

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide an authoritative succinct summary of the background to the Turkistan issue and the treatment of the Uighur minority in Xinjiang Uighur Autonomous Region (XUAR). Please include information on the Ghulja protests of 1997.**
- 2. What restrictions are there on Muslims practicing of their religion, including the location and construction of mosques?**
- 3. Is there any information on the rebuilding of the Nogay mosque in Urumqi after 1997?**
- 4. What reports are there about arrests, detention and disappearance of individuals in the province, including the profile and reported reasons for such actions?**
- 5. Are there any reports of Uighurs returning home from overseas being harassed or questioned by the authorities? If so, what information is there about their profile?**
- 6. What evidence is there of restrictions on the movements of Uighurs including children going abroad to study?**
- 7. Are there reports of classes of people who would be denied a passport to leave the country?**
- 8. Are there reports about airport officials facilitating departures which might otherwise not be allowed?**
- 9. Are there reports of forcible relocation of girls to provide cheap labour, including in respect of Uighurs?**
- 10. Are there restrictions on journalists and on travel to and from Xinjiang by others which could indicate that reports of what is occurring are very incomplete?**

RESPONSE

- 1. Please provide an authoritative succinct summary of the background to the Turkistan issue and the treatment of the Uighur minority. Please include information on the Ghulja protests of 1997.**

An Amnesty International report dated April 2009 includes the following background information on the situation of the Uighurs in Xinjiang:

Uighurs are a Turkic speaking, mainly Sunni Islamic ethnic group with a long history at the heart of central Asia. In China, they are concentrated in the western region of the country, an area historically claimed by competing empires, warlords and ethnic groups. In 1949, the region was integrated into the People's Republic of China.

In 1955, the People's Republic of China established the Xinjiang Uighur Autonomous Region (XUAR), in recognition of the Uighurs' predominance in the region, a status which according to the Chinese Constitution entitles ethnic minorities to organs of self-government in order to exercise autonomy.

According to the latest Chinese census in 2000, there are more than 18 million people living in the XUAR, of whom 47 per cent are Uighurs, 40 per cent are Han Chinese and 12 per cent are other ethnic groups, including Kazakhs, Kyrgyzs, Tatars, Uzbeks and Tajiks. The Han Chinese population has increased significantly from an estimated 6 per cent in 1949 due to central government policies that include providing financial incentives to Han Chinese who migrate to the region.

...The post-Mao era in the 1980s brought liberalizing policies throughout China that allowed citizens greater freedom, including freedom of religion and expression, and strengthened legal protections, policies which extended to the XUAR. However, in the mid to late 1990s, Uighurs in the region experienced a sharp reversal in policy, as the authorities embarked on an aggressive campaign against the "three evils": "terrorism, separatism and religious extremism". As a result, increased numbers of Uighurs have been subjected to arbitrary arrests, unfair trials and torture, and their economic, social and cultural rights have been slowly eroded. This has worsened since the attacks in the USA on 11 September 2001 as the authorities cast Uighur discontent within the framework of international terrorism, claims that many academics and other observers consider unsubstantiated.

In 2008, the authorities used a series of violent incidents, allegedly carried out by Uighur separatist groups, as a pretext for launching a sweeping crackdown on the Uighur population in the XUAR. According to official media, almost 1,300 people were arrested during 2008 on state security charges that included terrorism, separatism and religious extremism, and 1,154 were formally charged and faced trials or administrative punishments. On 14 August, Wang Lequan, Communist Party Secretary of the XUAR, announced a "life and death" struggle against Uighur "separatism" (Amnesty International 2009, *Uighur Ethnic Identity under threat in China*, April, ASA 17/010/2009 – Attachment 1).

An RRT research response dated 2 December 2008 refers to sources that provide information on the treatment by the authorities of Uighurs in Xinjiang (RRT Research & Information 2008, *Research Response CHN34048*, 2 December, (Question 1) – Attachment 2).

A Human Rights Watch report dated April 2005 also provides background information on the unrest in Xinjiang. The report notes that:

There has long been strong Uighur objection to Chinese rule in Xinjiang. In the middle of the twentieth century... the western part of the region enjoyed independence as the Soviet-aligned East Turkestan Republic and effective control by China was not achieved until shortly after the establishment of the communist state in 1949. As a result, memories of a distinct political and administrative identity are strong in certain areas and among certain sections of the community.

The historical background included in the report refers to a protest held in February 1997 in the “the city of Yining”, which is “called Ghulja in Uighur”. The report indicates that following “the incorporation of Xinjiang into the newly born People’s Republic of China” in 1949:

Beijing immediately started a policy of large-scale migration into the region, and the proportion of ethnic Chinese increased from 6 percent in 1949 to 41.5 percent by the time of Mao’s death in 1976. The relative liberalization of the 1980s initiated by Deng Xiaoping’s “Opening and Reform” allowed for greater autonomy for Xinjiang. This included respect for certain cultural and religious practices. Ancient mosques were restored and new ones built, cultural traditions that had gone underground resurfaced, and individual economic activities were tolerated again. The number of Chinese cadre and personnel stationed in Xinjiang began to decrease, and by the end of the 1980s, the share of the Chinese population had dropped to 37.5 percent. In the 1990s, however, through a combination of economic and land ownership incentives, Beijing engineered a rapid acceleration of the ethnic Chinese influx to Xinjiang. About 1.2 million people settled in Xinjiang during the decade, pushing the proportion of the ethnic Chinese population to 40 percent of the total of some 18.5 million people at present.

...In 1990 a major, Islamic-inspired insurrection in Baren county, northwest of Kashgar, led China to launch a long-term strategy to assert tighter control over Uighur society. Until then, Xinjiang had remained a distant indigenous periphery. But for Beijing this challenge to the state was the turning point in its policies towards the Uighurs and Xinjiang.

China’s reaction was linked to major changes in regional and world politics: the loss of control by Moscow of its eastern European satellites and the imminent collapse of the Soviet Union and emergence of the new central Asian republics. China feared that Uighur ethno-nationalist aspirations in Xinjiang could be stirred up by the example of—and possible support from—the newly independent central Asian people across its borders.

Beijing then launched an ambitious plan to accelerate the integration of Xinjiang with China by stepping up ethnic Chinese migration to Xinjiang. At the same time, it committed major resources to economic growth in Xinjiang, chiefly through the exploitation of Xinjiang’s natural resources, above all oil and gas. These policies coincided with impressive economic growth in China, which made it possible to commit the capital and labor to carry them out. This led to tremendous changes in Xinjiang, as new roads, industries, cities, and waves of new migration ensued. The political calculus in Beijing was straightforward: in the 1990s many Chinese policy makers took the view that economic development reduces local nationalism and aids national integration. The transfer of ethnic Chinese labor was and is still seen widely in Chinese policy making circles as aiding political integration and ultimately removing reasons for political unrest. These policies in fact may have exacerbated political tensions because of a predictable local reaction to mass migration and the fact that many of the economic gains were unevenly distributed and favored the Han segment of the population. Uighurs felt increasingly marginalized and left behind.

These tensions became evident in February 1997 when a number of residents of Yining, a town fifty kilometers from the Kazakh border, staged a demonstration to protest Chinese policies in Xinjiang, in particular, restrictions on religious and cultural activities, as well as the migration of Chinese settlers to the region. The protesters requested that the provisions of the legislative autonomy regulations that govern all ethnic minority regions in China be respected. These guarantee the right of minority nationality populations to set up “organs of self-government,” as well as to retain some control over their local affairs and economic resources.

The protest was peaceful. However, the security forces, composed of the Public Security Bureau and the People's Armed Police, brutally put down the protest and shot a number of unarmed demonstrators. Three days of rioting followed. This led to further harsh reactions by the authorities. Casualty figures for the Yining riots vary depending on the source, but a conservative estimate suggests that nine people died and hundreds were injured.

In subsequent weeks, the authorities responded with arrests of thousands of Uighurs. Suspected activists were rounded up and public sentencing rallies were held across the region. The government also instituted new, far-reaching policies focused on religion as a supposed source of opposition. Mosques and religious schools were closed down.

A month later, in March 1997, separatists detonated bombs simultaneously on three public buses in the provincial capital of Urumqi, killing nine and seriously wounding sixty-eight. This is the only known occasion in recent decades when Uighur activists are known to have attacked civilians indiscriminately. Subsequently, attacks were also carried out on police stations, military installations, and individual political leaders.

... Although the Xinjiang authorities began to publicly acknowledge anti-state violence in Xinjiang in the mid-1990s, they generally suggested that it was carried out only by "a handful of separatists" and stressed that the region was stable and prosperous. In early September 2001, the Xinjiang authorities had stressed that "by no means is Xinjiang a place where violence and terrorist accidents take place very often," and that the situation there was "better than ever in history."

However, immediately after the September 11 attacks on the United States, the authorities reversed their stance. For the first time they asserted that opposition in Xinjiang was connected to international terrorism. They also asserted that in some cases the movement had connections to Osama bin Laden himself. China claimed that "Osama bin Laden and the Taliban in Afghanistan had provided the 'Eastern Turkestan' terrorist organizations with equipment and financial resources and trained their personnel," and that one particular organization, the "Eastern Turkestan Islamic Movement" (ETIM) was a "major component of the terrorist network headed by Osama bin Laden."

... On November 12, 2001, China told the U.N. Security Council that anti-state Uighur groups had links with the Taliban in Afghanistan and claimed that they were supported from abroad by radical Islamist organizations. Siding with the U.S. in the new "global war against terrorism," the Chinese government initiated an active diplomatic and propaganda campaign against "East Turkestan terrorist forces." This label was henceforth to be applied indiscriminately to any Uighur suspected of separatist activities. There has been no sign of any attempt by the Chinese authorities to distinguish between peaceful political activists, peaceful separatists, and those advocating or using violence (Human Rights Watch 2005, *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, April, Vol. 17, No. 2(C), pp. 10-17 – Attachment 3).

RRT research responses dated 3 April 2008 (RRT Research & Information 2008, *Research Response CHN33052*, 3 April, (Question 1) – Attachment 4), and 14 March 2007 (RRT Country Research 2007, *Research Response CHN31450*, 14 March, (Question 7) – Attachment 5), include information on the demonstration and riots that took place in Ghulja in February 1997.

A recent Human Rights Watch report dated October 2009 includes the following further information on Xinjiang:

The Xinjiang Uighur Autonomous Region is China's largest provincial unit, accounting for one sixth of the Chinese territory. Xinjiang is also a strategically crucial territory that borders Russia, Mongolia, Kazakhstan, Kyrgyzstan, Tajikistan, Afghanistan, Pakistan, and India. The region has abundant oil reserves and is China's largest natural gas and oil-producing region. It is the only region after the Tibet Autonomous Region in which ethnic Han Chinese are still a minority. The very name of the region, which translates as "New Dominion" (xin-jiang), reflects its late incorporation into the Chinese Empire in the 18th century, under the Manchu rulers of the Qing dynasty.

...Although China's sovereignty over the region is not in dispute at an international level, many Uighurs have never fully accepted Chinese rule, and tend to view the Chinese expansion in Xinjiang as an oppressive process of assimilation. Others think that the Chinese state has made a genuine effort of accommodation by raising economic standards but insist that the government should sanction pervasive socioeconomic discrimination, implement autonomy laws that in theory guarantee a greater say in policy-making and control over economic riches, and relax control of religious activities. Some Uighurs have chosen to join the ranks of the local bureaucracy, including the police and the army, even though all positions of real power are generally in the hands of Han cadres.

In the past decade, Xinjiang's economy has developed rapidly, spurred by a combination of massive subsidies from Beijing; revenues from natural resources, including oil and gas; and rapid urbanization. Yet Uighurs were mostly left out of the rising tide of greater prosperity. Official statistics reflect higher unemployment and poverty rates. The average life expectancy of Uighurs is about 10 years shorter than the Han segment of the population. Competition for scarce land and water resources in the countryside, as well as job discrimination and mutually negative stereotypes in the urban areas have led to increased conflict and resentment. According to official Xinjiang statistics, the income gap between Han-dominated urban and Uighur-dominated rural areas widened from 2.1 times in 1980 to 3.24 times in 2007.

The government's response to the growing tensions has been to tighten already sharp limits on religious and cultural expression and suppress any sign of dissent, which it equates with "separatism," a capital offense under Chinese law. The February 1997 uprising in the city of Yining and isolated acts of anti-state violence in 1998, which included the assassination of Uighur "collaborators," attacks against police stations and the explosion of two bombs on Urumqi buses in February 1998, triggered a massive security crackdown against Uighurs across Xinjiang.

After the September 11, 2001 attacks in the United States, China began to portray its security campaigns in Xinjiang as a contribution to the global war on terror. There is no dispute that clandestine Uighur groups have from time to time carried out violent attacks. The massive propaganda offensive about the threat of "East Turkestan" terrorism further drove Chinese public opinion against the Uighurs, who in turn felt increasingly ostracized and discriminated against because of their distinct ethnicity and Muslim faith.

The Chinese government's accelerated attempt over the past few years to forcibly refashion Uighur identity has also fueled growing resentment. Following Xinjiang Party Secretary Wang Lequan's declaration in 2002 that the Uighur language was "out of step with the 21st century," the government started to shift the entire education system to Mandarin. Control over religion was extended in 2008 to prohibit traditional customs such as religious weddings, burials, or pilgrimages to the tombs of local saints.

In preparation for the 2008 Olympics, Beijing launched a new year-long security campaign against "the three evil forces"—"terrorism, religious extremism, and separatism"—which resulted in even more drastic restrictions on the religious, cultural, and political rights of Uighurs. For example, in February 2008, the government adopted new regulations prohibiting

“23 types of illegal religious activities,” including praying in public or at wedding ceremonies. In March 2008 the authorities put down a large, peaceful protest against government policies in the town of Khotan (Chinese: Hetian). Most recently, in early 2009, the Chinese government started razing the old city of Kashgar, the centuries-old cultural center of the Uighur civilization, and forced 50,000 families out of their old homes and into newly constructed buildings in the periphery of the city (Human Rights Watch 2009, “*We Are Afraid to Even Look for Them*”: *Enforced Disappearances in the Wake of Xinjiang’s Protests*, October, pp. 9-11 <http://www.hrw.org/sites/default/files/reports/xinjiang1009webwcover.pdf> - Accessed 22 October 2009 – Attachment 6).

2. What restrictions are there on Muslims practicing of their religion, including the location and construction of mosques?

An RRT research response dated 30 September 2009 provides information on restrictions on Muslims practicing their religion in Xinjiang, including limits placed by the authorities on access to mosques (RRT Research & Information 2009, *Research Response CHN35420*, 30 September, (Questions 4 & 5) – Attachment 7).

The Amnesty International report dated April 2009 indicates that:

Religion: The authorities maintain tight control over mosques and religious clergy, intervening in the appointment of local imams, stationing police within and outside mosques, and closely monitoring all religious activities. Government employees in the XUAR, including teachers, police officers, state enterprise workers and civil servants risk losing their jobs if they engage in religious activity. The Chinese authorities have also put many obstacles in the way of Uighurs attempting to make the pilgrimage to Mecca, known as the Hajj, which is a requirement for all practising Muslims.

Children under the age of 18 are not allowed to enter mosques or to receive any sort of religious education. Many young Uighurs are afraid that if they do enter a mosque, or are found to be praying at home, they will be expelled from school (Amnesty International 2009, *Uighur Ethnic Identity under threat in China*, April, ASA 17/010/2009 – Attachment 1).

According to the US Department of State report on human rights practices in China for 2008:

The government tightly controlled the practice of Islam, and official repression of Uighur Muslims in the XUAR increased. Regulations restricting Muslims’ religious activity, teaching, and places of worship continued to be implemented forcefully in the XUAR. Measures to tighten control over religion in XUAR included increasing surveillance of mosques, religious leaders, and practitioners; detaining and arresting persons engaged in unauthorized religious activities; curbing illegal scripture readings; and increasing accountability among implementing officials. On August 5, authorities in Kashgar reportedly issued accountability measures to local officials responsible for high-level surveillance of religious activity in the region. Also in August in Kashgar, authorities called for enhancing controls of groups that included religious figures as part of broader CCP measures of “prevention” and “attack.” Authorities in Hotan reportedly restricted women from wearing head coverings (Hijab) in government offices. Coupled with news of a proposed government ban on headscarves, this led to large protests in March. In addition some men were required to shave their beards.

The government reportedly continued to limit access to mosques, detain citizens for possession of unauthorized religious texts, imprison citizens for religious activities determined to be “extremist,” pressure Muslims who were fasting to eat during Ramadan, and confiscate Muslims’ passports to strengthen control over Muslim pilgrimages. Following

violent clashes in western Xinjiang during the Olympic Games, XUAR authorities imposed widespread detentions, restricted movement within the XUAR, and established curfews in some cities. XUAR party secretary Wang Lequan declared in September that the XUAR government would carry out “preemptive attacks,” implement “antiseparatist reeducation” across the region, and increase policing of religious groups.

XUAR authorities maintained the most severe legal restrictions in the country on children’s right to practice religion. Authorities continued to prohibit the teaching of Islam outside the home to elementary-and middle-school-age children in some areas, and children under the age of 18 were prohibited from entering mosques. In August authorities reportedly forced the return of Uighur children studying religion in another province and detained them in the XUAR for engaging in “illegal religious activities.”

According to procuratorial officials, XUAR authorities arrested nearly 1,300 persons on state security charges during the first 11 months of the year. Authorities approved the prosecution of 1,154 of these individuals for committing one or more of the “three evils” of terrorism, separatism, and extremism. This was a dramatic increase from 2007, when the number of individuals arrested for state security crimes nationwide was 744.

Authorities reserved the right to censor imams’ sermons, and imams were urged to emphasize the damage caused to Islam by terrorist acts in the name of the religion. Certain Muslim leaders received particularly harsh treatment. Authorities in some areas conducted monthly political study sessions for religious personnel, which, according to one CCP official who took part in a study session, called for “creatively interpreting and improving” religious doctrine. Authorities also reportedly tried to restrict Muslims’ opportunities to study religion overseas. The China Islamic Conference required religious personnel to study “new collected sermons” compiled by an Islamic Association of China (IAC) committee, including messages on patriotism and unity aimed at building a “socialist harmonious society.” In contrast to the heavy-handed approach to Muslims in the XUAR, officials in Ningxia, Gansu, Qinghai, and Yunnan Provinces did not interfere heavily in Muslims’ activities.

In addition to the restrictions on practicing religion placed on party members and government officials throughout the country, teachers, professors, and university students in the XUAR were sometimes not allowed to practice religion openly. Authorities imposed restrictions on state employees’ observance of Ramadan and prohibitions on closing restaurants during periods of fasting. A local party secretary, Zhang Zhengrong, reportedly called on schools to strengthen propaganda education during Ramadan and to put a stop to activities including fasting and professing a religion. The Kashgar Teachers College reportedly implemented a series of measures to prevent students from observing Ramadan, including imposing communal meals and requiring students to obtain permission to leave campus. School authorities also made students gather for a school assembly at a time of day coinciding with Friday prayers.

The government took steps to prevent Muslims from traveling on unauthorized pilgrimages. The government continued to enforce a policy barring Muslims from obtaining hajj visas outside of China. The government published banners and slogans discouraging hajj pilgrimages outside those organized by the IAC. Foreign media reported that XUAR officials confiscated the passports of Uighur Muslims in some areas to prevent unauthorized hajj pilgrimages. Government officials in some areas also arbitrarily detained Muslims to prevent them from going on the hajj, required them to show that their hajj travel funds were not borrowed from other sources, required them to pay a large deposit to retrieve their passports for overseas travel, and required them to pass a health test.

...In 2007, XUAR authorities also confiscated 25,000 illegal religious publications. The Xinjiang People’s Publication House was the only publisher officially permitted to print

Muslim literature (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Section 2(c) – Attachment 8).

The RRT research response dated 2 December 2008 includes information on restrictions on Uighurs' religious practice in China (RRT Research & Information 2008, *Research Response CHN34048*, 2 December, (Question 3) – Attachment 2).

In relation to the location and construction of mosques, the US Department of State 2008 religious freedom report on China indicates that “[t]he 2005 Regulations on Religious Affairs (RRA) protect the rights of registered religious groups to possess property, publish literature, train and approve clergy, and collect donations.” According to the report:

Registration of a venue must take place according to RRA Chapter 3, which lists five requirements in Chapter 3, Article 14: establishment of a site consistent with the overall purpose of the RRA which must not be used to “disrupt public order, impair the health of citizens, or interfere with the educational system of the state,” or be “subject to any foreign domination;” local religious citizens must have a need to carry out collective religious activities frequently; there must be religious personnel qualified to preside over the activities; the site must have the “necessary funds;” and the site must be “rationally located” so as not to interfere with normal production and neighboring residents. According to RRA Chapter 4, Article 27, clergy must report to the appropriate RAB [Religious Affairs Bureau] after being certified by the concerned PRA [Patriotic Religious Association].

...Although the Government authorized funding to build new places of worship for registered venues, the number of temples, churches, and mosques has not kept pace with growth in the number of worshippers.

The report indicates that “[a]ccording to an official 2005 report, the XUAR had 23,900 mosques and 27,000 clerics at the end of 2004, but fewer than half of the mosques were authorized to hold Friday prayer and holiday services.” The report also indicates that:

On June 23, 2008, media stated that a mosque near Aksu City in the XUAR was demolished. A representative of the World Uighur Congress claimed that the congregation of the mosque was accused of illegally renovating the structure, carrying out illegal religious activities, and illegally storing copies of the Qur'an. A spokesman for the Ministry of Foreign Affairs claimed that the structure was not a mosque (US Department of State 2008, *International Religious Freedom Report for 2008 – China (includes Tibet, Hong Kong, Macau)*, September, Sections 1 & II – Attachment 9).

A *Radio Free Asia* article dated 14 August 2008 refers to a Communist Party document reminding officials in Kashgar city in Xinjiang “to maintain tight controls over building work on mosques.” The article continues:

It cautions “any officials overseeing a mosque which carries out unauthorized construction work or that builds in an overly conspicuous or grand manner.”

Officials, it says, “who turn a blind eye to what goes on, and who do nothing to stop it, and who neglect to report it, will have lost political edge proper to a Party official, and could cause negative consequences and damage to society” (“Crackdown on Xinjiang mosques, religion’ 2008, *Radio Free Asia (RFA)*, 14 August – Attachment 10).

A paper dated 9 January 2007 on the South Asia Analysis Group website indicates that there had been resentment among Muslims, particularly in Xinjiang, “over the ban on the construction of new mosques and over the demolition of some of the existing mosques of historical importance and construction of new ones in replacement as part of commercial buildings and shopping malls in order to remove any distinguishing Islamic architectural feature fom [sic] the mosques.” It is stated in the paper that:

There has also been resentment among the Muslims---again particularly in the Xinjiang region---over the ban on the construction of new mosques and over the demolition of some of the existing mosques of historical importance and construction of new ones in replacement as part of commercial buildings and shopping malls in order to remove any distinguishing Islamic architectural feature fom [sic] the mosques. The central mosque in Urumqi, a building with typical Muslim religious architecture, has been demolished and replaced by a modern brick building. It has a prayer hall located above a Kentucky Fried Chicken outlet and next to a Carrefour shopping market. The Uighurs allege that apart from settling a large number of Han Chinese in the Xinjiang region, the Chinese are systematically changing the skyline and the landscape in order to remove all architectural traces of Islam from the region. They are allegedly trying to make the towns of Xinjiang look like any other town in China, without anything unique about this place recalling its historic association with Islam (Raman, B. 2007, ‘Fresh reports of Uighur unrest in Xinjiang’, China Monitor – Paper No. 6, South Asia Analysis Group website <http://www.saag.org/papers21/paper2091.html> – Accessed 10 January 2007, 9 January – Attachment 11).

The Human Rights Watch report dated April 2005 which includes information on the regulation of religion and restrictions on religious freedom in Xinjiang, refers to restrictions on “new construction work on mosques in Xinjiang.” According to the report:

Chinese authorities are careful not to appear to be targeting Islam specifically, and they keep closures of mosques and the non-reaccreditation of imams secret. It is difficult to assess the number and scale of such actions. However, information found in scattered official sources suggests that retaliation against non-conforming mosques and clerics is prevalent and has gained new vigor since late 2001. At that time, authorities in Xinjiang imposed even more control on mosques, effectively banning any new construction work on mosques in Xinjiang. Although Uighur exile organizations have long claimed that such a ban was implemented after the 1997 Yining uprising, the measure was never officially confirmed and is not found in material issued by the Religious Affairs Bureau. However, in October 2002 the Xinjiang Party Secretary appeared to confirm the existence of the ban in a speech relayed by the *Xinjiang Daily*:

At this time, the places for religious activities throughout the Autonomous Region are adequate to meet the needs of the normal religious activities of religious believers. In principle we should not have to build new places for religious activities.

The Party Secretary also underscored limitations imposed on the preservation of existing mosques. He declared that, “any maintenance and repair of places for religious activities must reflect real needs and be concrete, safe and practical” and he stressed the ban on sharing costs of repairs with independent, non-governmental sources, such as private businessmen, without permission from the relevant authorities (Human Rights Watch 2005, *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, April, Vol. 17, No. 2(C), p. 55 – Attachment 3).

3. Is there any information on the rebuilding of the Nogay mosque in Urumqi after 1997?

A search of the sources consulted found little information on the rebuilding of the Nogay mosque in Urumqi after 1997.

Information on the Islamic Finder website in relation to the “Baytulla Jameh (Mosque)” in Urumchi, Xinjiang indicates that it had “been called Noghay Masjid, Tatar Masjid.” The mosque is referred to as “one of the oldest mosque [sic] in Urumchi, Xinjiang province... It was built in 1881. Rebuilt in 2001 and finished in 2004” (‘Baytulla Jameh (Mosque)’ 2008, Islamic Finder website, 8 June

<http://www.islamicfinder.org/getitWorld.php?id=66040&lang=> - Accessed 20 October 2009 – Attachment 12).

4. What reports are there about arrests, detention and disappearance of individuals in the province, including the profile and reported reasons for such actions?

The Human Rights Watch report dated October 2009 “documents the enforced disappearances of at least 43 Uighur men and teenage boys who were detained by Chinese security forces in the wake of... protests” which occurred between 5-7 July 2009 in Urumqi, Xinjiang. The report also indicates that “[o]n October 12, 2009, China pronounced the first sentences in protest-related cases: six Uighur men were sentenced to death and one to life imprisonment.” It is stated in the report that:

In the aftermath of the July 2009 protests in western Xinjiang province, Chinese security forces detained hundreds of people on suspicion of participation in the unrest. Dozens of these detainees, and possibly many more, have since “disappeared” without a trace.

The protests of July 5-7, 2009, in Urumqi, the capital of Xinjiang, were one of the worst episodes of ethnic violence in China in decades. Information about the Xinjiang protests and their aftermath remains fragmentary. On July 5, protests by Uighurs, an ethnic minority group, against the killing of Uighur workers at the Guangdong toy factory appear to have begun peacefully. It remains unclear how the protest turned violent, with Uighur sources blaming the riot police for the excessive use of force against the protestors.

Chinese authorities were quick to accuse a variety of external forces of masterminding and sponsoring the unrest. They specifically blamed Rebiya Kadeer, a former political prisoner in Xinjiang and a prominent Uighur rights activist living in exile in the United States, for planning and organizing the protests. No evidence, however, has been provided to support those claims, and many analysts believe that the root causes of the protests were largely related to China’s longstanding discriminatory policies toward the Uighur minority.

By the evening of July 5, large groups of Uighur youths launched brutal attacks against Han Chinese residents in southern parts of Urumqi, leaving scores dead or injured, and setting dozens of buildings and cars on fire. Security forces did not reestablish control until the morning of July 6. On July 7, they attempted to prevent retaliatory assaults by Han Chinese residents of Urumqi, although at least some Uighurs fell victim to these attacks.

The latest official figures put the death toll from the protests at 197 people, the majority of them Han. More than 1,600 were injured. Uighur groups continue to question the official death toll, saying it underestimates the number of Uighur victims.

...In the wake of the Urumqi protests, Chinese authorities declared they would deal decisively with perpetrators of the violence. Immediately after the protests and in the following two months, they released a number of contradictory statements regarding the number of people detained by the security forces in connection with the unrest, which seemed to have reached

well over a thousand people. On October 12, 2009, China pronounced the first sentences in protest-related cases: six Uighur men were sentenced to death and one to life imprisonment.

...On July 6-7, 2009, Chinese police, armed police, and the military conducted numerous largescale sweep operations in two predominantly Uighur areas of Urumqi—Erdaoqiao and Saimachang. The operations, on a lesser scale, continued at least through the end of July.

According to witnesses, the security forces sealed off entire neighborhoods, searching for young Uighur men. In some cases, they first separated the men from other residents, pushed them to their knees or flat on the ground, and, at least in some cases, beat the men while questioning them about their participation in the protests. Those who had wounds or bruises on their bodies, or had not been at their homes during the protests, were then taken away. In other cases, the security forces simply went after every young man they could catch and packed them into their trucks by the dozens.

In addition to large-scale sweeps, the security forces also detained an unknown number of people in the course of targeted raids, usually involving smaller groups of police officers or soldiers who took Uighur men from their homes, places of work, hospitals, or the street. In some cases, the security forces seemed to act on leads received from previously detained individuals. These raids continued at least through mid-August.

The victims of “disappearances” documented by Human Rights Watch were young Uighur men—most in their 20s, although the youngest victim was 14 years old, and some witnesses reported that the police had detained boys as young as 12 during the raids.

In most cases documented by Human Rights Watch, the men and boys detained in the course of these sweeps and raids have been missing since the security forces took them away. Their families’ attempts to inquire about the relatives at local police stations or with other law enforcement agencies proved futile—the authorities either said they had no knowledge of the arrests, or claimed the inquiry was still ongoing without admitting the fact of detention, or simply chased the families away.

The report provides specific details regarding the enforced disappearances of 43 men and teenage boys who were detained following the protests in Urumqi on 5-7 July 2009 (Human Rights Watch 2009, “*We Are Afraid to Even Look for Them*”: *Enforced Disappearances in the Wake of Xinjiang’s Protests*, October, pp. 3-6 & 21-32 <http://www.hrw.org/sites/default/files/reports/xinjiang1009webwcover.pdf> - Accessed 22 October 2009 – Attachment 6).

The RRT research response dated 30 September 2009 provides information on violence and demonstrations that occurred in Xinjiang in July and September 2009, and includes a profile of persons detained/arrested in the aftermath of the July demonstrations (RRT Research & Information 2009, *Research Response CHN35420*, 30 September, (Question 1) – Attachment 7).

As previously mentioned, the Amnesty International report dated April 2009 indicates that “in the mid to late 1990s, Uighurs in the region experienced a sharp reversal in policy, as the authorities embarked on an aggressive campaign against the “three evils”: “terrorism, separatism and religious extremism”. The report continues:

As a result, increased numbers of Uighurs have been subjected to arbitrary arrests, unfair trials and torture, and their economic, social and cultural rights have been slowly eroded. This has worsened since the attacks in the USA on 11 September 2001 as the authorities cast

Uighur discontent within the framework of international terrorism, claims that many academics and other observers consider unsubstantiated.

In 2008, the authorities used a series of violent incidents, allegedly carried out by Uighur separatist groups, as a pretext for launching a sweeping crackdown on the Uighur population in the XUAR. According to official media, almost 1,300 people were arrested during 2008 on state security charges that included terrorism, separatism and religious extremism, and 1,154 were formally charged and faced trials or administrative punishments. On 14 August, Wang Lequan, Communist Party Secretary of the XUAR, announced a “life and death” struggle against Uighur “separatism” (Amnesty International 2009, *Uighur Ethnic Identity under threat in China*, April, ASA 17/010/2009 – Attachment 1).

The US Department of State report on human rights practices in China for 2008 includes the following information on the arrest, detention and imprisonment of persons in Xinjiang:

Authorities in the XUAR used house arrest and other forms of arbitrary detention against those accused of subscribing to the “three evils” of religious extremism, “splittism,” and terrorism.

...Many political prisoners remained in prison or under other forms of detention at year’s end, including... Alim and Ablikim Abdureyim, sons of Uighur activist Rebiya Kadeer;... Uighurs Tohti Tunyaz and Dilkex Tilivaldi...

...In August Mehbube Ablesh, a Uighur writer, poet, and employee of Xinjiang People’s Radio, was fired from her post and detained by police after posting articles online that criticized the central government and provincial leaders.

...At year’s end Korash Huseyin, the former editor of the Uighur-language Kashgar Literature Journal, remained in an undisclosed prison. In late 2004 Huseyin was sentenced to three years for publishing Nurmuhemmet Yasin’s short story “Wild Pigeon,” which authorities considered critical of CCP rule of Xinjiang. Yasin remained in prison serving a 10-year sentence. Authorities continued to ban books with content they deemed controversial.

...Regulations restricting Muslims’ religious activity, teaching, and places of worship continued to be implemented forcefully in the XUAR. Measures to tighten control over religion in XUAR included increasing surveillance of mosques, religious leaders, and practitioners; detaining and arresting persons engaged in unauthorized religious activities; curbing illegal scripture readings; and increasing accountability among implementing officials.

...The government reportedly continued to limit access to mosques, detain citizens for possession of unauthorized religious texts, imprison citizens for religious activities determined to be “extremist,” pressure Muslims who were fasting to eat during Ramadan, and confiscate Muslims’ passports to strengthen control over Muslim pilgrimages. Following violent clashes in western Xinjiang during the Olympic Games, XUAR authorities imposed widespread detentions, restricted movement within the XUAR, and established curfews in some cities.

...In August authorities reportedly forced the return of Uighur children studying religion in another province and detained them in the XUAR for engaging in “illegal religious activities.”

According to procuratorial officials, XUAR authorities arrested nearly 1,300 persons on state security charges during the first 11 months of the year. Authorities approved the prosecution

of 1,154 of these individuals for committing one or more of the “three evils” of terrorism, separatism, and extremism. This was a dramatic increase from 2007, when the number of individuals arrested for state security crimes nationwide was 744.

...During the year authorities increased repression in the XUAR, and targeted the region’s ethnic Uighur population. In August officials in XUAR reiterated a pledge to crack down on the government-designated “three forces” of religious extremism, “splittism,” and terrorism. In September XUAR CCP Chair Wang Lequan stated that “this winter and next spring we will launch a concentrated antiseparatist reeducation campaign across the whole region.” It was sometimes difficult to determine whether raids, detentions, and judicial punishments directed at individuals or organizations suspected of promoting the “three forces” were instead actually used to target those peacefully seeking to express their political or religious views. The government continued to repress Uighurs expressing peaceful political dissent and independent Muslim religious leaders, often citing counterterrorism as the reason for taking action.

Uighurs were sentenced to long prison terms, and in some cases executed, on charges of separatism. In April 2007 foreign citizen Huseyin Celil was sentenced to life in prison for allegedly plotting to split the country and 10 years in prison for belonging to a terrorist organization, reportedly after being extradited from Uzbekistan and tortured into giving a confession. During the year the government reportedly sought the repatriation of Uighurs living outside the country, where they faced the risk of persecution.

Possession of publications or audiovisual materials discussing independence or other sensitive subjects was not permitted. According to reports, those possessing such materials received lengthy prison sentences, such as Uighur Mehbube Ablesh, who was detained for expressing sensitive views online. Uighurs who remained in prison at year’s end for their peaceful expression of ideas the government found objectionable included Abdulla Jamal, Tohti Tunyaz, Adduhelil Zunun, Abdulghani Memetemin, and Nurmuhemmet Yasin.

During the year XUAR officials defended the campaign against separatism as necessary to maintain public order and continued to use the threat of violence as justification for extreme security measures directed at the local population and visiting foreigners (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Sections 1(d) & (e), 2(a) & (c), 5 – Attachment 8).

The Congressional-Executive Commission on China 2008 annual report indicates that:

Human rights abuses in the Xinjiang Uyghur Autonomous Region (XUAR) remain severe, and repression increased in the past year. As detailed by the Commission in past Annual Reports, the government uses anti-terrorism campaigns as a pretext for enforcing repressive security measures and for controlling expressions of religious and ethnic identity, especially among the ethnic Uyghur population, within which it alleges the presence of separatist activity. It enforces “strike hard” anti-crime campaigns against the government-designated “three forces” of terrorism, separatism, and extremism to imprison Uyghurs for peaceful expressions of dissent, religious practice, and other non-violent activities. In the past year, the government used these longstanding campaigns as a springboard to increase repressive practices amid preparations for the 2008 Beijing Summer Olympic Games, reports of terrorist activity, and protests among ethnic minorities.

The report refers to reported measures carried out by the government in the lead-up to and during the 2008 Olympic Games in China:

Wide-scale Detentions. Authorities have carried out wide-scale detentions as part of security campaigns in cities throughout the XUAR, according to a report from the Uyghur Human

Rights Project. Reported measures include “security sweeps” resulting in mass detentions in the Kashgar area and Kucha county, including blanket detentions in Kucha of young people who have been abroad; the detention of non-resident Uyghurs in Korla city; the forced return of Uyghur children studying religion in another province and their detention in the XUAR for engaging in “illegal religious activities”; and the detention of family members or associates of people suspected to be involved in terrorist activity.

... *Inspections of Households in Ghulja.* Authorities in the predominantly ethnic minority city of Ghulja searched homes in the area in July in a campaign described by a Chinese official as aimed at rooting out “illegal activities” and finding residents living without proper documentation, according to Radio Free Asia.

The report also provides information on Uyghurs detained or imprisoned “for various forms of peaceful expression”:

As detailed by the Commission in past Annual Reports, Chinese authorities have detained or imprisoned ethnic Uyghurs for various forms of peaceful expression, including non-violent dissent. Such cases include:

- Tohti Tunyaz, a Uyghur historian living in Japan whom Chinese authorities detained in 1998 while he was visiting the Xinjiang Uyghur Autonomous Region (XUAR) to conduct research. He received an 11-year sentence in 1999 for “stealing state secrets” and “inciting splittism,” based on a list of documents he had collected from official sources during the course of his research, and on a “separatist” book he had allegedly published.
- Abduhelil Zunun, who received a 20-year sentence in November 2001 after translating the Universal Declaration of Human Rights into the Uyghur language.
- Abdulghani Memetemin, a journalist sentenced to nine years’ imprisonment in 2003 after providing information on government repression against Uyghurs to an overseas organization. Authorities characterized this act as “supplying state secrets to an organization outside the country.”
- Abdulla Jamal, a teacher arrested in 2005 for writing a manuscript that authorities claimed incited separatism.
- Nurmemet Yasin, a writer who received a 10-year sentence in 2005 for “inciting splittism” after he wrote a story about a caged bird who commits suicide rather than live without freedom.
- Korash Huseyin, chief editor of the journal that published Yasin’s story, who received a three-year sentence in 2005 for “dereliction of duty.” Huseyin’s sentence expired in February 2008, and he is presumed to have since been released from prison.
- Mehbube Ablesh, an employee in the advertising department at the Xinjiang People’s Radio Station, who was fired from her job in August 2008 and detained in apparent connection to her writings on the Internet that were critical of government policies, including bilingual education.

The report refers to the authorities increasing “repression of Islam in the Xinjiang Uyghur Autonomous Region (XUAR) in the past year”. It is stated in the report that:

During the year, local governments throughout the XUAR reported on measures to tighten control over religion, including measures to increase surveillance of mosques, religious leaders, and practitioners; gather information on practitioners’ religious activities; curb “illegal” scripture readings; and increase accountability among implementing officials.

...Local authorities and educational institutions in the XUAR continued in 2007 and 2008 to impose restrictions on the observance of the holiday of Ramadan, including restrictions on state employees' observance of the holiday and prohibitions on closing restaurants during periods of fasting. Overseas media reported on the detention of two Muslim restaurant managers for failing to abide by instructions to keep restaurants open.

...In August 2008, authorities reportedly forced the return of Uyghur children studying religion in another province and detained them in the XUAR for engaging in "illegal religious activities."

...According to overseas media, authorities reportedly gave prison sentences to five Uyghur clerics for arranging pilgrimages without government permission.

...Authorities continue to detain, formally arrest, and in some cases imprison Chinese citizens because of their religious activities or for protesting Chinese policies on religion. Known cases from the past year and new developments in previously reported cases include:

- Adil Qarim, an imam at a mosque in Kucha county, Xinjiang Uyghur Autonomous Region (XUAR), whom authorities detained during a security roundup in the aftermath of a reported series of bomb attacks in the county on August 10. An individual accused of involvement in the August 10 incident had attended the mosque. Adil Qarim denied having any links to the attacks. His current whereabouts are unknown.

- ...• Mutellip (Mutallip) Hajim, a jade merchant and father of eight detained by XUAR authorities in January 2008 in apparent retribution for his activities helping underground Muslim schools, as well as for supporting the families of prisoners and for violating population planning requirements. Mutellip Hajim reportedly died in detention after being subjected to torture, and his corpse was returned to his family on March 3, 2008, with orders not to publicize his death (Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October, pp. 80-82, 85-86, 168 & 170-172 – Attachment 13).

5. Are there any reports of Uighurs returning home from overseas being harassed or questioned by the authorities? If so, what information is there about their profile?

The RRT research response dated 30 September 2009 includes information on the treatment of Uighurs who had returned to China (RRT Research & Information 2009, *Research Response CHN35420*, 30 September, (Question 6) – Attachment 7).

DFAT advice dated 28 June 2006 provides information on the likely treatment on return to China of informants:

Q2. What is the likely treatment on return to China for ... failed informants on Uighur matters? (i.e. failed either through inability or refusal to obtain and impart information to the authorities)

Q3. What is the likelihood of the authorities learning of the applicants' PV applications? If so, how would they be treated as failed asylum seekers?

...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 (DIMIA Country Information Service 2006, *Country Information Report 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 15).

An Amnesty International Canada report dated June 2005 indicates that:

Uighurs who are suspected by the Chinese authorities to have claimed asylum will, at the very least, be questioned upon their return to China. Due to their ethnic minority status, Uighur asylum seekers who are forcibly returned are likely to be viewed by the Chinese authorities as political suspects and face arbitrary detention or imprisonment. A returnee would raise suspicion due to their expired passport, or lack of passport, and due to their lengthy absence from China without any legal travel documentation. In this context, it is important to note that Article 322 of the Chinese Criminal Law makes “illegally crossing a national boundary” an offence punishable by up to one year in prison.

In addition, if the authorities suspect a Uighur of seeking asylum abroad, and/or if they suspect a history of involvement in either political opposition movements or in the religious activities that are currently being repressed in the XUAR, then this person would come under further scrutiny. Under these circumstances, there is a strong risk of serious human rights violations, including arbitrary detention and torture or ill treatment. If a Uighur is suspected of playing a leading role in organizing “separatist”, “terrorist” or “illegal religious” activities, they would face a long period of imprisonment, or possibly the death sentence and execution (Amnesty International Canada 2005, *Amnesty International concerns on Uighur asylum seekers and refugees*, June http://www.amnesty.ca/Refugee/Concerns_Uighur_June2005.pdf – Accessed 17 January 2006 – Attachment 17).

The RRT research response dated 3 April 2008 provides information on the treatment of Uighurs who return to China and on returnees who are failed asylum seekers (RRT Research & Information 2008, *Research Response CHN33052*, 3 April, (Question 5) – Attachment 4).

The US Department of State report on human rights practices in China for 2008 refers to “foreign citizen Huseyin Celil” being sentenced in April 2007 “to life in prison for allegedly plotting to split the country and 10 years in prison for belonging to a terrorist organization, reportedly after being extradited from Uzbekistan and tortured into giving a confession. During the year the government reportedly sought the repatriation of Uighurs living outside the country, where they faced the risk of persecution” (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Section 5 – Attachment 8).

The US Department of State 2008 religious freedom report on China includes the following information on the forcible return of Uighurs to China from other countries:

The Government sought the forcible return of several Uighur Muslims from other countries, some of whom had reportedly protested limits on the Hajj and encouraged prayer and fasting by fellow Muslims. In the fall of 2006 an estimated 4,000 to 6,000 Uighur Muslims traveled to Islamabad, Pakistan to apply for Hajj visas at the Saudi Arabian Embassy. The Saudi Embassy reportedly rejected some of the visa applications because of an agreement with the Government stipulating that Chinese Muslims could undertake a Hajj pilgrimage only with IAC [Islamic Association of China]-organized groups. According to NGO reports, in July 2007 Pakistan reportedly arrested and forcibly returned to the country Osman Alihan, a Uighur Muslim businessman who participated in protests against Hajj restrictions. That same month the Government of Saudi Arabia also reportedly arrested and forcibly returned

Habibulla Ali, a Uighur Muslim who discussed the hajj restrictions with other Uighur Muslims in Saudi Arabia, according to NGO reports (US Department of State 2008, *International Religious Freedom Report for 2008 – China (includes Tibet, Hong Kong, Macau)*, September, Section II – Attachment 9).

The Amnesty International 2008 report on China refers to China using “the Shanghai Cooperation Organization to pressurize neighbouring countries... to co-operate in forced returns of Uighurs to China.” It is stated in the report that:

China increasingly successfully used the Shanghai Cooperation Organization to pressurize neighbouring countries, including Kyrgyzstan, Uzbekistan and Kazakhstan, to co-operate in forced returns of Uighurs to China.

There was an increase in the number of Uighurs detained abroad who were forcibly sent to China, where they faced the death penalty and possible execution, including Uighurs with foreign nationality.

- Ismail Samed, who was forcibly returned to China from Pakistan in 2003, was executed on charges of “attempting to split the Motherland” and possession of firearms and explosives (Amnesty International 2008, *Amnesty International Report 2008 – China*, 28 May – Attachment 18).

The Human Rights Watch report dated April 2005 indicates that:

China has also been very active in enrolling the support of its Central Asian neighbors in the crackdown against Uighur ethno-nationalist aspirations. It is the driving force behind the Shanghai Cooperation Organization (SCO), a regional security body composed of China, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan set up in 1996 (Uzbekistan joined in 2001). The SCO was established in part to address Chinese concerns about a number of small Uighur political and opposition movements that, in the first years of independence for the former Soviet republics, set up organizations in the region, giving Uighur exiles a much closer base for their operations than the previous generation of activists, who had been based in Turkey and, later, Germany. Under pressure from Beijing, since 1996 these Central Asian countries have effectively silenced independent Uighur organizations on their soil and on several occasions have repatriated refugees in response to requests by China. Some of those repatriated refugees were executed upon their return (Human Rights Watch 2005, *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, April, Vol. 17, No. 2(C), p. 23 – Attachment 3).

6. What evidence is there of restrictions on the movements of Uighurs including children going abroad to study?

The US Department of State report on human rights practices in China for 2008 indicates that:

The government took steps to prevent Muslims from traveling on unauthorized pilgrimages. The government continued to enforce a policy barring Muslims from obtaining hajj visas outside of China. The government published banners and slogans discouraging hajj pilgrimages outside those organized by the IAC. Foreign media reported that XUAR officials confiscated the passports of Uighur Muslims in some areas to prevent unauthorized hajj pilgrimages. Government officials in some areas also arbitrarily detained Muslims to prevent them from going on the hajj, required them to show that their hajj travel funds were not

borrowed from other sources, required them to pay a large deposit to retrieve their passports for overseas travel, and required them to pass a health test.

Official reports noted that 11,900 Muslims traveled to Mecca during the year for the hajj pilgrimage. This figure did not include participants who were not organized by the government, for whom there were no official estimates but who numbered in the thousands in previous years.

...The law provides for freedom of movement within the country, foreign travel, emigration and repatriation; however, the government generally did not respect their rights in practice. Authorities heightened restrictions periodically, particularly curtailing the movement of individuals deemed politically sensitive before key anniversaries and visits of foreign dignitaries, and to forestall demonstrations.

...The government permitted legal emigration and foreign travel for most citizens. There were reports that some academics faced travel restrictions around the year's sensitive anniversaries, particularly the anniversary of the Tiananmen Square massacre and the Olympics. Most citizens could obtain passports, although those whom the government deemed threats, including religious leaders, political dissidents, and ethnic minorities were refused passports or otherwise prevented from traveling overseas (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Sections 2(c) & (d) – Attachment 8).

The Congressional-Executive Commission on China 2008 annual report indicates that “[a]uthorities in the Xinjiang Uyghur Autonomous Region authorities [sic] continued to support measures to prevent Muslims from making pilgrimages outside of state channels, following the confiscation of Muslims’ passports in summer 2007 to restrict private pilgrimages.” The report also indicates that “[t]he Uyghur community in the Xinjiang Uyghur Autonomous Region has reported restrictions on air travel within the country in the run-up to and during the 2008 Olympic Games” (Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October, pp. 113-114 – Attachment 13).

According to an article in *The New York Times* dated 19 October 2008:

About two years ago, the government began confiscating the passports of Uighurs across the region, angering many people here. Now virtually no Uighurs have passports, though they can apply for them for short trips. The new restriction has made life especially difficult for businessmen who travel to neighboring countries.

To get a passport to go on an official hajj tour or a business trip, applicants must leave a deposit of nearly \$6,000.

One man in Kashgar said the imam at his mosque, who like all official imams is paid by the government, had recently been urging congregants to go to Mecca only with legal tours.

That is not easy for many Uighurs. The cost of an official trip is the equivalent of \$3,700, and hefty bribes usually raise the price. Once a person files an application, the authorities do a background check into the family. If the applicant has children, the children must be old enough to be financially self-sufficient, and the applicant is required to show that he or she has substantial savings in the bank. Officials say these conditions ensure that a hajj trip will not leave the family impoverished.

Rules posted last year on the Xinjiang government’s Web site say the applicant must be 50 to 70 years old, “love the country and obey the law.”

The number of applicants far outnumbers the slots available each year, and the wait is at least a year. But the government has been raising the cap. Xinhua, the state news agency, reported that from 2006 to 2007, more than 3,100 Muslims from Xinjiang went on the official hajj, up from 2,000 the previous year (Wong, E. 2008, 'Wary of Islam, China Tightens a Vise of Rules', *The New York Times*, 19 October <http://www.nytimes.com/2008/10/19/world/asia/19xinjiang.html> - Accessed 25 November 2008 – Attachment 19).

An RRT research response dated 17 July 2008 looks at whether someone who had been detained for practicing his Muslim faith would be likely to be on an alert list for exit from the country, and whether Muslims have difficulty obtaining passports in Xinjiang Province (RRT Research & Information 2008, *Research Response CHN33558*, 17 July, (Questions 1 & 3) – Attachment 20). The documents referred to in the research response include a DFAT advice dated 28 November 2007 which indicates that the Post was aware of some cases, including in Xinjiang, “where people who are viewed as suspicious by the authorities because of their religious activities have been unable to leave the country, even when they have never been arrested or imprisoned”:

R.5. The post in Beijing has provided some information on the issue of people who have been arrested or convicted of offences obtaining passports in CX164795 and CX189035. We are aware of cases where dissidents who have been subject to criminal punishment (including imprisonment) have subsequently been able to obtain passports and leave the country. But we are also aware of some cases where people who are viewed as suspicious by the authorities because of their religious activities have been unable to leave the country, even when they have never been arrested or imprisoned (we are aware of such situations occurring particularly in Tibet and Xinjiang). This would be more likely in cases where the person’s religious activity was seen to pose a threat to state security (DIAC Country Information Service 2007, *Country Information Report No.07/83 – CISQuest CHN9120 – ‘Shouters’ Christian group and Fujian Province*, (sourced from DFAT advice of 28 November 2007), 28 November – Attachment 21).

The RRT research response dated 3 April 2008 provides information on obtaining passports in China, including the situation for Uighurs (RRT Research & Information 2008, *Research Response CHN33052*, 3 April, (Question 4) – Attachment 4).

The RRT research response dated 2 December 2008 includes information on restrictions on freedom of movement for Uighurs within China (RRT Research & Information 2008, *Research Response CHN34048*, 2 December, (Questions 5 & 6) – Attachment 2).

7. Are there reports of classes of people who would be denied a passport to leave the country?

An RRT research response dated 24 July 2009 provides information on exit procedures and the issuing of passports in China (RRT Research & Information 2009, *Research Response CHN35125*, 24 July, (Question 4) – Attachment 22). The research response refers to a DFAT advice dated 16 December 2008 which includes information on persons who the passport issuing authority in China “shall refuse to issue a passport”. It is stated in the DFAT advice that:

B. Difficulty experienced by a person who had come to the adverse attention of the PRC government in obtaining a passport and/or leaving the country legally

Obtaining a passport

5. According to Passport Law of PRC, which came into force on 1 January 2007, the passport issuing authority shall refuse to issue a passport if the applicant:

- i. is not a PRC national;
- ii. cannot prove his or her identity;
- iii. practises fraud in the course of application;
- iv. has been punished for a crime and is serving a sentence;
- v. is not allowed to leave the country because of an unsettled civil case, as is notified by a people's court;
- vi. is a defendant in a criminal case or a criminal suspect; or
- vii. is a person whom the relevant competent department of the State Council believes will undermine national security or cause major losses to the interests of the State.

Leaving the country

6. According to Implementing Rules for the *Law of the PRC on Control of the Exit and Entry of Citizens*, the border inspection office shall have the right to forbid a person who falls into any of the following categories from leaving the country:

- i. those who hold no passports issued by the People's Republic of China or other entry-exit certificates;
- ii. holders of invalid passports or other invalid entry-exit certificates;
- iii. holders of forged or altered passports and certificates, or passport and certificates other than their own;
- iv. those who refuse to produce their certificates for examination.

7. We are aware of reports of Chinese citizens with legally-obtained passports being prevented from leaving China because the local security bureau believes them to be involved in a sensitive case or believes they will undermine national security.

8. In regard to members of Falun Gong, we have been advised by sources within the Ministry of Public Security that only those considered to be Falun Gong leaders are refused passports and hence would be prevented from leaving China legally. However, there is anecdotal evidence to suggest that the Chinese Government does act to prevent identified Falun Gong followers from leaving China. In many cases, Chinese citizens who have been identified by the Government as Falun Gong followers have their Chinese identity cards confiscated and hence are unable to obtain a passport and leave the country legally. Those that have not been identified by the Government as Falun Gong followers can obtain passports and leave the country legally (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 943 – China: RRT Information Request: CHN34077*, 16 December – Attachment 23).

A copy of the *Passport Law of the People's Republic of China 2006*, provided by DFAT with their advice dated 16 December 2008, is attached (*Passport Law of the People's Republic of China 2006* (Adopted 29 April 2006 & Promulgated 1 January 2007), Provided to the Refugee Review Tribunal by the Department of Foreign Affairs and Trade on 16 December 2008 – Attachment 24).

The US Department of State report on human rights practices in China for 2008 indicates that “[m]ost citizens could obtain passports, although those whom the government deemed threats, including religious leaders, political dissidents, and ethnic minorities were refused passports or otherwise prevented from traveling overseas.” According to the report:

The government permitted registered religions to train clergy and allowed an increasing number of Catholic and Protestant seminarians, Muslim clerics, and Buddhist clergy to go

abroad for additional religious studies, but some religion students had difficulty getting passports or obtaining approval to study abroad.

...The government permitted legal emigration and foreign travel for most citizens. There were reports that some academics faced travel restrictions around the year's sensitive anniversaries, particularly the anniversary of the Tiananmen Square massacre and the Olympics. Most citizens could obtain passports, although those whom the government deemed threats, including religious leaders, political dissidents, and ethnic minorities were refused passports or otherwise prevented from traveling overseas. In March prominent human rights lawyer Teng Biao told reporters that authorities seized his passport. On May 14, the Chaoyang People's Court in Beijing upheld an administrative decision that barred Yuan Weijing, the wife of lawyer Chen Guangcheng, from leaving the country in August 2007 to receive an award on her imprisoned husband's behalf. In July Tsering Woesser, a well-known Tibetan writer, filed a lawsuit against the government for denying her a passport for more than three years (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Sections 2(c) & (d) – Attachment 8).

The Congressional-Executive Commission on China 2008 annual report indicates that:

The Chinese government continues to restrict citizens' right to entry into and exit from the country, contravening international human rights standards. In the past year, authorities arbitrarily issued, confiscated, revoked, or denied the application for passports to activists deemed to pose a "possible threat to state security or national interests," which is inconsistent with Article 2 of the Passport Law (Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October, p. 114 – Attachment 13).

An RRT research response dated 24 September 2008 includes information on whether a person of interest to the Chinese authorities because of their Falun Gong activities would expect to face difficulties in gaining a passport or visa and in exiting the country (RRT Research & Information 2008, *Research Response CHN33784*, 24 September, (Question 2) – Attachment 25).

The RRT research response dated 17 July 2008 provides information on whether someone who had been detained for practicing his Muslim faith would be likely to be on an alert list for exit from the country, and whether Muslims have difficulty obtaining passports in Xinjiang Province (RRT Research & Information 2008, *Research Response CHN33558*, 17 July, (Questions 1 & 3) – Attachment 20).

The RRT research response dated 3 April 2008 includes information on whether a person of interest to the Chinese authorities would be able to obtain a passport (RRT Research & Information 2008, *Research Response CHN33052*, 3 April, (Question 4) – Attachment 4).

An RRT research response dated 30 October 2007 provides information on whether during 2006, the Chinese authorities would have prevented the departure of a person who had been arrested and detained because of pro-democracy activities (RRT Research & Information 2007, *Research Response CHN32423*, 30 October, (Question 11) – Attachment 26).

8. Are there reports about airport officials facilitating departures which might otherwise not be allowed?

An RRT research response dated 8 April 2009 looks at whether a wanted person using his own passport would be able to arrange departure from China through bribery (RRT Research & Information 2009, *Research Response CHN34712*, 8 April, (Question 4) – Attachment 27). The research response refers to the DFAT advice dated 16 December 2008, which includes information on the ease with which a passport could be obtained in China by payment of a bribe. According to the DFAT advice:

C. Ease with which a passport (issued in their own name) could be obtained illegally, i.e. by paying a bribe

9. Corruption is endemic in the Chinese bureaucracy, in particular at lower levels such as provincial Public Security Bureaus where passports are issued. We judge that in many cases it would be possible to obtain a passport illegally, for example by paying a bribe. A recent case in Guangxi province involved the payment of RMB12,000 per illegal passport. We are aware of a case where a Chinese citizen obtained officially-issued passports in two different names (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 943 – China: RRT Information Request: CHN34077*, 16 December – Attachment 23).

The US Department of State report on human rights practices in China for 2008 refers to corruption remaining “an endemic problem” and indicates that “[c]orruption plagued courts, law enforcement agencies, and other government agencies” (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Section 3 – Attachment 8).

The RRT research response dated 30 October 2007 provides information on whether a person in China whose passport had been confiscated by the authorities would be able to obtain a further passport in his name by paying money to local or provincial authorities (RRT Research & Information 2007, *Research Response CHN32423*, 30 October, (Question 10) – Attachment 26).

An Immigration and Refugee Board of Canada response to information request dated 14 June 2007 indicates that an August 2004 report published by the United States National Institute of Justice states that corrupt officials in China “tend[] to occupy such low-level but crucial government functions as passport inspectors at border checkpoints, clerical staff for passport applications, and officials who issue documents for residential or marital verification” (Immigration and Refugee Board of Canada 2007, *CHN102486.E – China: Reports of corrupt officials issuing fraudulent Resident Identity Cards to unsuspecting rural residents and selling the authentic ones to “snakeheads” on the black market (2004 - 2007)*, 14 June – Attachment 28).

Article 26 of the *Rules for the Implementation of the Law of the People’s Republic of China on the Control of the Exit and Entry of Citizens* promulgated on 26 December 1986 refers to penalties for Chinese officials who “are discovered to have taken advantage of their position and power, while executing ‘The Law of the People’s Republic of China on the Control of the Exit and Entry of Citizens’ and these Implementation Rules, to demand or accept bribes or to have committed other acts of dereliction of duty”:

Article 26

In the event that personnel of public security departments are discovered to have taken advantage of their position and power, while executing “The Law of the People’s Republic of China on the Control of the Exit and Entry of Citizens” and these Implementation Rules, to demand or accept bribes or to have committed other acts of dereliction of duty, a disciplinary

sanction shall be imposed on them by the competent authorities at their discretion, if the circumstances are minor; if the case is serious and a crime is constituted, the criminal responsibilities of the offenders shall be investigated in accordance with the relevant provisions of “The Criminal Law of the People’s Republic of China” (*Rules for the Implementation of the Law of the People’s Republic of China on the Control of the Exit and Entry of Citizens* (Approved 3 December 1986 & Promulgated 26 December 1986), Provided to the Refugee Review Tribunal by the Department of Foreign Affairs and Trade on 16 September 2008 – Attachment 29).

9. Are there reports of forcible relocation of girls to provide cheap labour, including in respect of Uighurs?

An article dated 6 August 2009 on the Congressional-Executive Commission on China website which provides information on the July 2009 demonstration in the XUAR “to protest authorities’ handling of a reported attack on Uyghur factory workers by Han factory workers in late June in Guangdong province”, indicates that “[d]etails of the demonstration and the incident in Guangdong also shed light on ongoing labor rights abuses in the region.” According to the article:

The Uyghur factory workers in Guangdong were part of government-organized programs to send laborers in the XUAR to factory jobs in the interior of China, as reported in the June 30 China Daily [article](#). As noted in the CECC 2008 Annual Report, government authorities maintain programs that send young ethnic minorities to work in factories in China’s interior, where some workers have reported abusive labor conditions. Overseas sources have reported cases of local authorities coercing participation and of factories mistreating workers. In a series of reports from Radio Free Asia in Spring 2009, some girls and women in the program continued to report on abusive labor practices including the use of coercion by local officials to gain their participation and abusive working conditions. (See, e.g., March [5](#) and March [20](#) Uyghur-language reports and a May 12 English-language [report](#). For Chinese reporting on labor issues in the region, including participation in government-sponsored programs, see, e.g., a January 12 [report](#) from Tianshan Net. For additional information, see also a July 6 [report](#) from China Labor Watch and February 8, 2008 [report](#) from the Uyghur Human Rights Project (Congressional-Executive Commission on China 2009, ‘Xinjiang Authorities Forcefully Suppress Demonstration, Restrict Free Flow of Information’, CECC website, 6 August <http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingl=125582> – Accessed 21 September 2009 – Attachment 30).

The Amnesty International report dated April 2009 indicates that “[t]he XUAR is the only area of China where the general population (non-prisoners) is systematically subject to a government policy of forced labour.” It is stated in the report that:

The XUAR is the only area of China where the general population (non-prisoners) is systematically subject to a government policy of forced labour. Under a system referred to as “hashar”, farming families are fined if they fail to send a family member, sometimes several times each year, to labour on agricultural, infrastructural and other public works for up to two to three weeks at a time. The individuals are given no compensation for their labour, no room or board, and are expected to pay their own transportation costs. Many describe sleeping out in the open and eating nothing but instant noodles for days while doing hard labour. Families that do not have an able-bodied young man to send are not exempt - men and women as old as 70, and children as young as 12, are reported by Uighurs to have participated (Amnesty International 2009, *Uighur Ethnic Identity under threat in China*, April, ASA 17/010/2009 – Attachment 1).

An addendum on labour conditions in Xinjiang in the Congressional-Executive Commission on China 2008 annual report provides the following information on labour transfers, forced labour and work-study programmes in the XUAR:

Labor Transfers

While the Chinese government continues to fill local jobs in the XUAR with migrant labor, it also maintains programs that send young ethnic minorities to work in factories in China's interior under conditions reported to be abusive. Overseas sources indicate that local authorities have coerced participation and mistreated workers. According to a 2008 report issued by an overseas human rights organization, local officials, following direction from higher levels of government, have used "deception, pressure, and threats" toward young women and their families to gain recruits into the labor transfer program. Women interviewed for the report described working under abusive labor conditions after being transferred to interior factories through the state-sponsored programs. In 2007, Radio Free Asia (RFA) reported on local authorities who recruited women under false pretenses to work in Shandong province.

Forced Labor

In 2007 and 2008, overseas media reported that authorities in the XUAR continued to impose forced labor on area farmers. According to reports from RFA, based on official Chinese sources and on information provided through interviews with officials and residents in the XUAR, in 2007 authorities in Yeken (Yarkand) county required 100,000 farmers to turn uncultivated land into a nut production base. The farmers, whose work included building roadways, forest belts, and irrigation canals, reportedly received no pay for their work. One resident interviewed by RFA said that residents who refused to do the work were fined for each day of labor missed. The Kashgar district government, which publicized information about the land cultivation project, including the scope of labor involved and the projects completed, did not describe how the labor force was recruited or compensated. Authorities reportedly continued to carry out forced labor in 2008, requiring local residents in the southern XUAR to plant trees and build irrigation works.

"Work-Study" Programs

The XUAR government imposes forced labor on local students to meet yearly harvesting quotas. Acting under central government authority bolstered by local legal directives, XUAR authorities implement the use of student labor, including labor by young children, via work-study programs to harvest crops and do other work. Students work under arduous conditions and do not receive pay for their work. While "work-study" programs exist elsewhere in China, the XUAR work-study program also reflects features unique to the region. The central government holds close control over both the general XUAR economy and through its directly administered Xinjiang Production and Construction Corps farms, where some of the region's cotton is harvested. The central government placed special focus on supporting the XUAR's cotton industry during its 11th Five-Year Program, and central, rather than local, authorities reportedly made the decision to launch the comprehensive workstudy program to pick cotton in the XUAR. In 2007, Chinese media reported that work-study programs requiring students to pick cotton have decreased in recent years, but also reported that some 1 million students picked cotton in the region that year (Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October, pp. 179-180 – Attachment 13).

The Amnesty International 2008 report on China indicates that "[t]he authorities pursued a policy of large-scale Han Chinese migration to XUAR to address alleged labour shortages, while large numbers of young Uighur women and girls – reportedly more than 200,000 –

were sent to work in factories in eastern China, often coerced by local authorities and under harsh conditions with low pay” (Amnesty International 2008, *Amnesty International Report 2008 – China*, 28 May – Attachment 18).

An article dated 6 March 2008 on the Islamic Human Rights Commission website refers to Uighur women being targeted by a “large-scale government programme aimed at transferring them to [sic] from rural to urban areas for forced labour.” The article includes information on the size of the programme, the methods used by the Chinese authorities to ensure the women’s participation in the programme, and the women’s work conditions (Islamic Human Rights Commission 2008, ‘Young-Uyghur Women Transferred from Rural China for Forced Labour in Eastern Urban Areas’, IHRC website, 6 March <http://ihrc.org.uk/show.php?id=3227> – Accessed 26 October 2009 – Attachment 31).

10. Are there restrictions on journalists and on travel to and from Xinjiang by others which could indicate that reports of what is occurring are very incomplete?

A *BBC News* article dated 5 October 2009 refers to a television team being followed by police when “[t]hree months after the fierce outbreak of ethnic violence in the Western Chinese region of Xinjiang,” they visited “Xinjiang’s two main cities, Urumqi and Kashgar.” According to the article:

The authorities are very nervous about the presence of foreign journalists.

Everywhere we went in Urumqi my television team and I were followed, sometimes by three unmarked police cars at a time.

And when we flew on to Kashgar, where many of the more militant Uighurs involved in the riots came from, the police detained us at the airport.

We were allowed to stay in Kashgar until the next morning, but everywhere we went a contingent of police followed us and prevented our filming or interviewing anyone.

It was clear they thought we had come to meet Islamic fundamentalists, and were determined to stop us.

That night, we were kept under house arrest at a hotel in the centre of Kashgar (Simpson, J. 2009, ‘A tale of two cities under siege’, *BBC News*, 5 October <http://news.bbc.co.uk/2/hi/asia-pacific/8291648.stm> - Accessed 23 October 2009 – Attachment 32).

The Human Rights Watch report dated October 2009 includes information on steps taken by the Chinese authorities to control information in the aftermath of the July 2009 protests in Xinjiang. It is stated in the report that:

In the aftermath of the Urumqi protests, Chinese authorities sought to tightly control the flow of information out of the region.

Within hours of the protests, internet access was cut across Xinjiang; incoming and outgoing international telephone calls were blocked; and within 48 hours text messaging services were also suspended.

Real-time reports from Urumqi posted on the web were removed in a matter of minutes, according to people who were monitoring the situation on the web at the time of the unrest.

The web publishers had to exercise painstaking self-censorship in their reporting on the events, knowing that otherwise their entire websites would be blocked.

Reporters Sans Frontieres (RSF) condemned the blocking of more than 50 online Uighur forums and online discussion groups, including Uyghur Online, as well as social networking sites such as Facebook, Twitter, YouTube, and MSN messenger. While the authorities claimed the move was necessary to prevent communication between the rioters, it mainly served to eliminate alternative sources of information.

In contrast to the Tibet protests in 2008, however, the authorities allowed foreign journalists access to Urumqi, set up a press center to facilitate their work, and held regular news briefings with local authorities. In an effort to demonstrate their commitment to transparency, the national and provincial propaganda officials announced that they have “resolutely implemented the central authorities’ demand for open and orderly newsgathering by overseas reporters and strived to provide service and exercise supervision according to the law.”

Foreign journalists were able to conduct interviews with victims and witnesses of the violence, but they had limited access to other information, in particular, about the arrests that followed the protests. Those who sought information beyond what the government was willing to share were stopped, and, in some cases, detained and escorted out of the region.

For example, a reporter for Radio Free Asia was detained when she tried to take photos of police detaining Uighurs near the Urumqi Grand Bazaar. Another group of foreign journalists were detained while they were covering the Uighur protest on July 10, 2009, when the government refused to open mosques in Urumqi for Friday prayers. Journalists who tried to visit Kashgar, another town where Uighur protests reportedly had taken place, were promptly detained, escorted to the airport and ordered to leave.

Official Chinese publications repeatedly accused Western media of biased and misguided reporting on the protests, expressing particular outrage with reports that linked the long-term grievances of the Uighur minority in Xinjiang to the outbreak of violence. At the same time, Chinese authorities used both the official media and other means of mass propaganda to promote the government version of events and downplay the ethnic nature of the protests. CCTV, Xinhua News Agency, and other Chinese media carried numerous reports of Uighur violence along with commentary suggesting that the violence was instigated from abroad (Human Rights Watch 2009, *“We Are Afraid to Even Look for Them”*: *Enforced Disappearances in the Wake of Xinjiang’s Protests*, October, pp. 15-17 <http://www.hrw.org/sites/default/files/reports/xinjiang1009webwcover.pdf> - Accessed 22 October 2009 – Attachment 6).

An article dated 29 September 2009 on the Reporters Without Borders website indicates that “new regulations have just been issued for combating online separatism in the far-western province of Xinjiang.” The article also indicates that “Xinjiang residents have been cut off from the Internet for almost three months”. According to the article:

A Reporters Without Borders study of Uyghur-language and Xinjiang-based websites has established that the clampdown imposed during last July’s rioting in the province has not been loosened. Most of the sites that existed before the unrest are either still inaccessible or their content has not been updated. Of the 65 sites included in the study, 54 are still blocked for Internet users in China or abroad.

Even Tianshannet.com, a Xinjiang-based website that was held up by the authorities as an example of a site that respected the regulations, is no longer accessible. Xinjiang residents have been cut off from the Internet for almost three months and Uyghurs are being deprived

of all news and information that is independent of the official media (Reporters Without Borders 2009, 'Censorship and attacks on journalists in run-up to 1 October anniversary', Reporters Without Borders website, 29 September <http://www.rsf.org/Censorship-and-attacks-on.html> - Accessed 16 October 2009 – Attachment 33).

Another article dated 9 September 2009 on the Reporters Without Borders website refers to journalists being beaten and detained and their equipment seized in Xinjiang on 4 September 2009. The article indicates that:

Three duly-accredited Hong Kong journalists covering the ethnic violence in Urumqi, the capital of the far-western province of Xinjiang, were beaten by anti-riot police on 4 September as they were trying to get away from tear gas the police had just fired. The journalists were forced to remain lying on the ground with their hands tied for 20 minutes. *TVB* reporter **Lam Tsz-Ho** said the police beat them with batons and confiscated the video they had recorded.

Five other Hong Kong reporters, including two *RTHK* television correspondents, were briefly arrested in Urumqi the same day, and the police seized the equipment of an *Associated Press* Television News crew, preventing them from filming the protests. The equipment was not returned for five hours (Reporters Without Borders 2009, 'Physical attacks and harassment of journalists in Xinjiang and Guangdong', Reporters Without Borders website, 9 September <http://www.rsf.org/Physical-attacks-and-harassment-of.html> - Accessed 16 October 2009 – Attachment 34).

The article dated 6 August 2009 on the Congressional-Executive Commission on China website provides information on government control of the reporting of the July 2009 demonstration in the XUAR (Congressional-Executive Commission on China 2009, 'Xinjiang Authorities Forcefully Suppress Demonstration, Restrict Free Flow of Information', CECC website, 6 August <http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=125582> – Accessed 21 September 2009 – Attachment 30). The article refers to a report in *The New York Times* dated 7 July 2009 (8 July 2009 on the printed version), which includes information on the Chinese government inviting "foreign journalists on an official trip to Urumqi, Xinjiang's capital and the site of the unrest" in the wake of the violence in Xinjiang. Xiao Qiang, an adjunct professor at the University of California at Berkeley, said that "the Chinese appear to have decided that it is better to give the world a supervised peek at the nation's problems — Uighur gate-crashing included — than to remain silent and let Beijing's critics set the news agenda." According to the article:

In Urumqi this week, the official response to one of the most violent riots in decades has taken two divergent paths. Internally, censors tightly controlled media coverage of the unrest and sought to disable the social networks that opponents might use to organize more demonstrations. Cellphone calls to Urumqi and nearby areas have largely been blocked. Twitter was shut down nationwide at midday Monday; a Chinese equivalent, Fanfou, was running, but Urumqi-related searches were blocked.

Chinese search engines no longer give replies for searches related to the violence. Results of a Google search on Monday for "Xinjiang rioting" turned up many links that had already been deleted on such well-trafficked Chinese Internet forums as Mop and Tianya.

State television has focused primarily, though not totally, on scenes of violence directed against China's ethnic Han majority. Chinese news Web sites carry official accounts of the unrest, but readers are generally blocked from posting comments.

As in Tibet, blame for the violence has been aimed at outside agitators bent on splitting China — in this case, the World Uighur Congress, an exile group whose president, Rebiya Kadeer, is a Uighur businesswoman now living in Washington.

...On the surface, at least, the government's approach to the outside world has been markedly different. By Monday morning, the State Council Information Office, the top-level government public-relations agency, had invited foreign journalists to Urumqi to report firsthand on the riots.

Scores of arriving journalists were escorted by bus to a downtown hotel, where they were offered a two-page summary that blamed Uighur separatists led by Ms. Kadeer for starting the riots. Officials gave photographers compact discs filled with bloody images, videos and television "screen grabs" from the riot.

...Journalists were invited Tuesday morning on a government-escorted tour of one of the Uighur neighborhoods hit hardest by the violence. But they were explicitly barred from conducting any interviews without government minders present, and television journalists who sought to wander on their own were reported to have been stopped by police or paramilitary officers who demanded that they turn over their film (Wines, M. 2009, 'In Latest Upheaval, China Applies New Strategies to Control Flow of Information', *The New York Times*, 7 July http://www.nytimes.com/2009/07/08/world/asia/08beijing.html?_r=3&hp – Accessed 16 October 2009 – Attachment 35).

A *BBC News* article dated 8 July 2009 in relation to the July 2009 violence in Xinjiang indicates that "[f]oreign journalists arriving in Urumqi were offered official trips to the hospital and to some of the parts of the city worst affected by the violence accompanied by official minders, but other than that they were free to move around the city as they wished." The article also indicates that "Zhou Bing, a political commentator in Hong Kong," believed "that the authorities in Beijing had a clear message they wanted to get out." The article continues:

"They wanted the rest of the world to understand that this was a clash between two ethnic groups, rather than a separatist movement, to frame it as people fighting over local issues, not independence," he said.

He said they decided that by allowing the foreign journalists into the hospitals to see the victims, or to talk to Han Chinese and Uighurs on the streets, the foreigners would start to share that view.

...For Chinese journalists reporting for the domestic media, there was less freedom. Their reports were censored, as they always are by the central authorities.

...One other notable response from the authorities to Sunday's clashes, was their efforts to shut down the internet in Xinjiang and to prevent a free exchange of information on the web throughout China about that violence.

...So while they tolerate the demands of the "traditional" overseas media, and go a long way towards facilitating their coverage of the story, they have clamped down on "new media" sources on the internet - either by blocking access to sites completely, or by removing comments or posts referring to Xinjiang.

They fear unrest within their own borders far more than they do public opinion in other countries (Hogg, C. 2009, 'China seeks control through openness', *BBC News*, 8 July

<http://news.bbc.co.uk/2/hi/asia-pacific/8140901.stm> - Accessed 23 October 2009 – Attachment 36).

An article dated 13 July 2009 on the Committee to Protect Journalists website also refers to the authorities in Xinjiang being “unusually welcoming toward Chinese and foreign journalists covering the unrest” which “broke out in Urumqi on July 5” between Han Chinese and Muslim Uighurs. “Yet the apparent openness was accompanied by a broad shutdown of Internet and mobile phone connections”. The article also refers to a Uighur academic being reportedly detained and journalists detained and expelled from Xinjiang. It is stated in the article that:

Chinese police should halt the detentions of journalists reporting on ethnic violence in Xinjiang and reveal the whereabouts of a Uighur academic and Internet commentator who is missing and reportedly detained in Beijing, the Committee to Protect Journalists said today.

The Beijing-based academic and blogger Ilham Tohti, a Uighur, has been missing since July 8 when he told a friend he had received a notice of detention, according to international news reports. On July 6, Beijing public security officials questioned Tohti, founder of the [Uighurbiz](#) Web site, about recent postings on his site, a Chinese-language information portal and forum about Uighur issues, according to international news reports.

Police in Xinjiang detained reporter Heidi Siu, a reporter for Radio Free Asia’s Cantonese language service, for two days before deporting her to Hong Kong on Sunday, according to Dan Southerland, a RFA senior editor. Siu, a Canadian citizen whose Chinese name is Siu Chun Yee, was detained on July 10 while she was taking pictures of police moving to arrest Uighurs, according to Southerland. The journalist’s arrest was reported after she was allowed to return briefly to the press center in Urumqi under police escort, Southerland told CPJ by e-mail.

In separate incidents on July 10, police in Kashgar detained AP photographer Elizabeth Dalziel and two Agence France-Presse reporters who were not identified. Police expelled them, citing the risk of violence spreading from the capital, Urumqi, according to AFP and the [Foreign Correspondents Club of China](#). In a July 11 statement, the club said at least four foreign journalists had been detained for hours in Urumqi (Committee to Protect Journalists 2009, ‘Xinjiang reporters detained; Beijing commentator missing’, CPJ website, 13 July <http://cpj.org/2009/07/journalists-detained-in-xinjiang-commentator-missi.php> - Accessed 16 October 2009 – Attachment 37).

Another article dated 2 July 2009 on the Congressional-Executive Commission on China website includes the following information on censorship in the XUAR:

Authorities in the Xinjiang Uyghur Autonomous Region (XUAR) continued in 2009 to engage in censorship campaigns and punish people for peaceful expression and assembly. Authorities outside the XUAR also participated in the censorship of a Web site devoted to Uyghur issues. The measures continue a longstanding trend in [blocking](#) and [punishing](#) free expression in the XUAR, especially among the Uyghur ethnic group. The continued controls also come amid a year of [heightened government repression](#) in the region. See below for information on recently reported government efforts to block and penalize free expression and assembly, as well as for a newly reported development in the case of imprisoned Uyghur writer Nurmemet Yasin.

Censorship Campaigns

In 2008, XUAR authorities made ["illegal" political and religious publications](#) the focal point for that year’s campaign to [“Sweep Away Pornography and Strike Down Illegal](#)

[Publications](#).” In late 2008 and early 2009, authorities reported on the continuation of censorship campaigns that included focus on “illegal” political and religious publications.

...Repeated Shutdown of “Uyghur Biz” Web site, Webmaster Questioned

In March, authorities repeatedly shut down the multi-language Web site Uyghur Biz (also known as Uyghur Online) and interrogated Beijing-based Uyghur scholar Ilham Toxti, who runs the site, according to reports from Radio Free Asia (RFA). (See [March 6](#), [March 26](#), and [May 12](#) English-language reports and March [5](#), [6](#), and [24](#) Uyghur-language reports.) Ilham Toxti reported that authorities accused him of separatism, according to the May 12 report. Authorities initially shut down the site in early March, after Ilham Toxti gave an interview criticizing government administration in the XUAR. Based on CECC monitoring, the Mandarin-language version of the Web site was available again on March 9 and the Uyghur-language version on March 10. CECC monitoring found that the site was again closed on March 20, one day after the site hosted an article by Ilham Toxti stating that XUAR government chairperson Nur Bekri was unfit for his job. The Internet censorship follows the closure of Uyghur Biz in mid-2008, as reported in a June 12, 2008, RFA [article](#), and also follows the [closure of some Uyghur-language bulletin board services during the 2008 Beijing Summer Olympic Games](#). According to the March 26 RFA article, the Uyghur Biz Web site has been shut down a total of six times since Ilham Toxti first started the site in 2006.

Penalizing Free Expression and Assembly

Several reports from March and April 2009 described steps to punish people for exercising their right to distribute information or organize protests:

- According to April reports from Radio Free Asia (RFA), authorities in Turpan municipality detained Ekberjan Jamal, a young Uyghur man, on December 25, 2007, after he had used his cell phone to make audio recordings of November 2007 shopkeepers’ demonstrations in Turpan and sent the recordings to friends overseas. (See an April 15 English-language [report](#) and April [13](#) and [14](#) Uyghur-language reports.) His friends gave the recordings to Hong Kong-based Phoenix News and to RFA. (See 2007 RFA articles about the demonstrations dated November [1](#), [2](#), and [26](#).) Ekberjan Jamal later posted on his own Web site the news based on his audio recordings. The Turpan Intermediate People’s Court sentenced Ekberjan Jamal to 10 years in prison on February 28, 2008, for splittism and revealing state secrets, crimes under articles 103 and 111 of the [Criminal Law](#). He is being held in the Xinjiang Number 4 prison in Urumqi, according to the RFA reports.
- Chinese state-run media reported in March that procuratorate officials approved the arrest of and initiated prosecution against a young man, identified only as “Ya,” after he allegedly “spread rumors” on the Internet about a clash that broke out in January at an Internet Café in Shayar county, Aqsu district. (See a March 16 report from [Tianshan Net](#) and a March 17 report from [Xinhua](#), via China Daily.) The reports said that “Ya” fabricated the nature of the clash, reporting that Han Chinese had beaten and killed a Uyghur youth, describing police indifference to the matter, and reporting that over 500 Uyghurs took to the streets to demonstrate. The Tianshan Net report said that “Ya’s” article was then used by “separatist” Web sites overseas that aimed to “disrupt ethnic unity” and “influence social stability.” (For reports on the incident by RFA after the clash broke out in late January, see a February 6 [article](#) as well as RFA Uyghur-language articles from [January 30](#), [February 3](#), and [February 4](#). See also a [January 31](#) report from the East Turkistan Information Center (Congressional-Executive Commission on China 2009, ‘Xinjiang Authorities Block, Punish Free Expression’, CECC website, 2 July <http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=119624> – Accessed 14 October 2009 – Attachment 38).

The US Department of State report on human rights practices in China for 2008 indicates that:

Media outlets received regular guidance from the Central Propaganda Department, which listed topics that should not be covered, including politically sensitive topics... According to the directive, Chinese journalists were barred from reporting on the lifting of censorship of foreign Web sites during the Olympics, the private lives of visiting heads of state, and Tibetan and Uighur separatist movements, among other topics.

...In October the government permanently adopted the Olympics-related temporary regulations that expanded press freedoms for foreign media. In a September 17 statement, the Foreign Correspondent's Club of China (FCCC) noted some improvements in government transparency, including the release of more official data, especially on environmental matters, and increased access to government officials. However, the FCCC also reported that local authorities continued to infringe upon the freedom of foreign journalists to travel and conduct interviews, and that during the year harassment of foreign journalists rose sharply, particularly in the weeks before and during the Olympics. Between July 25, when the Olympics media center opened, and August 23, the day before the Olympics closing ceremony, the FCCC reported 30 cases of "reporting interference."... In Kashgar, XUAR police detained and beat two Japanese journalists attempting to cover the aftermath of an August 4 deadly attack on a People's Armed Police unit. From August 8 to 11, a foreign writer and photographer and a foreign photojournalist were detained and searched repeatedly while attempting to cover bombings in the Xinjiang Province.

...A domestic journalist can face demotion or job loss for publishing views that challenge the government... In August Mehbube Ablesh, a Uighur writer, poet, and employee of Xinjiang People's Radio, was fired from her post and detained by police after posting articles online that criticized the central government and provincial leaders.

...The authorities continued to jam, with varying degrees of success, Chinese-, Uighur-, and Tibetan-language broadcasts of the Voice of America (VOA), Radio Free Asia (RFA), and the BBC (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – China (includes Tibet, Hong Kong, and Macau)*, February, Section 2(a) – Attachment 8).

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UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

Congressional-Executive Commission on China <http://www.cecc.gov/index.php>

United Nations (UN)

UN High Commissioner for Refugees (UNHCR) Refworld

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain>

Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org>

Reporters Without Borders http://www.rsf.org/spip.php?page=rubrique&id_rubrique=2

Committee to Protect Journalists <http://cpj.org/>

Islamic Human Rights Commission <http://ihrc.org.uk/index.php>

International News & Politics

BBC News <http://news.bbc.co.uk>

Topic Specific Links

Islamic Finder <http://www.islamicfinder.org/>

Region Specific Links

Search Engines

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

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

MRT-RRT Library Catalogue

List of Attachments

1. Amnesty International 2009, *Uighur Ethnic Identity under threat in China*, April, ASA 17/010/2009.
2. RRT Research & Information 2008, *Research Response CHN34048*, 2 December.
3. Human Rights Watch 2005, *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, April, Vol. 17, No. 2(C).
4. RRT Research & Information 2008, *Research Response CHN33052*, 3 April.
5. RRT Country Research 2007, *Research Response CHN31450*, 14 March.
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