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**CHINA'S UIGHURS:
An Update**

ISSUES BRIEF

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Glossary of Acronyms

CCP	Chinese Communist Party
CECC	Congressional-Executive Commission on China
ETIM	East Turkestan Islamic Movement
ETR	East Turkestan Republic
HRW	Human Rights Watch
NGO	Non-Governmental Organisation
PCC	Production and Construction Corps
PRC	People's Republic of China
RTL	Re-education Through labour
SCO	Shanghai Cooperation Organisation
TAR	Tibetan Autonomous Region
UAA	Uyghur American Association
USCIRF	United States Commission on International Religious Freedom
XPCC	Xinjiang Production and Construction Corps
XUAR	Xinjiang Uighur Autonomous Region

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1. PURPOSE

This paper identifies and discusses some of the key issues which may be relevant in determining whether Uighurs, who reside predominately in and around China's north-west Xinjiang Uighur Autonomous Region (XUAR), are suffering, or are at risk of persecution or discrimination at the hands of their government. The paper follows an earlier Issues Brief, completed in January 2007, which provided a short introduction to the history and circumstances of the Uighur people in China. The earlier paper was written primarily to assist in understanding these issues, as well as some of the relevant human rights and safety issues. Where these issues interrelate with the ethnic group's treatment outside of China, consideration has also been given in this paper. This analysis will not necessarily exclude forms of harm or treatment which fall outside the Refugee Convention.

It should be noted that information on certain issues regarding the current circumstances of Uighurs is difficult to obtain and verify due to the lack of access by human rights organisations, including both Non-Government Organisations (NGOs) and UN agencies. In addition, severe penalties are sometimes meted out to those found to be disseminating sensitive information within China.

This document provides references to many articles that provide a greater degree of detail and analysis of the treatment of Uighurs in China, which may be of some use in assisting decision makers reach their own conclusions. The reports of a number of NGOs, including *Human Rights Watch*, *Amnesty International* and *Human Rights In China*, have been quoted at length. In addition, external news sources such as the BBC and Radio Free Asia (RFA) have been relied upon for reports of the most recent civil unrest in Urumqi and other areas of the XUAR between 5 July 2009 and the present.

The Uighurs (pronounced *Wee-gur*) are also known as Uyghur, Uygur, Uighuir, Uiguir, Weiwu'er, Wiga and Weigur. For the purposes of this paper, quotes will remain as stated but narrative will use the spelling *Uighur*.

2. EXECUTIVE SUMMARY

The situation of Uighurs in the Xinjiang Uighur Autonomous Region (XUAR) is heavily influenced by both the economic and strategic considerations of the central government in Beijing. This is combined with a lack of recompense, real or perceived, on the part of the single-largest ethnic minority in the XUAR. This situation is compounded by religious and separatist dimensions to which the Chinese regime is especially sensitive.

China's sensitivities in part stem from the recent geopolitical changes where Central Asian states of a predominately Muslim and Turkic character have won their independence from Soviet control. Since the dissolution of the Soviet Union, there have been sporadic outbreaks of Uighur separatism which have been swiftly and brutally suppressed. Even peaceful demonstrations against restrictions on Uighur religious and cultural activities have met extreme opposition by the government. In the aftermath of the post-11 September 2001 terrorist attacks on the New York World Trade Centre and other American targets, the Chinese authorities have characterised Uighur separatism as Islamic-inspired, however this change in description has done little to change the methods or scale of repression.

Whilst elements of global Islamic fundamentalist movement have penetrated XUAR (such as Hizb-ut Tahrir) and total independence from China remains a goal for some Uighurs, there remains sharp differences as how to best achieve this independence. Central government controls on freedom of expression have played a role in frustrating the emergence of a clear and coherent Uighur identity. Gladney, however, expressed the view in a 2008 interview that the involvement of Uighurs with such Islamic caliphate movements was primarily to establish an independent Uighur state, not subsume "East Turkestan" into a global Islamic caliphate.¹

Whilst some support exists for the view that Uighurs will curb separatist sentiment in exchange for some share from the exploitation of their natural resources, this is unclear from available reporting.

¹ Dru Gladney, quoted in Ben Blanchard, 'Radical Islam stirs in China's west', *Uyghur American Association*, 8 July 2008, CX204630

3. HISTORY**3.1 Background: The emergence of Muslim identity and independence**

The historic region of Xinjiang (literally, ‘new frontier’ in the Mandarin Chinese dialect), borders eight Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Afghanistan, Pakistan, Mongolia and the Russian Federation) and shares few cultural ties with predominately Han eastern China. It is believed that the ancestors of today’s Uighurs were most likely nomads from Mongolia who settled in the Tarim Basin and gradually converted to Islam between the 10th and 17th centuries AD, as a result of interaction with surrounding states.²

The form of Sunn’i Islam practised by the Uighurs is best characterised as moderate and draws strongly upon local folklore and traditions. Whilst the majority of Uighurs live in rural areas, larger cities such as Urumqi (Wulumuqi) and Kashgar (Kashi) are emerging. These cities, as well as others such as Hami, Kucha (Kuqa) and Korla were major trading posts on the Silk Road and served as centres for intellectual and cultural development.

Xinjiang was first incorporated into China in 1884 after being conquered by the Qing dynasty. After the fall of the Qing in 1911, Xinjiang was left to be ruled by competing warlords. In 1944, a Soviet-backed independent East Turkestan Republic (ETR) was set up in the western districts of Yili, Tacheng, and Ashan, with Yining as the capital. In 1947, it joined the formal government of the Chinese Nationalist forces controlling the rest of Xinjiang.³

As the Communists gained advantage during the Chinese civil war, Stalin pressed for negotiations between the ETR and the Chinese Communist Party (CCP) for a peaceful takeover of Xinjiang. The plane carrying the East Turkestan representatives to Beijing in August 1949 for the negotiations suspiciously crashed and killed all occupants. This removed the local nationalist leaders from the scene and made way for the incorporation of Xinjiang into the newly born People’s Republic of China (PRC).⁴ The establishment of the Xinjiang Uighur Autonomous Region (XUAR) on 1 October 1955 perpetuated the Nationalist policy of recognising the Uighur as a minority nationality under Chinese rule.⁵

Uighurs comprise just under half of the XUAR’s population and approximately 2% of Chinese population as a whole. The XUAR also includes Kazaks and Kyrgyz, bringing the number of Turkic Muslims to over 50% of the XUAR’s population of approximately 19.3 million.⁶ Uighurs traditionally focused their identity on the

² Human Rights Watch, ‘Devastating Blows: Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375

³ Human Rights Watch, ‘Devastating Blows Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375

⁴ Human Rights Watch, ‘Devastating Blows Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375.

⁵ Graham E. Fuller and S. Frederick Starr, ‘The Xinjiang Problem’, Central Asia Caucasus Institute, 26 January 2004, CISLIB15020.

⁶ Graham E. Fuller and S. Frederick Starr, ‘The Xinjiang Problem’, Central Asia Caucasus Institute, 26 January 2004, CISLIB15020.

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separate oases on which their economic existence depended. However, since the establishment of the Uighur Autonomous Region, Uighurs have come to adopt a common identity.⁷

3.2 Beijing's perceptions and responses

3.2.1 *The economic potential of the XUAR and wealth disparities between XUAR and other provinces*

The XUAR has enormous economic potential with vast deposits of minerals, oil and gas. Rapid economic development has lifted the *per capita* income there to the highest of any province outside the thriving south-east coastal area.⁸ However, the wealth still tends to favour the urban areas, which are populated primarily by Han Chinese⁹, though the rural-urban disparity is less marked than in most other provinces.¹⁰ Opportunities for trade with countries on China's western border are increasing. Most of the profits from the development of the XUAR's economy go back to Beijing.¹¹ For these economic reasons, China is interested in maintaining its control over the XUAR.¹²

Throughout the early 2000s, Beijing denounced what it calls the "three evil forces" in Xinjiang: separatism, terrorism and religious extremism. It undertook a "strike-hard" campaign to root out suspected separatists and also declared the East Turkestan Islamic Movement (ETIM) a terrorist organisation. Since 2001, China has been strengthening its ties with Russia, Kyrgystan, Uzbekistan, Kazakhstan and Tajikistan by changing the focus of the regional Shanghai Co-Operation Organisation (SCO) from trade and border resolution to anti-terrorism and security.¹³ Many of these countries have co-operated with China to deport suspected separatists.¹⁴

3.2.2 *Treatment of Uighurs in the lead-up to the 2008 Olympics*

The treatment of Uighurs in the lead-up to the 2008 Olympics, both in the XUAR and elsewhere, reflected that of Tibetans. Uyghurs interviewed by *RFA* in February 2008 reported that local authorities were restricting the expression of their culture through a number of measures, both direct and indirect. According to the exiled Uighur businesswoman and President of the World Uyghur Congress (WUC), Rebiya Kadeer,

⁷ Graham E. Fuller and S. Frederick Starr, 'The Xinjiang Problem', Central Asia Caucasus Institute, 26 January 2004, CISLIB 15020

⁸ Graham E. Fuller and S. Frederick Starr, 'The Xinjiang Problem', *Central Asia Caucasus Institute*, 26 January 2004, CISLIB 15020

⁹ Colin Mackerras, 'Ethnicity in China: The case of Xinjiang', *Harvard Asia Quarterly*, Winter 2004, CX131310.

¹⁰ Graham E. Fuller and S. Frederick Starr, 'The Xinjiang Problem', *Central Asia Caucasus Institute*, 26 January 2004, CISLIB 15020.

¹¹ Graham E. Fuller and S. Frederick Starr, 'The Xinjiang Problem', *Central Asia Caucasus Institute*, 26 January 2004, CISLIB 15020

¹² Olivia Ward, 'Beijing tightens control on Uyghurs', *The Toronto Star*, 16 April 2006, CX151364.

¹³ Dru C. Gladney, "China's "Uyghur Problem" and the Shanghai Cooperation Organization",

3 August 2006, CX162160

¹⁴ Olivia Ward, 'Beijing tightens control on Uyghurs', *The Toronto Star*, 16 April 2006, CX151364

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Beijing had begun a concerted attack on Uyghur traditions as far back as 1987, when authorities began to move large numbers of what Kadeer termed ‘common criminals’ from other parts of China.¹⁵ The US State Department in its 2009 Country Report for China claimed ‘widespread and systematic’ human rights abuses in the XUAR; in particular, it cited a number of cases where foreign media had been restricted in its coverage of incidents in the XUAR, which included, among other things, the detention and beating of two Japanese journalists attempting to film the aftermath of an attempted attack in April 2008, believed to have been committed by Uighur separatists, on a People’s Armed Police (PAP) unit in Urumqi.¹⁶

The events of 2008 occurred against a backdrop of growing unrest and the desire, on the part of the Chinese government, to maintain order and avoid any incident which could adversely affect the image they wished to present to the international community. In April 2008, there was an unprecedented degree of activity within security forces based in the XUAR and elsewhere, following the foiling by the PAP of an alleged plot by Uighur separatists to set off bombs at installations, as well as kidnap Olympic athletes in Beijing and Shanghai.¹⁷ The role of international Islamic organisations was also suspected: Hizb ut-Tahrir was accused of instigating demonstrations in Khotan (Hoten) District, XUAR, with some reports indicating a strongly-held central government belief that anti-government protests in both Xinjiang and Tibet were coordinated to a large extent.¹⁸

Reports by the CECC from early 2009 supported the view that the security measures enacted in 2008 were continued into the new year. CECC reported that in September 2008, the Vice-Chair of the NPC’s Standing Committee, Ismail Tiliwaldi, visiting Kashgar, called upon local officials to ‘strengthen stability work’, implement preventative measures and recognise the notion that stability is ‘above all else’.¹⁹ Cases identified by the authorities of separatist activity appeared to be the catalyst for increasing such measures; authorities in Qorghas (Huocheng) County, within the Ili Kazakh Autonomous Prefecture, identified three cases of ‘inciting separatism’ and seven cases of ‘using superstition to undermine implementation of the law’ (a frequent charge applied to offences involving religious practice).²⁰

Other restrictions encountered by Uighurs included the temporary suspension of pilots’ licences by China’s civil aviation authority in August 2008.²¹ Three pilots employed by local airlines were told by civil aviation officials that they were suspended from flying until after the 2008 Olympics.²² This took place as ethnic

¹⁵ ‘Chinese curbs leave Uyghur youth in crisis’, *Radio Free Asia*, 8 February 2008, CX192864

¹⁶ ‘Country Reports on Human Rights Practices 2008 – China’, Bureau of Democracy, Human Rights and Labor, US State Department, 25 February 2009, CISNET

¹⁷ Willy Lam, ‘Beijing intensifies “People’s War” against “Splittism” as nationalism rears its head’, The Jamestown Foundation, 28 April 2008, CX198821

¹⁸ Willy Lam, ‘Beijing intensifies “People’s War” against “Splittism” as nationalism rears its head’, The Jamestown Foundation, 28 April 2008, CX198821

¹⁹ ‘Xinjiang authorities continue security measures, propaganda campaign’, Congressional-Executive Commission on China, 20 January 2009, CX218732

²⁰ ‘Xinjiang authorities continue security measures, propaganda campaign’, Congressional-Executive Commission on China, 20 January 2009, CX218732

²¹ Jane Macartney, ‘Pilots from rebel Uighur region grounded over Chinese terror fears’, Times Online, The Times (UK), 18 August 2008, CX208600

²² Jane Macartney, ‘Pilots from rebel Uighur region grounded over Chinese terror fears’, Times Online, The Times (UK), 18 August 2008, CX208600

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Uighur cabin crew were switched to flights not involving the XUAR as an origin or destination.²³ Whilst Uighur cabin crew were able to continue working on non-XUAR domestic and international flights, the three pilots were suspended four months prior to and during the Olympics.²⁴

3.2.3 *The treatment of Uighur women and children in other parts of China*

In July 2007, RFA reported that a number of Uighur girls and young women had been stranded in coastal Shandong Province, having been taken there by a labour hire agency on the promise of being found training positions for agricultural and factory work in Zhejiang Province.²⁵ In March 2007, 213 girls from the XUAR had been co-opted into a work training program by local officials in Yarkand County, near Kashgar in the western XUAR. They were promised a wage of 500 yuan (approximately A\$100) per month during training, with a promised 900-1100 yuan (A\$180 - \$220) per month after completion.²⁶ According to reports, the girls went unpaid until 28 June 2007, when several were found hiding in the XUAR provincial capital Urumqi.²⁷ Several allegations of rape were made against some of the labour recruiters and Tursun Barat, village leader of No. 8 Hamlet near Kachung Village, Yarkand County, XUAR, was quoted as saying that the parents of girls who fled back to the XUAR had already been subjected to forced labour (*hasha* in the Uighur language).²⁸ Previous interviews conducted by RFA with officials in XUAR, speaking on condition of anonymity, confirmed that the *hasha* system was still widespread in the XUAR.²⁹

In May 2009, a number of ethnic-Uighur workers at the Longfa Shoe Factory near Longxi Town in Bolo County, Guangdong Province alleged that they were recruited whilst underage and had had their identification papers switched with older employees, to give the appearance of being legally employed.³⁰ The report quoted two female Uighurs, Sawut and Abide, as saying that most of the female Uighur employees at the factory were brought there at ages 16-17 in three separate groups in each of March, April and September 2008.³¹ Another female Uighur employee, Meryem, said that government officials had arranged for her to swap her identification card with her older sister in her home town of Opal, Kashgar (Kashi) Prefecture, in the XUAR.³² This practice appeared to have the imprimatur of the village Party Secretary, Emetjan Yantaq, who refused to comment when contacted by

²³ Jane Macartney, 'Pilots from rebel Uighur region grounded over Chinese terror fears', Times Online, The Times (UK), 18 August 2008, CX208600

²⁴ Jane Macartney, 'Pilots from rebel Uighur region grounded over Chinese terror fears', Times Online, The Times (UK), 18 August 2008, CX208600

²⁵ 'Uyghur girls forced into labor far from home by local Chinese officials', *Radio Free Asia*, 7 July 2007, CX180880

²⁶ 'Uyghur girls forced into labor far from home by local Chinese officials', *Radio Free Asia*, 7 July 2007, CX180880

²⁷ 'Uyghur girls forced into labor far from home by local Chinese officials', *Radio Free Asia*, 7 July 2007, CX180880

²⁸ 'Uyghur girls forced into labor far from home by local Chinese officials', *Radio Free Asia*, 7 July 2007, CX180880

²⁹ 'Uyghur girls forced into labor far from home by local Chinese officials', *Radio Free Asia*, 7 July 2007, CX180880

³⁰ 'Child labor alleged at factory;', *Radio Free Asia*, 11 May 2009, CX226104

³¹ 'Child labor alleged at factory;', *Radio Free Asia*, 11 May 2009, CX226104

³² 'Child labor alleged at factory;', *Radio Free Asia*, 11 May 2009, CX226104

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RFA.³³ The practice was, however, denied by Pashagül, Party Secretary of Opal Town, who questioned the veracity of the claims and declined to comment further.³⁴

Similar cases of identity swapping were reported by *RFA* at the Urumqi Welfare Institution for Abandoned Children, where ethnic Uighur children had their names changed to Han Chinese. This was allegedly confirmed by an employee of the institution, who confirmed at least three cases where ethnic Uighur names had been changed by centre staff.³⁵ An office director at the orphanage surnamed Xu confirmed that only a few Uighur children were resident, with most of the remainder being ethnic Hans and that most of the Uighur children had parents who were imprisoned for political offences.³⁶ A former teacher at the institution and ethnic Uighur, Amangul, who had been disciplined for protesting the unilateral name-changes, alleged that children from the institution were frequently transferred to foster homes outside of the XUAR, where they lived in a Han Chinese cultural milieu and were fed pork and dog meat, both forbidden under the Muslim religion to which many Uighurs belong.³⁷ Amangul also alleged that her husband Mutallip, himself a former employee, was punished for suggesting separate dining halls for Han and Uighur children and for petitioning for the employment of a Muslim cook for the latter.³⁸

3.2.4 *The race-based riots of June-July 2009*

The most recent riots stem from a riot at a toy factory in Shaoguan, Guangdong Province, where Uighur factory workers were targeted after rumours of rape against female Han employees were circulated by a disgruntled male Han employee who, according to *RFA*, had recently been retrenched.³⁹ This took place on 26 June 2009 and resulted in two deaths and serious injury to 118 others.⁴⁰ Shortly after this incident, rioting broke out in Urumqi, the capital of XUAR and quickly involved both Uighurs and ethnic Han Chinese resident in the city, bringing the city and a number of other towns, such as Kuqa, into a state of virtual lockdown. The exact extent of culpability attaching to particular individuals is not yet known; however, XUAR security forces (chiefly the PAP and regular police forces) reported having arrested some 1434 people for their alleged role in the riots, which caused some 156 casualties according to sources close to the Chinese government.⁴¹

Responses by both the central and XUAR government have been mixed, although a heavy emphasis has been placed in official reporting on the cause of the riots being more due to isolated criminal activity than deep-seated ethnic tension.⁴² Anecdotal evidence suggests that ethnic Han Chinese living in the XUAR have a number of long-held grievances against Uighurs. A report from Australia's Special Broadcasting Service (SBS) from 8 July 2009, three days after rioting first broke out in Urumqi, claimed that thousands of Han Chinese in Urumqi had taken to the streets armed with

³³ 'Child labor alleged at factory;', *Radio Free Asia*, 11 May 2009, CX226104

³⁴ 'Child labor alleged at factory;', *Radio Free Asia*, 11 May 2009, CX226104

³⁵ 'Uyghur children's "identities changed"', *Radio Free Asia*, 22 May 2009, CX226777

³⁶ 'Uyghur children's "identities changed"', *Radio Free Asia*, 22 May 2009, CX226777

³⁷ 'Uyghur children's "identities changed"', *Radio Free Asia*, 22 May 2009, CX226777

³⁸ 'Uyghur children's "identities changed"', *Radio Free Asia*, 22 May 2009, CX226777

³⁹ 'Armed assailants stormed dorms', *Radio Free Asia*, 7 July 2009, CX229360

⁴⁰ 'Armed assailants stormed dorms', *Radio Free Asia*, 7 July 2009, CX229360

⁴¹ 'Police arrests 1,434 suspects in connection with Xinjiang riot', *Xinhua*, 7 July 2009, CX229577

⁴² 'Police arrests 1,434 suspects in connection with Xinjiang riot', *Xinhua*, 7 July 2009, CX229577

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poles, meat cleavers and other makeshift weapons , and quoted a 19-year-old Han resident, Dong Sun, as saying that “it is time we looked after ourselves instead of waiting for the government.”⁴³

3.3 Treatment of Uighurs and their relationship with the XUAR and central governments – late 1990s to 2008

3.3.1 *Transmigration and ethnic conflict*

Despite the nominal political autonomy of XUAR, many Uighurs feel threatened by China’s policies. Millions of Han transmigrants have flooded into the XUAR⁴⁴ and the division of wealth favours them over the Uighurs, who have benefited from increased education, however the language and cultural policy favours the Han. Most Uighurs oppose what they consider the colonisation of their homeland.⁴⁵

3.3.2 *Restrictions on religion*

Uighur human rights organisations based overseas have been consistently critical of the actions taken by the central government, particularly with regard to religious affairs. The Congressional-Executive Committee on China (CECC) 2008 annual report cited ‘region-wide legal measures [that] forbid parents and guardians from allowing minors to participate in religious activity’,⁴⁶ as well as highlighting the role played by local government education authorities in ‘monitoring students’ eating habits during Ramadan’.⁴⁷ In addition, the CECC Annual Report mentioned that authorities acting under the guise of maintaining ‘social stability’, Xinjiang authorities, had, among other measures, razed a privately-built mosque in Aqsu District for failing to post pro-Olympics posters during the 2008 Olympics.⁴⁸

In March 2005 the PRC promulgated the new National Regulations on Religious Affairs, replacing that of 1994. The assessment of these regulations by the US Commission on International Religious Freedom (USCIRF), which travelled to China to conduct research, is that they were issued to allow the CCP greater control over religious affairs, both to “limit the activities of registered religious groups and punish those who engage in unregistered activities,” including restrictions on the location of sites of religious activity.⁴⁹ However, the USCIRF also notes that it is too early to assess the implementation and actual impact of the new regulations.⁵⁰

⁴³ ‘Han take to streets with meat cleavers’, Special Broadcasting Service (SBS), 8 July 2009, CX229531

⁴⁴ The Han population rose from 200,000 to 6 million over the 30 years to 2002 - Seva Gunitskiy, ‘In the Spotlight: East Turkestan Islamic Movement (ETIM)’, *CDI Terrorism Project*, 09 December 2002, CX161181.

⁴⁵ Graham E. Fuller and S. Frederick Starr, ‘The Xinjiang Problem’, *Central Asia Caucasus Institute*, 26 January 2004, CISLIB 15020

⁴⁶ Congressional-Executive Commission on China, Annual Report 2008, CISLIB # 16947

⁴⁷ Congressional-Executive Commission on China, Annual Report 2008, CISLIB # 16947

⁴⁸ Congressional-Executive Commission on China, Annual Report 2008, CISLIB # 16947

⁴⁹ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁵⁰ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

Human Rights Watch (HRW) make a similar assessment and they see two unstated aims behind the regulations: 1) to control the establishment or existence of religious congregations; 2) to control the finances, personnel and activities of approved religious organisations.⁵¹ HRW emphasises the arbitrary nature of the application of laws by local authorities in the treatment of Muslims in Xinjiang, noting that harsh punishment is meted out to those with “separatist tendencies, leadership qualities, or disloyal political views.”⁵²

In 2006, the USCIRF also noted some potentially positive aspects to the new regulations for registered religious organisations. These included allowances for: the provision of some social services in local communities; protection of organisations’ property; complaints against abusive government officials; prompt responses from government agencies on registration applications; and the ability to accept donations from overseas religious groups.⁵³ However, the commission also pointed out that of the five patriotic religious associations (Buddhist, Taoist, Catholic, Protestant and Muslim), Tibetan Buddhists and Uighur Muslims “have more difficulties than their religious counterparts in other parts of the country, despite being affiliated with the government sanctioned religious organizations.”⁵⁴

The USCIRF was told that measures used to curtail the religious practices of Uighur Muslims (some of which also apply to Tibetans) include “patriotic education” of religious leaders, control of religious publications, tight controls on religious celebrations and the religious education of minors (including a rule that they must attend nine years of compulsory education before being given religious education)⁵⁵ and restrictions on the number of religious venues and leaders.⁵⁶ Furthermore, “collective home worship, after-school religious instruction, and other unauthorized religious instruction are strictly prohibited”.⁵⁷ HRW notes that the XUAR regulation that states that “parents and legal guardians may not allow minors to participate in religious activities” is not based in Chinese law and has no parallel elsewhere in China.⁵⁸

Recent allegations of ill-treatment include an arrest of several Uighur women at a party, attended by a number of women from different villages, in violation of local

⁵¹ Human Rights Watch, ‘Devastating Blows Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375.

⁵² Human Rights Watch, ‘Devastating Blows Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375.

⁵³ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁵⁴ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁵⁵ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163367.

⁵⁶ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁵⁷ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁵⁸ Human Rights Watch, ‘Devastating Blows Religious Repression of Uighurs in Xinjiang’, 12 April 2005, CISLIB 14375.

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regulations prohibiting ‘religious’ gatherings with people from multiple villages without official permission.⁵⁹

Other allegations made in the CECC report include the bans placed by the Xinjiang government on women wearing Islamic apparel, others preventing the closure of restaurants during Ramadan, coupled with an intensification of ‘patriotic education’ and ‘law study sessions’ for observant Uyghur Muslims. The report found that throughout 2008, local government areas across the XUAR intensified monitoring of religion and religious practices. For example, in Lop County, Hoten (Khotan) District, officials were reportedly forcing women to remove head coverings ‘in a stated effort to promote “women for the new era”’⁶⁰ and in July 2008, officials in Mongghulkure County, Ili Kazakh Autonomous Prefecture, reportedly ‘called for strengthening management of religious affairs; inspecting all mosques and venues for religious activity; curbing “illegal” recitations of scripture and non-government-approved pilgrimages; and “penetrating” groups of religious believers to understand their ways of thinking.’⁶¹

In 2009, restrictions on the movement of people between villages for religious worship also became apparent.⁶² RFA contacted local authorities in Qariqash County, Khotan Prefecture, who confirmed that ‘cross-village’ worship was regarded as a social crime.⁶³ Several hundred Uighurs, who had gathered to pray at the Qariqash County shrine, were arrested and each fined 500 yuan (approximately A\$100), as well as being returned to their respective villages and detained overnight in local government buildings.⁶⁴

3.3.3 *Restrictions on the construction of mosques*

The USCIRF was told that the Uighur Muslims have not been permitted to build any new mosques for the past six years and that imams must undergo yearly political training to retain their licences. They also heard of an “Islamic Affairs Steering Committee” that allegedly authors and approves sermons and censors religious texts and publications.⁶⁵ They note that teachers, professors, university students and other government employees are similarly restricted from conducting such religious activities as daily prayers, disseminating information, observing Ramadan and wearing head coverings.⁶⁶

⁵⁹ ‘Women held over party’, *Radio Free Asia*, 5 June 2009, CX227678

⁶⁰ Congressional-Executive Commission on China, Annual Report 2008, CISLIB # 16947

⁶¹ Congressional-Executive Commission on China, Annual Report 2008, CISLIB # 16947

⁶² ‘Uyghurs targeted over prayers’, *Radio Free Asia*, 2 April 2009, CX224138

⁶³ ‘Uyghurs targeted over prayers’, *Radio Free Asia*, 2 April 2009, CX224138

⁶⁴ ‘Uyghurs targeted over prayers’, *Radio Free Asia*, 2 April 2009, CX224138

⁶⁵ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163347.

⁶⁶ United States Commission on International Religious Freedom, ‘Annual Report of the United States Commission on International Religious Freedom – Part 2’, May 2006, CX163367.

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HRW describes further restrictions:

Celebrating religious holidays, studying religious texts, or showing one's religion through personal appearance are strictly forbidden at state schools. The Chinese government has instituted controls over who can be a cleric, what version of the Koran may be used, where religious gatherings may be held, and what may be said on religious occasions.⁶⁷

They further explain that violations of these prohibitions:

can result in expulsion, fines, entries into the personal file that the state keeps on every Chinese citizen, harassment of one's family, and administrative punishments, including short-term detention and administrative detention in China's notorious and discredited reeducation through labor (RTL) program.⁶⁸

Radio Free Asia reports that restrictions in north-western Xinjiang included "banning any government officials, state employees, Party members and in some cases women from entering mosques" and cite notifications of similar rules in other parts of the province as well.⁶⁹

The CECC's 2008 report indicated this trend was continuing with little or no amelioration in its enforcement. The tenor of CECC's 2008 Annual Report suggested that the Chinese government, rather than relaxing restrictions against expressions of Uighur culture among state sector employees, had actually increased restrictions on the observation of Ramadan and Friday prayers. When read in conjunction with other country information from the same period, this could indicate a tightening of restrictions on religion in the XUAR.⁷⁰

The USCIRF's 2009 Annual Report for China confirmed a general government policy on limitation of access to mosques in the XUAR, with the ban on mosque attendance by CCP members and government employees remaining in place.⁷¹ Imams throughout the XUAR are required, according to the USCIRF, to undergo annual political training seminars to retain their preaching licences, together with a requirement that each imam meet monthly with officials from the XUAR's Religious Affairs Bureau and the Public Security Bureau to receive 'advice' on the content of their sermons.⁷² This would appear to confirm the earlier findings in the USCIRF's 2006 report.⁷³

⁶⁷ Human Rights Watch, 'Devastating Blows Religious Repression of Uighurs in Xinjiang', 12 April 2005, CISLIB 14375.

⁶⁸ Human Rights Watch, 'Devastating Blows Religious Repression of Uighurs in Xinjiang', 12 April 2005, CISLIB 14375.

⁶⁹ Congressional-Executive Commission on China, 2008 Annual Report, Congressional-Executive Commission on China, 31 October 2008, CISLIB 16497

⁷⁰ Congressional-Executive Commission on China, 2008 Annual Report, Congressional-Executive Commission on China, 31 October 2008, CISLIB 16497

⁷¹ United States Commission on International Religious Freedom, Annual Report 2009, May 2009, p.76, CISLIB 17761

⁷² United States Commission on International Religious Freedom, Annual Report 2009, May 2009, p.76, CISLIB 17761

⁷³ United States Commission on International Religious Freedom, 'Annual Report of the United States Commission on International Religious Freedom – Part 2', May 2006, CX163347.

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Dru Gladney noted in September 2008 that whilst restrictive laws targeting Muslims had always been in force, they were recently being enforced with more vigour than in the past.⁷⁴ Such laws comprised a restriction on inter-village worship, the use of amplifiers in mosques and other laws requiring restaurants to remain open during Ramadan and forbidding civil servants and Party members, as well as school children, from observing the Ramadan fast. In the context of the post-2001 ‘War on Terror’, enhanced surveillance and increased restrictions on Islamic religious activities have become, in the opinion of several scholars, a legitimate form of ‘fighting separatism’ and placing yet tighter restrictions on Islamic religious practice and Uighur cultural expression.⁷⁵ Gladney has also claimed that whilst some Uighurs have become involved in radical Islamic movements such as Hizb-ut Tahrir, their primary goal is sovereignty for Xinjiang (“East Turkestan”) rather than the establishment of the ‘global Islamic caliphate’.⁷⁶ Gladney added that despite the fears of local authorities in Xinjiang that Hizb-ut Tahrir was influencing prisoners held in local jails, most Uighurs were not receptive to its goal for an Islamic state.⁷⁷

3.3.4 *The situation of Uyghur Christians (2007-present)*

More recently, the situation of Uighur Christians, as a ‘minority within a minority’ who constitute some 50 believers in two fellowships in the XUAR,⁷⁸ has emerged as a matter for concern. In January 2008, Alimjan Yimit (Alimujiang Yimiti) was arrested on charges of endangering state security, with charges of “leaking state secrets” and “inciting secession” later dropped in May 2008 for lack of evidence.⁷⁹ A second Uighur Christian, Osman Imin (Wusiman Yiming), who had been sentenced to two years in a labour camp for “leaking state secrets” and “illegal proselytising”, according to *Compass Direct*, is due for release in October 2009.⁸⁰ The report also mentioned that Alimjan had been earlier interrogated, during 2007, over his employment with two foreign-owned companies in XUAR, with authorities closing his employer’s business in September 2007 after accusing him of using it as a cover for “preaching Christianity.”⁸¹

Osman Imin was placed in criminal detention on 19 November 2007 after being accused of assisting foreigners in illegal religious activities and revealing state secrets. Osman had previously been arrested in October 2004 in Khotan, southern XUAR, for an unspecified “violation of law.”⁸² Although Osman’s family members were initially

⁷⁴ William Foreman, ‘China's Muslims say Ramadan a time of repression’, Associated Press, 30 September 2008, CX211512

⁷⁵ William Foreman, ‘China's Muslims say Ramadan a time of repression’, Associated Press, 30 September 2008, CX211512

⁷⁶ Dru Gladney, quoted in Ben Blanchard, ‘Radical Islam stirs in China’s west’, *Uyghur American Association*, 8 July 2008, CX204630

⁷⁷ Dru Gladney, quoted in Ben Blanchard, ‘Radical Islam stirs in China’s west’, *Uyghur American Association*, 8 July 2008, CX204630

⁷⁸ ‘Uyghurs’, *Serving in Mission (SIM)*, 2000, CX231715

⁷⁹ ‘Detained Uyghur Christian taken to hospital’, *Compass Direct*, 17 April 2009, CX224572. See also ‘Chinese court cites “insufficient evidence” in Christian’s trial’, *Compass Direct*, 30 May 2008, CX201365

⁸⁰ ‘Detained Uyghur Christian taken to hospital’, *Compass Direct*, 17 April 2009, CX224572

⁸¹ ‘Detained Uyghur Christian taken to hospital’, *Compass Direct*, 17 April 2009, CX224572

⁸² ‘Uyghur Christians arrested, jailed in Xinjiang’, *Compass Direct*, 12 February 2008, CX224572

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permitted to visit twice monthly, *Compass Direct* reported that authorities had moved him from a Khotan detention centre to a labour camp near Kashgar (Kashi).⁸³

On 13 September 2007, the Kashgar (Kashi) Municipal Bureau for Ethnic Religious Affairs released a statement which spelt out the charges against Almujan Yimit. The statement alleged that since 2002, Almujan had been engaged in illegal religious activity, distributed religious propaganda materials and converted people to Christianity.⁸⁴ The statement also outlined the legal restrictions in place against the establishment of secret liaison networks within China, impersonation of religious personnel and conducting religious activity without registration as a religious body.⁸⁵

Restrictions on religious activity were reported as early as September 2005 by the *Forum 18* news service.⁸⁶ As part of the restrictions, *Forum 18* reported that Catholic priests and those active in Catholic parishes in the city of Ghulja (Gulja or Kuqa) had been placed under surveillance and that respondents had reported that the situation for Catholics in the XUAR was worse than for fellow Catholics in central China.⁸⁷ Whilst acknowledging that churches registered with local national-religious committees encountered little harassment by the state, *Forum 18* maintained that this was only because they complied with instructions issued by the national-religious committee, which many underground churches had refused to do.⁸⁸

3.3.5 *Political opinion and political movements in the XUAR (1990s – present)*

The political views of international Uighur groups are pan-Turkic. They have not supported the use of violence for their objectives, whether for the achievement of real autonomy or independence of Xinjiang. In Xinjiang, no unified Islamic movement has developed due to the many different Muslim groups in the region. There is no evidence that Salafism, the radical Islamic ideology connected to many jihadist movements around the world, has taken root to any significant extent in Xinjiang.⁸⁹ However, the official Chinese position, which China has also advanced at international forums such as the Shanghai Cooperation Organisation (SCO), is that the Uighur separatist cause is intrinsically linked to international Islamist movements.⁹⁰

There have been several visible clashes between Uighurs and authorities. One significant clash occurred in April 1990, in which the Uighur towns of Baren rose in

⁸³ 'Uyghur Christians arrested, jailed in Xinjiang', *Compass Direct*, 12 February 2008, CX224572

⁸⁴ 'Confirmation Notification on Alimujiang Yimiti's illegal religious infiltration activities in Kashi [Kashgar]', Government of the People's Republic of China (translated from Chinese), 13 September 2007, CX186738

⁸⁵ 'Confirmation Notification on Alimujiang Yimiti's illegal religious infiltration activities in Kashi [Kashgar]', Government of the People's Republic of China (translated from Chinese), 13 September 2007, CX186738

⁸⁶ Igor Rotar, 'Xinjiang: Controls tighten on Muslims and Catholics', *Forum 18*, 29 September 2005, CX136191

⁸⁷ Igor Rotar, 'Xinjiang: Controls tighten on Muslims and Catholics', *Forum 18*, 29 September 2005, CX136191

⁸⁸ Igor Rotar, 'Xinjiang: Controls tighten on Muslims and Catholics', *Forum 18*, 29 September 2005, CX136191

⁸⁹ Human Rights Watch, 'Devastating Blows Religious Repression of Uighurs in Xinjiang', 12 April 2005, CISLIB14375

⁹⁰ 'President Hu Jintao says China ready to expand cooperation with Kazakhstan', Email: BBC Monitoring Alert (*Xinhua*), 6 July 2005, CX125971

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armed rebellion against the local Han authorities who responded with massive military force. According to the government, the death toll came to around twenty but Uighur sources claim that several hundred Uighurs were killed. A major confrontation in Hotan between Uighurs and armed police was sparked by the arrest of an imam in July 1995. Exact details of this confrontation remain unknown.⁹¹

The XUAR remained restive throughout the early 2000s, although civil unrest had been a factor throughout the 1990s. Large-scale street demonstrations staged by local Uighurs in Yining during Ramadan in February 1997 were exacerbated when the government sent in armed anti-riot police units at the initial stages of the protests. The government immediately imposed a news blackout on the city and closed the border with Kazakhstan. The clashes that then raged for several days across the city were attributed by Beijing to "hostile foreign forces." According to the official count, ten people were killed, 198 were injured, and around 500 demonstrators were arrested. Uighur groups estimated the numbers of dead, injured, and detained to have been much higher than this.⁹²

In subsequent weeks, the authorities responded with arrests of thousands of Uighurs. Suspected activists were rounded up and public sentencing rallies were held across Xinjiang. The government also instituted new policies focused on religion as a supposed source of opposition and closed mosques and religious schools. A month later, in March 1997, separatists detonated bombs simultaneously on three public buses in the provincial capital of Urumqi, killing nine and seriously wounding 68. This is the only known occasion in recent decades when Uighur activists are known to have attacked civilians indiscriminately. Subsequently, attacks were also carried out on police stations, military installations and individual political leaders.⁹³

Whilst the tensions between Hans and Uighurs in the XUAR have frequently (and recently) manifested in violence, there exists a general perception of inequality and disparity between Uighurs and Hans. Language policies have played a part; whilst the Uighur language is taught at the primary and secondary levels, it is not taught in any universities in Xinjiang or elsewhere in China, with the result that Uighur-medium students have been disadvantaged.⁹⁴ Equality in employment, too, is a key concern; recently, some 840 jobs being advertised by the Xinjiang People's Construction Corps (XPCC or *Bingtuan*) were specifically advertised as being for Han Chinese only. One of the region's main employers, Petro China, employs just 28% of its workforce in the XUAR from ethnic Uighurs despite Uighurs (by themselves and not included in totals comprising other non-Uighur groups) comprising 45% of the population.

Recent evidence from Xinjiang suggests that the central government, endorsed by Xinjiang governor Nur Bekri (himself an ethnic Uyghur) may be equating the Uyghur language with terrorism, in promoting the use of Mandarin among Uyghurs as a means of 'fighting terrorism'.⁹⁵ This article further quoted several Uyghur interviewees as regretting the fact that they themselves had not studied Mandarin and

⁹¹ Human Rights Watch, 'Xinjiang, China's Restive Northwest', undated, CX162161

⁹² Human Rights Watch, 'Xinjiang, China's Restive Northwest', undated, CX162161.

⁹³ Human Rights Watch, 'Devastating Blows Religious Repression of Uighurs in Xinjiang', 12 April 2005, CISLIB14375.

⁹⁴ 'Chinese curbs leave Uyghur youth in crisis', *Radio Free Asia*, 8 February 2008, CX192864

⁹⁵ Cui Jia, 'Mandarin lessons in Xinjiang 'help fight terrorism'', *China Daily*, 4 June 2009, CX227962

actively encouraged their children to attend government-run Mandarin classes, so as not to be disadvantaged in education and labour markets.⁹⁶

Anecdotal evidence, however, suggests that race relations in the XUAR, even in periods of relative peace and calm, are far from harmonious. Discrimination appears to exist at both the official and unofficial levels.

4. CONTEMPORARY ISSUES

4.1 Governance, Economic and Social Policy in XUAR

4.1.1 Governance

The Xinjiang Production and Construction Corps (the XPCC, also sometimes referred to as the PCC, the China Xinjian Group or *Bingtuan* in Chinese) is a unique political institution in China, which sits directly under the central government in Beijing. According to a PRC government white paper the XPCC “is subordinated to the dual leadership of the central government and the People’s Government of the Xinjiang Uygur Autonomous Region.”⁹⁷ The government further explains that the XPCC runs many businesses and social organisations and has a “total population of...2,453,600, including 933,000 workers.”⁹⁸ HRW explains that 90 per cent of the population in the communities that make up the XPCC are Han, that one half of them are women and children and that the settlements account for around one-seventh of the population of the province.⁹⁹

Amnesty, however, argues that the XPCC has a similar status to the XUAR government. Furthermore, Amnesty says that the XPCC has armed police units that have been involved in enforcing the government’s agenda against the forces of terrorism, separatism and religious extremism in the region and notes that the XPCC also runs its own prisons and labour camps.¹⁰⁰ HRW affirms the latter point, claiming the XPCC administers several dozen labour camps and prisons.¹⁰¹ The CECC reported in its 2006 Annual Report that the XPCC advertised some 840 employment vacancies within Xinjiang, of which 800 were filled by ethnic Hans.¹⁰²

4.1.2 Economic and Social Policies

Mackerras points out that Uighurs have benefited in numerous ways under the CCP’s leadership. He describes the government’s reaction to Uighur separatism as a carrot-

⁹⁶ Cui Jia, ‘Mandarin lessons in Xinjiang ‘help fight terrorism’’, *China Daily*, 4 June 2009, CX227962

⁹⁷ The Government of the People’s Republic of China (White Paper), ‘History and Development of Xinjiang (Part 9)’, 26 May 2003, CX163912.

⁹⁸ The Government of the People’s Republic of China (White Paper), ‘History and Development of Xinjiang (Part 9)’, 26 May 2003, CX163912.

⁹⁹ Human Rights Watch, ‘Xinjiang, China’s Restive Northwest’, undated, CX162161

¹⁰⁰ Amnesty International, ‘China’s Anti-Terrorism Legislation and Repression in the Xinjiang Uighur Autonomous Region’, 22 March 2002, CX69689.

¹⁰¹ Human Rights Watch, ‘Xinjiang, China’s Restive Northwest’, undated, CX162161.

¹⁰² Congressional Executive Commission on China (CECC), Annual Report 2006, CISLIB

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and-stick approach. He describes the stick as as brutal suppression of all ‘separatism’, but the carrot comes in the form of “economic development to promote material incentives for the minorities to remain part of China.” In doing so, he argues, China has largely managed to persuade the Uighurs to support (or at least not oppose) its rule and has brought “great societal and economic progress.”¹⁰³

Similarly, the US Congressional-Executive Commission on China (CECC) notes improvements in infrastructure in such autonomous regions since 2000 and in education levels in the longer term but argue that “central control over development policy and financial resources has weakened economic autonomy in minority areas and disproportionately favored Han Chinese in Tibetan, Uighur, and other border areas.” Furthermore, the CECC claims that “[g]overnment policy...in Xinjiang most often contravenes the Chinese Constitution and law.” They also cite scholars that put forward a differing view to that of Mackerras in arguing that “the majority of Uighurs are unhappy with the system of autonomy and the course of politics.”¹⁰⁴

Mackerras also describes various forms of “preferential policies” implemented in the 1980s that provide a form of positive discrimination for ethnic minorities, such as relaxed family planning regulations, quotas for university entrance and advantages in job allocation and promotion. Such initiatives were complemented by the 2000 ‘Great Western Development Strategy’ but this, he notes, has benefited the cities of the region over the rural areas and the disparity has grown between the richer north and centre and the poorer south.¹⁰⁵ The CECC notes however, that the effect of the Great Western Development Strategy has been to increase economic dependence on “central subsidies.”¹⁰⁶

Mackerras concedes that the Uighurs hold numerous grievances towards the authorities and their policies. He lists the most significant as including the transmigration of Han Chinese into the region and inequality – political and economic – with the perception amongst Uighurs that the Han are in the stronger position in each of these realms.¹⁰⁷ The UK Home Office lists a number of other primary concerns held by Uighurs: restrictions on birth control, which many Uighurs regard as incompatible with Islam; the ban of wearing the hijab (Muslim headscarf) in schools; and restrictions on visiting mosques for government employees.¹⁰⁸

The CECC argues that the central government “continues to place Han Chinese ‘from the interior’ into key technical and political posts in autonomous areas and to

¹⁰³ Colin Mackerras, ‘Ethnicity in China: The case of Xinjiang’, Harvard Asia Quarterly, Winter 2004, CX131310.

¹⁰⁴ Congressional-Executive Commission on China, ‘2005 Annual Report - III. Monitoring Compliance With Human Rights - III(a) Special Focus for 2005: China’s Minorities and Government Implementation of the Regional Ethnic Autonomy Law’, 2005, CX163897.

¹⁰⁵ Colin Mackerras, ‘Ethnicity in China: The case of Xinjiang’, Harvard Asia Quarterly, Winter 2004, CX131310.

¹⁰⁶ Congressional-Executive Commission on China, ‘2005 Annual Report - III. Monitoring Compliance With Human Rights - III(a) Special Focus for 2005: China’s Minorities and Government Implementation of the Regional Ethnic Autonomy Law’, 2005, CX163897.

¹⁰⁷ Colin Mackerras, ‘Ethnicity in China: The case of Xinjiang’, Harvard Asia Quarterly, Winter 2004, CX131310.

¹⁰⁸ *China Brief* cited in UK Home Office, *Country of Origin Information Report China* (available on Cisnet).

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encourage Han laborers and farmers to move into these regions” and emphasises the favourable treatment enjoyed by the Han Chinese in the realms of education and both government and private employment.¹⁰⁹

Regarding education in XUAR, the CECC comments that “[m]inorities are entitled by law to set their own curricula, but in practice the central government strictly controls the content of teaching materials in minority classes.”¹¹⁰ They add that “[g]overnment efforts to limit Uyghur language use began in the 1980s, but have intensified since 2001 and throughout the past year” and detail initiatives including forcing teachers with inadequate Mandarin skill out of schools despite shortages of teachers and the setting of school admission rules that favoured Han speakers.¹¹¹

The Chinese government, for its part insists that Xinjiang and the other autonomous areas, are afforded full cultural and political rights, both within their autonomous regions and across China as a whole. This, however, has been disputed by a number of sources, including *Inter Press Service (IPS) News*, drawing on a range of anecdotal evidence, that Uyghurs are becoming displaced within Xinjiang itself and that discriminatory hiring practices exist among a number of companies in XUAR.¹¹² In particular, it cited PetroChina, the state-owned petroleum company in charge of most of XUAR’s oilfields, as employing just 28% of its local workforce from Uyghurs and ethnic minorities,¹¹³ despite them comprising over 50% of the XUAR’s population.¹¹⁴

4.1.3 *Discrimination encountered by Uyghurs in employment and in education*

A news release by the Uyghur American Association (UAA) on 16 June 2009 detailed some of the difficulties faced by ethnic-Uyghur graduates when competing with Han Chinese resident in XUAR for state jobs. Of 894 positions offered in the XPCC, 744 were reserved for Hans, 137 were open to all ethnic groups, with just 11 reserved for ethnic Uyghurs and two for Kazakhs.¹¹⁵ In addition, the CECC’s 2008 Annual Report found numerous examples of discrimination against Uyghurs in the education sector. In Aqsu District, XUAR, 347 of 436 available positions in district schools were reserved for ethnic Hans, with the remaining 89 reserved for Uyghurs.¹¹⁶

¹⁰⁹ Congressional-Executive Commission on China, ‘2005 Annual Report - III. Monitoring Compliance With Human Rights - III(a) Special Focus for 2005: China’s Minorities and Government Implementation of the Regional Ethnic Autonomy Law’, 2005, CX163897. This document provides considerable detail on minority representation in various government bodies

¹¹⁰ Congressional-Executive Commission on China, ‘2005 Annual Report - III. Monitoring Compliance With Human Rights - III(a) Special Focus for 2005: China’s Minorities and Government Implementation of the Regional Ethnic Autonomy Law’, 2005, CX163897.

¹¹¹ Congressional-Executive Commission on China, ‘2005 Annual Report - III. Monitoring Compliance With Human Rights - III(a) Special Focus for 2005: China’s Minorities and Government Implementation of the Regional Ethnic Autonomy Law’, 2005, CX163897.

¹¹² Antoaneta Bezlova, ‘Uyghur Muslims – Swamped by Han influx’, *IPS News*, 29 November 2006, CX230525

¹¹³ Antoaneta Bezlova, ‘Uyghur Muslims – Swamped by Han influx’, *IPS News*, 29 November 2006, CX230525

¹¹⁴ ‘Census of Xinjiang Uyghur Autonomous Region’, *China.org.cn*, December 2003, CX230554

¹¹⁵ ‘Recruitment for state jobs in Xinjiang discriminates against ethnic minorities’ Uyghur American Association (UAA), 16 June 2009, CX228243. This report quoted the Congressional-Executive Commission on China, ‘2008 CECC (Congressional-Executive Commission on China) Annual Report’, 31 October 2008, CISLIB 16947

¹¹⁶ ‘Recruitment for state jobs in Xinjiang discriminates against ethnic minorities’ Uyghur American Association (UAA), 16 June 2009, CX228243. This report quoted the Congressional-Executive

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In addition, the CECC report also claimed that in the Bayangol Mongol Autonomous Prefecture within the XUAR, 413 of the 500 jobs available in local schools were reserved exclusively for ethnic Hans.¹¹⁷

The UAA also claimed that ethnicity-based quotas did not allow for the level of language proficiency in the mother tongue of the particular ethnic group. According to CECC, both Aqsu District and Bayangol Prefecture imposed minimum Mandarin-language requirements on Uighur applicants, with 56 of the 89 ethnic-Uighur reserved positions in Aqsu mandated for those who had completed their schooling in the Mandarin medium.¹¹⁸ In addition, the official announcement on ethnic-based recruitment eligibility in Bayangol Prefecture confirmed that only ethnic-minority candidates who spoke Mandarin as *myyu* (mother tongue) were eligible to apply for Han-designated positions, with minority students who had studied but did not speak Mandarin as a first language specifically excluded.¹¹⁹

4.1.4 *Land issues and demolition of Uighur cultural sites*

On 12 May 2009, *RFA* reported that authorities in the township of Turpanyuz, Gulja (Yining) County, XUAR, had confirmed a plan to buy back orchards from ethnic Uighur farmers two decades before their leases expired.¹²⁰ Turpanyuz, according to *RFA*, has 14676 residents, of whom more than 95 percent are Uighurs with a total of 2,620,000 *mu* (approximately 17467 ha) of tillable land within the local government area. Authorities were at the time offering 200 yuan (A\$40) per *mu* per year that the lease had been worked.¹²¹

Many local Uighur orchardists opposed to the plan claimed that the buyback scheme was part of a wider plan on the part of the county and village governments, to force Uighurs to sell their land at discount prices to ethnic-Han transmigrants.¹²² The buyback scheme has also coincided with the implementation of the Urban and Rural Planning Law, under which all rural land use must comply with official local government planning guidelines.¹²³

The demolition of historical parts of the far western city of Kashgar (Kashi) has also emerged in 2008. During June 2009 and earlier, city officials had been moving some

Commission on China, '2008 CECC (Congressional-Executive Commission on China) Annual Report', 31 October 2008, CISLIB 16947

¹¹⁷ 'Recruitment for state jobs in Xinjiang discriminates against ethnic minorities' Uyghur American Association (UAA), 16 June 2009, CX228243. This report quoted the Congressional-Executive Commission on China, '2008 CECC (Congressional-Executive Commission on China) Annual Report', 31 October 2008, CISLIB 16947

¹¹⁸ 'Recruitment for state jobs in Xinjiang discriminates against ethnic minorities' Uyghur American Association (UAA), 16 June 2009, CX228243. This report quoted the Congressional-Executive Commission on China, '2008 CECC (Congressional-Executive Commission on China) Annual Report', 31 October 2008, CISLIB 16947

¹¹⁹ 'Recruitment for state jobs in Xinjiang discriminates against ethnic minorities' Uyghur American Association (UAA), 16 June 2009, CX228243. This report quoted the Congressional-Executive Commission on China, '2008 CECC (Congressional-Executive Commission on China) Annual Report', 31 October 2008, CISLIB 16947

¹²⁰ 'Uyghurs protest orchard sales', Radio Free Asia, 8 May 2009, CX226020

¹²¹ 'Uyghurs protest orchard sales', Radio Free Asia, 8 May 2009, CX226020

¹²² 'Uyghurs protest orchard sales', Radio Free Asia, 8 May 2009, CX226020

¹²³ 'Uyghurs protest orchard sales', Radio Free Asia, 8 May 2009, CX226020

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45000 people out of Kashgar's city centre under the pretext of rebuilding old housing that had fallen into disrepair and posed a safety hazard to its residents.¹²⁴ Reports say wrecking crews razed the historic Xanliq *madrassah* (Islamic school), a protected cultural site within XUAR on 15 June 2009.¹²⁵ Officials claimed that the demolitions were intended to remove unsafe buildings after a major earthquake in the city in 2003 that killed some 270 people.¹²⁶ Henryk Szadziewski, manager of the Uyghur Human Rights Project (UHRP) in Washington D.C. and who had taught in Kashgar for several years in the 1990s, claimed that the demolition took place with no clear plan for redevelopment. He also claimed that the remainder of Kashgar's old city, which local authorities had promised to spare, would be unlikely to deliver the same return in terms of tourism revenues as it had done before the demolitions.¹²⁷ Uyghur specialist Dru Gladney, quoted by the UAA, claimed that whilst the area under demolition was in an earthquake zone and was plagued with electrical and plumbing hazards, the demolitions nonetheless took place with little consultation with residents and were regarded locally as culturally insensitive by many.¹²⁸

4.2 Treatment of Uighurs by foreign states and the application of the death penalty within the XUAR

4.2.1 *Treatment upon return and prevalence of refoulement by surrounding nations*

As of 2004, Amnesty International had monitored "growing numbers" of instances where ethnic Uighur asylum seekers and refugees had been forcibly returned to China from countries such as Nepal, Pakistan, Kazakhstan and Kyrgyzstan. Amnesty acknowledged at the time that monitoring the treatment of such returnees was extremely difficult given the restrictions placed on NGOs by the Chinese government.¹²⁹ Amnesty has, however, provided specific examples of cases involving torture, unfair trials and executions but many of their reports simply conclude that an individual is missing and that no further details can be obtained.¹³⁰

In 2005, Amnesty International's annual report for Kazakhstan concluded that forced returnees were at grave risk of human rights violations. This view was supported in their 2008 report for Kazakhstan, which concluded that *refoulement* remained a strong possibility for ethnic Uighurs fleeing China. Whilst the situation of Uighur asylum seekers in Kazakhstan was not mentioned in the 2008 report, it nonetheless mentioned that Kazakhstan continued to co-operate on regional security issues with China,

¹²⁴ Antoine Blua, 'China's ancient Silk Road city of Kashgar facing threat of bulldozers', Radio Free Europe / Radio Liberty (RFE/RL), 30 June 2009, CX229046

¹²⁵ Antoine Blua, 'China's ancient Silk Road city of Kashgar facing threat of bulldozers', Radio Free Europe / Radio Liberty (RFE/RL), 30 June 2009, CX229046

¹²⁶ Antoine Blua, 'China's ancient Silk Road city of Kashgar facing threat of bulldozers', Radio Free Europe / Radio Liberty (RFE/RL), 30 June 2009, CX229046

¹²⁷ Antoine Blua, 'China's ancient Silk Road city of Kashgar facing threat of bulldozers', Radio Free Europe / Radio Liberty (RFE/RL), 30 June 2009, CX229046

¹²⁸ 'China razes the cradle of a culture', Uyghur American Association (UAA), 3 May 2009, CX225606

¹²⁹ Amnesty International, 'People's Republic of China – Uighurs fleeing persecution as China wages its "war on terror"', 7 July 2004, CISLIB 14335

¹³⁰ Amnesty International, 'People's Republic of China – Uighurs fleeing persecution as China wages its "war on terror"', 7 July 2004, CISLIB 14335

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Uzbekistan and Pakistan.¹³¹ In 2004, local NGOs quoted by Amnesty provided an estimate of approximately 50 Uighur returnees from Kyrgyzstan over several years.¹³²

The issue of Uighur asylum seekers and Uighur separatist movements intersected with the US-led war on terror. Recently, four ethnic Uighurs previously holding Chinese citizenship were released from the US armed forces detention facility at Guantanamo Bay, Cuba, being released to the British dependency of Bermuda after secret negotiations between the United States and the Bermuda government.¹³³ The United States Government was placed in the difficult position of being unable to return the seven affected Uighurs to China given the credible fear of execution upon return and China having listed the men as members of ETIM; however, political pressure within the United States prevented their release in that country and a third-country solution was sought.¹³⁴

In addition, the Pacific Island state of Palau offered to take a number of detainees in the absence of an offer from the US for the detainees to be released on US soil. President of Palau Joseph Toribiong offered to take between ‘more than four but less than all’ of the 13 ethnic-Uighur detainees.¹³⁵ This was still being finalised at the time of completion of this update. The US State Department is currently finalising arrangements with the Government of Palau that would prevent the Uighur detainees, once settled in Palau, from ever entering the United States should they acquire Palauan citizenship.¹³⁶

4.2.2 *Recent application of the death penalty*

On 9 April 2009, the UAA reported the executions of 34-year-old Abdurahman Azat and 29-year-old Kurbanjan Hemit in Kashgar (Kashi), in the far western XUAR. Azat and Hemit had both been sentenced to death in December 2008 for “intentional homicide and illegally producing guns, ammunition and explosives.”¹³⁷

The two men had been detained after allegedly carrying out an attack in Kashgar on 4 August 2008 in which sixteen policemen were killed. Official government reports from the area appeared to conflict with a number of eyewitness accounts, according to the UAA; they quoted the *New York Times* reporting that three tourists “heard no loud

¹³¹ Amnesty International, ‘The State of the World’s Human Rights: Annual Report 2009’, May 2009, CISNET

¹³² Amnesty International, ‘People’s Republic of China – Uighurs fleeing persecution as China wages its “war on terror”’, 7 July 2004, CISLIB 14335

¹³³ ‘After 7 years at Gitmo, resettled Uyghurs grateful for freedom’, 16 June 2009, Cable News Network (CNN), CX228013

¹³⁴ ‘After 7 years at Gitmo, resettled Uyghurs grateful for freedom’, 16 June 2009, Cable News Network (CNN), CX228013

¹³⁵ Jonathan Kaminsky, ‘Palau deal close for Uighur Guantanamo detainees’, ABC News (USA), 5 August 2009, CX231448

¹³⁶ Jonathan Kaminsky, ‘Palau deal close for Uighur Guantanamo detainees’, ABC News (USA), 5 August 2009, CX231448

¹³⁷ ‘Uyghur American Association condemns the executions of Abdurahman Azat and Kurbanjan Hemit’, Uyghur American Association (UAA), 9 April 2009, CX224405

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explosions and that the men wielding the machetes appeared to be paramilitary officers who were attacking other uniformed men.”¹³⁸

According to the UAA, Chinese authorities have never explained or attempted to justify the discrepancies between official accounts and that reported by the *New York Times*.¹³⁹ In the same law enforcement campaign that saw Azat and Hemit executed, at least 90 other Uighurs had been arrested, with Uighur residents in the city of Khotan (Hoten) forced to undergo security checks and being detained arbitrarily.¹⁴⁰

¹³⁸ ‘Uyghur American Association condemns the executions of Abdurahman Azat and Kurbanjan Hemit’, Uyghur American Association (UAA), 9 April 2009, CX224405

¹³⁹ ‘Uyghur American Association condemns the executions of Abdurahman Azat and Kurbanjan Hemit’, Uyghur American Association (UAA), 9 April 2009, CX224405

¹⁴⁰ ‘Uyghur American Association condemns the executions of Abdurahman Azat and Kurbanjan Hemit’, Uyghur American Association (UAA), 9 April 2009, CX224405

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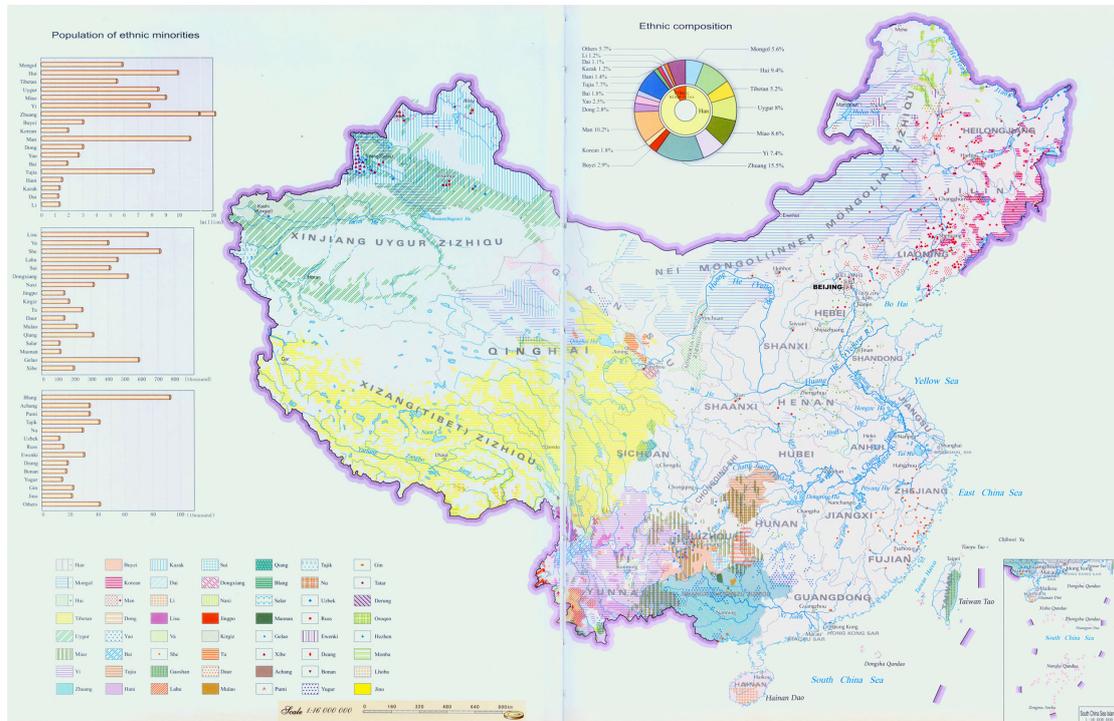
ATTACHMENT A: MAPS

Figure 1.1 Map of Xinjiang Uighur Autonomous Region (XUAR)



Source: <http://www.chinatouristmaps.com/provinces/xinjiang/simple-map.html>

Figure 1.2 Ethnographic map of China (predominately Uighur areas shaded in diagonal green and yellow lines)



Source: <http://www.chinamaps.org/china/china-population-map-large-2.html>