

High

China

There is continued risk of crimes against humanity against China's Turkic Muslim population in Xinjiang. A state security campaign reportedly intended to counter terrorism and extremism has resulted in the arbitrary detention of an estimated million Uighurs and other Turkic Muslims in what Chinese authorities are referring to as 're-education' or 'de-extremification' facilities in Xinjiang.ⁱ Xinjiang authorities have detained Turkic Muslims for such a wide range of minor offenses or infractions that, according to Adrian Zenz, a leading expert on the issue, "There is virtually no Uighur family without one or more members in such detention, and a rising number of Kazakhs and other Muslim minorities are likewise affected".ⁱⁱ

Some former detainees have reported that while in state custody they were subjected to abuse and torture, ill-treatment and forced political indoctrination.ⁱⁱⁱ There are also numerous and mutually consistent reports that family members both within China and overseas have limited or no access to information about persons held in detention, which resembles a large-scale program of enforced disappearances.^{iv} Concern over widespread disappearances was recently reinforced by the #MeTooUyghur twitter campaign, which called for 'proof of life' videos of missing relatives in Xinjiang after Chinese authorities released a video of the famous Uighur musician Abdurehim Heyit to dispel rumours of his death in detention in February.^v

China continues to defend the detention program. At a session of the National People's Congress held on 12 March, the governor of Xinjiang, Shohrat Zakir, likened the detention program to 'boarding schools where students eat and live for free'.^{vi} However, in an apparent response to international criticism, Chinese authorities have recently vowed to eventually phase out the detention program, and issued an invitation to European diplomats to visit Xinjiang in late March.^{vii} This is likely to be a heavily monitored visit, and there remains a need for an independent fact-finding mission by experts who are granted unfettered access to detention facilities. Just as importantly, there is a need for stronger, more credible scrutiny of the treatment of Turkic Muslims by leaders of Muslim-majority countries. In early March, the Council of Foreign Ministers of the Organization of Islamic Cooperation (OIC) passed a resolution which "commended" the efforts of China in "providing care to its Muslim citizens".^{viii} Such commendation reduces pressure on China to safeguard the rights of Turkic Muslims in Xinjiang, and may also embolden China to pressure other countries to clamp down on human rights advocates who have assisted Uighurs and documented evidence of repression in Xinjiang. For example, Serikzhan Bilash, who has played a key role in documenting the situation in Xinjiang by recording testimonies of Uighurs arriving in Kazakhstan, has recently been detained by Kazakh authorities on charges of 'inciting ethnic hatred'—a charge that carries up to 10 years in prison.^{ix}

Recommendations

The government of China should:

1. Immediately halt widespread violations of basic human rights and fundamental freedoms in XUAR, including arbitrarily depriving Turkic Muslims of their liberties or subjecting them to torture or mistreatment, and take active measures to prevent the recurrence or escalation of such violations in accordance with international law and China's primary responsibility to protect all its population.

2. Repeal the Regulation on De-extremification, as called for by the UN Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on minority issues, the Special Rapporteur on freedom of religion or belief, and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.
3. Respond favourably to the requests of the above special procedures mandate holders to undertake an official visit to China, and accept technical assistance and advice to ensure that China's national security, counter-terrorism or counter-extremism laws and practices adhere to China's obligations under international law, including the defendant's right to due process, legal counsel of choice, timely notification of families, and fair and public trials by an independent court.
4. Ensure an impartial and credible investigation of allegations of abuse, torture, and ill-treatment of persons held in detention Xinjiang, and take appropriate measures to ensure justice and compensation for victims.

The international community should:

1. Urge Chinese authorities to take immediate action to uphold universal human rights and fundamental freedoms in Xinjiang. Specifically:
 - The OHCHR and special procedures mandate holders should continue to call for the immediate release of persons involuntarily held in detention without due process, closely monitor the situation in Xinjiang.
 - The Human Rights Council should continue to urge China to uphold human rights of Turkic Muslims and to accept independent UN observers in Xinjiang.
 - The UN Office on Genocide Prevention and the Responsibility to Protect should closely monitor the situation and communicate increasing risk of atrocity crimes in Xinjiang, as appropriate.
2. Recognising the important influence they have in urging China to reconsider its policies in Xinjiang, Muslim majority countries as well as neighbouring states whose nationals are allegedly detained in Xinjiang should advocate for China to respect the rights of its Turkic Muslim population.
3. Civil Society actors should continue to raise awareness and visibility of the treatment of Turkic Muslims in Xinjiang and advocate for an end to any violations of their basic rights and fundamental freedoms.
4. All actors should support and protect the rights of organisations and actors that are assisting Turkic Muslims who have left China and working to collect and disseminate information on human rights violations in Xinjiang.

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- ⁱ “Eradicating Ideological Viruses: China’s Campaign of Repression Against Xinjiang’s Muslims”, Human Rights Watch, 9 September 2018, <https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>
- ⁱⁱ Chris Buckley and Amy Qin, “Muslim Detention Camps are like ‘Boarding Schools’, Chinese Official Says”, *The New York Times*, 12 March 2019, <https://www.nytimes.com/2019/03/12/world/asia/china-xinjiang.html?module=inline>
- ⁱⁱⁱ “Eradicating Ideological Viruses: China’s Campaign of Repression Against Xinjiang’s Muslims”, Human Rights Watch, 9 September 2018, <https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>
- ^{iv} Lily Kuo, “‘My Soul, Where are you?’: Families of Muslims Missing in China Meet Wall of Silence”, *The Guardian*, 13 September 2018, <https://www.theguardian.com/world/2018/sep/13/uighur-xinjiang-family-missing-china-kazakhstan>; Rushan Abbas, “My Aunt and Sister in China have Vanished. Are They Being Punished for My Activism?”, *The Washington Post*, 19 October 2018, https://www.washingtonpost.com/news/democracy-post/wp/2018/10/19/my-aunt-and-sister-in-china-have-vanished-are-they-being-punished-for-my-activism/?utm_term=.35cf3c2b4779; Rob Schmitz, “Families of the Disappeared: A Search for Loved Ones Held in China’s Xinjiang Region”, *NPR*, 12 November 2018, <https://www.npr.org/2018/11/12/665597190/families-of-the-disappeared-a-search-for-loved-ones-held-in-chinas-xinjiang-regi>; “Lu Guang: Award-winning Chinese Photographer Disappears in Xinjiang”, *BBC*, 27 November 2018, <https://www.bbc.com/news/world-asia-china-46356119>;
- ^v Lily Kuo, “Families of Missing Uighurs Call for ‘Proof of Life’ Videos from Chinese Government”, *The Guardian*, 12 February 2019, <https://www.theguardian.com/world/2019/feb/12/families-of-missing-uighurs-call-for-proof-of-life-videos-from-chinese-government>
- ^{vi} Chris Buckley and Amy Qin, “Muslim Detention Camps are like ‘Boarding Schools’, Chinese Official Says”, *The New York Times*, 12 March 2019, <https://www.nytimes.com/2019/03/12/world/asia/china-xinjiang.html?module=inline>
- ^{vii} Zhenhua Lu and Mimi Lau, “China Invites European Diplomats to Visit Xinjiang as Backlash Grows over Muslim Camps”, *South China Morning Post*, 20 March 2019, <https://www.scmp.com/news/china/diplomacy/article/3002561/china-invites-european-diplomats-visit-xinjiang-amid-growing>
- ^{viii} “Resolutions on Muslim Communities and Muslim Minorities in the Non-OIC Member States”, Organization of Islamic Cooperation document OIC/CFM-46/2019/MM/RES/FINAL, 1-2 March 2019, <https://www.oic-oci.org/docdown/?docID=4447&refID=1250>
- ^{ix} Austin Ramzy, “Critic Who Exposed China’s Muslim Camp is Detained, Even Across the Border”, *The New York Times*, 13 March 2019. <https://www.nytimes.com/2019/03/13/world/asia/china-kazakh-activist-camps-xinjiang-muslims.html>