



**Submission to the  
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People's Republic of China**

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The Uyghur Human Rights Project (UHRP) was founded by the Uyghur American Association (UAA) in 2004 with a supporting grant from the National Endowment for Democracy (NED). UHRP's mission is to promote human rights and democracy for the Uyghur people, and to raise awareness of human rights abuses that occur in East Turkestan, referred to by the Chinese authorities since 1955 as the Xinjiang Uyghur Autonomous Region (XUAR). In 2016, UHRP became an independent 501(c)(3) nonprofit, tax-exempt organization.

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## Summary

1. Since the People's Republic of China's last UPR in 2013, the Uyghur people of East Turkestan (also known as the Xinjiang Uyghur Autonomous Region) have experienced a broad range of violations to their fundamental human rights. China has implemented a series of severe measures under the pretext of counter-terrorism; however, the intensification of security measures in the region has had a profound effect on every Uyghur individual and community. The Uyghur Human Rights Project (UHRP) highlights two issues as a matter of urgency (1) China's targeted use of 're-education centers' to arbitrarily detain 'suspect' Uyghurs. Evidence is emerging that these facilities function as prisons. Reports of maltreatment and deaths inside these facilities constitute a gross violation of human rights (2) China's extensive use of advanced surveillance technologies targeting Uyghurs, which will eventually have implications beyond the region.

## Political and Civil Rights

### *Passport Restrictions/Denial of Freedom of Movement*

2. The Chinese government has systemically denied Uyghurs the right to freely obtain passports. Since 2013, confiscations of passports held by Uyghurs have been accompanied by denials of applications.<sup>1</sup> Corruption and ethnic discrimination mark the application process for Uyghurs.<sup>2</sup> In 2016, the Chinese state claimed passports would only be issued if the applicant submitted a DNA sample, fingerprints, a voice-print sample, and a 3D body scan.<sup>3</sup> Repressive policies intensified beginning in 2015 with a notification for all passports held by residents of Ili Prefecture to hand the document to police.<sup>4</sup> Authorities extended the measure across the region the following year and towards Uyghurs across China in 2017.<sup>5</sup> Even seeking to obtain a passport or assisting others in obtaining passports makes Uyghurs a target for arrest or detention.
3. An extensive network of checkpoints has emerged in Xinjiang as the Chinese authorities cite ongoing security concerns. Uyghurs report movement through the checkpoints is more onerous than for Han Chinese in the region. Conditions in Hotan Prefecture are highlighted as particularly discriminatory with Uyghurs subjected to further checks.<sup>6</sup> In extending state control of movement, police adopted a measure to install GPS tracking units in every vehicle in Xinjiang to ensure "stability maintenance."<sup>7</sup>

### *Extrajudicial Killings/Deaths in Custody/Arbitrary Detentions/Political Prisoners*

4. UHRP documented the deaths of approximately 700 individuals in Xinjiang from 2013-14 in politically motivated incidents.<sup>8</sup> During this two-year period, the Chinese government ignored calls for an independent investigation into credible allegations of state violence and extrajudicial killings of Uyghurs peacefully assembled in Alaqagha,<sup>9</sup> Hanerik and Siriqbuya.<sup>10</sup> In addition, contested police killings of Uyghur individuals Abdulbasit Ablimit in 2013,<sup>11</sup> an unidentified Uyghur youth in Aksu in 2014,<sup>12</sup> Rozi Osman in 2014,<sup>13</sup> and seven unidentified Uyghurs in Purchaqchi in 2015 have not received a public inquiry.<sup>14</sup> Chinese authorities detained seventeen Uyghurs peacefully protesting the 2013 killing of Abdulbasit Ablimit.<sup>15</sup> In January 2018,

Muhammed Salih Hajim, a respected religious scholar and translator of the Quran, died in custody at age 82.<sup>16</sup>

5. The Chinese state does not disclose the circumstances of Uyghur deaths in custody. Uyghurs Perhat Mollahun (2013),<sup>17</sup> Tursungul (2015),<sup>18</sup> Memet Ibrahim (2015),<sup>19</sup> and Hayrigul (2017)<sup>20</sup> died in detention without a proper account from regional police.
6. In 2014, the UN Working Group on Arbitrary Detention (WGAD) rendered the opinion Uyghur academic Ilham Tohti's deprivation of liberty is arbitrary.<sup>21</sup> WGAD has also deemed the deprivation of liberty of other Uyghurs, including Gulmire Imin<sup>22</sup> and Alimjan Yimit,<sup>23</sup> as arbitrary. China regularly conducts mass detentions of Uyghurs in an arbitrary manner in the name of "stability maintenance." UHRP reported this pattern to the UPR Working Group in 2013; however, mass detentions of Uyghurs and Kazakhs has continued as of 2017.<sup>24</sup> In 2017, Amnesty International reported 30 members of prominent Uyghur human rights advocate Rebiya Kadeer were arbitrarily detained at a reeducation center.<sup>25</sup>
7. Uyghurs arrested, charged, and sentenced on political grounds is an on-going concern in the region.<sup>26</sup> Chinese authorities punish even mild opposition to government policies in Xinjiang. The detention of HIV/AIDS activist Akbar Imin is an example of the limited space the Uyghurs have in raising social problems with the state.<sup>27</sup> The arrest of popular musician Abdurehim Heyit without official explanation in 2017,<sup>28</sup> and the case of Uyghur author Nurmuhamet Yasin shows the tight constraints placed on artistic freedom.<sup>29</sup> Furthermore, Ayshem Emet, a prominent Uyghur writer, former editor of *Qumul Gazette* and Chief Editor of the magazine *Qumul Literature*, was arrested in early 2016. Emet wrote an historical novel *Immortal Traces*, which was published in 1987. The book depicted Uyghur peasant resistance to the Qing dynasty's harsh treatment of Uyghurs. The book was banned in 2016 and Emet was sentenced to 18 years imprisonment in 2016. Gheyret Niyaz's imprisonment illustrates the constraints placed on freedom of the press.<sup>30</sup> Concerns about due process continue into 2017.<sup>31</sup>

#### ***'Reeducation centers' / Forced Returns/Forced Disappearances***

8. In 2017, Chinese authorities initiated a network of 'reeducation centers' targeting five categories of "suspicious" Uyghurs for political indoctrination.<sup>32</sup> According to media reports, Uyghurs in the "thousands" have been detained in facilities in Hotan,<sup>33</sup> Korla, Ghulja,<sup>34</sup> and Kashgar.<sup>35</sup> Among those sent to the 'reeducation centers' are elderly residents from Korla.<sup>36</sup> One Kazakh national was imprisoned for over seven months on allegations of helping Uyghurs obtain passports; he was then sent to a 'reeducation center' for 20 days, where hundreds of Uyghurs and Kazakhs including children and the elderly were being detained.<sup>37</sup> Evidence is emerging that these facilities function as prisons. Reports of maltreatment and deaths inside these facilities constitute a gross violation of human rights.<sup>38</sup>
9. Chinese authorities conducted forced returns of Uyghurs overseas applying pressure on foreign governments. The UAE<sup>39</sup> and Thailand<sup>40</sup> forcibly returned Uyghurs seeking asylum to China. The condition and whereabouts of the returnees are unknown. In 2017, Egyptian authorities returned Uyghur students at the behest of China.<sup>41</sup> Uyghur students returned from these states have been imprisoned,<sup>42</sup> sent to 'reeducation centers,'<sup>43</sup> and forcibly disappeared.<sup>44</sup> The authorities appear to regard

all Uyghurs studying abroad as a potential threat; one student who returned to visit his family from his studies in the U.S.A was held for 17 days at a detention center and was threatened with retaliation against his family members if he spoke up about his experience.<sup>45</sup> Buzainafu Abudourexiti, a student returned from Egypt, has been detained incommunicado. Reports indicate she was handed a seven-year jail sentence after a secret trial.<sup>46</sup> Two returnees, Abdusalam Mamat and Yasinjan, died while in custody.<sup>47</sup> As of 2017, several documented cases of enforced disappearances conducted after ethnic unrest in Urumchi in 2009 remain unresolved.<sup>48</sup>

### ***Repressive Legal Instruments***

10. The Chinese government implemented a series of “counterterror” legal measures with provisions that fall far below international norms. The 2015 Counterterrorism Law of the People's Republic of China,<sup>49</sup> 2016 Xinjiang Uyghur Autonomous Region Implementing Measures of the Counterterrorism Law of the People's Republic of China,<sup>50</sup> and 2017 Xinjiang Uyghur Autonomous Region Regulations on De-extremification<sup>51</sup> apply a broad interpretation of terrorism that criminalize peaceful expressions of religious belief and legitimize securitization of the region.

### ***Violations of Freedom of Speech/Mass Surveillance***

11. China employed a national and regional legislative framework to deny Chinese citizens the ability to freely seek, receive and impart information online. Regional and local authorities violated Uyghurs' right to freedom of speech and association through extensive monitoring of internet use.<sup>52</sup> Chinese authorities particularly target mobile phones with local officials ordering residents submit digital devices for inspection,<sup>53</sup> and requiring smart phone users to download software to allow devices to be monitored remotely.<sup>54</sup> Inspections of mobile phone content is routine at roadside checkpoints with Uyghurs the focus of such scrutiny.<sup>55</sup>
12. The Chinese government is applying advances in surveillance technology to monitor en masse the activities of Xinjiang residents in violation of rights to privacy. Through force, coercion, or deceit Chinese officials are conducting widespread collection of individuals' DNA samples.<sup>56</sup> Furthermore, a document was circulated among Uyghurs to assess the threat each poses to the state.<sup>57</sup> A network of surveillance cameras equipped with identification scanners is among the most extensive worldwide.<sup>58</sup> China's monitoring of Uyghur activity extends to those residing overseas.<sup>59</sup>

### ***Economic, Social and Cultural Rights***

#### ***Linguistic Rights/Cultural Assimilation***

13. Since 2002, the Chinese government has with rising intensity implemented a “bilingual” language policy in schools and universities that will eliminate Uyghur as a language of instruction. The policy is designed to transition Uyghur students from education in their mother tongue to education solely conducted in Mandarin Chinese.<sup>60</sup> In 2017, the Hotan Prefecture Department of Education Department issued a directive requiring full instruction in Mandarin beginning in preschool and banning the use of Uyghur in all educational activities and management, threatening punishment if the directive is not followed.<sup>61</sup> In 2018, the Chinese government forced

Uyghurs to celebrate the Chinese New Year. Uyghurs were ordered to decorate their houses with Chinese cultural symbols, wear Chinese clothes and host Han Chinese families in their homes.<sup>62</sup>

### ***Religious Repression***

14. The Chinese government implemented a series of national, regional, and local legislative measures to narrowly restrict permissible religious behaviors.<sup>63</sup> Uyghurs Abdukiram Abduveli,<sup>64</sup> Qamber Amber,<sup>65</sup> Eli Yasin,<sup>66</sup> Eziz Emet,<sup>67</sup> and Horigul Nasir<sup>68</sup> were all convicted and imprisoned for their religious beliefs.
15. Uyghur religious leaders, such as imams, are required to attend political education classes to ensure compliance with Chinese Communist Party regulations and policies;<sup>69</sup> only state-approved versions of the Koran and sermons are permitted, with all unapproved religious texts treated as “illegal” publications liable to confiscation and criminal charges against whoever was found in possession of them;<sup>70</sup> any outward expression of faith in government buildings, some private businesses, and on public transport, such as men wearing beards or women wearing headscarves, is forbidden. Chinese authorities require the registration of religious individuals and have denied marriage applications and conducted evictions on the basis of adherence to the Islamic faith;<sup>71</sup> no state employees and no one under the age of 18 can enter a mosque, a measure not in force in the rest of China;<sup>72</sup> organized private religious education is proscribed and facilitators of private classes in Islam are frequently charged with conducting “illegal” religious activities. Punitive measures include demolition of teacher’s home;<sup>73</sup> students, teachers and government workers are prohibited from fasting during Ramadan. Chinese officials have forced some privately-owned restaurants to remain open during daylight fasting hours.<sup>74</sup> Uyghurs are not permitted to undertake Hajj, unless it is with an expensive official tour, in which state officials carefully vet applicants. Those Uyghurs who undertake Hajj outside of China’s purview are subject to arrest.<sup>75</sup> In 2017, Uyghurs reported schools were discouraging students from using the traditional Muslim greeting of “As-Salaam Alaikum.”<sup>76</sup>

### ***Violations of Uyghur Women’s Rights***

16. Uyghur women face a twofold abuse of their rights. Gender and ethnic discrimination against Uyghur women places this group as one of the most vulnerable in the People’s Republic of China. Women face endemic discrimination in the workplace and extreme challenges securing meaningful employment.<sup>77</sup> Religious repression disproportionately targets women and the Chinese authorities have instituted compulsory education programs in attempt to de-veil Uyghur women.<sup>78</sup> Chinese officials have also enforced late term abortions on Uyghur women.<sup>79</sup>

### ***Abuses of Labor Rights***

17. Uyghurs face overwhelming structural disadvantages in obtaining and retaining non-agricultural work. Those Uyghurs in the Chinese government’s labor transfer program, redistributing the so-called rural labor surplus to inner Chinese cities to work in factory jobs, also face a host of labor rights challenges. Chinese law and

international obligations notwithstanding, the Chinese government is at best complicit and at worst is itself a major agent of labor rights abuses against Uyghurs.<sup>80</sup>

18. The majority of Uyghurs who work in agriculture face a unique set of violations to their labor rights. In rural southern areas of Xinjiang, forced labor is a common practice, in a government program called *hashar*. This program requires 4 to 11 hours a day of unpaid labor on public works projects, with strict penalties for non-participation.<sup>81</sup>

## **Recommendations**

### ***Passport Restrictions/Denial of Freedom of Movement***

- Ratify the International Convention on Civil and Political Rights and implement the provisions contained in Article 12 through domestic law.
- Meet obligations on freedom of movement as outlined in Article 13 of the Universal Declaration on Human Rights.

### ***Extrajudicial Killings/Deaths in Custody/Arbitrary Detentions/Political Prisoners***

- Ratify the International Convention on Civil and Political Rights and implement the provisions contained in Articles 6 and 9 through domestic law.

### ***Reeducation centers/ Forced Returns/Forced Disappearances***

- Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance and enact domestic legislation that gives force to its provisions.
- Invite the UN Working Group on Enforced and Involuntary Disappearances to Xinjiang to conduct an investigation of reports of enforced disappearances among Uyghurs.

### ***Repressive Legal Instruments***

- Conform with the standards outlined in the United Nations Global Counter-Terrorism Strategy resolution and Plan of Action (A/RES/60/288) adopted by the Member States on 8 September 2006. The resolution states: “[T]errorism cannot and should not be associated with any religion, nationality, civilization or ethnic group.” China should also conform with the measures set forth in the sections of the Plan of Action entitled “Measures to address the conditions conducive to the spread of terrorism” and “Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.”

### ***Violations of Freedom of Speech/Mass Surveillance***

- Ratify the International Convention on Civil and Political Rights and implement the provisions contained in Article 17 and 19 through domestic law.
- Act on concerns raised in the 2012 Annual Report by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression regarding China’s laws on endangering state security, which were described as “flawed domestic laws that purport to combat hate speech but are in fact used to suppress critical or opposing voices.”

***Linguistic Rights***

- Ratify the International Convention on Civil and Political Rights and implement the provisions contained in Article 27 through domestic law.
- Realize Article 4 of the Declaration of the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which protects mother language education for minority groups.
- Meet obligations as set out in Articles 29 and 30 of the Convention on the Rights of the Child.

***Religious Repression***

- Sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination implementing Article 5 (vii) through domestic law.
- Meet obligations as set out in Article 30 of Convention on the Rights of the Child.
- Realize Article 1 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and Article 2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.
- Invite United Nations special rapporteurs on Religion or Belief and on Minority Issues to assess the condition of religious freedom among Uyghurs.

***Violations of Uyghur Women's Rights***

- Meet the obligations of Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women.
- Institute Article 18 of General recommendation No. 35 on gender based violence against women, updating general recommendation No. 19, which states forced abortions are a form of gender-based violence “that, depending on the circumstances, may amount to torture or cruel, inhuman or degrading treatment.”

***Abuses of Labor Rights***

- Sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination and implement Article 5 e (1) through domestic law.
- Ratify ILO Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105).

**ENDNOTES**

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