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China

Submission to the UN Universal Periodic Review of the

UN Human Rights Council

4th Session of the UPR Working Group, February 2009

In this submission, the World Uyghur Congress and the Uyghur American Association (Uyghur Human Rights Project) provides information under the general guidelines for the preparation of information. The report was compiled and completed in Hawaii upon a visit of Rebiya Kadeer to the University of Hawaii during the conclusion of the Olympics in Beijing. The report is submitted on 1 September 2008.

The Uyghur people have faced systematic and severe human rights violations since contact and through waves of settlements by the Han Chinese in their homeland of East Turkestan.

For centuries and specifically since the mid-October 1949 invasion by the People's Liberation Army under Wang Zhen, The Peoples Republic of China (PRC) instituted practices and policies to discriminate against Uyghur people and decrease the possibility for Uyghur exercise of the right to self-determination. Through every phase of occupation and organized denial of human dignity and equality, the Uyghur people resisted and reestablished East Turkestan to perpetuate the culture, language and continued existence of the ethnic Uyghur people as a collective identity.

For the previous 60 years, the PRC has coordinated a campaign of coercion and cultural desecration while continuously adopting international declarations enshrining human rights. From the Universal Declaration of Human Rights to the Declaration on the Rights of Indigenous Peoples, including numerous international human rights conventions, the PRC has adopted and ratified the international instruments. However, the rights have never been realized in the

daily lives. In fact, life has worsened at the hands of the ruling authorities of Han descent from Beijing. This report will examine the actual violations of specific articles of these international instruments but also document the main challenging threats and continued gross human rights violations undermining the continued existence with dignity and equality of Uyghur society.

The Uyghur people maintain the fundamental freedom of right to life without discrimination able to perpetuate a unique culture in the face of growing persecution. The PRC continues to take advantage of current world trends from economic globalization to the war on terror to continue its illegal and immoral campaigns to dismantle the core of the Uyghur culture. Under the guise of economic progress, the PRC denies the language resulting in erosion of identity and discrimination in employment. Also, the PRC transfers young women destroying the family and future generations. Under the secrecy of security, the PRC eliminates Uyghur leadership through intimidation and imprisonment with techniques of torture to destroy the democratic aspirations recognized in rule of law and human rights.

The three areas requiring immediate attention are promotion and protection of Uyghur language, defending the survival of Uyghur women's rights and the family, and protecting basic dignity denied in the war on terror.

The renaming of the Uyghur traditional sites is only the beginning. Language replacement covers the entire spectrum of society from television reports to textbooks gradually eroding Uyghur language. The rationale for denying the human right is defended with the benefits of modern education of science and technology denying the intrinsic worth of Uyghur culture.

The foundation for the language policy is reflected in the ideology of the Han government supremacy suffocating Uyghur identity. Based on centuries of stereotypes, China claims that Uyghur are inferior, culturally backward and lazy. The PRC policies guarantee Uyghur are second class citizens in their own homeland. The disparaging view of the Uyghur people is marginalizing Uyghur for generations to come through the monolingual educational system being set up today.

The arrow of assimilation is the "bilingual" education policy that cuts the tongue out of the collective Uyghur culture. This program buries the Uyghur language marginalizing Uyghurs in the educational system with the goal of eliminating it as a language of instruction.

All of the agreements with the establishment of the autonomous region are only on paper yet not in the reality of the people living under harsh conditions violating human rights. The right to be educated in one's own mother tongue according to the Compulsory Education Law is being violated and Uyghur language is being marginalized. Even where there is more than 90% Uyghur people such as in

Khotan, all classes will be taught in Chinese before the next report of the UPR is due for the PRC. From the top rings of education and government policies, the monolingual program is making its way all the way down to preschools in the immediate future. There are threats of trouble if parents don't agree to send their children to Chinese language schools. There are also economic conditions where parents that send their children to Chinese schools receive a subsidy. Beyond the corporate world and the classroom, the Uyghur language is banned in dormitories and even the playground of the preschools.

Results of these policies result in increasingly repressive political environment. Language is the seed for stability and human security in East Turkestan. An immediate reversal of the current policy is necessary for human rights in the region.

There are also "Xinjiang classes" in the PRC cities that remove Uyghur students from their cultural environment with the aspiration of "political thought training" not academic training. One indication of the true intent is the prohibition of speaking Uyghur even in the dormitories with an on site monitor. The number of such programs is increasing dramatically expanding every year suffocating the students to live their own culture through speaking their own language and living in one's homeland.

This is also carried out to an even larger extent with young Uyghur women in slave standard factories removing them from their families and communities. While many of the program previously mentioned have violated the human rights of Uyghur people, the transfer of women illustrates the trend of the PRC to always find new mechanisms to destroy the Uyghur culture.

The PRC central directive applies intense pressure incorporating intimidation, deception, pressure and threats from Beijing to break apart the creation of future families by focusing on traditional Uyghur cultural strongholds to transfer women to substandard working conditions very far from their traditional homelands across the PRC.

Families have documented the intentional targeting of marriage aged Uyghur women and the intimidation of fathers of families for the daughters participation in the program. When the woman arrive they face inhumane working conditions in substandard systems of slavery masquerading as government factory programs promoting economic progress. All of the promises of salaries and services do not exist. Women are forced to work for 24 hours straight. These economic imperialism conditions reflect plantations outlawed in earlier centuries in many colonizing countries. From tactics of fear to terrible force, more and more girls are taken from their families and transferred. The officials use promises of luxury or punishment if women are not willing to participate. Yet the result is impoverished young women facing even worse living conditions than the lack of economic opportunities offered to Uyghur in East Turkestan. It is a prison for

women with economic gains for the PRC to produce cheap exports for the global economy.

Beyond the obvious economic and social rights violation of the women, there are also broader violations in the larger Uyghur society. When people protested the policy they were identified as terrorists and targeted for arrest and torture. This fits into the larger policy of harassment and human rights violations toward Uyghur people in their own homeland.

This is just the latest wave of population transfer. What is most insidious is not only is the PRC bringing Han in as in the past but actively siphoning off the young to leave their homeland too. In 1955, Uyghurs made up 74.4% of the total population and Han Chinese only 6.1%. Today it is almost evenly divided with Uyghur making up 45% and Han 41%. Even more alarming is this statistic doesn't include the massive number of PLA soldiers, security forces and the recent migration of the migrant population for farming traditional Uyghur land. With the introduction of the most recent population transfer of Uyghur women, the Uyghur will be a minority in their own homeland. Human rights must be honored.

The most insidious human rights violation is the rise of "Islamophobia" in the PRC. The PRC exploited the horrible terrorist attacks of 9/11 to create a reign of terror and torture against the Uyghur people in their own homeland and to vilify the Uyghur in the court of global public opinion using the global war on terror to intensify the repression of Uyghur leaders.

While the PRC is on record only days prior to 9/11 noting there is no terrorism there, the government has framed East Turkestan as part of the international terrorism struggle. The PRC has even been bold enough to claim that there were terrorist camps in operation justifying raids on Uyghur leaders whose only crime was standing up for basic human rights being respected in their homeland. The increased crackdown has linked Uyghur to the international rise of Islamophobia. Even Amnesty International has documented the tens of thousands of people detained and sentenced to death by the authorities. There are massive systematic roundups with follow up rallies of mass sentencing and even public executions. The Uyghur arrested during these sweeps face extremely cruel forms of torture.

Even Canadian citizens visiting their spouse's families in neighboring countries haven't been able to escape the wave of Islamophobia and terror targeting Uyghur people. Huseyin Celil is just one case of human rights violations denying basic diplomatic and legal protections as well as enduring extreme torture.

The Islamophobia activities of the PRC are aimed toward silencing and creating a heightened sense of repression toward Uyghur people. Any Uyghur who stands up or speaks out faces the most egregious human rights violations. Rebiya

Kadeer is an example. She served six years in prison. The torture didn't end there though as the PRC targeted her children for her continued resistance as a human rights defender. Her sons Alim and Ablikim have been beaten in front of their children and endured great pain in prison for Rebiya Kadeer's continued involvement in human rights efforts.

The main human rights violations of the UN CRC, CEDAW, ICESCR and CAT: Uyghurs desire for the realization of rights enshrined in international instruments.

Convention on the Rights of the Child

The Uyghur children are facing extreme and systematic discrimination in the current educational and governance system of China. The UN Committee on the Rights of the Child have initially scratched the human rights violations for young Uyghurs growing up in their own homeland at the hands of the policies. There are many recommendations that would change the direction of the discrimination to one of guaranteeing basic rights recognized in the UN Convention on the Rights of the Child. (CRC). At the fortieth session, various important issues were raised relating to the recognized abuses by the Committee. The Uyghurs would like to have followup information but also plan to recognize the rights relating to indigenous children and youth in the UN CRC specifically art 17, 29 and 30.

The first steps would be to follow up with requested information and more importantly actions to reverse the lack of respect for Uyghur children.

Updated information is necessary for the government to provide to the UN Human Rights Council. The UN Committee on the Rights of the Child highlighted specific areas of concern. The CRC noted the Chinese government should provide in basic data and statistics item A on disaggregated data on budget allocation and trends focusing specifically on item 2(g) focusing on "programmes and services for children belonging to minority groups." The information concerning para 5 and 7 focusing on disaggregated data on ethnic minorities such as Uyghurs focusing on health in para 5 specifically para (a) rates of infant and child mortality; (b) rates of immunization; (c) rates of malnutrition; (d) children infected with and/or affected by HIV/AIDs; (e) adolescent health, including early pregnancy and sexually transmitted infections (STIs), abortions, mental health and suicide, drug, alcohol and tobacco abuse; and (f) percentage of health professionals working in health-care services for children. Also para 7 with reference to right to education focusing on (a) rates of literacy, below and over 18 years; (b) rate of enrollment in pre-primary schools, primary schools and in secondary schools; (c) percentage of children completing primary and secondary education; (d) number and percentage of dropouts, repetition and retention; (e) number of children in private schools and (f) ratio teacher per children and number of children per class.

The Uyghurs note the system of denying the history of the Uyghur people in the textbooks as well as denying the language of Uyghurs to be spoken directly increases the rate of social ills in health and education.

The Uyghurs are extremely concerned on para 9 focusing on specific protection measures affecting Uyghur girl child and young women in relation to 9 (a) involved in sexual exploitation, including prostitution, pornography, trafficking and the number of children provided with access to recovery and recovery assistance. This is vital in connection with information regarding the transfer of young Uyghur women, especially recovery to return home to the East Turkestan.

Concerning general measures of implementation, the Uyghurs demand the ensuring of Uyghur children are guaranteed full opportunities to develop knowledge about their own language and culture. The Uyghur are eager to know about distribution and dissemination of the Convention and the state party report and in efforts made to provide training, awareness of the convention and on human rights in general, to children, parents, teachers, social workers and other professionals working with and for children in all parts of the state party. The Uyghurs demand the right to actively participate and also to distribute the Convention on the Rights of the Child in Uyghur. Also Part II where China was requested to provide copies of the text of the Convention on the Rights of the Child, the Uyghurs would want to provide the CRC if not already done so and secure the distribution without retaliation or further human rights abuses.

The Uyghur agree with the list of major issues specifically item 1 focusing on non-discrimination for ethnic minorities living in East Turkestan. Also item 3 focusing on freedom of religion in mainland China as Uyghur are denied this very right. Also item 10 access to education and specifically item 15 the situation of children belonging to ethnic minorities and the implementation of the Ethnic Regional Autonomy Act. If this autonomy act is similar to the one being violated at its very core today, the Uyghur demand one that reflects Uyghurs current disparity in social measures of dignity. The Uyghurs would propose a consultation and creation of autonomy acts that respect the principles of the CRC in this area as well as other international instruments China has ratified.

The Uyghur also believe a national human rights institution would be vital that included ethnic minorities as full members to ensure ethnic minorities representation and genuine participation.

CEDAW

Concerning the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), there are items in the list of issues and question with regard to the consideration of periodic reports that relate directly to the violations of women's rights in Xinjiang, China. At the thirty-fifth session, many points were raised by the Committee.

As noted by the Committee on the Elimination of Discrimination Against Women, the Uyghurs are deeply concerned about the “double discrimination” Uyghur women face. Concerning the list of issues mainly trafficking and exploitation of prostitution specifically para 6 and 7, the Uyghurs are concerned with the recent deception, pressure and threats relating to the phenomenon of the transfer of young Uyghur women to Eastern China from their homeland based on a new policy recruiting the girl child and young women that was not in full swing as it currently is when China last reported. Uyghur are extremely concerned and recommend more than the description in detail of the efforts undertaken to address this issue of internal trafficking of women. The current policy adds to the already recognized problem of internal trafficking. China must respond to the allegations noted in the Uyghur Human Rights Project report of February 2008.

The Uyghur are also concerned about stereotypes and educations specifically addressing the double discrimination of being Uyghur and also woman in China. The Uyghur women are denied basic rights due to perpetuation of stereotypes against women predominantly Uyghur women based on historical and cultural discrimination. New school textbooks must accurately reflect the Uyghur history, culture and language instead of the current textbooks making Uyghur invisible in their own homeland.

Also the area of employment is important. Uyghur people are denied employment opportunity. Uyghur women face double discrimination in this area. It is essential to provide information and more importantly programs to ensure the economic empowerment of women. It is also necessary to eradicate current policies that don't allow Uyghur women employment opportunities. This is closely related to the area of the report focusing on rural women. The loss of land through transfer and confiscation even makes the situation more alarming concerning agricultural employment opportunities for Uyghur women.

ICESCR

The economic, social and cultural rights of the Uyghur people are essential to restore the full dignity of the Uyghur. Under the International Covenant on Economic, Social and Cultural Rights, the UN Committee on Economic, Social and Cultural Rights recognized list of issues that relate to Uyghur rights.

The main issue and core important article is common article 1 of the ICCPR and ICESCR. The Committee noted and asked about to what extent is non-violent advocacy for self-determination by the officially recognized ethnic minorities – such as Uighurs considered lawful under the State party's legal regime? The Uyghurs have been nonviolent in their advocacy since the initial policies in the region. The Uyghur are extremely concerned about the use of the war on terror to deny the right of self-determination. The review of the articles of ICESCR are very important as they outline the violations facing Uyghur people. During the

previous review of China under the ICESCR more attention was paid to the Tibetan cause although Uyghur face similar discrimination under the articles listed raising concern by the committee such as Art 2.2 non-discrimination specifically para 8 on the systematic and institutional discrimination in the fields of employment, health care, education, housing and public representation.

The areas specifically cited concerning specific provisions of the covenant relating to article 6 and 7 focusing on the right to work is important and the right to just and favorable conditions of work relates specifically to Uyghurs falling in the economic prosperity. There are open signs that would not be tolerated in any society in the modern age noting Uyghurs need not apply for employment in windows of stores and businesses. The importance of article 15 is crucial. While mention focused on Tibetan and Mongol prefectures it is essential to apply the same standard to Uyghur. The measures to preserve and perpetuate the indigenous culture in the Uyghur homeland is important. Also specifically para 46 mentioned specifically the enjoyment on the right to freedom of religion as a dimension of cultural rights specifically mentioning the Uyghur people. Uyghurs are not only denied the option to the full realization of economic, social and cultural rights. But Uyghurs are arrested and detained for practicing their religious practices under their culture.

CAT

The Uyghur people are extremely concerned about the rights protected under the UN Convention Against Torture. The situation is so dire that the Uyghur insist the only measure that could curb the rabid abuse would be immediate ratification of the optional protocol. One of the other immediate actions that China must take would be the immediate release of prisoners of conscience for exercising their basic rights. The children of Rebiya Kadeer must be released unequivocally. The Uyghur people have faced persecution since the initial contact. There has been an intensification with the global war on terror. The PRC is in violation of Islamophobia along with the rising number of countries using the tragedy of 9/11 for own personal gain to intensify security crackdowns in their country.

CONCLUSION

This UPR report is hopefully a beginning of a genuine dialogue that would improve the human rights situation in East Turkestan to initiate a period of peace and prosperity for all. If the human rights recommendations are implemented children, women and families would be able to build a community that would flourish with these small freedoms reversing decades of discrimination. We encourage the governments of the world through this UPR process to do their due diligence in protecting and promoting human rights in East Turkestan. East Turkestan desires what all people want -- respect of religion not an excuse to be vilified with Islamophobia and protection of its vulnerable segment of society to reach their full potential and live in peace not exploitation for economic gains.

We humbly submit this information so the UN Human Rights Council can fulfill its mandate and human rights in East Turkestan can be improved.