

BRIEFING: The Chinese Government's Misleading White Paper on the Human Rights Situation in East Turkestan

In June 2017, the Chinese government's State Council Information Office (SCIO) released a white paper entitled "Human Rights in Xinjiang: Development and Progress." The paper was released in the middle of Ramadan, a time when many human rights groups and reporters make note of the continuing strict curbs on the ability of Uyghurs to observe the holy month. These curbs include preventing minors, university students, officials, and public employees from participating in the fast, forcing restaurants to remain open and increasing security measures in the already highly securitized region.

This white paper is the latest in an increasing number of SCIO white papers that have been published on the subject of East Turkestan. As part of the External Propaganda Leading Group, SCIO's publications are addressed to a foreign audience; human rights was the subject of the first Chinese white paper, published in 1991, in the wake of worldwide condemnation of the Tiananmen Square Massacre.¹ Refuting criticism of the Chinese government's track record on human rights has been a high priority ever since. Thus far fifteen white papers on the topic of human rights have been published, not including one criticizing the human rights situation in the United States in 2001.

It was not until 2003 that the SCIO published its first white paper on the topic of the XUAR, entitled "History and Development Xinjiang."² Thus far six papers addressing the subject of Xinjiang have been published, with the pace picking up to one a year since 2014. The increased pace of publication on the subject suggests it is of increasing importance to the Chinese government.

"Human Rights in Xinjiang: Development and Progress" continues the themes laid out in previous SCIO white papers about human rights, emphasizing material conditions and economic growth as key evidence of an improving human rights situation. The 1991 human rights white paper begins with this point, stating "it is a simple truth that, for any country or nation, the right to subsistence is the most important of all human rights, without which the other rights are out of the question."³ In this way rights to religion, free expression, fair trials, and other civil rights are deemphasized.

Political Rights

The most recent white paper, published in June 2017 and entitled "Human Rights in Xinjiang- Development and Progress," opens with a discussion of political rights, and asserts that "the right to vote and right to be elected are fully protected."⁴ This is not democracy in the usual sense of free and fair elections open to any candidate in which the population can vote, but rather "consultative democracy." This refers to the system of "consultative congresses" from the county level up to the national Chinese People's Consultative Congress. It is through these entities the Communist Party consults the masses and considers their input. CCP theorists assert that through "grassroots-level democratic consultations, socialism with Chinese characteristics has been proven to represent the true interests of the people, and the country's economic success proves the

vitality of the democratic system; thus, China can justifiably be considered the ‘largest democratic nation.’”⁵

The paper also boasts of the number of ethnic minority officials in the region, stating that they are 40 percent of the region’s total. However, it does not elaborate on the relative seniority of the positions they occupy; more senior positions tend to be held by Han. UHRP’s analysis of regional recruitment patterns asserts Uyghurs face discrimination in the state sector; one official chart of civil service openings in 2013 showed that 72 percent of openings were reserved for Han.⁶ Gardner Bovingdon points out that Uyghurs are particularly underrepresented at higher levels and states that among XUAR officials he interviewed: “Hans invariably approved of recruitment patterns whereas those Uyghurs willing to speak on the matter strongly objected,” and that “increasing numbers of Hans have made it easier to justify the Hans’ predominance in government.”⁷

Those Uyghurs that do become officials are subjected to scrutiny by the authorities and have been accused of having a “superficial work ethic” and being “half-hearted” in the fight against terrorism,⁸ and are called on to help root out “two-faced people” among their community.⁹ They are forbidden from participating in any Islamic practices, such as Ramadan. In 2017 one Uyghur official was demoted for refusing to smoke in front of an Imam,¹⁰ while another was fired for holding an Islamic wedding ceremony.¹¹

The government has in recent years sent 200,000 mostly Han officials to villages in rural areas with overwhelmingly Uyghur populations, accompanied by armed police as guards for “rectification of illegal religious activities and the fight against the ‘three evil forces,’ namely separatism, extremism and terrorism.”¹² The presence of these officials, supposedly there to win hearts and minds, is extremely intrusive. There are reports that house-to-house searches for illegal items such as religious items and books take place.¹³ During Ramadan in 2017, a new campaign called “Together in Five Things” sent cadres to Uyghur homes in Hotan to “get to know the lives of the people, assist in their daily activities—such as farming—and propagate laws and regulations, party and government ethnic and religious policies” and to “enquire after their ideological views.”¹⁴

Mass rallies have become increasingly common. Villages have weekly flag raising ceremonies; attendance is mandatory, and officials take the opportunity to inspect Uyghurs’ dress. A recent Reuters report described an official threatening to send a woman to re-education for wearing a hijab.¹⁵ Villagers are also required to inform the local authorities of any ceremonies such as marriages, funerals and circumcision and naming ceremonies, as part of a pervasive surveillance regime.¹⁶ The mass mobilization in XUAR goes beyond anything in other provinces; rallies of over six million people were carried out across the region at the beginning of Ramadan, according to media reports.¹⁷



Mass rally in Aksu on May 29th (Xinjiang Daily)



Mass rally in Urumchi on May 29th (Souhu)

Civil Rights

The 2017 white paper states “Xinjiang fully respects and effectively guarantees the civil rights of its citizens in accordance with the law, by respecting and protecting life and property, safeguarding the right to a fair trial, and promoting free expression.”

It goes on to clarify that what is meant by respecting and protecting life and property is the “series of measures designed to strike against violent terrorist crimes, strengthen

social protection and control.” By this definition the “promulgation and implementation of the Measures of the Xinjiang Uygur Autonomous Region on Enforcement of the Anti-Terrorism Law of the People's Republic of China” constitutes an advancement in civil rights. UHRP has discussed in detail the wave of national and regional legislation that has been passed recently to give crackdowns in XUAR the appearance of legality.¹⁸ These laws offer a vague and sweeping definition of terrorism and religious extremism which restrict peaceful religious practices and freedom of expression and fail to provide oversight of security forces. Despite the white paper stating that freedom of expression is ensured, the new laws forbid “spreading rumors,” “distorting sensitive cases” and possessing material with “extremist content” without defining precisely what is meant by the terms.

The securitization of the region has increased steadily over the years and has reached an concerning level under the leadership of Chen Quanguo, the first regional party secretary to have served in both Tibet and XUAR. A huge increase in the number of police in both the cities and the countryside combined with the latest technology has transformed East Turkestan into a heavily surveilled region. Termed grid-style management,¹⁹ this surveillance includes use of security cameras, internet controls, “convenience police stations,” satellite tracking devices installed in vehicles²⁰ and even DNA registration.²¹

The white paper states that the right to a fair trial is protected, however there have long been concerns about the opacity of the process. Mass trials and sentencing are carried out in XUAR,²² including for crimes such as teaching religion.²³ The trial of the prominent Uyghur scholar Ilham Tohti on charges of separatism featured many procedural violations, including his being taken to Urumchi for trial despite his Beijing hukou. He was also denied access to council for six months, forbidden to call defense witnesses, and given the harsh sentence of life in prison.²⁴

The right to freedom of movement is not mentioned in the latest white paper. The freedom of movement within the borders of a state and the right to leave any country including one's own are guaranteed by Article 13 of the Universal Declaration of Human Rights to which China is bound through its membership of the United Nations General Assembly.²⁵ However, Uyghurs' right to freedom of movement is routinely violated. Uyghurs find it difficult to obtain passports and have them frequently confiscated.²⁶ Furthermore, they face more difficulties in getting permission to go on Hajj than other Muslim minorities. Recently, Uyghur students studying abroad in many countries including the U.S., France, Turkey, and Egypt were pressured by their families, who themselves were threatened by Chinese officials, to return to their hometowns this summer for political evaluation and training.²⁷

Economic and Social Rights

The Chinese government places an emphasis on economic rights, allowing the authorities to hold up development as evidence of progress on human rights. The CCP takes credit for material improvements in agriculture, housing and infrastructure and states that the “right to work has been effectively guaranteed,” as well as access to health care, social assistance and education. The Chinese government believes that economic growth will prevent discontent with government policies; however, the exclusion of Uyghurs from the

region's economic growth and opportunities at the expense of Han migrants is a root cause of Uyghur resentment.

Uyghurs are excluded from the lucrative resource extraction industries, which are mostly state-owned.²⁸ The series of development initiatives launched in the region from the Western Development campaign to the One Belt One Road are center-driven, allowing the Uyghur population no meaningful input on determining economic priorities.²⁹ The transformation of East Turkestan into a transit route for the Silk Road Economic Belt as part of One Belt One Road has increased the pace of securitization and attempts to assimilate the population.³⁰

Education is one of the primary means of assimilating the population. Most students are educated almost exclusively in Mandarin, reducing opportunities for non-native Mandarin speaking teachers and marginalizing the Uyghur language.³¹

Cultural Rights

The 2017 white paper takes a material view of cultural rights as well, touting improved access to “cultural services.” It states that there was only one library in region before the CCP took over in 1949, a fact also mentioned in the 2015 and 2003 papers. It goes on to list numerous historically designated cities and historical sites; one of those historical cities, Kashgar, serves as an example of the government's attitude towards preservation. In 2009, a ‘modernization’ campaign was launched in Kashgar's Old City, leading to the loss of unique Uyghur architectural heritage, and shifting a number of residents out of the city center to the edge of town. UHRP has previously written on how the project did not engage local residents during its planning and severed local Kashgaris from an organic connection to their culture in the form of their traditional architecture.³² The demolitions were criticized by UNESCO officials.³³ A section of the Old City was preserved for the purpose of tourism.³⁴

The white paper also considers language as among the protected cultural rights, listing the number of minority language publications and broadcast channels in the region, however the marginalization of Uyghur language continues through the school system, as cited above. The paper also points to two pieces of Uyghur heritage, the *Muqam* and the *Meshrep*, placed on the UNESCO list of Intangible Cultural Heritage, as evidence of official protection of Uyghur culture, but these traditional Uyghur practices have become guided by the government.³⁵ The *Meshrep*, as a traditional gathering of Uyghur men, is particularly threatening to the authorities. A grassroots revival of the practice took place in the 1980's and 90's, leading to crackdowns that resulted in numerous arrests, including of a prominent *Meshrep* leader who was killed in detention. The crackdown eventually culminated in the 1997 Ghulja massacre.³⁶

Environmental Rights

The most recent white paper is the first to single out the environment as a human right the government protects in the region, although the 2016 paper on the judicial protection of human rights held environmental cases up as an important example of improved legal protection of rights.³⁷ However the government suppresses the rights of locals to protest

environmental conditions and participation by Uyghurs in environmental policy decision-making is lacking, as UHRP has reported.³⁸

The paper lists the legislation that has been created related to environmental protection as well as efforts at reforestation and improving water quality. The environment in East Turkestan remains in a degraded state, however, and Chinese scientists have pointed out that “human activities...have seriously impacted the stability of desert ecosystems” creating changes such as “farmland and planned forests instead of natural forest and grassland, artificial channels instead of natural rivers, artificial reservoirs instead of natural lakes.”³⁹

Agriculture and industry in the region stress water resources; as the population grows and the region industrializes, mostly Uyghur small-scale farmers are disadvantaged in access to water.⁴⁰ Central government plans to subsidize a massive increase in the textile industry and in cotton cultivation in the region are likely to increase issues with the water supply.⁴¹ Air quality has also deteriorated, as coal power plants move into the region as part of an effort to improve air quality in the East.⁴²

Right to Freedom of Religious Belief

The repression of religious practice is one of the most prominent features of infringements on human rights in East Turkestan, as UHRP has extensively documented.⁴³ The State Council Information Office released an entire white paper on the subject of religious freedom in the region in 2016, amounting to a response to the criticism the government has faced on this subject.⁴⁴ Many of the same themes are repeated going back to the 2003 white paper, describing the region as one of diverse faiths, listing the amount of state support for houses of worship and clergy, as well as publications of religious texts.

This serves less to illustrate religious freedom in the region than to show the degree to which it is state controlled. The 2003, 2009, 2015, and 2016 white papers all state that “normal religious activities” are protected, the language of Article 36 of the Chinese constitution.⁴⁵ What is clear is that the government decides what is meant by the vague term ‘normal religious activities.’ The 2017 paper states that “normal religious needs have been satisfied,” even as the scope of permissible religious practice has narrowed.

The most recent paper again lists the number of religious organizations in the region and emphasizes the government support they receive. It also notes the number of religious books that have been published, including the Koran. It has been reported that Korans published before 2012, including those published by the government, have been confiscated in the campaign to remove “illegal items” from Uyghur homes.⁴⁶ This type of campaign is not new; numerous campaigns against “reactionary propaganda materials” have taken place.⁴⁷

The more recent papers increasingly emphasize the fight against religious extremism, stating that it is an increasing problem in the region. The 2016 paper states that “penetration of religious extremism has been curbed in accordance with the law,” referring to legislation passed in recent years, including the national Counter-

terrorism Law⁴⁸ and its regional Implementation Measures,⁴⁹ as well as the “De-extremification Measures” adopted in April 2017.⁵⁰ The definitions of extremism contained in these laws are broad and vague, and restrict legitimate religious practice and free speech. Restrictions passed in the name of countering extremism include the banning of certain Muslim names,⁵¹ closer inspections and control of Uyghurs’ personal appearance, including dress and beards, restrictions on the practice of fasting during Ramadan and on ceremonies like weddings and funerals.

Rights of Women, Children, the Elderly and Disabled

The white paper concludes with a section on the rights of women, children, elderly and disabled, placing a greater emphasis on these groups than previous papers. Nevertheless, Uyghur women are particularly disadvantaged in the labor market, as UHRP has documented. For public sector jobs, quotas for hiring are limited by gender as well as ethnicity, and only a small portion of posts are set aside for Uyghur women.⁵² Of concern are the labor transfer programs designed to transfer Uyghur women to work in factories in the east where they face wage theft and substandard conditions.⁵³ Coercive tactics such as threatening families with confiscation of land and residency permits were used to get women to participate in the program.

Women’s religious freedom is also particularly targeted through control of attire and restrictions on their access to mosques. Uyghurs under the age of 18 are also prohibited entry to mosques.⁵⁴ Families are closely scrutinized for signs of religious instruction of children. New measures passed in 2016 re-emphasize that parents who “lure or force minors into participating in religious activities will be punished” and that “any group or person has the right to stop these kinds of behaviors and report them to the public security authorities.”⁵⁵ Uyghur school children also face fewer opportunities to study in their native language as the assimilative bilingual education system becomes the standard.⁵⁶

Conclusion

Because China’s white papers are aimed at a foreign audience, they provide a sense of what concerns the government has regarding foreign criticisms and what narrative they wish to promulgate on a wide variety of issues. The increasing numbers of white papers published on issues relating to the Xinjiang Uyghur Autonomous Region demonstrate that shaping the narratives on the region is of increasing concern to the government. As in its white papers on Tibet, the Chinese government presents itself as a liberator of a backwards society and takes credit for economic development in the region, and thus as responsible for an improved human rights situation.

Human rights violations targeted at the Uyghur people are well documented. The right to free expression, fair trials, and open elections are among the rights standards guaranteed in the International Covenant on Civil and Political Rights (ICCPR), as are freedom from compulsory labor, freedom from arbitrary arrest, freedom of movement, religion, assembly, and expression. However, China has signed, but not ratified the ICCPR. As a member of the United Nations, China is obligated to protect the rights outlined in the Universal Declaration of Human Rights (UDHR). Furthermore, China has ratified the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In addition, China has signed and ratified the International Covenant on Economic Social and Cultural Rights (ICESCR); but, the Chinese government fails to abide by and adequately protect many rights contained in it. These include Uyghurs' rights to work and equal opportunity in the workplace as laid out in Articles 6 and 7, as well as the right for parents to "ensure the religious and moral education of their children in conformity with their own convictions" guaranteed in Article 13.

In light of the deteriorating human rights situation in East Turkestan, the international community should regard the State Council Information Office's white papers on the conditions in the region with skepticism. The international community should pressure the Chinese government to (1) meet the obligations laid out in the international human rights instruments it has already ratified, (2) ratify the ICCPR and (3) ensure the rights laid out in the ICCPR are adequately protected.

Despite the claims made in "Human Rights in Xinjiang: Development and Progress," China's rights record falls short of international human rights standards. The assertions made in the white paper must be followed up by independent observation, which can be provided by allowing free and independent media access to the region, as well as sanctioning UN Special Rapporteurs to conduct independent investigations. UHRP calls on China to permit the UN Special Rapporteurs on Minority Issues, Freedom of Religion or Belief, Cultural Rights, and the Promotion and Protection of Human Rights and Fundamental Freedoms to access East Turkestan and verify the claims made in the white paper.

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