

China: Mass arbitrary detentions in Xinjiang Uyghur Autonomous Region (XUAR)

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Background

During 2017 and 2018 there have been reports of the widespread detention of Uyghurs, Kazakhs and members of other ethnic groups in political re-education camps¹ in Xinjiang Uyghur Autonomous Region (XUAR). The strength of the evidence leaves no doubt that mass detentions are taking place in XUAR which violate domestic and international law.

The information in this briefing has been compiled by CSW from interviews and data provided by witnesses and family members of victims of arbitrary detention and enforced disappearance in XUAR. This information is consistent with other publicly available reports based on the following sources:

- Public recruitment notices
- Government procurement and construction bids
- Chinese state media
- Eyewitness testimony from former re-education camps employees, detainees and visitors
- Uyghur diaspora
- Testimony from legal proceedings (Kazakhstan)
- Academic research²
- Reports by non-governmental organisations (NGOs)³
- International media⁴
- Google Maps images

1 Various known as 'counter-extremism training centres', 'education and transformation training centres' etc.

2 Including Zenz, Adrian (2018), "Thoroughly Reforming them Toward a Healthy Heart Attitude" – China's Political Re-Education Campaign in Xinjiang www.academia.edu/36638456/Thoroughly_Reforming_them_Toward_a_Healthy_Heart_Attitude_-_Chinas_Political_Re-Education_Campaign_in_Xinjiang

3 Including: Human Rights Watch (2018), "Eradicating Ideological Viruses": China's Campaign of Repression Against Xinjiang's Muslims www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs

Amnesty International (2018), China: "Where Are They?" – Time for answers about mass detentions in the Xinjiang Uyghur Autonomous Region www.amnesty.org/download/Documents/ASA1791132018ENGLISH.PDF

Uyghur Human Rights Project 'Awaiting "Never again": The Persecution of Uyghur Muslims', 2 October 2018 <https://uhrp.org/featured-articles/awaiting-%E2%80%9Cnever-again%E2%80%9D-persecution-uyghur-muslims>

4 Including: Radio Free Asia, Uyghur News www.rfa.org/english/news/uyghur

Summary of findings

Over one million individuals are believed to have been detained without charge in political re-education camps since 2017. Recent estimates are as high as three million.

Reasons for detention in the camps include:

- Having the messaging service WhatsApp on one's phone
- Having relatives living abroad
- Accessing religious materials online
- Having visited certain 'sensitive' countries
- Communal religious activities
- Behaviour indicating 'wrong thinking' or 'religious extremism'

Sometimes no reason is given at all.

Detainees are predominantly but not exclusively Muslim, and include people of Uyghur, Kazakh and Kyrgyz ethnicity. Uyghur Christians, including religious leaders, have also been sent to re-education camps.

Individuals sent to re-education camps do not have access to legal counsel and there is no mechanism for appeal. Their families are typically not told where they are being held, or when they will be released.

Inside the camps conditions are dangerously unsanitary and overcrowded; detainees are subject to beatings, sleep deprivation and solitary confinement. In October 2018 reports emerged of camp detainees being transferred to prisons in Heilongjiang and other parts of China.

The disappearance into these camps of millions of people has further heightened the already critical level of fear which pervades the region. Disappearances can happen at any time, to any person, without warning. In such a climate of fear, many Uyghur Muslims have stopped public and communal religious observance and have broken off contact with relatives overseas.

The religious element

Although not all detainees are Muslim, and ethnicity appears to be the most significant factor linking the detentions, nevertheless there is a significant religious element as well. Not only have some individuals been detained allegedly

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free to believe

in connection with their peaceful religious activities, but witnesses also report that inside the camps detainees are required to renounce Islam and promise not to follow religion. Detainees have been forced to eat pork or drink alcohol, against their religious beliefs.

Christian Uyghurs have also been detained: cases reported to CSW have not involved a connection with specific Christian activities, although other reports state that Christian detainees have been questioned about their religious beliefs.

Outside the camps, authorities have demolished thousands of mosques in XUAR. Even small-scale, peaceful everyday religious activities and expressions of religious identity are viewed as suspicious by the authorities. As mentioned above, many Uyghur Muslims have stopped public and communal religious observance as a result. The well-documented and extreme levels of surveillance imposed on XUAR residents, and in particular Uyghur, Kazakh and other non-Han ethnic groups, mean that communal gatherings of any nature are tightly controlled, and religious meetings outside of registered venues, for any community, are prohibited.

These developments have occurred amid a rapid and significant decline in the level of freedom of religion or belief across China under Xi Jinping. On 1 February 2018 revised Regulations on Religious Affairs (RRA) came into effect, which further tighten control over religious activities and include vague and undefined references to 'foreign control and 'national security', which have the potential to be used to place further restrictions on religious groups. The RRA are part of a wider set of policies which have used 'national security' as a justification for repression.

Additionally, in September 2018 China issued draft regulations on the management of Internet Religious Information Services, which stipulate that those wishing to disseminate religious teachings and information online must apply for a licence and meet a number of requirements. The draft also contains broadly worded prohibitions against undermining national unity and social stability, attacking the state's religious policies and regulations, and inciting minors to participate in religious activities (Article 15).

The revised RRA have been accompanied by an increase in restrictions on both registered and unregistered Catholic and Protestant churches. Churches belonging to the state-sanctioned Three Self Patriotic Movement have been forced to 'sinicise' and demonstrate their loyalty to the Communist Party by singing pro-Communist songs during church services, removing crosses, and displaying the national flag. Similarly there are reports of Buddhist temples being demolished by authorities. Large and small unregistered 'house' churches have been forced to close, and fined for holding religious activities. Such cases have been reported in Henan, Jiangxi, Zhejiang, Liaoning, and Hebei Provinces. Catholic and Protestant clergy who oppose such measures are removed from their positions and sometimes detained or fined. Tibetan Buddhists and Falun Gong practitioners continue to report some of the gravest human rights violations including arbitrary detention, enforced disappearance, and torture.

Children in XUAR

The arbitrary detention of hundreds of thousands of Uyghurs, Kazakhs and people from other ethnic groups in XUAR has direct and critical implications for the rights and wellbeing of children in the region.

Teenagers have been reportedly held in re-education camps alongside adults.⁵ There is at least one report of a minor dying in a camp: according to Radio Free Asia, in March 2018 a 17-year-old Uyghur boy, Naman, died of unknown causes, in detention at a political re-education camp in Kashgar. His family was forced to bury him under police supervision, according to sources interviewed by Radio Free Asia. Naman had been arrested after travelling to Turkey as a tourist with friends.⁶

The children of individuals detained in the camps have been sent to state-run orphanages, training centres, or welfare facilities. A Uyghur worker at a regional orphanage told RFA that his facility was seriously overcrowded, with children as young as six months "locked up like farm animals in a shed."⁷

Ethnic minority schools in XUAR have reportedly been closed, and in some cases transformed into re-education camps. According to China Aid, from March 2018, the authorities have only permitted schools with a 'Han Chinese background' to operate, closing down schools that specifically cater to Uyghur, Kazakh, and Mongolian children. Authorities closed down the Fourth Uyghur Secondary School of Xinyuan on 2 March and confirmed that it had been reopened as a 'political training center'.⁸

Under-18s are prohibited from attending religious services, in violation of their right to freedom of religion or belief under Article 18 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), as well as Article 14 of the United Nations Convention on the Rights of the Child (CRC), which China has ratified. Furthermore, the child's right to education without discrimination is guaranteed by Article 26 of the UDHR and Articles 28 and 29 of the CRC. The right to education is guaranteed in Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which China has also ratified.

⁵ Human Rights Watch, 2018

⁶ Radio Free Asia, 'Uyghur Teenager Dies in Custody at Political Re-Education Camp', 14 March 2018 www.rfa.org/english/news/uyghur/teenager-03142018154926.html/

⁷ Radio Free Asia, 'Dozens of Uyghur Children of Xinjiang Village Camp Detainees Sent to Live in Orphanages', 2 July 2018 www.rfa.org/english/news/uyghur/orphanages-07022018143057.html

⁸ ChinaAid, 'Xinjiang converts ethnic minority schools into ethnic minority detention centers', 9 April 2018 www.chinaaid.org/2018/04/xinjiang-converts-ethnic-minority.html

Recommendations

To the government of the People's Republic of China

- Abolish and end the use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention, and release detainees immediately and without condition.
- Ensure that no citizen is detained incommunicado and that family members of detainees are informed of their whereabouts and any charges against them, in accordance with international standards.
- Protect the rights of detainees and prisoners by stopping all forms of torture and ill-treatment and impartially investigating allegations and reports of torture and deaths in detention.
- Protect the rights of children in XUAR by ceasing the practice of forcibly removing children from their homes and families, and ensuring minors are not detained in adult facilities.
- Guarantee the right to freedom of religion or belief for people of all ethnicities and religions in XUAR, in line with Article 18 of the UDHR and the ICCPR.
- Grant access to XUAR to United Nations Special Procedures and other international human rights bodies and experts.

To the international community

- At every possible opportunity, in public and in private, condemn China's use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention.
- Urge China to release detainees immediately and without condition, and to act on the recommendations provided above.
- Investigate and monitor cases of enforced disappearance and arbitrary detention in XUAR, as well as other human rights abuses including violations of the right to FoRB.
- Consider all available means of investigation into human rights abuses in XUAR, including inquiries into whether abuses perpetrated by the Chinese government constitute crimes against humanity and cultural genocide.
- Consider sanctions against policymakers responsible for human rights abuses in XUAR, including provincial officials.
- Given the high risk of arbitrary detention and ill treatment for those returning to XUAR from overseas, individual national governments should also ensure that Uyghurs and individuals belonging to other non-Han Chinese ethnic groups are not forcibly deported to China.

As Christians, we stand with everyone facing injustice because of their religion or belief.