

Barriers to the right to development in the Xinjiang Uyghur Autonomous Region (XUAR)

Introduction

Over one million Uyghurs, Kazakhs and members of other ethnic groups are believed to have been detained in political ‘re-education’ camps in China’s Xinjiang Uyghur Autonomous Region (XUAR) since 2017, as previously reported by CSW.¹ These detentions are part of a wider context of repression in the region, which includes the economic marginalisation of non-Han ethnic groups and has serious implications concerning the right to development of persons belonging to ethnic minorities in the region.

During its UPR in November 2018, China made a point of highlighting its experience in promoting human rights in the process of development and poverty alleviation, including giving top priority to development and the promotion and protection of human rights in the process of development.²

However, testimonies from witnesses, former residents and detainees in XUAR indicate that large portions of the population in the region are excluded from the enjoyment of the right to development, despite repeated claims by China that the XUAR is a site of strong political and economic development which benefits its residents.

Inequitable development and economic marginalisation

Foreign visitors to Xinjiang have, according to state media, marvelled at the level of development, while officials claim the region had 7.6 percent GDP growth in 2017.³ However, various indicators demonstrate that Uyghurs and other ethnic groups have been largely excluded from the benefits of this development.

A report by the Uyghur Human Rights Project outlines the inequitable nature of development in the region:

The build-up of infrastructure, investment and migration encouraged by these initiatives have done little to significantly alter economic opportunities for Uyghurs, as they remain outside the planning, implementation and monitoring processes while their region undergoes transformation. While China is often quick to claim its successes in raising large numbers of citizens out of poverty, it remains less vocal about how inequitable this change has become.⁴

Furthermore, Beijing’s trade ambitions beyond China’s borders, most notably the One Belt, One Road (OBOR) initiative, are an incentive for control in XUAR, entailing increased surveillance and tight restrictions on civil rights: “To achieve geopolitical dominance through trade in Eurasia, Beijing needs to exercise complete control over the territory of East Turkestan.”⁵

A Uyghur man living overseas interviewed by CSW confirmed and expanded on these observations, concluding: “Economic exploitation has taken place, almost all the wealth and property of Uyghurs have been seized by the Chinese Government, driving them into abject poverty. The Uyghur language is banned. There are restrictions on religious, economic, social, and cultural freedom. Uyghurs are going through a genocide.”

¹ CSW, ‘Mass arbitrary detentions in Xinjiang,’ 16 October 2018 <https://www.csw.org.uk/2018/10/16/report/4122/article.htm>

² UN. General Assembly, 33rd Session of the Human Rights Council, ‘Report of the Working Group on the Universal Periodic Review: China’, 26 December 2018 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/446/59/PDF/G1844659.pdf?OpenElement>

³ Global Times, ‘Xinjiang stability on the rise’, 16 October 2018, <http://www.globaltimes.cn/content/1123155.shtml>

⁴ Uyghur Human Rights Project, ‘End of the Road: One Belt, One Road and the Cumulative Economic Marginalization of the Uyghurs’, March 2017, p.3 <https://uhrp.org/docs/End-of-the-Road.pdf>

⁵ Ibid. p.11

Uyghurs and other minorities in the region also face discrimination in the employment sector as a further barrier to their right to development. In 2014 the BBC reported that Han Chinese citizens are said to be given the best jobs and the majority do well economically, while Uyghur commercial activities were being gradually curtailed by the state.⁶ The Council on Foreign Relations echoes this, saying “Human rights organizations have observed that the economic benefits of resource extraction and development are often disproportionately enjoyed by Han Chinese, and Uighur people are increasingly marginalized.”⁷

Furthermore, numerous successful Uyghur entrepreneurs have been arbitrarily detained. In January 2018 Radio Free Asia (RFA) reported that authorities in Xinjiang had jailed the four wealthiest ethnic Uyghurs in Kashgar, a city in the west of the region.⁸ Abduljelil Hajim, Gheni Haji, Memet Tursun Haji, and Imin Hajim were arrested in May 2017, and later sentenced to a total of 42 years in prison for acts of “religious extremism.”

In April 2019 RFA reported that a successful Uyghur property developer, Ilyas Memet, 48, had been arrested at his office in Ili Kazakh Autonomous Prefecture’s Ghulja (Yining) city in March 2018.⁹

Barriers to education

One way in which ethnic minorities in the XUAR experience obstacles to their full right to development is through the closure of education facilities and the broader impact on under-18s. 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.¹⁰ Where two parents have been detained, children have been sent to live in state-run facilities or sent to live with relatives, interrupting their education and causing serious psychological distress.

Ethnic minority schools in the XUAR have reportedly been closed, and in some cases transformed into re-education camps. According to ChinaAid, 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.’¹¹

In their concluding observations on the combined fourteenth to seventeenth periodic reports of China in August 2018, the UN Committee on the Elimination of Racial Discrimination noted reports that Uyghur language education has been banned in schools in XUAR’s Hotan (Hetian) prefecture.¹²

Barriers to the realisation of the Sustainable Development Goals (SDGs) for detainees

Testimonies from witnesses and former detainees indicate that the treatment of individuals inside the camps represent barriers to the full realisation of several aspects of the SDGs. One former detainee told Australian Broadcasting Corporation (ABC) that she lost more than 20kg in her first month in the camp.¹³ Another

⁶ BBC News, ‘Why is there tension between China and the Uighurs?’, 26 September 2014 <https://www.bbc.co.uk/news/world-asia-china-26414014>

⁷ Council on Foreign Relations, ‘China’s Crackdown on Uighurs in Xinjiang’, 11 April 2019 <https://www.cfr.org/backgroundunder/chinas-crackdown-uighurs-xinjiang>

⁸ Radio Free Asia, ‘Chinese Authorities Jail Four Wealthiest Uyghurs in Xinjiang’s Kashgar in New Purge’, 5 January 2019 <https://www.rfa.org/english/news/uyghur/wealthiest-01052018144327.html>

⁹ Radio Free Asia, ‘Successful Uyghur Developer Confirmed Detained by Xinjiang Authorities’, 16 April 2019 <https://www.rfa.org/english/news/uyghur/developer-04162019171959.html>

¹⁰ CSW, China: Mass arbitrary detentions in Xinjiang Uyghur Autonomous Region (XUAR), October 2018

¹¹ ChinaAid, ‘Xinjiang converts ethnic minority schools into ethnic minority detention centers’, 9 April 2018 <https://www.chinaaid.org/2018/04/xinjiang-converts-ethnic-minority.html>

¹² United Nations Committee on the Elimination of Racial Discrimination, Concluding observations on the combined fourteenth to seventeenth periodic reports of China, p. 8, paragraph 40e https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CHN/CERD_C_CHN_CO_14-17_32237_E.pdf

¹³ ABC, ‘Uyghur woman details life inside Chinese ‘re-education camp’ in Xinjiang’, 8 January 2019 <https://www.abc.net.au/news/2019-01-08/uyghur-woman-details-life-inside-chinese-re-education-camp/10697044>

reported that he did not receive sufficient food during his detention and suffered from hunger.¹⁴ Examples such as these indicate an obstacle to the realisation of target 2.1 of the SDGs, to “end hunger and ensure access by all people ... to safe, nutritious and sufficient food all year round.”¹⁵

The detentions also represent a barrier to the realisation of target 3.8 of the SDGs, to achieve “access to quality essential health-care services.” A report by Human Rights Watch (HRW) details witness testimonies indicating that detainees have been denied release even when they have been in clear need of medical treatment. One individual had a severe kidney condition which resulted in his urine turning red but he was not allowed out of the camp for surgery; another needed to have several tumours surgically removed from her body but was instead sent for a medical check-up and told she was “OK.”¹⁶

RFA also reports that Uyghurs in at least two detention centres in the region were suffering from medical conditions that they believe are being neglected by facility staff.¹⁷ One example was that of a woman named Patigul Dawut, who was ordered to serve six months in a local detention centre, despite suffering from a number of health complications. Dawut had had her pancreas removed, had undergone heart surgery, and had been in a car accident that required three additional surgeries. Her husband told RFA that he did not believe she was receiving medication for any of these conditions.

Recommendations:

- Together with other Special Procedures, issue a joint statement condemning China’s use of re-education camps, and all forms of extra-legal detention, enforced disappearance and arbitrary detention, and publically call for an independent international fact-finding mission to the XUAR.
- Investigate and monitor conditions in the camps and detention facilities in XUAR and publically condemn human rights violations impacting the right to development.
- Encourage and work with the Working Group on the Right to Development to produce a specific report on the situation in Xinjiang with regards to the right to development.
- Urge China to release all detainees immediately and without condition.
- Call on China to re-open all schools which have been closed in XUAR, specifically those catering to Uyghur, Kazakh, and Mongolian children, and ensure all children have access to education without discrimination.
- Urge the international community to 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, urge Member States to ensure that Uyghurs and other individuals at risk of arbitrary detention and other human rights abuses are not forcibly deported to China.

¹⁴ Foreign Policy, ‘A Summer Vacation in China’s Muslim Gulag’, 28 February 2018 <https://foreignpolicy.com/2018/02/28/a-summer-vacation-in-chinas-muslim-gulag/>

¹⁵ UN, Sustainable Development Goals, <https://sustainabledevelopment.un.org/sdgs> [accessed 9 May 2019]

¹⁶ Human Rights Watch, “‘Eradicating Ideological Viruses’ China’s Campaign of Repression Against Xinjiang’s Muslims”, 9 September 2018 <https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>

¹⁷ Radio Free Asia, ‘Uyghur Inmates Suffer Health Complications Due to Neglect in Xinjiang Detention Centers’, 18 January 2018 <https://www.rfa.org/english/news/uyghur/health-01182018171513.html>