

350 Fifth Avenue, 34th Floor
New York, NY 10118
Phone: 212-290-4700
Fax: 212-736-1300
E-mail: hrwnyc@hrw.org
Website: <http://www.hrw.org>

CHINA: HUMAN RIGHTS CONCERNS IN XINJIANG

A Human Rights Watch Backgrounder

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Xinjiang after September 11

In the wake of the September 11 attacks on the United States, the People's Republic of China has offered strong support for Washington and affirmed that it "opposes terrorism of any form and supports actions to combat terrorism." Human Rights Watch is concerned that China's support for the war against terrorism will be a pretext for gaining international support—or at least silence—for its own crackdown on ethnic Uighurs in the Xinjiang Uighur Autonomous Region.

Beijing has long claimed to be confronted with "religious extremist forces" and "violent terrorists" in Xinjiang, a vast region one-sixth of China's land area. Xinjiang has a population of 18 million and is home to numerous Turkic-speaking Muslim ethnic groups, of which the Uighurs, numbering eight million, are the largest. (The second largest group is the Kazakhs, with 1.2 million.) The percentage of ethnic Chinese (Han) in the population has grown from 6 percent in 1949 to 40 percent at present, and now numbers some 7.5 million people.

Much like Tibetans, the Uighurs in Xinjiang, have struggled for cultural survival in the face of a government-supported influx by Chinese migrants, as well as harsh repression of political dissent and any expression, however lawful or peaceful, of their distinct identity. Some have also resorted to violence in a struggle for independence

Chinese authorities have not discriminated between peaceful and violent dissent, however, and their fight against "separatism" and "religious extremism" has been used to justify widespread and systematic human rights violations against Uighurs, including many involved in non-violent political, religious, and cultural activities.

At every meeting of the Shanghai Five, an informal association of China, Kazakhstan, Kyrgyzstan, Tajikistan, and Russia, set up in 1996 at China's initiative, China has emphasized the need to prevent cross-border "activities undermining national sovereignty." It was clearly worried about Uighurs gaining support from fellow Muslims in Central Asia. One focus of the Shanghai Five was cooperation to counter Islamic radicalism in the region. Uzbekistan, a major Central Asian power, joined the group in June 2001, which was then renamed the Shanghai Cooperation Organization. At the same time, the group announced the establishment of an anti-terrorist center to be set up in Bishkek, Kyrgyzstan.

Since 1996 Beijing has received ample assurances from fellow members of the Shanghai Five that organizations representing Uighur opposition groups will not be allowed to operate from Central Asia. The governments of Kyrgyzstan and Kazakhstan, under severe pressure from China, dissolved Uighur political parties, closed newspapers, and arrested militants, particularly after serious riots in Yining, Xinjiang, in 1997. In 1999 Kazakhstan repatriated three Uighur refugees at China's request.

The Independence Groups

There has long been strong Uighur opposition to Chinese rule in Xinjiang. Effective control of the region by the central government was not achieved until the creation of the People's Republic of China in 1949. Prior to this, from 1944 to 1949, a short-lived independent East Turkestan Republic, backed by the Soviet Union and inspired by pan-Turkic ideology, was established in western Xinjiang.

Today, the Uighur opposition-in-exile is based in Turkey, Germany and the United States, and remains overwhelmingly pan-Turkic. The East Turkestan National Congress, based in Munich, Germany, which is a federation of most of the Turkish and European Uighur associations, has consistently advocated peaceful means to achieve a "real autonomy" or "independence" for the country they still call East Turkestan.

Likewise, Uighur organizations in Central Asia, like the Kazakhstan Regional Uighur Organisation in Almaty or Kyrgyzstan Uighur Unity in Bishkek are of secular and democratic aspirations.

In Xinjiang itself, no unified movement has surfaced, although even if the groups themselves had the will to join forces, Chinese restrictions on basic freedoms in Xinjiang would make it all but impossible to do so. Opposition groups tend to gravitate around two geographic poles: Yining and the Yili valley, in the western part of Xinjiang close to the Kazakhstan border; and Kashgar and Hetian, in southern Xinjiang.

According to the little information available, pan-Turkic movements like the East Turkestan Party (*Tengri Tag*), and the Uighur Liberation Organization are the most structured organizations, and are chiefly rooted in urban areas like Yining, Urumqi, Korla, and Kucha.

More religiously-oriented groups are present in the southern part of Xinjiang, notably in the Kashgar and Hetian areas. Groups like "Party of Allah" or "Islamic Uighur Party" keep appearing and disappearing, but seem loosely connected and small in membership. They advocate the establishment of an Islamic state in Xinjiang and reject Chinese domination, but none of those groups has claimed to be part of a pan-Islamic network, and there is no evidence that they are inspired by the strict form of Islam that characterizes the Taliban.

Whether secular or religious, the pro-independence groups in Xinjiang are overwhelmingly ethno-nationalist movements, that is, articulated along ethnic lines, not religious ones. There is no significant cooperation among Xinjiang's different Muslim ethnic groups of Kazakhs, Mongols, Tajiks, and Uighurs.

Chinese Government Claims

After September 11, 2001, the Chinese government charged that Uighur groups had links with the Taliban in Afghanistan, but it has long claimed that they were supported from abroad by radical Islamist organizations. In 1998, for instance, local authorities announced that they had smashed twenty “terrorist bases” in southern Xinjiang. Among those arrested were some men allegedly coming back from “Afghanistan and Pakistan,” according to the September 2, 1998 edition of the *South China Morning Post*. China has used these claims to justify ruthless repression in Xinjiang against religious activities, personnel and individual believers in what are known as “campaigns to rectify social order.” On October 10, 2001, for instance, Chinese Foreign Ministry spokesman Sun Yuxi’s declaration that China hoped that “efforts to fight against East Turkestan terrorist forces should become a part of the international efforts and should also win support and understanding” must be seen in this light.

Some Uighurs from China have been seen in Islamic “guesthouses” in Islamabad, Pakistan. These guesthouses were originally set up as hostels for pilgrims to Mecca but became more commonly used as dormitories for students attending religious schools (*madrassas*). Some Uighurs who initially came to study in these *madrassas* may have later been recruited to join the *jihād* in Afghanistan, and certainly individual Uighurs have been seen within the ranks of Taliban forces. No evidence has emerged, however, that Uighur separatist organizations writ large are supported by external Islamist networks or that Islam serves as a motivating force for the separatist movement in Xinjiang.

There are several difficulties with Beijing’s claims that it is facing “international terrorism” in Xinjiang:

- Allegations that the Taliban have provided help to Uighur separatist groups in Xinjiang are unsubstantiated.
- The short Sino-Afghan border at the edge of the mountain pass known as the Wakhan corridor is controlled by the anti-Taliban Northern Alliance; there is no contact there with Taliban forces.
- The Uighurs are ethnically akin to the Uzbeks, and have more affinity with the ethnic Uzbeks in Afghanistan than with the Pashtuns who dominate the Taliban.
- Pakistan has been too concerned with safeguarding its relations with China (a provider of crucial military and nuclear support) to ignore separatist Uighur activities on its soil; in the past it has repatriated Uighur students, closed Uighur guesthouses in Islamabad, and generally abstained from recruiting Uighurs to fight by proxy in Kashmir or Afghanistan.
- Interviews conducted with Uighurs enrolled in the Taliban forces and captured by the Northern Alliance (published in *Le Monde* on September 30, 2001) indicated that they came on an individual basis to participate in the pro-Taliban *jihād* after a stay in Pakistan’s Islamic schools. There was no suggestion that they sought to establish international networks.

However shaky Beijing’s claims that unrest in Xinjiang is provoked by “hostile foreign forces” and “international terrorists and religious extremist forces,” campaigns to “rectify social order” have led in the past few years to widespread arbitrary arrests; closure of places of worship; crackdowns on traditional religious activities, prohibition of personal religious practices in state-controlled institutions such as administrative offices, schools, and enterprises; and the sentencing of thousands of people to harsh prison terms or death after grossly unfair and often summary judicial processes. Xinjiang remains the only province in China where execution of political prisoners is common. According to Amnesty International, over 200 people were executed between 1997 and 1999.

Central Government Policy

The cornerstone of central government policy in Xinjiang is a March 1996 document from a special session of the Standing Committee of the Communist Party of China Politburo--the seven most powerful men in China. The official record of that meeting, issued as a "top secret" classified document called Document No. 7, covers ten major issues in Xinjiang, ranging from intensified controls over religious activity throughout the region to the need for wholesale reinforcement of military and security preparedness. The full text of this document appears in Human Rights Watch/Asia, "China: State Control of Religion, Update No.1," *A Human Rights Watch Report*, March, 1998.

In February 1997, the town of Yining, fifty kilometers from the Kazakh border, witnessed large-scale rioting for two days when a peaceful demonstration was brutally put down by security forces. Casualty figures on the Yining riots vary from source to source, but according to one conservative estimate, nine people died and hundreds were injured over the two days. The authorities responded with a host of random arrests and new policy announcements. Mosque and religious schools were closed down, suspected activists rounded up, and public sentencing rallies were held across the region.

One month later, in March 1997 in the provincial capital of Urumqi, separatists detonated two bombs simultaneously in two public buses, the only known occasion on which they attacked civilians indiscriminately. There have also been attacks on police stations, military installations, and individual political leaders. Among the actions attributed to separatist forces are the following:

- In August 1998, the *South China Morning Post* reported that a prison official in Kashgar was wounded by a booby trap package placed on the doorstep.
- In August 1998 two prisons in Chosu district in Yining prefecture were attacked by an armed group. Nine guards were killed and eighty prisoners managed to escape. Eighteen allegedly managed to flee to Kazakhstan, according to the Hong Kong daily newspaper, *Ming Pao*.
- In April 1999 the Hong Kong magazine *Trend*, quoting internal government sources reported the attack on a People's Armed Police convoy on the road between Urumqi and Shihezi, resulting in ten casualties.
- In August 2000, a high-ranking police officer was assassinated in Poskam County, Kashgar Prefecture, by "Uighur separatists," according to the official China News Service.

Human Rights Watch recognizes that Chinese authorities have the responsibility to investigate and prosecute these crimes and punish those responsible; it is concerned, however, that punishment too often appears to be collective or summary in nature without regard for the basic rights of those accused, and that prisoners should not be executed.

President Jiang Zemin visited Xinjiang in August 1998 and called for "a people's war" against the separatists, a call reiterated by Prime Minister Zhu Rongji a year later, when he called for an "iron fist" to crush them. Accordingly, repressive campaigns have been waged yearly, with renewed intensity, and gained a new momentum this year, with the launch of the national "Strike Hard Campaign," an anti-crime initiative, in April 2001.

The Impact of the Strike Hard Campaign

The characteristics of the Strike Hard Campaign in Xinjiang mirror those observable for China more generally --summary trials, pressure on the judiciary to "process" a large number of cases in an extremely short time, holding of mass sentencing rallies, and so on. But in Xinjiang, separatism and religion appear to be as much the targets as ordinary crime. The *Xinjiang Legal Daily* on March 15,

2001 announced that “the key points of the Strike Hard Campaign in our region will be to strike strongly at the separatist terrorist forces.”

The available evidence indicated that some, if not many, of those sentenced during the Strike Hard drives are non-violent political activists. Because China makes no distinction between political and criminal acts, it is almost impossible to determine from the charges whether convicted people were actually involved in criminal acts or simply peacefully exercising their rights to freedom of expression and association. For instance, immediately after the campaign was launched, local authorities announced the arrest on April 23, 2001 of twenty-five political activists in Kashgar prefecture for having allegedly conspired to set up an “Eastern Turkestan Republic.” Charges ranged from “endangering state security” to “illegally setting up an organization,” although no specific act committed by the group was mentioned. In another case, three Uighurs were sentenced on April 23, 2001 for being members of (and the organization behind) the “1999 9th August disturbances” –actually a demonstration in front of the local Chinese Communist Party building to protest the arrest of an imam (Muslim religious leader.)

The list of arrests and sentences in the course of the present Strike Hard campaign includes:

- In Aksu prefecture, 186 people were arrested including people said to have “endangered state security”; “illegal religious publications” were reportedly seized.
- In Atush, Akqi and Akto counties, twenty-four people were sentenced publicly, including two sentenced to death for “sabotag[ing] the public order and the social stability.” Ten thousand people attended public sentencing rallies..
- In the capital Urumqi, eight people accused of having “severely endangered social stability” were sentenced to prison terms of between four and thirteen years.

By May 10, 2001, according to official accounts, the authorities were prosecuting 3,701 cases and had smashed 185 “gangs,” “thus forcefully shaking the arrogance of the criminal elements.” The vice-president of Xinjiang’s Higher People’s Court, Lu Qifa, said in an interview that massive public sentencing rallies attended by more than 300,000 people had been held throughout the region

Apart from its sheer scale, the implementation of the Strike Hard Campaign raises grave concerns regarding judicial processes and basic due process rights for defendants. Institutional pressures are heavy on the official apparatus and the judiciary in order to process a maximum of cases in a minimum of time.

During anti-crime campaigns in China generally, local officials are pressured to take up cases under a “system of responsibility,” which makes them accountable to their superiors in case of “problems.” Courts are instructed to be “severe and fast,” to “clean up outstanding cases,” to proceed with “quick arrest, quick proceedings,” and to act according to the “the two basics” – a Communist Party codeword that instructs that “as long as the basic truth is clear and as long as the basic evidence is verified, prompt approval of arrest, prosecution, and court decisions are required.” These instructions explain the apparent rise in group sentencing, a procedure that allows authorities to move large numbers of people through the judicial system quickly.

As elsewhere in China, legal proceedings do not meet even the minimum guarantees of fairness: the length of time in detention is largely arbitrary and ignores limits set in the Criminal Procedure Code. Charges are often not communicated to the defendant; “confessions” are often extracted by torture or other mistreatment; and access to legal counsel is restricted and often pro forma.

More disturbing is the fact that the Strike Hard and “rectification of social order” campaigns appear to be only the salient face of a comprehensive repression on the Uighur population’s basic freedoms of religion, expression and association.

Violations of Religious Freedom

According to testimonies and official sources, violations of freedom of religion have considerably increased in the past years. Only officially sanctioned mosques, imams and Islamic schools are authorized, and even those are tightly controlled: Instructions passed in 1998 by the Xinjiang Communist Party committee and the Xinjiang Autonomous Region government regarding religious personnel in Xinjiang instruct local authorities to “establish a political verification dossier to make sure the imam meets political requirements” in order to “get a handle on the imam's ideological state at all times.”

Religious leaders must “stand on the side of government firmly and express their viewpoints unambiguously” the 1998 regulations say, according to an article in *Xinjiang Daily*, October 18, 1998; accreditations are renewed yearly and subjected to attendance at “patriotic education” courses.

Imams who displease the authorities face immediate retaliation. According to the Urumqi Yearbook 2000, a government publication, Yusaiyin Wubulibei, former imam of the Shayibake Mosque in Urumqi, was demoted and put under investigation by the Public Security Bureau (police) in April 1999 for having “preached against the “religious policies of the Party” and “exacerbated contradictions within the patriotic clergy.”

In May 2001, government media reported that seven imams were arrested and two “underground mosques” destroyed in Urumqi. The charges against the men were not made public.

The authorities have also put a ban on personal religious practices in all state-controlled structures: students at state schools and universities are formally forbidden to pray, keep the fast during Ramadan, or show any pious behavior. The possession of a Quran alone can lead to sanctions. In rural areas, security forces conduct periodic searches to ensure that no “illegal publications” or “illegal religious materials” are held. Mosque attendance is scrutinized and many young Uighurs say they are fearful of attending prayers.

Restrictions on Freedom of Association and Expression

Freedom of association in Xinjiang, as in the rest of China, is regulated by 1998 laws on social organizations governing “registration and management” of all non-profit organizations. These laws provide for a system of compulsory registration and ongoing government supervision of associations. The unfettered authority of the government to deny or remove registration effectively nullifies freedom of association, and any unregistered association is thus violating the 1998 law.

Registered social groups have undergone repeated “rectification drives,” and many have been shut down in recent years. Because of these closures, the number of associations in Urumqi went from 250 in 1996 to 119 at the end of 1999, according to local yearbooks.

Osman Yimit, a trader from Kucha, was arrested in April 2001 after having set up an aid fund for poor families. Because the organization was never registered, Yimit was sentenced to seven years for “activities endangering the social order” and “engaging in separatist activities.”

Traditional gatherings like the *meshrep*, where young Uighur meet to discuss community issues, were formally banned in 1994 and labeled as “illegal organizations” and accused of fanning “reactionary views” and “separatist ideas.”

Newspapers and magazines have also been the target of government campaigns. In January 2001, the Xinjiang broadcasting authority urged all levels of the party and governments as well as cultural and publications departments to exercise “stricter management” over Xinjiang’s publications and “severely crack down on the publication and sales of illegal publications” since “illegal publications trumpeting ethnic splittism and disseminating religious fanaticism keep emerging despite repeated prohibitions.” Figures available for 1999 reveal that in the wake of a similar campaign, the authorities “suppressed” and “stopped for rectification” forty “illegal and non-conforming presses.”

In January 2001, Xinjiang Party Committee Secretary Wang Lequan gave a clear indication of how “freedom of press” in Xinjiang had to be understood: he warned journalists that “our media absolutely does not allow any noise that counteracts the party’s voice” and that “journalists should remember the principle of news reports serving the party and socialism.”

Discrimination

According to most independent accounts, there is substantial resentment among Uighurs toward the steadily growing Han immigrant population, and their economic and political domination. While senior government posts are often allocated to Uighurs, the real administrative and political power resides in the parallel organizational hierarchy of the Communist Party, whose leading officials at all levels are mostly Han Chinese. Thinly-veiled institutionalized discrimination against Uighurs and other Muslim groups ranges from the educational system, where ethnic minority children attend their own schools and colleges but where the language of instruction is Chinese, and where night-time patrols are carried out in student dormitories to check that no prayers or other manifestation of religious worship are going on; to the administrative and business employment sector, in which the “distinctive” religious, dietary and linguistic characteristics of Muslims are used as a pretext to deny them access to positions of responsibility on the grounds that the employing unit is “inadequately equipped” to meet their special needs.

The 2000 Census shed some light on the steady influx of Han settlers into Xinjiang in the past years – a trend that had always been underplayed by the local authorities and attributed to “seasonal migrants.” The census revealed figures distinctly above the figures published beforehand: the Han population, previously estimated at 6.87 million, was in fact 7.49 million. Most remarkably, the census showed that during the 1990s, the Han population grew by 31.6 percent, twice the rate of the local ethnic minorities (up 15.9 percent) who supposedly benefit from more lax family planning policies compared to the rest of China.

This influx has considerably heightened the competition between Han and local ethnic minorities for land and water resources in rural areas, as well as for jobs in urban areas. Local authorities have been more and more inclined to discriminate against local minorities, which has only increased Uighur resentment.

Conclusion

The genuine security problem that exists in Xinjiang is being manipulated by Chinese authorities for political ends. When it is expedient – for example, when trying to attract foreign investment for the multimillion Xinjiang-Shanghai pipeline – the authorities insist that only “an extremely small number of elements” are engaged in separatism, and that the situation is “stable.” On September 2 for instance, the Xinjiang Autonomous Region Chairman told the Hong Kong newspaper *Ta Kung Pao* that “by no means is Xinjiang a place where violence and terrorist accidents take place very often.”

On the other hand, when it desires international support for its crackdown on Uighur challenges to Chinese authority, including peaceful activities, the government raises the specter of Islamic terrorism.

China has clear responsibilities under international law to respect the fundamental rights of the Uighur population, all the more so because it is now a signatory to the International Covenant on Civil and Political Rights. The international community should not excuse it from those obligations in return for support for the U.S.-led coalition against terrorism.