

# Submission to the United Nations General Assembly on Eliminating Intolerance and Discrimination Based on Religion or Belief and the Achievement of Sustainable Development Goal 16 (SDG 16)

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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.<sup>1</sup>

The introduction of China's Regulations on Religious Affairs (RRA), a Decree of the State Council passed in 2005 maintains that it is a requirement that religious groups register with the state and report on their religious activities<sup>2</sup>. 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. 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."<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup> 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,<sup>6</sup> and adds greater focus to the role of religion in relation to schools,<sup>7</sup> and makes approval for the Hajj pilgrimage reliant on the national Islamic religious group.

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

<sup>2</sup> 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>

<sup>3</sup> 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](http://news.xinhuanet.com/politics/2016-06/02/c_1118976926.htm)

<sup>4</sup> 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>

<sup>5</sup> 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>

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

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 and Working Groups sent an official Joint Letter to the Chinese government, calling for the repeal of the Regulation and expressed deep concern about the recurrent reference to extremism to "justify numerous measures limiting freedom of expression and belief, and inhibiting political dissent". The experts also noted that Article 4 of the legislation aimed to sinicize religion: "religion more Chinese and under law, and actively guide religions to become compatible with society."<sup>8</sup> Their analysis emphasizes the numerous areas in which the regulations are incompatible with China's national laws and international law.

The Chinese government has consistently insisted that the practice of Islam leads inherently to extremism and violence. The recent series of official documents leaks evidenced this portrayal of the religion. More specifically, the "Qarakax List", a leaked document containing information about Uyghur detainees in Bostan subdistrict, Qaraqash county in the Hotan prefecture. The data figuring on the documents seems to have been collected between 2017 and 2019, including information about the social, religious and familial circles of detainees in Bostan. The "Three circles" column indicates detailed information about the individuals that are linked to the detainee, including the immediate and extended family, friends and neighbors and religious circle. One of the entries include "behaviour status", such as "good behaviour" or "bad behaviour" of the associated individuals.

Additionally, 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'"<sup>9</sup>

The information in this document feeds into the Chinese government's narrative that the practice of Islam is problematic in itself, and demonstrates the central government's attempts of eliminating any religious practices through the re-education campaign.

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

<sup>9</sup> UHRP. (February 2020). Ideological Transformation: Records of Mass Detention from Qaraqash, Hotan. *Uyghur Human Rights Project*. Retrieved from: [https://docs.uhrp.org/pdf/UHRP\\_QaraqashDocument.pdf](https://docs.uhrp.org/pdf/UHRP_QaraqashDocument.pdf)

Religious freedom for Uyghurs was significantly reduced since 2017, its practices highly supervised by the Chinese government, leaving very little autonomy for the individual, both in the public and private spheres. With a legislation in place that explicitly bans religious expression, in combination with the risk of detention, Uyghurs are unable to take part in any relevant expression of their religious identity.

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.<sup>10</sup> Reversely, it sends out orders to police and other state agencies to follow up on individual cases within the same day.<sup>11</sup> 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.<sup>12</sup>

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.<sup>13</sup> 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.<sup>14</sup> Included in this list are furthermore, 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 in to the system.

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, shrines<sup>15</sup> and graveyards are being destroyed. Large-scale mosques destructions began in late 2016 under the scope of a "Mosque

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<sup>10</sup> 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>.

<sup>11</sup> 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>.

<sup>12</sup> 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>.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

<sup>15</sup> 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](https://docs.uhrp.org/pdf/UHRP_report_Demolishing_Faith.pdf), page 2.

Rectification” program, where Chinese authorities have conducted a systematic campaign to demolish or desecrate places of worship.<sup>16</sup>

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-Extremification.

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 information provided by the family members of prominent religious scholar Muhammed Salih Damolla (مۇھەممەد سالىھ داموللام), he died not long after his release in 2018 from one of concentration camps or prison. Another example is Mahsum Hajim (ئابدۇلئەھمەدخان مەخسۇم ھاجىم) who was arrested first time in January 2004 while teaching some of his students, hence sentenced to five years in prison. By this time Mahsum Hajim was already over 70 years old. Abdullahkhan Mahsum Hajim had been released in 2009. The Chinese government, along with Mahsum Hajim, imprisoned his entire family in November 2017 in prisons and/or detention centers. No information could had been obtained since his arrest. Six months later, the Chinese government conveyed the news of Mahsum Hajim's death to his family.

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

According to the recent detailed data obtained by UTJD from family members abroad we have following results indicating religious individuals:

#	Religious	Number
1	Unknown	16
2	Not religious	9
3	Not practising	9
4	Practising	476
5	Religious Scholar	63

**Table 1:** Total 576 entries have been implicitly chosen one of choices provided to indicate the religiousness of an individual.

#	Clarification	Count
1	Unknown	418

<sup>16</sup> 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>

2	Does not have	41
3	Applied for pass	3
4	Have	17
5	Confiscated	93

**Table 2:** Total 576 entries have been implicitly chosen one of choices provided to indicate the possession of passport.

**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 faces a 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 includes 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 home 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.<sup>17</sup>

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 Uighurs 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.<sup>18</sup>

<sup>17</sup> "Muslims forced to drink alcohol and eat pork in China's 're ...." 18 mai. 2018, <https://www.independent.co.uk/news/world/asia/china-re-education-muslims-ramadan-xinjiang-eat-pork-alcohol-communist-xi-jinping-a8357966.html>.

<sup>18</sup> "Uninvited guests keep watch for China inside Uighur homes ...." <https://www.aljazeera.com/news/2018/11/uninvited-guests-watch-china-uighur-homes-181130052259651.html>.