

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: CHN31854
Country: China
Date: 29 May 2007

Keywords: China – Uighurs – Australia – Uighur Associations – Monitoring in Australia

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. What is the situation of Uighurs in China?**
- 2. What Uighur associations exist in Australia?**
- 3. Is there any evidence Uighurs are monitored by the authorities while overseas, particularly in Australia?**
- 4. Anything else you feel may be relevant.**

RESPONSE

[Note: There is a range of transliteral spelling from non-English languages into English. In this RRT Country Research Response the spelling is as per the primary source document].

1. What is the situation of Uighurs in China?

Sources indicate that China continues to conduct a campaign against Uighurs in the Xinjiang Uighur Autonomous Region targeting the so-called “three evils” of separatism, terrorism and religious extremism. Racial and employment discrimination in favour of Han Chinese migrants were serious problems.

According to a February 2007 news article:

Relations between the modern Chinese state and its Uighur minority are still fraught. Beijing believes the Uighurs pose a separatist threat and Uighurs complain that oil and gas production in Xinjiang has been conducted at their expense, without just recompense. In the mid-1990s, Uighurs carried out widespread protests and even bombings against Chinese rule.

China, for its part, has launched a crackdown on the Uighurs, arresting and executing many in trials criticized by human-rights groups as unfair. China has long linked the region to terrorism, and has attacked what it says are terrorists and training camps in the province.

But while many Uighurs want greater autonomy for their region, few advocate the cause of independence that motivates a handful of extremist groups.

Human-rights observers believe China uses the idea of a Uighur terrorist threat as an excuse to crack down on all dissent. They accuse the government of carrying out arbitrary arrests, unfair trials, torture and religious discrimination in the region (York, Geoffrey and El Akkad, Omar 2007, 'Who is Huseyin Celil?', *The Globe and Mail*, 17 February – Attachment 1).

The Human Rights Watch's annual report covering the events of 2006 stated:

In 2006, China intensified its efforts to use the "war on terrorism" to justify its policies to eradicate the "three evil forces"—terrorism, separatism, and religious extremism – allegedly prevalent among Uighurs, a Turkic-speaking Muslim population in China's Xinjiang Uighur Autonomous Region.

Under current policies local imams are required to vet the text of weekly Friday sermons with religious bureaus. "Strike Hard" campaigns subject Uighurs who express "separatist" tendencies to quick, secret, and summary trials, sometimes accompanied by mass sentencing rallies. Imposition of the death penalty is common (Human Rights Watch 2007, *World Report 2007 – China*, January – Attachment 2).

The US Department of State reported that:

A campaign in Xinjiang targeting the "three evils" of religious extremism, splittism, and terrorism continued. Authorities in Xinjiang regularly grouped together individuals or organizations involved in the three evils, making it difficult to determine whether particular raids, detentions, or judicial punishments were targeted at those peacefully seeking to express their political and religious views or those who engaged in violence (see section 2.c.). The government's war on terror continued to be used as a pretext for cracking down harshly on Uighurs expressing peaceful political dissent and on independent Muslim religious leaders. In December 2003 the government published an "East Turkestan Terrorist List," which labeled organizations such as the World Uighur Youth Congress and the East Turkestan Information Center as terrorist entities. These groups openly advocated East Turkestan independence, but only one group, the East Turkestan Islamic Movement was designated by the UN as a terrorist organization.

Uighurs were sentenced to long prison terms and many were executed on charges of separatism. During a previous "strike hard" campaign, which officially concluded in 2003, authorities stated they prosecuted more than 3,000 cases in Xinjiang and held mass sentencing rallies attended by more than 300,000 persons. By its own account, from January to August 2004 the government broke up 22 groups engaged in what it claimed were separatist and terrorist activities and meted out 50 death sentences to those charged with separatist acts. In February 2005 Uighur writer Nurmuhemmet Yasin was sentenced to 10 years in prison after publishing a short story which authorities claimed advocated separatism. In April 2005 writer Abdulla Jamal was detained in Xinjiang, reportedly for writings that promoted Uighur independence. In August 2005 10 individuals reportedly were arrested for possession of pamphlets and audiotapes that called for an independent state. Later in the year, editor of the Kashgar Literature Journal Korash Huseyin was sentenced to three years in prison. In October 2005 Ismail Semed, an ethnic Uighur from Xinjiang, was reportedly convicted and sentenced to death on charges of "attempting to split the motherland" and other counts related to possession of firearms and explosives. In 2003 Uighur Shaheer Ali was executed after being convicted of terrorism (US Department of State 2007, 'National/Racial/Ethnic/Minorities' in *Country Reports on Human Rights Practices for 2006 – China*, 6 March – Attachment 3).

It also stated:

...Authorities in Xinjiang used house arrest and other forms of arbitrary detention against those accused of the “three evils” of extremism, splittism, and terrorism. Because authorities failed to distinguish carefully between peaceful activities supporting independence, “illegal” religious activities, and violent terrorism, it was difficult to determine whether raids, detentions, arrests, or judicial punishments were targeted at those peacefully seeking political goals, those seeking worship, or those engaged in violence...(US Department of State 2007, ‘Arrest and Detention’ in *Country Reports on Human Rights Practices for 2006 – China*, 6 March – Attachment 3).

In August 2006 DFAT advised that the Chinese authorities were particularly concerned about politically active Uighurs because they viewed such political activity as having separatist objectives (DIAC Country Information Service 2006, *Country Information Report No. 06/42 – China: Failed asylum seeker return decision (CISQUEST ref 8639)*, (sourced from DFAT advice of 7 August 2006), 25 August – Attachment 4).

The Chinese government’s policy encouraging Han migration into minority areas has resulted in significant increases in the Han Chinese population in Xinjiang. Job discrimination in favour of the Han was a serious problem. Han officials also held the most powerful party and government positions in the region (US Department of State 2007, ‘National/Racial/Ethnic/Minorities’ in *Country Reports on Human Rights Practices for 2006 – China*, 6 March – Attachment 3).

On Uighur Muslims the US State Department reported:

Regulations restricting Muslims’ religious activity, teaching, and places of worship continued to be implemented forcefully in Xinjiang. During the year authorities added women to the groups of persons prohibited from entering mosques. Other groups formally prohibited from entering mosques included children, CCP members, and government workers. However, in practice women and children were not uniformly barred from entering mosques. The government continued to use counterterrorism to justify religious repression of Uighur Muslims (see section 5). Xinjiang authorities continued to detain and arrest persons engaged in unauthorized religious activities and charged them with a range of offences including state security crimes. Xinjiang authorities often charged religious believers with committing the “three evils” of terrorism, separatism, and extremism. While targeted primarily at Muslims, the tight control of religion in Xinjiang affected followers of other religions as well (US Department of State 2007, ‘Freedom of Religion’ in *Country Reports on Human Rights Practices for 2006 – China*, 6 March – Attachment 5).

A *Forbes Asia* article sources information to Uighurs and human rights groups in the following terms:

Plainclothes policemen routinely roam mosques and markets in the Byzantine alleys of Uighur towns, such as Kashgar. Anyone with a Uighur’s trademark mix of Turkish, Persian and Mongolian features thought to be acting suspiciously is hustled away and often punished without a fair trial, according to Uighurs and human rights groups such as Amnesty International...(Pocha, Jehangir S. 2006, ‘Burning With Anger; China’s Xinjiang region is a combustible mix of oil, militant Islam and tension between the Uighurs and the Han’, *Forbes Asia*, 27 November – Attachment 6).

Further information on situation of the Uighurs is in the following RRT Country Research Responses:

- Question 3 of *Research Response CHN17737* provides information on the government's attitude towards the Uighur (RRT Country Research 2006, *Research Response CHN17737*, 12 January, quest. 3/pp.10-13 – Attachment 7).
- Question 8 of *Research Response CHN31450* provides information on Uighur demonstrations and events in China in the period 1989-2006 (RRT Country Research 2007, *Research Response CHN31450*, 14 March, quest.8/pp.7-10 – Attachment 8).

2. What Uighur associations exist in Australia?

References to three Uighur associations in Australia were found in the sources consulted: the Australian Uyghur Association, the Australian Turkestan Association and the East Turkestan Australian Association.

Information accessed from the World Uyghur Congress (WUC) website lists as one of its affiliated organisations the Australian Uyghur Association (*Awustiraliye Uyghur Jemiyiti*). The president of the Australian association is named as Husan Hasan. A contact telephone number and email address is also provided ('Affiliated Organizations of the WUC' (undated), World Uyghur Conference website <http://www.uyghurcongress.org/En/AboutWUC.asp?mid=1095738888&mid2=-2068390409> – Accessed 25 May 2007 – Attachment 9).

The East Turkistan Information Center website lists as one of the Uighur organisations around the world the Australian Turkestan Association. The chairman is named as Mr. Ahmet Igamberdi. A contact telephone number is provided ('Uighur Organizations Around the World' 2002, East Turkistan Information Center website, 26 April http://www.uygur.org/adres/uygur_organization.htm – Accessed 28 May 2007 – Attachment 10).

The East Turkestan Australian Association was mentioned in background information in a DFAT advice and in a news article. The background information stated that it was a Uighur group that represents concerns about the treatment of their countrymen in China. The news article mentioned that the group had made representations to the Australian Prime Minister. No other details were provided (DIAC Country Information Service 2006, *Country Information Report No. 06/18 – China: Return of Australian Uighur Association Members*, (sourced from DFAT advice of 26 May 2006), 26 May – Attachment 11; Dunn, Mark 2006, 'Australia's forgotten prisoner Sister in mercy plea', *Herald-Sun*, 13 December – Attachment 12).

Of interest is a blog on a Uighur site which provided photos of a Uighur demonstration undertaken on the 1 October 2006 in Camperdown. The blog is only available in Uighur and no English translation is available ('“1- Octebir” Munasiwiti Bilen Namayish' 2006, Uyghur1 website, 1 October <http://www.uyghur1.com/uyghur/viewtopic.php?t=6367&sid=ed186d6c7edffd2b4409a85a74e2fd85> – Accessed 14 March 2007 – Attachment 13).

3. Is there any evidence Uighurs are monitored by the authorities while overseas, particularly in Australia?

Country sources indicate that it is likely that Uighurs overseas and in Australia are monitored by the Chinese authorities.

In respect of monitoring in Australia by Chinese authorities DFAT advised in June 2006:

A1. It is likely that Chinese authorities seek to monitor Uighur groups in Australia and obtain information on their membership and supporters (see CX154325 [see below]). In pursuing information, Chinese authorities would not necessarily exclude sources who do not have a political profile. It is therefore conceivable that Chinese authorities would approach Uighur secondary school students to inform on the Chinese Uighur Community in Australia.

A2. Failure to comply with Chinese authorities expectations to provide information could possibly result in repercussions on return to China. This could include Chinese authorities harrasing (sic) individuals and/or their family members, (for example including, but not necessarily limited to, creating difficulties in pursuing education or public sector employment opportunities.)

A3. We consider there to be a small likelihood of Chinese authorities learning of individuals' PV applications in the absence of some indiscretion by the applicants. But if this information were revealed, on return to China, failed applicants would be likely to be subject to official scrutiny. In addition to possible consequences listed in paragraph 2, authorities might interview the person and might put the person concerned in administrative detention (DIAC Country Information Service 2006, *Country Information Service No. 06/29 – CIS Request No 8597: China: Treatment of Uighurs on Return to China*, (sourced from DFAT advice of 28 June 2006), 29 June – Attachment 14).

In a May 2006 DFAT advice on the return of members of Uighur associations to China included information on the likelihood of Uighurs being monitored in Australia:

A.1. It is not possible to say definitively how Chinese authorities would treat a particular individual who returned to China after being involved in a Uighur group in Australia. **It is likely that the Chinese authorities seek to monitor Uighur groups in Australia and obtain information on their membership and supporters.** On return to China, it is likely that the authorities would at least put such people under surveillance and might detain them for interview.

Whether the person would face more serious consequences could be influenced by whether China perceived the person's activities outside of China as amounting to criminal activities. China regards separatist activities (eg calling for Xinjiang's independence from China) as criminal, regardless of whether the person was in China or in another country when he or she carried out such activities. In determining what constitutes separatist activity, China does not make a significant distinction between non- violent political calls for Xinjiang independence and advocacy of violence (although the latter would likely attract more severe punishment).

If the Chinese authorities establish that the person has been in contact with any of the four East Turkistan organisations which China considers to be terrorist organisations (the East Turkistan Liberation Organisation, the East Turkistan Islamic Movement, the World Uighur Youth Congress and the East Turkistan Information Centre), it is likely that the Chinese authorities would consider that the individual has been involved in criminal activities. The use

of “East Turkistan” in naming an organisation would be perceived by China as indicating that an organisation has separatist intentions.

Depending on the level of the individual’s involvement in Uighur organisations, if on return to China the individual renounced his or her previous political sentiment and promised to cease any political activity, the Chinese authorities might act more leniently – for example, the authorities might interview the person and possibly put him or her in administrative detention (re-education through labour) for a period. On the other hand, if the individual continued to be politically active, he or she would likely face more serious consequences.

A.2. As noted above, the consequences for the individual on return to China would be related to his or her level of involvement with the organisation outside of China, as well as the individual’s behaviour on return to China. **The more involved the individual had been in a Uighur organisation outside of China, the more likely that China became aware of the individual’s activities** (with repercussions as outlined above) (DIAC Country Information Service 2006, *Country Information Report No. 06/18 – China: Return of Australian Uighur Association Members*, (sourced from DFAT advice of 26 May 2006), 26 May – Attachment 11).

On monitoring Uighurs overseas, Amnesty International in Canada reported in June 2005 that:

The China research team at our international secretariat has informed us that while they do not have verifiable evidence that the Chinese authorities monitor the activities of Chinese activists overseas; including Uighur and Tibetan nationalists, political dissidents and Falun Gong practitioners; it is their view that it is highly likely that monitoring takes place (Amnesty International Canada 2005, *Amnesty International concerns on Uighur asylum seekers and refugees*, June, p.4 – Attachment 15).

A recent article on the Macleans.ca website (*Macleans*’s is a national weekly current affairs magazine in Canada) reports on a Uighur activist being monitored in Canada. The article provided the following description:

For Mehmet Tohti, it was the Canadian equivalent of the midnight knock on the door. The phone rang in his Mississauga apartment shortly before bedtime, and on the other end of the line was his mother Turmisa, who lives in the northern Chinese city of Karghulik. The sound of her voice was itself a surprise: Tohti, a Uyghur activist who escaped China in the late 1980s, hadn’t seen his mother in 16 years, and the two had rarely spoken by phone. But they hardly had time to exchange greetings before she handed the receiver to a man who – dispensing with all pleasantries, himself – began scolding Tohti about his political activities.

The official, who identified himself only as a member of China’s infamous Overseas Affairs Commission, had a laundry list of instructions. Tohti was to cease efforts to draw sympathy in Canada to the Uyghurs – the oppressed, largely Muslim population of Xinjiang province that has become a thorn in Beijing’s side; he was to stop spreading allegations of cultural genocide against the People’s Republic; most importantly, he was not to attend an upcoming conference in Germany where Uyghur groups from around the world planned to form an international congress. “We have your mother here, and your brother, too,” he added cryptically, noting that police had driven the pair some 260 km to a regional police headquarters in Kashgar to help deliver Beijing’s message. “We can do whatever we want.”

Indeed. In the three years since that night, the 43-year-old Tohti has had enough brushes with China’s long-armed security apparatus to conclude Beijing’s agents are still doing much as they please – not just in China, but in Canada, too. The incidents have ranged from more such

phone calls, he says, to one unsettling encounter last October, in which three Chinese men spent a night watching his suburban home through the windows of a black SUV. The men hung around until about 1:30 a.m., says Tohti, and for days afterward he couldn't sleep. After complaining about the incident to the Canadian Security Intelligence Service, as well as the Department of Foreign Affairs, he moved into a condominium with 24-hour surveillance. "I no longer feel secure in Canada," he told federal officials (Gillis, Charlie 2007, 'Beijing is always watching', Macleans.ca website, 14 May http://www.macleans.ca/article.jsp?content=20070514_105173_105173 – Accessed 25 May 2007 – Attachment 16).

There are reports of the Chinese authorities monitoring Uighurs in Germany ('Cutting off Support for Uighurs – Beijing' 2007, *Intelligence Online*, 9 March – Attachment 17; 'Targeting Chinese Dissidents – Berlin' 2006, *Intelligence Online*, 26 May – Attachment 18; 'German intelligence said to shift focus on Chinese agents' 2006, *BBC Monitoring Asia Pacific*, source: Focus, 6 April – Attachment 19).

China has also entered into security, bilateral and extradition agreements with neighboring countries in order to enforce the deportation of politically suspect Uighurs. The Shanghai Cooperation Unit (SCO), a regional security unit was established in 1996. Its members are Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. China has used this unit to enforce the removal of Uighurs activists (including refugees) from neighbouring countries. See question 1 in RRT Country Research 2007, *Research Response CHN31261*, 9 February, quest. 1/pp.1-6 – Attachment 20).

4. Anything else you feel may be relevant.

No other information is included in this response.

List of Sources Consulted

Internet Sources:

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

Ethnic Communities Reference Book 2005 2004, Ethnic Communities' Council of NSW Inc, 7th ed.

List of Attachments

1. York, Geoffrey and El Akkad, Omar 2007, 'Who is Huseyin Celil?', *The Globe and Mail*, 17 February. (FACTIVA)
2. Human Rights Watch 2007, World Report 2007 – China, January.
3. US Department of State 2007, 'Arrest and Detention', 'National/Racial/Ethnic/Minorities' in *Country Reports on Human Rights Practices for 2006 – China*, 6 March.
4. DIAC Country Information Service 2006, *Country Information Report No. 06/42 – China: Failed asylum seeker return decision (CISQUEST ref 8639)*, (sourced from DFAT advice of 7 August 2006), 25 August. (CISNET China CX160293)
5. US Department of State 2007, 'Freedom of Religion' in *Country Reports on Human Rights Practices for 2006 – China*, 6 March.
6. Pocha, Jehangir S. 2006, 'Burning With Anger; China's Xinjiang region is a combustible mix of oil, militant Islam and tension between the Uighurs and the Han', *Forbes Asia*, 27 November. (FACTIVA)
7. RRT Country Research 2006, *Research Response CHN17737*, 12 January, quest. 3/pp.10-13.
8. RRT Country Research 2007, *Research Response CHN31450*, 14 March, quest.8/pp.7-10.
9. 'Affiliated Organizations of the WUC' (undated), World Uyghur Conference website <http://www.uyghurcongress.org/En/AboutWUC.asp?mid=1095738888&mid2=-2068390409> – Accessed 25 May 2007.
10. 'Uighur Organizations Around the World' 2002, East Turkistan Information Center website, 26 April http://www.uygur.org/adres/uygur_organization.htm – Accessed 28 May 2007.
11. DIAC Country Information Service 2006, *Country Information Report No. 06/18 – China: Return of Australian Uighur Association Members*, (sourced from DFAT advice of 26 May 2006), 26 May. (CISNET China CX154325)
12. Dunn, Mark 2006, 'Australia's forgotten prisoner Sister in mercy plea', *Herald-Sun*, 13 December. (FACTIVA)
13. "'1- Octebir" Munasiwiti Bilen Namayish' 2006, Uyghur1 website, 1 October <http://www.uyghur1.com/uyghur/viewtopic.php?t=6367&sid=ed186d6c7edffd2b4409a85a74e2fd85> – Accessed 14 March 2007.
14. DIAC Country Information Service 2006, *Country Information Service No. 06/29 – CIS Request No 8597: China: Treatment of Uighurs on Return to China*, (sourced from DFAT advice of 28 June 2006), 29 June. (CISNET China CX156339)
15. Amnesty International Canada 2005, *Amnesty International concerns on Uighur asylum seekers and refugees*, June.

16. Gillis, Charlie 2007, 'Beijing is always watching', Macleans.ca website, 14 May http://www.macleans.ca/article.jsp?content=20070514_105173_105173 – Accessed 25 May 2007.
17. 'Cutting off Support for Uigurs – Beijing' 2007, *Intelligence Online*, 9 March. (FACTIVA)
18. 'Targeting Chinese Dissidents – berlin' 2006, *Intelligence Online*, 26 May. (FACTIVA)
19. 'German intelligence said to shift focus on Chinese agents' 2006, *BBC Monitoring Asia Pacific*, source: Focus, 6 April. (FACTIVA)
20. RRT Country Research 2007, *Research Response CHN31261*, 9 February, quest. 1/pp.1-6.