on peaceful Uyghur activities*, available at: <http://www.uyghurcongress.org/en/?p=1375>

³² **World Forum for Democratization in Asia (WFDA):** *Wfda Deeply Regrets Decision Of Korea To Deny Entry Of Uyghur Delegate*, 21 September 2009, available at: http://www.wfda.net/news_detail.htm?id=408

³³ **Marco Perduca:** *Response to Dolkun Isa’s Arrest in South Korea*, 16 September 2009, available at: <http://www.unpo.org/article/10069>

³⁴ **Society for Threatened People:** *China’s defamation campaign against Uyghur human rights activists began six years ago – German government must take action!*, 55. November 2009, available at: <http://www.gfbv.de/pressemit.php?id=2099&PHPSESSID=1093aafd90398b562f95b1a5eccb9206>

³⁵ **Society for Threatened People:** *Türkei verbietet uigurischem Menschenrechtler die Einreise*, 02 September 2008, available at: <http://www.gfbv.de/pressemit.php?id=1525>

- ³⁶ **WUC:** "The World Uyghur Congress (WUC) is outraged, disgusted, and deeply saddened by Cambodia's illegal, inhumane, and egregious forcible return to China of twenty Uyghurs who had sought refuge and protection in Cambodia", 22 December 2009, available at: <http://www.uyghurcongress.org/en/?p=1465>
- ³⁷ **UAA:** *International support needed to ensure safety of 22 Uyghur refugees in Cambodia*, press release, 4 December 2009, available at: <http://www.uyghurcongress.org/en/?p=1378>
- ³⁸ **UNPO:** *Uyghurs Facing Midnight Extradition*, 18 December 2009, available at: <http://www.uyghurcongress.org/en/?p=1423>
- ³⁹ **Society for Threatened People:** *Kambodscha gibt Drängen Chinas nach und verletzt Genfer Flüchtlingskonvention*, 20 December 2009, available at: <http://www.gfbv.de/pressemit.php?id=2130&stayInsideTree=1&backlink=volk.php?id=34>
- ⁴⁰ **US State Department:** "US State Department: Cambodia's Forcible Return of Uighurs to China", 19 December 2009, available at: <http://www.uyghurcongress.org/en/?p=1440>
- ⁴¹ **Amnesty International:** *Open letter on Uighur asylum seekers in Cambodia*, 16 December 2009, available at: <http://www.amnesty.org.nz/news/open-letter-uighur-asylum-seekers-cambodia>
- ⁴² **Alliance of Liberals and Democrats for Europe:** *Liberal Democrats: Uyghurs must have fair trial – Watson*, 20 January 2010, available at: <http://www.uyghurcongress.org/en/?p=155>
- ⁴³ **Henryk Szadziewski:** *2009 - The Uyghur Human Rights Year in Review*, 14 January 2010, Huffington Post, available at: http://www.huffingtonpost.com/henryk-szadziewski/2009-the-uyghur-human-rig_b_423547.html
- ⁴⁴ **Boston.com:** "Cambodia bristles at US aid cut over deportations", 2 April 2010, available at: http://www.boston.com/news/world/asia/articles/2010/04/02/cambodia_bristles_at_us_aid_cut_over_deportations/
- ⁴⁵ **UNPO:** *Intervention on Cambodia's UPR Report*, 17 March 2010, available at: <http://www.unpo.org/article/10874>; the video of the intervention is available here: <http://webcast.un.org/ramgen/ondemand/conferences/unhrc/thirteenth/hrc100317pm1-eng.rm?start=00:40:52&end=00:42:58>
- ⁴⁶ **WUC:** *A Call to Action by the World Uyghur Congress: Join in the Commemoration of the 1st Anniversary of the Chinese Authorities' Brutal Killing of an Untold Number of Uyghur Protesters in Urumchi*, available at: <http://www.uyghurcongress.org/en/?p=2654>
- ⁴⁷ For an detailed overview on WUCs actions, please see: *WORLD UYGHUR CONGRESS NEWSLETTER NO.1, SPECIAL EDITION*, available at: <http://www.uyghurcongress.org/en/?p=4068>
- ⁴⁸ **UAA:** "UYGHURS' PLIGHT DISCUSSED DURING THE 13TH SESSION OF THE UN HUMAN RIGHTS COUNCIL IN GENEVA", 19 March 2010, available at: <http://www.uyghurcongress.org/en/?p=1822>
- ⁴⁹ **WUC:** "THE CHINESE GOVERNMENT'S HUMAN RIGHTS VIOLATIONS AGAINST UYGHUR PEOPLE SUBSTANTIALLY DISCUSSED DURING THE 14TH SESSION OF THE UN HUMAN RIGHTS COUNCIL IN GENEVA", 24 June 2010, available at: <http://www.uyghurcongress.org/en/?p=2877>
- ⁵⁰ See http://www.coe.int/t/dc/press/news/20100618_prize_battaini_EN.asp and http://www.societalibera.org/it/premioliberta/2010_lucca/140_immagini.htm
- ⁵¹ **Radio Free Asia:** *Pakistan Uyghurs in Hiding*, 06 April 2010, available at: <http://www.rfa.org/english/news/uyghur/pakistan-uyghur-04062010143250.html?searchterm=None>
- ⁵² **El País:** *Portazo de Exteriores a una candidata a los Nobel de la Paz*, 07 May 2010, available at: http://www.elpais.com/articulo/internacional/Portazo/Exteriores/candidata/Nobel/Paz/elpepuint/20100507elpepuint_15/Tes
- ⁵³ **Taiwan Times:** *Taiwan bars Uyghur human rights activist for 3 years*, 18 July 2010, available at: http://www.etaiwannews.com/etn/news_content.php?id=1322329&lang=eng_news&cate_img=logo_taiwan&cate_rss=TAIWAN_eng
- ⁵⁴ **Amnesty International:** *China convicts Uighur web managers on state security charges*, 30 July 2010, available at: <http://www.amnesty.org/en/news-and-updates/china-convicts-uighur-web-managers-state-security-charges-2010-07-30>; **WUC:** *World Uyghur Congress Strongly Denounces the Sentencing of Three Uyghur Webmasters*, 29 July 2010, available at: <http://www.uyghurcongress.org/en/?p=3617>
- ⁵⁵ **Henryk Szadziewski:** *2009 - The Uyghur Human Rights Year in Review*, 14 January 2010, Huffington Post, available at: http://www.huffingtonpost.com/henryk-szadziewski/2009-the-uyghur-human-rig_b_423547.html
- ⁵⁶ **Chinese Human Rights Defenders:** *Public Letter by Chinese Citizens Urging the Release of Uyghur Journalist Hailaite Niyazi*, 30 July 2010, available at: <http://chrndnet.org/2010/07/30/a-public-letter-by-chinese-citizens-urging-the-release-of-uyghur-journalist-hailaite-niyazi/>

CONFERENCE PROGRAMME

THURSDAY, 29 April 2010

8.30h Registration / Welcome desk

9.30 – 10.30h

OPENING STATEMENTS

Ms. Rebiya Kadeer, President of the World Uyghur Congress (WUC) (Written message)

Mr. Niccolò Rinaldi MEP, Vice-Chair of ALDE

Ms. Heidi Hautala MEP, Chair of the Human Rights Subcommittee (Written message)

Mr. Tashi Wangdi, EU Representative of His Holiness the Dalai Lama

Ms. Louisa Coan Greve, Vice President, National Endowment for Democracy (NED)

Mr. Marco Pannella, Leader, Nonviolent Radical Party

Mr. Marino Busdachin, Secretary General, UNPO

10.30 – 13.15h

PANEL 1: UYGHURS CALLING FOR DIALOGUE WITH CHINA: INTERNAL SELF-DETERMINATION, CONSTITUTIONAL RIGHTS, AUTONOMY

Moderator: **Mr. László Tökés** MEP, Vice President of the European Parliament & Member of the Subcommittee on Human Rights, and **Mr. Michael Gibb**, PhD Candidate, Oxford University

Dr. Eva Pföstl, Istituto di Studi Politici S. Pio

Legal Protection of Uyghur People through Chinese Constitution

Mr. Thomas Benedikter, Autonomy Expert, South Tyrol

European Autonomy Systems of Major Significance - How to Assess the Efficiency of an Autonomy Arrangement

Prof. Yitzhak Shichor, Professor at University of Haifa, Department of Asian Studies

Dialogues of the Deaf: The Role of Uyghur Diaspora Organizations versus Beijing

Mr. Michael Gibb, PHD Candidate, Oxford University

States and Regions: Working for Mutual Benefits

Q and A

13.30 – 14.00h PRESS CONFERENCE with Ms. Rebiya Kadeer, Ms. Louisa Coan Greve, Mr. Marino Busdachin and Mr. Niccolò Rinaldi in Room ANNA POLITKOVSKAYA (PHS 0A50) (*note: postponed to Friday 30 April 2010, 11.00 – 11.30h*)

14.00 – 15.00h Lunch break

15.00h – 18.00h

PANEL 2: GROSS HUMAN RIGHTS VIOLATIONS IN CHINA AND PROTECTION OF MINORITIES ON CHINESE AND INTERNATIONAL STANDARDS

Moderator: **Mr. Marco Perduca**, Senator of the Italian Senate

Ms. Corinna-Barbara Francis, Researcher on China, International Secretariat, Amnesty International

Human Rights Violations against Uyghurs: The Right to Culture, Freedom of Expression, and Equal Treatment Denied

Mr. Ahmet Faruk Ünsal, General President of MAZLUMDER (Organisation of Human Rights and Solidarity for Oppressed People)

Ethnic and Religious Discrimination in East Turkestan

Mr. Erkin Alptekin, Chief Adviser of WUC
Respect for Human Rights as an Essential Element in Conflict Prevention

Mr. Willy Fautré, Director HRWF International
Forced Internal Displacement of Uyghurs Workers and Women

Dr. Erkin Emet, Professor at Ankara University
Ethnic Groups in China and the Language Policy by China

Ms. Marie Holzman, Sinologist
Uyghurs' Rights and Repression: a Chinese View

Q and A

FRIDAY, 30 April 2010

9.30 – 12.00h

PANEL 3: BUILDING MUTUAL UNDERSTANDING IN EAST TURKESTAN

Moderator: **Mr. Marco Perduca**, Senator of the Italian Senate

Ms. Rebiya Kadeer, WUC President
Short statement.

Mr. Ulrich Delius, Asia Director, Society for Threatened Peoples (GfbV)
After China's crackdown: Challenges for the Uyghur cause

Mr. Perhat Muhammad, Senior Researcher of WUC Research Center and Vice-President East Turkestan Union in Europe
The Conditions of Achieving Durable Peace in East Turkestan

Ms. Louisa Coan Greve, Vice President, National Endowment for Democracy (NED)
Planning for a Democratic Future: what Uyghurs Can Do to Prepare Now

Mr. Dolkun Isa, Secretary General of WUC and of the East Turkestan Union in Europe
The Events of 5 July 2009 in Urumqi – Strategies for the Future

Mr. Enver Can, Former Vice-President of the WUC
Short statement.

Q and A

12.00 – 12.30h

CLOSING SESSION

Ms. Rebiya Kadeer, WUC President
Mr. Marco Perduca, Senator of the Italian Senate
Mr. Marino Busdachin, UNPO Secretary General
Mr. Dolkun Isa, WUC Secretary General

SPEECHES

THURSDAY, 29 APRIL 2010

OPENING STATEMENTS

Ms. Rebiya Kadeer

President of the World Uyghur Congress (WUC)
(Written message)

Mr. Niccolò Rinaldi MEP

Vice-Chair of ALDE

Ms. Heidi Hautala MEP

Chair of the Human Rights Subcommittee
(Written message)

Mr. Tashi Wangdi

EU Representative of His Holiness the Dalai Lama

Ms. Louisa Coan Greve

Vice President, National Endowment for Democracy (NED)

Mr. Marco Pannella

Leader of the Nonviolent Radical Party

Mr. Marino Busdachin

UNPO General Secretary



Speech by Rebiya Kadeer

President of the World Uyghur Congress (WUC)

Good morning,

Before we begin, I would like to especially thank Mr. Niccolò Rinaldi, MEP, Mr. Ivo Vajgl, MEP, and the Alliance of Liberals and Democrats for Europe at the European Parliament for convening this important conference. It is in events such as this one that awareness of the plight of the Uyghur people is created and that hope for a future of genuine democracy in East Turkestan is furthered. I would also like to thank the Unrepresented Nations and Peoples Organization and the National Endowment for Democracy whose unwavering support for the Uyghur people is one of the major reasons why parliaments and congresses across the globe have taken notice of the lamentable conditions in East Turkestan. I also welcome the experts in the field of Uyghur human rights participating in this event, who so generously lend their scholarship to the understanding of the Uyghur people. To our Tibetan friends attending, I offer my solidarity and belief that one day our peoples will realize our common aspirations for freedom in our respective homelands.

The time has come for the People's Republic of China to fundamentally reform its policies toward the non-Han Chinese people within its borders.

If we have learnt one thing from the July 2009 unrest in Urumqi and from the events in March 2008 events in Tibet, it is that the Chinese government is out of policy ideas in addressing the increasing marginalization of non-Han Chinese people in China, besides endless rounds of crackdowns and "Strike Hard" campaigns.

The time has come for the Chinese government to agree to direct dialogue with me, His Holiness the Dalai Lama and all those leaders of non-Han Chinese communities vilified, imprisoned and slandered because they happen to disagree with a bankrupt official policy.

In 1979, the Chinese government made a bold move and began a process of economic reform, which helped maintain its grip on power. The Chinese government now needs to make an even bolder move and enact political reform toward all people in China, but especially toward non-Han Chinese people, who have largely missed out on the benefits of economic reform, to maintain any semblance of legitimacy beyond its status as the world's creditor.

This call for political reform toward non-Han Chinese people also has the support of Han Chinese. Signatories of "Charter 08"¹, a manifesto

for political reform drafted by prominent and ordinary Chinese citizens, asked from the government for "an institutional design to promote the mutual prospects of all ethnicities".

In order for any future political reform process to have validity, the Chinese government must engage in a genuine and transparent dialogue with non-Han Chinese people built on a foundation of trust and equality.

Mao Zedong said that political power comes from the barrel of a gun, but I say that political reform comes from the table of peaceful negotiation. However, the promise of dialogue between the Chinese government and the Uyghur people based on the principles of trust and equality looks ever more distant as the Chinese government continues in its divisive invective against the Uyghur people since the unrest in Urumqi.

The dismissal by the Chinese authorities in its statements, whether by officials or by the state media, of the fact that true discontent exists with its policies in East Turkestan means that it cannot and will not build trust with the Uyghur people.

If President Hu Jintao wishes to create a genuine "harmonious society" in East Turkestan, he must move the mindset of his government from a deep-rooted suspicion and institutionalized discrimination of Uyghurs to one where Uyghurs are respected as equals and are freed to meaningfully participate in the determination of their future. Nevertheless, Chinese authorities are creating an atmosphere in East Turkestan that is contrary to the development of ethnic harmony. In the villages, towns and cities in which generations of their families have lived, Uyghurs are treated as suspects by Chinese authorities.

Since the tragic events of 9/11 in the United States, and in a desperate attempt to garner sympathy with the international community for its repressive policies, the Chinese government has used the Uyghurs' Islamic faith against them and labelled peaceful dissenters, including myself, as terrorists. This strategy, in the eyes of officials at the central, regional and local level, has given Chinese criminal and judicial authorities carte blanche to unlawfully detain, torture, and in some cases execute² Uyghurs. The inflammatory rhetoric emanating from officials in Beijing and Urumqi only exacerbates the suspicion and further alienates Uyghurs from Han Chinese. The systematic repression of Uyghur political rights under the pretext of the war on terrorism only stigmatizes Uyghurs and will not encourage harmony or a

process leading to a genuine resolution of the East Turkestan issue.

Chinese officials have accused the World Uyghur Congress, and have especially singled me out, for fomenting³ the July 2009 unrest in Urumqi. This pointing of fingers at everyone but themselves is not a new strategy for Beijing. In March 2008, Chinese officials blamed⁴ His Holiness the Dalai Lama for the unrest in Lhasa. I have publicly stated on numerous occasions that I am not responsible for the unrest in Urumqi. I feel pained by the loss of so many lives, Han Chinese and Uyghur, and condemn the violence that took place in Urumqi.

The real context for the unrest is six decades of repressive policies by a Chinese Communist administration that has long sought to dilute Uyghur identity.

From the purges of East Turkestan nationalists in the Anti-Rightist Campaign of the late fifties, to the starvation, exile and destruction of the Great Leap Forward (1958–1962) and the Cultural Revolution (1966–1976), Uyghurs, along with millions of other victims, were persecuted by the Chinese Communist Party. However, Uyghurs were also subjected to special campaigns specifically directed at them so as to dilute their distinct identity. In the early sixties, the Chinese Communist administration instigated a forced resettlement policy with the aims of dispersing concentrations of Uyghurs and of isolating Uyghurs from their communities. In 1961, my family was one of thousands that fell victim to this policy. We were forced to leave our home and to relocate far from our friends and our relations.

Currently, the Chinese government's intensified repressive policies aimed at the eradication of the Uyghur identity include the forced transfer⁵ of young Uyghur women to Chinese sweatshops; the demolition⁶ of Uyghur cultural heritage in Kashgar; a monolingual⁷ language-planning policy; discriminatory⁸ hiring practices and curbs⁹ on freedom of religion. These policies illustrate that Chinese authorities do not value the traditions, customs and culture of the Uyghur and therefore do not consider Uyghurs their equal.

The indiscriminate killing of Uyghur protestors in Urumqi is consistent with systematic political, economic, social and cultural human rights abuses from a government obsessed with the maintenance of its control of a strategic and resource rich area.

In the wake of the East Turkestan unrest, sufficient doubt has been cast on Beijing's version of events in Urumqi to the extent that an independent and international investigation by the United Nations into the incidents is warranted. The Chinese

government has a history of obscuring the truth about civil unrest in China. It did so with Tiananmen in 1989, with Ghulja¹⁰ in 1997, with Lhasa in 2008, and once again with Urumqi in 2009.

At this point, the Chinese government needs to conduct a rigorous self-examination of its performance in East Turkestan, as well as to come clean about Urumqi. These are concrete steps toward creating the conditions for dialogue with Uyghur leaders.

I am ready to discuss with the Chinese government the ways in which we can address its policy failures of the past sixty years and seek political reform.

The Chinese government should first of all respect its own constitution¹¹ and Regional Ethnic Autonomy Law¹² and grant Uyghurs genuine religious freedom, economic opportunity, cultural rights, freedom of speech and the rule of law.

I believe the Chinese government should end its aggressive policy of monolingual education, and give students and their parents a choice about their language of instruction. Chinese government policies ensuring equal employment opportunities for Uyghurs should be implemented, in which employment inside of East Turkestan is available to Uyghurs, instead of just sending them outside of East Turkestan to work. All Uyghurs should be allowed to attend the mosque without fear of suspicion and imams should be allowed to speak freely. The Chinese government should stop imprisoning peaceful dissenters and make them partners in a robust dialogue on the development of the region. Uyghurs will welcome these policies, and they will help to reduce tensions between Uyghurs and Han Chinese.

The recent appointment of Zhang Chunxian as "Xinjiang" Party Secretary merely illustrates the lack of Uyghur input on the decision-making processes in the Uyghur homeland. Zhang is Beijing's man in East Turkestan and he has much to demonstrate if he is to disprove the concern that he will be a more media savvy version of former Party Chief Wang Lequan. Substance will be determined in his actions and not in his spin.

The Chinese government must end policies diluting Uyghur culture and must stop distorting our history. These are policies aimed to assimilate Uyghurs and show no regard for our distinct identity as a people. The government should stop its cultural genocide of the Uyghur people.

The time has come for the Chinese government to reform its failed policies, not only in East Turkestan and Tibet, but also in all of China. The time has come for China to embrace human rights, freedom and democracy, and become a respected member

of the international community. Uyghurs, Tibetan, Chinese and all ethnic groups in China have suffered too long under the Chinese Communist Party administration's repressive policies. The time has come for healing and reconciliation.

President Hu Jintao, you can become the greatest Chinese president in five thousand years of Chinese history if you take a bold, righteous and historic stand towards creating a liberal, tolerant and modern China by talking with leaders of China's marginalized communities. I ask you not to go down in the history of China and the world as one of its greatest dictators.

As Mahatma Gandhi said "Your values become your destiny".

Thank you.

¹ The "08 Charter" is available at:
http://www.hrichina.org/public/contents/press?revision_id=86303&item_id=85717

² Amnesty International: *China: Gross violations of human rights in the Xinjiang Uighur autonomous region*, available at:
<http://www.amnesty.org/en/library/info/ASA17/018/1999>

³ Article "Government: evidence shows Rebiya Kadeer masterminds violence" available at:
http://news.xinhuanet.com/english/2009-07/10/content_11688780.htm

⁴ Article "Facts exposing Dalai clique's masterminding of Lhasa violence" available at:
<http://www.fmprc.gov.cn/ce/ceun/eng/zt/xzwt/t419869.htm>

⁵ UHRP: *Deception, Pressure, and Threats: The Transfer of Young Uyghur Women to Eastern China*, Report, available at:

<http://www.uhrp.org/articles/762/1/Deception-Pressure-and-Threats-The-Transfer-of-Young-Uyghur-Women-to-Eastern-China-/index.html>

⁶ Article "To Protect an Ancient City, China Moves to Raze It" available at:

<http://www.nytimes.com/2009/05/28/world/asia/28kasghar.html>

⁷ UHRP: "Bilingual" education marginalizing Uyghur language instruction in East Turkistan, report, available at: <http://www.uhrp.org/articles/378/1/-Bilingual-education-marginalizing-Uyghur-language-instruction-in-East-Turkistan/index.html>

⁸ Article "Recruitment for State Jobs in Xinjiang Discriminates Against Ethnic Minorities", available at: <http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=122703>

⁹ HRW: *Devastating Blows. Religious Repression of Uighurs in Xinjiang*, report, available at:
<http://www.hrw.org/en/reports/2005/04/11/devastating-blows>

¹⁰ UHRP Press Release "Remembering the Ghulja Massacre", available at:
<http://www.uhrp.org/articles/750/1/Remembering-the-Ghulja-Massacre/index.html>

¹¹ Constitution of the People's Republic of China available at:
<http://www.cecc.gov/pages/newLaws/constitutionENG.php?PHPSESSID=beccc1edb47ae6953818c6652f7b0e17>

¹² The People's Republic of China Regional Ethnic Autonomy Law available at:
<http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=9507&PHPSESSID=e6a52458c7dfe9e289055d962fcc82cb>

Speech by Nicolò Rinaldi MEP, Vice-Chair of ALDE

I do not only financially and logistically support this conference but most of all I extend my political commitment on behalf of the Alliance of Liberals and Democrats for Europe (ALDE). This is the kind of commitment which the ALDE group has already demonstrated in the past, since this is not the first conference that we as ALDE have hosted in this building on the issue of the Uyghur people. And as the vice-president of the ALDE group, I am more than happy to welcome each of you in Brussels and I hope you had a nice journey to this city.

Both in terms of time and space, it is of crucial importance to hold this conference here in Brussels. Firstly, this is a new Parliament which resumed with a new mandate last July [2009]. Although some of you already visited the European Parliament last fall for a number of meetings, particularly – if I remember well - with the Subcommittee on Human Rights, this is the first major initiative to flag the issue of the Uyghur people in this new Parliament. It is a new Parliament with a new composition and a number of new members and I think it is very important that within a year since the establishment of the new Parliament, the institution starts to think and to reflect on the issues affecting the Uyghur people. We should not let too much time pass from the beginning of the Parliament without addressing this because it is a topic that needs to be put high on the agenda of the European policy in foreign affairs.

Secondly, it is not just by chance that we wanted to host this conference in Brussels, and particularly in the European Parliament. It is important that the European Institutions open their doors to welcome this kind of initiative, so that they do not take place in private buildings, but rather in the very heart of the political arena of Europe. It is a way, both symbolically, but also in terms of contents, to make the European Parliament a stakeholder of the Uyghur people. And I can tell you that not everybody is happy that such a conference takes place in the European Parliament, because of course there are also lobbies and pressure from different sides to discourage these kinds of initiatives, to discourage the fact that we flag here in the public official institutions of the European Parliament these kinds of issues.

Clearly, we will have a couple of days of discussions and what we can do due to time is still a small contribution especially when compared to the magnitude of the situation on the ground and I would say compared to the tragedy that your people are facing in your country every day. But

we have to start somewhere and we need at least to focus on the issue in the proper way. If we stop campaigning, which is what we are doing today, the risk is not just to be less known in international fora, but the risk is to disappear and to cease to exist. The fact of being here; the fact of raising the issue of the Uyghur people is a matter not only of political activity, but also of survival of a community. Most of you live in Western countries and you are free women, free men, like me, but we know very well that, particularly for you, freedom is not a matter of individuals. There is no freedom if just one of us is free. Freedom is a matter of the community. If the community as such is not free and independent, there is no freedom for anybody. And this is something I learned coming from a different culture which is the liberal democrat culture of Europe, where freedom basically is a concept that is attached to individuals and to our own existence. This is something I have learned living a couple of years not in your country, but in the region in the western province of Pakistan and in Afghanistan - I did travel quite a lot in Turkestan, in East Turkestan as well - where clearly the community is the cornerstone of any meaningful political and civic progress. When I had the opportunity to visit your country (in fact three times), it was an interesting and magnificent experience, because as soon as you arrive you feel that you are entering a sort of ancient world with a great civilization, with a wonderful human dimension and special cultural specificity. On the other side, it is striking how different the entire approach of the Chinese Communist party is compared to your country. Simply, you can feel that they do not understand anything about your world, except the Uyghur culture, the Uyghur civilization as a sort of “folkloric” dimension. They do not see a community fully entitled to exercise its own rights and to develop its own history; they do not appreciate the differentiation of your culture, the specific contribution of your culture to the human people civilization. This is probably something which is, too far from the rigid bureaucratic approach of the authorities in Beijing and too difficult for them to accept. It is amazing to see that such a giant as China is so obsessed by a superiority domination complex that is not willing to afford, not even to try, a three system country. Passing from a two system country to one where there is the main Chinese community, there is a special autonomy and self-government for Hong Kong, and there is special autonomy and self-government for Tibet and the Uyghur people. This is something we could from our perspective see as absolutely sustainable for China, but as you know,

the resistance and reluctance is so strong in Beijing as evidence emerges about the complexity of China.

It is not easy for the EU to play a meaningful and concrete operational role in this issue, because it is difficult for everybody to deal with China. It is a major trade partner and globalization makes all of us inter-dependent. There are a number of contradictions and divisions in the foreign policy action of the European Union. The European Union is a successful project indeed and we have been reached a number of major achievements, but mainly on a domestic dimension. It is when we come to exert our external action role, that we see so many shortcomings of the EU. 27 countries are still lacking a clear single voice on a number of topics which are the heart of the international policy agenda. We now have a number of instruments which are supposed to be more effective in terms of foreign policy since the entry in force of the Lisbon Treaty. And I think this can be also much of a reflection for these couple of days to see how with the new instruments we can upgrade, reinforce and strength the European Union agenda for the Uyghur people. But I do not think that it will be easy to see meaningful achievements at the political and diplomatic level on the Uyghur people, because I see this kind of shortcoming not only on China, but on many other political issues affecting other countries from our EU perspective. But there are at least a couple of things that we can do and some that I think we are already doing.

Firstly, flagging the issue and keeping it alive and remembering to bring up the issue whenever we meet the authorities of Beijing as one of the topics for our dialogue with China. But there we need also a greater involvement of European public opinion, because a lot of the political agenda of the European leaders is also led by the kind of pressure and lobby from public opinion, from the citizens. And there is indeed a difference in public opinion and awareness about Tibet compared to the awareness of East Turkestan. And there it is probably still something that we have to work more on in order to make our citizens aware and well informed about what is happening in your

country. And I think that this session is a step in the right direction and reinforces the public debate in our own countries on the Uyghur people's situation.

The second thing is to give more, symbolic and concrete signals to China. There is one element the ALDE group has been very active in promoting and this is not just the fact we managed to successfully pass a resolution in the European Parliament on the issue of the Uyghur people, which did create some embarrassment in Beijing, but the success of working with colleagues and other groups in a campaign to stop the end of the arms embargo of China. I think this is an issue of some importance because there are very few countries in the world subjected to arms embargos from the EU. It is not going to make a great difference because weapons are available on the international market from many other providers. Nevertheless, it is a clear sign that there is some kind of international 'black list' highlighting the lack of a full reliability of a partner. And there is again strong pressure to lift this embargo and in the next years we have to work again in order to assess the situation and to confirm our aspirations with regards to these kinds of measures. It is something that has more than symbolic value and importance, because it is an actual decision with also some kind of substantial trade implications.

The last thing I want to say is that we know the difficulty of the situation, but as a liberal democrat and I can also say as a fellow radical, there is one word we do not know which is 'pessimism'. We are not pessimists, we are optimists and there is always an end to a road. The case of East Timor for example shows some kind of hope on how suddenly and unexpectedly the situation can positively develop. It is important that the issue is still maintained as a community demand from generation to generation. It will certainly take some time but whenever there is the will of the people there is no ground for despair.

Thank you very much for being here and I wish you a successful conference.

Written message by Heidi Hautala (read by Geoffrey Harris)

MEP, Chair of the Human Rights Subcommittee

The Members of the Subcommittee on Human Rights follows the issues concerning the human rights, the protection of minorities and the promotion of democratic values in third countries. We believe that human rights are universal and the dignity of the individual must be respected worldwide according to the Universal Declaration of Human Rights adopted and proclaimed by the General Assembly of the United Nations on 10 December 1948.

The issue of human rights in the People's Republic of China are the integral part of the ongoing EU China dialogue.

In 2008, the Parliament took up a new position over repression in Tibet and the 2008 Sakharov Award for Freedom of Thought to Mr Hu Jia, the human rights activist, was a reminder of the consensus in Parliament on this matter.

It was on 1 September 2009 when the Members of the Subcommittee of Human Rights discussed the issue of human and minority rights with Mrs Rebiya Kadeer, President of the World Uyghur Congress.

The Members made clear that although the European Parliament cannot resolve the internal regional and ethnic problems of China, it does have the right to point out that such delicate and complex issues cannot be resolved by violence or repression

In November 2009 the European Parliament passed a resolution in which it calls for an end to

the death penalty in China and expresses concern at the way in which ethnic minorities are treated before the law in China.

The resolution called on the Chinese authorities to make every effort to develop a genuine Han-Uyghur dialogue, to adopt more inclusive and comprehensive economic policies in Xinjiang aimed at strengthening local ownership, and to protect the cultural identity of the Uyghur population.

The resolution reiterated its solidarity with all the victims of the events in Urumqi in July 2009, while recognizing the duty of the State institutions to maintain public order; is concerned at reports alleging that disproportionate force was used against ethnic Uyghurs and that large numbers of them were detained;

The resolution further called on the Chinese authorities to ensure that those detained in connection with the above events are guaranteed humane treatment while in custody and fair trials in accordance with international law, including access to a lawyer of their choosing, presumption of innocence and proportionate sentencing of those found guilty.

We believe that the way forward lies in dialogue between the authorities in the People's Republic of China and the Uyghur and Tibetan minorities. There is no other peaceful alternative to the cycle of repression and violence which serves no-one's interest.

Speech by Tashi Wangdi

EU Representative of His Holiness the Dalai Lama

I am delighted to be here this morning to join the speakers on the desk and also others who are here to express support and solidarity with our Uyghur brothers and sisters. I am particularly happy to be with you on your demand to discuss the theme of this meeting: the implementation of the Chinese constitution.

As you know, this is also the demand of the Tibetan people and we believe that this is a very reasonable and constructive demand. This will meet the concerns and the broad interests of People's Republic of China and also fulfil the rights and justified aspirations of the different people who constitute the People's Republic of China. I also note that the vast part of the movement of the Uyghur people has been committed to non-violence, which is also what we are committed to. I had the opportunity to meet Mr. Isa Yusuf Alptekin, one of your great leaders, many years ago. When you meet him, you get the impression of meeting someone who is committed to non-violence and principles of reconciliation and dialogue. I think that the leadership he has provided stands you in good stead.

We are of course faced with a major power but as we look at China, China is not one. The communist party is only a part of China, the leadership in Beijing representing only a small part of it. There are also millions and millions of Chinese who agree with our demands, who think that our demands are reasonable and justified and they are willing to support us. Unfortunately, as in the case of Uyghur movement, as well as in Tibetans, the Chinese Communist Party has been misrepresenting us to the vast majority of Chinese people. We are misrepresented as people who are trying to break up China.

So, the more we are able to inform the international community and through that the Chinese people, we believe that we will be able to find a solution. This forum in the European Parliament is an excellent forum and we are very happy that you are able to have this meeting here. I hope that the people in Beijing who will be watching us very closely today and who will be listening to every word said here, will realise that we are not here to break up China. We are not

here as anti-China or anti-Chinese people – far from it! We believe that if there is a solution, it will be good for everybody. The demand of a solution on the basis of the principals of the Chinese constitution will ensure stability, harmony, unity and prosperity of China. And that is the best way forward. Unfortunately again, in China any criticism against government policy or the communist party is considered as anti-China. But one cannot acquit a party with a stick. We know this living in a free country. I have been in Brussels for a year and every day we see demonstrations in the street against the European Union, against the national government and the policies of these. We cannot consider these activities to be anti-European Union or anti-certain governments. Unfortunately, this distinction is not understood in Beijing and activities like this are being misrepresented.

I am sure there are people here in this hall who would be reporting to the authorities, so I hope that they will give a fair objective report and this will be the best way forward. And I hope that today and tomorrow, the discussions, exchanges and experience you have here will be helpful to move the movement forward. And please be assured that we, as Tibetans, will always be with you in your just demands and in your non-violent struggle to demand the rights of the people. And I think that it has to be understood by the people in Beijing that in free democratic system and countries, there are different views.

I know that there are different views within the Uyghur movement; there are also different views within the Tibetan movement. There are people who demand full independence and although they may believe that historically they have the right, we have to accept the present reality of moving forward. And I believe that the vast majority of the people are committed to finding a solution within the context of the Chinese constitution, as stated in the theme of discussion here. I hope the leadership in China will have the courage and the foresight to extend and to grasp the hand of reconciliation and friendship which has been extended.

Thank you very much.

Speech by Louisa Greve

Vice President, National Endowment for Democracy (NED)

The NED is indeed very pleased to support the movement of Uyghurs for human rights and democracy in their homeland and to be a cosponsor of this conference. We want to thank our cosponsors UNPO, ALDE and the WUC and the European Parliament for hosting. This is wonderful. And why are we so pleased to support this conference? NED's mission is to support democracy movements around the globe. Clearly, the movement to bring democracy to China is one of the most important in today's world. NED supports democracy movements by providing funding to non-governmental efforts, to build democratic values and democratic institutions. When we do this, we really do this in a solitary spirit. The American Congress provides funding to NED and therefore the American tax payers, the American citizens are extending through their tax dollars a hand of solidarity to support the struggles of people around to world to bring democracy to their own countries. That is people who are not trying to imitate Western democracy, but rather to bring an open and democratic political system to their own countries to be able to determine their own political future.

For the specific topic of this conference, I also want to echo Tashi Wangdi's very important point. For the sake of the Uyghur people and for the sake of the Tibetan people and for the sake of the Han Chinese and all the peoples of China, this topic is central. So for all of them, the success and the purpose of our work over the next days is to bring

benefits to all these people.

I want to share with you the way NED looks at these ethnic questions globally in the context of our experience of 25 years of supporting democracy struggles around the world. In 2007, this is the way we described this kind of work and I will quote: *"In multiethnic societies where the issue of democracy is overlaid with questions of self-governance, forums for members of both minority and majority ethnicity are needed. These forums are needed to discuss common principles that respect key requirements of democratic practise and governance, including representation, minority rights, equality, peaceful resolution of conflict and in addition in order to reach these workable proposals and workable institutions as well as values that support these principals, at this stage it is very important for groups to begin discussing concepts such as federalism, autonomy, self-determination, the relationship of ethnic and national identity to issues as sovereignty, self governance and democracy."*

The conference being convened and opened here this morning is a typical example of grasping directly these very critical issues, so I can congratulate you all, I want to thank the cosponsors again, I want to congratulate the WUC for bringing us all together to discuss these important questions. Thank you.

Speech by Marco Pannella

Leader of the Nonviolent Radical Party

My participation in this conference was not planned, but I am very happy to be here because this demonstrates that also in this new legislative period and mandate there is a continuity of liberals, federalists, and democrats in the parliament, bringing us all together.

I think it is very important to point out the urgency of the international crisis, which is not only a crisis of democracy, but of our democracies. We need to find new ways; new means of non-violent struggle, and the kind of choices we will make in finding these will determine our common objectives. The evolution and the progress of UNPO, as well as of the liberal group of the European Parliament represents the instrument at our disposal. The Non-violent Radical Party, being Transnational and Transparent, can continue giving the necessary support. I think we are mature enough to open the debates to choose new ways of struggle and add them to the ones we have been using in past decades. I am convinced that we need to make more use of the legal instruments, which are often betrayed by the UN and the EU. We need to make progress in the legislation of the international

justice system. We all know that ethnic cleansing and annihilation of ethnic groups are more and more present today in the world.

Again, in collaboration with the ALDE group, and other liberal groups in the world, we need to take into consideration that we cannot accept violations of International Law by the UN and the EU who violate their own legislation. We need to reaffirm the wrong behaviour on their behalf. On the basis of such urgency and need, from 28 – 30 May 2010 we will meet with UNPO in Rome to discuss the first operational proposals to go on with our struggle.

Unfortunately, the flight problems caused by the volcano ash did not allow me to hug and meet Rebiya Kadeer today on behalf of all Uyghur people, who we feel more and more as our people.

Let me give you a gift: as you know, I like to speak, but my gift is to be short and to finish my speech after having indicated to you the direction of our action and struggle, and the future steps we need to take, based on non-violence, in order to confirm our commitments. Thank you.

Speech by Marino Busdachin UNPO General Secretary

First of all, on behalf of the UNPO, I convey to you the greetings of the 54 Members of the UNPO, many of whom share the unfair and unjust struggle that being an unrepresented people poses and the subsequent struggle to acquire human, civil, and political rights, democracy and rule of law.

The Conference of today, very kindly sponsored by Niccoló Rinaldi and Ivo Vajgl of the Alliance of Liberals and Democrats in the European Parliament, has a very precise headline. The Uyghur people are calling for dialogue with China, at the same time that China's government is always referring to the Uyghurs as terrorists and separatists, and reacts against them with the most harsh repression and a total lack of respect for human rights. What this conference is mainly asking relates to the starting of an international campaign calling upon China to implement its own Constitution and laws regarding autonomy and basic rights for the Uyghur population. What a very classical old liberal style of request – especially for a bunch of so-called terrorists!

China is no more the China of Mao Zedong. It is not yet a democratic country...but it *is* a China that is becoming seen as a pleasant country for business, for tourism, for other... But...what happened last summer in East Turkestan is something that clearly showed that China has not changed in all respects...that some things have remained unchanged.

China is continuously violating the most elementary human rights:

- . From arbitrary detention and arrest to torture and extrajudicial executions;
- . The massive use of death penalty and state birth control policy;
- . No freedom of expression, information, and communication;
- . Restriction of freedom of religion and education and prohibition of education in mother's tongue;
- . Forced migration and transfer population.

The situation is bad; very bad for the Uyghurs; and for Tibetans and for other minorities as well. But a process that can lead China to match the Uyghurs' call for dialogue is necessary; and it needs to be supported by the international community and international public opinion.

In a world that is rapidly globalizing, territorial intrastate conflicts continue to challenge international security measures, prevent the acquisition of democracy and inhibit the potential

for peace. Whilst depriving millions of people their basic human rights. In this new world, the principle of, and the right to, self-determination acquires new significance within the nexus of democracy, development and peace.

We have to approach the matter by considering the concept of self-determination in broader sense. Self-determination is, [and I quote] an "ongoing process of choice in order to achieve, in different specific situations, guarantees of cultural security, form of self-governance and autonomy, economic self-reliance, effective participation at the international level, land rights and the ability to care for the natural environment, spiritual freedom and the various forms that ensure the free expression and protection of collective identity in dignity as a fundamental people's rights."

It is absolutely necessary to underline that it is the *denial* of the right to self-determination, a right enshrined in international law, which has in certain cases ignited and fuelled conflict, rather than the *acquisition* of this right.

We need to act, as UNPO in a larger network, in order to produce a reformulation of the theory that the process of acquiring self-determination would and could contribute to conflict prevention and resolution. In this way, the officially adopted Universal Declaration of the Rights of Indigenous People - and I must underline that it has never become a universally accepted document - should form the vital foundation of an international system that guarantees international law. This happened with the establishment of the International Criminal Court, which operates on crimes of genocide, crimes against humanity and war crimes. It was established after the UN Diplomatic Conference in Rome in 1998 and today it is ratified by the majority of countries around the world as an International Treaty.

Let me now to tell you that I sincerely believe that the time is ripe to consider democracy as a fundamental Human Right. We should have the goal of operating in a system of communities of democracies in order to extensively reform the United Nations and International Institutions. The issue today, in my opinion, is not how to stop globalisation. The issue is how we use the power of community and combine this with the implementation of the principles of justice and democracy. If globalisation works only for the benefit of the few, then it is bound to fail and in my opinion deserves to fail. The alternative to globalisation is mere isolation. We need to

globalise justice. We need to globalise democracy. In order to bring about the most fundamental rights of all oppressed peoples.

Therefore I believe this is a fight for freedom, and this is a fight for justice. I underline, freedom not only in the narrow sense of personal liberty, but in the broader sense of each individual having the economic and social freedom to develop their potential to the fullest.

This Conference could be an important step to re-launch concepts and initiatives for the survival of

the Uyghur people, the survival of the Uyghur culture, language, and belief. They have a right as people to acquire the right of self-determination, respect for human rights, and democracy.

Let me end my introduction with the calling for an independent investigation on the massacres that happened last year summer in East Turkestan and, let me calling for put an end to the impunity of criminal acts committed against the Uyghur population. Thank you.

PANEL 1

**UYGHURS CALLING FOR DIALOGUE WITH CHINA:
INTERNAL SELF-DETERMINATION, CONSTITUTIONAL RIGHTS, AUTONOMY**

Moderators: **Mr. László Tökés** MEP and **Mr. Michael Gibb**, PHD Candidate,
Oxford University

Legal Protection of Uyghur People through Chinese Constitution

Dr. Eva Pföstl

Istituto di Studi Politici S. Pio

**European Autonomy Systems of Major Significance - How to Assess the
Efficiency of an Autonomy Arrangement**

Mr. Thomas Benedikter

Autonomy Expert, South Tyrol

**Dialogues of the Deaf: The Role of Uyghur Diaspora Organizations versus
Beijing**

Prof. Yitzhak Shichor

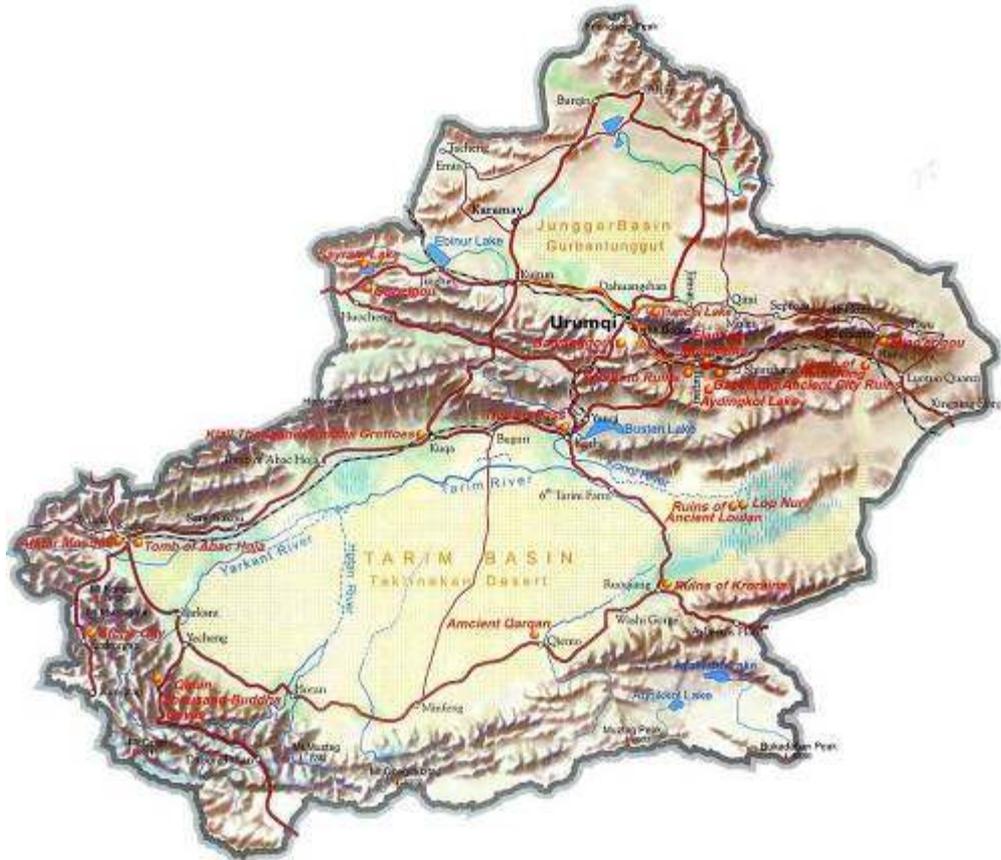
Professor at University of Haifa, Department of Asian Studies

States and Regions: Working for Mutual Benefits

Mr. Michael Gibb

PHD Candidate, Oxford University

Questions & Answers



Legal protection of Uyghur People through Chinese Constitution

Eva Pfösti

Istituto di Studi Politici S. Pio

One of China's fifty-five nationalities, Uyghurs are a Turkic-Muslim ethnicity which has been living in East Turkestan for generations. Reoccupied by the Qing Dynasty in the mid-18th century, this region had become a Chinese province named Xinjiang in 1884 and in 1955, after the communist takeover in late 1949, was reorganized as the Xinjiang-Uyghur Autonomous Region (XUAR).

The recent political history of XUAR has been tumultuous and often violent. Since the collapse of Soviet Union and the subsequent emergence of independent Central Asian states, ethnic tensions in Xinjiang have escalated. In the wake of September 11, China has used the increased emphasis on eradicating global terrorism to rally international support for its campaign against Uyghur separatists. Despite, or perhaps because of, Beijing's police crackdown on separatists, in the past decade there has been a dramatic increase in Uyghur demands for an independent "East Turkestan".

While the conflict in the region has had several causes, in this paper is argued that the system of "regional autonomy", operating in Xinjiang, created in 1955, must be seen as a principal source of the unrest. Instead of resolving a longstanding political dispute between Uyghurs and the Chinese government, this system has deepened Uyghur discontent and exacerbated conflict. The history of Chinese policy on national minorities has been characterized by pragmatism rather than principle, and current realities and priorities of state control and integration have taken precedence over real autonomy.

It is clear that China needs a new approach to resolve tensions in the region. Purely Marxist and Keynesian economic development strategies are not enough.

In the first part of this article I will argue, that the current weak status of the rule of law in China, the lack of democratic political system, as well as state priorities emphasizing unity, sovereignty, Chinese Communist Party (CCP) control and economic development create considerable obstacles for realizing a wide-range autonomy within the existing system of minority protection in the People's Republic of China (PRC). The preoccupation with sovereignty and centralization of power fails to provide an effective guarantee of the distribution or sharing of power, reducing "autonomy" purely to an administrative devise. In Xinjiang, the political system has chronically

thwarted Uyghurs' exercise of self-rule and thus indeed contributed in various ways to the conflict. Whereas the domestic implications of the crisis in Xinjiang are clearly serious for China, Beijing's management of the situation could have more profound ramifications for regional and international security in the future. Xinjiang is the nexus between China, the Middle East and Russia. It also lies at the cultural crossroads between the Islamic world and the Han Chinese heartland. More importantly, since the collapse of the Soviet Union, the vast energy supplies of the former Soviet Central Asian republics are becoming a focus of geopolitical attention for regional and extra regional states to secure access to new sources of oil and natural gas. These factors combine to make the outcome of the struggle in Xinjiang of growing international strategic importance and will influence developments in the region. The challenge for the future will be to come up with a solution that responds to both sides' objectives.

The second part of this article proposes a workable autonomy for Xinjiang. If sustainable peace is to be accomplished in the region, PRC needs to separate violent acts of terrorism from simple non-violent political radicalism and at the same time extend real autonomy to the Xinjiang Uyghur Autonomous Region. The Uyghur minority on its side needs to realize, a realization the vast majority has come to, that independence is not practically possible and that acts of terrorism will accomplish nothing more than increased grief and continued violence. The right to secede does not exist in the Chinese Constitution. Further, Article 13 of the Criminal Law criminalizes separatist beliefs. Thus the Chinese government condemns all separatist activity in Xinjiang or elsewhere as criminal, and all those participating in separatist activity as not only criminal but subject to execution.

A more flexible approach under PRC Constitution Article 31 governing special administrative regions, may offer the best foundation for a negotiated settlement concerning appropriate Sino-Uyghurian autonomy arrangement. This approach, employed in Hong Kong and Macau, contrasts sharply with the above pattern of central intrusion upon and domination of Uyghur affairs under Article 4 and related articles of the PRC Constitution.

I. Current Legal Framework

The Chinese policy toward minority groups has consistently stressed on gradual integration of minorities with the implicit expectation of

assimilation¹. As such, minority and autonomy arrangements have often been conceived of as temporary, although possibly long-term, transitional measures addressing political and social realities but moving toward ensuring state interests and control. This approach reflects both Marxist-Leninist theory and imperial Chinese culture².

The current system of Xinjiang's autonomy is defined by the 1982 Constitution and the 1984 Law on Regional National Autonomy (LRNA)³. The Constitution outlines the system of regional national autonomy, while the LRNA functions as the basic law for the implementation of the system.

Constitution and minorities

The 1982 Constitution contains sixteen articles (out of 138) regarding the issue of autonomous areas. Article 4 promises autonomy and self-government for areas where minorities "live in concentrated communities". In these areas, "organs of self-government are established to exercise the power of autonomy." The ominous reminder of strong central control, however, promptly follows the promise of autonomy: "All the national autonomous areas are inalienable parts of the People's Republic of China."

Most of the powers granted the autonomous areas by the Constitution are foreseen in Section VI entitled "The Organs of Self-Government of National Autonomous Areas."

Section VI provides that the administrative head of autonomous areas shall be a member of the regional nationality (Article 114); and gives the areas the following powers: autonomy in administering their finances (Article 117); independent administration of educational, scientific, cultural, public health and physical culture affairs (Article 119); the power to organize local security forces [with the approval of the State Council] (Article 120); and the right to employ the spoken and written language of the area when performing the functions of government [within the regulations on the exercise of autonomy] (Article 121). According to Article 115, however, the rights granted in the above provisions are only applicable "within the limits of their authority as prescribed by the Constitution, the LRNA, and other laws." Article 116 clarify the "limits of their authority": Article 116 gives the autonomous regions broad authority and discretion to "enact regulations on the exercise of autonomy and other separate regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned." Article 116, however, further stipulates that any regulations related to the exercise of autonomy

(local legislation) "shall be submitted to the Standing Committee of the National People's Congress (NPC) for approval before they go into effect."⁴

Regarding the representation of minorities at the national level in the Constitution is foreseen that they must be represented at the "appropriate level" in the NPC and the Standing Committee of the National People's Congress NPCSC (Articles 59 and 65.)

Given the top down nature of CCP control and the fact that Han Chinese party officials from the centre have always occupied top local party positions, there is little room for local legislative initiative by autonomous communities. Final decision-making power ultimately rests with the CCP dominated by Han Chinese.

In sum, legislative power for the autonomous regions ultimately resides in Beijing. The Constitutional provisions are the basis for substantial intrusions by central organs and the national political system into local affairs⁵. In this sense national minority autonomy has been used more for underlying central control than genuine autonomy.

Law on Regional National Autonomy

The PRC Constitution is not binding by itself; the effective regime of minority autonomy is to be found in the LRNA which was passed in 1984 and significantly amended in 2001. Although the LRNA is the most far-reaching legislation to date addressing the system of regional autonomy, autonomous areas are still subject to the "despotism and arbitrary wills of authorities and functionaries [of the central government]"⁶. The CCP, however, insists that the LRNA gives autonomous areas more power than the Constitution grants the provinces and municipalities.⁷

The LRNA repeats many basic rights granted in the Constitution on the context and parameters of autonomy. These include: (a) autonomy exists within the framework of a unitary state; (b) which itself, along with autonomous areas, is bound by the supremacy of the Chinese Communist Party and governed by the "democratic dictatorship" of the people; (c) autonomy powers are to be exercised under "unified state leadership" (explicated by a number of provisions); (d) autonomous areas' highest responsibility is to promote and uphold national unity and to "place the interests of the state as a whole above anything else and make positive efforts to fulfil the tasks assigned by the state organs at higher level" (Article 7); (e) where Han people are a minority, they are entitled to the rights of a minority (Article

12); (f) most powers granted to autonomous areas are to be exercised in accordance with “legal stipulations” or the “law”; and (g) autonomy has to fit within the hierarchy of authority whereby state organs direct, control and supervise the exercise of general and autonomous powers at the local levels. It is clear from these articles that the CCP intends to exert broad and effective political control over the entire state. The strong power of the central government does not grant meaningful political autonomy to the autonomous areas.

The 2001 amendments to the LNRA introduced the concept of market oriented economic development as a commitment for autonomous areas. Greater integration of autonomous areas into the economy and administration of the country under the direction of central authorities is established. With mandatory provisions autonomous areas are offered little space for their own policies. Privileging of economic development over other goals shows that there is no deep commitment to the culture of nationalities⁸.

In sum, as indicated by Y. Ghai⁹, the following propositions about the extent of minority autonomy arise from the language and context of the autonomy provisions in the Constitution and LNRA:

- The primary purpose of autonomy is to strengthen national unity by bringing minority nationalities within the state system. Political arrangements in autonomous areas are vehicles for the enforcement of national laws and policies. In XUAR for example, although there is some joint central/autonomous region power-sharing in arrangements regarding oil extraction¹⁰, generally, the central government maintains exclusive power to dictate the terms of power-sharing. For example, Article 31 of the LRNA allows Xinjiang to independently allocate natural and industrial resources, but only after fulfilling quotas prescribed by the central government¹¹. Allocation of local police powers provides another example of the ubiquitous hand of the central government. The LRNA affords Xinjiang a degree of local police power, but once again only subject to Beijing’s discretion¹².

- Autonomy is decided on and imposed by the central authorities rather than negotiated to reflect the interests of national minorities.

- There is considerable emphasis on local culture and language, but culture seems to be understood in a somewhat restrictive way (“folkways and customs”)¹³. There is little freedom of religion, which is an essential part, and sometimes the underlying basis, of culture.

- Despite provisions in the Constitution, there is no

entrenchment of autonomy; it is based on ordinary law which can be changed at the will of the NPC.

- There is no entitlement to autonomy. Article 12 of the Law says that “[a]utonomous areas may be established where one or more minority nationalities live in concentrated communities, in the light of local conditions such as the relationship among the various nationalities and the level of economic development, and with due consideration for historical background”. Even if a group has been accepted as a nationality, the decision to establish an autonomous area is made, in the case of an autonomous region, by the NPC (Constitution Article 62(2)), and in the case of autonomous prefectures and counties, by the State Council (Constitution Article 89(15)).

- A massive influx of people from other communities could upset any expectation of autonomy, diluting the special status of the dominant minority. This has become a particular problem with the movement of Han people into XUAR.

- Autonomous areas fit within the hierarchy of institutions of state, and are subordinated to institutions at the next higher level. Their powers must be exercised within the laws, regulations and directions of central authorities, with limited possibilities to opt out of them or take initiatives of their own.

- There is no area in which the central authorities cannot invade the autonomy of a nationality.

- Autonomous areas must fit within the general framework governing local institutions generally. They have no authority to determine the structure or democratization of their institutions or modes of representation. Coupled with a lack of effective protections of the freedoms of religion, expression, association and assembly there is a significant deficit of self-government.

- There are no independent local judiciary and there is no independent institution to adjudicate conflicts between central and autonomous authorities on the scope or violations of autonomy.

- Although a considerable role is prescribed for members of the dominant and not so dominant minorities in the local people’s congresses and governments, nothing is said about the organization of the institutions of the Chinese Communist Party with whom real power lies.

These limits are reinforced by Chinese government pronouncements on the purpose and scope of autonomy set out in its periodic White Papers¹⁴.

The system of autonomy established by the CCP in Xinjiang, as in China’s other peripheral regions, was imposed upon titular groups rather than

negotiated with them¹⁵. Uyghur dissatisfaction with the political system in Xinjiang has been manifest since the founding of the PRC¹⁶. Limited space prevents a detailed analysis. The challenge for the future will be to come up with a solution that responds to both sides' objectives. The PRC Constitution and the LRNA national regional ethnic autonomy policy fails to do so.

We argue that for the future wide range autonomy must be the goal; independence is practically not possible. The right to secede does not exist in the Chinese Constitution. Further, Article 13 of the Criminal Law criminalizes separatist beliefs. Thus the Chinese government condemns all separatist activity in Xinjiang or elsewhere as criminal, and all those participating in separatist activity as not only criminal but subject to execution. The Xinjiang Question can only be resolved by maintaining the sovereignty of China over the territory of XUAR, while dividing the power. In that way, both Chinese leaders and Uyghurs People will gain their primary objectives.

II. Autonomy for Xinjiang taking seriously

It is clear from law and practice that the concept of "autonomy" in China is fundamentally different from increasingly accepted international understandings of autonomy standards based on Western-style liberal multiculturalism¹⁷.

In the latter sense, autonomy is a device to allow ethnic, religious, linguistic or cultural communities claiming a distinct identity, whether aggregated geographically or not, to exercise direct control over affairs of special interest or concern to them, while allowing the larger entity those powers which cover common interests¹⁸. The precise forms and structures of autonomy differ from country to country.

But the following features are generally relevant:

1) independent legislature; 2) locally chosen chief executive; 3) independent judiciary; 4) status of autonomy consistent with powers granted; 5) autonomy and self-government consistent with power-sharing arrangements; 6) adequate financial resources and administrative capacity. 7) Autonomy arrangements must be legally guaranteed and constitutionally entrenched, not liable to be changed by the unilateral decision of central authorities; 8) mechanism for consultations between autonomous and central authorities on matters of common interest and to resolve disputes. Application of these principles demonstrates that Xinjiang's autonomy does not satisfy even the minimum standard¹⁹.

But is autonomy based on Western-style liberal multiculturalism a viable alternative to the status quo?

Legal transplants always give rise to issues of compatibility with indigenous traditions and conditions. The problems are perhaps more severe in China's case given the fundamental differences between its philosophical traditions and contemporary global liberalism and the differences between a single-party state and a democratic one.

The sources of current Chinese policies on minority rights are a complex combination of various intellectual inheritances²⁰, combining echoes of Confucian ideas of paternalistic guardianship over backward groups or "younger brothers" with echoes of Marxist/Leninist ideas of ethnic autonomy, mixed with echoes of liberal ideas of minority rights and affirmative action policies for minority groups. Chinese minority rights, indeed, have their own characteristics drawn from rich traditions. Under a Confucian framework, minority rights are customary practice with an outlook which emphasizes "duty". Under Marxist ideology, minority rights are subordinated to, and revoked by, the revolutionary cause. Today it seems to have a revival of a "New Confucianism"²¹, which contains a very conservative and unequal approach towards minorities and is still an obstacle to the implementation of genuine autonomy in China's minority areas.

Being convinced that it is meaningless to impose Western certainties on members of cultures that do not perceive them as such, the most convenient path to address the deficit on autonomy in XUAR may be to consider a more flexible open-ended approach under Article 31 of the PRC Constitution governing special administrative regions.

Article 31 was established in the 1982 Constitution and seeks to overcome some of the limitations of the system of regional autonomies. It states

"The state may establish special administrative regions when necessary. The systems to be institutionalized in special administrative regions shall be prescribed by law enacted by the National People's Congress in the light of specific conditions".

According to Article 62(13) is the National People's Congress (NPC)

"to decide on the establishment of special administrative regions and the systems to be instituted there."

The Constitution provides no further details and hence this formulation implicates a great flexibility in formulating the scope and contours of autonomy and the adoption to the circumstances of a region. The autonomy must be established through a law enacted by the NPC, and as a basic law, it would enjoy a higher status than ordinary law. The reference to "systems" to be instituted

suggests that the region may be granted characteristics and the power to make policies different from those of the mainstream system²².

While Article 31 was clearly formulated with the Taiwan question in mind, it has so far been used as the foundation for the transfer of sovereignty of Hong Kong and Macau and should not bar its application to Xinjiang.

The main characteristic of Article 31 is its flexibility. There is no need to copy the Hong Kong model (although it served as a prototype for Macau)²³. If applied to XUAR, the scope and mechanisms of autonomy would undoubtedly be different. With a very different history and circumstances, the parties would be expected to agree on a local constitutional formula in Xinjiang that is suited to the Uyghur situation. Just as Hong Kong is an economic gateway to the emerging Chinese market, Xinjiang could become a strategic "bridge" to China, the Middle East, Russia and the Islamic world by means of political and economic cooperation and integration.

In what ways may Article 31 may provide better autonomy for XUAR than the actual autonomy system based on art. 4?

To answer the question, we have to examine very briefly the experience of Hong Kong.

Whereas the official position of the Chinese government is, that article 31 may only be used for regions which were taken away from the "motherland"²⁴, there seems to be an agreement among Chinese scholars that Article 31 has being specifically designed to incorporate into the PRC distinct areas of the country "where, for historical reasons, socialism had not been practiced" and allow them to continue their existing systems, capitalism in particular²⁵.

In fact, the actual system of autonomies in the PRC has consistently been asymmetrical and a differentiated approach has been taken according to the circumstances of each autonomous area²⁶.

Hong Kong became Special Administrative Region of the People's Republic of China (HKSAR) on 1 July 1997 when Britain transferred sovereignty over Hong Kong to PRC. This special autonomous status was granted not only in form of international agreement, based on negotiations between China and Great Britain (the Sino-British Joint Declaration signed on December 19, 1984), but also through a normative act of internal validity (the Basic Law adopted on April 4, 1990 by the National People's Congress of China)²⁷.

So, we can distinguish two phases in the establishment of the HKSAR:

The first was the process of negotiations between

China and Britain on the terms of the transfer of sovereignty. The result was the Sino-British Joint Declaration on the Question of Hong Kong, 1984, which would also serve as the basis of the Basic Law that the NPC would enact.

The second phase was the drafting of a constitutional document, the Basic Law by a Basic Law Drafting Committee appointed by China. The drafting of the Law, which was intended to give effect to the Joint Declaration, took about four years. It was enacted in April 1990 and came into effect on 1 July 1997. On the basis of political negotiations, the Basic Law is formally (and unilaterally) adopted by the National People's Congress of the People's Republic of China with the advantage of a internal and thus politically more acceptable solution than an "international" one.

On the basis of the HSKAR experience there can be underlined three point, which are interesting for a solution for the Xinjiang issue:

1. Article 31 could serve as a framework for negotiations, dissimilar the LNRA which is detailed, non-negotiable and cannot really be accommodated to the specific needs of a region.

2. Article 31 facilitates flexibility. As a Special Administrative Region of the People's Republic of China, it enjoys a high degree of autonomy and many provisions of the Chinese Constitution are not applied. This in particular regarding the rule of the Communist Party and Marxist political and economic ideology.

HKSAR is vested with legislative power, except in defence and foreign affairs, but even in these areas, it has primary responsibility for internal security and is authorized to enter into agreements with foreign states and international "organizations" (and is a member of many international and regional organizations). HKSAR has its own currency, monetary and fiscal system; can issue its own passports; controls its immigration policies; decides on infrastructural development; is responsible for education, health, etc. It has its own system of justice, the common law applies, and there is a separate – and independent – court system. English is an official language. Land belongs to the state, but its administration is in the hands of the HKSAR (income from sale or lease of lands goes to Hong Kong). Rights and obligations are based more on the concept of a "permanent resident of Hong Kong" than on Chinese citizenship, which enables Hong Kong to preserve its identity and restrict entry to and residence in Hong Kong of Mainlanders (and others).

3. There relative secure legal foundations for HSKAR's autonomy, based on an international

treaty with Britain and national constitutional provisions. The NPC can amend the Basic Law, but no amendment can “*contravene the established basic policies of the PRC regarding Hong Kong*”.

Within Hong Kong, the Basic Law – which establishes fundamental human rights – is supreme and all other Hong Kong laws must be compatible with it. An independent judiciary reviews challenges to laws, regulations and policies, thereby reinforcing the special status of the Basic Law, and preserving the rule of law to a greater extent than in any other region of China.

But how effectively can Hong Kong exercise the powers based on art. 31? Although the Basic Law defines in detail the relationship between Hong Kong and Mainland institutions, with a view to ensuring Hong Kong’s autonomy, it was difficult in practice to fully ensure that autonomy²⁸. In particular, it lacks institutional mechanisms to restrain mainland authorities from possible interference in the political-legal operation of the Hong Kong Region. The Chief Executive of Hong Kong is essentially an appointee of the Central People’s Government. The Standing Committee of the NPC has the power to interpret the Basic Law which has been used from time to time to narrow the scope of rights and to arrest the promise of democratic development. There is no independent judicial body which can adjudicate disputes over the provisions regarding the relationship of Hong Kong and the Central Authorities. These matters are in fact decided by the Central Authorities themselves. The constitutional foundations of Article 31 autonomy have turned out to be less effective than was once expected. The autonomy is granted for only 50 years, and since the Basic Law came into force, there has been greater economic and social integration between Hong Kong and China than was implicit in that Law. On the positive side, apart from differences over democracy, there has been little to divide Hong Kong and China, and in practical, day-to-day matters, Hong Kong enjoys considerable autonomy, and is able to pursue its distinctive lifestyle. The real achievement made in civil and commercial agreements show that where there is a legal framework within which to work and some level of mutual agreement about given problems, genuine workable solutions can be built up over time.

Conclusion

It is very tempting to connect the today’s subject to my traditional one, namely the Tibetan issue. In my book “The Tibetan issue²⁹” I suggest that aspects of the autonomy model of South Tyrol might represent some lessons for the Tibetan case for the very reason that it has allowed for the

promotion of the rights of minority groups without upsetting the state borders.

Recent developments regarding the Tibetan issue shows that Tibetan leaders, first among the Dalai Lama, has proposed to the Chinese government a second-best agreement: the so-called “Memorandum on Genuine Autonomy” (4 and 5 November 2008)³⁰. The Tibetans, after recalibrating their positions on sovereignty and autonomy year after year, have advanced a modest proposal for autonomy based on art 4 of the Constitution and LNRA.

For Xinjiang I would suggest to find a more far-reaching constitutional fit: the use of PRC Constitution Article 31 relating to the creation of special administrative regions. The Hong Kong and Macau experience would be very instructive. Article 31 suitably framed, would be in Xinjiang’s and PRC’s interests. This flexible, open-ended approach would clearly offer a better constitutional fit than current efforts to address the issue under national minority principles. Xinjiang may not need the same degree of autonomy as Hong Kong, e.g. of monetary or fiscal systems, international trade or the legal system, but the freedom of religion, freedom to pursue language policies, and develop a distinct political system based on genuine local representation and participation, a separate – and independent – court system, relations between Uyghur and non-Uyghur living in Xinjiang, exploitation of natural resources, property rights, immigration policies; transborder collaboration, etc. could be accommodated under Article 31.

The Uyghur issue cannot be understood in isolation, as the product of a uniquely Chinese environment. Just as Hong Kong is an economic gateway to the emerging Chinese market, Xinjiang could become a strategic “bridge” to China, the Middle East, Russia and the Islamic world by means of political and economic cooperation and integration.

A negotiated autonomy arrangement would reduce interethnic relations between Uyghurs and Han, terrorism and the tendency to convert autonomy into the first step toward independence, a fear Beijing clearly entertains with respect to Xinjiang.

There is nothing in the PRC Constitution that would bar Xinjiang from being governed as a special administrative region under Article 31. Any supposed obstacles appear to be questions of policy, not law.

¹ C. Mackerras, *China’s Ethnic Minorities and Globalisation*, 2003

² P.B. Potter, *Governance of the Periphery: Balancing Local Autonomy and National Unity*, in *Colum. J. Asian L.*, 2005; C.P. Mackerras, *China's Minorities: Integration and Modernization in the Twentieth Century*, 1994

³ B. Sautman, *Preferential Policies for Ethnic Minorities in China: The Case of Xinjiang in Nationalism and Ethnic Politics* 4, 1998; M. Rossabi, (ed). *Governing China's Multiethnic Frontiers*. Seattle, 2004

⁴ The National People's Congress is the highest organ of state authority and, theoretically, functions like the parliament of the P.R.C. See generally T. Chiu et al., *Legal systems of the PRC*, 1990

⁵ See also M. Davis, *The Quest for Self-Rule in Tibet*. In *Journal of Democracy* - Volume 18, Number 4, October 2007

⁶ T. Heberer, *China and its national minorities: autonomy or assimilation* 43, 1989

⁷ See Self Government, <http://www.china.org.cn/e-groups/shaoshu/self.htm>

⁸ Zhu Guobin and Yu Lingyun, *Regional Minority Autonomy in the PRC: A Preliminary Appraisal from a Historical Perspective*, in *International Journal on Minority and Group Rights*, 2000.

⁹ Y. Ghai et al. *Is there space of "Genuine autonomy for Tibetan Areas in the PRC's System of Nationalities Regional Autonomy?"* In *International Journal on Minority and Group Rights* 17, 2010.

¹⁰ B. Sautman, *Ethnic Law and Minority Rights in China: Progress and Constraints*, in *Law & Policy*, July 1999

¹¹ LRNA art. 31 ("The organs of self-government of national autonomous areas shall independently arrange for the use of industrial, agricultural, and other local and special products after fulfilling the quotas for state purchase and for state distribution at a higher level.")

¹² LRNA art. 24 ("The organs of self-government of national autonomous areas may, in accordance with the military system of the state and practical local need and with the approval of the State Council, organize local public security forces for the maintenance of public order.")

¹³ A.M. Dwyer, *The Xinjiang Conflict: Uyghur Identity, Language Policy, and Political Discourse*, East-West Center, 2005

¹⁴ National Minorities Policy and Its Practice in China at [http://english.peopledaily.com.cn/whitepaper/1\(3\).htm](http://english.peopledaily.com.cn/whitepaper/1(3).htm)

¹⁵ G. Bovingdon, *Autonomy in Xinjiang: Han Nationalist Imperatives and Uyghur Discontent*, East West Center,

Washington 2004; M. Dwyer, *The Xinjiang Conflict: Uyghur Identity, Language Policy, and Political Discourse*

¹⁶ M. Moneyhon *Controlling Xinjiang: Autonomy on China's "New Frontier"* in *Asian-Pacific Law & Policy Journal*; Vol. 3 Issue 1 (Winter 2002)

¹⁷ W. Kymlicka, *Multicultural Odysseys: Navigating the New International Politics of Diversity*. Oxford, 2007; Baogang He, *Multiculturalism in China*, in E. Pförtl (ed), *Human Rights and Asian Values*, Apes 2009; Y.P. Ghai (ed.), *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States*, 2000.

¹⁸ See T. Benedikter, *The World's Working Regional Autonomies*. London, 2007; M. Weller, and S. Wolff, eds. (2005a) *Autonomy, Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London, 2005

¹⁹ B. Sautman, *Ethnic Law and Minority Rights in China*, in *Law and Policy*, 21, 1999

²⁰ See Baogang He, *Multiculturalism in China*, in E. Pförtl, *Human Rights and Asian Values*, Roma, Apes 2009

²¹ D. A. Bell *China's New Confucianism: Politics and Everyday Life for a Changing Society* Princeton University Press, 2008.

²² It has become customary to refer to the autonomy under Article 31 as "one country, two systems", but these words are not used in the Constitution.

²³ Y.P. Ghai, *The Basic Law of the Special Administrative Region of Macau: Some Reflections* in *International and Comparative Law Quarterly*, 2000.

²⁴ Y.P. Ghai, *Hong Kong's New Constitutional Order: The Resumption of Chinese Sovereignty and the Basic Law*, 1999 and Y.P. Ghai (ed.), *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States*, 2000.

²⁵ Y. P. Ghai, *Hong Kong's New Constitutional Order*, *op. cit.*

²⁶ See M. C. Davis, *The Case for Chinese Federalism*, *Journal of Democracy*, 1999; R. Peerenboom, *China Modernizes*, Oxford, 2007, A. Carlson, *Unifying China, Integrating with the World: Securing Chinese Sovereignty in the Reform Era*, Stanford, 2005.

²⁷ For more details see M. C. Davis, *Constitutionalism and the Politics of Democracy in Hong Kong*, in *Fletcher Forum World Affairs*, 2006.

²⁸ See M. C. Davis, *op. cit.*

²⁹ E. Pförtl, *La questione tibetana. Autonomia non indipendenza: una proposta realistica*, Marsilio 2009.

³⁰ www.tibetoffice.ch/web/mwa/memorandum/italian.p

European Autonomy Systems of Major Significance – How to Assess the Efficiency of an Autonomy Arrangement

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1. Europe: the cradle of modern territorial autonomy

The modern concept of territorial autonomy is born out of the requirement of granting minority protection in some or one part of the territory of a given state and is driven by the request of collective self-determination based mostly on ethno-linguistic, historically grown group identities. Territorial autonomy in about 45-50 cases in all continents has been a viable compromise solution ensuring the territorial integrity of this state, a certain amount of internal self-determination of the minority group and an arrangement of consociational regional democracy, most important for ensuring peace and stability in the concerned area. Although in some cases territorial autonomy has been granted to regions without any distinctive ethno-linguistic or religious group identity (e.g. in Spain and Portugal), the prevailing rationale of territorial autonomy all over the world is self-government for the sake of protecting minority peoples or ethnic minorities.

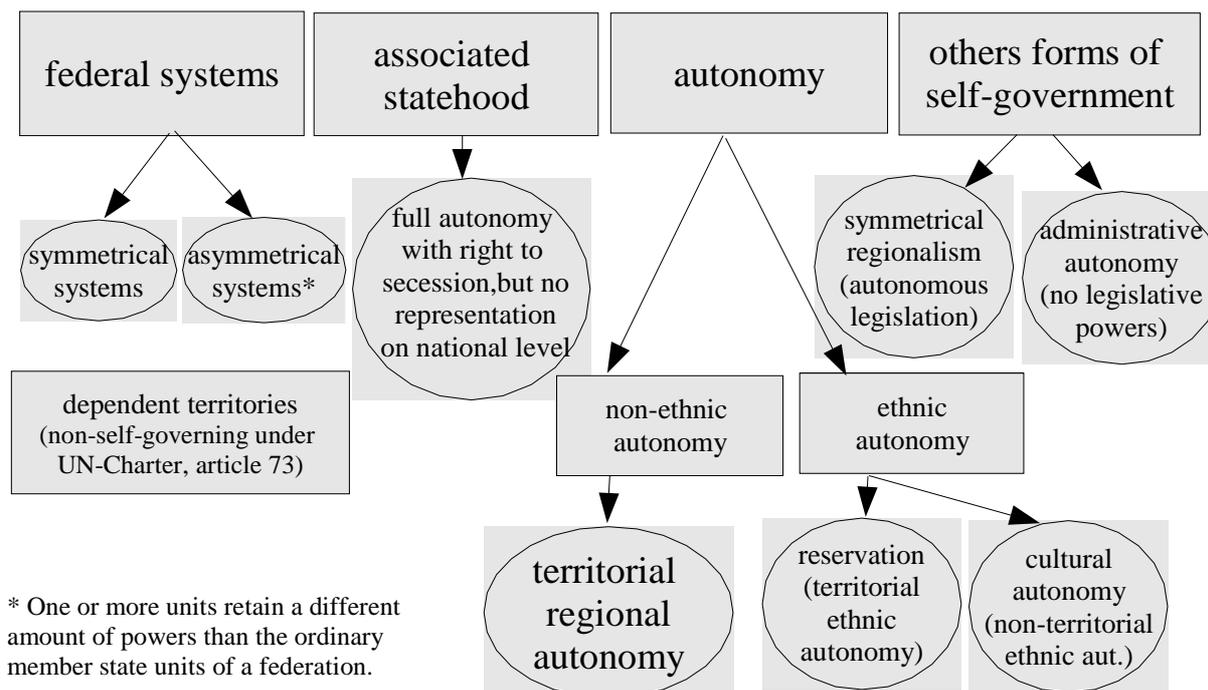
Modern political autonomy exists since about 90 years. „Modern“ because genuine autonomy is linked to the premise of democracy, whereas pre-modern forms of self-government have not been embedded in a democratic state with the rule of law. The first modern autonomy has been accorded to the Swedish minority of the islands of Åland in Finland in 1921 under the supervision of the League of Nations. Later territorial autonomy has been applied in many other countries on all continents. Nevertheless 37 out of 60 autonomous regions are located in Europe. In most cases it took protracted political mobilisation and sometimes violent conflicts to achieve an autonomy solution. By conferring territorial autonomy in most cases ethnic conflict has been solved and a sustainable framework for internal self-determination has been established.

Autonomy provides for the possibility to preserve the cultural identity of peoples in a minority position within a state or of ethnic or national minorities, without changing international borders. For this purpose the scope of autonomy must encompass all relevant powers, from the official language policy to the education system, from cultural issues to powers for a suitable social and economic policy, allowing for a certain control on the immigration into the concerned region and on the natural resources of this region. In multiethnic or plurinational autonomous regions it is of utmost importance to have consociational forms of internal political power sharing in the region. Moreover, autonomy has to be firmly enshrined in order to provide the local population with security, to avoid unilateral curtailing of the autonomy, to ensure peaceful relations among different ethnic groups. To achieve autonomy a consensus is needed among the concerned groups or people that such an arrangement will be sufficient for granting the collective rights. Autonomy almost never was accorded just as a gift by a generous and enlightened state's elite, but due to protracted commitment of the concerned groups. A second requirement is the conviction among the central state leadership that autonomy can bring about peace and stability without endangering the country's territorial integrity.

2. Criteria for the definition of autonomy and the list of existing autonomies

First of all: how is territorial autonomy to be distinguished from other forms of territorial power sharing in the world? Political autonomy comes in two forms of major relevance, which is the ethnic (exclusive) and non-ethnic form (purely referred to a territory). As in the majority of cases autonomy is accorded to smaller territories, it has also taken the name of “regional autonomy”.

Forms of territorial power sharing in modern states



On the one hand we have to distinguish regional territorial autonomy from all forms of federalism (symmetric and asymmetric), on the other hand we should keep modern autonomy distinct from „ethnic autonomy“ such as tribal areas and reservations. Also asymmetrical federal states are distinct from the concept of autonomy: a federal state may encompass autonomous regions, but autonomy is something distinct. Belgium e.g. is a federal state which has an autonomous unit: the German Community. Canada is an asymmetrical federalist system, but has also established a special territorial autonomy for Nunavut. The same applies to South Asia: India is a symmetrical federal system, although its Constitution contains some special provisions from some single federated states, but then, within these states, there have been established autonomous regions. Also Pakistan at least on paper is a federal state, but again comprises forms of autonomy which are highly questionable. But they do not transform the system in an asymmetrical federation. Thus, generally spoken, whenever we try to compare autonomy systems, we should or rather we must use a common definition. In other terms we have to consider regional autonomy as a form of internal power sharing between the State and one or more single units, mostly due to the aim to preserve the particular cultural and ethnic character of a region, ensuring democratic self-government, defined in clear legal terms and standards grounded in the theory of democracy.

In some cases of operating autonomies these

autonomies had some historical record of rights of self-government even before the constitution of a democratic state with rule of law, which later granted autonomy by constitutional entrenchment (e.g. in Spain). In the European history there are some more forms of limited self-government under pre-democratic rule (e.g. Finland's autonomy from 1815 to 1917). But from a perspective of human and civil rights including the right to democracy, a concept of genuine autonomy in a non-democratic environment does not make sense, and is theoretically not consistent. Per definition autonomy entails a collective subject (*autos*), which is allowed to govern and legislate on its territory (*nomos*). Thus the regional population enjoying autonomy must be entitled to govern itself either through freely elected representatives or direct means. If the term autonomy should be appropriate, there must be a freely elected regional assembly to be vested with legislative powers; otherwise no real self-government is occurring.

If the regional decision-making power is accorded to a very small elite in the framework of an authoritarian state, no democratic legitimacy is given and no genuine self-government can be observed. In units like Myanmar's minority people sub-states and the Autonomous Provinces of China powers still are transferred to lower government levels, yet the transfer of such powers is accorded to party cadres and army or government officials appointed centrally, not to freely elected politicians. Eventually we have just a

decentralization of powers within a non-democratic system, or a sharing of powers between party bosses at the centre and in the periphery, but nothing which might be termed a genuine autonomy.

Besides the requirement of the definitive transfer of legislative powers to elected bodies, a certain minimum of legislative and executive power is essential for drawing a line between genuine autonomy and autonomy-like decentralization which falls short to hand over legislative powers. This has to happen in the framework of the rule of law, namely by entrenchment of the autonomy law and statute in public and constitutional law, with a working judiciary to be called upon whenever disputes and conflicts between the centre and the concerned autonomous region arise. Again, it makes no sense and no genuine autonomy can be assumed, if there is no clear horizontal division of powers and no truly independent judiciary from the ruling power.

Which are the fundamental criteria to determine „modern autonomy“? we have to adopt at least four criteria in order to determine a „modern autonomy system“, which are

- **a state with rule of law** with an independent judiciary
- the **permanent devolution of legislative powers to freely elected regional assemblies** of the autonomous entity
- **a working pluralist democratic system with free and fair elections**
- the **equality of fundamental political and civil rights** for all citizens legally residing on the territory of the autonomous entity.

All of these criteria have to be defined in details, e.g. what exactly does it mean for a system to be „democratic“? Is Pakistan fully democratic and Azerbaijan not? Which are the operational criteria

to assume that all political rights and freedoms are ensured in a sufficient degree? The absence of free and fair elections prevents a formally autonomous region to be considered a „genuine autonomy“ and not respecting the minimum standard of political rights and democratic freedoms. Under such assumptions of democracy, also used by renowned human rights organizations, neither China, nor the Central Asian states are working democracies.

Autonomy, thus, creates a constitutionally entrenched legal-political framework with a minimum of legislative powers transferred to freely elected regional assembly ensuring a minimum degree of self-government with a permanent commitment to the protection of minority peoples or minorities, the titular groups of the autonomy. Based on these definitions and on these criteria we can draw a list of working autonomies in South Asia and in Europe, and for the entire world. We can also form an additional list of power sharing arrangements, where some of the criteria are respected but not all of them, calling them „autonomy-like arrangements of decentralization“. However, we can filter out both: regions which are autonomous just by name, and regions which are definitely autonomous in legal terms, which not always carry the official term „autonomous“.

Mapping Europe's autonomy systems

Europe's working territorial autonomies share numerous common features, and also reflect differences corresponding to their different genesis, development, geographical location, ethnic composition and political context. Usually autonomies are institutional and procedural systems based on complex legal provisions, starting from the basic autonomy statute or constitutional law, and coming to enactment laws and decrees embracing the legal provisions approved and adapted by the autonomous institutions.

– **Table 1 Europe's regions with territorial Autonomy**

<i>state</i>	<i>Autonomous regions/entities</i>	<i>capital</i>	<i>population</i>
1. Italy	Sicily	Palermo	5,031,081
	Sardinia	Cagliari	1,650,052
	Friuli-Venezia Giulia	Udine	1,204,718
	Trentino-Alto Adige	Trento	974,613
	Val d'Aosta	Aosta	122,868
2. Spain	Andalusia	Sevilla	7,849,799
	Catalonia	Barcelona	6,995,206
	Madrid	Madrid	5,964,143
	Valencia	Valencia	4,692,449

	Galicia	Santiago de Compostela	2,762,198
	Castile-Leon	Valladolid	2,510,849
	Basque Country	Vitoria/Gasteiz	2,125,000
	Canary Islands	Las Palmas de Gran C.	1,968,280
	Castile-La Mancha	Toledo	1,894,667
	Murcia	Murcia	1,335,792
	Aragon	Zaragoza	1,269,027
	Extremadura	Mérida	1,083,897
	Asturias	Oviedo	1,076,635
	Balearic Islands	Palma de Mallorca	983,131
	Navarre	Pamplona	593,472
	Cantabria	Santander	562,309
	La Rioja	Logrono	301,084
3. United Kingdom	Scotland	Edinburgh	5,094,800
	Wales	Cardiff	2,958,600
	Northern Ireland	Belfast	1,710,300
	Isle of Man	Douglas	80,058
	Guernsey	Saint Peter Port	65,573
	Jersey	Saint Helier	91,626
4. Finland	Åland Islands	Mariehamn	26,711
5. Denmark	Greenland	Nuuk	56,375
	Faroe	Torshavn	44,228
6. Belgium	German Community	Eupen	72,000
7. France	New Caledonia	Nouméa	230,789
	French Polynesia	Papeete	259,596
8. Moldova	Gagauzia	Comrat	171,500
9. Ukraine	Crimea	Sinferopol	2,000,192
10. Serbia	Vojvodina	Novi Sad	2,031,000
11. The Netherlands	Netherlands Antilles	Willemstad	220,000
	Aruba	Oranjestad	102,000
12. Portugal	Azores	Ponta Delgada	253,000
	Madeira	Funchal	265,000

Source: all figures from the last available census dates or the most recent official estimated figures. Selection according to the criteria explained in Thomas Benedikter, *The World's Modern Autonomy Systems – Concepts and Experiences of Regional Territorial Autonomy*, EURAC Bozen 2009, Chapter 2:10; at:

<http://www.eurac.edu/Org/Minorities/IMR/Projects/asia.htm>

Note: In Spain there are also two autonomous cities, Ceuta and Melilla. The Netherlands Antilles in Oct. 2010 will split in two groups of islands and shift to different kinds of status (*status a parte* within the Dutch Commonwealth, and overseas municipality). Then the Netherlands will cease to have working regional autonomies.

Although the fundamental aim of an autonomy arrangement might be identical — territorial self-governance — the concrete ‘design’ is a result of the dialectical relationship between the autonomous community and the central state. Nonetheless, the performance of each autonomy arrangement in terms of peaceful and harmonious relations among ethnic groups sharing the same territory, respect for minority rights, stability and positive social and economic development, can be evaluated only on the basis of generally shared criteria, an ambitious endeavour still to be done.

The territorial autonomy established in those 40 European region has provided them with a diverging degree of self-government in a varying scope of policy areas and powers. It is a typical feature of autonomy that almost all statutes are tailor-made for the specific case. Thus, “asymmetry” is a common feature in autonomy arrangements. Moreover, these autonomy systems are definitely not fixed forever, but can undergo reforms and amendments from time to time. Day by day these working autonomies refute the argument of sceptical government officials that autonomy is equal to the first step of secession.

There are few autonomous regions, where considerable political forces are striving for solutions beyond autonomy.

3. Democracy and “autonomy-like arrangements of vertical power sharing”

Democracy as a criterion for determining the presence of a modern autonomy system is not generally shared in the scholarly literature as one could suppose. There are differing approaches, one of which considers autonomy from a formal legalistic perspective, whereas others privilege the substance of democratic institutions and procedures. The former means that legislative powers in both the centre and the autonomous entity, for establishing an autonomy system, can be exercised also by non-democratic bodies. The latter approach focuses on substantial self-rule by the population of the concerned area, stating that no genuine self-government and self-legislation can unfold without freely elected representatives of the people in the concerned region. It is evident that of all autonomy arrangements in liberal societies, communist states and developing countries, the most successful examples are found in liberal democracies.

This criterion is of utmost importance as several states have established various forms of autonomous entities, without having democratic pluralist system. In other cases there are such systems enshrined in democratic constitutions and democratic elections are carried out, but they do not respond to international standards of free and fair elections. Hence, there must be a democratic pluralist system on both the regional and the national level, based on a democratic constitution and operating democracy, including the respect of civil liberties and democratic freedoms with free and fair elections in order to determine a formally autonomous region as a “genuine modern autonomy”. For this purpose one can recur to a widely accepted measuring of democratic standards, continuously observed and registered by the Freedom House.¹ This source can be completed and cross-checked by the “Democracy Index” compiled by the ECONOMIST,² which classifies the countries in four categories according to the score matched on the index:

¹ See [<http://www.freedomhouse.org>] reports on the situation and development of democracy in all countries. The methodology of Freedom House is a scale running from 1 to 7, where 1 indicates the highest degree of freedom and 7 the lowest one. The scores are derived from survey investigations done in the countries.

² This Index examines the state of democracy in 167 countries leaving out only some micro-states. See: http://en.wikipedia.org/wiki/Democracy_Index

- full democracies
- flawed democracies
- hybrid regimes
- authoritarian regimes

A modern territorial autonomy can operate only under conditions of democracy, hence in both states with „hybrid“ or „authoritarian regimes“ existing autonomous entities - in the absence of a democratic framework - are rather to be considered „autonomy-like arrangements of territorial power-sharing“.³

The criterion of democracy is crucial not only for a normative concept of political autonomy, but from a perspective of theoretical consistence of autonomy (*autós*: oneself; *nomos*: law): the citizens legally residing in the autonomous region have to be the sovereign subjects of the regional democracy. They must have the right to freely choose their representatives in the legislative and executive institutions. In an authoritarian state, as e.g. China, there are just centrally backed cadres to take political decisions, neither freely elected, nor independent from the central power. They respond to the local branch of the central authority or to the only ruling party, but not to the electorate of the autonomous entity, formally declared as such. In such cases there is no vertical power sharing between the central state and the autonomous region, but primarily between the central level and the peripheral level of the only governing political power structure. Power sharing between party bosses of the centre and those appointed to govern the periphery is not equivalent to a modern autonomy system.⁴

Indeed, there are again with regard to this key element of democratic government in an autonomous region „grey areas“. The general criterion of „local election of political representation“ would require also the executive to be either selected directly by the people (the regional electorate) or by the regional assembly. If the head of the local executive is nominated or appointed by the central government, the independence of the implementation of the given autonomy comes into question. But in some cases

³ According to the Democracy Index, concerning states with autonomy systems, Azerbaijan, China, Sudan, Tajikistan and Uzbekistan are authoritarian regimes, whereas Tanzania and Russia are considered “hybrid regimes”.

⁴ It should not be asserted, however, that just complying with general standards of democracy, e.g. Holding acceptably free and fair elections, does ensure good governance and an acceptable output of the respective political system. The main issue in terms of determining a meaningful autonomy is the democratic constitution and practice.

as on the Isle of Man, the practises of the centrally appointed chief is not differing from „truly autonomous executive boards.“ Theoretically it must be cleared where the autonomous government's loyalties lie. South Korea's province with a special statute, the province of Jeju, cannot be considered a modern autonomy system, as despite the overall democratic system of the state, not only the executive, but even the Jeju legislative assembly is not elected by the provincial electorate.

In some other states with formally autonomous entities elections are held, but democratic procedures and political freedoms are not respected. Under this requirement not only the People's Republic of China (with its five autonomous regions and other autonomous subjects) has been excluded, but also Uzbekistan with Karakalpakstan, an autonomous province since Soviet times, and Tajikistan with Gorno-Badakhshan.⁵ Also Azad Jammu and Kashmir in Pakistan is no autonomous state as it is kept in leading strings by the central state with very questionable democratic standards. A borderline case is Azerbaijan with the autonomous region of Nakhichevan, where serious doubts exist among international human rights organizations and international institutions (Council of Europe) whether parliamentary elections at both the national and regional levels have been free and fair. In Indonesia both forms can be observed: working autonomies as the Province of Aceh, and pseudo-autonomies as Irian Jaya and West Papua, which do not have neither an autonomy accepted by the indigenous population nor regional assemblies elected in a free and fair manner.

Autonomy-like arrangements of vertical power-sharing

When screening the political landscape of the world's almost 200 states the researcher comes across a number of devices of territorial power sharing. Sometimes officially labelled “autonomy”. Apart from clearly authoritarian states as China and Myanmar, in several other states with “flawed democracies” or “hybrid regimes” the arrangement has to be examined carefully whether it complies with the fundamental criteria of territorial autonomy as outlined in section 2.10. In the following some typical cases of power sharing with different features impeding the classification as modern autonomy are briefly presented.

Apart from the special forms of self-government in South Asia briefly presented above, there are several states in all continents which have

⁵ See [www.eurasianet.org] and [http://www.iwpr.net/index.pl].

established similar arrangements, formally labelled as “autonomous entities”. Here, just a few cases shall be listed in order to reiterate the necessity of a conceptual distinction between modern territorial autonomy, respecting the four criteria explained above, and arrangements of territorial power-sharing not matching one or more of these criteria. In democratic states this refers mostly to the lack of the devolution of legislative powers, in non-democratic states the lack of democratic institutions and procedures on the national and regional level.

Bangladesh: the Chittagong Hill Tracts

Pakistan: Azad Jammu and Kashmir and Gilgit-Baltistan

Indonesia: West Papua

São Tomé and Príncipe: the Autonomous Region of Príncipe

South Korea: the island of Jeju

Mauritius: Rodrigues

France: Corsica

Uzbekistan: Karakalpakstan

Azerbaijan : Nakhichevan

Tajikistan: Gorno-Badakhshan

The arrangements of territorial power sharing as established in the states of Central Asia, in Pakistan and in the PR of China are not eligible for classification as a “modern autonomy system” as the fundamental criterion of a democratic system with political freedoms and free and fair elections is not matched. The absence of democratic procedures and institutions prevents self-government of the population of the concerned area, although with regard to democratic standards there are considerable differences between Pakistan and China, between Azerbaijan and Tajikistan.

4. Can autonomy systems be compared?

Functional elements of autonomies

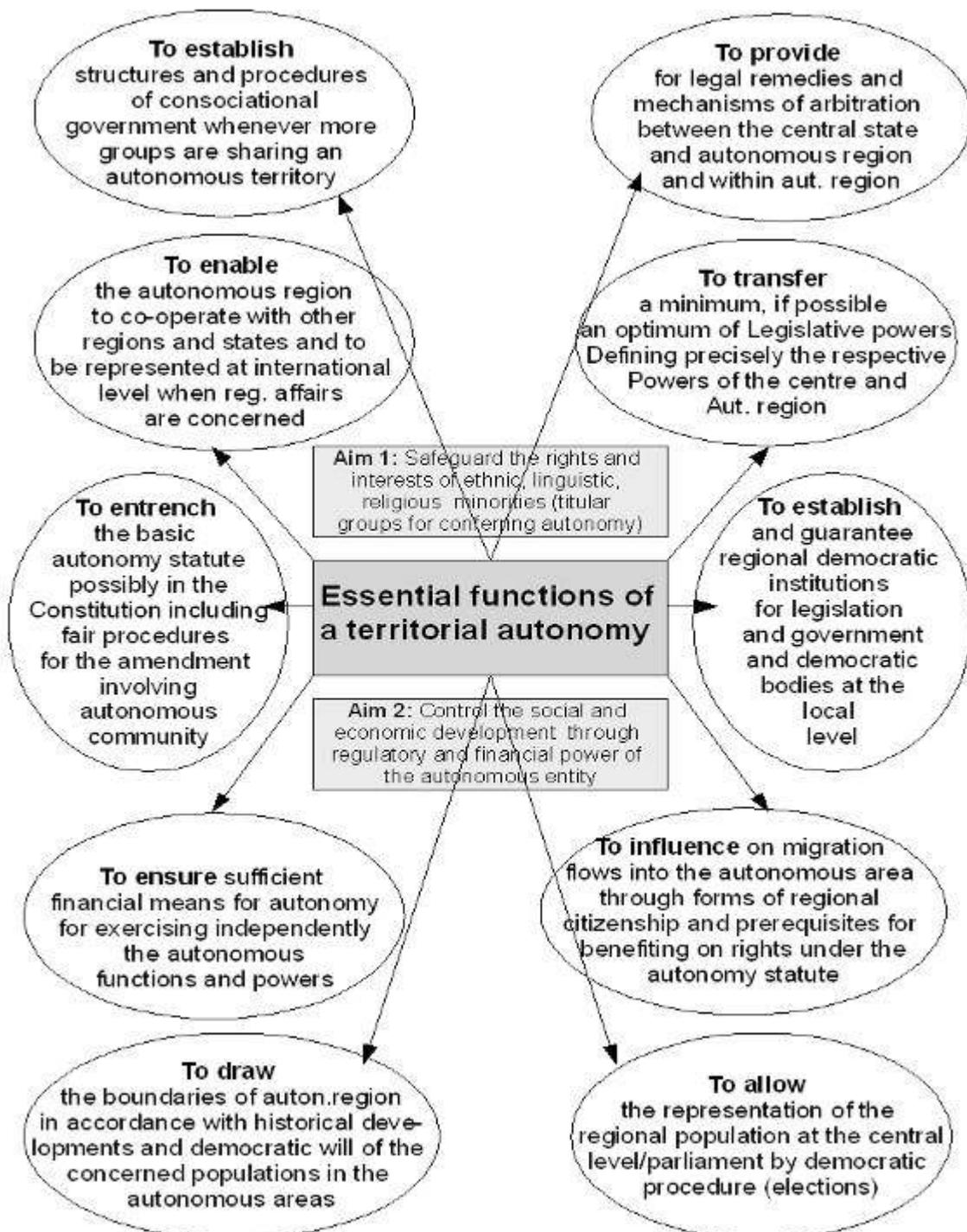
According to their history, political development, ethnolinguistic composition and geographical location these autonomy systems show quite remarkable differences. Territorial autonomies are complex sets of legal regulations, ranging from the autonomy statute or autonomy law, to the provisions of its implementation. A comprehensive comparison of autonomy systems is neither feasible nor can it be successful. But single functional elements of an autonomy system can be compared. For this purpose we have to start from the common goals of autonomies, such as the

protection of ethnic minorities or smaller peoples, the parity of chances and opportunities of all groups living the autonomous area, self-government in social and economic development, the peaceful co-existence of diverse ethnic groups, the stability and sustainability of an autonomy system.

Which are the 'functions' of an autonomy system to be compared? Generally, autonomy arrangements are established to meet specific needs and satisfy definable functions. The quality and the very success of an autonomy system depend essentially on how those functions are

shaped and realized. or instance, the legal entrenchment of autonomy in the Constitution or even on international level is an essential element, whereas powers in international politics are rather an optional. We can consider these functions as the constitutive elements of every autonomy system. If one or some of these elements are seriously flawed or even missing, the stability, durability, indeed the system itself is at risk. Although the list may not be exhaustive, among the most important functional elements or essential functions of autonomy are the following:

- (i) The political representation



- (ii) The scope of the autonomy
- (iii) The entrenchment and revision mechanisms
- (iv) The financial regulations
- (v) Provisions for regional citizenship
- (vi) International relations
- (vii) Language rights and protection of ethnic identity and minority rights
- (viii) The consociational structures and internal power sharing
- (ix) The control of economic resources
- (x) The settlement of disputes and legal protection mechanisms

These fundamental ‘functional elements’ have found different forms of application and solutions within Europe’s working autonomy arrangements, which evidently in this short chapter cannot be compared in depth. This is a project for the future, based on more empirical research that should make it possible to draw an exhaustive evaluation of the performance of the distinct forms of territorial autonomy and even to determine the decisive elements of an ‘optimum standard of autonomy’ to be tailored to each single case. The following comparative analysis will concentrate on showing nothing else than the existence of different forms and qualitative levels of regional autonomies in relation to several of the ‘functional elements’ identified as fundamental to autonomy arrangements.

The minimum standard and „best practises“ of territorial autonomy

Functional elements	Minimum standard of regulation	Best practises
1. Political representation in the autonomous region (A.R.)	Democratically elected regional assembly and president, independent from the central state. Special arrangements to ensure representation in the legislative and executive bodies to internal ethnic minorities within in the A.R.	Wherever internal minorities are represented not only in the territorial autonomous assembly, but also in the autonomous government
2. Political representation at the national level	Regardless of its geographical and demographic size, the A.R. should be entitled to representation in the central parliament (to be ensured through specific constituencies or exceptions from the electoral laws for ethnic minorities in A.R.	Every small A.R. represented in the national parliaments (Nordic Islands, New Caledonia, Comarca Kuna Yala, Nunavut, Italy’s small A.R.)
3. Legislative and executive powers	Basic powers to achieve the fundamental aim of the autonomy as shared by both parties (state and region), in particular with regard to the protection of cultural identity and the material basis for autonomy. Taxation, police, judiciary and most parts of civil and penal law are only exceptionally part of autonomous powers, let alone foreign affairs, defence, currency and macroeconomic policy.	Associated statehood offers the maximum extent of autonomy (only defence, foreign affairs and monetary policy left to the central state) and includes the possibility to freely terminate this kind of relationship. Almost no A.R. has achieved this level.
4. Entrenchment of the autonomy statute or law	The autonomy arrangement should be legally entrenched by nothing less than a constitutional law. An ordinary state law should be amendable only by a qualified majority of the national parliament, but after consultation with the concerned A.R.’s regional assembly or government.	All autonomies entrenched by international or bilateral agreements like South Tyrol and the Åland Islands; Spain with a constitutionally enshrined “right to autonomy”.
5. Procedures of revision of the autonomy	Only with the consensus of the majority of the representatives of the elected bodies of the region, and after conclusion of a mediation procedure within a commission with equal composition between the central government and the A.R..	The Ålands, Catalonia and Basque Country (requisite consent of regional assembly, popular referenda required when the autonomy statute is amended).
6. Arbitration for disputes between the centre and region	The first level of mediation or arbitration in case of disputes about the autonomy of the A.R. occurs in appropriate joint A-R.-state commissions. The second step has to consist in two levels (regional and state) of the judiciary with appeal to the Constitutional Court.	South Tyrol, Greenland, Faroe, Åland Islands

7. Legal remedies for individuals and groups	At least two tiers of legal remedies are required: a first instance at regional level, a second one at the national level (Supreme Court or Constitutional Court). The legal remedy is required for both the individuals concerned by legal acts of an autonomous body, and for the autonomous institution concerned by state interventions.	In European states, citizens can complain before the Europe. Court for Human Rights. With international entrenchment, complaints can be addressed to an International Court and to kin-states (South Tyrol).
9. Control of regional economic resources	The autonomous powers must include the regulation of the exploitation of the basic economic resources of a region. Regional economic policies, labour market, environmental protection, urban planning must be under the A.R.'s legislation. Collection of taxes by the A.R.	Nunavut, Comarca Kuna Yala, the Åland Islands, Aceh, Greenland and Faroe, Catalonia, Basque Country and other A.R. in Spain.
10. Forms of regional citizenship	Forms of control of the degree of migration into and out of the A.R., endowing the A.R. with some possibilities of control over immigration, attributing its inhabitants specific rights linked to the duration of residency in the A.R.	The Ålands, New Caledonia, Comarca Kuna Yala, Nunavut, South Tyrol
11. Powers in international relations	Possibility of autonomous representation in an international context, right to stipulate international agreements with sub-state entities; right to be a party to international organisations; right to be consulted if international agreements affect the A.R.	Faroe, Greenland, the Ålands (especially the right to opt out from affiliation to supranational organisations), Spain's A.R., Netherlands Antilles, Bougainville
12. Language rights	The languages of the minority groups, along with the state language, must be recognised as "official". All citizens of the A.R. must be entitled to communicate and be assisted by all public instances in their mother tongue, choosing freely among the official languages recognized within the A.R.	Most A.R. have appropriated practises in this regard. Optimal forms in Spain, South Tyrol, Crimea and in the Nordic islands.
13. Protection of ethnic/national minority rights	All powers needed to ensure cultural development as if the region would be part of the kin-state or an independent state. For the language policy, media, education system, information rights, preservation of cultural heritage for A.R. primary powers are needed.	Nunavut, Greenland, Faroe, the Ålands, South Tyrol, Spain's historical autonomies, Gagauzia, Crimea, Comarca Kuna Yala, Aceh
14. Consociational structures and internal power sharing	Complex power-sharing among distinct ethnic groups of an A.R. in order to ensure political inclusion of each group and maximum of democratic participation in decision making. The prerequisite is the recognition of group rights.	Northern Ireland, Crimea, South Tyrol
15. Autonomous administration	All autonomous powers must be carried out by autonomous administration under the control of the A.R. The rules of recruitment to these bodies must reflect the multicultural features of a region in both linguistic requirements and individual capacities.	South Tyrol, the Ålands, Greenland and Faroe, Nunavut, Comarca Kuna Yala
16. Autonomous judiciary	The administration should ensure neutrality of the judiciary within the autonomous region. In A.R. with indigenous peoples the compatibility of public law and traditional and customary law has to be regulated.	Greenland, Basque Country, South Tyrol
17. Protection of human rights and political freedoms	Important issue for post-conflict areas, where normal legal remedies are too slow or lack efficiency. Special bodies have to monitor the protection of human rights and cater for immediate redress.	In principle ensured in every working autonomy.
18. Demarcation of autonomous territory	Necessity to draw the boundaries of aut. Territory in accordance with historical development and democratic will of the concerned populations	No issue in the case of autonomous islands; democratic method (referendum) used in Gagauzia

Source: the author's elaboration on autonomy statutes and other relevant regulations.

See: Thomas Benedikter, *The World's Modern Autonomy Systems – Concepts and Experiences of Regional Territorial Autonomy*, EURAC Bozen, 2009, available as PDF at: <http://www.eurac.edu/Org/Minorities/IMR/Projects/asia.htm>

5. Conflict resolution through territorial autonomy and persisting concerns of Europe's autonomies

Looking at the world's map of autonomies, it is evident that throughout the world Europe still is home to the majority of autonomy solutions. It is argued that in Europe territorial autonomy has in nearly every case proved successful for all conflicting parties involved: the national minorities, the regional communities, the central states, and some kin-states. In none of the eleven European states with working regional autonomies is there a serious debate about cutting them back. On the contrary, in most cases, the existing autonomy system is continuously being improved and deepened in order to grant an ever more appropriate system of self-government.

Spain leads the group of states with a dynamic development towards a more articulated 'state of autonomies'. Recently, in September 2005, Europe's largest autonomous region in terms of population, Catalonia, passed its newly reformed autonomy statute with a large majority of its regional parliament, subsequently also approved by the Spanish parliament. In Corsica, local political forces are working to reform the still weak model of self-government in order to enrich the system with more legislative powers. In Italy, the general devolution process of the central state's powers to the ordinary regions is pushing the state towards a federal structure, indirectly reinforcing the position of the five regions with special autonomy. Northern Ireland is facing the most critical situation, since real self-governance linked to a complex consociational arrangement between the parties involved is yet to take off. The conflict has shifted to a political level, but decades of violence and political cleavages have left deep scars. An ever-deepening process of European integration in the framework of the European Union has definitely been helpful to these autonomy solutions, as they are backed by a legitimate role of the respective kin-states.

The new autonomies in Eastern Europe have been operating only for about a decade and are still in a provisional phase, with at times contradictory developments in the inter-ethnic relations of the autonomous regions. In the Autonomous Republic of Crimea, for instance, the Russians retain their predominant rule, while the Tatar community, returning after deportation by Stalin in the 1940s, has yet to be accommodated. Tatarstan, on the other hand, presents a positive model of how national conflicts inside Russia could be resolved through an equitable balance of power between the centre (Moscow) and an ethnically mixed

region (Tatarstan). Thinking about the ongoing conflict in Chechnya, a lesson to be drawn is that autonomy solutions should be envisaged before low-level violence escalates into a full-blown ethnic war. What makes these autonomies particularly important is their role as pioneers of autonomy regulations in a part of the continent, which since 1990 has been the site of rising new nationalism, state centralism and widespread hostility towards autonomy solutions. In this context, Gagauzia, Tatarstan and Crimea – if successful – are paving the way for a range of other regions aspiring to full autonomy (Abkhazians in Georgia, Albanians in Macedonia, Hungarians in Transylvania (Szeklerland), Serbia and Slovakia, Turks in Bulgaria, Ruthens/Rusyns in Ukraine, and other regions in the Northern Caucasus).

In this political context, three patterns of establishing regional autonomies can be distinguished. First, there is the 'traditional way' to grant autonomy as a special solution to a specific region in unitary states (Moldova, Ukraine, Portugal, France, Denmark, Finland, and the United Kingdom), due to its specific cultural, historical or ethnic features. Autonomy, here, appears as the exception aimed at accommodating a minority, whereas the state as a whole is not inclined to transformation in a federal or regionalist way. A second pattern is the establishment of autonomy in different (asymmetrical) forms to all subjects of a state as has been happening in Spain and Italy since the 1970s. A third solution is the creation of different layers of self-government within a large and ethnically heterogeneous country, as in Russia, in quite an asymmetrical form in order to find appropriate solution for each specific regional reality.

Indeed, autonomy is increasingly being proposed as a remedy for other self-determination conflicts, while previously it had been seen as a step towards secession. Apart from granting autonomies to national minorities, multinational states were also faced with self-determination claims, like Bosnia-Herzegovina, Belgium and Macedonia, and have had to adopt extensive provisions for self-governance for ethnically differentiated territories. As they found a new equilibrium (though in two cases still uncertain one) other states, faced with secessionist movements and acts like Cyprus (Northern Cyprus), Moldova (Transnistria), Georgia (Abkhazia and South Ossetia) and Azerbaijan (Gorni Karabagh) still have to find a way to re-integrate the break-away regions. The formerly autonomous Kosovo is actually gaining full independence, since a return to forms of autonomy under Serbian sovereignty is unacceptable to the huge majority of its

population and the international community increasingly accepts its independence.

Even violent fringes of self-determination movements, like the ETA in the Basque Country and radical groups in Corsica, influenced by the example of the IRA in Northern Ireland, seem to be close to relinquishing the strategy of violent confrontation, if advanced forms of autonomy can be established. Protracted violent insurgency in those cases has eventually evolved towards a compromise on a form of autonomy. Apparently, a growing number of states have acknowledged that autonomy can serve to integrate national minorities into the state and to stabilize the conflict in situations otherwise prone to go out of control.

The basic question to pose is whether territorial autonomy in Europe can achieve its objectives, namely, granting self-governance in a limited area and the protection of the national minorities living in that area. Generally, European states are still very sceptical about a right to autonomy. Often the argument used is that its content is too vague and that it cannot clearly be defined. But distinction has to be made between the right and the concrete form of application. Moreover, there is the concern that the interest of states to preserve full integrity of their territory should not clash with a possible right to autonomy. Autonomy, however, besides the conflict between the state and the concerned region, often has to tackle a double problem: to grant the protection of the national minority on its traditional homeland, but at the same time to include in the self-governance system all the groups living in that area. Territorial autonomy should benefit a whole regional community, not one group of the population only.

Every autonomy model in Europe has its unique features tailored to the specific problems to be solved. According to the specific premises and conditions of a region and national minorities, each autonomy system in Europe shows a particular 'architecture' and particular mechanism to ensure participation, conflict solving, power sharing, minority protection, stability. These autonomies are 'works in progress' involved in dynamic processes of reform, correction and transformation. By definition, they have to be dynamic, giving space to new answers for a developing society. On the other hand, there are some elements and conditions, which have turned out to be the key factors of success, as a detailed comparative analysis, will eventually demonstrate. New autonomy projects and negotiations have to take it into account, avoiding repetition of the harmful mistakes made in some other cases and adopting devices more likely to bring about a successful solution.

Keeping this basic information about working autonomy systems in mind, some lessons can be drawn from the European experiences:

- Autonomies are not a mere act of unilateral devolution of public powers. Establishing, entrenching and amending the autonomy must be based on a **genuine negotiation process and constitutional consensus**. This implies negotiations between political representatives of the concerned regional population and the central government.
- **Autonomy is an open, dynamic, but irreversible process**, which has to involve at least three players: the representatives of the national minorities, the central government, and the representatives of other groups living in the same territory. All their interests have to be brought into a balance, with a strong role of the civil society and the media in building up a culture of common shared responsibility for peaceful coexistence.
- Autonomy can offer the **necessary institutional framework for minority cultures and peoples and languages**, in so far as the regional institutions are endowed with all culturally relevant powers and means, especially in the field of education, culture and media.
- An **implementation plan** is to be incorporated in the conflict settlement process. This sometimes is a very technical, long-lasting undertaking.
- There should be a possibly **complete set of functions and powers** to endow local institutions with true potential of self-governance. Sufficient powers make autonomy meaningful and should encompass legislative, executive and judicial powers, which have to be transferred in an unambiguous way
- Autonomy has to be **effectively entrenched**, if not at an international level or bilateral level (kin-state), at least on a constitutional level, preventing it from being exposed to the vulnerabilities of changing political majorities in a central parliament.
- There has to be a **solid system of finance and sufficient provisions** to allow the autonomous entity to control local economic resources, in order to ensure a positive social and economic development of the region.
- Internally, when there are two or more ethnic groups sharing the same region, there have to be established **consociational arrangements for granting access and**

participation in power for all relevant groups living in the same territory.

- **Regional integration, trans-border cooperation with kin-states or integration in regional supranational organizations** are definitely helpful in ensuring autonomy solutions.
- There are even forms of **participation of autonomous entities in international organizations**, exerting influence when the concerned territory is affected.
- In order to ensure the effective operation of autonomy and in the case of overlapping powers between the state and the autonomous entity there is a need of **'neutral instances' of mediation and arbitration or an effective mechanism of conflict solving**. Such a role can be attributed to the Constitutional Court or Supreme Court of a state or various forms of joint commissions with an equal number of members of the state and the autonomous region.

6. South Tyrol autonomy

Italy is a hybrid combination of a regionalist and a federalist state (asymmetrically structured), particularly after the last devolution reforms approved in November 2005. Now all 20 regions have an extended range of legislative and executive powers, but no full financial autonomy. They have independent regional governments and can approve their own statutes. The exercise of all judicial matters is strictly reserved to the central state. Some 15 out of 20 regions are constituted as 'regions with ordinary statute', while five regions are 'regions with special statute' (Trentino-South Tyrol, Aosta Valley, Friuli-Venezia Giulia, Sardinia and Sicily). There are concrete plans to transform also the second chamber of the Italian parliament into a diluted form of 'Chamber of the Regions', underscoring the new importance of the regions in the Italian devolution process. Italy, as well as Spain, is an 'asymmetrical regionalist state', moving towards federalism. But the backlashes of the old centralist tendencies, a fragile public finance for the regions and the North-South-dualism still is holding back Italy from giving way to more self-governance at every level.

The desire to conduct one's own affairs on the basis of independent and clearly defined responsibilities and through independent, and democratically elected representatives in a regional constituency can generally be regarded as a basic need of ethnic minorities. South Tyrol's autonomy satisfies these aims through its key features: autonomy in legislation and

administration, proportional representation of all ethnic groups and a strict commitment to bilingualism in the whole public sphere. Eventually, the provision for a solid financial basis for running the autonomy is certainly not of secondary importance.

The second Autonomy Statute provides the Province of South Tyrol (and the Province of Trento) with an advanced level of self-government vis-à-vis the Region and the state. Its autonomous powers are quite relevant, not only when compared to other minority situations, but even with regard to its northern neighbour North Tyrol, which is a member state of the Republic of Austria.

The Province has a threefold competence: primary competence includes the power to freely regulate a given matter by simply obeying the Italian constitution, the international treaties and the fundamental principles of Italy's legal framework. When legislating in the field of secondary competence, the Province must respect the relevant national general frame laws, while the integrative legislative competence has a subordinate character by regulating implementation features.⁶ Only some basic legislative sectors still rest exclusively with the central state, such as foreign affairs, defence, internal security, monetary and fiscal policy, civil and penal law. Since the constitutional reform of 2001, the central government has no longer possessed veto power over the provincial legislation. Instead, Rome can only challenge a provincial law before the national Constitutional Court if it is deemed incompatible with the constitution or with other limits set by the Autonomy Statute. On the other hand, the Region of Trentino-South Tyrol has only modest powers, most of which are now administered by the two Provinces.

With regard to judicial powers, it should be mentioned that there is a special section of the administrative court in South Tyrol composed of an

⁶ The most important powers of the Province of South Tyrol are: place naming, protection of objects of artistic and ethnic value, local uses and customs, planning and building, protection of the countryside, common rights (for pasturage and timber), the regulation of small holdings, crafts and handicrafts, public housing, fairs and markets, prevention of disasters, mining, hunting and fishing, alpine pastures and the protection of fauna and flora, public works, transport, tourism and the hotel trade, agriculture and forestry, expropriations, employment exchanges, public welfare, nursery schools, school buildings and school welfare, vocational training; restricted powers apply to teaching in primary and secondary schools, trade and commerce, hygiene and health, sport and leisure (Autonomy Statute, Chapter III, Articles 8–10, Competencies of the Provinces).

equal number of Italian and German judges. The Provincial Council members may challenge any administrative act found to be in violation of the principle of equality of the citizens because of their belonging to a particular language group. Whenever a draft-law is judged to be in violation of the rights of a group, every member of the local parliament can request for a separate vote by the single official language groups. The 'minority veto' is a kind of emergency brake mechanism in case the normal parliamentary procedure fails to bring about a compromise. It is applicable for acts deemed incompatible with the principle of equality of the language groups.

In South Tyrol, the German and Italian languages have equal standing in the Region's and in the Provinces' public spheres (Articles 99 and 100 of the Autonomy Statute), and all regional and provincial laws are thus published in both Italian and German. In order to comply with the objective of a bilingual public administration, all public officials in the Province must pass a compulsory language test to prove their knowledge of both Italian and German. In the Ladin areas, three official languages must be mastered. Residents in the province of Bozen also have the right to use their mother tongue before all courts, the police and all public institutions, regardless of whether they belong to the municipalities, the Province or the state. Only the army personnel and the government representative in Bozen are exempted. Bilingualism, as can be experienced by each visitor of the region, is a basic rule of daily life, strictly obeyed by public bodies.

The second peculiarity of South Tyrol's autonomy is the 'proportionality principle' in accordance to the numerical strength of the three official linguistic groups in the province. One must distinguish between the application of this calculation key to all public commissions and bodies as a basic means of 'consociational decision-making' in administration and government, along with the interethnic cooperation in democratic life, and on the other hand, its use as an allocation mechanism of public resources, such as subsidized housing funds, social assistance in some sectors and all civil service jobs which are attributed according to the respective share of each group on the total population as registered in the general census.

To understand the reason of the proportionality principle it should be recalled that since the annexation of South Tyrol to Italy, the local public administration and public enterprises have generally undergone deep Italianization, while the minority members suffered exclusion and discrimination. This kind of policy was carried out even in democratic Italy until 1972. Hence, 'ethnic

proportionality' was introduced by the Autonomy Statute of 1972 to gradually reverse Italian dominance in public service and to act as a neutral device for allocating public resources between the ethnic groups and for ensuring proportional representation of the linguistic groups in all public offices. In this scope, it is made a legal duty for every resident of the Province to submit his or her 'declaration of affiliation to a language group' during the general population census. This formal declaration is a condition for the right to run for public office, to public employment and to be given grants for social housing. It has lifetime validity, as long as a resident citizen does not wish to change. The representation of language groups in their respective proportions has not been achieved in all these areas as originally scheduled, within 30 years of implementation of the second Autonomy Statute (namely by 2002) due to the cutting of public jobs in the state sector and the lack of German and Ladin candidates due to the flourishing private labour market.

Education is a crucial issue in each minority question. As already established by the 1946 Paris Agreement as a fundamental principle of the future autonomy, elementary and secondary education should be provided in the mother tongue of the child. Consequently, instruction in South Tyrol is given in separate German and Italian schools (Article 19 of the Autonomy Statute) and language instruction in the second language of the province is mandatory. Furthermore, all teachers must be native speakers of the language of instruction in order to guarantee the character of the school and the efficiency of the lessons. The Ladin school system follows a different model, combining the two major official languages as instructional languages, with Ladin relegated to a very secondary role.

How is the South Tyrolean autonomy financed? The Autonomy Statute also includes detailed provisions for the financial resources available to the Province (Articles 69–86 of the Autonomy Statute), but the decisive financial regulations are contained in an ordinary state law. Although the Province itself has only limited powers to impose taxes, it is entitled to receive 90 per cent of almost all taxes levied in the province back from the state, while 70 per cent is similarly devolved to the Province from the VAT. The province also receives funds from various EU sector funds (social, structural, agricultural funds). This kind of financial regulation has brought about a quite advantageous situation for the Province, although it has few taxation powers. It enjoys budgetary freedom regarding its expenditures, while the burden of collecting taxes lies mainly with the central state.

One particularly important issue is the regulation

of the relations between the three ethnic groups. At the provincial level, the German and Ladin speakers are a numerical majority, and the Italian speakers (who also consider South Tyrol their homeland) increasingly feel like a minority. Hence, a complex and highly differentiated legal system has been created, which calls for a mix of rotation, parity and proportional representation, and which might be characterized as a 'consociational form of government' or 'tolerance established by law'. The main ingredient of the system is power-sharing among all ethnic groups, which relies on four main elements:

1. **Participation of the representatives of all official ethnic groups in the government** through jointly exercising governmental power, for instance, an 'ethnic coalition cabinet'. The composition of the South Tyrolean government must be proportional to the ethnic groups in the Council; the presidency of the Council rotates between members of the different groups.

2. **A high degree of autonomy for the groups, especially for cultural and educational issues.** The principle of cultural autonomy (Article 2 of the Autonomy Statute) states that the parity of rights of citizens of all language groups is recognized, and 'their ethnic and cultural characteristics are protected'. In other words, the differences between the three cultures and the value of this diversity are recognized. The cultural autonomy and the provisions for the protection and promotion of cultural characteristics, including the system of separated schools, are typical expressions of group protection. All decisions in these fields require a broad consensus only within the concerned group.

3. The '**proportionality rule**' as the basic system of political representation, public service appointments and allocation of public funds. As seen earlier, the Autonomy Statute provides a system of proportional allocation of public jobs among the language groups and of financial funds for cultural activities of the groups, as well as for social welfare and social services (e.g. housing).

4. The **minority veto** as the ultimate weapon for the protection of vital interests of a group, but only on issues of fundamental importance: the principles of equality of all residents, regardless of their group affiliation, and the right of members of the regional parliament to request separate voting by the language groups in the regional or Province Council whenever a draft-law is retained to be in violation of the parity of rights of the cultural characteristics of one group. The ultimate means available to the language groups is legal action before the Constitutional Court, founded on the same motivation. These are, however, just

emergency mechanisms, which have never been used so far.

7. Catalonia autonomy

The Spanish autonomous communities, and in particular the autonomy systems of the historical 'nationalities' of the Basques, the Catalonians and the Galicians, can be qualified as comprehensive autonomies with legislative and executive powers in nearly all internally relevant political affairs and a government which is responsible only to the regional autonomous parliament. They have not only budgetary autonomy, but also clear-cut powers of taxation, shared with the central state. Spain's autonomous communities have their own civil and administrative judiciary, but the Basque Country and Catalonia have even their own police force. The Spanish autonomous communities are also vested with a competence normally reserved only to federated member states of a federalist union, the power to elaborate their own autonomy statutes. The amount of autonomous powers of a region in Spain is in a high degree up to the region itself, which, within the constitutional framework, can freely regulate its own autonomy. Hence, Spain's regional autonomies are continuously extended and improved. However, the autonomy statutes have to be approved with simple majority by the central parliament of Madrid.

Spain is a highly complex and dynamic 'state of autonomies' with a continuous evolution in the relationships between the centre and the autonomous regions. Within this process the historical smaller nations, Catalonia, Basque Country and Galicia, along with the Canaries, Valencia and Navarra, are continuously endeavouring to extend their 'autonomous statehood', forcing the central state to find new forms of equilibrium and coordination. The Spanish autonomy system, sometimes labelled as quasi-federal or as 'asymmetrical federalism without explicitly naming as such', is projected as a model for other European states hosting a number of powerful minority peoples or ethnic groups. However, despite the very advanced Spanish autonomy systems, it is evident that that major continental regions like Catalonia are not in the same empowered position as a remote island group with regard to controlling citizenship and immigration or integration in supranational organization.

Spain by its constitution has accorded territorial autonomy to its 'nationalities' (smaller autochthonous peoples), the 17 so-called *Autonomous Communities* (regions) and two *Autonomous Cities* (Ceuta and Melilla). Three of those Communities are considered 'historical

nationalities' with a longstanding tradition of regional self-government: Catalonia, Galicia and the Basque Country. Catalonia, the most populous of these historical autonomies, has enjoyed a far reaching autonomy during the second Spanish Republic, from 1932 to 1939, before being deprived of any power of self-rule by the fascist and centralist Franco-regime. The Autonomous Community of Catalonia is just one of four autonomous regions of Spain populated by Catalans. It can be considered the 'Catalan mainland', whereas the Catalan language and culture is also widely present and deeply rooted in Valencia, the Balearic Islands and Aragon.

With a population of 7,248,300 (January 2009, see www.wikipedia.org) Catalonia is the major European nation without a state. The Catalan language is spoken in four European states (Spain, France, Italy and Andorra) and survived more than three centuries within a nation-state (Spain) with a different official language. Although a majority of Catalans consider Catalonia 'a nation', its autonomy is not linked to ethno-linguistic affiliation. First of all, Catalonia is a territorial body and whether a citizen belongs to one or another nationality or speaks Catalan as the mother tongue is simply not a matter of legal interest. In Spain autonomy first of all is a territorial concept and what is legally registered and relevant is not a citizen's affiliation to one of the recognized nationalities (peoples, minorities or ethnic groups), but his or her residency in one of its municipalities. The national character of an Autonomous Community like Catalonia — and alike for the Basque Country, the Asturias, the Balearic Islands and the Canary Islands — results from the ethnic, historical or cultural self-identification of the majority of its population and the concrete application of the autonomy in education, language, culture, media and other domains.

Catalonia's first autonomy was established in 1932 during the Second Republic. In 1939, after the Spanish Civil War, this first Autonomy Statute was abolished by General Franco, as Catalonia's population was mostly opposed to the fascist forces. During Franco's rule, the language rights of Catalans and Catalonia's entire system of self-government were suppressed. After the restoration of democracy in 1975, Catalonia's second autonomy statute was approved in a referendum in 1979. In 2003 Catalonia's Parliament embarked on a process of amending this autonomy in order to further expand the scope of the Catalan autonomy. A new statute was elaborated, which expanded the authority of the *Generalitat de Catalunya*, Catalonia's government, strengthened the competences and finance system

of the Autonomous Community and redefined the rights and obligations of the citizens of Catalonia. The new (third) Statute of Autonomy was approved in a popular referendum on 18 June 2006 and became effective in August 2006. With a relatively low voter turnout of 48.85 percent, 73.24 percent were in favour of the new statute, 20.57 percent against it. In 1979, 59.7 percent of Catalonia's electorate had cast their vote, from which 88.1 percent voted favourably. Subsequently, the new Catalan statute was approved by a majority of the Spanish Parliament, with the *Partido Popular* (PP, Spanish Conservative Party) voting against.

It is highly significant that in the preamble to the statute, Catalonia is defined as a nation. Among the delegates of all parties, 120 out of 135 members of Parliament with the exception of the 15 delegates of the PP approved the definition. From the perspective of the Spanish government this definition has a mere 'declaratory', but no legal value, since the Spanish constitution recognized the indissoluble 'unity of the Spanish Nation'. Subsequently, the PP, along with the neighbouring Autonomous Communities of Aragon, the Balearic Islands and the Valencian Community, contested the statute before the Spanish Constitutional Court. The objections were based on various topics such as the disputed cultural heritage, but especially on the statute's alleged breaches of the principle of 'solidarity between the regions', which is enshrined in Spain's constitution for educational and fiscal matters. The Constitutional Court in 2009 has not yet issued its verdict on the new Catalan statute. Hence, possible stumbling blocks to the expansion of Catalonia's autonomy still exist. On the opposite side, Catalan left-wing parties, such as ERC or CUP argue that the new autonomy statute does not give Catalonia enough self-government. They cite the high abstention as proof that Catalans wanted further self-government, but felt disappointed with the statute.

8. Conclusion: the utility of European autonomy systems for the struggle for autonomy in the People's Republic of China

As for Europe starting from this kind of definition and including the most recently re-established autonomy of Serbia's Province of Vojvodina we can count 37 autonomous regions in 11 states, assuming that all 17 Autonomous Communities of Spain are indeed modern autonomy systems, not part of a de facto federal state. (please consider the overview with the list of all the currently working autonomies). Thus, Europe not only is the cradle of modern autonomy in a historical

perspective, but still the area where this concept of power sharing is most widely applied.

China has established a sophisticated system of regional and district autonomy to accommodate the claims and needs of its 55 national minorities, which in reality are often smaller peoples. There is strong doubt if those entities can be qualified as 'autonomous regions' in the absence of one decisive quality – pluralist democracy. Moreover, the rule of law and the respect of the full range of human rights are questionable, even if those 'autonomies' in practice cater to some basic needs and interests of the ethnic minorities and minority peoples.

When discussing autonomy issues in China, first of all it must be acknowledged that autonomy assumes a different significance in a democratic environment. Generally, it is detached from political pluralism and rule of law, and means an arrangement for governance in which a particular ethnic community is vested with specific powers of decision-making in legislation and administration. Chinese authorities recognize the distinctiveness of the ethnicities and cultures of minority peoples in the territory of the PRC, and sincerely promote their participation in politics and economic and social development and respect their cultural needs. But all autonomy arrangements must operate within overarching national laws, institutions and a power structure, which limits the discretion of regional and local communities and their institutions: There is no independent mechanism for boundary keeping, so there are no safeguards against inroads into autonomy. The Communist Party maintains its overall control and here there is no requirement of local participation or discretion.

The appropriate term for such kind of power-sharing is that of „co-opted rule“: the dominant group rules on the basis of 'divide and rule'. Subordinated groups have some limited access to certain high-level, but mostly symbolic positions in politics, without gaining real power or influence. They act merely as token representatives for the ruling group and, thus, stabilize the existing power structures. This kind of hegemonic control was practised by various colonial powers and China's policy towards its minorities recalls this strategy: a co-optation of subordinated groups without meaningful autonomy of the group as such. This may bring about a limited self-governance for minority peoples without granting them access to higher positions in politics or to public resources.

There is a further limitation of the concept of autonomy from the perspective of today's Chinese ruling elite. There must be an ethnic legitimacy and an ethnic claim for granting autonomy, but

conferral of autonomy is linked with an attitude of loyalty to the Chinese state and to subordination to the general interest of the state, as defined by the central government. Language, cultural and education rights are to some extent protected, as long as ethnicity does not give rise to a different political self-consciousness. The ruling elite knows about historical Han chauvinism and assimilation of many minority cultures in the dominant culture. Hence, it respects ethnic history, traditions and customs, but only as far as they consider themselves a part of Chinese history.

Whenever minority peoples do not fit into the overarching political approach of the Chinese system, autonomy becomes a threat. For instance, Tibetan Buddhism and Xinjiang Islam, based on religious concepts, continue to cherish an alternative worldview to that of the Chinese Communist Party. Autonomy can only unfold in limited form and under tight control mechanisms. Today, this does not so much affect the traditional Communist regulation of society, but concepts of development, value systems and human rights in general. The religious basis of ethnic identity in many regions of the world has been endangered by market economy dynamics even more than by Marxist–Leninist dogmas. Hence, even in China the emphasis on economic development is threatening the way of life of minority peoples, as they are ever more absorbed into the national mainstream economy, as their natural resources are exploited with huge damage to their environment and a growing migration of Han workers takes place. These pernicious effects can particularly be observed in Xinjiang and Tibet. When the concrete management of an autonomous entity becomes ethnic in a deeper sense, autonomy is curtailed, or the parallel power structure of the Communist Party must intervene to apply corrections. Legal remedies are underdeveloped in the PRC's legal judiciary system. Autonomy seems to be tolerated only insofar as it does not affect the comprehensive political project of the Communist Party. Sovereignty, national unity and external non-intervention are at the centre. Internal self-determination remains a suspect aspiration in not only political terms, but also in terms of civilization.

This approach to autonomy is closely linked to the genesis of the autonomy concept in the history of the PRC, where negotiations in partnership between distinct minority peoples and minority representatives and the representatives of the state majority have never taken place. It must be acknowledged, however, that compared with democratically organized 'mega-states' (India, Indonesia, Brazil, Nigeria), China has a considerable record and success in implementing autonomy systems at the regional and district 'micro-level'

and has to a certain extent accommodated the interests of some of its 55 officially recognized minority peoples.

In Europe, too, there are several autonomy conflicts going on. We should distinguish between conflicts inside existing autonomous regions, which are focused on the extension and enhancement of autonomous powers towards a higher level of self-government, as we can observe in some Autonomous Communities of Spain, first of all the Basque Country, and in Scotland. On the other hand, several regions in European states are aspiring to achieve a modern form of autonomy, as for instance Corsica, or the Szeklerland in Romania. Territorial still by most European states is perceived as a certain threat on the long run for their national integrity, on the other hand no collective right to territorial autonomy has been enshrined in any of the existing European covenants on the protection of national minorities.

To conclude, why a comparison of autonomies? This exercise provides possibility to find out which solution suits better for given open issues and requirements, and which autonomy regulation leads to the best practise or best solutions. We can carve out the most interesting and useful single forms to be applied in similar cases. Sure, we can not pretend to transfer or export integral systems of autonomy from one region and state to another, but we may consider the single constituent elements of autonomy and analyse which are the advantages and disadvantages of such regulations. Thus it is possible to work out a minimum standard of autonomy regulations, but the optimum remains to be worked out in a very patient and complex negotiation process among the concerned parties, tailored to the single specific case. Although these parties will strive for an optimum standard of autonomy, it is up to many different factors of the conflict if the solution will eventually be successful. In my book „The World's Modern Autonomy Systems“ (2009) I list different types of success factors.

Can European forms of territorial autonomy be applied in the PRC? Can a given autonomy system as e.g. the autonomy of Catalunya or South Tyrol serve as an example or as a viable compromise solution in hypothetical negotiations with the PRC, if ever willing to comply with the right to self-determination and other collective rights of the Uyghur people? What can Uyghurs and Chinese leadership learn from these peculiar experiences?

As afore mentioned, no comprehensive system of complex power sharing can be simply transferred from one scenario of conflict to another. Every working system has been tailored to a specific case against specific social, political ethnocultural and

historical background. It has been designed to cater for the needs and interests of particular groups and peoples in territory or for the strategic goals of a state to ensure long-term control, domination and integration of a territory.

On the other hand there are a number of features which today all modern autonomy systems share, some functional elements which all of them have to regulate. An autonomy-like arrangement can be checked whether it complies or will ever comply with its officially declared goals, and first of all with the fundamental collective rights of minority peoples and national minorities also in authoritarian states as China. Drawing from the theory of autonomy and the experiences in Europe and elsewhere, Uyghurs could also develop a new scheme of power sharing between the Chinese central state and a Uyghur autonomous region, as it has been done by the Tibetan government in exile. According to the factors of success gained from the working autonomies in Europe and Asia, a new proposal for genuine autonomy in Eastern Turkestan could be carved out and serve as a platform for negotiations with the Chinese government.

This would not be just political science fiction of academic exercise, but autonomy in several violent conflict have served as a compromise formula for both parties, in Kosovo and Aceh, in South Sudan and West Papua. In some cases of ongoing conflicts this appears very reasonable and likely as some basic conditions are given, such as:

- The conflict is happening in a state with democratic institutions; the state is interested to find a peaceful solution in accordance with human rights and the international community;
- Territorial autonomy is already established, but in an insufficient and too weak manner. This is the case in West Papua and Chittagong Hill Tracts, Corsica and the Basque Country.
- Genuine autonomy has been established in other parts of the concerned state. This is the case with the Philippines (ARMM, no autonomy in the Cordillera Region), Aceh, no autonomy in Western Papua); new Caledonia and Polynesia, but no real autonomy in Corsica)
- The concerned region is inhabited by both a considerable share of the state's titular people and a number of different smaller peoples. In such a case secession could trigger huge interethnic violence and Threats for smaller groups (CHT in Bangladesh, Szeklerland in Romania,

Mapuche in Chile, Chiapas in Mexico)

- External mediation is welcome, or there are neighbouring kin-states of the concerned ethnic minority or people, or the whole region is embedded in a supranational organisation which facilitates bilateral agreements: this is the case in the EU and theoretically in ASEAN, not in Central Asia.

Some of these framework conditions are given in the case of Turkey and the conflict with the Kurds, but much less in the case of China. First of all the fundamental requirement for establishing a genuine autonomy in East Turkestan is not contained in China's constitutional legal order: a democratic systems encompassing democratic rights and freedoms, and the full division of powers and the rule of law which in China is flawed. Hence, we can develop a set of regulations which Uyghurs in East Turkestan could submit the Chinese counterpart for a renovated and extended territorial autonomy.

Many single elements of such a proposal come to my mind, starting from the necessity to control immigration and to vest the indigenous peoples

with the control of the exploitation of natural resources in Xinjiang, from the proportional recruitment of all public officials and a language policy based on equal rights and dignity. But can such an empowerment of the existing pseudo-autonomy achieve its goals, if again the power is not shared with the local people and its freely elected representatives, but with the Communist Party and its cadres nominated from above. How can it work, if the Chinese constitution encompasses overrunning principles of ethnic harmony and national unity, which are open to arbitrary interpretation by the ruling power elite? How can it work if there are no reliable mechanisms of bilateral dispute settlement or an independent constitutional judiciary?

Hence, the general framework for a genuine autonomy, enabling Uyghurs and ethnic minorities in partnership with resident Han-Chinese to rule themselves freely in their traditional territory and renouncing on secession, for not is not given. Therefore it is up to the Uyghur leadership to define a consistent strategy and to come up with a coherent and convincing proposal for China's public opinion as well as for the international community.

Dialogue of the Deaf: The Role of Uyghur Diaspora Organizations versus Beijing

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Dialogues of the deaf: A discussion in which each party is unresponding to what the other says.

*Monologue is one person talking to himself;
Dialogue is two persons talking to themselves.*

Introduction

Although Uyghur Diaspora communities had existed (mainly, but not only) in Central Asia) long before the emergence of the People's Republic of China (PRC) in October 1949, they have become reflexively meaningful only afterwards, as a result of China's brutal and systematic persecution of its Uyghur minority. Since then, and well aware of this persecution, Uyghur Diaspora responses have been determined by three sets of considerations: China's domestic and international position; international attitudes and policies toward China; and the nature of the Uyghur Diaspora in itself and vis-à-vis the international community.

Given these considerations, the role of the Uyghur Diaspora toward the PRC could be divided into three main periods in which the key factor is China: Maoism (late 1940s to late 1970s); transition (late 1970s to early or mid-1990s); and post-Maoism (early or mid-1990s and onward). The other considerations – the international attitudes and the nature of the Uyghur Diaspora – have, to a great extent, been affected and shaped by China's domestic and international transformations. This paper concentrates on the third period, but an understanding of the Uyghur Diaspora role toward Beijing today – and tomorrow – necessitates some familiarity with the Uyghur Diaspora role toward Beijing in the two earlier periods.

1. China under Mao: No Opportunity

In the first three decades of the PRC, the possibility to conduct a dialogue with China or affect its policies on its Uyghur nationality, either by Uyghur Diaspora associations, international organizations or foreign governments, was extremely limited by China's international isolation, especially since the early 1960s following the Sino-Soviet split. Excluded from the United Nations (until October 1971) and many other international organizations; lacking diplomatic relations with many countries, primarily the United States; and largely disengaged from the global economic system – Beijing was in

fact immune to a variety of potential external threats and pressures and mostly shielded for any dialogue. Sponsoring the cause against imperialism and colonialism (West as well as East) China could hardly be indicted for colonizing its own Uyghurs. Furthermore, China's domestic affairs were in constant and cyclic flux, experiencing upheavals that led to occasional policy shifts and leadership changes. These precluded any long-term dialogue as policy outcomes were short-lived and while China's leaders were reluctant to assume responsibility. These confrontational policies, both at home and abroad, left China's Uyghurs on their own with little hope for outside intervention or help.

Outside intervention was not forthcoming not only because of Beijing's international immunity and isolation but also because there was little interest outside China in the Uyghur fate. In the years of the Cold War, Western governments – led by the United States – cultivated dictators on behalf of the struggle against Soviet communism and displayed implicit, if not explicit, tolerance toward human rights abuse and denial of national liberation and self-determination. In the 1950s clandestine attempts had been made, mainly by Washington's CIA, to stir up nationality populations in south China, Tibet and Manchuria against Beijing, but these attempts failed miserably and stopped. Little was done anyway for China's Uyghurs, at least by the West. The Soviet Union, on the other hand, made extensive use of its Uyghur minority in Central Asia for radio propaganda broadcasts and also cultivated Uyghur groups for military and espionage purposes. Mostly failed anyway, these attempts primarily represented Soviet interests rather than Uyghur ones. Uyghur Diaspora organizations were controlled by Moscow and no dialogue on this issue was intended or possible.

Outside the Soviet Union Uyghur Diaspora communities just began to be formed and organizations hardly existed. Turkey, that had fought PRC troops in the Korean War and refused to establish diplomatic relations with China until

1971, became the centre of Uyghur Diaspora nationalism and political activism. Led by Mehmet Emin Bughra and, after his death in 1965, by Isa Yusuf Alptekin, Uyghur associations in Turkey – supported by Ankara and Riyadh – catered for domestic cultural and economic needs of Uyghur refugees much more than promoting international relations. Nevertheless, it was Alptekin who participated in international conferences and meetings of various organizations (such as the Arab League and Afro-Asian conferences) and did his best to affect the policies of supposedly friendly governments in favour of the Uyghurs. His achievements were extremely limited. Even Islamic governments ignored the Uyghur appeals and failed to promote their cause despite the fact (or because of it) that some of them had maintained diplomatic links with Beijing. Other governments, including the United States, remained non-committed.

In early 1970 Alptekin, as President of the National Center for the Liberation of East Turkestan, submitted a six-page appeal to President Nixon "asking for U.S. support, both moral and financial, for the East Turkestani people" and had interviews with a number of State Department officers. They "explained to him that we would not be able to support his cause" and added: "The Department feels strongly that the United States should avoid becoming involved in an issue which could seriously damage our efforts to improve relations with Peking and which, in any case, would offer no prospects for success" (Declassified US documents, 2003).

This Uyghur Diaspora's failure to enlist the support of other governments and NGOs was an outcome not only of China's isolation and immunity; of the lack of interest by the international community; and of the disorganized and uncoordinated nature of the Uyghur Diaspora itself – but also of the limited communications technology in those years that constrained Uyghur activism. For one thing, because of China's seclusion, reports about the Chinese persecution of Uyghurs could not filter out. Few journalists, if any, reached Xinjiang that for many years had been closed to foreigners, leaving the media – and the international public opinion – unaware of what was going on there. For another, better informed Uyghur Diaspora leaders were totally dependent on the media of the time (newspapers, journals, radio and television) and their attempts to penetrate them largely failed. Their ability to distribute information about Uyghurs in general and Uyghur persecution in particular was extremely limited.

In sum, from the late 1940s to the late 1970s the Uyghur Diaspora, for a combination of reasons, did not have a real opportunity to promote its cause,

to enlist international support or, let alone, conduct any dialogue with Beijing. This was about to change.

2. China in Transition: Missed Opportunity

Conventional wisdom says that China's post-Mao reform was launched in December 1978, going on through the 1980s, 1990s and beyond. However, this is a retrospective reconstruction that should be modified. In the 1980s and the early 1990s, there were still no guarantees that the reform drive would not abort. While Maoist radicalism led by the Gang-of-Four had been crushed, debates about the course, speed and contents of the reform continued. Given the cyclic upheavals of the past three decades and the occasional reversal of verdicts, many preferred to act cautiously and hold back their commitment to the reform until making sure that no about-turn is in the offing. Also, the Sino-Soviet conflict continued for another decade and despite the establishment of diplomatic relations with the United States, some of Beijing leaders still perceived an unstable international situation that could have led to another world war. Under these circumstances of internal and external uncertainties, windows of opportunity opened up – also for the Uyghurs, in and out of China.

As China began to open its doors to the outside world, it became potentially possible to conduct a dialogue with China or affect its policies on its Uyghur nationality, either by Uyghur Diaspora associations, international organizations or foreign governments. Emerging from two-three decades of international isolation, China was now a member of the United Nations and a permanent member of its Security Council, as well as of a growing number of other international organizations. Enlarged considerably, Beijing's diplomatic relations network, first and foremost with the United States, also provided for greater integration in the international economy. These remarkable achievements, however, terminated China's immunization. In the 1980s and early 1990s, while only beginning its long march to modernity at home and abroad, China became vulnerable to a variety of potential external threats and pressures. Furthermore, China's domestic affairs seemed to settle down as political power struggles appeared to have ended, or at least subsided. All these developments enabled, for the first time (and, as we shall see, also for the last) a long-term dialogue. Winds of change were in the air – at least for a while – and these supposedly conforming and accommodating policies, both at home and abroad, somewhat mitigated the pressure on China's Uyghurs and enabled outside intervention

or help.

As the Cold War was drawing to an end, Western countries, but primarily the United States, became interested in exposing and fighting violations of human rights and in promoting democracy worldwide. This interest and the fact that in those years China was dependent on the West could have been used for the Uyghurs advantage – but did not. The main reason is not only that governments did not want to spoil their relations with China but also that the Uyghur Diaspora was caught unprepared. New Uyghur or East Turkestani organizations were not yet set up and information about the Uyghurs plight was still difficult to come by – or to disseminate. Advanced media technologies were just beginning to be developed and the borders between China and Central Asia remained closed until the early 1990s. Uyghur outflow from Xinjiang, legal or illegal, was still very limited. Therefore, the opportunity to enlist international support for the Uyghurs while China was more vulnerable was missed. In the mid-1990s most of the shortcomings have been overcome but by that time China has become much stronger and self-confident, to the detriment of the Uyghur cause.

3. China in Transformation: Blocked Opportunity

By the mid-1990s, the Uyghur cause had become more visible and audible than ever before. This has been an outcome of several developments. For one, China's Central Asian borders have been opened thereby enabling not only greater Uyghur migration (both legal and illegal) but also greater exposure of Xinjiang to the outside world. In line with its more transparent policies, Xinjiang was opened to tourists and journalists who began to report widely on Uyghurs and their problems. For another, a number of Uyghur associations have been set up all over the world, including in the West, while serious attempts of coordinating them under global umbrella organizations have been undertaken. Finally, the dramatic expansion of computer-mediated communications technologies, primarily the Internet, has enabled the Uyghurs to disseminate appeals, reports and information about Uyghurs, in a faster and more efficient way than ever before. Uyghurs have now gained access to politicians, parliaments, committees and leaders in an attempt to promote their cause vis-à-vis the Chinese government. These attempts have by and large failed, not so much because of Uyghurs' shortcomings as because of China's emergence as a world power and the international response.

To begin with, Beijing has reiterated all along, and much more emphatically in recent years, that Uyghurs are China's internal affair in which no

foreign entity whatsoever – government, NGO, international organization or, let alone, external Uyghur Diaspora organisation – has a right to interfere. This attitude – which applies to other external attempts to interfere in China's internal affairs (e.g. Falun Gong) or in other countries' (e.g. Sudan) – is by no means a Maoist or post-Maoist innovation. It is fed by China's pre-modern history and culture and goes back many centuries. In fact, other countries also refuse to negotiate with Diaspora minority organizations on their domestic ethnic groups so that China is not exceptional. Yet, while many other governments are ready to negotiate with *internal* (rather than *external*) minority representative organizations, Beijing does not allow the establishment of such autonomous organizations, thereby leading to a dead end – often literally speaking. Moreover, several Uyghur Diaspora leaders have been listed by Beijing as "terrorist". I believe the Chinese are not stupid and are smart enough to know the truth. So why do they keep insisting and reiterating that Uyghur leaders are "terrorists" while probably knowing that they are not? Perhaps it is because one does not negotiate with terrorists and by its insistence Beijing in fact preclude any dialogue with Uyghur Diaspora organizations, labelled as "terrorist".

Under these circumstances, foreign governments, international organizations and most official leaders and politicians are unlikely to back the Uyghur demand for a dialogue with Beijing, let alone the claim for independence. Support for Uyghur independence is out of the question first because all governments that maintain diplomatic relations with the PRC also recognize its full territorial integrity, Xinjiang included; and second, because many of these governments have their own separatist problems and would not want to legitimize similar tendencies elsewhere. Above all else, foreign governments, official and even journalists and academics are careful to avoid upsetting Beijing that has become an enormous economic power and an important political player.

Unlike the conventional wisdom, Beijing's adoption of market economy and capitalist methods does not make it more democratic. On the contrary. Combining authoritarian regime with accumulated wealth and advanced technology, Beijing is becoming more totalitarian than ever before and its capability to control and monitor its population – nationalities included – is steadily growing. Correspondingly, its readiness to appease and accommodate its nationalities – Uyghurs included – is steadily declining. Puffed-out, arrogant and self-confident, China is not interested in a dialogue with Uyghurs, or Tibetans or any other minority. If anything, Uyghur Diaspora organizations conduct a dialogue of the deaf with China. China does not

respond to the Uyghur complaints on persecution, discrimination and oppression and the Uyghurs do not respond to China's claims of sovereignty, supremacy and authority. Instead of talking to each other – the two sides are talking to themselves

Conclusion

I would like to end this paper with a personal story that underlines and reinforces my conclusions. In the summer of 2002 I was invited to Xinjiang by a research institute in Urumqi – my first, and probably last, official visit to the region. Among others, I met with Prof. Pan Zhiping, a well-known expert whom I respect very much. In addition to his work on Xinjiang and Central Asia he has also dealt with questions of religion, nationalism and self-determination issues in a comparative perspective. He noted that self-determination should not necessarily lead to an independent state, which would have entailed a chaotically fragmented world. Instead, the quest for self-determination by minority nationalities should be addressed by greater autonomy. Although pointing at a general situation, he implicitly admitted that Xinjiang's Uyghurs still do not enjoy 'real'

autonomy which could be a substitute for independence (or separatism). I asked him whether 'increased autonomy' might become a basis for negotiation between the Chinese government and Uyghur Diaspora organizations and I understood his answer as positive. His implied views that Beijing's maltreatment of Uyghurs is the source of regional instability and unrest are shared by a few other Chinese intellectuals.

A few days after leaving China I was in Washington where I spoke with some Uyghur leaders about this option. Would they be ready to give up their quest of independence in exchange of greater autonomy? I sensed their dilemma and difficulty to accept such a proposition. Nevertheless they said 'yes', which in a retrospective view I understood as reflecting a fundamental disbelief that Beijing would sincerely agree to these terms. After my return, I got in touch with some well-connected and US-educated professors I had known from Shanghai and put forward the possibility of a dialogue between the PRC government and Uyghur Diaspora organizations on increased autonomy without claiming independence. To this very day there was no reply. Beijing is not interested in any dialogue, either external or internal.

Statement by László Tökés MEP

Vice President of the European Parliament & Member of the Subcommittee on Human Rights

Ladies and gentlemen, dear brothers and sisters, let me extend my greetings according to the in the words of Apostel Paul, according to our faith, grace and peace to you from God. The blessings of God I wish you as a man of the church, coming from Romania, Transylvania, a Hungarian from Romania.

Professor Shichor reminded me about that dialogue of the deaf which was broaden in the Romania of Ceausescu where simply existed only the unilateral relationship of the dictatorship and the oppressed and as far as in China the communism is persisting, I can emphatically share your plight and your feelings regarding your situation in East Turkestan. In our tradition, the Hungarians and the Uyghurs are somehow relatives, I don't know which real basis there is, but in love and Christ, I am greeting you with that love as if we, Hungarians and Uyghurs, were relatives.

I extend my special greetings to Mr. Dolkun Isa and Mr. Asgar Can, with who I met last July [2009] and also after Ms. Rebiya Kadeer's visit in the Subcommittee on Human Rights of the European Parliament when we had the opportunity to share our thoughts and conceptions on human rights, minority issues, rule of law and autonomy and those main issues in which we are engaged.

I am honoured to have the opportunity to moderate part of this conference and for me it is also a symbolic act. Through that, I would like to express my full love and solidarity to you, the Uyghurs and your issue is not so much known, as the Tibetans. This is one more reason to give support from here, the European Union, and to unite our forces, our strength to fight for human and community rights, for inner self-determination of your people.

Just recently I was attacked in a Romanian nationalist press for my relations with Tibetans and Uyghurs. I was blamed because of my position here in the European Parliament regarding you. I just mention it to make clear that still now, not only in the so-called third countries, there are problems about minority, human rights or autonomy problems, about also in some countries of the European Union. For example, in Romania they try to ban the name *Székely Land*, the use of that region where Hungarians are majority. Your plight and policy of settlement, reminds me on the practises of Franco's Spain or Mussolini's Italy in South Tyrol or Transylvania where an artificial settlement of newcomers totally changed the demographic composition of these regions. From this point, we were harmed in our human and collective rights and we have to struggle for our survival.

We should remind the atrocities, bloody oppression of demonstrations in Urumqi. In that time we were in contact with Uyghur and Tibetan representative and here in the European Parliament we protested against these terroristic oppressive actions. And not long after the visit of Ms. Kadeer and your delegation, the European Parliament voted a joint motion for a resolution on China on minority rights and the application of the death penalty, protesting at the same time against the executions of the protestors.

I ask for the help and benediction of our God and I pass the word to the next speaker. May I greet separately and especially the members of the Uyghur Diaspora from Europe and EEUU present today, I imagine that you, Mr. Turkel, are one of the main figures and representatives of the Uyghur community. Please the floor is yours.

States and Regions: Working for Mutual Benefits

Michael Gibb

PhD Candidate, Oxford University

Thank you to the organisers and supporters of this event: WUC, UNPO, NED, and ALDE. It is a pleasure and a privilege still to be part of this ongoing series of workshops, conferences, and dialogues focused on addressing in a peaceful and constructive way the many challenges faced by the Uyghur people.

I

What we have heard so far today can, I think, be summarised as follows. The Uyghur people of East Turkestan are at present, by virtue of their political situation, being denied many of their most basic political and human rights. There are models of alternate political arrangements available both from within China and elsewhere in the world that might go some way towards remedying this reality. Any such political change, however, requires dialogue on two fronts. First, it requires a dialogue within the Uyghur community. As we have heard from previous speakers, political reform seldom succeeds when it is simply imposed from without. Meaningful political change must come, at least in part, from an open and transparent dialogue within the Uyghur community committed to addressing and identifying both its needs and expectations. Second, and as the title of this conference implies, political change requires a dialogue with the People's Republic of China, the state that governs East Turkestan. This dialogue must be sensitive to the needs and expectations identified by the first dialogue, and must be premised on the principles of non-violence and democracy.

II

In this context, I have been asked to say a few words about another region where I have some experience of working on issues of human rights and political autonomy—Iraqi Kurdistan. This is a somewhat perilous task, for there is a danger that in speaking of this region in this context I will be interpreted as offering it as a *model* of some kind.

While the Kurdistan region in Iraq has achieved some success relative to other regions in Iraq, there are of course a great number of features that make it ill-suited as a model considered for emulation. Its relation to the central government of Iraq is fractious at best, at times impeding both regional and federal development and security. Furthermore, there are serious questions to be asked about its efforts to integrate non-Kurdish minorities, as there are of the conduct of its regional security forces. These ongoing difficulties are illustrated most dramatically in the ongoing

dispute over what has simply become known as the “disputed territories” of Iraq.

Nevertheless, on the understanding that region is not being advanced as a *model*, I would like to take the opportunity to make a few observations about Iraqi Kurdistan. Dr. Pföstl and Mr. Benedikter have both offered a valuable overview of some of the more successful regional autonomy arrangements the Uyghur people might look to for inspiration. My thought is that we might also be able to learn something from arrangements that have developed, and continue to develop, under more challenging circumstances.

Like East Turkestan, Iraqi Kurdistan is a linguistically, religiously, and ethnically diverse geographic area. While it now enjoys considerable autonomy as the only official region of a federal Iraq, this has not always been the case. All of its inhabitants suffered a great deal from war and dictatorship throughout most of the previous century. It was only after the First Gulf War that the more recent movement towards meaningful regional autonomy became a genuine possibility.

What I want to single out for the purposes of our discussion speaks to the first of the two dialogues I identified above. At this point in the history of the Kurdistan region of Iraq its leaders appear to have taken an important and principled decision. While meaningful autonomy undoubtedly still seemed a distant prospect, and while there remained a great number of humanitarian and security concerns relevant to their population, a concerted effort was made to begin a long process of local democratisation. A relatively open dialogue was started, and democratic institutions, such as a local parliament, were established. While their implementation has been far from perfect, this parliament eventually began work on legislation designed to protect minorities within the region, and efforts were made to strengthen the rule of law. As a consequence, past division within the region, if not mended, were at least set aside to facilitate development and political progress.

When the political situation changed again in 2003, the benefits of this early commitment to democratisation were magnified. The Kurdistan region was recognised by the international community as a viable and responsible ally and negotiating partner, and its population was quickly able to play an influential role in a new and national democratic process. Real meaningful local autonomy was eventually achieved through a new federal Iraqi constitution.

Without dwelling on the details of the successes and failures of this particular process, I want to mention an element that I think is of some relevance to our present discussions.

When progress is made towards meaningful local autonomy in difficult political situations such as the one I have described, *everyone* benefits. It is sometimes assumed, I think, that political reform of this kind is only of benefit to the local population. This assumption is, I think, a mistake.

The local population does, of course, benefit. When met with a commitment to effective local democracy, local autonomy can allow a population to better protect its political and human rights, and enable it to effectively safeguard its culture, language, religion, and way of life. It may also be in a better position to ensure its territory and natural resources are managed in a way that is sustainable and of benefit to the local population. This last issue is of course of increasing relevance to the Uyghurs of East Turkestan.

In addition, however, the state itself stands to gain a great deal from resolving potentially divisive disputes through political reform of this kind. Costly conflict is avoided, and prospects are enhanced for meaningful cooperation on issues that are in both the regional and national interest.

Finally, the international community also stands to benefit a great deal from such political reform. On this issue I want to repeat some of what Mr. Marino Busdachin, the General Secretary of UNPO, noted in his speech earlier today. Firstly, international security is greatly enhanced by the swift and peaceful resolution of intra-state conflict, many of which eventually drive larger conflicts when left to simmer. Second, and as many of these conflicts illustrate, it is the *privation*, not *provision*, of human rights that breeds violence. Political reforms that safeguard human rights on a local level are therefore one of the principle means of preventing and containing violent conflict. Finally, meaningful local democratic control of land and resources generally results in more sustainable and less damaging resource exploitation, limiting the kind of environmental damage that can quickly escalate from a local to an international problem.

A repeat therefore that a commitment to addressing conflict through political reform and regional autonomy should not be viewed simply as a gift to the local population, but as a process of benefit to us all.

III

How might these more general thoughts be applied to the Uyghur context?

The first lesson, as I stressed above, is surely the

importance of an early commitment to an inclusive, transparent, and peaceful dialogue within the Uyghur community. This will allow the Uyghur community to speak with one voice, and allow the international community to recognise them as a responsible negotiating partner. I therefore follow the work of the WUC with interest, and hope this organisation, and others like it, will continue to develop as an inclusive forum for discussing the problems and concern of the Uyghur people.

Second, and as the ongoing difficulties in Iraqi-Kurdistan illustrate, this internal dialogue must recognise the responsibilities that come with aspiration for greater autonomy. Political autonomy appears to bring few benefits if it is not accompanied by a firm commitment to respect the rights of all those living within the new political region, whatever their origins, language, or religion.

And third, on recognising that *everyone* stands to benefit from greater regional autonomy in regions such as East Turkestan, UNPO and other international organisations must continue to urge the international community to support and engage *directly* with the people of territories such as East Turkestan, and with non-violent and democratic organisations such as the WUC. Again, not just for the benefit of these people and these organisations, but for the benefit of all of us.

IV

I want to conclude with a few remarks about what I think must be a concern in many of your minds at this point. The Uyghur negotiating partner is not a weak central government. It is the People's Republic of China. One of the strongest and most uncompromising governments there is.

I think this reality must be acknowledged. It is clearly a significant constraint on the strategies it is reasonable for the Uyghur leadership to pursue in their effort to improve the condition of the Uyghur people.

I think it is also important to acknowledge, however, that this reality also entails something more. It entails, I suggest, that the democratisation of China is also a Uyghur cause. In calling for a dialogue with China I think the Uyghur people must also call for a more democratic China. I expect this will not be met with much enthusiasm, largely because this is a much larger cause than that of a more democratic East Turkestan.

I want to suggest, however, that in exchange for acknowledging this much larger cause, the Uyghur people also gain a large number of allies. For the Uyghur people are not alone in wanting a more democratic China. We know the Tibetan people

stand with you in this aspiration, but so do a very large number of ordinary Chinese citizens. There are lawyers fighting corruption and for a more transparent and humane judicial system; there are environmental activists fighting the pollution choking Chinese cities and their inhabitants; there are trade-unions lobbying for better regulation and protection of Chinese workers, be they in factories or mines; and there are political and human rights activists fighting for the rights of journalists and bloggers, those suffering with HIV/Aids, and measures to address ever increasing income inequalities. And this is to highlight but a few.

I am not suggesting there already exists a commonality of cause across this diverge range of

groups and citizens, but I suggest that introducing yourselves to your natural allies in the aspiration of a more democratic and accountable China should be an important short-term goal in the broader challenge of restoring to the Uyghur people their rights as citizens and a people.

In this context, the Uyghur people have much in common with many other UNPO members, and I therefore hope organisations such as UNPO will continue to facilitate discussions and the exchange of information and non-violent strategies, and I look forward to seeing this project continue to gain momentum at events such as this in the near future.

Questions & Answers

1. It has been said, that there are no permanent friends, nor permanent enemies, but permanent interest. It seems that these interests are not only opposite Uyghur people, but also other voiceless states. In your opinion, what can and should be done to shift this interest position to the benefit of Uyghurs' side? What efforts should be made by the Uyghurs for it to try to get this interest for Uyghurs?

Answer Yitzhak Shichor:

It depends very much on what we expect from China in the future. Two scenarios: There are some people who say that this kind of economic growth cannot go on, there will be domestic problems in the future. Like the Soviet Union China will disintegrate or collapse. This is one theory. I must say that I am very sceptical about this scenario and I don't think that this is going to happen. What we have to do is to know a lot more about China, about Chinese policy, history, and its institutions. The second scenario is that China will keep growing. This is bad news for Uyghurs. I am not an economist, but China can grow still an average growth rate of 8%, which is a lot for the next 40 years. As long as China provides the population with the collective goods, interests are going to remain as they are and maybe Chinese will even consolidate their position in the world.

Concerning the second question: What can Uyghurs do? Practically nothing. There are certain issues in the world, which should be left to other more powerful countries. And again, there was a theory in the past from which I don't hear anything today, in case of a confrontation in the Taiwan Straits in which the USA would become involved, this could lead to a military intervention from which not only Uyghurs, but also other minorities like Tibetans or Mongols can benefit from. This would provide an opportunity to these minorities to gain independence and China would split in many small pieces. I don't see such a conflict coming up. Taiwan is becoming much more integrated not only economically, but also politically into China. I don't see conflict or disintegration there. Under these circumstances, the only thing the Uyghurs can do is trying to convince the USA and the EU on the Uyghur claims. The right policy is a "step by step" policy, Mao Tse-tung once say that you can not eat all by once, but you eat mouthful by mouthful and that's how it should be done.

Answer from the panel:

One of the most important things that we, the Uyghurs, can do is to make the cause relevant to

the national security interest of the US and other countries. Currently there is a growing amount of interest, but this interest has not been translated or transferred in a substantive nation-to-nation dialogue yet. For example, some of my Uyghur friends sometimes complain that being a Muslim has not been very helpful. I strongly disagree. Being Muslim is the most useful tool we have. The US and Europe have a strong interest gaining the support and understanding of moderate secular Moslems. Uyghur issue should be part of it. If we could successfully convince the politicians in Washington and Brussels and elsewhere helping the Uyghurs would save effort and money gaining support from friendly Muslim nations. I believe that when we raise some eyebrow, raise some interest, we will become a substantive part of the dialogue

On the other hand, Chinese have been very effective. Chinese made the Uyghur issue very relevant to their national interest. For example, when the US president meets with the Chinese president, oftentimes the Chinese bring up the Uyghur issue up, not the US president. Because China made the Uyghur issue in already effectively relevant in its dialogue with the US and other countries. So I cannot emphasise enough of the importance to make the cause relevant. Relevance is what is important.

2. East Turkestan as a region of China was a side product of the Great Game played by the British and Russians, now a second Great Game is taking place. In order to avoid being once again the looser, what we can do?

Answer Michael Gibb:

How do you become part of this Great Game and not only a spectator? What is very important is developing a strong voice and that you all speak together, building strong democratic institutions. I know that some of the institutions you are developing are very good in this and I hope this will continue to develop. Because they will help you to speak together as a community in agreement, this will make your voice stronger. I hope that this voice is going to be a responsible voice, one that will be perceived as responsible both on the domestic and international stage. Part of that is as I know you have been doing is renouncing violence, favouring explicitly and insistently democratic conflict resolution mechanism.

And it is important to know who your allies are. It is particularly important when it comes to democratising Chinese and making China a more receptive negotiating partner, you have to know

who you allies are. You have a tremendous number of allies in the international community but also in China.

3. I would like to ask you to amplify your comments about the Xinjiang region being so open now. Particularly since July 2009, the Uyghur human rights advocacy groups have complained about an almost total shutdown of international mobile connections, Internet, and travel for people to leave East Turkestan and China. You gave the impression that everything is completely open now and I wondered if it is really the case.

Answer from the panel:

It is so depressing to extend that the Chinese government imposes a complete blackout on international communication (e-mail, telephone calls). Today we still cannot communicate with family members back home via e-mail. But not only that. The Uyghurs' freedom of movement has been restricted, which was not the case in the late 1980s and early 1990s. But now the Chinese government imposes very strict passport controls; passport laws allow most Chinese citizens to get a passport in two weeks, but when it comes to Uyghurs and Tibetans this is impossible. It is completely impossible. As a result, families are breaking up. For example, people granted asylum want to bring their family under international law, which China is a signatory of, should be allowing family reunification. But as a result of this discriminatory passport policy, Uyghurs have been locked in, resulting in family dissolution, which is completely unacceptable under any standard. That passport policy is still going on. I don't know what the Chinese leaders have in mind, what they are thinking. Perhaps they are thinking: if I keep these people here, information may not go out, they won't be able to use those facts to criticize me. That may have been their thinking. But the same government makes a claim that the country's rule of law not even willing to accept the Uyghurs are entitled to obtain passports and to travel overseas.

Answer Yitzhak Shichor:

One comment on Islam: I am afraid that most Islamic countries don't support Uyghur claims. Would Iran support Uyghur claims? In fact, in the past, in the 1990s, Iran started to distribute some Islamic literature in Xinjiang, and it was told by China not to interfere in internal affairs. Iran has not interest in promoting Uyghur separatism, because there are many Azeris in Iran (there are more Azeris in Iran than in Azerbaijan). Also in the past, Uyghurs did not get much support of Islamic countries. I am not sure that this would be an issue that would interest American and European governments.

I don't know how many of you follow Islamic Jihad websites. I do. Every now and then they have something against China, apparently by (because in Internet you never know who is behind this) all kind of East Turkestan organisations which Chinese government can reiterate connections between Uyghurs and terrorism. This is a very delicate issue. I don't know if Uyghurs can do much to break this wall, maybe other countries should do it.

Concerning the information lockdown: As time goes on China is becoming less democratic and instead more arrogant, because of its economic success and the homogeneity of its leadership and of course because of technology. Because in the past we could not say that China was a totalitarian society, but now China is more totalitarian than it was ever in the past. Now it has all this technology to control the population which it didn't have in the past.

Answer Eva Pföstl:

I also think that Chinese become more and more totalitarian. That's surely true. But on the other hand, if we compare to South America and to other states in the world, when the economic situation is becoming better and better, also human right issues are becoming more important. And if you see also in China, their daily situations of social crisis, social demonstrations. Also from inside the situation is changing. And we don't have to forget this. This is a very important aspect. The economic situation will change also the human rights situation. I am sure about this. Changes have to come from inside, from the Chinese population, not from outside. That's my opinion.

4. How much literature can you find in Chinese language in China for Chinese policy makers and advisers to help to understand genuine autonomy as practised around the world as a matter of legal theory?

Answer Yitzhak Shichor:

China can afford now certain kind of liberal policies in different fields as long as they do not endanger the regime. There is plenty of literature on Xinjiang in Chinese academic periodicals, books and journals including on autonomy issues. This is an interest of China. It remains in the level of universities and research centres. I am not sure how much infiltrates the leadership.

Answer Eva Pföstl:

I would like to confirm what Professor Shichor is saying. If you think for example about Professor Kymlicka, one of the most famous political philosophers dealing with on multiculturalism is translated to Chinese, so they have all the

literature, but they have to use it.

5. Regarding the example of Hong Kong Ms. Pföstl gave; I think it might be difficult to learn from the Hong Kong experience, because the political background was different. Hong Kong was under the control of Britain. In order to re-gain Hong Kong, China had to make concessions. I am asking myself: I don't see any reasons for the Chinese government to make any concessions to the Uyghurs.

Answer Eva Pföstl:

Of course there are different historical situations. But I think in China, if you look at the constitutional provisions in China there are different systems. It's a very asymmetrical system. You have article 4 regarding the five special autonomous regions, then you have Hong Kong and Macao and the especial economic zone. So you have a lot of different systems. And why not apply article 31, it's a very flexible and open-ended article, to Xinjiang. Because Xinjiang could become like Taiwan as the economic bridge to China, Xinjiang could become the strategic bride to the Central Asian countries, especially with regard to the Islamic world. From a constitutional point of view it's not a limitation to apply article 31 only to Taiwan. It was the first intention, because article 31 was made with Taiwan in mind. But then they applied it to Hong Kong and Macao, so why not apply it also to Xinjiang. Where is the difference? That's my point.

6. I would like to hear more remarks on the reaction of Muslim world, for example on the Urumqi unrests last year (because the reactions from Muslim countries were very disappointing, the Turkish reaction for instance was ridiculous, because it was contradictory from one week to the other), and especially Pakistan.

Answer from the panel:

The main reason I mentioned that the Uyghur Muslim identity is one of the most important tools that we have is because we live in a very complex world. Whether you have positive or negative opinion of the Muslims, you have to deal with 1/5 of the world population. It is very important. If the US or EU could bring up or work with countries like Saudi Arabia, that has a significant influence on China, to at least make the Chinese believe that the Uyghurs don't have to give up their way of life and their Muslim identity in order to be a contributing member of Chinese society. That kind of simple things. And today in East Turkestan society, women, children, government workers, are not allowed to go to any place of worship

which is against China's own Constitution and Chinese autonomy laws. No one has affectively brought this up. Relevancy is exactly this. If the US, if the EU brings this up the same way Turkish government did last year, the world will be watching. I know that not all Muslims are crazy. There are good Muslims who will respond positively to that kind of good and effective approach. That's what I think is extremely important to all of us: to bring the Uyghur Muslim identity in your discussions with your counterpart in Europe or elsewhere. The only effective method is to know the Chinese culture and what they really concern about and also a public pressure, if you can combine all this together, we could find some workable ground.

Answer Yitzhak Shichor:

Saudi Arabia is a very interesting case. First of all, China did not have relations with Saudi Arabia until 1990. Chinese supplied Saudi Arabia with resources and send missions to Saudi Arabia. Few years ago King Abdullah visited China and he offered China to supply whatever quantities of oil they needed. This was a kind of message. If there were going to be sanctions or embargoes with Iran, they would get any oil they need from Saudi Arabia.

For many years, Saudi Arabia was just one of the big three suppliers of oil to China. Saudi Arabia, Iran, and Angola are the big suppliers. Today China is reluctant to support sanctions regime against Iran, because China is dependent of Iranian oil. Iran supplies around 11% of Chinese oil import. Over the last year and a half we can see a very interesting change. Chinese oil imports from Iran went down systematically, and imports from Saudi Arabia go up. So now that Saudi Arabia alone supplies 25-27% of all Chinese oil imports. Whereas Iran is now down to 6%. So what I am trying to say is that China is extremely important for Saudi Arabia and I am not talking about investment. It is very difficult for Saudi Arabia to promote Uyghur cause, although I wish they could. This would be a very important change.

7. Is being Muslim a handicap for minorities in assertion of rights for support from western democracies?

Answer Yitzhak Shichor:

Identity or collective identity is a very complicated issue. Each of us has different identities. And also Uyghurs have different identities: Islamic, ethnic or political identity. And they are still citizens of China! We have to distinguish religious and nationalist aspects. I think the Chinese are not so much concerned about the religious aspect. The Chinese have never judged people according to

their ethnic or religious identity. Everyone would accept Chinese culture and patterns of behaviour were accepted into community. They had all kind of roles to play in military, in bureaucracy. If I am trying to think about Uyghurs today, I think the Chinese are much more concerned about the nationalist rather than religious identity. It is very difficult to separate them; sometimes these two identities converge. I don't know if it is or not a predicament, a handicap being Muslim. I don't think it helps much.

8. Minorities of Northern Iraq don't have minorities' rights within what is called Kurdistan (I don't agree on this name). Was the example of Iraq you gave the right example?

Answer Michael Gibb:

We all know that Northern Iraq is a very multi ethnic, multi religious and multi linguistic region. Maybe we can also learn something from situations in which the provision of regional autonomy hasn't been a perfect success. An autonomy package to a region cannot just be a gift to one community. It comes with a lot of responsibility as well. One responsibility is to protect and work with other populations living within the region. That is something that is not working well in the case of Iraq. And perhaps, as the Uyghurs population moves forward in articulating their own autonomy package, which suits their needs, they will do well keeping in mind this point as well as focusing on the benefits autonomy brings.

9. Can Catalonia be an example for the Uyghurs?

Answer panel:

Catalonia is an extremely interesting model or system of autonomy and it should be studied very carefully by every movement or political force who is building up a proposal for autonomy. But however, no model discussion is really useful, this has been underlined by different speakers, not the whole system can be transplanted from one background to another. Every autonomy model in the world has been tailor-made to the specific situation in a country. They can bring together the whole experience of all the autonomy systems in the world has to offer a lot of knowledge to what can serve for your purpose. Simply also Uyghurs could analyze which single element of the Catalanian or other European autonomy could serve as a clear political project of autonomy specific for the Uyghur needs and interests. Two examples. One is the control on immigration, one on the control on natural resources. In the

Catalonian case, the control on immigration is rather weak, but this is a normal issue of most western democratic countries. We do not control immigration on a regional level. But this is a very urgent issue for East Turkestan. To have control over immigration from Mainland China would be a key question of how the autonomy can survive. Therefore you need maybe other examples from autonomy models where immigration control by autonomous regions is already functioning.

Secondly, the control of resources. It as been said already, East Turkestan is extremely important in terms of natural resources. The Catalanian case is not a good example for East Turkestan in that issue. It would be much more interesting how this issue has been resolved in Aceh in Indonesia. It needs a lot of analysis and research to find out to which elements fit together with your own interests.

10. The EU and the US are not paying enough attention to the Uyghur issue because they are Muslims. If the Uyghurs in Guantanamo would be Tibetans, the problem would be resolved by now. There could be more attention given to them, like the Tibetans, but is this because they are Muslim?

Answer from the panel:

It is not because they could find a home due to their Muslim identity. It is not due to religious reasons, but because of China. The US under both Bush administrations and Obama administrations had been approached more than hundred countries, among them Belgium. But the answer was always: What are we going to with China? If you look through the official documents, you cannot find a single line saying that they don't find a home due to their religion, but because of China. They were in prison not because of what they did or what they wanted to do, but because of China. That's very clear. Our courts have made that clear for us, as well as our governments. The fact is: China.

When we look to the identity issue, I would love to clarify something. When we look to the Uyghur identity, we have to do this in two different contexts: Domestic and international. Domestically speaking, the Uyghurs' Turco Islamic identity put the Uyghurs in a handicapped situation. For China, Uyghur Turco Islamic identity is a feeding tube to ethnic separatism. That is precise the reason why the Chinese government is so harsh on Uyghurs' religious and ethnic identity. That's why they don't like you to practice Islam; this is why they don't want you to speak your language. It is all specifically and purposefully designed to oppress the Uyghur identity, because the Muslim Turco

identity is a mayor threat to the Chinese. Internationally, I believe that it is an challenge simply because the Uyghur issue becomes a geopolitical issue, not only a domestic issue.

When it comes to the Muslim image we have to look to the public image and governmental position. Of course a public image can be bad, because they get their opinion from media, from

different blogs or publications, but the government policy is based on research, on deliberation, therefore we have to distinguish the perception of Muslim identity in society and on a governmental level. So this will help us to understand where it is heading and where it stands.

PICTURES OPENING SESSION AND PANEL 1



Tashi Wangdi and Niccoló Rinaldi



Marco Pannella



Geoffrey Harris reading Heidi Hautala's statement



*Niccolò Rinaldi, Marino Busdachin
and Louisa Greve*



Michael Gibbs and Eva Pföstl



Thomas Benedikter



Lazslo Tökés



Yitzhak Shichor



Eva Pföstl



PANEL 2

GROSS HUMAN RIGHTS VIOLATIONS IN CHINA AND PROTECTION OF MINORITIES ON CHINESE AND INTERNATIONAL STANDARDS

Moderator: **Mr. Marco Perduca**, Senator of the Italian Senate

Human Rights Violations against Uyghurs: The Right to Culture, Freedom of Expression, and Equal Treatment Denied

Ms. Corinna-Barbara Francis

Researcher on China, International Secretariat, Amnesty International

Ethnic and Religious Discrimination in East Turkestan

Mr. Ahmet Faruk Ünsal

General President of MAZLUMDER (Organisation of Human Rights and Solidarity for
Oppressed People)

Respect for Human Rights as an Essential Element in Conflict Prevention

Mr. Erkin Alptekin

Chief Adviser of WUC

Forced Internal Displacement of Uyghurs Workers and Women

Mr. Willy Fautré

Director HRWF International

Ethnic Groups in China and the Language Policy by China

Dr. Erkin Emet

Professor at Ankara University

Uyghurs' Rights and Repression: a Chinese View

Ms. Marie Holzman

Sinologist

Questions & Answers



Uyghur women protesting in Urumqi in July 2009

Human Rights Violations against Uyghurs: The Right to Culture, Freedom of Expression, and Equal Treatment Denied

Corinna-Barbara Francis

Researcher on China, International Secretariat, Amnesty International

First of all I would like to thank all the individuals and organisations for organising this event. It is a wonderful opportunity for all of us to come together.

I would like to start with some general comments. I think we are all aware that to change the situation on the ground for Uyghurs living in China is a very difficult process. There are many channels to pursue this. We have talked about political issues, to get governments, political parties on board of that issue. There is a legal strategy of gaining the UN or European legal bodies and international courts can also play a role. There is also a human rights component, which is tied to this, but slightly different, bringing human rights organisation into it. There is a social aspect, changing the actual social situation for Uyghurs on ground in the country. There is an academic aspect, doing research on what is actually happening. It is very important for all of us involved to keep in mind that it is a very multifaceted process. Each of us can contribute in a very different way. And this gives kind of hope. Because I think that there is no one-line solution. And to go to the image of the wall: the wall is there, maybe I am a little bit more optimistic, but there are fine lines in the wall, each of us can get a little leverage in there and it starts to change the structure and the reality. So I think each of us can contribute in a different way.

Human right organisations come into this in several ways. We gather information about situations of human rights violations, we give it to the media and governments, we give it to international legal bodies (UN, EU), and we also lobby local governments. Amnesty International has section throughout the world to amplify its work through campaigning and non-violent demonstrations to raise these issues to societies and people all around the world. Although some organisations like Amnesty may look like their actions are political, but Amnesty is not and this is very important to underline. The authority and legitimacy of organisations like Amnesty is to not be drawn very deeply into political solutions or processes. The information we provide to governments and international legal organisations must be seen as neutral, we remain neutral. We are neutral to what the Uyghur community wants. This does not mean that we are not supporting the Uyghurs, we do look at the human rights issues. So this is important to keep that in mind when there is collaboration.

Let me turn to the human rights situation. I think we are all aware that human rights abuses against the Uyghurs in China go across the board. There is violation of freedom of expression etc., but I am also very aware that the Uyghurs in this room know probably a lot more about these issues than I do or the organisation does. So this is probably more addressed to the non-Uyghur audience. It is very difficult for us to get access to China, to gather information, so the cooperation with the Uyghur community around the world is very essential. And I wanted to take the opportunity to thank those individuals who have helped out in organising research activities in many different countries and to encourage Uyghurs around the globe to continue this cooperation, because for us to get that info is critical, to then pass it along to the media and various international bodies.

The range of human right violations is absolutely across the board. For example, the Uyghur children in Xinjiang are not allowed to go to a mosque; that's very unusual, I cannot think of any other community with this restriction in China.

Any expression of Uyghur culture is interpreted by Chinese government as a manifestation of separatism. The problem of unfair trials is endemic. The problem of enforced disappearances, we are often completely unable to get any information about the whereabouts. Since the events of 5 July 2009, this problem is absolutely tremendous, a lot of people just disappear into a 'black hole', we are even unable to get accounting of whether someone has been detained or not. So the range of violation is massive.

I will speak a bit more about a couple of issues, for example education. China has signed and ratified the international covenant on economic, social and cultural rights. So this is an international framework that China is bound by in terms of international law. One of the important elements of that convention is the right to equal education. China has come up for review on that issue of education and has been criticised across the board for the situation of education in China in general. I think more needs to be done to raise the issue of equal education for minorities including Uyghurs in Xinjiang. The situation of unequal education is dire. Even before the recent reforms, there are a huge numbers of indicators that Uyghurs and other ethnic minorities are not receiving the same level of education as Han-Chinese students and children in Xinjiang. In 1998, 80% of Han middle school

graduates continued their education, the number of people from ethnic minorities 45%. A few years later this actually got worse. So in 2002, the number of Han-Chinese middle graduate went up to 85% and went down to 35% among the minorities. The average of Xinjiang is much lower than in other regions of China, so Xinjiang is already fairly lower on educational scale, but within that there are significant differences between the ethnic groups. If we take the example of Kashgar, only an 18% of middle school graduates go on to high school. This is a significant unbalance, and it shows the discrepancies have become more pronounced. This reality is a source of inequality and it is of course feeding into a situation. To change things on the ground is very hard and that is an issue the Uyghur community outside should be pushing UN bodies to change this reality.

Let me turn to another factor. That's what the Chinese call bilingual education. Under the frame of "bilingual education", the Chinese government is actually facing out Uyghur and other ethnic minority languages as languages of instruction. Traditionally, the Uyghurs and other minorities had the right of education in their mother tongue from Pre School to university. Quite quickly now, the Chinese government is facing out the possibility for Uyghurs to be instructed in their language. For example, in 2002, the University of Xinjiang had totally switched to Chinese being the language of instruction. And also in pre-school, middle school and high school, Chinese has become the language of instruction. Many Uyghur that I have been speaking to, have described the feeling that this policy is destroying their culture and that they are losing their identity. There is no question that one's language is the key source of one's identity.

To talk a bit about how complicated and difficult this is. On the one hand, it seems so intuitive that this is wrong, that the Chinese government should not have legally the right to destroy this and should instead provide mother tongue instruction. The international legal framework exists, but it is not that strong. In the international covenant on civil and political rights there is the article 27 which talks about ethnic minorities' rights. Within that, there is reference to that states that have signed it, are obliged to take steps to allow minorities the right to preserve, to develop and to enjoy their culture. Within that, the language falls as an important element of culture. So there is a legal framework for criticising and pressuring the Chinese government to reverse these policies.

China has argued this is necessary to implement this "bilingual education" to improve educational standards for the Uyghur. But there is strong evidence that is not accomplished. In fact the

opposite is happening. The educational standards for Uyghurs have even dropped. Part of the reason has to do with how bad this policy has been implemented. Uyghur teachers have been forced to teach in Chinese when they did not have the language capabilities to teach in this language. Uyghur children have been forced to learn in Chinese when they are not prepared to do so. The instruction level for those Uyghur and other minority children for learning in Chinese has dropped. And the level of education in Uyghur language has also dropped. For complex reasons, like the Chinese government is not providing updated books in their mother tongue. So both for Children instructed in Chinese and in their mother tongue, educational levels have dropped. To give you a really shocking example: in 2002, ethnic minority students taking their high school admission exams, only 3% passed their mathematics exam. This is dramatic. 50% of Han-Chinese did pass. This is dramatic, also for the tension it is creating. The trend is not good.

Let me talk about the impact. There is a cultural element tied to the language issue, for example in the legal system. According to both Chinese and international law, individuals have the right to court proceedings in the language they understand. If the proceeding is not in their mother tongue, then the authorities have to provide translators. The fact that there is now no instruction of lawyers as well as other professions means that there is also an absolute shortage of legally trained lawyers who can service the ethnic minority population. In 2007, according to statistics that we have seen, in East Turkestan there were 2100 lawyers, among these less than 380 were ethnic minorities lawyers. We actually don't know which percentage is able to use their ethnic minority language in their profession. Han generally do not learn the minority languages. So for a region, where 60% of the people are minorities, we have a very small number of lawyers who are capable of functioning in ethnic minority languages. Language has a cultural component and has a huge impact on other rights, the right to see a lawyer who can communicate with you or a doctor who can speak your language. So you see, human rights are something really concrete.

Improving the situation of people living on the ground is incredibly complex and challenging. I think a very multifaceted view should be taken and every little bit helps. Uyghurs out of East Turkestan should rise their issue in the country they live and communicate with its society. Those people than can influence their governments and those governments can then hopefully have an impact on the Chinese government. Dialogue with the government is a key point. But I think that

changing the hearts and minds of Chinese civil society is critical. There is a lot of evidence that China is very concerned and responsive to its own civil society, not on every part of it and on issues that come down to the heart of its position it may not work, but it has become more responsive to its own civil society than to the international

audience. It is very valuable to branch out and see those parts of Chinese civil society in and out of China and I think this is a way to reach those who also have an issue with the Chinese government. I think, in a long run to reach the hearts and minds of China's civil society is critical.

Ethnic and Religious Discrimination in East Turkestan

Ahmet Faruk Ünsal

President of MAZLUMDER, Turkey

Introduction

The balance of power in the world follows the route of economic development; as a result, mankind is witnessing a war between those who hold this balance and those who want to distort it, and this in turn leads to one single goal: to make progress, to fight with might and remain to be the most powerful... to increase one's power... to remove any barrier that stands in the way of achieving this goal... and while doing this to find a good disguise, to create a legitimate mask that will eliminate all the problems.

It does not seem difficult to infer from what has been summarized in the paragraph above that to improve the "human" condition is a worthy goal, and that this is accompanied by the disguise of "humanity" being perceived as nothing more than labour force.

The abyss known as "the New World Order" is based on alienating humanity and societies from their rights and liberties, even those that have been gained and acquired through self-negation, for the sake of the disguised goal mentioned above... Though they call this order "new", it is basically the old order of conflicts, wars and oppression, which has been continuing for centuries.

No doubt, one of the most telling examples of this picture today is "East Turkestan, which they are trying to make us forget behind a wall of silence" ...

Historical and Theoretical Background

What can be regarded as the beginning of the infringement of human rights in East Turkestan is the occupation of the region by the Chinese in 1884 (as a result of a long period of aggression and struggles in the late 17th century) and the annexation of the occupied region, after which it became the 19th Chinese province; at this time the historical name "East Turkestan" was replaced by the name Xingjian, which means "newly-conquered lands" in Cantonese. Thus, we can see that the People's Republic of China adopted the perspective of the Chinese empire for this region, and it remained "newly-conquered lands". The name, administration, and the method and implementation of authority over the people of the region have all been sinicized. Chinese authorities have always enjoyed unlimited power due to their military and economic advantages. Even the rules of daily life are completely defined by the Chinese.

In short, East Turkestan has lost not only her name, but also her identity and rights, and thus her liberties for an indefinite period; this process started in 1884, and as a result East Turkestan has become an internalized colony -supposedly autonomous- of an oppressive administration. Short periods of partial freedom and independence, gained by administrations such as the Islamic Republic of East Turkestan with never-ending struggles, have unfortunately, not lasted long. Consequently, the Uyghur Region, which covers one-sixth (1,828,418 km²) of the entire area of China, has suffered the most severe oppression of the three autonomous regions of China, namely Uyghur, Tibet and Inner Mongolia. This oppression is inflicted by another nation that has nothing in common with East Turkestan in terms of ethnicity, language, religion, customs, traditions or culture. The Uyghur nation, which is under occupation, is paying the highest cost of all ethnic regions in China, a country that is trying to find a place in the new world order through economic development by supplying a cheap labour force; this is the Chinese attempt to be a super power.

The reason why the Uyghur people are suffering from Chinese oppression more than all the peoples in the three autonomous regions (Uyghur, Tibet and Inner Mongolia) is due to the weakness of the Uyghur people's international alliances and the lack of a protector or a supporter. The fact that Mongolia is a modest and passive state in terms of international politics and that the Mongol khans ruled for a long time in the Chinese court has resulted in a friendship between the Mongols and the Chinese. Also, the Chinese government treats Tibet differently due to the international prestige of the Dalai Lama.

The population of the People's Republic of China, which is rapidly approaching the apex of economic development, is "approximately" 1.3 billion. Here we say "approximately" because the only way to obtain data and information concerning the People's Republic of China is to make estimates. Given this estimated population and, using official data, one can ascertain that the Muslim population in the People's Republic of China is about 10 million Uyghur people in the Xingjian Region and about 50 million Hui people (Muslim Chinese), most of whom live in or to the east of Beijing. According to unofficial data predictions, Uyghur population may rise to 20 million out of 200 million Muslims. The Uyghur people within this Muslim structure have strong ties with both the Muslim

world and West Turkestan (Turkmenistan, Kyrgyzstan, Uzbekistan and Azerbaijan) in both demographic and religious terms. As East Turkestan, which possesses an important location both geopolitically and in terms of mineral resources, is a neighbour to energy-rich countries to the west, it is an area that China attaches special importance to. This region, located to the north-west of China, is two times the size of Turkey; moreover, it has always functioned as a bridge between the East and the West via the Silk Road, is a neighbour to the West Turkestan states, to which she is historically, demographically and religiously connected, and has relationships with important Asian countries like Mongolia, Afghanistan, Pakistan and India. China is aware of the fact that any conflict in Central Asia would affect East Turkestan and therefore the political and economic security of the entire country; thus the Autonomous Uyghur Region is regarded as a buffer zone and any freedom movement that seems likely to emerge in the region is prevented through violence and oppression. It is worth noting that the tragic influence of international alliances established by China during the process of suppressing freedom movements over many years has played a decisive role also in the demographic unity that extends beyond Chinese borders. In other words, the West Turkestan geography, which demographically resembles the geography of the entire Turkestan, has undergone a similar process to that experienced in East Turkestan. The Soviet administration supported the oppressive practices of the People's Republic of China in the region and even provoked China to act against any movements in East Turkestan; this was due to Soviet concerns about any independence movement in neighbouring countries that might set an example for the Muslim population in her own territory.

This political situation in the region also affected the Islamic Republic of East Turkestan, which after long efforts managed to declare independence in the city of Kashgar. Stalin, who was uneasy with such an independent organization on his border, supported Mao, the victor in the conflict between the Nationalists and the Communists in China; this republic was only able to survive for five years, being defeated by the joint oppression of China and the Soviet Union in 1949. This tragic situation has lasted until now, and has deteriorated due to the failure of this last independence movement. Interestingly, during the course of the disintegration of the USSR, independent states were established, one after another, in West Turkestan, whereas East Turkestan, whose independence was jointly crushed by China and USSR, is still suffering extremely severe consequences.

Since 1950 the Chinese administration has started to pursue a Chinese population settlement policy in the region. Although in 1953, 75% of the population in the region was Uyghur, official figures today state that the population consists of 50% Uyghur and 50% Chinese. An insurrection took place in Gulca in September 1963; however this insurrection was severely repressed. Subsequently, many people emigrated to Kazakhstan. The Chinese administration violently suppressed the Tiananmen Square Events in April 1989, as the entire world looked on in bewilderment; this event was inspired by demands of freedom that resulted from the disintegration of the Soviet Bloc. The Chinese government then subjected the Uyghur people who had taken part in the events to even more oppression in their own region. Many people were sentenced to death and immediately executed after mass trials in which arbitrary convictions were handed down. Mosques that were closed during the Mao era, later to be reopened in the Deng Shiao Ping period, were to all intents and purposes closed once again after the 1990s, during the Xian Zemin era. Lists of those who were forbidden from entering were hung on the doors of many mosques.

Human rights violations in the region were brought onto the world agenda, one way or another, and various reports were prepared to call on the Chinese administration to put an end to the violations of human rights and liberties; this was the case until the attacks of September 11. The Western world, who employed the terms "human rights and liberties" as a means to apply political pressure to the Soviet Bloc countries until the disintegration of the Soviet Union, now started to pursue policies against Muslim minorities and the nature of their relations with the Muslim world changed. The new security concept that is currently pervasive throughout the world provided the Chinese administration, which oppressively rules East Turkestan, grounds for all the international legitimacy she ever sought and thus the oppression by the Chinese has gained a new dimension. The attacks of September 11 have created a psychological atmosphere that legitimizes and makes possible labelling many things that belong to Muslim people and the Islamic faith as "terrorist". China has taken this opportunity to declare the movement in Muslim-populated East Turkestan a terrorist movement. They are attempting to define the Uyghur people as terrorists, to qualify the Uyghur struggle to preserve their fundamental rights and liberties, including religious faith, as terrorist actions, and their groups and organizations as terrorist groups; in this way the Chinese administration has tried to legitimize themselves vis-à-vis international criticism.

Having divided the movements to regain fundamental rights and liberties in the Autonomous Uyghur Region into two groups, those of “Political Separatism” and “Radical Pan-Islamism”, before September 11, China now has started to regard both as the one and the same thing. Uyghur people who are pursuing their rights and liberties in East Turkestan are no longer classified as victims, but as “Terrorist Islamist Separatists”. China, using “terrorism” as an excuse to increase her power in the region, has voluntarily joined the US operation against international terrorism, and has found legitimate grounds for her political interests and the goal of preserving “the Great China”; the result of this is that she has increased oppression and violence in order to eliminate the so-called terrorist obstacles. The wide area of manoeuvrability that has been legitimized by the war against terrorism has been seen as an opportunity by China to clear herself of any criticism. The Chinese Government, now recognized as “a country that is fighting against terrorism” in the international arena, has turned a deaf ear to any criticism concerning human rights violations in East Turkestan. The Chinese administration has begun to claim that they are fighting against “extremist” and “separatist” movements in order to prevent a September 11-like attack in their own country.

The People’s Republic of China not only blacklists the Uyghur people within the country, but also tries to silence the Uyghur people or people from other ethnic origins who try to inform the international arena of the “oppressive atmosphere in East Turkestan”, as well as preparing propaganda material to justify such acts. For instance, the Consulate General of the People’s Republic of China in Istanbul issued successive handouts concerning terror attacks after the events of 9/11, and distributed brochures, documentaries, CDs and other material that presented the movements in East Turkestan as terrorist actions. The main theme of such handouts is “There are terrorist groups in East Turkestan and we are right in fighting against terrorism. They use violence. They should be caught wherever they are and they should be severely punished.” A documentary film, entitled “Terrorists in East Turkestan”, made by TV 9 of the Chinese Central TV Institution presented the Uyghur Turks as the cause of the violence in East Turkestan and tried to connect the violent events with Uyghur Turks both inside and outside the region; these violent actions were directly defined as terrorist actions.

The Chinese government takes any opportunity to carry out propaganda and has greatly benefited from such efforts. In 2002, the East Turkestan

Islamic Movement (ETIM) was included on the “Terror List” of the USA, and later that of the UN, due to alleged ties with Osama bin Laden and Al-Qaeda. It was claimed that the reason for this decision was that the ETIM had conducted “attacks on civilians”. Thus, China has attempted to depict the Chinese oppression in East Turkestan as being carried out for purposes of homeland security, trying to keep the USA uncritical of such actions and human rights violations, which are increasing with every passing day in the region. As a part of this strategy, one can see that the phrases “Muslim Uyghur People”, “Uyghur Terrorists”, “Jihad” and “East Turkestan” are frequently used in the same sentences in the Chinese media. It can also be stated that the imprisonment of some Uyghurs in Guantanamo as a result of the American operation in Afghanistan against “Radical Islamist Terrorists” has added grist to China’s mill.

Chinese authorities have extended the scope of the concept of terrorism so widely that even individual crimes, for example, homicide and robbery are regarded as terrorist actions and the right to a fair trial has been severely violated through arbitrary executions and heavy penalties. Chinese pressure on the member states of the Shanghai Cooperation Organization to extradite Uyghur people who sought asylum, is obviously a violation of “non-refoulement” principle, as all those who deported to China either sentenced to death or long time imprisonment.

The Violation of Ethnic and Religious Rights in East Turkestan

The first significant violation by the Chinese in the regions populated by Turkic communities is that the name of the region was changed to Xinjiang - meaning “newly-conquered lands” in Chinese - after the occupation in 1884 and the use of the old name “East Turkestan” was officially prohibited.

It would not be correct to say that only Uyghur Turks live in the region. The Uyghur Turks constitute the largest part of the population, but there is another equally large community in the region, namely the Muslim Chinese Hui people. Despite the religious ties between them, the Hui and the Uyghur have a very tentative relationship. The Chinese administration is fuelling up this disengagement by positively discriminating in favour of the Hui people in Muslim public offices; as a result, the Hui, satisfied with the restricted freedom that has been granted them, have abandoned the Uyghur Turks in their demand for rights and liberties. This makes things easier for the Chinese. However, when the Uyghur people, abandoned in their rightful cause, establish connections with people in neighbouring countries

to the west, people with whom they share a language, then their justified demands are regarded as part of "an operation of external forces".

The presence of the Hui people has been accepted by the Uyghur people. However, under the settlement policy the Chinese Government has settled the Buddhist Han Chinese in the region and this is the main cause of the conflict. The Beijing administration, understanding the importance of the region, is attempting to change the demographic structure of the region through such settlement policies. According to official figures, the population of Uyghur Turks in the region is almost equal to that of the Han Chinese. The population of the Han Chinese is growing, on average, 8% annually. In the 1980s the population growth rate reached incredible rates, for example as much as twenty-six times. Thus, the Uyghur population which used to make up 75% of the total population in the region before assimilation efforts were initiated in 1950s, is today half of what it used to be.

Another part of the assimilation policy implemented by the Chinese administration is the massive emigration of Uyghur Turks from the region through resettlement or exile. China, in an effort to maintain a demographic majority and to increase the ethnic population density in the region, has applied various methods to attain this end. One of these methods is that Uyghur children are being transferred to inner regions of China for assimilation under a program called "Xinjiang Classes". In addition, since 2003 people have been transferred to inner parts of China, in particular the younger population, to be assimilated under a policy called "Transferring Excessive Labour Force to Other Regions". In general, Uyghur girls are selected for such transfers and they are encouraged to work in underground industries in order to survive in these new settlement areas.

Another harsh, cruel and inhuman practice that has adversely affected and restricted the fundamental rights and liberties of the Uyghur population in the region is the practice of compulsory abortions. Chinese families are restricted to having one child and minorities are allowed two; when a pregnancy which takes the family beyond this limit is detected by the state, the pregnant mother is forced to have an abortion. "The compulsory-abortion practice" results in the voluntary abortion of female babies, and thus a serious gender imbalance occurs in the population. Such an imbalance is true not only for the Uyghur people, but also for the Chinese. However, the Uyghur people have more than the allowed number of children, registering them through illegal channels, such as bribery. The children who

cannot be registered are officially deemed not to exist. The situation of "nonexistent children" is a potentially serious issue. The life of people who are not officially registered is highly difficult. Poor education, health and employment opportunities for "nonexistent" children makes the quality of life even worse for them and the Chinese police carry out regular security and ID checks on the streets; those without IDs are arrested and severely punished.

The Chinese nuclear testing in East Turkestan over the past three decades continues to produce ecological disaster that pollute drinking water and food supplies, affect livestock and endanger human life. According to various sources in East Turkestan, babies with horrible deformities continue to be born. The documentary film made secretly by BBC shows the effects of nuclear tests taken place in the districts where mainly Uyghur population lives in.

The assimilation policies pursued by China have resulted in increased ethnic conflicts and tension in the region. Such tension became evident on 28 June, 2009, when Uyghur Turks protested and demonstrated against the battery and lynching of Uyghur Turks by the Han Chinese in Urumqi in their work place. The Han Chinese people were supported by the security forces, and observers reported that about one thousand people were killed after the intervention of armed troops. The unarmed, defenceless Uyghur Turks were fired upon, and there were attempts by large groups with cudgels to lynch the Uyghur Turks. The Uyghur Turks, who were the victims in these events, suffered more oppression due to the resulting mass executions. The pictures of two Uyghur Turks who had been pounded with rocks and lynched by the Chinese security forces should be a bitter lesson for all of humanity. It is impossible to report the exact number of casualties. As a result of such actions, the Uyghur Turks could only make their feelings public by demonstrations just for a week, as they were stoned to death in the streets. These events have revealed that the Chinese government practices extreme oppression against any resistance or action that is opposed to their goals, which have already been listed; they do not hesitate to use the most brutal methods to do so.

Another Chinese violation that does not occur anywhere else in the world but in East Turkestan is the practice of hanging lists of people who are banned from the mosques on the doors of these places of worship. The list of those who have been banned from entering the mosques includes minors, civil servants, workers, retired people, municipal officers, party members and women. Although there are also Buddhist temples in the

same region, no such list can be seen hanging from these doors. If this practice is the reaction of a Communist regime towards religion, then such prohibitive actions would be taken not only against the Muslim community, but also against members of other religions. This demonstrates that the Chinese government is discriminating both ethnically and religiously against the Muslim people, and they are not even attempting to disguise this.

In China, whose economy has been liberalized and opened to private entrepreneurship, all social and political life is under oppression and surveillance. It is strictly forbidden to establish a political party or to establish a foundation or association, let alone a free press or media. Private schools cannot be opened because this is regarded as an indoctrination activity rather than a commercial one. Therefore, religious education is seen as an illegal activity. Anyone who opens their house to provide religious education or anyone who attends such courses as a trainer or trainee is, as can only be expected in this regime, severely punished.

All libraries are under the control of the state. During the Cultural Revolution, thousands of volumes of publications were destroyed as they were considered to oppose the Chinese Cultural Policy. The names of universities in East Turkestan were changed after the 1950s, and graduates of these universities were blacklisted, having to lead their lives under oppression.

The interference of the Chinese government in marriage ceremonies and other traditions of the Muslims are increasing day by day. The government carries out activities to prevent the use of the Uyghur language and culture. Even the music tapes that have been recorded in East Turkestan or brought in from other regions are strictly checked and controlled by the Chinese Ministry of Culture and the intelligence agency. For the Uyghur people to make a film to be shown in cinemas there is the stipulation that one of the actors or actresses must be ethnically Chinese and that this person is the protagonist of the story.

There are serious restrictions over Internet communication. During the events in Urumqi in July 2009 the Internet was blocked and observers and representatives of the free press were not allowed into the region; thus, the world was not informed of what was going on in Urumqi, and a basic right, the freedom of communication, was violated. During the events Uyghur young people were forbidden from going to Internet cafes.

There are serious restrictions over freedom to travel for the Uyghur people. The Chinese security forces conduct raids on the residences of people in East Turkestan and carry out ID checks, arresting

innocent people with the claim that they have “violated general security rules”. The fate of these thousands of arrested people is unknown. Detainees -most of whom are Uyghur- are sentenced to death after mass trials that are biased; they are found guilty of concocted accusations of drug-trafficking, bribery or infringing public security. Detention houses and prisons are far below standard, and it is claimed that torture is commonplace here.

The Chinese authorities tend to try to present any crime as a terrorist action or affiliation with terrorists. Even ordinary crimes and homicides are deemed terrorist actions, the punishment being the death penalty. When the very same crime is committed in inner parts of China, the criminal is tried in line with the penal code. However, when that crime is committed in East Turkestan, the criminal is tried as a terrorist and inflicted with the highest penalty. Arbitrary detentions, torture and death penalties are the norm.

China has also used her influence on the UN, as well as on other global organizations in her so-called fight against terrorism; China is pursuing the strategy to assimilate the Uyghur people and to eliminate any opposition against such a move. However, China is rather upset that the issue of East Turkestan has taken up an important place on the international agenda, which has happened as a result of the severe violations that were recently inflicted. The East Turkestan issue is no longer a domestic issue for China, but rather an international one. Moreover, Chinese policies have resulted in attention being focused on East Turkestan; civil organizations have come together throughout the world, unifying their voices.

Conclusion

China should reinstate the historical name of the region of East Turkestan and cease all forms of ethnic and religious discrimination. China must also stop arbitrary executions, which are not very different from ethnic cleansing. Obstacles standing in front of religious education and the right to pray should be removed. The establishment of foundations, organizations and political parties should be permitted. China should repeal restrictions in travel and use of telecommunication. The detention houses and prisons should be improved, being brought up to international standards and trials should be fair. China should also abandon trying to re-shape the demographic structure of the region through forced migration and Chinese settlement. Practices of compulsory abortion and the limit on the number of children should also be lifted.

International actors also have responsibilities to bring an end to these violations in East Turkestan. The European Union, which has achieved to develop and implement human rights standards has also promising stand to prevent China from human rights violations. EU's stance to impose embargo on the commodities produced in occupied territories in Palestine can inspire to create a new sanction model. Shanghai Cooperation Organization, which is one of the alternative centres of international community should not deal with only economical interests but also has focus on humanitarian aspects and human rights standards. Organization of Islamic Conference whose members have a huge potential

of consumption and crude material should convince Chinese government to solve conflict in East Turkestan. China recently has developed good relations with the African countries in order to overcome her marginalization and reach crude material sources. Thus African Union also may have influence on Chinese government. Since the International Criminal Court has not jurisdiction on Chinese territories yet, East Turkestani nongovernmental organizations may take their agenda to urge Chinese government to accede to the Roma Statute of the International Criminal Court. And the United Nations' human rights bodies should give priority to the East Turkestan issue.

Respect for human rights as an essential element in conflict prevention

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Introduction

It is estimated that at present there are almost 7,000 nations, peoples, minorities and indigenous peoples in the world. But less than 200 of them are represented at the United Nations. The rest live within the borders of the current UN recognised nation states of which they form a voluntary or involuntary part. The great majority of these population groups face political oppression, enforced cultural assimilation, economic exploitation, ecological destruction, racial discrimination and in some cases, "ethnic cleansing". How can it be, that that such tragedies can still take place despite the presence of the United Nations, an institution born with the promise of promoting justice, equality and protection of human dignity? There are several reasons, but allow me to name just a few.

Lack of Protection

These unrecognized nations and peoples, each of whom struggles to protect their own basic human rights as outlined in the UN Universal Declaration of Human Rights, receive no international protection for themselves. They have no access to the United Nations, the legitimate, internationally recognised global forum in which states can voice their grievances, desires and aspirations.

In truth, the United Nations is not a union of nations but a union of states. Many nation states whose main task is to protect, promote and represent the interest of its unrecognized nations and peoples do not fulfil this role.

In many instances, they actually treat them as enemies. Many unrecognized population groups on their part do not recognize these oppressive state governments as their sole legitimate representatives.

Very often state governments have no qualms with using whatever means at their disposal to suppress and control the unrecognized peoples.

Not taking the needs and aspirations of unrecognized population groups seriously leads to escalating conflicts and violence when timely action could have helped to prevent it.

Equally, standard mechanisms within the UN and OSCE system for preventing conflicts are largely not available for the unrecognized population groups because of the concept of non-interference with state sovereignty.

National Sovereignty

The concept of national sovereignty has become a formidable barrier to protecting human rights throughout the world. No international body can ensure the faithful observance of human rights within a particular state as long as the principle and practice of national sovereignty remains central to international law. But if major countries who exercise immense power and influence upon the decision-making process within the UN truly seek to uphold human rights in a particular country, there is no force on earth which could stop them. As such, this determination to enforce human rights in some situations but ignore them in others is the real problem. This double standard is a far more difficult problem than the concept of national sovereignty.

Double Standards

The double standards applied in the protection of human rights in similar settings and circumstances have immersed the world in contradiction. If the human rights violator is a small country with little commercial, national or strategic importance major countries race against each other to criticise their human rights record. But powerful countries are mostly spared from criticism.

Let me cite a recent example: On June 15, 2009, Iranian security forces crushed a peaceful demonstration organized by Iranian opposition groups in Tehran. Major countries around the world raced with one another to condemn the Iranian government's bloody actions. On July 5, 2009, the Uyghurs staged a peaceful demonstration in Urumqi, the capital of East Turkestan. The Chinese security forces crushed this peaceful demonstration in a very inhuman manner. Hundreds of Uyghur men, women and children were shot on the spot. Almost two thousand Uyghur were severely wounded. Thousands of Uyghurs were arrested. Later, several of them were executed. In March 10, 2008, the Tibetans organized a peaceful demonstration in Lhasa. This demonstration was also suppressed by Chinese security forces. Several Tibetans were killed, arrested and executed. Major countries condemned China. On March 11 and 12, 2009, both the U.S. Congress and the European Parliament passed resolutions condemning China's so-called "Strike Hard" policy against the Tibetan demonstrators. However, the U.S. Congress and the European Parliament remained silent when the Uyghurs were massacred. This is a typical example of double standards applied in the protection of

human rights in similar setting and circumstances.

I hope you do not misunderstand me. This is not to suggest that the international community should not have reacted the way it did. What I am concerned about is the lack of consistency in global morals. If there is no consistency, the policy itself is totally discredited.

The Unrepresented Nations and Peoples' Lost Faith

As a result, many unrecognized population groups in the world have lost faith in the UN's ability to apply human rights standards in a just and fair manner. They came to the conclusion that there is no universal application or implementation of human rights. They feel deceived, abandoned and betrayed by the international community.

In their hopelessness, frustration and desperation mean unrecognized population groups have gradually abandoned the path of non-violence in order to defend their basic human rights and draw the attention of the international community. There is a general feeling among the unrecognized population groups that their voice can be heard only when amplified by methods of international terrorism. Thus, at present, in more than 65 countries around the world intra-state conflicts have broken out. Some peace researchers estimate that intra-state conflict represents 90 per cent of all conflicts in the world today.

The Uyghurs are no Exception

The Uyghurs are no exception. For the last 60 years, the Uyghurs living abroad, with their deep belief in the international justice system, have continuously appealed to the international community asking them to seriously consider their grievances, demands and desires. But the international community has paid little heed.

As a result, the Uyghurs at home are in a very frustrated, desperate and hopeless situation. Continued hopelessness can lead to violence - because a hopeless person has nothing to lose. If a major conflict breaks out in East Turkestan, it will

not only lead to self-destruction of the Uyghurs, but at the same time it could spread into neighbouring regions such as Tibet, Inner Mongolia, Kazakhstan, Kyrgyzstan and Tajikistan. This is also the fear of Central Asian governments. They fear that if a major conflict breaks out in East Turkestan, like in the 1930s and 40s tens of thousands of Kazakhs, Kyrgyz, Uzbeks, Turkmen and Tajiks would cross into East Turkestan to support their ethnic brothers on the other side of the border and thereby bring the Central Asian republics into a unwilling conflict with China. There are almost one million Uyghurs in the Central Asian Republics. There are also tens of thousands of Kazakh, Kyrgyz, Uzbeks and Tajiks living in East Turkestan. Furthermore, East Turkestan is surrounded by countries in which open conflicts are taking place, for example Afghanistan, Pakistan and Indian occupied Kashmir. The violence in these neighbouring areas is fuelling the existing tensions in East Turkestan and has a negative influence on the whole region.

Conclusion

In the conclusion it can be said that the current understanding, interpretation and application of democratic principles, sovereignty and self-determination have proven inadequate in preventing both major and minor conflicts. Thus, there is an urgent need to develop a just and equitable international system that protects human rights world-wide. Otherwise, survival of the unrecognized population groups around the world is at stake and we will be confronted with more and more intra-state conflicts.

Respect for human rights is an essential element in conflict prevention. People resort to violence not only because an appeal to reason is no longer available, but also because justice for nationalities, peoples and minorities is not forthcoming from state-governments. And where there is no justice, there is invariably violence. The responsibility therefore lies at the feet of those who deny justice, and who themselves resort to violence to subdue and repress their own citizens.

China: Transfer of 400,000 Young Uyghur Women into Eastern China

Willy Fautré

Director HRWF International

After the ethnic violence in Tibet in March 2008, the riots in Xinjiang in July 2009 which left at least 197 Han Chinese and Uyghurs dead were the second strong signal sent to Beijing by its 'autonomous' regions in little more than a year. However, the Chinese Communist Party did not draw the right lessons from these events and accused "anti-China forces" abroad of sparking the unrest.

In fact, the protests in Xinjiang were the result of long-standing frustration and rancour against Beijing's policy of economic, social and political marginalization of the Uyghurs in their ancestral lands. Beijing has steadily deprived the Uyghurs of their identity, their culture, their language, the management of their society and their development - while for years demonizing all opponents as separatists and terrorists.

Beijing has used the demographic weapon by encouraging Han Chinese to contribute to the economic development of Xinjiang by moving to that region. In 1955, Uyghurs represented 74.7% of Xinjiang's population; that percentage has since fallen to 47%. Those immigrant Han instrumentalised by China's Communist Party to colonize the region are now the first victims of violence.

Xinjiang's Han do not understand the roots of this violence because they are not aware that they are perceived as invaders by the local population and that hundreds of thousands of Uyghurs have been transferred to the industrial areas of Eastern China.

Official Government Policy

One of the most pressing and provoking issues related to the delocalization of the Uyghurs inside China is the constant transfer of young, unmarried and mostly teenage Uyghur girls to 'work' in factories located in China's eastern provinces¹. The propaganda slogans present as an overwhelming positive experience for these women but in reality they are exploited and deprived of any right. As migrant workers, many of them cannot get temporary residence permits and do not have access to social services.

Since June 2006, a new policy to recruit and transfer young Uyghur women has been especially implemented in the southern area of Xinjiang where the Uyghur population is in the majority, in the name of "providing employment opportunities and generating income" for the poor farming families who live there. The eventual goal of this

policy, as part of the 11th Five Year Plan of the Chinese government, is to transfer some 400,000 young Uyghur women from Western to Eastern China and to dilute them in the local majority Han populations².

Local authorities consider this operation as one of the most important policies of the government, and they have expressed zero tolerance to any kind of opposition to it. Speaking at the Xinjiang Kashgar to Tianjin Labour Force Transfer Group Leaders Cadres' Conference in April 2007, Shi Dagang, Party Secretary of the Kashgar Region, said, "Transferring the rural labour force is an all-inclusive and major directional policy, closely tied to the future development of our region. Allowing the Uyghurs to work in the exterior through various means is an important step toward generating more income for the farmers and developing the Uyghur people. Whomever obstructs the Uyghurs from working in the exterior will become the criminal of Kashgar and the criminal of the Uyghur people"³.

If the real purpose of the authorities in Beijing was to increase the standard of living of the Uyghurs in Xinjiang, they would have involved them in the local economic development and kept them on their ancestral lands instead of importing Han populations into the region. No, the real purpose is the assimilation of the Uyghurs to a foreign culture introduced in their own region and outside.

Large-Scale Transfer of Young Uyghur Women

Southern Xinjiang's Kashgar Prefecture, an administrative district with a population of around 3.5 million people, more than 89 percent of whom are Uyghur, has been specifically targeted with the transfer policy. Exact numbers are difficult to ascertain, but reports in the state media and from independent investigations reveal the large scale of the program.

The Xinjiang Daily reported on March 20, 2007 that there had been 240,000 instances of the transfer of the local labour force from the Kashgar Region to China's eastern provinces in 2006⁴.

The policy specifically targets women between the ages of 16 and 25 from the heavily Uyghur-populated areas of southern East Turkestan, a region that retains a strong and distinct Uyghur culture. Local leaders, sometimes joined by factory officials, offer the women Chinese language and skills training, and promise attractive salaries and transportation to the factories. The official Chinese

press has supported the program through a series of articles that cast the program in a positive light, as a way to provide income for rural people and incorporate the women into the "great socialist family" of the Chinese motherland. These types of reports also stress that the program improves the "thinking and consciousness" of the women, improves their manners, and teaches them to be civilized.

The situation of Yopurgha County of Kashgar Region is one typical example of the rise in the eastward transfer of young, female Uyghurs.

In 2006 alone 2,450 young Uyghur women, mostly 15- to 22-year olds, were transferred to Shandong Province to 'work'⁵. But these types of figures have been increasing rapidly in 2007.

In Payziwat County, the number of Uyghur women transferred, mainly to Tianjin Zhongji Xunqing Clothing Ltd., had already reached 3,000 for the year 2007 in March⁶. In March 2007 alone, 696 young women were transferred from this county⁷.

In Yengishahar County, 186 Uyghur women have been transferred in 2007⁸.

In Yarkan County, 500 young women were transferred in March to work at the Qingdao Xinyungan Clothing Factory⁹.

In February, 500 were transferred to the Zhejiang Province Bofa Office Supplies Group Holdings Company and the Qingdao Xinyungan Clothing Factory¹⁰.

Furthermore, official plans call for the transfer of a total of 6,000 young Uyghur women from Yarkan County in 2007¹¹.

Deception, Pressure and Threats

Local county and village officials, backed by regional and autonomous governments and through the use of aggressive propaganda and even coercive measures, have been heavily involved in forcing Uyghur farmers to allow their daughters to be recruited and transferred to China's eastern provinces to 'work'¹². Chinese officials have admitted that they forced farmers to send their daughters to 'work' in China's eastern provinces because they would have been removed from their posts if they had refused to do so¹³.

Tursun Barat, the village head of the Number Eight village in Yarkan County, said, "We did force the girls to go"¹⁴. Barat also said that one county official, who refused to force farmers to send their daughters away, was removed from his position¹⁵.

Rural families were threatened with various types of punishments by local officials for resisting the program. Officials in the neighbouring Number Nine village threatened farmers with the

confiscation of their farming lands and the destruction of their houses¹⁶. Their daughters were also threatened with the confiscation of their resident registration cards and the denial of marriage certificates¹⁷.

Awut Teyip, the head of the Number Nine village, while denying any responsibility to the parents of transferred young women, said, "Our job is to follow central directives without asking any questions."¹⁸

Many Uyghur farmers whose daughters have been transferred to China's eastern provinces are speaking out against such transfers and feeling a great deal of remorse for sending their own children to places they have never seen or even heard of.

In July 2007, Uyghur parents peacefully protested against the forced transfer policy in Kucha County of Aksu Prefecture. The protest was forcibly dispersed. Similar scenes have been filmed elsewhere in China and are part of the film "Last Train Home" which took part in the One World Human Rights Documentary Film Festival earlier this month in Brussels.

Treatment of Young Uyghur Women after their Transfer

In order to entice Uyghur parents to send their daughters to China's eastern provinces, they are told that their daughters will be given 500 yuan (approx. US\$65) per month in the early months of the training period and then 900 to 1,100 yuan (approx. US\$125 to \$135) for their work per month¹⁹. However, once the young women are transferred, the treatment they experience is completely different from what they have been promised. Their salaries are not paid on time²⁰. They are forced to work up to 12 hours each day²¹. They are not even allowed to speak in Uyghur, either at work or in their free time²². In addition, they are not allowed to freely return to their hometowns²³.

In the workplace, up to 40% of migrant workers are not granted a labour contract. The contracts that are signed are short-term contracts; this allows the employer to circumvent pension provisions. In some cases, wages are issued only once a year, and intentionally reduced by imposing arbitrary fines on employees for 'alleged breaches of company rules'. Should an employee be late, excessive fines are imposed for each minute. Most of these breaches are unfounded and exaggerated. Despite the economic advantages of working in the city, the status of rural migrant workers in an urban context is comparable to modern day slavery.

When the Uyghur women arrive at the factories, they discover that the working conditions are in

violation of their contracts or promises. They are expected to work long hours, often up to 11 hours a day. The extended shift system is intentionally based upon unrealistic production targets in order to exert pressure on employees to stimulate their productivity. They are forced to work overtime and rarely compensated adequately for these extra working hours. Moreover, most workers are denied holidays or sickness leave. They are excluded from the health care system as, without official registration, medical treatment is too expensive. They have very low living standards. They must stay in makeshift shelters in the factories and in unsanitary conditions. Furthermore, their freedom of choice is highly restricted as there are numerous financial penalties for choosing to change workplace – including fines or loss of deposit.

As a result of such harsh treatment, several Uyghur women have fled back to Xinjiang. However, many local governments have instituted large fines against the families of girls who unilaterally put an end to their contract. These fines are reported to range from 3000 to 5000 RMB (420 to 700 USD), a huge sum for a rural Uyghur family.

Uyghurs Tradition and Official Motives

Traditionally, the Uyghur people do not send their children, especially young females, to distant lands, except for higher education. The transfer of young Uyghur women has therefore become a major concern among Uyghur, not only for those farmers whose daughters have been transferred to China's eastern provinces but also among Uyghur intellectuals. In the Uyghur culture, it is a most humiliating and provocative act to take Uyghur women against their will from their community without paying due respect for their way of life and values.

While Uyghurs do not have a tradition of compelling women to stay at home and prohibiting them from working outside the home, as in some Middle Eastern cultures, and they welcome the opportunity to let their daughters work outside the home, many ask the question of why their daughters were not given local jobs, or given the opportunity to continue their studies in their region. They suspect that government authorities have ulterior motives in offering local jobs to Han Chinese settlers while simultaneously sending their daughters to cities and towns in far eastern provinces.

At present, local and central government authorities continue to aggressively implement a policy of transferring young Uyghurs women despite resistance to their policy.

Recommendations for a dialogue

In light of the ethnic marginalization and Uyghur mistrust of government officials in Xinjiang and the deeply offensive nature of the large-scale transfer of Uyghur girls into China's eastern provinces, the Uyghur want to have a dialogue with the Chinese government

- to suspend the implementation of this policy without delay;
- to return the Uyghur girls to their hometowns;
- to compensate them for their work and travel expenses;
- to provide them with education in local schools or offer them local jobs;
- to prosecute officials who have forced them to go and work transferred in Eastern China.

¹ Radio Free Asia (RFA), Uyghur Girls Transferred to Mainland China, Jan. 17, 2007

² RFA, Chinese Authorities Planned to Transfer 400,000 Uyghur Women, Sep. 27, 2006.

³³ Emphasis added, 喀什地区经济信息中心, 新疆喀什在天津举办招聘会的情况, Apr. 17, 2007, at <http://www.kashi.gov.cn/Article/200704/2026.htm>

⁴⁴ RFA, Last Year Female Labor Force Transfer from Kashgar Reached 240,000, Mar. 19, 2007

⁵ RFA, 2,450 Persons Transferred to Work in Mainland Last Year alone, Jan. 14, 2007 and RFA, Uyghur Girls Transferred to Mainland China, Jan. 17, 2007.

⁶ RFA, Last Year Female Labor Force Transfer from Kashgar Reached 240,000, Mar. 19, 2007.

⁷ Id.

⁸ Xinjiang Daily, Uyghur Girls Arrived in Our Workshops, Apr. 03, 2007.

⁹ RFA, 500 Uyghur Girls Transferred to Chinese Provinces, Mar. 30, 2007.

¹⁰ Id.

¹¹ Id.

¹² RFA, Uyghur Girls Transferred to Mainland China, Jan. 17, 2007

¹³ RFA, Revealed Secrets: Real Stories of Uyghur Girls Forced to go to Chinese Provinces—II, Jun. 21, 2007.

¹⁴ Id.

¹⁵ Id.

¹⁶ RFA, Revealed Secrets: Real Stories of Uyghur Girls Forced to go to Chinese provinces—I, Jun. 20, 2007

¹⁷ Id.

¹⁸ Id.

¹⁹ RFA, Revealed Secrets: Real Stories of Uyghur Girls Forced to go to Chinese provinces—II, Jun. 21, 2007

²⁰ Id.

²¹ RFA, A Uyghur 'Worker' Girl's Story who was Forced to Flee from China, Jun. 28, 2007.

²² 喀什地区经济信息中心, 新疆喀什在天津举办招聘会的情况, Apr. 17, 2007, at <http://www.kashi.gov.cn/Article/200704/2026.htm>

²³ Id.

Ethnic Groups in China and the Language Policy by China

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An Overview of the Uyghur Language History

Currently settled in the mainland East Turkestan (xin Jiang Uyghur Autonomous Region), which is under the administration of the People's Republic of China, Uyghur Turks is a Turkic tribe. The Uyghur Turks have a very significant place in the Turkish history with the states they established in the past, with their developing economy, culture, literature and arts. The written language and literature developed by the Uyghurs have played a significant role in the shaping and development of literary language and literature of many Turkic tribes based on their own dialects.

With a very rich culture and literature, Uyghurs made significant contributions to the change and development of Turkic World culture, language and literature.

Prof. Dr. Ahmet Caferoğlu indicated the following on the role played by Uyghurs in the Central Asia (Turkestan) with regards to culture: "Starting from the fifth century, the Uyghurs, that have established a political union with their own tribes initially and then with other Turkic tribes and clans that joined them, have had a very significant role in the development and spread of the Central Asian Turkic language and culture. The tolerance in their religion and faith, their strict allegiance to the previous Turkic language and culture they inherited, their skill in adjusting the established social life and nomadic liberty, were the factors that made the Uyghur Turks the master of the structure of the Turkic language and culture, which needed to be re-established. They have established a state, which had a very developed structure and law, to the extent that it literally gathered the admiration of its neighbours. Through establishing international relations, they have passed laws to protect the Turkic colonies settled in foreign lands. They have allocated teams of representatives and various member teams charged to run the state administration tasks. They have passed laws protecting the state order and integrity. They have sent representatives to foreign states and countries.

The Uyghur state has also reached an advanced position with regards to intellectual life. The Uyghur leader's (kagan) palace was the home of many domestic and foreign artists, historians and scientists were kept and the country housed many libraries. The Uyghurs were successful in creating an advanced music and literature for their time.¹" The Uyghur Turks created art pieces with a high

level of literature and art, as an expression of their own efforts, minds, emotions and outlooks, in their history of thousands of years.

The 19th century was a turbulent time in the history of East Turkestan, in which the Uyghur lands were attempted to be included in Manchu China and the Uyghurs were engaged with a struggle of independence. Some historians call this era the century of disorder, since the century was full of uprisings. The Kalmuks established the Cungiye state in 1674 in Turfan, Urumqi and İli regions. For 18 years after 1679, this state dominated the southern parts of this region as well. The era in Kalmuks dominance was a period when hodjas with the title of general governors were the sovereign in East Turkestan and thus was called the "Era of Hodjas."²

After this date, turbulences started to emerge again in the region. In December 1864, Siddik Bey Kipchak revolted and seized Yenihisar and Kashgar, expressing allegiance to Hokand Khan Hudayar Khan. Upon this development, Hudayar Khan sent Buzruk Khan Ture as the Kasgar governor and Yakup Bey as the general commander, to the region. However, when Siddik Bey did not accept this, he was bypassed and Kashgar was officially taken under the control of Hokand Khanate. A while after, Yarkent was also added to the khanate's lands. In the meantime, West Turkestan was occupied by the Russians and there was a major flow of migration to Kashgar. During the migration flow, in 1865 Yakup Bey overthrew Kashgar governor, declared that the Hokand Khanate was over and became the ruler of Kashgar and Yarkend with the title of Atalık Ghazi Bedevlet Yakup Bey. Yakup Bey seized Hoten in 1866, Kucha in 1867, and the regions of Turfan, Urumqi and Kumul in 1868, expanding its zone of sovereignty.³

The English state took an interest in these actions of Yakup Bey. Visiting Kashgar in 1868, the English commercial team met with Yakup Bey and a commercial agreement was signed. While Yakup Bey was trying to establish friendly relations with the English on the one hand, on the other he sent his son Seyid Yakup Han Tore (Hodja Tore) to Ottoman Sultan Abdulaziz, requesting help. Hodja Tore communicated the developments in Tajikistan to the sultan and the officials, stating that they want to be under the high authority of the sultan. The sultan did not remain indifferent to this request and sent weapons and military aid with a ship. From this point onward, Yakup Bey took the

emirate title given by the sultan and ensured that the sermons were read for Abdulaziz Khan and the coins were issued on his name in the lands he ruled.⁴

Yakup Bey sent an envoy to Petersburg and tried to establish friendly relations with Russia. Under the Ottoman safeguard and having established its position to a certain extent through implementing a balance politics between Russia and England against China, Yakup Bey unfortunately died in May 1877, and the Chinese occupied and annexed the whole East Turkestan in an attack they staged on May 16, 1878, without any delay. Governed by an army under the commandship of Zo Zuntang for a while, the East Turkestan was taken under the direct authority of the empire on November 18, 1884, upon the orders of the Chinese emperor as the 19th province with the name Sin Cang (Xin Jiang "New Territory").

As we know, until the end of the 19th century, there was widespread ignorance in East Turkestan. In this period, the science centres in Kashgar, where major men of knowledge have learned and taught, were closed down for a long time. In this period, education was developing rapidly in the Western world. With the influence of this, there was a reformist movement that developed in Turkestan. The new form of education was called the "new method." The most important representatives of the new method in East Turkestan was Huseyin Musabay in Artus and Gulca, Abdulkadir Damolla in Kasgari, Tas Ahunum Turfan in Astane and Maksut Muhidi Kucar, who opened new schools in these places respectively. Among them, there was also Hamit Haci. These people visited the Western countries in those years and tried to bring the new things they saw there to East Turkestan.

In Kashgar, Musabay Haci's father Abduresul completed his education in the largest Khanate Madrasa in Kashgar and gave continuous financial aid to this madrasa after that. The document of the time, which have been kept in the East Turkestan library so far, states that Musabay donated all his belongings to national education. Later, Musabay's sons Huseyin Bay (1844-1926) and Bahavudun Bay (1851-1928) continued to give aid to Uyghur national education.

Impressed by the modern education system abroad, Bahavudun Bay started to give importance to modern education after he returned to East Turkestan. He started modern education in East Turkestan for the first time. The name of the school which he opened for education in the fall of 1885 was changed to Huseyniye School after a certain time. This school was built in western standards and had laboratory and sports facilities.

In the following years, such schools became more widespread in East Turkestan. Initially, the biggest problem in such schools was the insufficiency of trained teachers. In order to solve this problem, Musa Baylar decided to send students abroad and sent students to Tataristan's city of Kazan for the first time. In all the schools in this period, the language of instruction was Uyghur Turkish and Arabic and Persian were taught as elective courses.

After the East Turkestan Islam Republic was founded on November 12, 1933, in Kashgar, national education developed very rapidly. In this period, major changes were made in the Uyghur national education. These changes are the following:

1. The whole Uyghur national education system was governed from a single centre. An Education Ministry was established in Urumqi, Education administration in provinces and Education departments in districts.
2. In this period, schools were governed through two systems. The schools governed by the government were called shenli schools and the schools governed by the Uyghur association (by the public) were called Huili school. The schools of the state were financed by the government and the schools governed by the association were financed with the donations collected by the association. The Uyghur associations founded since 1935 have played a very significant role in the development of Uyghur national education. For instance: if the number of state schools at that time was 580, the number of schools run by the Uyghur association reached 1883. While the number of students in state schools was 9333, the number of students in association schools was 180033. Only in the province of Aksu's district of Bay, there were 30 primary schools established by the association and one teacher training school.
3. General courses and religion courses were separated from each other.
4. The social aid provided to students were expanded.
5. The school attendance rate of the girls increased rapidly.
6. While the centre of Uyghur national education was Kashgar, Gulca and Turfanın Astane, in this period, Urumqi became the centre.

After 1934, schools such as Urumqi Olkilik Teacher's School, Sinjiang Teacher's School, Gymnastics School, Girls College, Military School, Police School, Drivers School, Russian Language College, Aviation School, Medicine School, Veterinary School, and Agriculture School were established. After 1934, in a short time, the Shin

Jiag Daily (used to be called Tian shan Bao) and local newspapers began to be published in all provinces. In these years, olkilik theater and similar theater clubs were established. These played an important role in the development of Uyghur Turkish.

Since one of the most important problems in the rapidly developing Uyghur national education was the lack of insufficiency of teachers, after 1934, the former Soviet Union trained around 300 students in 3 groups in the universities in Central Asian Turkic Republics. This period was the heyday of the Uyghur national education and witnessed the training of many engineers, doctors, veterinarians, teachers, artists, poets, musicians and translators. These trained people made a major contribution to the development of Uyghur national education today and the perfection of Uyghur Turkish language. After 1942, there were significant changes in the political situation of East Turkestan. Many intellectuals were arrested and imprisoned. Hence, the Uyghur national education was deeply hurt and started to deteriorate. To the contrary, in the provinces of Altay, Cocek and Gulca, the regions where the 3 Provinces Revolution took place, the Uyghur national education rapidly improved. The importance of education and thus teachers increased gradually. The profession of teaching started to be perceived as a profession that is much liked and respected. In this respect, East Turkestan Republic President Ahmetcan Kasimi stated the following: "I know how difficult the tasks of teachers, who work selflessly to avoid any students that are left behind in their courses in the classroom and spend all the efforts to this aim, are. There is no effort more sacred than the teacher's efforts in the society. Scientists, experts, authors, doctors, commanders, statesmen and all the other people are the fruits of the teachers' efforts." In the initial periods of the 3 Provinces Revolution, the schoolization rate in these regions was very high, many people were trained in natural and social sciences in a short time and this played a central role in the Uyghur national education in the following years.

BILINGUAL EDUCATION IN EAST TURKESTAN IN THE COMMUNIST CHINA ERA

The Communist Chinese took the whole East Turkestan under control at the end of 1949, made some changes in the education system and laid the groundwork for bilingual education. It is possible to examine the bilingual education that has been run in East Turkestan starting from 1950s until now, in 5 periods.

1. The Period when the Groundwork for Bilingual Education was Laid

In May 1950, the Sin Jiang People's Government

issued the "Sin Jiang Education Reform" circular. The circular indicated that the curricula of primary and secondary schools were to be changed, Chinese and Russian were to be taught as elective courses in national schools, and the Uyghur language and Russian were to be taught as elective courses in Chinese schools. In 1959, the Sin Jiang Uyghur Autonomous Region government has regulated the compulsory Chinese preparatory year in all high education institutions, and demanded that all the students are able to have the skills of reading, listening and writing in Chinese easily when the preparatory year is completed. In 1964, the Uyghur Autonomous Region government decided to conduct bilingual education in secondary and high schools with the circular numbered 474, and the Sin Jiang University secondary school, Gulja city 6th high school, Kasgar 2nd high school, Bortala Mongol Autonomous Oblastı 2nd high school, Urumci city 6th high school started to conduct bilingual education to try this method of education. Hence, the foundations of bilingual education were laid in East Turkestan.

2. The Period of Discontinuation for Bilingual Education in East Turkestan

With the influence of the Cultural Revolution that started in China in 1966, education in East Turkestan almost stopped, like in all parts of China. Hence, the recently started trials of bilingual education were stopped. In the 1960s and until the end of 1970s, the Uyghur authors and poets could not write their own works freely. They did not have the right to express their own views and goals in literary works. In this period, China, who have been alienated from the former Soviet Union, started to punish and imprison the teachers, who were trained in Soviet Union, as well as authors and poets that wrote literary works that reflected their national sentiments and historical facts, with the accusation of being, "nationalist, separatist, Turkist, Islamist, pro-Soviet." Some poets were even arrested if they used phrases like, "Mountain of God," "Sea of Agriculture," in their poems and if they addressed their own country, as "my country, my land," and their poems were withdrawn from the market. Such incidents during the Cultural Revolution were quite harsh. Many poets and authors were punished for being "national separatists," "pan-Turkist," "pan-Islamist," were imprisoned and were exiled. In the end, the Uyghur National Education, and Uyghur Literature were seriously harmed, could not develop at all and were left much behind the requirements of the modern day.

In brief, the extreme leftist education policy that was conducted based on an ideology, implemented until 1978 in East Turkestan was implemented to destroy the national culture. The policy tried to

destroy the national culture, religious faith and national literature. Tied to their own culture and traditions, as well as national literature, in a close manner, against these sanctions, the Uyghur Turks have struggled to protect their own literature and culture and develop them in all fields until today.

3. The Re-Enactment of Bilingual Education

Following the death of Mao in 1976 and the openness policy that started to be implemented in China, the bans on other fields were removed and the bans on national education and national literature were partially removed. Among the teachers that were fired from schools and were imprisoned with various allegations in the cultural period and the famous authors who were banned to write and were imprisoned for many years, Abdurrahim Ötkür, Turgun Almas, Nim Şehit, Zunun Kadiri, Zordin Sabir were the important authors of the New Uyghur Literature of this period. With the removal of the bans to teach and to write, a rebirth was experienced in Uyghur National Education. Hence, the publishing sector experienced a rebirth and new publications were made in East Turkestan. For instance, there were only Sin Jiang Public Literature, Beijing Nations Publications Uyghur Department and Sin Jiang Education Publications before 1980. In these publishing houses, the majority of the books published were not the works of national authors but the translations of Chinese books. The Chinese courses started to be taught again in schools.

In addition to the publications listed above, which were the publications that existed before 1980, Sin Jiang Sehiye Publications (East Turkestan Medical Publications), Yaş-Ösmürler Publications (Youth Publications), Sin Jiang Science Tehnika Publications (Science and Technology Publications), Sin Jiang Katnaş Publications (Transportation Publications), Kasgar Uyghur Publications were established. The number of literary magazines multiplied. Among the magazines on literature and art, the "Agriculture" magazine under the East Turkestan Authors Union, "Sin Jiang Nations Literature" magazine, "Kovruk" (Bridge) magazine, "East Turkestan Art" magazine under the Culture Administration, "Heritage" magazine, which is the publication of Public Literature Research Center, "Bulak" (Spring) "Colpan" (Star), "World Literature" magazines published by Sin Jiang Public Publications, and among the publications issued in every province and city, "İli Sea" published in İli province, "Kasgar Literary Art" published in Kasgar, "Turfan" published in Turfan, "Kumul Literature" published in Kumul, "Aksu Literary Art" published in Aksu province, "New Kastasi Magazine" published in Hoten, "Bostan" magazine published in Korla province, "Tengri Tag" magazine under Urumci

authors union and "Nasreddin Hodja" under the Urumci Cultural Department were the national and local magazines that started to be published in this period. As a result, the Uyghur writers and poets had the opportunity to publish their work more easily.

With the development of the publication services mentioned above, the national education in East Turkestan started to experience a rebirth. While the mother-tongue was the main language of instruction in schools, education in Chinese also started to gather attention. All universities had a compulsory preparatory year. On December 6, 1982, Uyghur Autonomous Region former Vice President Ba Dai presented a proposal to strengthen Chinese education in schools and the proposal was accepted. With the passing of the bill, preparatory year of Chinese was made compulsory in high education institutions and vocational schools.

4. The Period of Establishment and Development of Bilingual Education

On September 12, 1985, the Uyghur Autonomous Region education administration directly requested to start education in Chinese in all schools starting from 1985 in the curriculum of five-year primary school, and to start the Chinese education in 1987 through making the preparatory work in village schools. However, this could not be implemented.

On September 25, 1993, in the 4th meeting of the Uyghur Autonomous Region 8th public representatives council, an article was added to Xin Jiang Uyghur Autonomous Region Language and Writing Regulations, demanding the use of Chinese in the political, economic and cultural relations between the minorities and Chinese, stating, "Chinese is the common language used by all peoples in the state of China. The official letters in all official bodies should be written in Chinese." On July 14, 1996, the Chinese Level Test was introduced for the first time.

5. The Period when the Uyghur Education was Completely Eliminated and a Transition was Made to Chinese Education

The Chinese Communist Party Central Political Bureau member and Uyghur Autonomous Region Communist Party General Secretary indicated in his speech on the problems regarding the bilingual education in East Turkestan, that the biggest problem is the insufficiency of teachers, making the following three recommendations:

1. Giving importance to Chinese education in nursery schools

2. Training nursery school teachers with competence in Chinese language
3. Whatever the costs, the realization of these is a must for the high interest of our country.

He also made the following statement in his speech. "We should give importance to bilingual education starting from the first grade of the primary school. We should particularly prioritize increasing the Chinese levels of teachers. From now on, there will be no teachers who do not speak the two languages. As of May 2004, to train 55,000 teachers in Chinese language to train Chinese teachers for primary and secondary schools, 8 years are needed. 3791 teachers were trained in the Chinese language for the last two years, but this number is not sufficient.

The speeches quoted above were implemented and the teachers that do not speak Chinese were made to retire at an earlier age. They were paid their salaries for two years and the salary was discontinued after those two years. For 2010, Chinese education is targeted in all schools starting from the primary school till the university.

Although bilingual education sounds to be good, in practice, this is not a bilingual education at all, and the policy is towards abolishing the Uyghur language altogether. Bilingual education refers to excellent command of one's mother tongue and speaking a second foreign language. In Turkey, in private schools and state schools, foreign language courses are given apart from the education of the mother tongue. The Turkish language was not removed from the curriculum at all. But the practice called bilingual education by China, diverted from its original goal and aimed to make the mother tongue of Uyghurs no longer an education language and thus to remove this language from usage gradually. This is apparently a part of the Chinese government's policy of assimilating the Uyghurs. Apart from this, since 2000, in China's Beijing and Shang hai city, there were classes opened for 4-year high school education, called the Sin Jiang classrooms. In one year of these four years, Chinese education is provided and in the next three years, all the courses are conducted completely in Chinese language. Although the Shin Jiang classes were opened as only two classes in the first year to try the system, these classes multiplied in the following years and the children from villages and towns, rather than the big cities, were registered to these schools and were taken to China. These children started to receive education in Chinese language education in schools, which were run like a camps where children could get out only one day in a week, in the places they were taken to. It is a

fact known by all people that these students were intensely brainwashed in the meantime.

Although many people in East Turkestan are aware of the importance of the usage of the mother-tongue, they are also helpless in this system created in a planned manner by the Chinese government. The students that studied in mother-tongue schools are not employed although they are successful enough in their classes, with excuses indicating that the level of Chinese of the student is not sufficient. Which means that the student in the mother tongue school is labeled as an unemployed person from the very beginning. Moreover, people are brainwashed by the direct statements such as, "The education of mother tongue schools is not sufficient, the Uyghur language cannot adapt to the world's pace of growth any more. Hence, the Uyghur parents send their children to Chinese schools with the concern that their children will be unemployed in the future. If the Chinese policy continues in the same manner, the Uyghur young people who will graduate from these schools in the coming years will be adults that can speak neither their mother tongue nor Chinese fluently and that will be a generation without skills, having troubles for being in between two different cultures.

China's Policy Implemented is Against its Own Constitution

The Autonomous Region law of the People's Republic of China indicates, "In the schools (classes) aiming to educate the minority students and other educational institutions that have the complying conditions, the education should be in the languages of the minorities."⁵ Apart from that, the regulations of the People's Republic of China Bilingual Education Research Association and all the government circulars indicate the same things very clearly. But what makes me concerned is that today education in Uyghur language is being removed from universities, vocational schools, high schools, lately in secondary schools and even primary schools in East Turkestan. The Chinese officials claim that the reason is that the Uyghur Turkish is not a language of science and that the sole reason for the underdevelopment of the Uyghur Region is education in the Uyghur language. However, as we know, the Uyghur Turkish is one of the oldest languages. One of the most significant poets in the Turkish history, Ali şir Nevai, wrote Cahardivan and Hemse, Kasgarlı Mahmud wrote Divan-i Lugat-it Turk and Yusuf Has Hacıp wrote Kutatgu Bilig in this language. The advanced civilizations established by the Uyghur Turks and the contributions they made to the world civilization heritage were all possible thanks to the strength of the Uyghur Turkish.

The Uyghur Turkish was used actively in all fields, like the Mongol and Tibet languages that are within the boundaries of China. The Uyghur Turks had the opportunity to develop their culture as the inheritors of the old Uyghur civilization thanks to their own language. The newspapers, magazines and books that have been published for the last 58 years in the Uyghur Turkish language were distributed to all parts of the world. Moreover, hundreds of thousands of Uyghur Turks are employed in this field. For the last 20 years, the written and visual media has developed rapidly in East Turkestan. In line with the economic developments in East Turkestan, the sphere of usage for the Uyghur Turkish language expanded rapidly as well. All these are related with the richness of the Uyghur Turkish language and the love of Uyghur people to their language. If a nation does not love its mother tongue, does not appreciate its value and does not give importance to its mother tongue, it is not possible for that language to develop and become perfect. What will ensure that the Uyghur Turkish language will live forever without becoming extinct, is the love of Uyghur people for their language. If the Uyghur Turks will love their mother tongue with their leaders, villagers, farmers, rich people, poor people, intellectuals and celebrities, and respect their language, the Uyghur Turkish language will live forever.

The View of the World on this Policy Implemented in East Turkestan

Following China's policy of limiting such cultural rights implemented towards the Uyghur and Khazak Turks, the East Turkestan issue started to gather attention from international civil society organizations such as the Amnesty International and the Human Rights Watch organization in Asia. Particularly the Amnesty International issued five comprehensive reports so far on the human rights violations in East Turkestan. The yearly human rights reports of the United States of America covers the Uyghur issue in detail.

Particularly after the September 11 incident, the Chinese Government started to arrest Uyghur Turks arbitrarily citing international terrorism as an excuse and started to limit the religious and cultural rights severely. The Amnesty International report, entitled, People's Republic of China: Uyghurs Fleeing Persecution as China Wages its "War on Terror," dated July 2004 states on page 4 the following:

"Several additional factors have combined to lend a degree of severity to human rights violations in the Sin Cang Uyghur Autonomous Region over recent years and increased the level of discontent among the Uyghur population in the region. The

failure of the authorities to address grievances held by many Uyghurs about serious and widespread violations of their economic, social and cultural rights remain a source of tension in the region. Unemployment remains high among Uyghurs and the continued influx of Han Chinese workers into the region has reportedly squeezed Uyghurs further out of the labor market. The vast majority of Uyghurs are farmers, they are not proficient in Chinese and have limited educational and employment opportunities. Yet, in recent years, reports indicate that Uyghur families have increasingly been forced from their land by Han Chinese property developers without adequate consultation or compensation⁶. Restrictions on cultural rights have also been tightened in recent years, including the reported banning and burning of tens of thousands of Uyghur books⁷ and the imposition of an official policy banning Uyghur as a language of instruction for most courses and Xinjiang University from September 2002.^{8"}

According to recent reports, all courses except Uyghur Language and Literature are taught in Chinese in many schools in East Turkestan. Such policies of China lead to major discontent among Uyghur Turks. If the practice continues as it is, it will create the foundation for a social unrest in East Turkestan. The time for the world countries to stop this genocide towards the Uyghur Turks, who have an important place in the Turkish cultural history and have made major contributions to the world civilization history, in the 21st century, have already come. Currently, China is implementing the cruel annihilation policy towards Uyghur Turks and also gives importance to propaganda to the world.

¹ Ahmet Caferoglu, *Türk Dili Tarihi* [Turkish Language History], V. 1, pp. 143-144, Istanbul 1958

²² Mehmet Emin Bugra, *Şarki Türkistan Tarihi* [History of East Turkistan], pp. 8-16. Ankara 1989

³ Mehmet Emin Bugra, *ibid.* pp. 23-27

⁴ İklil Kurban, *Doğu Türkistan İçin Savaş* [War for East Turkistan], pp. 9-15. Ankara 1995.

⁵ People's Republic of China National Autonomy Law (Uyghur) pp. 35-36, Nations Publication 2001, Beijing.

⁶ In a recent incident, at least 16 people were reportedly detained by the police in Yili prefecture for protesting at what they said was an unfair relocation package due to the construction of a reservoir and water power station project. See: "Police in Xinjiang detain protesters", RFA, 14 June 2004.

⁷ For example, eyewitnesses apparently reported that in June 2002 books collected from No. 1 Secondary School in Kashgar City were piled up and burned. For further information, see "Uyghur language and culture under threat in Xinjiang" by Dr Michael Dillon, 14 August 2002, Central-Asia Caucasus Analyst. Books which have been banned or burnt reportedly include books on Uyghur history and culture, such as A Brief History of the Huns and Ancient Literature and Ancient Uyghur craftsmanship. For further information, see

Criminalizing Ethnicity: Political Repression in Xinjiang by Nicolas Becquelin in Human Rights in China, China Rights Forum, No. 1, 2004, p. 45.

⁸ See "Xinjiang University to teach major subjects in Chinese", Xinhua, 7 June 2002. Fears about growing restrictions on the use of Uyghur as a language of instruction were heightened further in March 2004

when it was reported that fifth ethnic minority schools in the Xinjiang Uyghur Autonomous Region would be merged with ethnic Chinese schools over the next five years and that teaching should be conducted in Chinese as much as possible. See "China imposes Chinese language on Uyghur schools", RFA, 16 March 2004.

Uyghurs' Rights and Repression: a Chinese View

Marie Holzman

Sinologist

The relations between Han and Uyghur communities took a turn for the worse on July 5th 2009. The tragic events that occurred on that day should have caused the Chinese government to reconsider thoroughly its policy towards East Turkestan (or Xinjiang as it is called in Beijing). Instead, the repression, control and humiliation of the local population have become, under the pretense of fighting separatism and terrorism, even more intense.

Chinese intellectuals have been relatively silent on the subject. As should be expected, the Chinese living in exile reacted immediately after the events and commented on the violence of the anger that these inter-ethnic clashes revealed, but the Chinese living in China have been fairly cautious in taking up this theme. They are worried about the consequences of being too outspoken. We shall mention the comments of two of these intellectuals, Zhang Boshu, and Wang Lixiong. Of the two, Wang Lixiong seems to have understood the importance of the crisis with more clarity and realism than most in China.

What is to be feared now is that Chinese nationalism, which used to be a kind of exacerbated patriotism, should turn into Han nationalism against Tibetan, Uyghur and Mongol claims for recognition of their own status as true nations.

The fact that I, a French citizen, have been invited to talk about the views of Chinese intellectuals at this conference entitled "Uyghurs call for dialogue with China" seems to be a sort of illustration of the problem: If there had been no problems here, why could a Chinese intellectual not come and talk on the subject by himself? I have not seen a single Chinese citizen in the audience, although this is a public event. As a matter of fact, I have personally experienced the difficulty of getting Chinese citizens and Uyghur to sit down at the same table and share an open and honest discussion on the current situation in Xinjiang. (I know the Uyghur prefer the use of East Turkestan, but as I represent the Chinese point of view here, I shall use the word Xinjiang). During a meeting in Geneva at the beginning of the years 2000, which I attended with a number of Chinese dissidents, I tried to organize a meeting over lunch with the then head of the Uyghur's World Congress, my friend Mr Enver Can, and a member of the Chinese Democrats Federation. That conference lasted three days. The first day, there was not enough time. On the

second day, my Chinese friend said he was too busy to come and have lunch with us. On the last day, I insisted that he HAD to come and talk with us. He finally came and sat down at our table. The discussion started, but my Chinese friend kept on saying: "This won't work, that won't work..." Rather nervously, Enver Can asked: "If there is no hope for our generation, what can be done for the next generation? Could we not start educating the young Chinese to know and respect the Uyghur people? "Not under the Chinese Communist Party's regime," was the one and only answer. That "dialogue" was one of the worst that I ever experienced...

The Chinese view of the Uyghur has not always been that negative, though. When I first came to China, in 1975, I was struck by the fact that the Chinese Han liked to sing Uyghur songs and perform dances that they thought were "authentic". They did not seem that authentic to me, but everyone enjoyed playing a kind of Ali Baba game, and the reputation of the beautiful Uyghur girls was at the highest point. In the 1990 s, several incidents and uprising in Xinjiang attracted the attention of the world. The comment of many Chinese, who looked upon these tragic events was: "I'm not surprised to see the Uyghur resorting to violent methods. The Chinese government refuses to listen to their requests and they are pushed into using violence." After the 9/11 events of 2001, the Chinese government managed to get the ETIM organization on an international list of "terrorist organizations". The East Turkestan Islamic Movement (ETIM) has repeatedly been accused by the Chinese authorities of masterminding attacks in Xinjiang. Since then, many in China have started fearing the Uyghur and tried to keep away from them. After the events of July 5th in 2009, the fear turned obsessive. When a young Uyghur asked to stay with me for a month or so in Paris because she was too scared to go back to Beijing, my Chinese friends told me I should "not keep a terrorist under my own roof"!

On the other hand, when the Chinese authorities want to get rid of some people that they deem too outspoken they often send him away to Xinjiang. It was the case in 2003 When the Doctor Jiang Yanyong was shipped off to Xinjiang, he had been accused of giving out information on the spreading of the SARS epidemic in Beijing, thus spilling out "state secrets". More recently, in 2009, Professor He Weifang, an eminent Law specialist at Beijing University was sent away to cool off in Shihezi, just

at the time when access to Internet was cut off for all residents in Xinjiang. They probably don't expect anybody to be able to spread "malicious rumors" in a province as tightly controlled as Xinjiang is.

Thus we can see that the Uyghur problem is usually reduced to clichés, and that these clichés have evolved considerably during the last thirty years, beginning quaint and becoming downright scary more recently. We shall now look at what Chinese intellectuals have been saying on the subject. Mr Zhang Boshu, a Professor at the Chinese Social Science Academy, posted a long article on the Internet on August 12th, 2009, in which he reflects on the consequences of the July 5th incidents. Needless to say he has since then been asked to stay home, and is not allowed to participate in any academic activity...

Mr Zhang's analysis is that the dramatic events in Tibet, in 2008, and in Xinjiang, in 2009, are not to be considered as secessionist events, provoked by nationalists fighting for their independence, but are the result of a dictatorial government.

Indeed, according to this professor, the contradictions between Han and ethnic nationalities are ancient. In Tibet, the inevitable process of modernization of the region was made impossible by the occupation of Tibet by the Chinese army. In Xinjiang, the problems are more complex than in Tibet, because of the existence of a Republic of Turkestan in 1944 and because of the numerous contacts between the Uyghur and Central Asian countries. Moreover the presence of the Chinese administration in Xinjiang disturbed traditional social and political structures. The dreadful "class struggle" of the first thirty years of the regime only managed to create many "enemies of the people" who had to be denounced and persecuted. During that period, it was also mandatory to fight against "old customs" and in particular against religion. These conflicts provoked an uprising in 1959, the heavy military presence in the region and the creation of a special production system during that same year, where Han military personnel are asked to work in tightly controlled areas called "bingtuan". Since then there has been no genuine autonomy, but only control through the Secretary of the Party in the province. He is usually considered as a local emperor or a new type of warlord.

After 1978, according to Zhang Boshu's interpretation of Xinjiang's history, efforts were made to correct the tragedies of the Cultural Revolution and it was decided to give some preferential treatment to the various ethnic minorities. Tibetans, Uyghur, Mongols and others were allowed to have more children than the Han,

and their children had better access to higher education, in theory at least. These decisions created more tension in these parts of China, in Tibet, Xinjiang and Mongolia, as the Han population became jealous of the minorities, in particular in the capital, Urumqi.

A massive movement of population started in the 1990s, and saw numerous Han migrants coming to Xinjiang, which brought about two negative phenomena: it marginalized local peasants and workers, and created a growing gap between the rich and the poor, whether Uyghur or Han, but with more economic problems for the Uyghur than for the Han, as access to bank credit was more or less reserved to Han newcomers.

In the same trend, Buddhist temples in Tibet, mosques in Xinjiang were repaired to attract tourists and launch new economic activities. This did not bring much change as far as tolerance towards true religious activities was concerned. From then on, security measures were on the rise, provoking numerous racist incidents. Many Uyghur have testified that when they travel to Beijing or other cities inland, they are often refused a room in hotels as they are considered to be potential "terrorists".

Zhang Boshu insists that the economic transformation of China and of the Xinjiang region caused the systemic problems of China to spread to Xinjiang: corruption, unjust opportunities given to the Han immigrants have effectively pushed the Uyghur to the margin of society, provoking innumerable incidents. In turn these incidents have provoked more repression. The problem of the local leaders was then to conceal the true reasons of the unrest from the central Chinese government, maintain their power, and, at the same time, do what is called "chi fanfenlie fan", that is "eat the rice of counter secessionist repression". This means that they could ask for more money, more soldiers, more weapons, and spread their local power a bit further than previously... In this context, even a small local incident became a chance to gather more riches and power.

One can see that Zhang Boshu systematically insists on underlining the inherent faults of the political and social system created by the Chinese Communist Party, but he fails to draw conclusions when he observes the growing ethnic tensions in China during the years 2000.

Wang Lixiong is very critical of the attitude of Chinese intellectuals in general, even if Zhang Boshu certainly does not deserve such a treatment. On October 10th, 2004, he commented on their attitude in an interview conducted by Voice of America: "The attitude of Chinese

intellectuals, including the enlightened elites, makes me feel uncomfortable. They usually enjoy talking about reform, transparency, and various reasonable aspects of life, but, as soon as Xinjiang is mentioned, the word that most easily comes to their lips is “kill”. If they believe that China will keep control over Xinjiang through some kind of genocide, then I think they can witness the massacre of thousands and thousands Uyghur without even batting an eyelash.” At that time, Wang Lixiong was often quoted as saying that the quiet situation in Xinjiang was like the calm before the storm, or like a volcano before an eruption. This view was unique in China among intellectuals at the time.

During the last ten years, Wang Lixiong has constantly exposed what appeared to him as irrational in the Chinese government’s attitude. He has repeatedly acknowledged that the communist government has poured huge amounts of money into this part of the country, but that it has in no way solved any problem as far as the contradictions between Han and Uyghur go. Indeed Wang has always stressed that taking into account the cultural and spiritual aspects of social and political life are of utmost importance in solving ethnic problems. But, because the Chinese leaders have never paid any attention to these aspects of local development, Wang Lixiong was quoted as fearing a change for the worst in East Turkestan. He said as early as 2002 on September 9th, on Woerser’s blog: “Xinjiang could well become a new Palestine” where the hatred of the people against the oppressor has become systematic, even among children. In his mind, the situation was then much worse than in Tibet, where the nomads, for example, had no ill feelings against ordinary Han people. As he saw it, ‘a Palestinian situation’ meant that a certain degree of nationalistic hatred had been reached, where no peaceful issue could be found, and that could lead only to war and violence, as we have witnessed for many years in the Middle East.

This intuition was obviously confirmed by the July 5th incidents of 2009. On July 8th 2009, Wang Lixiong wrote, on Newcentury.net, that the government always insisted on finding economic solutions to ethnic problems, but that the gap between the two communities kept on growing. He warned the Chinese leaders that “when you lose people’s hearts, you lose the mandate given to you by heaven”.

Another Chinese political commentator, Mr Chen Yan, a well-known historian living in France, considers Wang Lixiong’s analysis to reflect a better understanding of the problems at the root of Xinjiang’s woes. He believes that even if the Chinese regime were to change in the near future,

the risk of seeing a “Palestinian” kind of civil war in the region might not be avoided. On the other hand the leaders have understood one thing: by using nationalistic feelings without thinking about the possible consequences could well provoke unexpected catastrophes. Indeed, up until very recently, the propaganda always considered nationalistic feeling to belong to all Chinese citizens, whether Han or not. They have now realized that a new kind of nationalism was coming to the surface: Han nationalism, turning against Uyghur or Tibetan nationalism. They are just beginning to understand that separatism was another aspect of patriotism for Tibetans and Uyghur and that, by constantly attacking the so called “separatists”, they were helping local patriotism to grow. That might well be the end of a well-known strategy of encouraging nationalistic feelings to cement national unity. If this strategy leads to civil war, this is obviously not a very practical solution, and it might thus be put aside for the moment.

As a matter of fact, Mr Wang Lixiong has definitely become an authority on cross-nationalities relations in China. His picture was recently posted on the cover of the Tibet Observer (March 2009), a monthly magazine published in Chinese by the International Campaign for Tibet. He is seen receiving a prestigious prize (Light of truth) from the hands of the Dalai Lama. An article published in French in Perspectives Chinoises (March 2008), by Sebastian Veg, is entitled “Les intellectuels chinois et le problème du Xinjiang” (The Chinese intellectuals and the Xinjiang question), but, although the plural is mentioned in the title of this article,, Wang Lixiong ends up being the only Chinese intellectual quoted. This is obviously unfair, since many other intellectuals, in or outside China, have courageously expressed their opinions on ways to promote a true autonomous policy in Xinjiang and Tibet. We will only mention the efforts of the historian Yan Jiaqi, the dissidents Wei Jingsheng and Yang Jianli, and many others, who have long expressed strong support for the so-called ethnic minorities. As we write this essay, we also hear of Mr Wan Yanhai’s misfortune. Mr Wan is known as the creator of the Institute Aizhixing, where he opened a special section on Aids prevention for the Uyghur community in Beijing and in Xinjiang. After years of harassment, he was forced to seek asylum in the US on May 10th, 2010.

More recently, a new phenomenon has appeared, with Chinese lawyers coming to the help of Tibetan or Uyghur political prisoners. In April 2010, for example, two Chinese lawyers, Li Baiguang and Liu Peifu, rushed to the help of a Christian Uyghur, Alimjiang, sentenced to fifteen years in jail for

giving out “state secrets”. His crime? He had a talk with an American, Gregory Kopen, and told him how difficult it was to be a Christian in the Kashgar region, and to talk about religion with other Uyghur. The two lawyers did their best to see Alimjiang in his Xinjiang Autonomous region Prison n°3, but the local and national authorities did not give the permission for a meeting, and they two had to fly back to Beijing from Urumqi on April 15th. Other lawyers, such as Jiang Tianyong, have also been active in trying to push for the release of Tibetans and Uyghur. Most of them have now lost their licenses and are not allowed to work as lawyers anymore. But the simple fact that Han lawyers have started to accept Uyghur cases, and are trying to push the Chinese government to respect its own laws is in itself a very positive evolution and makes one more hopeful for a possible reconciliation between the Uyghur and the Han populations in Xinjiang.

I cannot end this presentation without mentioning Ilham Tohti. This very unusual 40 year-old economist gives weekly lectures in college classrooms in Beijing and has become a real star among his students, a mosaic of Han, Uyghur,

Kazakh, and others. His fearlessness in denouncing the discriminatory Chinese policies has attracted world attention. Yet Tohti is not a separatist or even a political dissident. He’s a Communist Party member, and, in spite of a few “incidents”, a few months of arrest, and a lot of pressure, he continues to express himself out loud. He sees himself as a bridge between Han and Uyghur and many in Beijing consider that if the government cannot endorse his middle road propositions and work with him, then this only proves how difficult it will be to resolve differences between the Party and its restive Uyghur and Tibetans.

And I shall end with a very apt quotation by Dilxat Kaxit, who is also, in his way, a living bridge between Han and Uyghur, as he speaks fluent Mandarin and never refuses to enter into animated conversations with anyone who speaks Mandarin. He is now present at our conference in Brussels and I salute his courage, energy and determination. “Without the possibility of sharing political decisions, there is no way to redistribute economic resources or plan economic development of our region.”

Questions & Answers

1. Numbers without explanations do not say much. So what are the reasons for the gap in education between Han and Uyghur? Xinjiang is part of China, so why shouldn't Chinese people move to this area?

Answer Corinna-Barbara Francis:

One of the main reasons for inequality in Xinjiang is a very low level and unequal investment in education. Ethnic minority schools get less money. The textbooks and necessary equipments are not available. Now they're investing huge amounts into the bilingual programme, but until now there is no improvement in the education level for minorities. So I think, investment is a key issue. Regarding the migration issue: As a human rights organisations, we would not say that the Chinese do not have the right to move to Xinjiang. But policies that encourage this migration cannot violate basic rights. For example, Uyghur students are not allowed to apply for scholarships to go and study in the west of China. There needs to be equality in the benefits and in the opportunities that are given. Or depending on which language you are instructed in, you have more or less opportunity. The Chinese government should be held into account for this discrimination.

2. What is the future of the Chinese policy?

Answer Marie Holzman:

The problem about the future for the Chinese government is autonomy. I mean, if real autonomy could be given to Tibetans and Uyghurs, maybe there would be no more problems. But the logic of the Chinese government is to prevent anybody from getting any kind of autonomy. We have seen that for example with Falun Gong. Falun Gong is a spiritual movement, but the Chinese government doesn't want to have a movement which has its own autonomy and which doesn't obey in every aspect to the orders of the power. So it simply cannot give special freedom or particular advantages to anybody in China. If it starts doing that, the entire system will unravel. That's why you always see contradictory phenomena like some freedom appears somewhere and then that freedom starts sort of growing and then we have the feeling that things are getting better. And then: crackdown. All the Chinese say that without the democratic transformation of society you will not see any progress in Xinjiang or Tibet. But then more pessimistic people say that if ethnic hatred grows, even in a democratic China the solution might be hard to find. So I don't know what the future holds for us. I can only hope that the young generation or a part of it is becoming very

orientated to humanitarianism, generous actions, spiritual involvement, etc. We can only hope that these people grow into more open-minded adults and change China, but as China is now, on the course that has chosen, I don't see any particular hope.

3. In Turkey, is there any public or internal movement that the Turkish are working with the Chinese to reverse some of the cultural policies?

Answer Faruk Ünsal:

As we all know, Turkey is the only friend country, which Rebiya Kadeer is not able to visit. That does not mean that Turkish policy is against Uyghurs. But economic interests are more important than the other ones, but we know that political and civil actors deal with this issue.

Answer Erkin Emet:

In Turkey there are many projects going on about the Uyghur culture. There is for example a project on learning Uyghur via Internet and in many Turkish faculties, Uyghur language and culture are taught. We also have a publisher who publish books on the Uyghurs and which are banned in China. And on the other hand, there are books written in East Turkestan and which are then banned in China, which we would like to publish here in Turkey and contribute to the survival of the Uyghur language and culture. In that sense, the Turkish government is doing a lot.

3. What can the Uyghur diaspora do for a mutual understanding not only abroad, but also within China?

Answer Marie Holzman:

The diaspora unfortunately cannot go into China to change the situation on ground. It is simply impossible, because Uyghurs coming from abroad and entering China, get registered and will be arrested within a few days or weeks. I don't imagine how that can be done, at least not at this moment.

Answer Corinna-Barbara Francis:

If you want to move forward, you have to find ways, even little ones. There are bright spots and you have to focus on them. For example, the fact that Ilham Tohti can exist and teach Chinese students is remarkable. You can also focus on non-political things, like trying to improve education for Uyghur children. This is especially valid for people in East Turkestan, not so much for people in exile. And there are other minorities. So, the more you work with others the stronger you'll be.

PICTURES PANEL 2



Marie Holzman, Marco Perduca and Corinna-Barbara Francis



Erkin Emet and Marie Holzman



Corinna-Barbara Francis, Faruk Ünsal and Willy Fautré



Andrew Swan, Erkin Emet, Marie Holzman, Marco Perduca



Conference room

FRIDAY, 30 APRIL 2010

PANEL 3

BUILDING MUTUAL UNDERSTANDING IN EAST TURKESTAN

Moderator: **Mr. Marco Perduca**, Senator of the Italian Senate

Statement

Ms. Rebiya Kadeer

President of the WUC

After China's Crackdown: Challenges for the Uyghur Cause

Mr. Ulrich Delius

Asia Director, Society for Threatened Peoples (GfbV)

The Conditions of Achieving Durable Peace in East Turkestan

Mr. Perhat Muhammad

Senior Researcher of WUC Research Center and Vice-President East Turkestan Union in Europe

Planning for a Democratic Future: What Uyghurs Can Do To Prepare Now

Ms. Louisa Coan Greve

Vice President, National Endowment for Democracy (NED)

The Events of 5 July 2009 in Urumqi – Strategies for the Future

Mr. Dolkun Isa

Secretary General of WUC and of the East Turkestan Union in Europe

Statement

Mr. Enver Can

Former Vice-President of the WUC

Questions & Answers



Statement by Rebiya Kadeer

President of the World Uyghur Congress (WUC)

Listening to the speeches of the panellists here, I started to feel very passionate. Already prior to my release from the Chinese prison, our Uyghur political leaders whether in East Turkestan or in Central Asia fought for their freedom and for the liberation of East Turkestan nonstop and for the freedom of all the people in East Turkestan. However, the nonstop struggle has been faced by the Chinese government through repression and repression. The Chinese gave us what is no the Uyghur Autonomous Region, promised Uyghurs self-rule, however until today, the Chinese are not giving peace to the Uyghur people. But the Uyghurs continued to fight for their freedom and their liberty and never stopped for one minute and they have never lost their hope. I am confident that in the future we will not lose our hope. Our people always wanted independence, some want autonomy. Since I was released from prison, we all are making peaceful demands all over the world for a solution. Prior to my release, people like Nury Turkel, Alim Seytoff, Omar Khan or Rushan Abbas in the United States, and many other Uyghur dissidents in Turkey, Germany and the rest of the world, fought for the freedom of the Uyghur people. At that time, NED also funded the Uyghur associations. I came out of prison when they got some grants and also political support by the American Congress. I am very grateful that freedom-loving people in the world and organisations like Amnesty International, Human Rights Watch, the Rafto Foundation or the Society for Threatened People made sure and secured my release from prison. Since I became free, I began to raise the voice of the voiceless Uyghurs and I became the voice of freedom. I am proud of the

trust given by the Uyghur people and political activists. Then I was able to get this kind of political backing. And I am very grateful for the support of western governments, because this support is crucial. People in the West realise that we are making legitimate demands. So just as they support Tibet, they also support us, because they know that we are making our demands peacefully and without violence. We are also working according to international law and we are making realistic demands to the Chinese government. We struggle peacefully to preserve our identity within Chinese laws and international standards. But the Chinese government did not recognise our peaceful struggle. In fact, the Chinese should thank NED, the US and the Western World, because with them we can engage in a non-violent struggle and they help us to prevent the radicalisation of Uyghur people. But even though, the Chinese government is criticising us for our struggle. However, the Chinese government's repression has intensified in our country and the Uyghurs have been systematically massacred and assimilated. Tens of thousand Uyghurs are in prison. Just some days ago, 20 Uyghurs were sentenced in Gulja, many of them to death, among them a 16 years old girl. I think that we should change our policy position fundamentally to deal with the current challenges. The international community should understand our situation as much as the Tibetan one. Even if the Chinese authorities are intensifying the repression, we should make a proposal and invite the Chinese to start a dialogue with us, and the international community should support us in this.

After China's Crackdown: Challenges for the Uyghur Cause

Ulrich Delius

Director Asia Desk, Society for Threatened Peoples (GfbV)

Dear friends of East Turkestan,

Last year has been a tragic year for Uyghurs. 12 years after the massacre in Gulja, once again Chinese security forces brutally cracked down on peaceful protesters in Urumqi in July 2009. The unrest which turned violent became a pretext to start a new wave of repression. After the Gulja massacre at least during 7 years the authorities launched unfair trials with 500 cases of death penalty and executions. Now hundreds of Uyghurs still are waiting in prison for their trials. Many of them are forced by torture to make a confession. The so-called trial rarely takes more than half an hour or an hour. These procedures are a travesty of justice.

The events in Urumqi were tragic because they highlighted the disastrous state of the relationship between Han and the indigenous population of East Turkestan. Despite the official claim of "ethnic harmony" ethnic tensions escalated due to a deliberate campaign by Chinese authorities. They used media censorship to promote photos and films of marauding and murdering Uyghurs to launch a campaign of hatred. Almost only Uyghurs were blamed for violence, photos of Uyghur victims of Han violence were forbidden in official media. We are deeply concerned about the violence of Han and Uyghurs. Ethnic hatred and violence are no solution to the conflicts in East Turkestan. Whatever the future will bring to Uyghurs, in any case they will continue to be neighbours to Han people and they had to search for a mutual understanding. Therefore we are deeply deploring all attempts by Chinese authorities to intimidate Uyghur intellectuals trying to inform Han about the background of the unrest.

After the unrest China considerably increased its military presence in Urumqi. Some 130.000 armed security officials patrolled the city. The expenditure on public security was increased by almost 90 percent. Instead of analyzing the causes and the background of the protests, China now is only concerned with the reinforcement of security. Chinese authorities are refusing to accept an independent commission of inquiry to research and document the origin of the violence and to elaborate a new policy on nationalities. After the unrest in Tibet in spring 2008 and the protests in Urumqi it's obvious that China has to reconsider its nationality policy if it intends to prevent further unrest. But instead of searching for a peaceful solution and for dialogue with legitimate Uyghur

representatives, the Chinese government sends more police and army staff to Xinjiang. Furthermore the "Hit hard" campaign has been tightened up, in the course of which several thousand Uyghurs have been arrested. That's a recipe for disaster, East Turkestan becomes a time bomb and it is only a question of time when it will explode once again.

The individual cases of forced disappearances, arbitrary arrests, torture, unfair trials and executions of death penalty have raised considerable concern among human rights activists worldwide. But the broad debate on human rights in East Turkestan more or less ignored the rapidly changing legal background of the persecution of Uyghurs. Two new laws which came into force in the last months in East Turkestan should be brought to a broader knowledge of the international community. The "Law on Ethnic Unity" and the "Law on the Transmission of Information" are the most challenging threats to a reform of the regional autonomy status in Xinjiang and a slap in the face of all those claiming that China is heading to become a state under the rule of law. It's a normal procedure in all democratic societies that legal reforms are undertaken. These reforms are encouraged by public debates in parliament, media and political conferences. Most experts on East Turkestan are criticizing the actual status of regional autonomy which is not implemented and only provides an extremely restricted range of decisions for Uyghur politicians and administrative officials. They suggest a profound reform of the autonomy statute. But there is no easy way for reform in East Turkestan, especially after the Xinjiang Regional Government passed the new "Law on Ethnic Unity". This law prohibits under the threat of criminal persecution any public discussion on the actual status of autonomy. Once again a travesty of justice and of good governance that documents that Chinese authorities are not at all committed to implement democratic reforms regarding nationality issues. We should bring that message to the knowledge of politicians and governments all over the world.

The "Law on the Transmission of Information" seems not less distorting good governance and the freedom of information. This law prohibits under the threat of criminal persecution the spread of any critical news covering the situation in East Turkestan. That's one of the reasons why we are experiencing a nearly complete blackout of independent information coming out of East

Turkestan since several months.

The international awareness regarding the plight of Uyghurs in East Turkestan massively has been increasing since the unrest in Urumqi in July 2009. On the one hand, these are good news because we have been searching since a long time for a broader coverage of the Uyghur issue. But not all the media coverage might be helpful. It took some time to understand that Chinese authorities systematically used the media coverage to launch a campaign of defamation against the “World Uyghur Congress”. After the protest turned violent, Beijing has been looking for a scapegoat to explain the ethnic tensions and to search for new means to intimidate Uyghur human rights defenders living in exile. “World Uyghur Congress” has been blamed by Chinese authorities to be the mastermind behind the protests. It’s a ridiculous campaign to divert attention from the blatant failure of Chinese nationality policy in East Turkestan. But the campaign had some negative impact on the international perception of “World Uyghur Congress” and limited the freedom of movement and information of Uyghur human rights defenders. During international visits of WUC-President Rebiya Kadeer in Australia, New Zealand and Japan and during Dolkun Isa’s visit to South Korea, Chinese authorities launched massive campaigns of protests and defamation. WUC is presented by Beijing as an enemy of state, an extremely dangerous campaign due to the official control of Chinese media which will have some negative impact on the perception of the Uyghur’s plight by Han-Chinese. We are facing a great challenge in maintaining our campaign for human rights and democracy in East Turkestan while being careful to avoid any rash comment which might be used by Beijing against us.

Besides the unrest in Urumqi most of the other massive human rights violations in East Turkestan have been ignored by the international community: the denial of religious freedom, the destruction of Uyghur culture and language, the denial of justice and jobs, the government supported migration of Han-Chinese, and the deliberate destruction of the ancient city of Kashgar. For more than a thousand years, Kashgar was a key city along the Silk Road, the 9.000 kilometres trade route connecting China’s Yellow River Valley with Europe. Furthermore its mosques and madrashas drew scholars from all over Central Asia. The deliberate demolition of ancient Kashgar is a tragedy and a crime against the protection of World Heritage sites by UNESCO. Society for Threatened Peoples has lobbied UNESCO to enlist the ancient city of Kashgar in the World Heritage

List, but unfortunately China has refused any concrete steps to protect the old city.

For years many of us have been lobbying for protection of the 17 Uyghurs in Guantanamo US military camp. It was meaningful that the tiny country of Switzerland finally accepted to provide asylum to 2 Guantanamo detainees, but that all bigger EU countries refused a humanitarian gesture due to Chinese pressure. 10 Uyghur detainees left for Palau and Bermuda Islands, really no bright idea because no local Uyghur community will be able to assist them and at least on Palau no real security could be provided to them. We all knew about the desperate situation of the Uyghur Guantanamo detainees and we all hoped that their nightmare immediately should stop. Therefore any place in the world might be better than Guantanamo. But nevertheless we hope that the US Government will accept to finally allow the last 5 Uyghurs in Guantanamo to resettle to the US.

2009 was a tragic year for the Uyghurs, not only in China, but also in many Central Asian republics. The growing economical and political influence of China has a direct impact on Uyghur civil society in these countries. The latest unrest in Kyrgyzstan documented the lack of good governance in Central Asian republics. We would like to honour our colleagues from Kyrgyzstan, Kazakhstan, Uzbekistan and Turkmenistan for their tremendous efforts to lobby for human rights for Uyghurs under these harsh conditions.

Let me say a last remark regarding the European Union. European Parliament has been always been much committed to the Uyghurs cause. But European Commission very often fails to address the human rights situation of ethnic nationalities and especially the persecution of Uyghurs in their official contacts with China. Definitely we are expecting more commitment of the European Commission in regard to human rights in China. Unfortunately many governments of EU member states are more and more reluctant to urge China to respect international human rights standards due to a growing economical and political influence of China. But if we want to prevent ethnic conflicts which might destabilize the whole People’s Republic of China, then we had to act now. Ignoring human rights violations today will lead to more persecution and violence in the future. No European country and institution should have any interest in an upsurge of violence in China. Therefore we need action of the European Union now!

The Conditions of Achieving Durable Peace in East Turkestan

Perhat Muhammad

Senior Researcher of WUC Research Center and Vice-President East Turkestan Union in Europe

The continues escalation of the conflict between the migrant Han-Chinese and the indigenous Uyghurs and the rapidly increase of rightful resistance of Uyghurs against the tyrant rule of Chinese authorities, are not only endangering the social stability of East Turkestan and the national security of China, but also forming a potential threat to the regional stability of central Asia and the world as a whole.

This worsening trend makes the international movement for freedom, democracy and human rights for the Uyghur people led by Ms. Rebiya Kadeer, who has been advocating the peaceful resolution of the Uyghur issue in a way of mutual dialogue and respect with China, extremely worry.

I would like to sincerely emphasized the point that Ms. Rebiya Kadeer and her international campaign for Uyghur people has never intended to benefit from the worsening conflict situation in East Turkestan and to use it for own political interests. In the pace of the history, the ethnic conflicts and wars have never brought benefit to the people of East Turkestan and the Chinese people. We surely believe that the true enduring peace and stability is for the interest of both people.

I also would like to underline the point that the World Uyghur Congress (WUC) led by Ms. Rebiya Kadeer will continue its campaign for the freedom, human rights and democracy for the Uyghur people and their right to self-determination by fully respecting all relevant international laws and democratic principles.

The hard-handed policies and violent repressions by the Chinese authorities in East Turkestan have been increasing conflicts in the region and forcing the indigenous people to continuously stand against the tyranny.

If we look back to the recent history, we can see that the harsh Chinese policies in the region including brutal crackdown on any kind of Uyghur dissents, large scale launch of arbitrary detention campaigns and many others, have only contributed the broad discontent of the Uyghur people towards the government, the rapid increase of resistance and the worsening of the ethnic conflicts. Whenever the Chinese authorities launch the so-called "strike hard campaign against the three evil forces", the discontent and the resistance of the Uyghurs consequently increase all across the region.

Very unfortunately, the Chinese government has not yet learned lessons from its obvious policy failures, which can be observed from various standpoints.

If we study the period of history from the Barin Uyghur peasants uprising in 1990 until now, we notice that the Uyghur national resistance against the unjust of the Chinese government has been increasing from time to time.

Particularly after the so-called "Develop north-west strategy"-policy had been implemented all across the East Turkestan since 2000, the conflict between the exploding number of Chinese migrants and the indigenous Uyghurs, as well as between the Chinese authorities began to sharpen.

After the 11 September 2001 terrorist attacks and the following "international war on terror", the Chinese government immediately began to justify its repression policy against Uyghurs with "anti-terrorism campaigns". Chinese authorities labelled the Uyghur dissident movement for freedom, human rights and democracy as the "three evil forces of terrorism, ethnic separatism and religious extremism" and launched a large-scale crackdown on any kind of Uyghur dissent. These kind of endless crackdown campaigns already caused that countless people have been arbitrary detained and killed.

The bloody happening in Urumqi last year shows how dangerous the situation has already been developed.

The entire law enforcement forces in East Turkestan are still concentrating almost all of its efforts on only one mission, which is to strike hard the "three evil forces" in the region. The Chinese propaganda apparatus on the other side directs its propaganda campaigns both nationally and internationally towards the accusation of Uyghur dissidence with the label of "three evil forces".

Then, who are the so-called "three evil forces" after all?

In the opinion of the Chinese authorities they are the people of East Turkestan, who are claiming their illegible rights enshrined in the Chinese constitution and ethnic territorial law of the Xinjiang Uyghur Autonomous Region and who are against the systematic economical and political discrimination by the Chinese authorities as well as their colonial policies in the region.

As the Chinese authorities forcedly imposed nominal "autonomy" to the people of East Turkestan on 1 October 1955, they haven't defined clearly the administrative power of Uyghurs under the region's autonomic law and so left the Uyghurs with no executive power. Although the Chinese authorities called the region with "Xinjiang Uyghur Autonomous Region" on the basis of the overwhelming majority of the Uyghur people within the entire population of East Turkestan in 1954, but they have neither given a clear definition of the political position of the Uyghurs, nor concrete measures to protect their national identity, economical, social and cultural rights of the Uyghur people.

Therefore, the "autonomous region" has been arbitrarily ruled by the Chinese authorities until 1980 like a state without constitution or an organisation without its own covenant. Many policies applied in other Chinese provinces have also been unanimously applied to East Turkestan without taking the autonomous status of the region into account. The Cultural Revolution, anti-revolution campaign, anti-right and anti-left campaign and many another devastating political movements have been launched in East Turkestan as in other parts of China.

After 30 years of the establishment of the so-called Uyghur Autonomous Region of Xinjiang, the Chinese authorities passed the legislation, "The Ethnic Territorial Autonomic Law of the People's Republic of China", which took effect on 1 October 1984, but this law has never been executed.

Currently, there are many insatiable elements and conflicts in the bordering region of East Turkestan, for example in Afghanistan, Kirghizstan and Pakistan etc. and it can influence East Turkestan and China.

The increasing instability in East Turkestan is not only against the interest of the Uyghur people, but it also endangers the Chinese national security and the interest of the Chinese people.

We all know that East Turkestan has an extraordinary strategic importance for China in national defence and energy supply. Currently, China is highly dependent to the energy resources of East Turkestan, especially those basic energy resources for the Chinese industry such as oil, natural gas and coal. Besides that, East Turkestan is also the central hub for oil and gas transport pipelines, where there are already 5000 km long pipelines going through East Turkestan's soil.

Generally speaking, East Turkestan today is significantly important for the Chinese industrial and economical development and so the conflict situation and instability in the region will definitely be harmful for the Chinese national interest as a whole. Any sort of uprising of the people or the ethnic conflicts in the region can cause enormous economic destruction and loose of lives and destabilize China at the end.

China has been taking harsh measures to ensure stability in East Turkestan, but we can draw a clear conclusion from the worse developments in the region in last few years. To control the people with repression and fear without revising its discriminate policies towards them cannot succeed and will not succeed also in the long run.

China has only one choice to improve the situation, that is, to give up its hard-handed polices in the region and rather give the Uyghur people their political, economical, social and cultural rights which they have deserved, and ultimately resolve the existing conflicts though mutual respect and dialogue with the true representatives of the Uyghur people.

Planning for a Democratic Future: What Uyghurs Can Do To Prepare Now

Louisa Greve

Vice President, National Endowment for Democracy (NED)

Three weeks ago in Jakarta, Indonesia (Indonesia being a new democracy), the World Movement for Democracy convened its 6th Assembly. Six hundred delegates attended to discuss the theme “Solidarity Across Cultures: Working Together to Achieve Democracy.” The Uyghur human rights movement was represented by the World Uyghur Congress—Dolkun Isa attended. One panel session at that meeting was particularly relevant for our meeting here in Brussels.

The panel topic was “Planning for a Democratic Future: Lessons from Past Transitions.” The speakers were all from former communist countries: the countries of the former Soviet Union, and Eastern and Central Europe.

Both positive and negative lessons from the successful and some of the less-than-successful transitions, or attempts to have a transition to democracy and genuine good governance, in these countries. I thought I would share with you some of the main conclusions of this panel, and say a little bit about some of the ways that Uyghurs who are trying to plan for a free future for themselves, how they might learn from this distillation of lessons.

Here was the conclusion of the panel: true democracy building takes at least two generations, they all agreed, quoting Vaclav Havel reflecting on the 20th anniversary of the Velvet Revolution in Czechoslovakia. The panel continued to point out that in fact, building democracy is a never-ending process.

Transitions to democracy are extremely difficult, and they are not just the business of the elites. Common problems, even once the transition has begun, include a high level of corruption, poor economic performance, the political elite’s inability to agree on the goals of the transitions themselves, and continued non-democratic behaviour of officials and politicians—the temptations of abuse of power are always there.

These challenges in turn make the people ambivalent, disappointed in the failure of democracy to deliver on its promises, and in turn, the people may be prepared to welcome non-democratic rule: a leader with a strong hand.

By anticipating these possible problems, democrats who are trying to aim for a democratic future can do a better job of preventing the failure of attempts to bring democratic rule. They should anticipate possible problems in constitutional

design and constitutional reform, and provide solutions that are best suited to prevent these problems, and this is a particularly important role for civil society.

Democrats should prepare for a long period of transitional problems—failure or inability to establish democracy that delivers, as they say, good governance.

Those who are pushing for a change in the system and transition have to pay attention to their own moral values—the high moral values of opposition and pro-democracy groups are an absolute requirement.

And specifically, some of the most important questions to think about in advance, which can be done in exile and at home, include the following:

First, constitutional design: this of course could easily apply to questions of an entire country or designs for autonomy as we’ve been discussing yesterday. Second, institutional reforms in other areas, particularly institutions of accountability, elections, monitoring public finances, fighting corruption, and monitoring the performance of local as well as national governments, independent judiciaries, and human rights protection bodies.

Third, civic education -- preparing the public for its role in democracy. Fourth, assisting communities to organize themselves to take action on issues that matter for them and for their daily lives: water, education, health care, and so on. Fifth, continuing to cultivate the kind of international support that is not only necessary to press for change and an end to authoritarianism, but then to support the success of the future new political arrangements.

Sixth, the need for civil society to think about its role not only as a watchdog and a source of pressure for accountability, but also contribute strategic thinking in a positive way about the needs and foundations for success of new institutions, which are designed to produce good governance but need continued input from outside the government and from civil society.

And finally, the question of media – the imperative for independent media develop itself, remain impartial and continue to serve to channel different voices, pluralistic views on how governance should be managed, and on politics.

Let me say when Uyghurs think about the future, their hopes, their optimistic view that they will be

planning for an open society in their homeland in East Turkestan, four major areas of work can be done from exile now.

First: We've already talked about constitutional design and this conference here in Brussels has already addressed this topic to a great extent, and again in the future days you will be looking at this more, particularly in Saturday's training seminar and workshops on autonomy arrangements around the world.

Second: Development of media. Any future East Turkestan will have, no doubt, Chinese-language media but also Uyghur-language media. Models for what kinds of new media and "old media" should be developed, media that are prepared to operate not only in the atmosphere of freedom of the press in the absence of government restrictions, but also maintain the highest standards of professional ethics, of responsible journalism.

Third: There should be a high priority on civic education, as the panel in Jakarta emphasized, human rights education and education for democracy.

And finally, civil society: what are the roles of various kinds of NGOs in society -- professional associations, political parties, and other kinds of nongovernmental institutions. Do they know how to govern themselves? What are their own standards of institutional ethics? Gaining experience in running this kind of organization is invaluable; they can be laboratories for democracy, even when people are only able to organize such activities and gain such experience while in exile.

One other point: we want to make sure that we don't have the illusion that planning for the future, a democratic future or an open society in East Turkestan—can be done only by Uyghurs. This is something that will inevitably involve Chinese official institutions, and of course the Chinese people—Chinese people who live in East Turkestan, Chinese people who live in China, and Chinese institutions which are, up until now and for some time into the future will be, governing East Turkestan and China.

And in particular Uyghurs and Chinese will need to work together on constitutional design and such issues as language policy, educational policy, designing certain kinds of institutions --governance institutions -- and provisions of public services and public goods. It's going to be very difficult for Uyghurs to have planning sessions and think about proposals, concrete proposals which will be ready for discussion for the people, for adoption in a new era. But as difficult as it will be, these need to be done in consultation with Chinese democrats along with Uyghur democrats.

So my message is this: there are a number of important practical matters that need to be discussed. These kinds of discussions are themselves a way to build not only a vision for, but also a pathway to, a flourishing democratic way of life for Uyghurs in East Turkestan. Uyghurs can begin now, and then they need to have that concrete discussion with as many Chinese friends as possible. Thank you.

The Events of 5 July 2009 in Urumqi – Strategies for the Future Dolkun Isa Secretary General of WUC and of the East Turkestan Union in Europe

Dear ladies and gentleman, honourable guests,

I feel very happy that there is another international conference in the European Parliament on the Uyghur issue and I believe that my fellow Uyghur participants are sharing the same joy with me.

On this very occasion, I would like to extend my sincere appreciation to the ALDE Group and its vice chairman Mr. Niccolò Rinaldi, UNPO General Secretary and my friend Mr. Marino as well as Ms. Louisa Coan Greve from the National Endowment for Democracy (NED) for generously supporting us and enable us to organize a wonderful conference here.

I also would like to special thanks to the all UNPO staff members including Mr. Andrew Swan and Ms. Jana Brandt for their great contribution to this project.

I would like to mention two good news from yesterday: Firstly, the Bavarian Prime Minister Horst Seehofer visited China and was asked by the Chinese government to place the WUC on the terrorist list. But Mr. Seehofer highlighted that the WUC is doing a peaceful work within the legal framework of Germany and therefore sees no reason for doing so.

Secondly, Emine Erdogan, Mr. Erdogan's wife, participated in a women seminar here in the European Parliament. During the "Question and Answer" session I made a comment on the situation of Uyghur women in East Turkestan and I also sent her greetings from Ms. Rebiya Kadeer and told her that Ms. Kadeer would like to meet her. Unfortunately this will not be possible due to time constraints of Ms. Erdogan. However, I also asked her to raise the Uyghur issue in meetings with Chinese authorities.

Now I will get back to my speech. As everyone in this room knows, on 5 July 2009, a bloody massacre was committed on the Uyghur people in East Turkestan's capital Urumqi. The Chinese authorities with excessive force mercilessly oppressed a very peaceful Uyghur demonstration. About ten thousand Uyghurs went to the streets of Urumqi on that day and peacefully asked the Chinese government for justice for those innocent Uyghur victims butchered by their fellow Han-Chinese workmates in a toy factory in eastern China. What they asked the government was nothing more than that these perpetrators should be punished according to the Chinese criminal law. Very unfortunately, the Chinese authorities have

chosen their old fashioned tactic again, which has been applying against the Uyghur people in East Turkestan at least since 60 years, to crush the unarmed peaceful petitioners with excessive military and police forces with live ammunitions.

At about 9:00 p.m. on 5 July 2009, the Chinese authorities cut down power supply in the city of Urumqi and massacred innocent demonstrators in the deep cover of darkness. According to our knowledge, the Chinese military and police have blocked major roads and possible escape routes and left the Uyghurs within the blockade without a chance to escape from the bloody massacre.

Although the Chinese statistics tell the number of casualties to be 197 including 145 Han-Chinese and 45 Uyghurs, but the eyewitnesses who were able to escape to abroad are reporting the number of Uyghurs killed could reach few thousands.

It is also difficult to estimate the number of people injured during these bloody crackdowns. We have eyewitness accounts that tell us that many injured Uyghurs were transported to the hospitals, where they were finally killed. We have also reliable information that can proof the bodies of Uyghurs killed in hospitals were transported with garbage transport vehicles.

Countless people have disappeared since the Chinese authorities began its massive crackdown campaigns all across East Turkestan. Even some parents who sued the police department for their disappeared children have also been detained. There are many people who are traumatized and threatened by the Chinese police to keep silence about the sufferings.

All kind of communications between East Turkestan and the outside world have been completely blocked by the Chinese authorities from 5 July 2009 to 22 January 2010. It is impossible to grasp the reality of this kind of total blockade of communication and rude denial of basic human rights of accessing information, happening in the 21st century. On this regard, we have launched campaigns together with all affiliate organizations of the World Uyghur Congress (WUC) to appeal the UN, EU as well as the democratic western countries to raise awareness to this issue. According to our knowledge, at least 1500 Uyghur language websites operated within the Chinese territory have been shutdown and webmasters as well as writers of famous Uyghur language forums and blog such as Diyarim, Shebnem and Orhun have been forcedly disappeared by the Chinese

security apparatus.

Chinese courts have tried nearly hundred Uyghurs in relation with the peaceful demonstration on 5 July in Urumqi in several court sessions beginning in late October 2009. In the short period of 12 October 2009 to 25 January 2010, already nine special court sessions have been opened in relation to the demonstration in Urumqi. According to the official Chinese media, 83 Uyghurs have been sentenced, 33 of them to death, another 50 were sentenced with different prison terms including life sentences. Until today, 28 Uyghurs have been executed and another six would be executed in the next two years.

On 12 October 2009, the Urumqi People's Middle Court opened the first special court session and sentenced seven Uyghurs, six of them received death penalty and another one life sentence; on 14 October 2009, four individuals were sentenced to death; on 3 December 2009, five individual were sentenced to death; on 4 December 2009, three individual were sentenced to death; on 22-23 December 2009, ten individual were sentenced, five of them received death sentence with immediate execution and another five with two years probation; on 25 January 2010, another five individual were sentenced to death.

The Chinese government not only does not stop its ongoing crackdown on Uyghur population following the peaceful protest on 5 July 2009 in Urumqi, but they even enlarge the scale of its state terror all across East Turkestan. Numberless innocent Uyghurs have been arrested by the Chinese authorities simply on their so-called "suspicion appearance or behaviour". Many people, who neither attended nor have any links with the protest in Urumqi, have also been detained. The Chinese media reported that the number of people who participated in the demonstration in Urumqi was about 3,000 and the armed police and military personal used in the crackdown were about 1,500. If we only sum the numbers reported by the Chinese official media from 5 July 2009 to 10 January 2010 together, we get 3,150 people who were arrested in relation with the Urumqi demonstration. This exceeds already the number of people who participated to the demonstration on that day!

The official Chinese news website "Tianshan" reported on 4 January 2010 by citing the report of Kasim Mahmut, the Chief of the Xinjiang Uyghur Autonomous Region Public Persecutors Office, to the 3rd General Meeting of the 11th People's Consolidative Congress of the Xinjiang Uyghur Autonomous Region, that the different level of regional office of the Public Persecutors have detained 18,527 individual and filed law suited

over 22,677 individual in whole 2009.

Unfortunately, the reactions from the international community were extremely soft to the ongoing tragedy in East Turkestan. Of course, the international media have covered these incidents with great interest. But the soft official position of UN, EU, US and other countries as well as international organizations and their China friendly statements towards the bloody crackdown has extremely discouraged us.

A WUC delegation headed by its president Ms. Rebiya Kadeer has visited three times the European Parliament from July to December 2009 and discussed the tragic happenings in East Turkestan with Members of the European Parliament, representatives of the political parties and EU Committees. We appealed the EU to exert pressure to the Chinese authority to end ongoing crackdowns in East Turkestan and gross human rights violation of the Uyghur people. UNPO General Secretary Mr. Marino and his staff members including Mr. Andrew Swan have made great jobs during this period.

As a result of these continues effective bilateral engagements, the EU issued a statement on 12 November 2009 to condemn the Chinese authorities for excessively using death penalty on Uyghurs and call to stop the ongoing repression against the Uyghur people in East Turkestan.

On 26 November 2009, the EU adopted a resolution on Uyghurs and Tibetans in a general meeting in Strasbourg. On 30 November 2009, a bilateral human rights dialogue between the EU and China was launched. Ironically, the Chinese authorities still sentenced five and three Uyghurs on 3 and 4 December 2009 respectively to death, while the human rights dialogue with the EU was continuing.

China has been applying violent force to suppress any kind of dissident voice while labelling them with the "Three Evil Forces" and is aggressively pursuing its own path to resolve the issues in East Turkestan and the plight of the Uyghur people by terrifying them with death, prison and any possible sorts of violence. These violent repressions are seemingly effective to temporarily silent the people, but it will definitely bring dangerous consequences in the long run. The aggressive policy of the Chinese government has caused and sharpened the conflict between the Uyghur and Han-Chinese people. We are extremely worried about the future of this vicious development of this situation, which will be developed into a bloody ethnic conflict in East Turkestan and China as a whole.

Therefore, as being the World Uyghur Congress,

we have been calling the Chinese authorities for resolve the issues in East Turkestan through a peaceful way of dialogue and mutual respect. As part of our efforts, we organized this conference to promote the idea and call the Chinese authorities for dialogue.

We must say that the Chinese authorities have been continuously rejecting to commence a dialogue. But we believe that the international community, especially the democratic countries can play substantial role to convince the Chinese authorities to come to the dialogue table.

It is definite that the situation in East Turkestan will further escalate and at the end to worsen into a bloody armed conflict, if the democratic countries, especially the countries in the West continuously

pursue their economic interest in China on the cost of ignoring the situation in East Turkestan.

The people of East Turkestan are expecting the free world for hope. With this hope, they have been patiently raising their desperate plight in a peaceful way regardless of the brutality of the Chinese state. If this hope dies, there will be unimaginable consequences and great loss of lives. The Uyghurs have lost almost everything! The only thing they have left are their lives! One will have no fear to loose, if one has nothing to loose! And so their life!

I appeal again the world, especially the democratic western countries, the EU and the US to take urgent measures in the Uyghur issue.

Thank you for everybody's attention.

Statement by Enver Can

Former Vice-President of the World Uyghur Congress (WUC)

The Uyghur people have been struggling for human rights and freedom for decades. The Uyghur diaspora movement was launched by our first leaders, Mehmet Emin Bogra and Isa Yusuf Alptekin who had left East Turkestan in 1949 after the invasion of our country by the so called People's Liberation army of China. We, the second generation, have inherited the struggle and have taken it to the world community and the western democracies with the establishment of the East Turkestan Uyghuristan National Congress in 1999. The East Turkestan Uyghuristan National Congress merged with the former World Uyghur Youth Congress and formed today's World Uyghur Congress in 2004. The diaspora Uyghur movement gained strength after the establishment of the WUC and especially in 2005 when our leader Ms Kadeer joined us.

The East Turkestan Uyghuristan National Congress held a one-day international conference in November 2001, just month later after the 9/11 terrorist attacks and they held one-minute silence for the victims. The conference was hosted by the Transnational Radical Party here in the European Parliament. The conference was entitled "The situation of East Turkestan's people after half century under Communist Chinese rule" and it was the first international gathering of its kind with the participation of MEPs, politicians, human rights activists and international scholars. Of course, the Chinese government was not silent towards this gathering. It uses its all-possible power to block this conference. China approaches the EU institutions, the EU governments, the political leaders, and used its diplomatic channels to block

the conference. But leaders of the Transnational Radical Party and especially its former secretary and member of the European Parliament Mr. Olivier Dupuis were determined to host this conference in the EP for the Uyghur people. For us, the oppressed people of East Turkestan, this was the first international victory. The next day China said that having hosted this event the relations between China and the EU have been jeopardized. I would like to take this opportunity to thank the Transnational Radical Party again for its longstanding support.

Especially since 9/11, China has tried to link us with terrorism and is using its power to discredit the Uyghur diaspora movement. Despite all Chinese propaganda, the just Uyghur cause is much better known around the world and we are increasingly enjoying more support in internationalising the Uyghur cause. The evolution of the democratic Uyghur diaspora movement, despite the Chinese effort to isolate us, should send clear signals to Beijing that oppression, repression and intimidation would not succeed and would only breed reaction and violation. Ten years ago, at the end of the mentioned conference, we, the Uyghur leaders, called China for a constructive dialogue to negotiate a political solution for the problem. Today this continues. Even if we made steps forward during the last decade, we are still at the beginning of our long struggle. We must work out our roadmap to achieve our goals, which is among other things: freedom, human rights, democracy and dignity for the People of East Turkestan. Thank you very much.

Questions & Answers

1. During a visit in Afghanistan in 2005, I saw a lot of Chinese restaurants in Kabul with no windows and strange signs on the walls. When I asked about these places, it was said that they were the first element of a brothel. Women had been kidnapped from East Turkestan and had been brought there to work as prostitutes. Please comment on that.

Answer Willy Fautré:

We have seen advertisements on the Internet offering “beautiful Uyghur women”, so it is true that this is happening. Migrant workers in general are vulnerable to human trafficking, including Uyghurs living in the South of China in very difficult human conditions. They are often pushed into these kinds of situations.

What I would like to say is: not only Han-Chinese are resettled in East Turkestan, but also Uyghurs are resettle in other parts of China. It is not just a matter of freedom of movement, but there is an assimilation process of the Uyghurs in their own regions behind it.

2. It is true that the Uyghur community has a good leadership, but we have to be realistic. The Chinese government has the economic power etc. and they have quite a big international clout. That means that they have the capability to do pretty much anything, event to upset the ethnographic situation in the region. But I don't think that this behaviour is race based, but it's because they want to have total control over the territory, they are a totalitarian regime after all. I don't think they would negotiate and afford you what you want, because for the Chinese authorities this means weakness. So my question is: Why don't you form a common negotiating platform with all minorities in China who have similar problems? This will give you more negotiating power. It would be more acceptable for the Chinese government itself, because they can keep security and they cannot brand you or Tibetans as terrorist. Why don't you develop a common framework?

Answer Enver Can:

Actually there exists a coalition between Uyghurs and Tibetans and Mongolian People, which goes back to the 1970s. Our former leader Isa Yusuf Alptekin met with its Holiness the Dalai Lama several times in the 1960s and 70s. Beginning of the 1980s, we formed an alliance between Uyghurs, Tibetans, Mongols and Manchurian people. Unfortunately it was not very successful.

Uyghurs and Tibetans were also co-founders of the UNPO. There is a certain amount of solidarity and cooperation. Tibet was a huge movement though with millions of Lamaists and members all around the world.

To advance the cooperation and solidarity, I think we need more calls and questions from people like you. When the Dalai Lama comes to Europe, why not ask them the questions of working with the smaller minorities against the big oppressor? The work can start from the top to the bottom. We have a common enemy and we are all oppressed and we should unite together against a common cause.

Answer Ulrich Delius:

It is true that we have to be realistic. In 2008, Tibet realised that nothing is going on in the discussions they had with the Chinese government. They realised that China is not changing and is only playing games to get a better reputation among western countries, but that in reality they are not serious and that they would not make any concessions to the Tibetans. Then, His Holiness the Dalai Lama declared that the Tibetans had to open up dialogue and include other forces. That's now the new message.

The Chinese authorities do care about what is happening and who is criticising them (see the latest spy cases in Sweden and Germany). You can be sure that in every official event in the EU or the UN on the Tibetans or Uyghurs, you have people in the audience reporting to the Chinese government. But are they committed to dialogue with Uyghurs, Tibetans, Mongols or Falun Gong? No, they are not.

But one thing is China. But what about the reactions of other countries? The weak commitment of Western countries? We have to care about your reputation as World Uyghur Congress or other Uyghur organisations working for the Uyghur cause. It is necessary not only to complain about China but also to present a roadmap on what you really want. What do you want the Western governments to do? You have to discuss your ideas and interests for the future and the present them not only to the international community, but also to the Han civil society.

3. Mr. Perduca, what's your recommendation to bring the Chinese government to the negotiating table?

Answer Marco Perduca:

I think it is important to bring all relevant groups together to discuss with China. I also think that is fundamental to keep the Uyghur issue alive outside the region (especially in the US and Europe). I also think that it is very important to provide real and objective information on what is happening in East Turkestan. Then, we have to understand that China often says that it will cut political, diplomatic or economic ties when a government is going to meet a Tibetan or Uyghur leader, but then, the next day, they continue

signing contracts. Therefore it is important to know that China does not always do what it announces.

In negotiating, you have to insist daily to the international community that you are practising democracy and engaging in nonviolence, and explain that this issue is also their issue. You have to engage yourself and politicians locally, the press and civil society.

THURSDAY, 29 APRIL 2010

CLOSING SESSION

Ms. Rebiya Kadeer
WUC President

Mr. Marco Perduca
Italian Senator

Mr. Marino Busdachin
UNPO General Secretary

Mr. Dolkun Isa
WUC Secretary General



Rebiya Kadeer

World Uyghur Congress (WUC) President

I would like to express my deep appreciation, especially to the European Parliament, the ALDE group, UNPO and of course to the WUC and NED. I would also like to thank our friend Mr. Marco Perduca making today's conference a huge success. It is a pleasure to meet with politicians, academics, scholars and citizens to discuss the fate and future of the Uyghur people here. We have discussed a number of issues and we have also learned how to frame our future blueprint for the resolution of our issues. So I am grateful to each of you for coming to this place.

We are the activists and the fighters from our Homeland and although we believe our people in an open prison – we represent their voice, their

tears, as well as their hopes. We spent one and a half days discussing very serious topics and our hope is of course to start a peaceful dialogue with the Chinese government and to negotiate the situation of the Uyghur people. We expect the Chinese government to respond in kind to give us a platform we can present to the world to help to resolve the East Turkestan issue.

There have been different voices between us and this is great, we can discuss matters we can use in our future activities and improve the conditions of our people. So again I want to thank each and every one of you for coming to this successful conference.

Marco Perduca

Senator of the Italian Senate

I would like to thank the organisers of this conference: the ALDE group, the WUC, NED for their great support and of course UNPO. UNPO of course has names behind which we have been reading for the last weeks: Andrew Swan, Jana

Brandt, Katrien Renemeier, Samuel Chapple-Sokol, Caroline de Bruin, Maggie Murphy and Amy O'Donnell. Thanks also to the interpreters, they did a great job.

Marino Busdachin

UNPO General Secretary

I would like to add a few words and make some short remarks. What we are accomplishing during this day and half and the work we are having this afternoon and tomorrow (the other part of this training seminar) is something very important and serious.

This serious question – for some Uyghurs even dramatic – is that we are not discussing the question if we are in favour of independence or autonomy –, but there are always different level of the practise of self-determination. In China there is no growing democracy or rule of law, there are no basic human rights; without those elements even discussing autonomy could be completely unrealistic. We have to start to engage the Chinese government in something they are reluctant to do: recognise the Uyghurs as a partner for dialogue, as a protagonist for their own destiny: I am always confident on simple questions. If you ask to Kurds in Iraqi Kurdistan what they think about independence or autonomy, they say: We are very happy to have a full autonomy, but no one drop our dream to be a Kurdish State. Perhaps it is not

something we our children will see, but it remains but it is not something that today is representing our major goal. Today we are practising a self-government in an kind of Iraqi State that is very complicated.

Similar processes are taking place in Iran. In every scenario there are different options – probably now the Uyghurs are not ready to breakdown a serious option, but I think there is a general feeling that we are ready to speed up this process and a feeling looking at you and remember other meetings in last ten years – something I notice you are following with a lot of interest for the next months and years.

To close I have to underline – the question is not a revival but a struggle for survival; I think setting option from a possible autonomy, democracy and basic respect for human rights as a platform inserting an negotiation with PRC is a very positive further step in the long way to establish and achieve some human and political rights for the Uyghur. Question of democracy is complicated

question. But everything can happen. Maybe it has already happened. Twenty years ago, no one thought that the Soviet empire would collapse; it happened in a very short time – perhaps we are not thinking of a Chinese collapse but like in the

past – the larger you are the more trouble you are building and there is no empire that has lasted forever. But I think what we are doing today is tracking a direction and even a centimetre in a good direction is a very important political step.

Dolkun Isa Secretary General of WUC

The past one and a half days have been a very successful conference and I am very grateful for the participation from all of you and your opinions and views. And even our friend who has some health issue and still come to this conference to contribute. All the panellists brought up tremendous opinions and support. Long term support and research and Uyghur people – I am really grateful for their opinion and support. As mentioned before, to make such a successful conference happen Marino Busdachin and UNPO helped us a lot. They allowed us to have a good conference. And also Jana Brandt gave us extreme assistance and she was always there to help us whatever problems or issues. This is tremendous and amazing. Whether it was night or day she did not mind to help us all the time, although she does not get paid. She has done a tremendous work. Also her friends have all offered support and to help to us, I am really grateful.

As mentioned before, I would really like to thank the leader of the ALDE Group Niccoló Rinaldi to give us this conference room – it is important for us to bring the Uyghur issues up in the European Parliament. Thanks also to support us financially and politically. It is important for Uyghurs to have these meetings in the European Parliament.

It has been four years that NED has been giving us tremendous support in the shape of training or courses and with the assistance of NED we have this conference. The president Mr. Carl Gershman and Louisa Coan Greve support us from their deep hearts and we are very grateful to them.

We had over 70 participants from 15 different countries and in fact, the requestors who wanted to participants were over 150, but the lack of financial means meant we could not accommodate everyone. My apologies to those who were not able to attend. I hope they can participate next time. For those friends from Pakistan who were supposed to come: they went to request visas from embassies in Pakistan but they were arrested when requesting these visas and they have not been able to attend. Two more people from Turkey were unable to attend due to visa issues. Another two friends who had been released from Guantánamo Bay and who now are settled in Albania wanted also to present some issues, but visa issue made this impossible and they were unable to come. Again I would like to thank Jana and UNPO for assisting with visas. And thanks for those Uyghur delegates who attended this conference. Thank you.

CONFERENCE DECLARATION

Delegates, assembled in Brussels on the occasion of the conference “Uyghurs Call for Dialogue with China - Implementation of the Chinese Constitution to Safeguard and Protect the Rights of the Uyghur People,” on 30 April 2010,

Referring to the 2008 Berlin Declaration adopted by the World Uyghur Congress, reiterate their call for the application of the Chinese Constitution and the Regional Ethnic Autonomy Law by Chinese authorities in East Turkestan and elsewhere;

Noting the public call made in September 2009 by Rebiya Kadeer, leader of the Uyghur people, before the European Parliament’s Subcommittee on Human Rights for the opening of a meaningful dialogue with Chinese authorities;

Urge the Chinese government to ensure that the articles of the Chinese Constitution protecting the rights of nationalities in China and its commitments to international law on minorities are observed in full, without exception or qualification, to ensure that Uyghur grievances are addressed in accordance with Chinese rule of law;

Urge the Chinese Government to allow an independent international investigation into the events of July 2009 in East Turkestan and to make known the whereabouts of twenty Uyghurs extradited from Cambodia in December 2009 and whose whereabouts and wellbeing remain a grave concern;

Urge the Chinese authorities to implement the 1984 Regional Ethnic Autonomy Law allowing Uyghurs to manage the internal affairs of East Turkestan in accordance with the Chinese Government’s belief that this is to the benefit of all Chinese citizens;

Urge the Chinese authorities to protect the right to freedom of religious expression and the unique Uyghur language and culture throughout the People’s Republic of China, and East Turkestan in particular, as enshrined in the Chinese Constitution;

Urge the Chinese authorities to respect internationally held conventions on the principle of non-refoulement, to make known to the international community the whereabouts of Uyghurs extradited from other countries, and to give assurances of their wellbeing;

Call upon the Chinese authorities to open a meaningful dialogue with Uyghur leaders acknowledged to represent the Uyghurs of East Turkestan and urge representatives of the European Union to support such a dialogue.

Adopted Brussels, 30 April 2010

PICTURES PANEL 3 AND CLOSING SESSION



Ulrich Delius, Dolkun Isa, Marco Perduca and Rebiya Kadeer



Perhat Muhammad



Rebiya Kadeer



Alim Seytoff, Dolkun Isa, Marco Perduca, Rebiya Kadeer, Enver Can and Perhat Muhammed



SPEAKER BIOGRAPHIES

ALPTEKIN, ERKIN

Erkin Alptekin, son of Isa Yusuf Alptekin, the late Prime Minister of the Provincial Government of Eastern Turkestan, was born on July 4, 1939 in East Turkestan. He worked for twenty-five years for Radio Free Europe/Liberty in Germany, while actively lobbying for human rights not only for Uyghurs but also for the cause of many other nations, peoples, minorities and indigenous peoples throughout the world. In 1985, he became one of three founders of the Allied Committee of the Peoples of Eastern Turkestan, Tibet and Inner Mongolia, in Zürich, Switzerland. He is still the executive president of that organization. In 1991, with the support of some of his countrymen he founded the Eastern Turkestan Union in Europe (ETUE), in Munich, Germany. In 1991, he also became one of the founders of the Unrepresented Nations and Peoples Organization (UNPO), which has its seat in The Hague, the Netherlands. Between 1991 and 2003, Mr Alptekin served as the Vice Chairman, Chairman and the General Secretary of the UNPO. In 2000, together with Mr Federico Mayor, the former Cultural Minister of Spain and Ms Daniela Mitterrand, the former First Lady of France, he became one of the founders of UBUNTU, the World Forum of Civil Society Networks, in Barcelona, Spain. He was also one of the founders of the World Uyghur Congress (WUC) in 2004 in Munich, Germany.

BENEDIKTER, THOMAS

Thomas Benedikter is an economist and social researcher in Bozen (South Tyrol, Italy), committed to journalistic and humanitarian purposes. He spent two years with research and project activities in Latin America, the Balkans and South Asia (especially in Nepal, Kashmir, Sri Lanka and India's Northeast) and is writing for several news-magazines and reviews on ethnic minorities and ethnic conflicts. Currently he is collaborating with the European Academy of Bozen EURAC (Department of Minority Rights) for a Europe-South Asia Exchange on Supranational (Regional) Policies and Instruments for the Promotion of Human Rights and the Management of Minority Issues (EURASIA-Net) with South Asian partners. Apart from other books on ethnic conflicts and minority protection systems (Nepal, Kashmir, Kosovo, Europe's Ethnic Mosaic) in 2009 he published "The World's Modern Autonomy Systems" (EURAC Bozen), "Language Policy and Linguistic Minorities in India" (LIT Berlin/Münster, 2009) and "Solving Ethnic Conflict through Self-Government – A short guide to autonomy in South Asia and Europe" (EURAC 2009).

BUSDACHIN, MARINO

After serving as UNPO Executive Director from 2003-2005, Mr Busdachin was elected as UNPO General Secretary in 2005. He was a UN representative in Geneva, New York and Vienna (1995-2000). He was a member of the Extra-ordinary Executive Board of the Transnational Radical Party (2000-2002), and is currently a member of the General Council of TRP. He led the TRP to recognition by the UN as an NGO of the first category, and led and coordinated the TRP in the former Yugoslavia (1991-1993) and in the Soviet Union (1989-1993). He founded the NGO "Non c'è Pace Senza Giustizia" in Italy (1994-1999), as well as founding and serving as President of No Peace Without Justice USA (1995-2000). Mr Busdachin campaigned for the establishment of the International Criminal Court, representing Civil Society at the Rome Conference founding ICC and working to establish the ad hoc tribunals on war crimes in the former Yugoslavia and Rwanda. He campaigned on the death penalty in the United Nations from the USA (1993), campaigned for civil rights in Italy in the 1980s. He was elected in 1974 as a member of the Federal Council of the Radical Party and in 1978 as a member of the City Council of Trieste (1978-1982), where he attended Law University.

DELIUS, ULRICH

Mr Delius was born in 1959 in Cologne, Germany. He has been working for the Society for Threatened Peoples since 1986. He is director for the Asia Desk and has campaigned on behalf of the Uyghur people since 1995.

EMET, ERKIN

Erkin Emet was born in 1962 in East Turkestan. He was educated at Beijing University, studying Uyghur language and literature. He lectured at Ankara University starting in 1992, teaching South Eastern Turkish Languages at the Turkish Languages and Literature faculty. Dr Emet received his doctorate from Ankara University in 2000, having written his thesis on East Turkestan Uyghur dialects. Dr Emet has published more than 35 papers devoted to Uyghur language, Uyghur poetry, and the human rights issues facing the Uyghur people.

FAUTRÉ, WILLY

Willy Fautré is the director of Human Rights Without Frontiers International. He is the former chargé de mission at the Cabinet of the Belgian Ministry of Education and at the Belgian Parliament. He is the author of “Nos Prisonniers du Goulag” and the editor of “Human Rights in China After the Olympics”. He has written many articles in university magazines about ethnic, linguistic and religious minorities.

FRANCIS, CORINNA-BARBARA

Corinna-Barbara Francis has been a researcher on the China Team at the International Secretariat of Amnesty International for five years. She has worked on a wide range of human rights issues relating to China, including freedom of expression, freedom of religion, ethnic minority rights, rights of internal migrant workers, rule of law issues, as well as violations relating to unfair trials, arbitrary detention and torture. She regularly attends UN hearings held by various committees relating to human rights, briefs governments on the human rights situation in China, and conducts media interviews.

GIBB, MICHAEL

Michael Gibb is a D.Phil candidate in Philosophy at the University of Oxford currently writing a thesis on contemporary theories of ethics and human rights. He has also studied in Canada and Hong Kong. Prior to beginning work on his D.Phil Michael worked on a variety of programmes for both the Unrepresented Nations and Peoples Organization (UNPO) and No Peace Without Justice, including projects in Abkhazia, Kenya, and Iraqi Kurdistan. He continues to consult for both organisations.

GREVE, LOUISA

Louisa Greve is Vice President for Asia, Middle East & North Africa, and Multiregional Programs at the National Endowment for Democracy, where she previously served as Director for East Asia, Senior Program Officer, and Program Officer. She has studied, worked, and travelled in Asia since 1980 and has testified before Congressional committees on human rights in China and democracy promotion in Asia. She was a member of the AEI/Armitage International Taiwan Policy Working Group (2007) and the Council on Foreign Relations Term Member Roundtable on U.S. National Security – New Threats in a Changing World (2002). Ms Greve served as a member of the Board of Directors of Amnesty International USA (1993-1998), and was a volunteer China and Mongolia specialist for Amnesty from 1990 to 1999. She is currently serving a second term (2009-2011) as a member of the Virginia State Advisory Committee of the U.S. Commission on Civil Rights.

HAUTALA, HEIDI

More information on Heidi Hautala can be found at:

<http://www.europarl.europa.eu/members/public/yourMep/view.do?name=hautala&partNumber=1&language=EN&id=2054> and <http://www.heidihautala.net/>

HOLZMAN, MARIE

Marie Holzman is a Sinologist, independent journalist, and former professor at Paris University. She is President of Solidarité Chine, Paris, France. She sits on the Board of Directors of Human Rights in China, located in New York, and is a member of a newly created Han-Tibetan Coalition based in France. She has written numerous books on contemporary China and several biographies of famous Chinese activists.

ISA, DOLKUN

Dolkun Isa is the Secretary General of the World Uyghur Congress, as well as the East Turkestan Union in Europe. He is a former student-leader of the pro-democracy demonstrations at Xinjiang University in 1985 and 1989. He was dismissed from university but completed his physics degree via independent study, and went on to receive a Master’s degree in Politics and Sociology from Gazi University in Turkey and a degree in computer science in Munich. After enduring persecution from the Chinese government, Isa fled China in 1997 and sought asylum in Europe, and became a citizen of Germany in 2006. Through his continued activism for the rights of Uyghurs worldwide, Mr Isa has remained under observation and persecution by the Chinese government, and faces constant pressure by the government to curtail his travel and work.

KADEER, REBIYA

Rebiya Kadeer was born in 1947 in East Turkestan. In 1976, Ms Kadeer started a small laundry business that

launched her entrepreneurial career. She later opened a department store that specialized in traditional Uyghur goods. In 1985, she developed new businesses creating jobs for Uyghur women and soon became China's fifth richest woman. Ms Kadeer's work in combating social injustices within East Turkestan earned her a position in the Chinese National Advisory group in 1992. In 1995 she represented the Chinese People's Political Consultative Conference (CPPCC) at the United Nation's Fourth World Conference on Women. She used her position and wealth to develop a project inspiring Uyghur women to start their own businesses and thus to work themselves out of poverty. The *Thousand Mothers Movement* was established in December 1997 and its success earned her the affectionate title, *Mother of the Uyghurs*. In a speech in March 1997 to the National People's Congress, Ms Kadeer openly criticized the Chinese government for their violations of human rights. The government responded by confiscating her passport and removing her from the National People's Congress and the Political Consultative Conference. In 1999, while on her way to meet with a US Congressional delegation, Ms Kadeer was arrested and then sentenced to eight years in prison for 'stealing state secrets.' She now lives in exile in the United States, and serves as the elected President of the World Uyghur Congress.

Ms Kadeer has been the recipient of numerous awards honouring her commitment to human rights in China. These have included Human Rights Watch's highest award for human rights in 2000, the Rafto Memorial Award in 2006, and two nominations for the Nobel Peace Prize in 2006 and 2007. Ms Kadeer's autobiography, 'Dragon Fighter: One Woman's Epic Struggle for Peace with China' was published in 2009 and her life and struggle is documented in the film '10 Conditions of Love'.

MUHAMMAD, PERHAT

Perhat Muhammed was born in 1964 in East Turkestan. He worked at the New Desk of Uyghur Services of the Xinjiang People's Radio Station from 1985 until 1992. He has published more than 200 article and news stories since 1982 and he also is the author of 3 books. He joined the "Xinjiang Uyghur Autonomous Regional Rights Association" in 1982 and was promoted as the director of the Uyghur Service of the Xinjiang People's Radio Station in 1989. He applied for political asylum in Germany in 1995 and gained German citizenship in 2005. He has been an official journalist for the Radio Free Asia since 1999. He was the chef editor of the "Revolution", "Spark", "East Turkestan", "East Turkestan Youth" newspapers, as well as "Unity" magazine since 1993. He was one of the founding members of the "East Turkestan Youth Congress" in 1996 and the "East Turkestan National Congress" in 1999 as well as the World Uyghur Congress in 2004. He worked as the director of the publication committee in these organizations and General Secretary and vice president of the East Turkestan Union in Europe. Currently, he is the vice director of the WUC research centre, director of the WUC information centre, as well as the vice president of the East Turkestan Union in Europe.

MARCO PANNELLA

More information on Marco Pannella can be found at: http://it.wikipedia.org/wiki/Marco_Pannella .

PERDUCA, MARCO

Marco Perduca was elected to the Italian Senate in April 2008 as a member of the Radical delegation in the Democratic Party. He is member of the Foreign Affairs and Human Rights Committees. From 1996 to 2006 he represented the Nonviolent Radical Party to the United Nations in New York, Geneva and Vienna, coordinating the campaigns to establish an International Criminal Court and a Universal Moratorium on the Death Penalty. From 2006 and 2008 he was an independent consultant at the Ministry of Foreign Affairs. His letters and comments have appeared in The Financial Times, the International Herald Tribune, the Wall Street Journal, and major Italian newspapers. He is a frequent commentator on BBC TV and radio on Italian politics since 2005.

PFÖSTL, EVA

Eva Pföstl is Director of the Law department of the Istituto di Studi Politici S. Pio V, Rome, and an visiting professor on Minority Rights at the Libera Università LUSPIO, Rome. Her research concerns comparative minority and group rights. Her publications include *La questione tibetana. Autonomia non indipendenza: una proposta realista* (2009 Marsilio) and *Human rights and Asian Values*, (ed) (Apes, Roma 2009).

RINALDI, NICCOLÒ

More information on Niccolò Rinaldi can be found at:

<http://www.europarl.europa.eu/members/public/yourMep/view.do?name=rinaldi&partNumber=1&language=EN&id=97229> and <http://www.niccolorinaldi.it>

SHICHOR, YITZHAK

Dr Shichor is professor of Political Science and Asian Studies at the University of Haifa and Michael William Lipson Chair Professor Emeritus at the Hebrew University of Jerusalem. A former Dean of Students at the Hebrew University and Head of the Tel-Hai Academic College, his main research interests are: China's Middle East policy; international energy relations; Chinese defence conversion; labour export; East Asian democratization processes; Sino-Uyghur relations and the Uyghur Diaspora. His recent publications include: *Ethno-Diplomacy: the Uyghur Hitch in Sino-Turkish Relations* (2009) and *Missiles Myths: China's Threat to Taiwan in a Comparative Perspective* (2008). He is the Chief Editor of *All Under Heaven: A History of the Chinese Empire* (three volumes), to be published by the Open University, Tel Aviv.

TÖKÉS, LÁSZLÓ

Vice President of the European Parliament and Member of the Subcommittee on Human Rights.

More information on László Tökés can be found at:

<http://www.europarl.europa.eu/members/public/yourMep/view.do?name=T%F6k%E9s&partNumber=1&language=EN&id=39726>

ÜNSAL, AHMET FARUK

Ahmet Faruk Ünsal was born in Diyarbakir, Turkey, in 1963. He received his Bachelor's degree in mechanical engineering in Istanbul Technical University, where he actively participated in organizations advocating human rights. He has several published articles on political issues and human rights in various newspapers and journals. He was elected Member of Parliament to the Turkish Grand National Assembly (TGNA), in 2002. He was assigned as the Spokesman and Vice Chairman for the Monitoring Human Rights Committee of TGNA. He was the representative of Turkey to the NATO Parliamentary Assembly. Currently he is a member of the Administrative Board in Humanitarian Relief Foundation, IHH, and President of Mazlumder, the Organization for Human Rights and Solidarity for Oppressed People. He is married and has two children.

WANGDI, TASHI

Tashi Wangdi was born in 1947 in Tibet. At age 12 he escaped to India and entered the first school for Tibetan refugees set up by His Holiness the Dalai Lama at Mussoorie. After graduating from college, he joined the service of the exiled Tibetan Administration, serving as English translator in the Council for Home Affairs and also in the Council for Education of the Tibetan Administration. After attending Durham University in England, Mr Wangdi served in a series of posts in the Tibetan Administration and the Bureau of H.H. the Dalai Lama in New Delhi. He has served in the Departments of Information & International Relations, Security, Home Affairs, and Education. In 2004 he became a member of the Task Force for negotiations with the Government of the People's Republic of China. The following year he was appointed H.H. the Dalai Lama's Representative to the Americas in New York. Since January 2009 he has been based in Brussels as the Representative of H.H. the Dalai Lama for Western Europe, Maghreb and the EU institutions.

ABOUT THE ORGANISERS OF THE CONFERENCE

WUC

The World Uyghur Congress (WUC) is an international organization that represents the collective interest of the Uyghur people both in East Turkestan and abroad.

WUC was established on April 16, 2004 in Munich Germany after the East Turkestan National Congress and the World Uyghur Youth Congress merged into one united organization. The main objective of WUC is to promote the right of the Uyghur people to use peaceful, nonviolent, and democratic means to determine the political future of East Turkestan.

WUC is a democratic organization. All of WUC leadership was democratically elected by the participants from all over the world in the General Assembly. They all serve a three-year term. WUC has close contacts and working relations with most Uyghur organizations in the world that peacefully promote the human rights, religious freedom, and democracy for the Uyghur people in East Turkestan.

On the first General Assembly of WUC in 2004 Mr. Erkin Aliptekin was elected as a president. He had lead WUC to its second General Assembly in 2006. Mr. Alptekin is a former general secretary of the Unrepresented Nations and Peoples Organization (UNPO) based in The Hague, the Netherlands. He has remarkable experience in working with international organizations and governments in lobbying for the Uyghur people's right to self-determination. He is also a close friend of the Dalai Lama, spiritual leader of the Tibetan people.

On the second General Assembly of WUC which held in Munich from November 24 to 27, 2006, all delegates had elected Ms. Rebiya Kadeer (Rabiye Qadir) as the president of WUC.

The Third General Assembly of the World Uyghur Congress was convened in Washington, DC on May 21-25, 2009. Delegates and observers from Australia, Belgium, Canada, Denmark, France, Germany, Holland, Japan, Kazakhstan, Kyrgyzstan, Norway, Sweden, Turkey and the United States have attended the Assembly. Ms. Rebiya Kadeer, the leader of the international Uyghur human rights and democracy movement, once again elected as the president of the WUC unanimously by all delegates.

Before Rebiya Kadeer (Rabiye Qadir) is elected as the president of WUC, she founded the "Uyghur Human Rights and Democracy Foundation" and headed "The Uyghur American Association" based on Washington DC. She was also the winner of Rafto Prize and the nominee for 2005-2006-2007-2008 Nobile Peace Prize. For 5 years she spent her life in Chinese notorious prison. After her release, she has been exerting all her energy to fight for freedom, democracy and human rights for Uyghur people. For her great work she is entitled as "The Leader and the Spiritual Mother of Uyghur's".

The Third General Assembly of the WUC was convened in Washington, DC on May 21-25, 2009. Delegates and observers from Australia, Belgium, Canada, Denmark, France, Germany, Holland, Japan, Kazakhstan, Kyrgyzstan, Norway, Sweden, Turkey and the United States have attended the Assembly. Ms. Rebiya Kadeer, the leader of the international Uyghur human rights and democracy movement, once again elected as the president of the WUC unanimously by all delegates.

The main objective of the WUC is to promote democracy, human rights and freedom for the Uyghur people and use peaceful, nonviolent, and democratic means to determine their political future.

By representing as the sole legitimate organization of the Uyghur people both in East Turkestan and abroad, WUC endeavors to set out a course for the peaceful settlement of the East Turkestan Question through dialogue and negotiation.

The WUC declares a nonviolent and peaceful opposition movement against Chinese occupation of East Turkestan and an unconditional adherence to the international accepted human rights standard as laid down in the Universal Declaration of Human Rights, and adherence to the principals of democratic pluralism and rejection of totalitarianism, religious intolerance, and terrorism as an instrument of policy.

www.uyghurcongress.org

UNPO

The Unrepresented Nations and Peoples Organization (UNPO) is an international, nonviolent, and democratic membership organisation. Its members are indigenous peoples, minorities, and unrecognised or occupied territories who have joined together to protect and promote their human and cultural rights, to preserve their

environments, and to find nonviolent solutions to conflicts which affect them.

Although the aspirations of UNPO Members differ greatly, they are all united by one shared condition – they are not adequately represented at major international fora, such as the United Nations. As a consequence, their opportunity to participate on the international stage is significantly limited, as is their ability to access and draw upon the support of the global bodies mandated to defend their rights, protect their environments, and mitigate the effects of conflict.

In today's world where over 90 percent of conflicts are intra-state, UNPO has been established to fill this gap, providing an international forum through which its Members can become effective participants and contributors to the international community. In an increasingly interdependent world it is ever more important that those who continue to be denied their rights or remain excluded be given an opportunity to present their case. UNPO works therefore to address the consequences of marginalisation, working with its Members to promote their democratic causes, to provide information, and to articulate creative and nonviolent strategies for progress, above all however, UNPO works to ensure their voices are heard.

Founded in 1991 at the Peace Palace in The Hague, UNPO is unique as an international organisation in that it is built entirely by its Members. Through this strong connection to those suffering the consequences of the exclusion the organisation seeks to address, UNPO has since grown into a prominent and respected international forum.

UNPO's membership has also grown steadily from its original fifteen founders, representing now almost 60 Members worldwide. Although the work of UNPO adapts continually to meet the challenges of its Members and the nature of the international political climate, each Member remains committed to respecting the five principles enshrined in the UNPO Covenant: nonviolence, human rights, democracy and self-determination, environmental protection, and tolerance.

UNPO remains committed to offering an increasing number of nations and peoples an entry point into the international community, enabling its Members also to learn from one another; lending their support where there are setbacks and sharing their experiences in success.

www.unpo.org

NED

The National Endowment for Democracy (NED) is a private, nonprofit foundation dedicated to the growth and strengthening of democratic institutions around the world. Each year, NED makes more than 1,000 grants to support the projects of non-governmental groups abroad who are working for democratic goals in more than 90 countries.

Since its founding in 1983, the Endowment has remained on the leading edge of democratic struggles everywhere, while evolving into a multifaceted institution that is a hub of activity, resources and intellectual exchange for activists, practitioners and scholars of democracy the world over.

www.ned.org

MEDIA COVERAGE

Radio Free Asia (Uyghur) – Article 1

http://www.rfa.org/uyghur/xewerler/tepsili_xewer/yawropa-parlamentida-uyghur-mesilisi-04292010204549.html

Radio Free Asia (Uyghur) – Article 2

http://www.rfa.org/uyghur/xewerler/tepsili_xewer/yawropa-parlamentida-uyghur-mesilisi-04302010201308.html

Rabia Kadir: AB Doğu Türkistan'a da destek vermeli

http://www.dunyabulteni.net/news_detail.php?id=112907

Yawropa parlaméntida xelqaraliq uyghur mesilisi muhakime yighini Otkuzuldi

<http://www.erkvtv.com/uyghurche/watch.php?t=xewer&id=57>

Avrupa Parlamentosu'nda Uyghur Konferansı

<http://www.abhaber.com/ozelhaberyazdir.php?id=6118>

MAZLUMDER'e Doğu Türkistan Ödülü

<http://www.ebmhaber.com/detay/29397/mazlumder%E2%80%99e-dogu-turkistan-odulu.htm>

A short video of the conference can be found at: http://www.youtube.com/watch?v=DntOkfG8_q4

(EU) PE/CHINE: LE PARLEMENT EUROPEEN SOUTIENT LE PEUPLE OUÏGOUR DANS SA DEMANDE DE DIALOGUE AVEC LA CHINE. Published on 1 May 2010 at <http://www.agenceurope.com> ("Bulletin Quotidien Europe" - "Journée politique"). By Camille-Cerise GESSANT.

Bruxelles, 30/04/2010 (Agence Europe) - Le député européen italien Niccolò Rinaldi (ALDE) a organisé au Parlement européen une conférence sur la sauvegarde du peuple ouïgour, jeudi 29 et vendredi 30 avril. Les discussions ont pour objectif de soutenir ce peuple mais aussi de mieux faire connaître les pressions qu'il subit. « *Notre rôle est de garder ce problème vivant dans le débat public, avec des résolutions, des textes pertinents pour que l'on fasse attention à eux* », a rappelé M.Rinaldi. Minorité musulmane vivant au Turkestan Oriental, à l'Ouest de la Chine, les 8.5 millions d'Ouïgours sont sujet à de la répression des autorités chinoises depuis plus de 60 ans. Elle a pour but de supprimer leur propre identité, en forçant des jeunes femmes à quitter la région pour travailler dans des usines dans le reste du pays, à démolir l'héritage culturel, en mettant en place une politique de langue unique et des pratiques discriminatoires et en restreignant la liberté de culte. La répression d'une manifestation ouïgoure le 5 juin dernier a fait 140 morts, 800 blessés et des centaines de personnes ont été arrêtés.

Rebiya Kadeer, présidente du congrès mondial ouïgour (World Uyghur Congress), nommée deux fois pour le prix Nobel de la paix, appelle à un véritable dialogue avec les autorités chinoises et le respect de la constitution chinoise pour la sauvegarde et la protection des droits du peuple ouïgour. « *Nous avons toujours lutté pacifiquement contre le gouvernement chinois. Il a rejeté nos demandes de négociations. Le gouvernement doit nous écouter pour créer une réelle stabilité et l'unité du territoire* ». Mme Kadeer souhaite qu'une discussion « *sincère et transparente, basée sur la vérité et l'égalité* » se fasse entre Ouïgours et autorités mais aussi avec les leaders des autres minorités chinoises, dont le Dalaï Lama. « *Cette conférence est une occasion pour appeler le gouvernement, les autorités et les représentants chinois à s'engager à dialoguer, même si on sait que cela prendra beaucoup de temps pour arriver à un accord* », a complété Marino Busdachin, de l'Unrepresented Nations and Peoples Organization.

Les députés européens et les associations ont également appelé au respect des droits de l'homme en Chine et au plus grand soutien des Etats et de la communauté internationale au peuple ouïgour. « *C'est plus qu'une plainte, c'est une question de survie de ce peuple* », a expliqué Louise Coan Grave, vice-présidente pour l'Asie, le Moyen-Orient et l'Afrique du Nord, à l'association américaine National Endowment for Democracy. (C.C.G)

REFERENCES AND BIBLIOGRAPHY

1. International Institutions

1.1. Agencies of the United Nations

Human Rights Council (UNHRC)

<http://www.ohchr.org/english/bodies/hrcouncil/>

Office of the High Commissioner for Human Rights (OHCHR)

<http://www.ohchr.org>

Office of the High Commissioner for Refugees (UNHCR)

<http://www.unhcr.org/>

United Nations Educational Scientific and Cultural Organization (UNESCO)

<http://www.unesco.org/>

1.2 Treaty Bodies of the United Nations

Human Rights Committee (HRC)

<http://www.ohchr.org/english/bodies/hrc/>

Committee on Economic, Social and Cultural Rights (CESC)

<http://www.ohchr.org/english/bodies/cescr/>

Committee on the Elimination of Racial Discrimination (CERD)

<http://www.unhchr.ch/html/menu2/6/cerd.htm>

Committee on the Elimination of all forms of Discrimination Against Women (CEDAW)

<http://www.un.org/womenwatch/daw/cedaw/>

Committee Against Torture (CAT)

<http://www.ohchr.org/english/bodies/cat/>

1.3 International Courts

International Court of Justice (ICJ)

<http://www.icj-cji.org/>

International Criminal Court (ICC)

<http://www.icc-cpi.int/>

International Criminal Tribunal for the former Yugoslavia (ICTY)

<http://www.un.org/icty/>

1.4 European Institutions

European Commission

<http://ec.europa.eu/>

European Parliament

<http://www.europarl.europa.eu/>

2. Organisations

3.1 Uyghur Organisations

East Turkestan Culture and Solidarity Association, Turkey

<http://www.gokbayrak.com/>

East Turkestan Education and Solidarity Association

<http://www.maarip.org/>

International Uyghur Human Rights and Democracy Foundation (IUHRDF)

<http://www.iuhrdf.org/>

Netherlands Eastern Turkestan Foundation

<http://www.oost-turkestan.nl/>

Sweden Uyghur Committee

<http://www.uygurie.com/>

The Uighur U.K. Association

<http://www.uighur.org.uk/>

Uyghur American Association (UAA)

<http://www.uyghuramerican.org/>

Uyghur Canadian Association (UCA)

<http://www.uyghurcanadian.org/>

World Uyghur Congress (WUC)

<http://www.uyghurcongress.org/>

3.2 Human Rights Organisations

Amnesty International (AI)

<http://www.amnesty.org/>

Gesellschaft für Bedrohte Völker / Society for Threatened Peoples (GfbV)

<http://www.gfbv.de/>

Human Rights In China (HRIC)

<http://www.hrichina.org/>

Human Rights Watch (HRW)

<http://www.hrw.org/>

Human Rights Without Frontiers International (HRWF)

<http://www.hrwf.net/>

Mazlumder

<http://www.mazlumder.org/>

National Endowment for Democracy (NED)

<http://www.ned.org/>

No Peace Without Justice (NPWJ)

<http://www.npwj.org/>

Unrepresented Nations and Peoples Organization (UNPO)

<http://www.unpo.org/>

3.3 Political Organisations

Alliance of Liberals and Democrats in Europe (ALDE)

<http://www.alde.eu/>

Group of the Greens/European Free Alliance

<http://www.greens-efa.org>

Group of the European People's Party (Christian Democrats)

<http://www.eppgroup.eu>

Nonviolent Radical Party

<http://www.radicalparty.org/>

3. Legal instruments

Charter of the United Nations

<http://www.un.org/aboutun/charter/>

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

http://www.unhchr.ch/html/menu3/b/h_cat39.htm

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

<http://www.un.org/womenwatch/daw/cedaw/>

Convention on the Rights of the Child (CRC)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Human Rights Council

<http://www2.ohchr.org/english/bodies/hrcouncil/>

International Convention on the Elimination of all forms of Racial Discrimination (CERD)

<http://www.ohchr.org/english/law/cerd.htm>

International Convention on the protection of the rights of all Migrant Workers and members of their families (CMW)

http://www.unhchr.ch/html/menu3/b/m_mwctoc.htm

International Covenant on Civil and Political Rights (ICCPR)

<http://www.ohchr.org/english/law/ccpr.htm>

International Covenant on Economic Social and Cultural Rights (ICESCR)

<http://www.ohchr.org/english/law/cescr.htm>

Universal Declaration of Human Rights (UDHR)

In Uyghur: <http://www.unhchr.ch/udhr/lang/uig.htm>

In English: <http://www.unhchr.ch/udhr/lang/eng.htm>

4. Documents and Reports

Amnesty International 2006 Report on China

Amnesty International

<http://web.amnesty.org/report2006/chn-summary-eng>

China: Minority Exclusion, Marginalization and Rising Tensions

Human Rights In China / Minority Rights Group International Report

<http://hrichina.org/public/contents/article?revision%5fid=36063&item%5fid=36055>

Devastating Blows: Religious Repression of Uighurs in Xinjiang

Human Rights Watch Report

<http://hrw.org/reports/2005/china0405/>

European Union Annual Report on Human Rights

http://ec.europa.eu/external_relations/human_rights/doc/report_06_en.pdf

State Secrets: China's Legal Labyrinth

Human Rights In China Report

<http://hrichina.org/public/contents/article?revision%5fid=41506&item%5fid=41421>

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 (WUC) Report

<http://www.uyghurcongress.org/en/?p=1213>

Save Kashgar's Old Town! Treasure of the Silk Road in danger - China's authorities ordered destruction

Human Rights Report Nr. 60 of the Society for Threatened Peoples

<http://www.docs.uyghuramerican.org/KashgarEnglisch.pdf>

Reports on the events of 5 July 2010:

Repression in China- Roots and Repercussions of the Urumqi Unrest

UNPO Report

<http://www.uyghurcongress.org/en/?p=1330>

"We Are Afraid to Even Look for Them": Enforced Disappearances in the Wake of Xinjiang's Protests

Human Rights Watch Report

<http://www.uyghurcongress.org/en/?p=1283>

After the disturbances in Urumqi. Persecution of Uyghurs in China continues

Society for Threatened Peoples Report

<http://www.gfbv.de/inhaltsDok.php?id=1953&stayInsideTree=1>

Can Anyone Hear Us? Voices from the 2009 Unrest In Urumchi

Uyghur Human Rights Project (UHRP) Report

<http://docs.uyghuramerican.org/Can-Anyone-Hear-Us.pdf>

"Justice, justice": The July 2009 protests in Xinjiang, China

Amnesty International Report

<http://www.amnesty.org/en/library/asset/ASA17/027/2010/en/425679a8-6fde-40b5-a38b-83699e5ac1bc/asa170272010en.pdf>

5. Websites

Human Rights Watch and the Olympics in China – Tools for activists

<http://hrw.org/campaigns/china/beijing08/>

Incorporating Responsibility 2008 – Human Rights In China Online Campaign

<http://www.ir2008.org/>

Radio Free Asia – Uyghur (RFA)

<http://www.rfa.org/uyghur/>

Taklamakan Uyghur Publishing

<http://www.uyghurweb.net/>

Uyghur Human Rights Project (UHRP)

<http://www.uhrp.org/>

Uyghur One - News

<http://www.uyghur1.com/>

APPENDICES

APPENDIX 1 - CONFERENCE POSTER

CONFERENCE

UYGHUR - CHINA DIALOGUE

29 - 30 April 2010
European Parliament

Sponsored by
Niccoló Rinaldi MEP
Ivo Vajgl MEP

Opening session with
Rebiya Kadeer (WUC)
Marino Busdachin (UNPO)
Louisa Coan Greve (NED)
Heidi Hautala MEP
(written message)

Location of the event
Room ASP3G2
Altiero Spinelli Building
European Parliament
60 Rue Wiertz, Brussels
* 29 April: 9.30 - 18.00h
* 30 April: 9.30 - 12.30h

 Alliance of
**LIBERALS and
DEMOCRATS**
for Europe
www.alde.eu

 **UNPO**

Contact for registration: Jana Brandt jbrandt@unpo.org +32(0)472 577 518

APPENDIX 2 – PRESS RELEASES

APPENDIX 2.1. – PRESS RELEASE “SAVE THE DATE” (07 APRIL 2010)

PRESS RELEASE

FOR IMMEDIATE RELEASE

SAVE THE DATE**INTERNATIONAL CONFERENCE*****Uyghurs Call for Dialogue with China –
Implementation of the Chinese Constitution
to Safeguard and Protect the Rights of the Uyghur people***

29 – 30 April 2010

Room ASP3G2, Altiero Spinelli Building, European Parliament
60 Rue Wiertz, Brussels, Belgium

Mr. Niccolò Rinaldi MEP and Mr. Ivo Vajgl MEP are convening a two-day conference entitled ‘*Dialogue with China – Implementation of the Chinese Constitution to Safeguard and Protect the Rights of the Uyghur People*’ at the European Parliament in Brussels on 29-30 April 2010 in collaboration with the **Unrepresented Nations and Peoples Organization (UNPO)** and the **World Uyghur Congress (WUC)**.

The conference will be opened by **Ms. Rebiya Kadeer**, President of the WUC, before international experts, MEPs, and researchers enter into a comprehensive presentation and discussion of human rights and minority protection, Chinese constitutional rights and Uyghur – Chinese relations.

More information on the event can be found on <http://www.unpo.org/content/view/10887/81/>

Registration Required**Press Conference*****A press conference will be held in the European Parliament:******Anna Politkovskaya Room (PHS 0A50)******Thursday, 29 April 2010******13.30 - 14.00h*****For media queries please contact:**Andrew Swan
+32 (0)472 577 518
aswan@unpo.org**For registration please send an email with****your full name, date of birth and
place of residence to:
jbrandt@unpo.org**Deadline for registration: **21 April 2010**

APPENDIX 2.2. – PRESS RELEASE (20 APRIL 2010)

PRESS RELEASE

FOR IMMEDIATE RELEASE

INTERNATIONAL CONFERENCE

***Uyghurs Call for Dialogue with China –
Implementation of the Chinese Constitution
to Safeguard and Protect the Rights of the Uyghur people***

29 April 30 April
9.30 – 18.00h & 9.30 – 12.00h

Room ASP3G2, Altiero Spinelli Building, European Parliament
60 Rue Wiertz, Brussels, Belgium

Mr. Niccolò Rinaldi MEP and Mr. Ivo Vajgl MEP are convening a two-day conference entitled '*Dialogue with China – Implementation of the Chinese Constitution to Safeguard and Protect the Rights of the Uyghur People*' at the European Parliament in Brussels on 29-30 April 2010 in collaboration with the **Unrepresented Nations and Peoples Organization (UNPO)** and the **World Uyghur Congress (WUC)**.

The conference will be opened by **Ms. Rebiya Kadeer**, President of the WUC, with the participation of **Mr. Marino Busdachin (UNPO)**, **Ms. Louisa Coan Greve (NED)**, **Ms. Corinna-Barbara Francis (Amnesty International)**, **Ms. Heidi Hautala MEP (written message)**, **Mr. Faruk Ünsal (MAZLUMDER)** as well as other international and Uyghur experts, MEPs and researchers who will present and discuss human rights and minority protection, Chinese constitutional rights and Uyghur – Chinese relations.

Registration Required

A detailed **conference programme** can be found at
<http://www.unpo.org/content/view/10887/81/>

Press Conference

A press conference with **Ms. Rebiya Kadeer**, **Ms. Louise Coan Greve**, **Mr. Marino Busdachin** and **Mr. Niccolò Rinaldi** will take place on **Thursday 29 April 2010 from 13.30 - 14.00h** in the Anna Politkovskaya Room (PHS 0A50), European Parliament

For media queries please contact:

Andrew Swan
+32 (0)472 577 518
aswan@unpo.org

For registration please send an email with your full name, date of birth and place of residence

to:
Jana Brandt
jbrandt@unpo.org

Deadline for registration: **21 April 2010**

PRESS REMINDER**FOR IMMEDIATE RELEASE****INTERNATIONAL CONFERENCE*****Uyghurs Call for Dialogue with China –
Implementation of the Chinese Constitution
to Safeguard and Protect the Rights of the Uyghur people***

29 April & 30 April
9.30 – 18.00h 9.30 – 12.30h

Room ASP3G2, Altiero Spinelli Building, European Parliament
60 Rue Wiertz, Brussels, Belgium

Mr. Niccolò Rinaldi MEP and **Mr. Ivo Vajgl MEP** are convening a two-day conference entitled ***‘Dialogue with China – Implementation of the Chinese Constitution to Safeguard and Protect the Rights of the Uyghur People’*** at the European Parliament in Brussels on 29-30 April 2010 in collaboration with the **Unrepresented Nations and Peoples Organization (UNPO)**, the **World Uyghur Congress (WUC)** and the **National Endowment for Democracy (NED)**.

The conference builds on the call for dialogue with Beijing after **Ms. Rebiya Kadeer’s** (President of the WUC) appearance before the European Parliament’s Subcommittee on Human Rights in 2009. **Ms. Kadeer** will open the conference with the participation of **Mr. Marino Busdachin (UNPO)**, **Ms. Louisa Coan Greve (NED)**, **Ms. Corinna-Barbara Francis (Amnesty International)**, **Ms. Heidi Hautala MEP (written message)**, **Mr. Faruk Ünsal (MAZLUMDER)** as well as other international and Uyghur experts, MEPs and researchers who will provide background to the current situation and set out possible paths to a constructive discussion of the problems facing East Turkestan and its people today.

Registration Required.

A detailed **conference programme** can be found at
<http://www.unpo.org/content/view/10887/81/>

Press Conference

A press conference with **Ms. Rebiya Kadeer**, **Ms. Louise Coan Greve**, **Mr. Marino Busdachin** and **Mr. Niccolò Rinaldi** will take place on **Thursday 29 April 2010 from 13.30 - 14.00h** in the Anna Politkovskaya Room (PHS 0A50), European Parliament

For media queries please contact:

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For registration please send an email with your full name, date of birth and place of residence

to:
Jana Brandt
jbrandt@unpo.org

Deadline for registration: **21 April 2010**

APPENDIX 2.4. – PRESS RELEASE (30 APRIL 2010)

PRESS RELEASE

FOR IMMEDIATE RELEASE

DECLARATION MAKES FORMAL CALL FOR DIALOGUE WITH BEIJING

Uyghurs publicly express their desire and readiness for dialogue with China to promote application of the Chinese constitution and international law in East Turkestan

30 April, 2010

European Parliament, Brussels, Belgium

The conference ***“Uyghurs Call for Dialogue with China - Implementation of the Chinese Constitution to Safeguard and Protect the Rights of the Uyghur People”*** has concluded today with a concerted call from Uyghurs for a meaningful dialogue to begin with Beijing over resolving the situation in East Turkestan and ensuring that provisions for the protection of minority rights in the Chinese constitution are observed.

Niccolò Rinaldi MEP, co-sponsor of the conference with **Ivo Vajgl MEP**, opened the conference on 29 April 2010 with the warning that “if we stop campaigning, the risk is not just that the [Uyghur] cause will become less known, but the real danger is that it will disappear.” Mr. Rinaldi subsequently pledged his support for a Uyghur-China dialogue, stating that with such an initiative, “the Uyghur people can count on the support of the ALDE Group.”

In her closing remarks today, **Rebiya Kadeer**, President of the World Uyghur Congress, reminded those present that Uyghurs have “never lost hope...in a nonviolent struggle” for the rights that Beijing has failed to respect for decades. She called on the international community to support what constitutes a landmark call for dialogue with China by bringing the resources and expertise to make it a reality.

Marino Busdachin, General Secretary of the UNPO, spoke of the conference as “beginning a new path for dialogue...the first time that Uyghurs have called for a dialogue with Beijing.” Progress was likely to be slow he believed, but “even a centimetre in the right direction is a very important political step.”

Representing the National Endowment for Democracy, **Louisa Coan Greve** emphasized the international solidarity that exists with East Turkestan, and that the conference had effectively utilized this solidarity to engage participants in a constructive discussion of the critical issues of self-governance that lie at the root of conflict resolution in East Turkestan.

Conference documents, including the Declaration and conference papers, are available at:

<http://www.unpo.org/content/view/10887/81/>

NOTE TO EDITORS

Rebiya Kadeer initiated the call for dialogue with China over the situation in East Turkestan at a meeting of the European Parliament's Subcommittee on Human Rights in September 2009. This came after fatal unrest in East Turkestan in July 2009 to which Chinese authorities responded with a 'Strike Hard' campaign. Today, Uyghurs remain in detention, some have been executed after flawed trials, and an unknown number remain missing after being extradited from countries in contravention of international law having fled China in the wake of the July 2009 unrest.

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APPENDIX 3 – BERLIN DECLARATION (2008)**Berlin Declaration**

Concerned deeply of the human rights violations committed against Uyghurs and the increased suppression they are facing by Chinese authorities;

Convinced that freedom for the Uyghur people would contribute and strengthen also the freedom of Tibetans, Inner Mongolians, and all those living within China;

Reject all allegations made by the government of China labelling the Uyghur people and their legitimate and just cause as “separatist” or “terrorist,” underlining in this context the continued commitment of the World Uyghur Congress to principles of democracy, human rights and nonviolence;

Reaffirm the entitlement of all peoples’ basic right to self-determination, as enshrined in many of the central documents of international law, including the Universal Declaration of Human Rights;

Call upon the government of China to respect the right of all Uyghurs to freedom of religion;

Urge the European Union, and its 27 Members States, to develop a new China policy, which focuses on the respect of human rights and the promotion of democratic reforms of the Chinese political system;

Call upon the authorities of the People’s Republic of China to respect the Uyghur people’s fundamental right to internal self-determination and so to implement in its entirety, including cultural, linguistic, and religious freedoms guaranteed to the Uyghur people by the Constitution of the People’s Republic of China and the Regional Ethnic Autonomy Law;

Urge European Union Member States to put pressure on China to initiate a meaningful dialogue for the peaceful and permanent settlement of the East Turkestan problem, and do their utmost to facilitate such a process;

Calls upon the European Union for the resettlement on humanitarian grounds of Uyghur detainees in Guantanamo Bay;

Urge the European Union to pressure the Chinese government to immediately release the imprisoned sons of Ms. Rebyia Kadeer;

Urge all international actors to pressure China to fulfil its commitment to improve human rights conditions, as promised before the 2008 Beijing Olympic Games were granted;

Call upon all people to express their denunciation of China’s human rights violations through the practice of nonviolence across the world.

Adopted by Participants at the Uyghur Leadership Seminar, in Berlin, Germany, on 23 April 2008



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