

General allegation

115th session (23 April–2 May 2018)

China

1. The Working Group received information from sources concerning reported obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance in China.
2. According to sources, there has been a notable trend of enforced disappearances of Uyghurs that escalated dramatically in 2017 with the introduction of ‘re-education’ camps by the Chinese government in the Uyghur Autonomous Region. The source reports that, in April and May of 2017, Uyghurs living outside China started losing contact with family members still living in the Uyghur Autonomous Region as thousands of Uyghurs began to be rounded up and sent to the camps. The sources report that this continued in 2017 and 2018, and that more Uyghurs lost contact with family members.
3. According to sources, 120,000 Uyghurs were sent to five camps around Kashgar. The sources also report that by March 2018, an estimated 880,000 to one million Uyghurs have been sent to these camps. The sources state that Uyghurs are being held at these centres not because they have committed any crimes, but because they deem them in inadequacy with Chinese Communist Party’s policies.
4. According to the sources, no formal charges are laid against detainees, who are also not provided access to legal remedies, are denied contact outside the camps, and are held for unspecified periods of time. The source believes that the camps constitute a massive case of state-orchestrated enforced disappearance and arbitrary detention.
5. In addition, according to sources, in the past 15 years, at least 300 Uyghurs, who were students, refugees and asylum seekers, have been forcibly returned to China from 16 different countries. The source also reports that, in 2014, 109 Uyghurs were returned to China from Thailand, and that, in 2018, at least 22 Uyghur students were forcibly returned to China from Egypt after Egyptian authorities rounded up approximately 200 Uyghur students in the country. Since their extradition, the source reports, no information concerning their whereabouts is known.
6. The Working Group also received information that, Article 73 of the Criminal Procedure Law (CPL) is increasingly used as a legal ground for forcibly disappearing individuals. According to the sources, Article 73, which has been effective since January 2013, allows police to put an individual under “residential surveillance at a (police-) designated location”, whereby police can hold individuals in secret for up to six months, without access to lawyers or family members, if they are suspected of “endangering state security,” “terrorism,” or significant bribery crimes. According to sources, at least 42 cases of enforced disappearances of human rights defenders have been documented between 2015–2017 through the residential surveillance for up to six months, at least 189 cases of enforced disappearances of human rights defenders through the black jails have been documented between 2013–2017, and at least 17 cases of enforced disappearances of human rights lawyers and activists subject to “residential surveillance at a (police-) designated location” have been documented.