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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

**Joint written statement\* submitted by International-Lawyers.Org, Association Ma'onah for Human Rights and Immigration, International Organization for the Elimination of All Forms of Racial Discrimination, Union of Arab Jurists, United Towns Agency for North-South Cooperation, non-governmental organizations in special consultative status, International Educational Development, Inc., a non-governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

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\* Issued as received, in the language(s) of submission only.



# **The Continued Human Rights Violations at Xinjiang Uighur Autonomous Region, China Reeducation Camps**

## **Focus**

This statement focuses on the continued human rights violations at Xinjiang Reeducation camps in China, where the Chinese governments are arbitrarily detaining millions of Uighurs and other ethnic and religious minorities.

## **Background: Xinjiang Reeducation Camps**

According to United Nations experts and activists, China keeps at least 1 million religious and ethnic minorities in so-called reeducation centers located in the Xinjiang Uighur Autonomous Region.<sup>1</sup> Chinese authorities are using their economic clout to deter criticism from other governments and the United Nations (UN). China is justifying these detentions on national security grounds. In March 2020, Beijing's UN ambassador Zhang Jun restated China's claims that Uighurs' mass detention in Xinjiang reeducation camps was essential to the fight against terrorism and radicalization. The last time a UN High Commissioner visited China was in 2005.

## **International Human Rights Implications**

Despite the government assertions to the contrary, there are serious human rights violations perpetrated against Uighurs and other Muslim communities in Xinjiang. According to reports by journalists and human rights organizations, there are grave human rights abuses including torture and arbitrary detention, and unprecedented levels of mass surveillance in these camps.

It should be underscored that there is an overwhelming amount of evidence related to such abuses, including testimonies of witnesses and former detainees, news reports, official directives, and studies.<sup>2</sup>

The "Sinification of All Religions and Beliefs" was a policy officially declared by the Chinese government in 2017. The ultimate goal is the systemic restrictions on Uighur culture and the practice of Islam. China is thus working towards eliminating the ethnic, religious, and cultural identities of the Uighurs.

Former inmates have testified that they have forgotten their language and religion. Further, these practices put enormous pressure on Uighurs that have not been detained. Families had disappeared, and citizens of Uighur origin living abroad cannot get any news from their relatives. Hundreds of Uighur academics and professionals have disappeared.

China's systematic assimilation policy is a severe violation of internationally recognized human rights, including the right to freedom of thought, conscience, and religion, freedom from torture, freedom from arbitrary detention, et cetera. As a state party, China is in violation of its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination which states in Article 2 that "each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation."

## **Torture**

The Uighurs are being tortured and politically brainwashed in these camps. According to one of the former inmates, if inmates are not quick enough in the bathroom, guards shock them

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<sup>1</sup> <https://www.europarl.europa.eu/news/en/press-room/20191212IPR68927/china-must-close-its-re-education-camps-for-uyghurs-in-xinjiang-meps-say>.

<sup>2</sup> <https://www.jpolarisk.com/beyond-the-camps-beijings-long-term-scheme-of-coercive-labor-poverty-alleviation-and-social-control-in-xinjiang/>.

with an electric baton on their heads. Following these acts of torture, inmates have to thank the guards for teaching them. Everyone detained in Xinjiang is subject to at least psychological torture because inmates do not know how long they will be kept in these camps. They are only released when they can demonstrate they have transformed their identities, that is to say, their beliefs and language.

The Office of the UN High Commissioner for Human Rights has recognized the duty of States to protect those living within their jurisdictions from terrorism. At the same time, states also must protect human rights in the context of counter-terrorism measures. What has been happening in Xinjiang is a clear violation of Article 7 of the International Covenant on Civil and Political Rights (ICCPR) and Article 5 of the Universal Declaration of Human Rights (UDHR), which states that no person “shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.” Even though China has not ratified the ICCPR, signatory countries of the Convention must, at a minimum, refrain from acts against the object of the treaty. Further, China has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment which provides that “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.” According to these conventions, torture can be physical or mental.

### **Arbitrary Detention**

Over a million Uighurs have been arbitrarily and extrajudicially detained in Xinjiang. Most detainees have not been charged with a crime and are held without any due process rights. The detainees are considered to be “almost criminals.” For instance, a distinguished folk poet Abdurehim Heyit was sentenced to eight years in prison for his songs. Abdusalam Muhemet was detained for reciting averse of the Quran at a funeral. Others were sent to camps for visiting relatives abroad, reading books about religion or Uighur culture, growing long beards and so on. Inmates are usually not allowed to see their family or friends for a long time.

Chinese authorities have been violating Article 9 of the UDHR, under which “no one shall be subjected to arbitrary arrest, detention or exile.” The ICCPR recognizes the right to liberty and security of person: “no one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”

### **Mass Surveillance**

The Chinese government uses an intrusive mass surveillance system to keep data on the Uighurs. Chinese authorities have installed cameras in some homes and have been collecting biometric data and DNA.<sup>3</sup> Once they are detained, every aspect of prisoners’ lives is being controlled and surveilled. Inmates need to have a fixed queue position, bedroom position, classroom seat and station. In addition, according to Human Rights Watch, Chinese police are using a mobile app to keep data on the Uighurs which closely monitors behaviors such as lack of socializing, using too much electricity, using the front door or having acquaintances abroad.<sup>4</sup>

Under Article 12 of the UDHR, “no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation.” Nearly 50 UN Rights experts expressed concern over arbitrary interferences with the right to privacy and cybersecurity laws that authorize censorship.<sup>5</sup>

### **Disappearance**

According to the Rome Statute of International Criminal Court (ICC), a statute establishing the ICC, the widespread or systemic use of enforced disappearance is defined as a crime against humanity. This definition was later affirmed by the International Convention for the Protection of All Persons from Enforced Disappearance. Even though China is not a party to

<sup>3</sup> <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>.

<sup>4</sup> <https://www.bbc.com/news/world-asia-china-48130048>.

<sup>5</sup> <https://news.un.org/en/story/2020/06/1067312>.

either of these conventions, it still must end all forms of enforced disappearance under international law.

Thousands of children have been deliberately removed from their parents. Many children have lost both parents to Xinjiang camps or prisons. Parents of these children who have fled suspect that their children have been taken to child education camps. A German researcher has reported that there has been a school expansion in Xinjiang with enlarged campuses, new dormitories and increased capacity.<sup>6</sup>

China has ratified the Convention on the Rights of the Child and the two optional protocols of this convention. The convention recognizes the right of the child to preserve his or her identity and to freedom of thought, conscience and religion. Under Article 30, “In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.”

### **Recommendations**

- China should immediately close these detention centers and respect the fundamental human rights of ethnic and religious minorities.
- China should grant unfettered access throughout Xinjiang to the UN experts, including High Commissioner for Human Rights and or other experts appointed through special procedures. The commissioner’s access should be independent and unconditional on account of previous instances in which journalists have been controlled and restricted by the Chinese authorities.
- China should be pressed to ratify the International Covenant on Civil and Political Rights and make itself available to a periodic examination by the UN Human Rights Council.

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Geneva International Centre for Justice (GICJ), Just Atonement Inc., The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), NGO(s) without consultative status, also share the views expressed in this statement.

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<sup>6</sup> <http://www.jpplrisk.com/break-their-roots-evidence-for-chinas-parent-child-separation-campaign-in-xinjiang/>.