

Rights of religious and ethnic minorities in the People's Republic of China and the Islamic Republic of Pakistan

Submission by CSW to the 40th Session of the United Nations Human Rights Council

Introduction

1. Christian Solidarity Worldwide (CSW) is a human rights organisation specialising in freedom of religion or belief (FoRB) for all.
2. This submission seeks to draw the Council's attention to the situation for ethnic and religious minorities in the People's Republic of China and the Islamic Republic of Pakistan.
3. Since 2013 there has been a marked deterioration in the overall protection of human rights in China. Under President Xi Jinping increasing human rights abuses in China have been accompanied by and manifested through a shrinking space for civil society, a heightened sensitivity to perceived challenges to Party rule, and the introduction of legislation that curtails civil and political rights in the name of national security.
4. In Pakistan, the situation for religious minorities continues to deteriorate.

Ongoing blasphemy allegations, sectarian violence and targeted attacks on minorities and human rights defenders (HRDs) erode human rights, creating space for far-right Islamist groups to exert their influence, especially where the government has lacked the will to address violations.

People's Republic of China: Situation for religious and ethnic minorities in Xinjiang Uyghur Autonomous Region

5. In China, the situation in the Xinjiang Uyghur Autonomous Region (XUAR) is of particular concern; over one million Uyghurs, Kazakhs and members of other ethnic groups are believed to have been detained in 're-education camps'¹ since 2017, for varying periods of time, without charge. The strength of evidence, including reports submitted to the United Nations (UN) by non-government organisations (NGOs), leaves no doubt that mass detentions

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

are taking place in XUAR in violation of domestic and international law.

6. 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 the camps. In some cases whole families, including children, have reportedly been held in the camps. Witnesses report that in some areas, almost every man under 70 years of age has been sent to a camp for such reasons as having a relative living overseas, wearing 'Islamic' clothing or reading the Qur'an. In other cases, no reason has been given at all.
7. Not only have some individuals been detained allegedly 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 a religion. The disappearance into these camps of over one million 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.
8. CSW is also concerned by the practice of using 'national security' as justification for detaining religious adherents. At the 31 Session of the Universal Periodic Review (UPR) in November 2018, China justified the use of these camps as a means to tackle extremism: "Instead of cracking down upon these people after they became terrorists and a danger to others and the society, these institutions helped them reintegrate into the society before they become hard-core terrorists or victims of terrorism."² On the contrary, all evidence suggests that the Chinese authorities are acting with discrimination on the grounds of ethnic and religious origin.
9. The arbitrary detention of over one million 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; children of individuals detained in the camps have been sent to state-run orphanages, training centres, or welfare facilities.
10. Ethnic minority schools in XUAR have reportedly been closed, and in some cases transformed into types of camps. Authorities closed down the Fourth Uyghur Secondary School of Xinyuan on 2 March and confirmed that it had been reopened as a 'political training centre'.³

² Human Rights Council draft report of the working group on the Universal Periodic Review, China. 22 November, A/HRC/WG.6/31/L.3

³ ChinaAid, 'Xinjiang converts ethnic minority schools into ethnic minority detention centers', 9 April 2018

11. Teenagers have been reportedly held in the camps alongside adults⁴ and there has been 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. Naman had been arrested after travelling to Turkey as a tourist with friends.⁵

Recommendations to the International Community:

12. **Strongly urge China to set out a clear timetable for ratification of the International Covenant on Civil and Political Rights (ICCPR); this should be set out as a benchmark for progress at all human rights dialogues and other bilateral meetings.**
13. **Strongly encourage China to extend protection of the right to freedom of religion or belief (FoRB) beyond the five recognised religions, and to revise registration requirements and legislation pertaining to religion to comply with Article 18 of the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR), in consultation with religious communities and legal experts.**

14. **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 – and urge China to release detainees immediately and without condition.**

15. **Urge the United Nations Human Rights Council to adopt a resolution establishing an international fact-finding mission to investigate credible allegations of human rights abuses and mass arbitrary detentions in camps across XUAR, including inquiries into whether abuses perpetrated by the Chinese government constitute crimes against humanity and cultural genocide.**

16. **Urge China to grant access to XUAR to United Nations Special Procedures and other international human rights bodies and experts.**

17. **Consider sanctions against policymakers responsible for human rights abuses in XUAR, including provincial officials.**

18. **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 ethnic groups are not forcibly deported to**

www.chinaaid.org/2018/04/xinjiang-converts-ethnic-minority.html

⁴ Human Rights Watch, 2018

[xinjiang-converts-ethnic-minority.html](http://www.chinaaid.org/2018/04/xinjiang-converts-ethnic-minority.html)

⁵ 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/

China.

**Islamic Republic of Pakistan:
Situation for religious minorities**

19. Freedom of religion or belief concerns in the Islamic Republic of Pakistan range from discriminatory legislation, everyday institutional and social discrimination to targeted violence against religious minorities, including Christians, Hindus, Shi'a Muslims and Ahmadis. Religious minorities are often treated as second-class citizens, facing discrimination in employment, education and through electoral procedures. The situation is exacerbated by terrorist attacks, sectarian violence and perpetrator impunity.
20. The Ahmadiyya community is the most widely institutionally and constitutionally persecuted religious group in Pakistan; a 1974 constitutional amendment declared them as non-Muslims since they do not accept Muhammad as the final prophet. The promulgation of Ordinance XX (20) in 1984 and additions to the penal code, Sections 298-B and 298-C impose severe restrictions on their religious beliefs and criminalise the practice of their faith.
21. The EU Election Observation Mission noted in Pakistan's 2018 elections that Ahmadis are registered on a separate electoral roll, in order to vote they must sign a certificate denouncing their faith and the founder of their community, a clear disenfranchisement of Ahmadi voters.
22. On 23 May 2018 in Sialkot, Punjab province, the Baitul Mubarak mosque and nearby historic building were destroyed by a mob of around 600 people. Police who were present allowed the demolition as they said law and order was threatened.
23. On 25 June 2018, Qazi Muhammed Shoban, an Ahmadi Muslim, was shot three times in the stomach and killed by one assailant while his wife and three children were detained in a room by a second assailant. During 2017, four Ahmadis were murdered: advocate Malik Saleem Latif, cousin of Nobel laureate Dr Abdus Salam; Dr Ashfaq Ahmad, who was killed in Lahore retired professor Tahira Malik, stabbed at home in the Punjab University Housing Colony and Basharat Ahmad, who was shot on his way to mosque.
24. In Quetta, the capital of Balochistan, Christians and Shi'a Hazaras have suffered targeted attacks. After multiple killings of Shi'a Hazaras during April 2018, Quetta's Hazara community staged a protest led by activist Jalila Haider, who went on hunger strike in criticism of the inaction and failure of law enforcement and security agencies to prevent the murders of Hazaras. On 2 April 2018, four members of a Christian family were killed by attackers on a motorbike as they travelled by rickshaw on Quetta's Shah Zaman Road.

25. Pakistan's blasphemy laws continue to be controversial, Sections 295-A, B and C of the penal code make it a criminal offence to insult another's religion. On 10 June 2017, Taimoor Raza, a Shi'a Muslim, became the first person to be sentenced to death by the Anti-Terrorism Court for allegedly committing blasphemy on Facebook. On 19 February 2018, Patras Masih, a Christian, was arrested for allegedly posting blasphemous content online. During the investigation the Federal Investigation Agency (FIA), summoned his cousin Sajid Masih. Both were allegedly tortured. Sajid Masih was ordered to sexually abuse Patras Masih. He refused and jumped from the building injuring himself.

26. Asia Noreen (better known as Asia Bibi) was falsely accused of blasphemy in 2009 and sentenced to the death penalty in 2010. The Supreme Court acquitted her on 31 October 2018 and rejected an appeal against her acquittal on 29 January 2019. CSW welcomes the Court's decision to dismiss the review petition against Asia Noreen and to uphold her acquittal. We urge the government of Pakistan to ensure the safety and relocation of her and her family outside of Pakistan.

Recommendations to the International Community

27. Urge Pakistan to fully cooperate with all UN Special Procedures and issue a standing invitation to the UN Special Rapporteur on freedom of religion or belief to visit Pakistan,

with unhindered access to all parts of the country.

28. Urge Pakistan to uphold its commitments to the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), to which it is party.

29. Encourage Pakistan to amend Sections 295-A, B and C of the penal code as a step towards full repeal of its blasphemy laws, and to further call on Pakistan to repeal the second amendment to the constitution and Ordinance XX which discriminate against Ahmadi Muslims.

30. Urge Pakistan to ensure that proper investigations are carried out into attacks against religious minorities, including on their places of worship, and ensure that the perpetrators are arrested and brought to justice.