

Submission to the United Nations Special Rapporteur on Freedom of Religion or Belief

Submitted by:

Norwegian Uyghur Committee
Uyghur Human Rights Project
World Uyghur Congress

November 30, 2020

Key Takeaways

- The Chinese government continues to pursue a policy intended to eliminate Uyghur religious practice by criminalising nearly all aspects of Islam, supported by the threat of mass arbitrary detention.
- Along with the elimination of expression, China continues to demolish physical structures such as Uyghur mosques, graveyards, and shrines, in an attempt to destroy the ability of Uyghurs and others to practice Islam.
- The Chinese government, in legislation and in practice, purposefully conflates extremism and terrorism with quotidian religious practices and expression, and has detained Uyghurs en masse for such expression. The 2017 *Regulation on “De-extremification”* explicitly criminalises basic tenets of Islam practiced by Uyghurs and other Turkic groups.
- Leaked documents show that Uyghurs have been extrajudicially detained in internment camps for wearing a veil, growing beards, going on Hajj, studying religion, or living in a household with a “dense religious atmosphere.”
- China’s Integrated Joint Operations Platform (IJOP) serves as a hub and database for mass data collection, including information related to religious practice and expression of all Uyghurs in the region. Comprehensive and intrusive surveillance of religious practice has created an environment in which Islam has been nearly totally criminalised.

Background

The Chinese government has, for decades, taken steps through law and policy to broadly coerce, control and restrict religious practice and prohibit that which is seen to undermine the state’s authority. This constitutes, in many cases, state-sponsored religious discrimination prohibited in Chinese and international law.¹

The introduction of China’s Regulations on Religious Affairs (RRA), a Decree of the State Council passed in 2005, requires that religious groups register with the government and report on their religious activities.² Article 12 already required any religious practice to be conducted at sites that have been approved by the state—effectively criminalizing all religious practice performed outside these venues.

Policy since 2016

¹ Michael Dillon, “Religious Minorities and China,” RefWorld, Minority Rights Group International, 2001, <https://www.refworld.org/pdfid/469cbf8e0.pdf>.

² State Administration for Religious Affairs (2004, November 30). Decree of the State Council of the People’s Republic of China No. 426: Regulations on Religious Affairs. Available at: <https://www.cecc.gov/resources/legal-provisions/regulations-on-religious-affairs>

China released a White Paper in June 2016, ‘Freedom of Religious Belief in Xinjiang’, that asserts that freedom of religion in the region, “[C]annot be matched by that in any other historical period” and claims that, “No citizen suffers discrimination or unfair treatment for believing in, or not believing in any religion.”³ These claims have been central to China’s purposeful framing of the conditions on the ground as stable and harmonious as has been reflected in past White Papers on the region more generally.⁴

China completed deliberations over amendments to the Regulations on Religious Affairs (RRA) that went into effect February 1, 2018, which extend greater powers to authorities in terms of oversight, as well as the ability of the government to shut down religious organizations that fall outside its approval.⁵ The new Regulations focus on the use of religion as a vessel for extremist or separatist tendencies, adds “extremism” as something to be guarded against in religious management, includes a more significant focus on the spread of religious content online,⁶ and adds greater focus to the role of religion in relation to schools,⁷ and makes approval for the Hajj pilgrimage reliant on the Islamic Association of China.

This period coincided with China’s launch of the “Strike Hard Campaign Against Violent Terrorism” in 2014, which has led to widespread arrests and sentencing but also built on previous practices that linked religious practice directly to extremism and terrorism. The campaign was accelerated dramatically in 2016 with the appointment of the new XUAR Communist Party Secretary Chen Quanguo, who had served previously in the Tibet Autonomous Region.

Under the guidance of the newly appointed Party Secretary, the Chinese government passed the Regulation on “De-extremification,” effective in 2017. Its drafting was widely condemned by the international community for its excessively broad and vague language. Regional implementation guidelines for the XUAR were passed by the regional government on July 29, 2016. The guidelines refine the scope of the national legislation and make direct connections between what is broadly defined as “extremism” and terrorism. The legislation makes a direct link between religious practice, extremism, and terrorism.

The Regulation was amended on October 8, 2018, in an attempt to further justify the use of political indoctrination camps across the region, as highlighted in Article 33 calling for “[o]ccupational skills education and training centers and other education and transformation bodies” to carry out language, legal and occupational training, as well as “anti-extremist ideological education, and psychological and behavioral correction to promote thought transformation of trainees.”

On November 21, 2018, a group of UN experts sent an Joint Letter to the Chinese government calling for the repeal of the Regulation and expressed deep concern about the recurrent reference to extremisms to “justify numerous measures limiting freedom of expression and belief, and inhibiting political dissent”. The experts also noted that the Regulation’s stated aim is to make “religion more Chinese and under law, and actively guide religions to become compatible with society.”⁸ Their analysis emphasizes the numerous areas in which the regulations are incompatible with international law.

³ The State Council Information Office of the People's Republic of China (June 2016). Freedom of Religious Belief in Xinjiang. Available at: http://news.xinhuanet.com/politics/2016-06/02/c_1118976926.htm

⁴ The State Council Information Office of the People's Republic of China (September 2015). Historical Witness to Ethnic Equality, Unity and Development in Xinjiang. Available at: <http://www.scio.gov.cn/zfbps/32832/Document/1450414/1450414.htm>

⁵ Legal Affairs Office of the State Council (2016, September 7). Religious Affairs Regulations Draft Revisions (Deliberation Draft). Available at: <http://www.chinalawtranslate.com/religious-regulations/?lang=en>

⁶ Ibid.

⁷ Ibid.

⁸ Elina Steinerte, “OL CHN 21/2018,” UN Special Procedures, November 12, 2018, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24182>.

The Chinese government has consistently insisted that the practice of Islam leads inherently to extremism and violence. The “Qaraqash List”, a leaked document containing information about Uyghur detainees in the Bostan sub-district of Qaraqash county, Hotan prefecture, collected between 2017 and 2019, includes information about the social, religious and familial circles of detainees. The document also lists reasons for internment, and this includes “religious extremist thought infection”, “wore veil/wife wore veil/had beard:”, “going on a Hajj”, “visiting Saudi Arabia”, “studying religion,” “taking part of unofficial religious practices,” and even having a “household with a ‘dense religious atmosphere’”.⁹ The document also shows that even those linked to detainees such as family and friends are targeted.

Monitoring of Religious Practice

Under the Strike Hard Campaign, the Chinese government has turned the Uyghur region into China’s testing ground for repressive technologies and social control. More specifically, the Integrated Joint Operations Platform (IJOP, 一体化联合作战平台) is one of the main systems that the police and other government officials use to communicate about their operations and systematically record personal data of Uyghur individuals. The mobile application allows law enforcement officials to access IJOP data, to add the information database and to exchange orders.

The central platform collects data, which is being used to chart the movement of people, from multiple sources, including CCTV cameras, police checkpoints, package delivery and access scanners at schools, residential areas or mosques etc.¹⁰ At the same time, it sends out orders to police and other state agencies to follow up on individual cases within the same day.¹¹ With the help of the IJOP app, government officials collect individuals’ data during home visits, on the streets, in “political education camps”, during registration for travel abroad.¹²

Data collected through the IJOP app includes personal data but also car registration numbers, the individual’s relationship with the persons living in the same household, political and religious affiliations and convictions as well as their bank information and activities abroad.¹³ The app instructs officials to specifically investigate 36 “types” of persons; these include those released from detention or internment camps, those who do not socialize with neighbors, internal migrants, those who register with the authorities to travel abroad or are connected to persons abroad, those who live in a household that consumes “abnormal” amounts of electricity, etc.¹⁴ Included in this list are, in most cases, the family members of persons fitting the profiles. According to Human Rights Watch’s report these platforms use artificial intelligence to designate Uyghur individuals into these categories, perpetuating racial bias and prejudice built into the system.

On July 7, 2020, a group of UN experts and Working Groups sent an official Joint Letter to the Chinese government, expressing their serious concerns regarding the use of extreme high-tech surveillance

⁹ UHRP. (February 2020). Ideological Transformation: Records of Mass Detention from Qaraqash County, Hotan. *Uyghur Human Rights Project*. Retrieved from: https://docs.uhrp.org/pdf/UHRP_QaraqashDocument.pdf

¹⁰ Human Rights Watch. (2019). “China’s Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App”. *Human Rights Watch*, pp. 16-17. Retrieved from <https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass-surveillance>.

¹¹ Human Rights Watch. (February 26, 2018). “China: Big Data Fuels Crackdown in Minority Region”. *Human Rights Watch*. Retrieved from <https://www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region>.

¹² Human Rights Watch. (2019). “China’s Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App”. *Human Rights Watch*, p. 22. Retrieved from <https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass-surveillance>.

¹³ *Ibid.*

¹⁴ *Ibid.*

measures, including the use of artificial intelligence, and a system such as the Integrated Joint Operations Platform as means to curb “terrorism” in accordance to the Regulation on De-Extrification.¹⁵

This broader campaign is evident in myriad legislation passed over the last four years including the National Security Law (effective July 1, 2015), the Counter-Terrorism Law (effective January 1, 2016) as well as its Xinjiang implementing measures (effective August 1, 2018), as well as the aforementioned Regulation on De-Extrification.

Displacement and forced migration of religious or belief communities owing to discrimination, exclusion or land rights violations

Uyghurs have been persecuted over multiple generations. In terms of displacement, Uyghurs have been forced to leave their homeland for countries elsewhere. Millions of Uyghurs have been uprooted through forced labour and trafficking, security crackdowns, or other human rights abuses. Uyghurs seeking to leave the country also face an arduous challenge: the government’s restrictions on their freedom of movement.

Instances of communal violence against religious minorities, and incitement to such violence, and the adequacy of state responses

Religious practice restrictions: Uyghurs are Sunni Muslims following Sufi traditions, these include abstention from pork, celebration of Ramadan, praying, etc. When Xi Jinping took the helm of the CCP in 2012, the space for peaceful religious practice or other expressions of Uyghur’s Muslim identity met already a high degree of restrictions. However, since November 2012, the Chinese government has adopted laws and regulations that formalized local practices on restricting religious behaviour:

Restrictions on Uyghurs fasting during Ramadan have become more systematic since 2012. Restaurants are required to stay open, police must monitor homes where the lights are turned on before dawn, students are forced to eat in front of their teachers, and opportunities to attend prayers are limited. In some cases, Uyghurs are forced to eat pork and drink alcohol during the month of Ramadan.¹⁶

Testimony provided by the Sayragul Sautbay, Zumrat Dawut, Gulbahar Jalilova, Omer Bakali and others all indicate how Uyghurs in concentration camps are discriminated against on the basis of their beliefs and religion. Sayragul Sautbay has reported that inmates had to eat pork especially on Fridays, which is a holy day for muslims.¹⁷ Practice of any religious activity is strictly forbidden.

In addition, Han Chinese are sent by local authorities to infiltrate Uyghur families. According to the ruling Communist Party's official newspaper, as of the end of September, 1.1 million local government workers have been deployed to ethnic minorities' living rooms, dining areas and Muslim prayer spaces, not to mention at weddings, funerals and other occasions once considered intimate and private. This programme is aimed at coercing Uyghurs into living secular lives like the Han majority. Anything diverging from the party's prescribed lifestyle can be viewed by authorities as a sign of potential “extremism”, from suddenly giving up smoking or alcohol, to having an "abnormal" beard or an overly religious name.¹⁸

¹⁵ Elina Steinerte, “AL CHN 14/2020 ,” UN Special Procedures, July 7, 2020,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25374>.

¹⁶ Shih Gary & Dake Kang (May 19, 2018). Muslims forced to drink alcohol and eat pork in China's 're-education' camps, former inmate claims, *The Independent*. Retrieved from:

<https://www.independent.co.uk/news/world/asia/china-re-education-muslims-ramadan-xinjiang-eat-pork-alcohol-communist-xi-jinping-a8357966.html>.

¹⁷ Wojcik, N. (August 5, 2020). Sayragul Sauytbay: How China is Destroying Kazakh Culture, *DW*. Retrieved from: <https://www.dw.com/en/how-china-is-destroying-kazakh-culture/a-54434930>.

¹⁸ Al Jazeera (November 30, 2018). Uninvited guests keep watch for China inside Uighur homes, *Al Jazeera*. Retrieved from: <https://www.aljazeera.com/news/2018/11/uninvited-guests-watch-china-uighur-homes-181130052259651.html>.

The right to religious education has also been severely curtailed, including parental liberties on education of children. Uyghurs are not permitted to hold religious gatherings privately in their homes or instruct their children in the spirit of Islam. Parents are prohibited from choosing Muslim names for their children.¹⁹ Students, children under 18, government workers, teachers, and members of the Chinese Communist Party (CPC) are not allowed to enter mosques. For adults, religious practice continues to be subject to intense scrutiny. Before entering mosques, worshippers are carefully monitored and are required to submit themselves to police checks upon entrance.²⁰ In addition, imams and other religious leaders are appointed by the state and their teachings are closely scrutinized.²¹

In the public sphere, the places of worship are being destroyed by the Chinese government, in an attempt to slowly push the population away from religion, and to rid Uyghurs of religious values and expression. Sites of religious and cultural importance, such as historical mosques, shrines²² and graveyards are being destroyed. Large-scale mosques destruction began in late 2016 under the scope of a “Mosque Rectification” program, where Chinese authorities have conducted a systematic campaign to demolish or desecrate places of worship.²³

Destruction of physical manifestations of culture with no legitimate justification is a clear example of the intent to ultimately erase the Uyghur identity. When paired with the mass arbitrary detention of 1.8–3 million in political indoctrination camps, an incredibly intrusive surveillance network, the widespread construction of boarding schools for children to separate them from parents already detained, the use of education policies designed to eliminate the Uyghur language, and many other local level ordinances and regulations, it’s clear that a broad policy to totally culturally assimilate the Uyghur people is already underway.

According to the recent detailed data²⁴ obtained by Uyghur Transitional Justice Database (UTJD) from family members abroad, the following results indicate religious individuals:

#	Religious	Number
1	Unknown	1163
2	Not religious	49
3	Not practicing	17
4	Practicing	478
5	Religious Scholar	78

Table 1: Total 1785 entries have been implicitly chosen to indicate the religiousness of an individual.

¹⁹Hernández, J. (April 25, 2017). China Bans ‘Muhammad’ and ‘Jihad’ as Baby Names in Heavily Muslim Region”, *The New York Times*. Retrieved from:

<https://www.nytimes.com/2017/04/25/world/asia/china-xinjiang-ban-muslim-names-muhammad-jihad.html>.

²⁰ Sulaiman, E. (2016, January 6). Controls on Uyghur Villages, Mosques Continue Into New Year, *Radio Free Asia*. Retrieved from: <http://www.rfa.org/english/news/uyghur/control-01062016160604.html>

²¹ Gracie, C. (2015, January 2). Xinjiang: Has China's crackdown on 'terrorism' worked? *BBC*. Retrieved from: <http://www.bbc.co.uk/news/world-asia-30373877>

²² Sintash, B. & UHRP. (October 2019). Demolishing Faith: The Destruction and Desecration of Uyghur Mosques and Shrines, *Uyghur Human Rights Project*. Retrieved from : https://docs.uhrp.org/pdf/UHRP_report_Demolishing_Faith.pdf, page 2.

²³ Hoshur, S. (December 19, 2016). Under the Guise of Public Safety, China Demolishes Thousands of Mosques, *Radio Free Asia*. Retrieved from: <https://www.rfa.org/english/news/uyghur/udner-the-guise-of-public-safety-12192016140127.html>

²⁴ Uyghur Transitional Justice Database (September 2020). The Persecution of Uyghurs in East Turkistan: Extrajudicial/Extralegal Internment Camps. Retrieved from: https://www.utjd.org/register/wp-content/uploads/2020/09/the_persecution_of_uyghurs_hard_copy.pdf.