

Q-CAT is not only concerned with torture inflicted on individuals. Here, we are highlighting the plight of the Uyghur peoples in China, subjected as they are to torture and cruel, inhuman or degrading treatment on a genocidal scale. The persecution suffered by the Uyghurs seems extreme, even when set alongside that endured by other national and religious groups in China and the regions controlled by the Chinese government, possibly for strategic economic reasons mentioned below.

Uyghur Genocide in China

In the midst of other news in 2020, we could be forgiven for not noticing the launch of the Uyghur Tribunal on the 3 September 2020 with the support of the British-based NGO, the Coalition for Genocide Response.¹

This is not a formal tribunal, but a People's Tribunal. People's Tribunals exist to provide civil society with the means to investigate, amongst other things, international crimes. In this case, the crime is the alleged genocide by the People's Republic of China against the Uyghurs, including killings, serious bodily or mental harm, conditions of life calculated to destroy, measures intended to restrict births and / or forcible transfer of Uyghur children from their parents to other groups.

More information about the Uyghur Tribunal can be found on their website.²

Who are the Uyghurs?

There are around 12 million Uyghurs living in the north-west of the People's Republic of China (PRC). They are predominantly Turkic Muslims. The PRC officially refer to their region as the 'Xinjiang Uyghur Autonomous Region' ("XUAR") while many Uyghurs refer to it as East Turkestan.

The region's economy has for centuries revolved around agriculture and trade. Towns there thrived with the growth of the famous Silk Road trading route.

Uyghur communities are also found in Uzbekistan, Kyrgyzstan, and Kazakhstan, and several thousand live in Australia.

Islam in Xinjiang

The Uyghurs have never fully accepted Chinese domination. Between the 1950s and 1970s there was a massive state-sponsored migration of Han Chinese to the Xinjiang region promoting Chinese cultural unity and punishing expressions of Uyghur identity.

¹ <https://genocideresponse.org/>

² <https://uyghurtribunal.com/frequently-asked-questions/?fbclid=IwAR2fNWIUGHLG6OnYKgfXmOFsIRjtFG0R46OU1NqghkePfrreEtwHO312-nY>

Over decades, the Chinese government has sought to oppress expressions of adherence to Islam. In 1950, there were 29,000 mosques and 54,000 imams in Xinjiang, which fell to 14,000 mosques and 29,000 imams by 1966. Following the Cultural Revolution, there were only about 1,400 remaining mosques. By the mid-1980s, the number of mosques had returned to 1950 levels, but since 2017 thousands have been damaged or destroyed, with some sites being turned into roads or car parks.³

Since the mid-1990s, state control has evolved from focusing on clergy (including “re-education”) to harassment of people in their everyday lives. Mosques are under constant surveillance, there is no possibility for public expression, and a report by Human Rights Watch in 2005 could find hardly any young practising Muslim who did not have a story to tell about harassment.⁴

This religious repression is at least partly responsible for a revival in Islam in Uyghur society, which led to a vicious cycle which has led to the current situation.

A little bit of history

The Uyghur struggle for autonomy arguably dates back to the 18th century after the Qing dynasty incorporated it into China. There were several uprisings against the dynasty until the early 20th century. In 1949, Mao Zedong imposed total control over Xinjiang, since which time there have been ongoing tensions between the Uyghurs and the centralised state. The Chinese government attributed over 200 violent incidents between 1990 and 2001 to nationalist separatists. Tensions escalated again in 2008 during the period of the Olympic Games.

Of China’s 20 million Muslims, Uighurs account for approximately 6 million. Most Muslims in China live outside Xinjiang and majority of them belong to the Hui, who are closely related to the Chinese Han majority. The state has been far more tolerant of the Hui than of the Uighur population, possibly because they have not challenged the secular authorities. Some researchers say that the Muslim character of the conflict is only one aspect of the Uyghurs’ centuries-old struggle for independence and that it is misleading to report it simply as a religious conflict.⁵ According to an Uyghur woman who recently survived a period in an internment camp, Xinjiang is essential to the government’s infrastructure project designed to link China to Europe as part of the “new silk road”. The region needs to be kept peaceful and cleansed of its separate tendencies and ethnic tensions.⁶

Since 2001, the government of the PRC has chosen to label the Uyghurs as “terrorists” as part of the “Global War on Terror”. This came as a surprise to many scholars, as there was little evidence of any organised militant group. Sean Roberts of the George Washington University has stated that *the Uyghur people as a whole have come to symbolize an almost biological threat to society that must be quarantined through surveillance, punishment, and detention.*⁷

The current situation

In 2016, a new governor of Xinjiang province was appointed - Chen Quanguo, who was noted for

³ <https://www.theguardian.com/world/2020/sep/25/thousands-of-xinjiang-mosques-destroyed-damaged-china-report-finds>

⁴ <https://www.hrw.org/reports/2005/china0405/china0405.pdf>

⁵ <http://america.aljazeera.com/opinions/2015/7/the-ethnic-roots-of-chinas-uighur-crisis.html#:~:text=A%20struggle%20for%20autonomy,until%20the%20early%2020th%20century.>

⁶ <https://www.theguardian.com/world/2021/jan/12/uighur-xinjiang-re-education-camp-china-gulbahar-haitiwaji>

⁷ <https://www.tandfonline.com/doi/full/10.1080/14672715.2018.1454111>

previously imposing draconian surveillance measures in Tibet. As soon as he arrived, the repression of the Uyghurs escalated dramatically.⁸

Since then, more than a million Uyghurs and other Turkic Muslims have been forced into internment camps for “re-education” and “thought transformation”, or into high-security prisons or forced labour. This is the largest forced incarceration of any ethnic or religious minority anywhere in the world since the Second World War. Activists, lawyers, politicians and scholars are now referring to this situation as “genocide”.⁹

Although it is clear that there are broad geo-political forces involved, it is also clear that the Islamic nature of Uyghur society is being particularly targeted.

Extensive research by Joanne Smith Finley of Newcastle University has recorded the practice of *fanghuiju*, whereby local officials are dispatched to visit people in their homes and record their level of “trustworthiness”. One of the indicators of being untrustworthy is having religious knowledge or praying five times a day. Being deemed untrustworthy can lead to incarceration in an internment camp – in one village, a work team sent one-fifth of the adult population into detention within four months of its arrival. The programme developed to include home-stays by government cadres in order to map the ideological nature of the province “family by family”. Illiteracy and poverty feature prominently in the results of this intrusive campaign, as the PRC government believes that religious belief will dissipate with increased education and material prosperity. Neighbours are encouraged to become informers and children in nursery schools are asked about the religious practices of their parents.

Some of the “extremist” religious practices which the visitors look for include growing a beard, praying regularly, inviting too many people to a wedding, using Islamic names, wearing a headscarf or a long skirt, teaching the Q’ran to your children, praying at a mosque other than on a Friday, making the pilgrimage to Mecca. It is also dangerous for people to have religious contact on their digital devices, to use Facebook or Twitter, to be in touch with relatives outside China, and to speak to foreigners. Lack of patriotism can be identified by failing to recite the national anthem in Chinese or to have poor Chinese language skills.¹⁰

The situation in the internment camps

A few people who have been released from internment camps have reported overcrowded and insanitary conditions; poor quality food with a daily diet of 600 calories as a punishment for speaking Uyghur; illiterate farmers forced to learn 3,000 Chinese letters; forced secularisation and study of the “official” version of Chinese history; constant demand for “self-criticism”. One former internee described it as “endless brainwashing and humiliation”.

There is evidence of torture: former detainees report being shackled, deprived of sleep, beaten, and hung from ceilings and walls; being immobilised in one position for up to 12 hours; use of waterboarding; mass rape. Women are separated from their children and subjected to intrusive medical examinations, and medicated. Psychological torture is well-documented.¹¹

⁸ <https://www.theguardian.com/world/2021/jan/12/uighur-xinjiang-re-education-camp-china-gulbahar-haitiwaji>

⁹ <https://www.tandfonline.com/doi/full/10.1080/14623528.2020.1848109?fbclid=IwAR3R2a-Cll75ebGY8DrOEnh6mq6yMyzoDLlySem17Es5xIVGsF2Xcr3qRA&>

¹⁰ <https://www.tandfonline.com/doi/full/10.1080/02634937.2019.1586348?src=recsys>

¹¹ <https://www.tandfonline.com/doi/full/10.1080/02634937.2019.1586348?src=recsys>

A detailed and harrowing account of life in the camps was given by a woman who spent two years there between 2017 – 2019.¹²

Attempted genocide

The most recent research has shown that policies are being implemented which will eradicate the Uyghurs' ethnic identification. There are extra-judicial killings, enforced sterilisation and policies to prevent births and separate husbands and wives - all seemingly intended to eradicate the Uyghurs as an autonomous ethnic group with a distinct identity.

Restrictions are being put on the use of the Uyghur language with children being forced to attend Mandarin-only schools and the Uyghur script has been removed from public displays. Online documents have disappeared so there is now no evidence that the earlier PRC state policy was one of "bilingual education" – current documents now refer to "national language education".

City mosques are empty, as the data of all who attend are recorded by a state official. Neighbourhood mosques are padlocked, have had religious symbols removed, or have been turned into cafes serving alcohol to Han tourists. Many mosques and shrines have been demolished. A park has been constructed where there used to be an Uyghur cemetery. Ethnically distinct architecture has vanished. Islam and Uyghur cultural references have disappeared from school textbooks.¹³

This cultural genocide is not a less radical policy than physical genocide; it is rather a different tactic to bring about the same end.

The UN Convention on the Prevention and Punishment of Genocide

This states that genocide is any of five types of actions committed *with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such.*

These five types of actions are:

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group;
- Forcibly transferring children of the group to another group.¹⁴

There is evidence that the PRC has in fact committed these actions in relation to the Uyghurs, for example:

- In 2009 and 2014 thousands of Uyghurs were killed during protests and massacres;
- They have been subjected to mass repression, surveillance and intimidation since 2014, including extra-judicial internment of over 1 million people in camps where they are subjected to torture and other cruel and inhumane treatment; the threat of internment leads to self-censorship among the whole population;
- Draconian birth control policies have been introduced and children of interned or imprisoned parents have been sent to state-run orphanages where they will be re-educated into Chinese language and culture.

¹² <https://www.theguardian.com/world/2021/jan/12/uighur-xinjiang-re-education-camp-china-gulbahar-haitiwaji>

¹³ https://www.societyandspace.org/articles/chinas-neo-totalitarian-turn-and-genocide-in-xinjiang?fbclid=IwAR2bufv1MKQ2td2QEk19ScDaclFwjEp-K3_gWAlnlHYVwobyudXEwy6PJyE

¹⁴ <https://www.un.org/en/genocideprevention/genocide.shtml>

How you can help to hold China to account

When confronted with crime on this scale, by one of the most powerful countries in the world, any response can seem daunting. However, we must work to hold China to account.

In 2020 the Bar Human Rights Committee of England and Wales issued an urgent document on the Responsibility of States under International Law, calling for a response to this situation. **We urge you to read this document** (see link below, footnote ¹⁵) – especially those of you who are part of the legal professions – **and urge our government to meet its obligations under the Convention.**

Parliament debated this topic in October 2020 – you can read the transcript ¹⁶ and **refer to it in your correspondence with MPs.** As Naz Shah MP pointed out, *At some point, we need to stop saying, “Never again.” We need to learn from history, identify these things when we see them happening and—crucially—we must act.*

If you are part of a UNA group, you can work towards a stronger response from the UN.

We can all **support the Uyghur Tribunal financially** and by publicising it in our communities.

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The next Newsletter is planned for March.

The next Briefing is planned for mid-April.

¹⁵ https://www.barhumanrights.org.uk/wp-content/uploads/2020/07/2020-Responsibility-of-States-to-Uyghurs_Final.pdf

¹⁶ <https://hansard.parliament.uk/Commons/2020-10-12/debates/AB40F283-1FA2-4784-AFE7-82F268C3985B/China%E2%80%99SPolicyOnItsUyghurPopulation>