



“Break Their Lineage, Break Their Roots”

Chinese Government Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims

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Summary

Break their lineage, break their roots, break their connections, and break their origins. Completely shovel up the roots of “two-faced people,” dig them out, and vow to fight these two-faced people until the end.

—Maisumujiang Maimuer, Chinese religious affairs official, August 10, 2017, on a Xinhua Weibo page

In May 2014, the Chinese government launched the “Strike Hard Campaign against Violent Terrorism” (严厉打击暴力恐怖活动专项行动) in the Xinjiang Uyghur Autonomous Region (Xinjiang or XUAR) against Uyghurs and other Turkic Muslims.¹ Research by Stanford Law School’s Human Rights & Conflict Resolution Clinic and Human Rights Watch, along with reports by human rights organizations, the media, activist groups, and others, and internal Chinese Communist Party (CCP) documents, show that the Chinese government has committed—and continues to commit—crimes against humanity against the Turkic Muslim population.²

This report sets forth the factual basis for that conclusion, assessing available information about Chinese government actions in Xinjiang within the international legal framework.

Under the Rome Statute of the International Criminal Court (ICC), crimes against humanity are serious specified offenses that are knowingly committed as part of a widespread or systematic attack against any civilian population. “Widespread” refers to the scale of the acts or number of victims. A “systematic” attack indicates a pattern or methodical plan. Crimes against humanity can be committed during peace time as well as during armed conflict, so long as they are directed against a civilian population.

¹ The region is home to several different communities of Turkic Muslims; the two biggest groups are 11 million Uyghurs and 1.6 million Kazakhs. There are also smaller communities of Kyrgyz and others. Human Rights Watch has documented abuses against members of each of these communities, including arbitrary detention in “political education” camps. For this report, we use the term Turkic Muslims to refer to all members of the community targeted by Chinese government policies.

² See Bethany Allen-Ebrahimian, “Exposed: China’s Operating Manuals For Mass Internment And Arrest By Algorithm,” International Consortium of Journalists, November 24, 2019, <https://www.icij.org/investigations/china-cables/exposed-chinas-operating-manuals-for-mass-internment-and-arrest-by-algorithm/>; Steven Lee Myers, “China Defends Crackdown on Muslims, and Criticizes Times Article,” *New York Times*, November 18, 2019, <https://www.nytimes.com/2019/11/18/world/asia/china-xinjiang-muslims-leak.html>; Uyghur Human Rights Project, “The Mass Internment of Uyghurs: ‘We want to be respected as humans. Is it too much to ask?’” <https://uhrp.org/press-release/mass-internment-uyghurs-%E2%80%9Cwe-want-be-respected-humans-it-too-much-ask%E2%80%9D.html>.

Crimes against humanity are considered among the gravest human rights abuses under international law. The specific crimes against humanity documented in this report include imprisonment or other deprivation of liberty in violation of international law; persecution of an identifiable ethnic or religious group; enforced disappearance; torture; murder; and alleged inhumane acts intentionally causing great suffering or serious injury to mental or physical health, notably forced labor and sexual violence.

The Xinjiang Uyghur Autonomous Region, located in China's northwest, is the only region in China with a majority Muslim population. The Uyghurs, Kazakhs, Kyrgyz, and other communities in the region are ethnically Turkic. Unlike the majority Han Chinese, who are primarily Chinese speakers, the Turkic population is predominantly Muslim and have their own languages. According to the 2010 census, Uyghurs made up 46 percent and Kazakhs 7 percent of the Xinjiang population.

The Chinese government's oppression of Turkic Muslims is not a new phenomenon, but in recent years has reached unprecedented levels. As many as a million people have been arbitrarily detained in 300 to 400 facilities,³ which include "political education" camps, pretrial detention centers, and prisons.⁴ Courts have handed down harsh prison sentences without due process, sentencing Turkic Muslims to years in prison merely for sending an Islamic religious recording to a family member or downloading e-books in Uyghur. Detainees and prisoners are subjected to torture and other ill-treatment, cultural and political indoctrination, and forced labor. The oppression continues outside the detention facilities: the Chinese authorities impose on Turkic Muslims a pervasive system of mass surveillance, controls on movement, arbitrary arrest and enforced disappearance, cultural and religious erasure, and family separation.

The United States State Department and the parliaments of Belgium, Canada, and the Netherlands have determined that China's conduct also constitutes genocide under international law. Human Rights Watch has not documented the existence of the necessary genocidal intent at this time. Nonetheless, nothing in this report precludes such a finding

³ Alison Killing, Megha Rajagopalan, and Christo Buschek, "Blacked-Out Spots On China's Maps Helped Us Uncover Xinjiang's Camps," *Buzzfeed News*, August 27, 2020, https://www.buzzfeednews.com/article/alison_killing/satellite-images-investigation-xinjiang-detention-camps; Kelsey Munro, "Xinjiang Data Project website launch," Australian Strategic Policy Institute, September 25, 2020, <https://www.aspi.org.au/news/xinjiang-data-project-website-launch>.

⁴ Fergus Ryan, Danielle Cave, and Nathan Ruser, "Xinjiang's Re-education Camps," Australian Strategic Policy Institute, November 1, 2018, <https://www.aspi.org.au/report/mapping-xinjiangs-re-education-camps>.

and, if such evidence were to emerge, the acts being committed against Turkic Muslims in Xinjiang—a group protected by the 1948 Genocide Convention—could also support a finding of genocide.

In 2017, according to official statistics, arrests in Xinjiang accounted for nearly 21 percent of all arrests in China, despite people in Xinjiang making up only 1.5 percent of the total population. Since 2017, Chinese authorities have used various pretexts to damage or destroy two-thirds of Xinjiang’s mosques; about half of those have been demolished outright. Important Islamic sacred sites have been demolished across the region.⁵ As part of regional authorities’ intrusive “Becoming Families” surveillance, development, and indoctrination campaign, officials impose themselves for overnight stays at the homes of Turkic Muslims, a practice that authorities say “promote[s] ethnic unity.” In another particularly chilling practice, some Turkic Muslim children whose parents have been arbitrarily detained are placed in state institutions such as orphanages and boarding schools, including boarding preschools.⁶

The global response to these abuses has been increasingly critical. Some governments, such as Canada, the European Union, the United Kingdom, and the US, have imposed targeted and other sanctions on Chinese government officials, agencies, and companies implicated in rights violations. Increasingly, governments are joining statements at the United Nations Human Rights Council and the Third Committee, the human rights arm of the UN General Assembly, to condemn Chinese government policy. Nonetheless, many governments, including several members of the Organisation for Islamic Cooperation, still praise the Chinese government’s Xinjiang policies.

In July 2019, two dozen governments sent a letter to the Human Rights Council president urging “meaningful access” for the UN high commissioner for human rights to Xinjiang, and monitoring and reporting on alleged abuses against the Muslim population.⁷ The Chinese government responded by coordinating, though not itself joining, a letter signed

⁵ Nathan Ruser, James Leibold, Kelsey Munro, and Tilla Hoja, “Cultural Erasure,” Australian Strategic Policy Institute, September 23, 2020, <https://www.aspi.org.au/report/cultural-erasure>.

⁶ Adrian Zenz, “Break Their Roots: Evidence for China’s Parent-Child Separation Campaign in Xinjiang,” *Journal of Political Risk*, vol. 7, no. 7, July 2019.

⁷ Joint letter to the Human Rights Council president on Xinjiang, July 2019, https://www.hrw.org/sites/default/files/supporting_resources/190708_joint_statement_xinjiang.pdf.

by 50 countries, including Iran, North Korea, Saudi Arabia, Venezuela, and other states with poor human rights records.⁸ In November 2019, a similar group of governments delivered a similar statement of concern at the UN Third Committee. China responded with a letter signed by 54 countries.⁹

Throughout 2020, reports of abuses in Xinjiang increased, making it harder for governments to deny or avoid. In June 2020, 50 UN special procedures—special rapporteurs, working groups, and other human rights experts—issued a searing indictment of China’s human rights record, including the Chinese government’s “collective repression” of religious and ethnic minorities in Xinjiang and Tibet. The experts called for a special session of the Human Rights Council on China, for the creation of a dedicated UN monitoring mechanism on China, and for UN agencies and governments to press China to meet its human rights obligations.¹⁰ In October 2020, a cross-regional group of 39 governments issued a stinging public rebuke of the Chinese government’s widespread human rights violations in Xinjiang, Hong Kong, and Tibet. The statement largely endorsed the call by the 50 UN special procedures.¹¹ Instead of committing to investigate the allegations, the Chinese government responded with two separate statements, including one on Xinjiang read out by Cuba and signed by 45 countries.¹²

Investigating China’s Crimes against Humanity

Ensuring justice for serious violations of human rights is the responsibility of the state that has jurisdiction over the area in which the crimes were committed. The state is obligated to ensure that domestic criminal justice mechanisms impartially investigate the alleged violations and identify and prosecute the individuals responsible in accordance with international fair-trial standards. The Chinese government has repeatedly denied that

⁸ Nick Cumming-Bruce, “China’s Retort Over Its Mass Detentions: Praise From Russia and Saudi Arabia,” *New York Times*, July 12, 2019, <https://www.nytimes.com/2019/07/12/world/asia/china-human-rights-united-nations.html>.

⁹ “54 countries voice support for China’s counter-terrorism measures in Xinjiang,” *Xinhua*, October 30, 2019, http://www.xinhuanet.com/english/2019-10/30/c_138514935.htm.

¹⁰ “UN experts call for decisive measures to protect fundamental freedoms in China,” June 26, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006>.

¹¹ Statement by Ambassador Christoph Heusgen on behalf of 39 Countries in the Third Committee General Debate, October 6, 2020, <https://new-york-un.diplo.de/un-en/news-corner/201006-heusgen-china/2402648>.

¹² Cuba Made a Joint Statement on Behalf of 45 Countries in Firm Support of China’s Counter-Terrorism and Deradicalization Measures in Xinjiang, October 6, 2020, <http://chnun.chinamission.org.cn/eng/hyyfy/t1822121.htm>.

officials have committed abuses in Xinjiang and has been unwilling to conduct investigations or permitted independent international monitors to do so.

Historically, governments that fail to conduct investigations into serious human rights violations frequently invoke state sovereignty when other authorities, such as UN bodies or regional bodies, have sought to conduct investigations. Under the Rome Statute of the International Criminal Court, which went into effect in 2002, the court is empowered to investigate and prosecute individuals alleged to be most responsible for grave international crimes, including crimes against humanity, when the state with primary jurisdiction is unwilling or are unable to do so. Then the ICC can undertake a criminal investigation and prosecution if the suspected perpetrators are citizens of a state that is party to the ICC treaty, if the alleged violations are committed in the territory of an ICC member state, or if a non-member state asks the ICC to consider violations committed on its territory. China is not a party to the ICC statute. While the ICC could assume jurisdiction if the UN Security Council refers the situation in Xinjiang to the court, because China is a permanent member of the Security Council, its veto power could thwart such an action.

Given the gravity of the abuses against Turkic Muslims, there is a pressing need for concerned governments to take strong, coordinated action to advance accountability. One approach would be for a United Nations commission of inquiry (COI) to be established to investigate alleged violations in Xinjiang. The COI should have a mandate to establish the facts, identify the perpetrators, and make recommendations to provide accountability. The COI should be comprised of eminent persons, including experts in international human rights law, crimes against humanity, the rights of ethnic and religious minorities, and gender issues. This COI could be established through a resolution adopted by the UN Human Rights Council, though the UN General Assembly, the UN Security Council, and the UN secretary-general are also empowered to take such an action.

This report also sets out other recommendations for concerned governments to increase pressure on the Chinese government to change its abusive policies in Xinjiang, including pursuing individual criminal and state responsibility for these crimes, targeted sanctions, and actions under other UN mechanisms, such as the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

Individual states should consider pursuing criminal cases under the concept of “universal jurisdiction,” which refers to the ability of a country’s domestic judicial system to investigate and prosecute certain grave crimes, such as torture, even if they were not committed on its territory. Many states have laws permitting prosecutions for such crimes if the victims were nationals of that state. Human rights treaties, such as the Convention against Torture and the International Convention against Enforced Disappearance, obligate states parties to extradite or prosecute suspected offenders who are under that state’s jurisdiction. Under customary international law, it is generally accepted that states may prosecute those responsible for crimes against humanity.

I. Background

The Xinjiang Uyghur Autonomous Region (Xinjiang or XUAR) is located in China's northwest, bordering India, Pakistan, Afghanistan, Tajikistan, Kyrgyzstan, Kazakhstan, and Mongolia. Unlike the majority Han Chinese population, who are primarily Chinese speakers, the Uyghur, Kazakh, and Kyrgyz populations are ethnically Turkic, predominantly Muslim, and have their own languages. According to the 2010 census, Uyghurs made up 46 percent of the Xinjiang population. Xinjiang is the only region in China with a majority Muslim population.¹³ Some Turkic Muslims refer to the territory as "East Turkestan."¹⁴

Chinese authorities began implementing discriminatory policies in what became the XUAR in 1949, when the newly created People's Republic of China government began to settle People's Liberation Army soldiers on military state farms in Xinjiang, known as *bingtuan* (also known as the Xinjiang Production and Construction Corps, or XPCC).¹⁵ In the 1990s, the collapse of the Soviet Union and Beijing's fear of instability in the region prompted a second massive assimilation drive in Xinjiang.¹⁶ As part of its "Big Development of the Northwest" plan, the government introduced economic incentives to attract Han settlers, leading to the arrival of between one and two million Han Chinese migrants in Xinjiang between approximately 1999 and 2009.¹⁷ The government's approach, however, benefited Han Chinese while further marginalizing the Turkic Muslim community, generating local resentment over the stream of new settlers.¹⁸ The effects of the large migration of Han Chinese on local culture, language, and traditions also exacerbated these tensions between the Turkic Muslim and Han populations.¹⁹

¹³ Human Rights Watch, *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, 2005, <https://www.hrw.org/reports/2005/china0405/china0405.pdf>.

¹⁴ *Ibid.*, p. 13.

¹⁵ *Ibid.*; Human Rights Watch, "Behind the Violence in Xinjiang," July 9, 2008, <https://www.hrw.org/news/2009/07/09/behind-violence-xinjiang>.

¹⁶ Human Rights Watch, "Behind the Violence in Xinjiang."

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ Human Rights Watch, *Devastating Blows*, p. 10.

The growing tensions and discontent led to what began as peaceful protests by Turkic Muslims in February 1997 in the city of Ghulja,²⁰ which in turn prompted a massive crackdown by the Public Security Bureau and People’s Armed Police involving tens of thousands of arrests and dozens of extrajudicial killings of Turkic Muslims, and executions following unfair trials.²¹ Over the years, the authorities have increased the presence of security forces across the region, reinforcing Beijing’s narrative that Turkic Muslims are an ethno-nationalist threat to the Chinese state, and that Xinjiang serves as a breeding ground for the “three evil forces” of separatism, terrorism, and extremism.

Human Rights Watch in 2005 documented the “systematic repression of religion ... in Xinjiang as a matter of considered state policy,” at a “level of punitive control seemingly designed to entirely refashion Uighur religious identity to the state’s purposes,” which seemed to be primarily the “enforcement of loyalty to the Chinese Communist Party and the state.”²² This repression included the arrest, torture, and execution of peaceful activists for alleged involvement in “separatist activity,” severe restrictions on religious practice, chronic and daily harassment, and restrictions on travel.²³ In 2009, a protest in Urumqi against false rape allegations that targeted Turkic Muslim men devolved into violence; while the underlying cause of the escalation was unclear, the Chinese government accused the World Uyghur Congress—an international organization of exiled Turkic Muslims—and its leader Rebiya Kadeer of planning the riots.²⁴ In the aftermath of this unrest, the government further intensified pressure on the Turkic Muslim community, engaging in numerous human rights violations including mass surveillance,²⁵ arbitrary

²⁰ Known as Yining in Chinese.

²¹ Human Rights Watch, *Devastating Blows*; Human Rights Watch, “Behind the Violence in Xinjiang”; Amnesty International, “People’s Republic of China: Rebiya Kadeer’s personal account of Gulja after the massacre on 5 February 1997,” 2007, <https://www.amnesty.org/download/Documents/64000/asa170012007en.pdf>; Amnesty International, “Remember the Gulja massacre? China’s crackdown on peaceful protesters,” 2007.

²² Human Rights Watch, *Devastating Blows*.

²³ *Ibid.*, p. 3-4; for a comprehensive overview and analysis of sources of ethnic tensions in the region in recent history, see 伊力哈木 (Ilham Tohti), 当前新疆民族问题的现状及建议 (Present-Day Ethnic Problems in Xinjiang: Overview and Recommendations), <https://chinachangedotorg.files.wordpress.com/2015/05/e4bc8ae58a9be59388e69ca8efbc9ae5bd93e5898de696boe79686e6b091e6978fe997aee9a298e79a84e78e0e78ab6e58f8ae5bbbae8aeae1.pdf>; translated at http://docs.uyghuramerican.org/pdf/ilham-tohti_present-day-ethnic-problems-in-xinjiang-uighur-autonomous-region-overview-and-recommendations_complete-translation1.pdf.

²⁴ Chris Buckley, “China calls Xinjiang riot a plot against rule,” Reuters, July 5, 2009.

²⁵ Human Rights Watch, *Promises Unfulfilled: An Assessment of China’s National Human Rights Action Plan*, January 2011, <https://www.hrw.org/report/2011/01/11/promises-unfulfilled/assessment-chinas-national-human-rights-action-plan>, p. 49.

arrests and detention,²⁶ torture and other ill-treatment,²⁷ enforced disappearances,²⁸ and persecution.²⁹ The government also pressured foreign governments to forcibly return Turkic Muslim asylum seekers to China.³⁰

In subsequent years, Chinese authorities significantly stepped-up repressive policies against ethnic Uyghurs, and increasingly, other Turkic Muslims in Xinjiang, often justifying the government's actions as part of the "global war on terror."³¹ President Xi Jinping later officially launched China's own "People's War on Terror" in 2014.³²

In 2014, the Chinese government launched the Strike Hard campaign in Xinjiang following high-profile attacks allegedly carried out by Turkic Muslims in the Xinjiang region and at the Kunming train station in Yunnan province.³³ The details of these incidents have not

²⁶ Ibid., p. 33-36; Amnesty International, "Urgent Action: Demand Release of Seriously Ill Uighur," March 10, 2011, <https://www.amnesty.org/download/Documents/28000/asa170112011en.pdf>.

²⁷ Amnesty International, "*Justice, Justice: The July 2009 protests in Xinjiang, China*, 2010, <https://www.amnesty.org/download/Documents/36000/asa170272010en.pdf>; Amnesty International, "China urged to release Uighur activist allegedly tortured in prison," December 20, 2010, <https://www.amnesty.org/en/latest/news/2010/12/china-debe-liberar-activista-uir-presuntamente-torturado-carcel/>.

²⁸ Human Rights Watch, *Promises Unfulfilled*; Human Rights Watch, "*We Are Afraid to Even Look for Them: Enforced Disappearances in the Wake of Xinjiang's Protests*, 2009, <https://www.hrw.org/sites/default/files/reports/xinjiang1009webwcover.pdf>, p. 21-32; Amnesty International, "*Justice, Justice*"; Amnesty International, "China must reveal whereabouts of Uighur children detained after deadly clash," January 6, 2012, <https://www.amnesty.org/en/latest/news/2012/01/china-must-reveal-whereabouts-uir-children-detained-after-deadly-clash>.

²⁹ Human Rights Watch, "Behind the Violence in Xinjiang"; Human Rights Watch, *Promises Unfulfilled*, p. 49; Dan Levin, "China Remodels and Ancient Silk Road City, and an Ethnic Rift Widens," *New York Times*, March 5, 2014, <https://www.nytimes.com/2014/03/06/world/asia/china-remodels-an-ancient-silk-road-city-and-an-ethnic-rift-widens.html>.

³⁰ Human Rights Watch, *Promises Unfulfilled*, p. 62-63; Human Rights Watch, "Letter from HRW to Grand Imam Ahmed el Tayeb Re: Forced Return of Ethnic Uyghurs to China," July 7, 2017, <https://www.hrw.org/news/2017/07/07/letter-hrw-grand-imam-ahmed-el-tayeb>; Human Rights Watch, "Malaysia/China: Prevent Forced Return of Uyghurs," August 22, 2011, <https://www.hrw.org/news/2011/08/22/malaysia/china-prevent-forced-return-uir>; Sara Colm, "Analysis: Inside Perspective on Uyghurs," *Phnom Penh Post*, December 20, 2010, <https://www.phnompenhpost.com/national/analysis-inside-perspective-uir>; Human Rights Watch, "China: Forcibly Returned Uighur Asylum Seekers at Risk," December 22, 2019, <https://www.hrw.org/news/2009/12/22/china-forcibly-returned-uir-asylum-seekers-risk>; Amnesty International, "Urgent Action: Demand Release of Seriously Ill Uighur," March 10, 2011; World Uyghur Congress and Uyghur Human Rights Project, Alternative Report: Submission to the United Nations Committee Against Torture (CAT) In Consideration of CAT/C/CHN/5 2(2015), https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/CHN/INT_CAT_CSS_CHN_22111_E.pdf.

³¹ Human Rights Watch, "Behind the Violence in Xinjiang."

³² "Xinjiang's Party chief wages 'people's war' against terrorism," *China Daily*, May 26, 2014, https://www.chinadaily.com.cn/china/2014-05/26/content_17541318.htm.

³³ Human Rights Watch, "*Eradicating Ideological Viruses: China's Campaign of Repression Against Xinjiang's Muslims*, September 2018, https://www.hrw.org/sites/default/files/report_pdf/china0918_web2.pdf, p. 11-25; Joanne Smith Finley, "Securitization, insecurity and conflict in contemporary Xinjiang: has PRC counter-terrorism evolved into state terror?" *Central*

been possible to verify because of the authorities' tight control of information. In mid-2014, Xinjiang officials demanded the return of Turkic Muslim migrants in Urumqi and other regional centers to their rural hometowns for the purported purpose of obtaining a new identity card—the People's Convenience Card.³⁴ Chinese authorities denied the card to most of these migrants, who were then forced to remain in the rural heartlands of Xinjiang, far from the major cities that have benefited from economic development.³⁵

In 2016, Beijing appointed Chen Quanguo, who previously oversaw the Tibet Autonomous Region, as the new Xinjiang Communist Party secretary.³⁶ In his capacity as the Tibet Communist Party secretary, Chen gained notoriety for his hardline response to local community members who advocated peacefully for solutions to legitimate grievances, including land rights and access to Tibetan language education in schools. Some of the tactics that he has deployed in Xinjiang—including heavy securitization and heightened surveillance, and forcing those seen as overly religious to undergo “political education”—were developed in Tibet.³⁷

Since Xi Jinping's rise to power in 2013, the Chinese government has aggressively pursued assimilationist policies in ethnic minority regions, increasingly insisting on the “Sinicization” of those communities, driven by nationalism and in many instances Islamophobia inside and outside China.³⁸ Shohrat Zakir, the chairman of the XUAR government and the deputy party committee secretary of Xinjiang, claimed in July 2020 that China had “effectively contained” religious extremism and had “laid a good

Asian Survey, 2019, p. 1-3; James Millward, “‘Reeducating’ Xinjiang’s Muslims,” *ChinaFile*, February 7, 2019, <https://www.chinafile.com/library/nyrb-china-archive/reeducating-xinjiangs-muslims>.

³⁴ Smith Finley, “Securitization, insecurity and conflict in contemporary Xinjiang,” *Central Asian Survey*, p. 1, 3, 23, n.6.

³⁵ *Ibid.* Note that this economic development has nevertheless largely benefitted Han Chinese settlers.

³⁶ Chris Buckley, “The Leaders Who Unleashed China’s Mass Detention of Muslims,” *New York Times*, October 13, 2018, <https://www.nytimes.com/2018/10/13/world/asia/china-muslim-detainment-xinjiang-camps.html>; Adrian Zenz and James Leibold, “Chen Quanguo: The Strongman Behind Beijing’s Securitization Strategy in Tibet and Xinjiang,” *China Brief*, September 2017, <https://jamestown.org/program/chen-quanguo-the-strongman-behind-beijings-securitization-strategy-in-tibet-and-xinjiang/>; Edward Wong, “China Said to Detain Returning Tibetan Pilgrims,” *New York Times*, April 7, 2012, <https://www.nytimes.com/2012/04/08/world/asia/china-said-to-detain-returning-tibetan-pilgrims.html>.

³⁷ International Campaign for Tibet, “The origin of the ‘Xinjiang model’ in Tibet under Chen Quanguo: Securitizing ethnicity and accelerating assimilation,” December 19, 2018, <https://savetibet.org/the-origin-of-the-xinjiang-model-in-tibet-under-chen-quanguo-securitizing-ethnicity-and-accelerating-assimilation/>; Sui-Wee Lee, “China’s top Tibet official orders tighter control of Internet,” Reuters, February 29, 2012, <https://www.reuters.com/article/us-china-tibet/chinas-top-tibet-official-orders-tighter-control-of-internet-idUSTRE8200BZ20120301>; Human Rights Watch, “China: China Poised to Repeat Tibet Mistakes Abusive Policies Planned for Uyghur Region,” January 20, 2017, <https://www.hrw.org/news/2017/01/20/china-poised-repeat-tibet-mistakes>.

³⁸ Deng Yuwen, “Reading the China Dream,” <https://www.readingthechinadream.com/deng-yuwen-chinese-statism.html>.

foundation for completely solving the deeply rooted problems that affect the region's long-term stability.”³⁹

³⁹ “Full Transcript: Interview with Xinjiang Government Chief on Counterterrorism, Vocational Education and Training in Xinjiang,” *People’s Daily*, October 16, 2018, <http://en.people.cn/n3/2018/1016/c90000-9508925.html>.

II. Crimes against Humanity in Xinjiang

The concept of crimes against humanity dates to at least 1915.⁴⁰ It was further developed as part of the 1945 Charter of the International Military Tribunal that hosted the Nuremberg trials of Nazi leaders after the Second World War.⁴¹ While there is no international treaty on crimes against humanity, in 1997 the term was codified as part of the Rome Statute of the International Criminal Court (ICC).⁴²

Since at least 2014, the Chinese government has subjected Turkic Muslims to various crimes against humanity, including mass arbitrary detention, torture and deaths in detention, and enforced disappearances.

Mass Arbitrary Detention and Arrest

It is unclear when Chinese officials planned and began to carry out the mass detention of Turkic Muslims. The detention of Turkic Muslims in extra-legal detention centers has been documented since at least 2016, well before the start of the wave of detentions that began in spring 2017.⁴³

The number of Turkic Muslims detained since the crackdown began is also unknown, but it is widely accepted that between several hundred thousand and one million Turkic Muslims have been detained in so-called political education camps.⁴⁴ Many Turkic Muslims

⁴⁰ Human Rights Watch, *Genocide, War Crimes and Crimes Against Humanity: A Topical Digest of the Case Law of the International Criminal Tribunal for the Former Yugoslavia*, July 2006, <https://www.hrw.org/report/2006/07/26/genocide-war-crimes-and-crimes-against-humanity/topical-digest-case-law>.

⁴¹ Ibid.

⁴² The UN International Law Commission has prepared draft articles on prevention and punishment of crimes against humanity, which adopt the ICC Statute's definition of the offense. The Draft Articles are under consideration in the UN General Assembly.

⁴³ Human Rights Watch, "China: Free Xinjiang 'Political Education' Detainees," September 10, 2017, <https://www.hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees>; Philip Wen and Olzhas Auyezov, "Tracking China's Muslim Gulag," Reuters, November 29, 2018; Emily Feng, "Uighur children fall victim to China anti-terror drive," *Financial Times*, July 9, 2018.

⁴⁴ Adrian Zenz, "New Evidence for China's Political Re-Education Campaign in Xinjiang," *China Brief*, 2018, <https://jamestown.org/program/evidence-for-chinas-political-re-education-campaign-in-xinjiang>; Chinese Human Rights Defenders and Equal Rights Initiative, "China: Massive Numbers of Uyghurs and Other Ethnic Minorities Forced into Re-education Programs," August 3, 2018, <https://www.nchrd.org/2018/08/china-massive-numbers-of-uyghurs-other-ethnic-minorities-forced-into-re-education-programs>. This estimate was cited by the Committee on the Elimination of Racial

reported that over half of their family members have been interned in political education camps, pretrial detention centers, or prisons. The US State Department estimates that, in total, as many as two million people passed through the political education camps alone between April 2017 and December 2018, and a leaked internal memo by Chinese authorities states that 15,683 “suspicious persons” were taken into custody in a single week in June 2017.⁴⁵ In 2017, Xinjiang Party Secretary Chen Quanguo encouraged officials to “round up everyone who should be rounded up.”⁴⁶ Most of those detained in the political education camps are never charged with any crime. Chinese officials have directed local authorities to acknowledge to detainees’ relatives that their loved ones are not criminals, but instead are being held for their own good because they have been “infected by unhealthy thoughts.”⁴⁷

At the same time, although the CCP has claimed that the political education camps are merely “Vocational Skills Education Training Centers,” police officers have targeted many prominent Turkic Muslim academics, writers, journalists, doctors, and entertainers—people who are already clearly highly educated—as well as older persons.⁴⁸ A leaked internal official document adds to these conflicting narratives, repeatedly referring to the

Discrimination (CERD) in its concluding observations to its review of China. CERD, Concluding observations on the combined fourteenth to seventeenth periodic reports of China (including Hong Kong, China and Macao, China), CERD/C/CHN/CO/14-17, 2018, para. 40. Note that Zenz has recently revised his estimate to between 900,000 and 1.8 million. Adrian Zenz, “Wash Brains, Cleanse Hearts’: Evidence from Chinese Government Documents about the Nature and Extent of Xinjiang’s Extrajudicial Internment Campaign,” *Journal of Political Risk*, vol. 7, no. 11, November 2019.

⁴⁵ Testimony of Deputy Assistant Secretary Scott Busby, Hearing Before the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the US Senate Committee on Foreign Relations, “The China Challenge, Part 3: Democracy, Human Rights, and the Rule of Law,” December 4, 2018, https://www.foreign.senate.gov/imo/media/doc/120418_Busby_Testimony.pdf; “一体化联合作战平台” 每日要情通报: 第 14 期 (“Integrated Joint Operation Platform” Daily Essentials Bulletin No. 14), <https://assets.documentcloud.org/documents/6558505/China-Cables-IJOP-Daily-Bulletin-14-Chinese.pdf>, translated at <https://assets.documentcloud.org/documents/6558506/China-Cables-IJOP-Daily-Bulletin-14-English.pdf>.

⁴⁶ Austin Ramzy and Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims,” *New York Times*, November 16, 2019, <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>.

⁴⁷ Ibid.

⁴⁸ Testimony of Rushan Abbas, Director of Campaign for Uyghurs, Hearing Before the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the US Senate Committee on Foreign Relations, “ARIA in Action, Part 1: Human Rights, Democracy, and Rule of Law,” April 9, 2019, https://www.foreign.senate.gov/imo/media/doc/040919_Abbas_Testimony.pdf; Sada Seytoff and Alim Seytoff, “Academic Freedom Watchdog Demands China Unconditionally Release Prominent Uyghur Scholar,” Radio Free Asia, November 2, 2018, <https://www.rfa.org/english/news/uyghur/scholar-11022018134451.html>.

detainees as being “punished.”⁴⁹ And Chen Quanguo has been quoted as directing that the centers “teach like a school, be managed like the military, and be defended like a prison.”⁵⁰ To this end, in accordance with Party directives, these facilities are surrounded by perimeter walls, guard watchtowers, and armed guards in order to “prevent escapes.”⁵¹

The justifications officials have used to detain Turkic Muslim individuals in the camps have often been trivial. The “Qaraqash Document”—an internal official document leaked in February 2020 by the Uyghur Human Rights Project—detailed the reasons for which internees in a district of Qaraqash county were detained.⁵² Overseas connections featured prominently, including overseas travel, especially to any of 26 “sensitive” countries,⁵³ going on an unofficial Hajj pilgrimage, applying for a passport,⁵⁴ communicating with someone abroad, and even engaging in conduct such as “accidentally clicking on an overseas website on their phone.”⁵⁵ Domestic travel and contact have also garnered suspicion, with several Turkic Muslims in Qaraqash being detained for movements within China or for communications with people outside the county.⁵⁶

Officials also detained Turkic Muslims in Qaraqash for innocuous religious practices—including any unofficial religious activities such as fasting, prayer, or attendance at religious events and ceremonies; studying religion; having a household with a “dense

⁴⁹ 吐鲁番市集中教育培训学校学员子女问答策略 (Tactics from Turpan City for answering questions asked by the children of concentrated education and training school students), translated in “Document: What Chinese Officials Told Children Whose Families Were Put in Camps,” *New York Times*, November 16, 2019, <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-detention-directive.html> (Tactics from Turpan City).

⁵⁰ Ben Dooley, “Inside China’s internment camps: tear gas, Tasers and textbooks,” *Agence France-Presse*, October 25, 2018, <https://www.afp.com/en/inside-chinas-internment-camps-tear-gas-tasers-and-textbooks>.

⁵¹ 自治区机关发电 (Autonomous Region State Telegram), <https://assets.documentcloud.org/documents/6558509/China-Cables-Telegram-Chinese.pdf>, para. 14, translated at <https://assets.documentcloud.org/documents/6558510/China-Cables-Telegram-English.pdf>; Philip Wen and Olzhas Auyezov, “Tracking China’s Muslim Gulag,” *Reuters*, November 29, 2018, <https://www.reuters.com/investigates/special-report/muslims-camps-china/>.

⁵² Uyghur Human Rights Project, “‘Ideological Transformation’: Records of Mass Detention from Qaraqash, Hotan,” February 2020, https://docs.uhrp.org/pdf/UHRP_QaraqashDocument.pdf.

⁵³ These countries are Afghanistan, Algeria, Azerbaijan, Egypt, Indonesia, Iran, Iraq, Kazakhstan, Kenya, Kyrgyzstan, Libya, Malaysia, Nigeria, Pakistan, Russia, Saudi Arabia, Somalia, South Sudan, Syria, Tajikistan, Thailand, Turkey, Turkmenistan, United Arab Emirates, Uzbekistan, and Yemen. Alexandra Ma, “China is using flimsy excuses to lock up its Muslim minority on a huge scale — here are some of the bizarre reasons people are in jail,” *Business Insider*, September 16, 2018, <https://www.businessinsider.com/china-gives-these-excuses-to-imprison-uyghur-ethnic-minority-2018-9>.

⁵⁴ Detention for this reason is especially unjust in that the government, during a brief period in 2015, encouraged Uyghurs to apply for passports, and that many of the Uyghurs detained on this basis appear to have applied for passports during this window. Uyghur Human Rights Project, “Ideological Transformation,” p. 10.

⁵⁵ Uyghur Human Rights Project, “Ideological Transformation,” p. 10.

⁵⁶ *Ibid.*

religious atmosphere”; wearing a headscarf or having a wife who wore a headscarf; or having a beard.⁵⁷ Turkic Muslims have also been detained for failing to perform community work such as flag raising or carrying out patrol duty, or for violating the state’s birth planning policies.⁵⁸

Detainees have been deprived of their physical liberty not only for their beliefs and behaviors protected under international law—which is, in itself, a violation of human rights norms—but also for the actions of others, a form of collective punishment.⁵⁹ Officials often target the relatives of Turkic Muslim journalists and activists—especially those working abroad—in apparent retaliation for their work.⁶⁰ To this end, authorities kept detailed records of the personal information and behavioral records of internees’ “Three Circles”—their immediate and extended family, their friends and neighbors, and their religious circles—as shown in the Qaraqash Document.⁶¹

Internees appear to be categorized and subjected to different levels of security and duration of detention.⁶² A confidential internal document approved by Zhu Hailun—Xinjiang’s deputy party secretary, Chen Quanguo’s right-hand man, and the region’s top security chief—states that detainees are placed based on an initial screening in either general management, strict, or very strict zones—which vary in “education and training methods”—and some are managed according to a scoring system that measures their behavior.⁶³ These scores determine potential transfers of detainees between zones, the treatment of detainees within their respective zones, as well as “rewards, punishments, and family visits.”⁶⁴ In order to be released, detainees must have maintained a good score,

⁵⁷ Ibid., p. 11, 16.

⁵⁸ Ibid., p. 13.

⁵⁹ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 3, 24-25.

⁶⁰ Amnesty International, “Separated Souls: Uighur journalist’s unbreakable resolve to help her detained family,” March 16, 2018, <https://www.amnesty.org/en/latest/news/2018/03/uighur-journalists-unbreakable-resolve-to-help-detained-family/>; Amnesty International, “Urgent Action: Detained Uighur Has Nervous Breakdown.”

⁶¹ Uyghur Human Rights Project, “Ideological Transformation,” p. 4. This information appears to power what officials termed the “three circles and six diagrams collision analysis” (三圈六图碰撞分析), a method by which authorities analyze and evaluate detainees.

⁶² Gerry Shih, “China’s mass indoctrination camps evoke Cultural Revolution,” AP News, May 17, 2018, <https://apnews.com/6e151296fb194f85ba69a8babd972e4b/China%E2%80%99s-massindoctrinationcamps-evoke-Cultural-Revolution>.

⁶³ 自治区机关发电 (Autonomous Region State Telegram), para. 14.

⁶⁴ Ibid., para. 16.

be categorized at the “general management” level, and have served at least one year, although there have been cases of the camps releasing detainees sooner.⁶⁵

Besides the political education camps, the Strike Hard Campaign has also seen a spike in the arbitrary detention and formal arrest of Turkic Muslims in the criminal justice system. Detention in the camps has led to trial and imprisonment, but data also strongly suggest that Turkic Muslims have been targeted for prosecution solely on the basis of their ethnic identity and religious beliefs.⁶⁶ Indictments, and ensuing convictions, in Xinjiang accounted for approximately 13 percent of all indictments in China in 2017.⁶⁷ The number of arrests and criminal indictments in Xinjiang increased by 306 percent and 237 percent, respectively, in the past five years compared to the previous five-year period.⁶⁸ Using official figures combined with their own documentation, data from the Xinjiang Victims Database support estimates that about 300,000 people have been sentenced since the Strike Hard Campaign escalated in late 2016.⁶⁹ These increases are the result of the Strike Hard Campaign and harsh policies and practices adopted by Chen Quanguo, who is believed to be at least in part responsible for a 92 percent increase in “security spending” in Xinjiang in 2016 and 2017, as well as for a significant expansion in police recruitment.⁷⁰

Chinese authorities have often detained Turkic Muslims on the basis of overbroad crimes such as “separatism.”⁷¹ Ilham Tohti, a prominent Uyghur academic who ran a website

⁶⁵ Ibid., para. 17; Austin Ramzy and Chris Buckley, “New Leak Reveals Orders for China’s Internment Camps,” *New York Times*, November 24, 2019; Shih, “China’s mass indoctrination camps evoke Cultural Revolution,” AP News.

⁶⁶ Tactics from Turpan City.

⁶⁷ Terence McCoy, “China scores 99.9 percent conviction rate last year,” *Washington Post*, March 11, 2014, <https://www.washingtonpost.com/news/morning-mix/wp/2014/03/11/china-scored-99-9-percent-conviction-rate-last-year/>; Lily Kuo, “China’s criminal conviction rate is 99.9 percent,” *Quartz*, August 7, 2014, <https://qz.com/246696/chinas-criminal-conviction-rate-is-99-9/>; Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017,” July 2018; Emily Feng, “‘Illegal Superstition’: China Jails Muslims For Practicing Islam, Relatives Say,” National Public Radio, October 8, 2019, <https://www.npr.org/2019/10/08/764153179/china-has-begun-moving-xinjiang-muslim-detainees-to-formal-prisons-relatives-say>; Chris Buckley, “China’s Prisons Swell After Deluge of Arrests Engulfs Muslims,” *New York Times*, August 31, 2019, <https://www.nytimes.com/2019/08/31/world/asia/xinjiang-china-ughurs-prisons.html>.

⁶⁸ Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017.”

⁶⁹ Gene A. Bunin, “The Elephant in the XUAR,” December 9, 2020, <https://livingotherwise.com/2020/12/09/the-elephant-in-the-xuar-i-entire-families-sentenced/>.

⁷⁰ Adrian Zenz, “China’s Domestic Security Spending: An Analysis of Available Data,” *China Brief*, 2018, <https://jamestown.org/program/chinas-domestic-security-spending-analysis-available-data/>; Adrian Zenz and James Leibold, “Chen Quanguo: The Strongman Behind Beijing’s Securitization Strategy in Tibet and Xinjiang,” *China Brief*, September 2017.

⁷¹ Amnesty International, “Urgent Action: Detained Uighur Has Nervous Breakdown,” March 20, 2019, <https://www.amnesty.org/download/Documents/ASA1700732019ENGLISH.pdf>; Amnesty International, “Urgent Action: 30

providing news and information about Turkic Muslims, was prosecuted for separatism and sentenced to life in prison in 2014.⁷² Related charges include “terrorism” and “religious extremism,” which are almost always leveled against ethnic minorities such as Turkic Muslims.⁷³ Chinese authorities have made many of these arrests and detentions without any evidentiary basis and frequently fail to respect the due process rights of detainees. Detainees and their relatives interviewed by Human Rights Watch all reported that at no point did the authorities ever present them with a warrant, with evidence of a crime, or with any other documentation, nor were they ever informed of which authorities were responsible for their arrest.⁷⁴ Lawyers told the Network of Chinese Human Rights Defenders (CHRD) that defendants facing terrorism charges are not allowed to plead “not guilty,” and tend to be quickly put on trial and sentenced to prison terms. CHRD has also documented that lawyers risk being dismissed from cases for attempting to protect their clients’ due process rights, and has reported cases of other procedural abuses such as verdicts being prepared before the trials take place, or government officials rather than judges deciding sentences.⁷⁵

The Xinjiang authorities maintain tight control of information and so only seven verdicts of those imprisoned since late 2016 are publicly available. They are:

- Jin Dehuai, a Hui Muslim, serving life imprisonment for “splittism” for organizing trips abroad to study the Quran, inviting religious figures from other countries to Xinjiang, and holding religious meetings in the region between 2006 and 2014;⁷⁶
- Nebijan Ghoja Ehmet, a Uyghur, convicted of “inciting ethnic hatred and discrimination” for telling others “what is *haram* and *halal*,” and sentenced to 10 years in prison;⁷⁷

Relatives of Uighur Activist Arbitrarily Detained,” November 14, 2017, <https://www.amnestyusa.org/wp-content/uploads/2017/11/uaa25117-3.pdf>; Amnesty International, “Urgent Action: 20 Relatives of Uighur Journalist Detained,” March 1, 2018, <https://www.amnesty.org/download/Documents/ASA1779642018ENGLISH.pdf>.

⁷² Human Rights Watch, Submission to Universal Periodical Review of China, 2018, <https://www.hrw.org/news/2018/03/29/submission-universal-periodic-review-china>; Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017.”

⁷³ Ibid.

⁷⁴ Human Rights Watch, “China: Free Xinjiang ‘Political Education’ Detainees,” September 10, 2017, <https://www.hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees>.

⁷⁵ Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017.”

⁷⁶ Entry 13409: Jin Dehuai, Xinjiang Victims Database, <https://shahit.biz/eng/viewentry.php?entryno=13409>.

⁷⁷ Xinjiang Uyghur Autonomous Region Chaqiliq County People’s Court Criminal Verdict, 2018, Xinjiang 2824 Criminal-Case No. 121, <https://shahit.biz/verview.php?no=35>.

- Asqar Azatbek, an ethnic Kazakh, convicted of “spying and fraud” for showing a visiting official from Kazakhstan around hydraulic projects near the Kazakh-Chinese border, and sentenced to 20 years in prison;⁷⁸
- Nurlan Pioner, a Kazakh, convicted of “disturbing public order and extremism” for educating over 70 people in religion, and sentenced to 17 years in prison;⁷⁹
- Nie Shigang, a Hui, was originally convicted of “assisting in terrorist activities” and “money laundering” for helping over 100 Turkic Muslims transfer money to their relatives in Egypt—funds authorities said were used for terrorist activities—and sentenced to 15 years in prison. Upon appeal, however, the court ruled that Nie was not guilty of “assisting in terrorist activities” and reduced his sentence to five years for “money laundering”;⁸⁰
- Serikzhan Adilhan, a Kazakh, was convicted of running an “illegal business” for selling cigarettes worth 174,600 RMB (US\$27,000) without a license and sentenced to three-and-a-half years. The verdict against Serikzhan Adilhan is the only one of the seven available verdicts that is posted on the Chinese government’s official database of court verdicts;⁸¹ and
- Huang Shike, a Hui, was convicted of “illegal use of the internet” for explaining the Quran to others in two WeChat groups and sentenced to two years in prison.⁸²

Other available information concerning 51 cases—including the indictments, incarceration notices, leaked official documents, and official communications with families—indicate that most of the Turkic Muslim individuals in these cases have been imprisoned for vague and overbroad offenses such as “inciting ethnic hatred,” “picking quarrels and provoking trouble,” and for watching or listening to “extremist” content.

In one indictment, four family members, all Turkic Muslims, were indicted for having traveled to Turkey to visit another family member. The authorities claimed that the man in Turkey—a university lecturer named Erkin Emet—belonged to a terrorist organization, and that the gifts they gave him—including a *dutar* (a musical instrument) and other household

⁷⁸ Entry 915: Asqar Azatbek, Xinjiang Victims Database, <https://shahit.biz/eng/viewentry.php?entryno=915>.

⁷⁹ Entry 5821: Nurlan Pioner, Xinjiang Victims Database, <https://shahit.biz/eng/viewentry.php?entryno=5821>.

⁸⁰ Entry 11997: Nie Shigang, Xinjiang Victims Database, <https://shahit.biz/eng/viewentry.php?entryno=11997>.

⁸¹ Verdict against Serikzhan Adilhan, convicted of running an illegal business (塞力克江·阿德勒汗非法经营罪二审刑事裁定书), September 5, 2019, China Judgement Online, <https://archive.vn/5mxOi>.

⁸² Xinjiang Uyghur Autonomous Region High People’s Court Criminal Judgment, 2017, Xinjiang 40 Criminal Final No. 78, <https://shahit.biz/view.php?no=36>.

goods—was evidence of them “assisting terrorism.” These four, along with another sibling of Erkin Emet, were imprisoned for between 11 and 23 years.⁸³

Torture and Other Ill-Treatment in Custody

Numerous deaths in detention or shortly after release from custody have been reported since 2018. The Xinjiang Victims Database has reported 177 deaths of detainees in various parts of Xinjiang, most of them while in custody and some after release as a result of complications from injuries suffered in custody or from illnesses, including mental disabilities, that developed in these facilities or were not appropriately treated.⁸⁴ Radio Free Asia reported 150 deaths in one camp in Aksu Prefecture during the latter half of 2018 and 4 other deaths in separate political education camps in 2018.⁸⁵ The Chinese authorities have rarely acknowledged these deaths.⁸⁶

Human Rights Watch and others have reported on torture and other cruel, inhuman, and degrading treatment of detainees by the authorities in both political education camps and police detention facilities (看守所). In a 2018 report, Human Rights Watch documented that in Xinjiang, police detention facility staff beat detainees, hung them from ceilings and walls, forcibly deprived them of sleep, and subjected them to prolonged shackling. Some former detainees reported having been strapped to metal chairs, known as “tiger chairs,” during police interrogations.⁸⁷

⁸³ “Siblings Get Lengthy Jail Terms in Xinjiang For Links to Turkey-Based Uyghur Scholar,” Radio Free Asia, August 22, 2020, <https://www.rfa.org/english/news/uyghur/scholar-siblings-08222020092753.html>.

⁸⁴ Of the 177, 124 died in custody; of that number, 101 were Uyghurs, 20 were Kazakhs, and 1 each were Han, Tatar, and Uyghur-Kazakh. The numbers were generated using the database’s filter function; see <https://shahit.biz/eng/#filter>.

⁸⁵ “At Least 150 Detainees Have Died in One Xinjiang Internment Camp: Police Officer,” Radio Free Asia, October 29, 2019, <https://www.rfa.org/english/news/uyghur/deaths-10292019181322.html>; “Uyghur Father of Two Dies After Falling Ill in Xinjiang Re-Education Camp,” Radio Free Asia, April 12, 2018, <https://www.rfa.org/english/news/uyghur/father-04122018153525.html>; “Uyghur Man Buried Amid Strict Security After Latest Xinjiang Reeducation Camp Death,” Radio Free Asia, June 8, 2018, <https://www.rfa.org/english/news/uyghur/gulja-burial-06082018164250.html>; “Uyghur Teenager Dies in Custody at Political Re-Education Camp,” Radio Free Asia, March 14, 2018, <https://www.rfa.org/english/news/uyghur/teenager-03142018154926.html>; “Elderly Uyghur Woman Dies in Detention in Xinjiang ‘Political Re-Education Camp,’” Radio Free Asia, May 24, 2018, <https://www.rfa.org/english/news/uyghur/woman-05242018164854.html>.

⁸⁶ Helen Davidson, “China confirms death of Uighur man whose family says was held in Xinjiang camps,” *Guardian*, October 2, 2020, <https://www.theguardian.com/world/2020/oct/02/china-confirms-death-of-uighur-man-whose-family-says-was-held-in-xinjiang-camps>.

⁸⁷ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 41-42.

Former detainees from political education camps and police detention facilities told Human Rights Watch about the use of physical and psychological punishments, ill-treatment of or lack of medical care for people particularly vulnerable to harsh detention conditions, and suicide attempts. Former Uyghur detainee Mihrigul Tursun said she witnessed nine deaths in three months of detention.⁸⁸ Another man said that his father died in the camp and that his body showed signs of torture.⁸⁹

Mihrigul Tursun also told of being stripped naked, forced to undergo a medical examination, and being electroshocked and beaten while interrogated. She described how 40 to 68 women, chained at the wrists and ankles, were put in the same 420-square-foot underground cell in which they were expected to urinate and defecate. The cell had just one small hole in the ceiling for ventilation.⁹⁰

In the camps, in some cases, detainees were not permitted to talk; any utterance in Turkic languages was punished. Some reported being incessantly observed through video cameras and microphones.⁹¹ A leaked CCP directive corroborates these allegations, ordering “full video surveillance coverage of dormitories and classrooms free of blind spots, ensuring that guards on duty can monitor in real time, record things in detail, and report suspicious circumstances immediately.”⁹²

Some former detainees described overcrowding, having to share beds with others, and taking turns sleeping. They emphasized the emotional distress stemming from deplorable living conditions and the prospect of indefinite detention.⁹³

⁸⁸ Harry Cockburn, “Muslim woman describes torture and beatings in China detention camp: ‘I begged them to kill me’,” *The Independent*, November 28, 2018, <https://www.independent.co.uk/news/world/asia/uighur-muslim-china-mihrigul-tursun-torture-reeducation-camps-a8656396.html>.

⁸⁹ Human Rights Watch interview with Ismail (pseudonym), 40, whose father died in a political education camp and his brother is held in a camp, May 12, 2018.

⁹⁰ Testimony of Mihrigul Tursun; Gerry Shih, “China’s mass indoctrination camps evoke Cultural Revolution,” AP News, May 17, 2018, recounting former detainee’s interrogation in a “tiger chair.”

⁹¹ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 41-42; Philip Wen and Olzhas Auyezov, “Tracking China’s Muslim Gulag,” Reuters, November 29, 2018.

⁹² 自治区机关发电 (Autonomous Region State Telegram), para. 3.

⁹³ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 2, 36, 41-42, 49-50, 54-55.

Detainees said the food was poor and inadequate. A typical meal involved steamed buns and thin soup. While basic medical care was available, people remained detained even when they had serious illnesses or were elderly.⁹⁴

Detainees were forced to sing songs hailing the CCP and Xi Jinping. They were punished harshly for minor infractions of the camps' arbitrary rules; for example, authorities would deny food to those who resisted speaking Chinese.⁹⁵ One former detainee recounted how, after resisting political education efforts, he was placed in solitary confinement in a two-by-two meter cell where he was handcuffed, deprived of food and water, and forced to stand for 24 hours without sleep.⁹⁶ A leaked internal document instructs officials to deal with detainees who have “a vague understanding, negative attitudes or even show resistance” through “assault-style transformation through education,” in order to “ensure that results are achieved.”⁹⁷

Enforced Disappearances

In many cases, relatives have had no news about the whereabouts or well-being of their detained family members. Some may receive notices when their relatives are transferred to a formal prison, if they ever are. The lack of information about enforced disappearances led to the emergence of the #MeTooUyghur social media campaign,⁹⁸ in which individuals demand proof from Chinese authorities that those detained by the state are still alive and well.⁹⁹ One online platform that allows relatives of detainees and activists to compile accounts of disappearances had recorded over 11,500 testimonies as of December 2020.¹⁰⁰ In many cases, family members or friends—especially those based abroad—are afraid even to seek information about those who are missing, fearing that international

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid., p. 50.

⁹⁷ Adrian Zenz, “‘Wash Brains, Cleanse Hearts’: Evidence from Chinese Government Documents about the Nature and Extent of Xinjiang’s Extrajudicial Internment Campaign,” *Journal of Political Risk*, vol. 7, no. 11, November 2019.

⁹⁸ “#MenmuUyghur” in Uyghur.

⁹⁹ Austin Ramzy, “‘Show Me That My Father is Alive.’ China Faces Torrent of Online Pleas,” *New York Times*, February 17, 2019, <https://www.nytimes.com/2019/02/17/world/asia/uighurs-china-internment-camps.html>.

¹⁰⁰ Xinjiang Victims Database, shahit.biz.

communication or provision of assistance to those seeking to locate detained persons will result in retaliation by the authorities.¹⁰¹

In some cases, the authorities have detained people while their children are away at school. The *New York Times* reported in November 2019 that the CCP leadership issued a classified directive on handling questions about detained family members from students who return home at the end of the academic semester.¹⁰² This guide instructed officials to tell students that their relatives are in “a training school set up by the government,” which they cannot leave. The students also get a warning that their behavior could affect their relatives’ prospects of release. Similarly, the Qaraqash Document revealed that local officials would assess the attitudes and behaviors of detainees’ relatives in determining detainees’ prospects of release. One entry in the Qaraqash Document notes that a detainee was not recommended for release because members of their family had failed to join flag-raising ceremonies on time.¹⁰³

Mass Surveillance

Although the Chinese government uses mass surveillance throughout the country, its monitoring and tracking of Turkic Muslims is particularly invasive in Xinjiang.¹⁰⁴ The government encourages people to inform on each other and deploys government officials to monitor Turkic Muslims. For example, under the “ten households, one unit” policy, groups of 10 households are held responsible for monitoring one another, facing collective punishment for infractions by any one household.¹⁰⁵

¹⁰¹ Patrick Poon, “Families of missing Uyghurs terrified to search for their loved ones,” Amnesty International, March 31, 2019, <https://www.amnesty.org/en/latest/campaigns/2019/03/uyghurs-too-scared-to-search-for-missing-family/>.

¹⁰² Austin Ramzy and Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims,” *New York Times*, November 16, 2019.

¹⁰³ Uyghur Human Rights Project, “Ideological Transformation.”

¹⁰⁴ US Committee on International Religious Freedom, Annual Report, 2019, <https://www.uscirf.gov/sites/default/files/2019USCIRFAnnualReport.pdf>; Jianli Yang and Lianchao Han, “Did a Muslim Slave Make Your Chinese Shirt?” *Wall Street Journal*, October 16, 2019.

¹⁰⁵ “Timeline of Chen Quanguo’s Uyghur Region Policy,” Radio Free Asia, <https://www.rfa.org/english/news/special/uyghur-oppression/>. See also, “一体化联合作战平台” 每日要情通报: 第 2 期 (“Integrated Joint Operation Platform” Daily Essentials Bulletin No. 2), <https://www.documentcloud.org/documents/6558501-China-Cables-IJOP-Daily-Bulletin-2-Chinese.html>, translated at <https://assets.documentcloud.org/documents/6558502/China-Cables-IJOP-Daily-Bulletin-2-Enligsh.pdf>, encouraging the use of 10-household units to monitor individuals in Xinjiang known to have obtained foreign nationality and applied for Chinese visas, or have obtained certificates from Chinese embassies and consulates.

One major feature of the Strike Hard Campaign is the deployment of *fanghuiju* (访惠聚) teams in Xinjiang, in which hundreds of thousands of government cadres are stationed in villages, regularly visit and surveil people, and subject them to political propaganda.¹⁰⁶ In October 2016, authorities initiated a related effort, called the “Becoming Family” (结对认亲) campaign, where more than a million cadres spent at least five days every two months in the homes of Xinjiang residents, primarily in the countryside.¹⁰⁷ Street corner police stations, known as “convenience police stations,” form a dense control complex, carefully organized in a grid system that divides populations into geometric units for tighter and more focused surveillance.¹⁰⁸

Another facet of this mass surveillance of the Turkic Muslims is the extensive and compulsory collection of their biometric data.¹⁰⁹ Chinese authorities collect DNA samples, fingerprints, iris scans, and blood types from all Xinjiang residents between the ages of 12 and 65, in part through a medical examination program, “Physicals for All.” Turkic Muslims’ biometrics are collected without choice or informed consent.¹¹⁰ The biometric data of “focus personnel”—that is, those considered threatening to regime stability—and their family members are taken regardless of age.¹¹¹ In addition, Chinese authorities have also collected voice samples from Turkic Muslims during passport application processes and at police checkpoints.¹¹² Much of this data is entered into searchable databases.¹¹³ The collection of these biometrics is part of the government’s drive to form a “multi-modal”

¹⁰⁶ An acronym that stands for “Visit the People, Benefit the People, and Get Together the Hearts of the People” (访民情、惠民生、聚民心). These teams, also known as “village-based work teams,” were first implemented in the Tibetan Autonomous Region in 2011—then extended indefinitely—by then-Tibet Party Secretary Chen Quanguo. See Human Rights Watch, “China: No End to Tibet Surveillance Program,” January 18, 2016, <https://www.hrw.org/news/2016/01/18/china-no-end-tibet-surveillance-program>; “200,000 Communist Party members Dispatched to Stay in Grassroots Villages in Xinjiang to Visit the People, Benefit the People, and Get Together the Hearts of the People” (新疆 20 万机关干部下基层住万村, 访民情、惠民生、聚民心), *People Online* (人民网), <http://xj.people.com.cn/GB/188750/361873/>.

¹⁰⁷ Human Rights Watch, “China: Visiting Officials Occupy Homes in Muslim Region,” May 13, 2018, <https://www.hrw.org/news/2018/05/13/china-visiting-officials-occupy-homes-muslim-region>.

¹⁰⁸ Human Rights Watch, *China’s Algorithms of Repression*, May 2019, https://www.hrw.org/sites/default/files/report_pdf/china0519_web5.pdf, p. 15-16.

¹⁰⁹ Xinjiang: 2017 Nián Quánmín Jiànkāng Tíjiǎn Gōngzuò Quánbù Wánchéng (新疆: 2017 年全民健康体检工作全部完成), *Xinjiāng Rìbào* (新疆日报), November 2, 2017, http://www.gov.cn/xinwen/2017-11/02/content_5236389.htm; Human Rights Watch, “China: Minority Region Collects DNA from Millions,” December 13, 2017, <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>.

¹¹⁰ Human Rights Watch, *China’s Algorithms of Repression*, p. 15; “China: Minority Region Collects DNA from Millions.”

¹¹¹ Human Rights Watch, “China: Minority Region Collects DNA from Millions.”

¹¹² Human Rights Watch, *China’s Algorithms of Repression*, p. 15; Isobel Cockerell, “Inside China’s Massive Surveillance Operation,” *Wired*, May 9, 2019, <https://www.wired.com/story/inside-chinas-massive-surveillance-operation/>.

¹¹³ Human Rights Watch, “Police DNA Database Threatens Privacy,” May 15, 2016, <https://www.hrw.org/news/2017/05/15/china-police-dna-database-threatens-privacy>.

biometric portrait of individuals and to gather ever more data about its citizens. All of this data can be linked in police databases to the person's identification number, which in turn is linked to any of their additional biometric and personal information on file.

The Xinjiang authorities have also put in place networks of automated sensory systems throughout the region, which include CCTV cameras with facial recognition, automated license plate recognition, and infrared capabilities; WiFi sniffers that collect identifying addresses of networked devices; and security checkpoints and visitors' management systems that gather identifying information.¹¹⁴ Kitchen knives in Xinjiang are tracked by QR codes that include the owner's ID number, photo, ethnicity, and address, and vehicles are subject to mandatory location trackers.¹¹⁵

Much of this information is fed into the Integrated Joint Operations Platform (IJOP), which aggregates data about individuals, flags to officials those whom it deems potentially threatening, and determines who should be rounded up by police, investigated, and sent to political reeducation camps or other detention facilities.¹¹⁶ Human Rights Watch in December 2020 published research based on a leaked list of over 2,000 detainees from Aksu prefecture, which provided detailed evidence that the vast majority of the people flagged by the IJOP system are detained for everyday, lawful, nonviolent behavior.¹¹⁷ In one case, for example, the IJOP system flagged a woman as suspicious because she had

¹¹⁴ Human Rights Watch, "China: Big Data Fuels Crackdown in Minority Region," February 26, 2018, <https://www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region>; Uyghur Human Rights Project, "'Ideological Transformation': Records of Mass Detention from Qaraqash, Hotan," February 2020, https://docs.uhrp.org/pdf/UHRP_QaraqashDocument.pdf, p. 16-17.

¹¹⁵ Steven Melendez, "In locked-down Xinjiang, China is tracking kitchen knives with QR codes," *Fast Company*, December 20, 2017, <https://www.fastcompany.com/40510238/in-xinjiang-china-some-knives-branded-with-owners-qr-codes>; "When CCTV cameras aren't enough: Chinese police order drivers to install tracking devices on their cars," *Fast Company*, February 21, 2017, <https://www.fastcompany.com/4031016/when-cctv-cameras-arent-enough-chinese-police-order-drivers-to-install-tracking-devices-on-their-cars>.

¹¹⁶ Human Rights Watch, *China's Algorithms of Repression*, p. 1, 24; "China: Big Data Fuels Crackdown in Minority Region." IJOP collects information such as the individual's name, ID type and number, ethnicity, address, license plate number, profession, education, passport, phone number, relationship with head of household, blood type, height, photo, political status, religion, "religious atmosphere" (fair or strong), reason for seeking asylum or education abroad, destination country, exit time, changed identity? (if yes, to what), and reason for leaving Xinjiang. See also, Uyghur Human Rights Project, "Ideological Transformation," p. 14-15; and "一体化联合作战平台" 每日要情通报: 第 2 期 ("Integrated Joint Operation Platform" Daily Essentials Bulletin No. 2), encouraging the detention of Xinjiang residents who IJOP identified as having obtained foreign nationality and applied for Chinese visas, or having obtained certificates from Chinese embassies and consulates.

¹¹⁷ Human Rights Watch, "China: Big Data Program Targets Xinjiang's Muslims: Leaked List of Over 2,000 Detainees Demonstrates Automated Repression," December 9, 2020, <https://www.hrw.org/news/2020/12/09/china-big-data-program-targets-xinjiangs-muslims>.

received four calls from a foreign number in March 2017, noting the precise duration of the calls.

Former detainees are released to even harsher conditions of mass surveillance. In addition to the modes of surveillance detailed above, former detainees and their relatives are frequently monitored by local officials who regularly assess and record their moods and behavior along metrics such as whether their thoughts are “stable”; whether they can “recognize their mistakes”; and whether they have a “sincere attitude of regret.”¹¹⁸ Some receive daily visits from local cadres, and are obligated to sign in every morning and attend roll-call in the evenings.¹¹⁹

The use of mass surveillance also extends beyond Xinjiang and into the Turkic Muslim diaspora outside China, as authorities pressure them to provide detailed information about themselves, including their address, phone number, and school or workplace.¹²⁰ The government has also hacked into Turkic Muslims’ smartphones around the world by embedding malicious software in apps and software frequently used by Turkic Muslims, which can “remotely turn on a phone’s microphone, record calls or export photos, phone locations and conversations on chat apps.”¹²¹

Cultural and Religious Erasure

The Chinese government’s apparent goal in creating the camps is the erasure of Turkic Muslim culture and religion. Multiple government platforms state that the purpose of the camps is to “wash brains” and “cleanse hearts.”¹²² Detainees are forced to learn Chinese and are forbidden from speaking any other language.¹²³ They must sing the praises of the

¹¹⁸ Uyghur Human Rights Project, “Ideological Transformation,” p. 13.

¹¹⁹ Ibid.

¹²⁰ For information on targeted digital surveillance against the Uyghur diaspora, see Stevens Le Blond, Adina Uritesc, Cédric Gilbert, Zheng Leong Chua, and Prateek Saxena, “A Look at Targeted Attacks Through the Lens of an NGO,” San Diego: USENIX Association, 23rd USENIX Security Symposium, August 20-22, 2014, <https://www.usenix.org/system/files/conference/usenixsecurity14/sec14-paper-blond.pdf>.

¹²¹ Paul Mozur and Nicole Perloth, “China’s Software Stalked Uighurs Earlier and More Widely, Researchers Learn,” *New York Times*, July 1, 2020, <https://www.nytimes.com/2020/07/01/technology/china-uighurs-hackers-malware-hackers-smartphones.html>.

¹²² Zenz, ““Wash Brains, Cleanse Hearts,”” *Journal of Political Risk*.

¹²³ Peter Stublely, “Uighur Muslims forbidden to pray or grow beards in China’s ‘re-education’ camps, former detainee reveals,” *The Independent*, March 22, 2019, <https://www.independent.co.uk/news/world/asia/china-uighur-muslim-education-camps-forbidden-beards-pray-pork-xinjiang-a8835861.html>. See also, 自治区机关发电 (Autonomous Region State

CCP and memorize rules applicable only to Turkic Muslims, such as those restricting Islamic practices and the Uyghur language.¹²⁴

Former detainees reported being told that they would not be allowed to leave the camps unless they learned over 1,000 Chinese characters and spoke Chinese, or were otherwise determined to have become sufficiently loyal Chinese subjects.¹²⁵ Officials have also forced detainees to engage in self-criticism, and to criticize their fellow internees, their friends, and their families for their cultural and religious practices. Those who regurgitated state propaganda particularly well or who criticized their peers especially harshly might be rewarded with a transfer to more comfortable conditions.¹²⁶ This treatment is in line with an internal directive that orders camp officials to “promote the repentance and confession of the students for them to understand deeply the illegal, criminal, and dangerous nature of their past behavior.”¹²⁷

Authorities have prohibited religious practice of any kind, and detainees are punished for the performance of ordinary religious acts. Guards closely watch detainees for signs of religious activity and prevent them from engaging in acts such as praying or growing beards, which are both seen as signs of extremism.¹²⁸ Detainees are also cut off from any contact with “the outside world apart from during prescribed activities” in the name of “prevent[ing] trouble,” according to a leaked internal directive; to this end, detainees are forbidden from having cellphones.¹²⁹ To ensure that this erasure of religious practice is maintained, camp officials have also purportedly forced detainees to sign documents agreeing not to practice their religion before releasing them.¹³⁰

Telegram), para. 8, describing how detainees should “adhere to the daily concentrated study of the national language (Chinese), law, and skills” and how camps should “make remedial Chinese studies the top priority.”

¹²⁴ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 4, 9-10, 39-40. According to a former detainee, these rules included prohibitions on Islamic greetings, Uyghur and Kazakh writing on Uyghur restaurant signs, the use of Uyghur or Kazakh in public spaces, Uyghur- and Kazakh-language schools, and the establishment of minority-only chat groups on WeChat, QQ, and other social media websites; a ban on communications with any person in the 26 “sensitive” countries; and cash rewards for the intermarriage of Han Chinese and Kazakhs.

¹²⁵ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 4, 38-39.

¹²⁶ Shih, “China’s mass indoctrination camps evoke Cultural Revolution,” AP News.

¹²⁷ 自治区机关发电 (Autonomous Region State Telegram), para. 11.

¹²⁸ Peter Stubbley, “Uighur Muslims forbidden to pray or grow beards in China’s ‘re-education’ camps, former detainee reveals,” *The Independent*.

¹²⁹ 自治区机关发电 (Autonomous Region State Telegram), para. 3.

¹³⁰ Emily Rauhala and Anna Fifield, “She survived a Chinese internment camp and made it to Virginia. Will the U.S. let her stay?” *Washington Post*, November 17, 2019, <https://www.washingtonpost.com/world/2019/11/17/she-survived-chinese-internment-camp-made-it-virginia-will-us-let-her-stay/?arc404=true>.

Outside of the camps, a fundamental aspect of the government’s current treatment of Turkic Muslims is their forced assimilation into mainstream Han Chinese culture, and the government’s repeated attempts to hollow out Turkic Muslim culture. Turkic Muslims in Xinjiang are required to attend weekly, or even daily, Chinese flag-raising ceremonies, political indoctrination meetings and, at times, Chinese language classes.¹³¹ The authorities have imposed punishments for refusal to watch state-run television programs or listen to state-run radio programs.¹³² Speaking or writing the Uyghur language is discouraged. Chinese authorities have banned the use of Uyghur and Kazakh language teaching materials, and state employees who use these languages are deemed “unpatriotic” and could be labeled a “two-faced person”—a charge that has resulted in the detention of hundreds of Turkic Muslim public figures, maybe more.¹³³

Beginning in March 2017, and as part of a program initiated by Chen Quanguo, Turkic Muslim public figures—including Party cadres, government officials, religious clergy, and intellectuals—have published letters professing their gratitude and loyalty to the CCP; renouncing their Turkic roots, cultural and historical ties, and religious beliefs; and denouncing religious extremism and “two-faced” Turkic Muslims.¹³⁴ Chinese authorities have banned the common Arabic greeting meaning “peace be unto you,” and have erased Arabic from restaurant signage, mosques, street signs, and wall murals.¹³⁵

The Chinese government’s restrictions on the practice of Islam in Xinjiang effectively outlaw expressions of faith outside state control.¹³⁶ Xinjiang authorities have imposed bans on “abnormal” beards, wearing headscarves in public places, and common Islamic

¹³¹ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 4, 69.

¹³² Sophie Richardson, “China Bans Many Muslim Baby Names in Xinjiang,” Human Rights Watch, April 24, 2017, <https://www.hrw.org/news/2017/04/24/china-bans-many-muslim-baby-names-xinjiang>.

¹³³ Dake Kang, “Correction: China-Xinjiang-Banished Textbooks story,” AP News, September 3, 2019, <https://apnews.com/4f5f57213e3546ab9bd1be01dfb510d3>; Qiao Long and Yang Fan, “China Bans Use of Uyghur, Kazakh Textbooks, Materials in Xinjiang Schools,” Radio Free Asia, October 13, 2017, <https://www.rfa.org/english/news/uyghur/ethnic-textbooks-10132017135316.html>; Darren Byler, “The ‘Patriotism’ of Not Speaking Uyghur,” *SupChina*, January 2, 2019, <https://supchina.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/>; Uyghur Human Rights Project, “Ideological Transformation,” p. 17.

¹³⁴ “Xinjiang’s ‘Open Letter’ Forces Uyghurs to Put Loyalty to China in Writing,” Radio Free Asia, 2017, <https://www.rfa.org/english/news/special/uyghur-oppression/ChenPolicy3.html>; “Timeline of Chen Quanguo’s Uyghur Region Policy,” Radio Free Asia, <https://www.rfa.org/english/news/special/uyghur-oppression/>.

¹³⁵ Byler, “The ‘Patriotism’ of Not Speaking Uyghur,” *SupChina*.

¹³⁶ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 4.

names with religious connotations,¹³⁷ and consider private religious acts such as regular prayer or fasting for Ramadan as “signs of extremism.”¹³⁸ One Uyghur woman, Horigul Nasir, was sentenced to 10 years in prison for allegedly promoting the wearing of headscarves.¹³⁹ Xinjiang authorities have also confiscated Qurans and prayer mats, and Turkic Muslims caught with these items can face harsh punishment.¹⁴⁰ The authorities require that the use of “halal” be restricted only to certain food products (meat, dairy, and edible oils), banning such labels for other purposes.¹⁴¹ There have been reports of government officials pressuring Turkic Muslims into drinking alcohol, in violation of their religious beliefs, and into displaying emblems of traditional Chinese culture during lunar new year celebrations.¹⁴²

Turkic Muslim imams, particularly “unauthorized” imams not registered with the CCP, risk mistreatment and imprisonment as a result of their positions.¹⁴³ In early 2015, Chinese authorities forced Turkic Muslim imams to dance in the street while chanting state propaganda, and to take an oath swearing not to teach religion to children.¹⁴⁴ Xinjiang authorities also require that the hajj, the pilgrimage to Mecca, be organized by the state. Authorities prohibit the creation, possession, consumption, and dissemination—including on the internet—of a range of materials defined so broadly and vaguely that nearly any expression can be construed as prohibited. For example, they include anything that

¹³⁷ The rationale is that such names “exaggerate religious fervor.” Although not “illegal” per se, children with banned names cannot obtain household registration, which is essential for accessing public school and other social services. The ban was also imposed retroactively, thereby requiring parents to change their children’s names. Sophie Richardson, “China Bans Many Muslim Baby Names in Xinjiang,” Human Rights Watch; “Timeline of Chen Quanguo’s Uyghur Region Policy,” Radio Free Asia.

¹³⁸ Ibid.; Amnesty International, “‘Forgive my children for not fasting’ – Ramadan in Xinjiang,” May 3, 2019, <https://www.amnesty.org/en/latest/campaigns/2019/05/forgive-my-children-ramadan-in-xinjiang/>.

¹³⁹ Shohret Hoshur, “Uyghur Woman Handed 10-Year Prison Term Over Headscarf Claim,” Radio Free Asia, September 19, 2019, <https://www.rfa.org/english/news/uyghur/headscarf-09192017174307.html>.

¹⁴⁰ Shohret Hoshur, “Xinjiang’s Korla City Seizes Qurans, Prayer Mats From Uyghur Muslims,” Radio Free Asia, October 2, 2017, <https://www.rfa.org/english/news/uyghur/qurans-10022017152453.html>.

¹⁴¹ US Committee on International Religious Freedom, Annual Report, 2019, p. 37.

¹⁴² Jon Sharman, “China ‘forcing Muslims to eat pork and drink alcohol’ for lunar new year festival,” *The Independent*, February 7, 2019, <https://www.independent.co.uk/news/world/asia/china-muslims-xinjiang-pork-alcohol-lunar-new-year-spring-festival-uyghur-islam-a8767561.html>.

¹⁴³ See “一体化联合作战平台” 每日要情通报: 第 20 期 (“Integrated Joint Operation Platform” Daily Essentials Bulletin No. 20), <https://assets.documentcloud.org/documents/6558507/China-Cables-IJOP-Daily-Bulletin-20-Chinese.pdf>, translated at <https://assets.documentcloud.org/documents/6558508/China-Cables-IJOP-Daily-Bulletin-20-English.pdf>.

¹⁴⁴ “Suppressing religious freedoms: Chinese imams forced to dance in Xinjiang region,” *Express Tribune*, April 18, 2015, <https://tribune.com.pk/story/871879/suppressing-religious-freedoms-chinese-imams-forced-to-dance-in-xinjiang-region/>. See also, World Uyghur Congress and Uyghur Human Rights Project, *Alternative Report: Submission to the United Nations Committee Against Torture (CAT) In Consideration of CAT/C/CHN/5*, 2015, p. 2.

“undermines national unity, social stability, economic development, or scientific and technological progress” or that “affects religious harmony.”¹⁴⁵

Authorities have also destroyed numerous burial grounds where generations of Turkic Muslim families have been buried, which many view as an attempt to disconnect Turkic Muslims from their history and ancestry.¹⁴⁶ For example, authorities destroyed the burial site of Lutpulla Mutellin, a prominent Uyghur poet who was executed by Chinese authorities in 1945, and converted it into a “Happiness Park,” complete with fake pandas, children’s rides, and a man-made lake, while the graves were moved to an industrial zone in the desert. In one case, family members of those buried in targeted burial grounds were given only two days to claim remains. This destruction has been done with little care or respect for the deceased, with reports of human bones being left behind—despite officials’ insistence that the measures are “civilized.”¹⁴⁷ The authorities have provided little justification for the demolitions besides making way for urban reconstruction, ensuring “standardization,” or “sav[ing] space and protect[ing] the ecosystem.”¹⁴⁸ Furthermore, authorities have also set up crematoria, or “burial management centers,” to conduct the cremation of Xinjiang residents, in contravention of Muslim burial traditions.¹⁴⁹

As noted, authorities have also targeted mosques for demolition. According to one estimate, some 16,000 mosques in Xinjiang have been damaged or destroyed since 2017, and about half of those have been demolished.¹⁵⁰ Many of the remaining mosques have been desecrated in other ways, such as through the removal of crescents from atop the

¹⁴⁵ Regulations of Xinjiang Uyghur Autonomous Region on Religious Affairs, 2014 (新疆维吾尔自治区宗教事务条例 2014), art. 40.

¹⁴⁶ CNES, Airbus DS, Earthrise, and AFP, “Then and now: China’s destruction of Uighur burial grounds,” *Guardian*, October 9, 2019, <https://www.theguardian.com/world/2019/oct/09/chinas-destruction-of-uighur-burial-grounds-then-and-now>; “Even in death, Uighurs feel long reach of Chinese state,” Agence France-Presse, October 9, 2019, <https://www.afp.com/en/news/15/even-death-uighurs-feel-long-reach-chinese-state-doc-1ky71r1>; Adam Withnall, “China ‘building cark parks and playgrounds’ over Uighur Muslim graveyards ‘to eradicate ethnic group’s identity,” *The Independent*, October 9, 2019, <https://www.independent.co.uk/news/world/asia/china-uighur-muslims-burial-grounds-satellite-xinjiang-a9148996.html>.

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ Shohret Hoshur, “Xinjiang Authorities Use ‘Burial Management Centers’ to Subvert Uyghur Funeral Traditions,” Radio Free Asia, April 19, 2018, <https://www.rfa.org/english/news/uyghur/burials-04192018141100.html>.

¹⁵⁰ *Cultural Erasure*, <https://www.aspi.org.au/report/cultural-erasure>.

mosques or by installing framed copies of state policies on “de-extremification” or “ethnic unity” on their walls.¹⁵¹

Xinjiang authorities have also increasingly promoted marriages between Turkic Muslims and Han Chinese, offering preferential university entrance for children of mixed families and posting online videos of happy inter-ethnic couples and magazine articles with tips on how Han Chinese men can “win the heart of a Uyghur girl.”¹⁵² Darren Byler, an anthropologist who studies Uyghur culture, says there are rising pressures on young Turkic Muslim women to marry Han men as a result of the Strike Hard Campaign, noting that many young Turkic Muslim men are detained, while there are plenty of young Han suitors, many of whom are Party cadres, with relative political and socioeconomic power.¹⁵³ Those who refuse or speak ill of these marriages, moreover, risk being sent to political education camps or having family members sent to the camps.¹⁵⁴ Some marriages between Turkic Muslim women and Han male cadres have also resulted from the “Becoming Family” homestay policy. Human Rights Watch has documented cases of male cadres being dispatched to stay at homes, including when there are only women or children at home, making women and girls vulnerable to sexual violence.¹⁵⁵

Turkic Muslims in China are also effectively cut off from the global Muslim community, including family and friends abroad. International communication is punished, and those caught using WhatsApp or other foreign communications software, or those who have connections to any of a list of 26 “sensitive countries,” have been interrogated, detained,

¹⁵¹ Joanne Smith Finley, “‘Now We Don’t Talk Anymore’: Inside the ‘Cleansing’ of Xinjiang,” *ChinaFile*, December 28, 2018, <https://www.chinafile.com/reporting-opinion/viewpoint/now-we-dont-talk-anymore>; Lily Kuo, “Revealed: new evidence of China’s mission to raze the mosques of Xinjiang,” *Guardian*, May 6, 2019, <https://www.theguardian.com/world/2019/may/07/revealed-new-evidence-of-chinas-mission-to-raze-the-mosques-of-xinjiang> (“If one were to remove these ... shrines, the Uighur people would lose contact with earth. They would no longer have a personal, cultural, and spiritual history. After a few years we would not have a memory of why we live here or where we belong.”) For a comparison of such demolitions to the demolitions of synagogues and Jewish cemeteries during Kristallnacht in Nazi Germany, see Fred Hiatt, “In China, every day is Kristallnacht,” *Washington Post*, November 3, 2019, <https://www.washingtonpost.com/opinions/2019/11/03/china-every-day-is-kristallnacht/?arc404=true>.

¹⁵² Eva Xiao, “China pushes inter-ethnic marriage in Xinjiang assimilation drive,” Agence France-Presse, May 16, 2019, <https://news.yahoo.com/china-pushes-inter-ethnic-marriage-xinjiang-assimilation-drive-044619042.html>; Darren Byler, “Uyghur Love in a time of Interethnic Marriage,” *SupChina*, August 7, 2019, <https://supchina.com/2019/08/07/uyghur-love-in-a-time-of-interethnic-marriage/>; “Xinjiang Authorities Push Uyghurs to Marry Han Chinese,” 2017, Radio Free Asia (2017), <https://www.rfa.org/english/news/special/uyghur-oppression/ChenPolicy2.html>.

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*; Leigh Hartman, “China coerces Uighur women into unwanted marriages,” *ShareAmerica*, September 24, 2019, <https://share.america.gov/china-coerces-uighur-women-into-unwanted-marriages/>.

¹⁵⁵ Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 11-25.

and even tried and imprisoned.¹⁵⁶ The Qaraqash Document is essentially a list of detainees in the political education system who have relatives overseas.¹⁵⁷ Chinese authorities also target users of Zopya,¹⁵⁸ a file-sharing app developed by a Beijing startup that allows users to download the Quran and share religious teachings.¹⁵⁹ Likewise, the Integrated Joint Operations Platform (IJOP) has flagged for detention individuals from Xinjiang who have obtained foreign citizenship and applied for Chinese visas, or those who have applied for a renewal of their identity documents from Chinese embassies or consulates abroad.¹⁶⁰

Finally, many former detainees are “released” to job placements far from their homes, which may be an additional method by which authorities aim to weaken their sense of community, culture, and heritage.¹⁶¹

Separation of Families

In addition to separations stemming from mass detention and placement of former detainees in jobs far from home, many families have been separated as a result of heightened restrictions on the movement of Turkic Muslims. The tightening of passport controls and border crossings have left some children stranded in Xinjiang unable to join their parents, who had gone abroad.¹⁶² Because Xinjiang authorities punish contact with those abroad, many Turkic Muslims report having lost contact with their relatives, including their young children, for months or even years.¹⁶³

One consequence of government policies in the region, intentional or otherwise, has been the intergenerational separation of Turkic Muslims. Many Turkic Muslim children have been left effectively parentless due to the mass incarcerations. The state began to issue

¹⁵⁶ Ibid., p. 4, 14-15.

¹⁵⁷ Uyghur Human Rights Project, “Ideological Transformation,” p. 9.

¹⁵⁸ Known as Kuai Ya in Chinese.

¹⁵⁹ “一体化联合作战平台” 每日要情通报: 第 20 期 (“Integrated Joint Operation Platform” Daily Essentials Bulletin No. 20); Scilla Alecci, “How China Targets Uighurs ‘One By One’ For Using A Mobile App, Int’l Consortium of Investigative Journalists,” November 24, 2019, <https://www.icij.org/investigations/china-cables/how-china-targets-uighurs-one-by-one-for-using-a-mobile-app/>.

¹⁶⁰ “一体化联合作战平台” 每日要情通报: 第 2 期 (“Integrated Joint Operation Platform” Daily Essentials Bulletin No. 2).

¹⁶¹ Uyghur Human Rights Project, “Ideological Transformation,” p. 12.

¹⁶² Human Rights Watch, “*Eradicating Ideological Viruses*,” p. 5, 83-86; Testimony of Mihrigul Tursun, Hearing before the US Congressional-Executive Commission on China, 2018.

¹⁶³ Ibid.; Amnesty International, China: Uyghurs living abroad tell of campaign of intimidation, <https://www.amnesty.org/en/latest/news/2020/02/china-uyghurs-living-abroad-tell-of-campaign-of-intimidation/>.

urgent directives on dealing with children of detained or “double-detained” parents in early 2018.¹⁶⁴

In some cases, Chinese authorities have ordered the removal of these children from the care of their extended families, transferring them instead to state institutions without the consent of their relatives.¹⁶⁵ These transfers follow a November 2016 order from Chen Quanguo to place all Xinjiang “orphans” into state institutions by 2020, purportedly for “concentrating” orphans previously cared for “in a scattered manner”—an order that includes no mention of their families’ or the children’s consent. The policy also defines orphans broadly as “children who have lost their parents or whose parents cannot be found,” which, in some regions, includes children for whom one or both parents have been detained.¹⁶⁶ Moreover, there are reports that some children who are not orphans by any definition have been transferred, without the consent of their parents, to full-time boarding schools, where they are only allowed home on weekends and holidays, and parents have only limited visiting privileges.¹⁶⁷ Some of those who resist the removal of their children to these schools say they risked being sent to detention camps for their defiance.¹⁶⁸

The institutions in which these children are housed range from boarding schools, including boarding preschools, to “rescue, care, and protection centers for children in especially difficult circumstances,” to traditional orphanages.¹⁶⁹ The CCP is building these centers at a rapid pace. As of September 2018, the CCP had budgeted over US\$30 million to build or expand at least 45 of these “rescue, care, and protection centers” since the beginning of 2017, creating enough beds to house 5,000 children.¹⁷⁰ Children are taught Chinese and some are punished for speaking their native languages, and they are taught to sing and

¹⁶⁴ Zenz, “Wash Brains, Cleanse Hearts,” *Journal of Political Risk*.

¹⁶⁵ Human Rights Watch, “China: Xinjiang Children Separated from Families,” September 15, 2019, <https://www.hrw.org/news/2019/09/15/china-xinjiang-children-separated-families>; “China: Children Caught in Xinjiang Crackdown,” October 16, 2018, <https://www.hrw.org/news/2018/10/16/china-children-caught-xinjiang-crackdown>.

¹⁶⁶ *Ibid.*

¹⁶⁷ “China is putting Uighur children in ‘orphanages’ even if their parents are alive,” *The Independent*, September 21, 2018, <https://www.independent.co.uk/news/world/asia/china-uighurs-human-rights-muslims-orphanages-xinjiang-province-reeducation-a8548341.html>.

¹⁶⁸ Emily Feng, “Uighur children fall victim to China anti-terror drive,” *Financial Times*, July 9, 2018, <https://www.ft.com/content/f0d3223a-7f4d-11e8-bc55-50daf11b720d>.

¹⁶⁹ Adrian Zenz, “Break Their Roots: Evidence for China’s Parent-Child Separation Campaign in Xinjiang,” *Journal of Political Risk*, vol. 7, no. 7, July 2019.

¹⁷⁰ “China is putting Uighur children in ‘orphanages’ even if their parents are alive,” *The Independent*.

dance to propagandistic songs.¹⁷¹ These placements are accompanied by state propaganda extolling the benefits of placing children “under the loving care of the Party and the government.”¹⁷²

Forced Returns to China

Chinese authorities have tracked down hundreds of Turkic Muslim asylum seekers around the world and forced them to return to repression and in some cases detention. In many cases, it is impossible to find out what has happened to returnees.¹⁷³

In March 2014, Thailand immigration officials conducted a night raid in a remote rubber plantation and detained 60 women, 78 men, and 82 children who identified themselves as Turkish. The immigration officials held the group at the Sadao Immigration Detention Center in Songkhla province. The following July, Thai authorities allowed approximately 170 members of this group and other Turkic peoples in Thailand seeking asylum to go to Turkey. Approximately 100 others deemed to be Turkic Muslims were returned to China.¹⁷⁴ Efforts by Human Rights Watch to assess their whereabouts and well-being have yielded no information.

In early 2017, the Chinese government demanded the return of Turkic Muslim students living abroad, accusing the community of “separatism” and “religious extremism.”¹⁷⁵ Following this demand, there were reports of Chinese authorities detaining family members of these students to coerce them into returning to China.¹⁷⁶ The Chinese government has also pressed other governments to cooperate in the return of Turkic Muslims abroad. For example, in July 2017, Egyptian authorities arrested at least 62 Turkic

¹⁷¹ Ibid.; Human Rights Watch, “China: Xinjiang Children Separated from Families.”

¹⁷² Zenz, “Break Their Roots,” *Journal of Political Risk*.

¹⁷³ Human Rights Watch, “China: Forcibly Returned Uighur Asylum Seekers At Risk,” December 22, 2009; “Thailand: More Uighurs Face Forced Return to China,” March 21, 2014; “Letter to Malaysian Prime Minister Concerning Forced Return of Uighurs,” February 1, 2013; “Saudi Arabia: Clarify Status of Uyghur Detainees,” November 23, 2020.

¹⁷⁴ Catherine Putz, “Thailand Deports 100 Uyghurs to China,” *The Diplomat*, July 11, 2015, <https://thediplomat.com/2015/07/thailand-deports-100-uyghurs-to-china/>.

¹⁷⁵ Human Rights Watch, “Egypt: Don’t Deport Uyghurs to China,” July 7, 2017, <https://www.hrw.org/news/2017/07/07/egypt-dont-deport-uyghurs-china>; Matt Rivers, Max Foster, and James Griffiths, “Disturbing video shows hundreds of blindfolded prisoners in Xinjiang,” *CNN*, October 7, 2019.

¹⁷⁶ Joëlle Garrus, “No place to hide: exiled Chinese Uighur Muslims feel state’s long reach,” *Hong Kong Free Press*, August 19, 2018, <https://www.hongkongfp.com/2018/08/19/no-place-hide-exiled-chinese-uighur-muslims-feel-states-long-reach/>; Human Rights Watch, “Egypt: Don’t Deport Uyghurs to China.”

Muslims living in Egypt without informing them of the grounds for their detention, denied them access to lawyers and contact with their families, and put at least 12 Turkic Muslims on a flight to China.¹⁷⁷ These arrests and deportations followed a meeting between Egyptian Interior Minister Magdy Abd al-Ghaffar and Chinese Deputy Public Security Minister Chen Zhimin, in which Chen stressed the Chinese government’s eagerness to exchange information about “extremist organizations.”¹⁷⁸

Forced Labor

There have been numerous credible reports that Chinese authorities are subjecting Turkic Muslims to forced labor under the government’s “idle labor transfer programs” (富余劳动力转移). Under this program, ethnic minorities are placed in jobs, including in factories, in Xinjiang and elsewhere in China.

These labor transfer programs predated the Strike Hard Campaign. They started in 2006 but dipped around 2014 following the Kunming train station attack.¹⁷⁹ The programs saw a revival around 2017 and 2018 as part of the Chinese government’s nationwide “poverty alleviation” efforts.¹⁸⁰

The levels of coercion involved in these programs appear to have dramatically increased with the Strike Hard Campaign. The evidence indicates that detainees have been sent to perform forced labor after they were released from Xinjiang’s political education camps. Satellite images also show the recent emergence of new factories, connected to or near the camps, where inmates allegedly provide low-cost or unpaid labor.¹⁸¹ In at least one instance, such a factory purportedly became an extension of a political education camp; laborers live in dormitories, may be prohibited from returning home on a regular basis, and receive no pay for their work until they “complete their training.”¹⁸²

¹⁷⁷ Human Rights Watch, “Egypt: Don’t Deport Uyghurs to China.”

¹⁷⁸ Ibid.

¹⁷⁹ For a discussion about the history around these schemes, see Li Xiaoxia, “(新疆少数民族产业工人队伍发展及现状分析),” 北方民族大学学报(哲学社会科学版), 2015.

¹⁸⁰ See, for example, 新疆的农村劳动力转移出现四个转变产生四大效应, http://www.gov.cn/gzdt/2007-06/18/content_652170.htm, mentioning that over 100,000 Xinjiang workers were exported to other provinces under the scheme in 2006.

¹⁸¹ Chris Buckley and Austin Ramzy, “China’s Detention Camps for Muslims Turn to Forced Labor,” *New York Times*, December 16, 2018, <https://www.nytimes.com/2018/12/16/world/asia/xinjiang-china-forced-labor-camps-uyghurs.html>.

¹⁸² Shohret Hoshur, “Internment Camp Assigned Uyghur Forced Laborers to Xinjiang Textile Factory: Official,” Radio Free Asia, November 14, 2019, <https://www.rfa.org/english/news/uyghur/laborers-11142019142325.html>.

The crackdown on Turkic Muslims since 2014 also coincides with the Chinese government's encouragement of the vertical integration of China's garment manufacturing sector by moving textile and garment factories closer to the cotton production centered in Xinjiang, hinting at a textile and apparel expansion plan that depends heavily on the forced labor of inmates at the various detention facilities.¹⁸³

Additionally, authorities have assembled Turkic Muslims and sent them to factories in various Chinese provinces. The conditions strongly suggest coercion, including the use of minders and political indoctrination of exported workers.¹⁸⁴ A 2017 state television report showed how officials pressured one young woman into participating in such schemes, even though she did not wish to be away from home.¹⁸⁵ A leaked Nankai University study of these schemes described how "some [exported] workers are unwilling to leave and have been seriously homesick."¹⁸⁶ Organized labor transfer programs exist in other parts of China, such as Shanxi province, but these workers do not appear to be subjected to the same coercive conditions as those from Xinjiang.¹⁸⁷

Official plans published online detail how the program will transform ethnic minorities into a disciplined, patriotic, Chinese-speaking industrial work force.¹⁸⁸ As of 2018, the Chinese government has documented the employment of 450,000 new Turkic Muslim workers including impoverished household members, struggling relatives of prisoners and detainees, and political education camp detainees in the cotton and textiles industry.¹⁸⁹

¹⁸³ Fair Labor Association, "Issue Brief: Forced Labor Risk in Xinjiang, China," 2020, https://www.fairlabor.org/sites/default/files/documents/reports/fla-brief-xinjiang_forced_labor_risk_final.pdf; Citizen Power Initiatives for China, *Cotton: The Fabric Full of Lies*, 2019.

¹⁸⁴ ASPI, "Uyghurs for Sale," <https://www.aspi.org.au/report/uyghurs-sale>.

¹⁸⁵ John Sudworth, "'If the others go I'll go': Inside China's scheme to transfer Uighurs into work," *BBC News*, March 2, 2021, <https://www.bbc.com/news/world-asia-china-56250915>.

¹⁸⁶ *Ibid.*; 中国财富经济研究院智库报告-1009 新疆和田地区维族劳动力转移就业扶贫工作报告, Nankai University, <http://web.archive.org/web/20200507161938/https://ciwe.nankai.edu.cn/2019/1223/c18571a259225/page.htm>.

¹⁸⁷ 我省出台措施进一步加大就业扶贫力度, http://www.jcgov.gov.cn/dtxx/sxyw/202003/t20200315_890057.shtml.

¹⁸⁸ Bernhard Zand and Adrian Zenz, "The Equivalent of Cultural Genocide," *Spiegel Online*, November 28, 2019, <https://www.spiegel.de/international/world/chinese-oppression-of-the-uighurs-like-cultural-genocide-a-1298171.html>.

¹⁸⁹ 孙瑞哲分享十大行业发展热点 (Sun Ruizhe Shares Top Ten Industry Development Hot Topics), March 4, 2018, transcript, http://www.ccta.org.cn/hyzz/201803/t20180305_3683861.html; Jianli Yang and Lianchao Han, "Did a Muslim Slave Make Your Chinese Shirt?," *Wall Street Journal*, October 16, 2019.

Sexual Violence and Violations of Reproductive Rights

There are disturbing reports of sexual violence against Turkic Muslim women in detention. Tursunay Ziawudun was held in a camp for nine months in 2018. She reported that masked men gang-raped her on three occasions, that these same men used electroshock on and inside her genitals, and that camp authorities took women in her cell to be raped “every night.”¹⁹⁰

In addition to Tursunay Ziawudun’s first-person account, a number of other former detainees and camp teachers have said they witnessed, or heard of, inmates being raped. A political education camp teacher, Qulbinur Sedik, a Uyghur, said police officers told her women were being raped, including with electric batons.¹⁹¹ A former detainee, an ethnic Kazakh woman, said a police officer threatened her with rape if she was not honest.¹⁹² Aina Shormanbayeva, a prominent human rights lawyer in Kazakhstan who has been documenting abuses in Xinjiang, said one of the victims told her she was gang raped twice in a political education camp.¹⁹³ Others have recounted stories of sexual humiliation such as having their pubic hair pulled.¹⁹⁴

Human Rights Watch is unable to ascertain the extent to which sexual violence is perpetrated against Turkic Muslim women across Xinjiang, due to the hidden nature of such abuses and the stigma survivors may face. But the gravity of such allegations merits further investigation.

Emerging reports also reveal violations of the reproductive rights of Turkic Muslim women in Xinjiang. Several former detainees and Xinjiang residents have described being subjected to procedures without consent. Rakhima Senbay, a mother of four and a former

¹⁹⁰ Matthew Hill, David Campanale, and Joel Gunter, “‘Their goal is to destroy everyone’: Uighur camp detainees allege systematic rape,” *BBC News*, February 2, 2021, <https://www.bbc.com/news/world-asia-china-55794071>.

¹⁹¹ Ruth Ingram, “Confessions of a Xinjiang Camp Teacher,” *The Diplomat*, August 17, 2020, <https://thediplomat.com/2020/08/confessions-of-a-xinjiang-camp-teacher/>.

¹⁹² Forthcoming *ChinaFile* publication.

¹⁹³ Human Rights Watch interview with Aina Shormanbayeva via an electronic communication platform, August 20, 2020.

¹⁹⁴ Amie Ferris-Rotman, “Abortions, IUDs and Sexual humiliation: Muslim women who fled China for Kazakhstan recount ordeals,” *Washington Post*, October 7, 2019, https://www.washingtonpost.com/world/asia_pacific/abortions-iuds-and-sexual-humiliation-muslim-women-who-fled-china-for-kazakhstan-recount-ordeals/2019/10/04/551c2658-cfd2-11e9-a620-0a91656d7db6_story.html; Amie Ferris-Rotman, Aigerim Toleukhan, Emily Rauhala, and Anna Fifield, “China accused of genocide over forced abortions of Uighur Muslim women as escapees reveal widespread sexual torture,” *The Independent*, October 6, 2019, <https://www.independent.co.uk/news/world/asia/china-uighur-muslim-women-abortion-sexual-abuse-genocide-a9144721.html>.

detainee, said she was forcibly implanted with an intrauterine contraceptive device (IUD).¹⁹⁵ Gulzir Mogdyn, Zumrat Dawut, and an unnamed Kazakh woman (whose case is being advocated for by Kazakh rights advocate Aiman Umarova) said they were subjected to forced abortions while in Xinjiang.¹⁹⁶

It is not clear how extensively coercive measures to control women's fertility are being implemented as part of the Strike Hard Campaign. Throughout China for decades, women have been subjected to violations of their reproductive rights, with most Han couples limited to strict, and brutally enforced, birth quotas of one child per couple, a policy changed as of January 1, 2016, to two children per couple.¹⁹⁷

There are indications that these national birth control policies have been implemented more strictly than before in Xinjiang during the Strike Hard Campaign, out of a stated concern that resistance to family planning policy is the result of an adherence to religious extremism as an “ideological virus” that the government has determined needs to be eradicated.¹⁹⁸

Of the reasons for detention listed in the Qaraqash Document, violations of birth policies—that is, having too many children—was the most common, representing 115 of the 409 reasons for internment reported in the leaked document.¹⁹⁹ Over the past decade, Chinese academics and government officials have described Turkic Muslim and other minority population growth in the region as “excessive,” a catalyst of “religious extremism and splittism,” and a threat to national security.²⁰⁰ A May 2015 government broadcast stated that “religious extremism begets re-marriages and illegal extra births.”²⁰¹ That same month, the district secretary of Hotan asserted at a family planning meeting that “de-

¹⁹⁵ Ferris-Rotman, “Abortions, IUDs and Sexual humiliation,” *Washington Post*.

¹⁹⁶ Ibid.; Ferris-Rotman, Toleukhan, Rauhala, and Fifield, “China accused of genocide over forced abortions of Uighur Muslim women as escapees reveal widespread sexual torture,” *The Independent*; Rauhala and Fifield, “She survived a Chinese internment camp and made it to Virginia,” *Washington Post*.

¹⁹⁷ Maya Wang, “Ending the One-Child Policy Does Not Equal Reproductive Freedom in China,” Human Rights Watch, October 29, 2015, <https://www.hrw.org/news/2015/10/29/dispatches-ending-one-child-policy-does-not-equal-reproductive-freedom-china>.

¹⁹⁸ Adrian Zenz, “Sterilizations, IUDs, and Coercive Birth Prevention: The CCP's Campaign to Suppress Uyghur Birth Rates in Xinjiang,” *China Brief*, vol. 20, no. 12, 2020, <https://jamestown.org/wp-content/uploads/2020/06/Zenz-Internment-Sterilizations-and-IUDs-UPDATED-July-21-Rev2.pdf?x19523>.

¹⁹⁹ Uyghur Human Rights Project, “Ideological Transformation,” p. 9.

²⁰⁰ Zenz, “Sterilizations, IUDs, and Coercive Birth Prevention,” *China Brief*.

²⁰¹ Ibid., p. 7-8.

extremification is an opportunity to eliminate the influence and interference of religion on family planning,” a sentiment reiterated in the Xinjiang White Paper.²⁰²

In 2017, a phrase began to crop up in government documents related to family planning in Xinjiang: “*severely attack* behaviors that violate family planning.”²⁰³ That same year, local governments in the region launched a “Special Campaign to Control Birth Control Violations,” seeking to unearth and punish birth policy violations dating as far back as the 1990s, with especially harsh punishments proposed for violations committed after July 28, 2017, when Xinjiang reformed its family planning policy to eliminate ethnic distinctions in birth policies. A regionwide directive issued in 2018 ordered the continuation and expansion of this campaign, and countywide implementation schemes were issued in April and May of that year.²⁰⁴ Qiemo County, for example, specifically mandated that discovered violators be subjected to “vocational skills education and training,” referring to extrajudicial internment at reeducation camps. In particular, those family planning violations deemed to have come about “due to the influence of extreme religious thinking” were to be “dealt with severely.”²⁰⁵

Concurrently in 2019, government officials launched a “Special Action Plan of the ‘Two Thorough Investigations’ of Illegal Births,” which required counties to implement intrusive birth control measures, namely IUD implantations and permanent sterilizations.²⁰⁶ Bayingol Prefecture, for example, ordered that “all [women] that meet IUD placement conditions and are without contradictions must have [IUDs] placed immediately.”²⁰⁷ Nilka County’s 2019 family planning policy involved the fitting of IUDs after just one birth in women who were part of the “floating population.” These IUDs were designed and legislated to be removable only through a surgical procedure, and the state has imposed prison terms and fines on any removal procedures not performed by state-approved medical practitioners.²⁰⁸

²⁰² 闫国灿同志在地区卫生计生工作会议上的讲话 (Speech by Comrade Yan Guocan at the Regional Health and Family Conference), 和田政府网 (Hotan Government Net), May, 30, 2015, <http://archive.is/fCkb3>; Zenz, “Sterilizations, IUDs, and Coercive Birth Prevention,” *China Brief*; Joyce Huang, “Rights Activists Denounce China’s Xinjiang White Paper,” *VOA News*, March 19, 2019, <https://www.voanews.com/east-asia-pacific/rights-activists-denounce-chinas-xinjiang-white-paper>.

²⁰³ Emphasis added. Zenz, “Sterilizations, IUDs, and Coercive Birth Prevention,” *China Brief*.

²⁰⁴ *Ibid.*

²⁰⁵ See Uyghur Human Rights Project, “Ideological Transformation,” p. 9.

²⁰⁶ Zenz, “Sterilizations, IUDs, and Coercive Birth Prevention,” *China Brief*.

²⁰⁷ *Ibid.*, p. 13.

²⁰⁸ *Ibid.*

While the number of sterilization procedures in the rest of China plummeted following the 2016 abolition of the country’s longstanding one-child policy, sterilizations surged in Xinjiang in 2017 and 2018, despite Turkic Muslim communities’ traditional reticence toward such procedures.²⁰⁹ Turkic Muslim women have also reported threats of internment for refusal to undergo these “free” medical services.²¹⁰

²⁰⁹ Ibid., p. 15-16.

²¹⁰ Ibid.

III. International Legal Standards

Human Rights Watch and the Stanford Clinic find that Chinese authorities have committed crimes against humanity against Turkic Muslims in Xinjiang. Any specific prosecution of crimes against humanity would need to meet a criminal law standard for individual criminal culpability.

Crimes against Humanity

The commission of crimes against humanity can serve as the basis for individual criminal liability not only in a country's own domestic courts, but also in international tribunals, as well as in domestic courts outside the country under the principle of universal jurisdiction. Individual criminal liability extends beyond those who carry out the acts, to those who order, assist, facilitate, and aid and abet the offense. Under the principle of command responsibility, military and civilian officials up to the top of the chain of command can be held criminally responsible for crimes committed by their subordinates when they knew or should have known that such crimes were being committed but failed to take reasonable measures to prevent the crimes or punish those responsible.

There is not yet an international convention on crimes against humanity, although a draft is under consideration by states. The Rome Statute of the International Criminal Court outlines a range of prohibited acts²¹¹ that constitute crimes against humanity “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”²¹² The acts detailed above implicate the following crimes against humanity: murder; enslavement; imprisonment or other severe

²¹¹ The acts are: “Murder; Extermination; Enslavement; Deportation or forcible transfer of population; Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; Torture; Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; Enforced disappearance of persons; The crime of apartheid; Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.” Rome Statute of the International Criminal Court (Rome Statute), A/CONF.183/9, July 17, 1998, entered into force July 1, 2002.

²¹² Rome Statute, art. 7(1)(a).

deprivation of physical liberty in violation of fundamental rules of international law; torture; persecution; enforced disappearance; and other inhumane acts.

General Requirements

The Rome Statute defines crimes against humanity as specified acts “committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.” This definition can be broken down into four requirements: (1) that the attack is “widespread or systematic”; (2) that the attack is directed against a “civilian population”; (3) that the acts are committed “with knowledge of the attack”; and (4) that the acts are “pursuant to or in furtherance of a State or organizational policy to commit such attack.”²¹³

The government’s mass incarceration of a million Turkic Muslims across the Xinjiang region meets the requirement of a “widespread or systematic” attack.²¹⁴ Turkic Muslims living in the Xinjiang region constitute a specific civilian population. Internal documents disseminated among CCP officials that reference key elements of the crimes targeting the Turkic Muslims—such as “assault style reeducation” of uncooperative detainees—illustrate the Chinese authorities’ knowledge of the attack.²¹⁵

The fourth requirement “requires that the State or organization actively promote or encourage such an attack against a civilian population.”²¹⁶ Commentators have noted that the word “policy” in this definition was added late in the stages of the Rome Conference in

²¹³ The Rome Statute further defines a qualifying action as “a course of conduct involving the multiple commission of [the enumerated acts] against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack.” Rome Statute, art. 7(2)(a).

²¹⁴ An “attack” is a course of conduct involving the commission of acts of violence. See *Oxford Public International Law* (Oxford: Oxford University Press, 2021), p. 196. See also, Assembly of States Parties to the Rome Statute of the International Criminal Court, Elements of Crimes (ICC Elements of Crimes), ICC-ASP/1/3, September 9, 2002, <https://www.icc-cpi.int/nr/rdonlyres/336923d8-a6ad-40ec-ad7b-45bf9de73d56/o/elementsofcrimeseng.pdf>, art. 7. “Attack directed against a civilian population” means a course of conduct involving the commission of enumerated acts in the Rome Statute. The acts do not need to be part of a military attack.

²¹⁵ 自治区机关发电 (Autonomous Region State Telegram), paras. 3, 11.

²¹⁶ ICC Elements of Crimes.

order to articulate the consensus and provide assurance that isolated acts would not be treated as crimes against humanity.²¹⁷

Human Rights Watch and the Stanford Clinic found a state policy to commit the described attacks against Turkic Muslims. The accounts of former detainees held at different facilities and during different time periods—such as the repeated allegations of the use of a “tiger chair,” forced political indoctrination, and cultural erasure, as well as similarities in detention conditions—are strikingly similar, which indicates the existence of an organized policy.

Zhu Hailun, Xinjiang’s deputy party secretary, signed off on internal documents directing oppressive monitoring and control systems in the camps, as well as “assault-style reeducation” of disobedient detainees.²¹⁸ Sweeping statements by Chen Quanguo, the region’s top security chief—such as his exhortation to “round up everyone who should be rounded up” or that “the struggle against terror and to safeguard stability is a protracted war, and ... a war of offense”—further illustrate support for these crimes at the senior level.²¹⁹ The government’s assignment to Xinjiang of Chen Quanguo, who presided over brutal and repressive government policies in Tibet, is further evidence of a broader government policy that facilitated crimes against humanity.

In addition, statements and documents by high-ranking CCP officials indicate that the campaign against the Turkic Muslims reflects a systematic policy of repression adopted at the highest levels of the Party. For example, in leaked speeches by Xi Jinping, the CCP leader instructed Xinjiang police forces to “show absolutely no mercy” and unleash the “organs of dictatorship” against “radical Islam,” contending that religious extremism had already captured broad swaths of the Xinjiang population.²²⁰ These speeches corroborate Xi’s involvement in catalyzing this campaign. Some of these cited statements and

²¹⁷ See Darryl Robinson, “Crimes within the Jurisdiction of the Court,” in Roy S. Lee, ed., *The International Criminal Court, The Making of the Rome Statute* (1999). (“Explicit recognition of this policy element was essential to the compromise on crimes against humanity. It is the existence of a policy that unites otherwise unrelated inhumane acts, so that it may be said that in the aggregate they collectively form an ‘attack’. Delegations supporting the compromise explained that the policy element was intended as a flexible test.”)

²¹⁸ 自治区机关发电 (Autonomous Region State Telegram), paras. 3, 11.

²¹⁹ Austin Ramzy and Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims,” *New York Times*, November 16, 2019.

²²⁰ *Ibid.*; Austin Ramzy, “5 Takeaways From the Leaked Files on China’s Mass Detention of Muslims,” *New York Times* November 16, 2019.

documents reference Turkic Muslims directly, such as one internal security bulletin that specifically flags the 1,869,310 Turkic Muslims using the Zopya peer-to-peer file-sharing app for authorities' attention.²²¹ Others, such as Xi Jinping's speeches, refer more vaguely to "terrorism," "extremism," or "radical Islam."²²² Although these speeches do not make reference to Turkic Muslims explicitly, the CCP's longstanding conflation of Turkic Muslim religiosity and separatism with violent extremism and terrorism suggests that this language may serve simply as thinly veiled references to the Turkic Muslims.²²³

The CCP has gone to extraordinary lengths to ensure enforcement of the mass detention campaign in Xinjiang. To this end, the treatment of Wang Yongzhi, a CCP official who resisted the campaign, is illustrative. Although he initially followed the leadership's orders to detain Turkic Muslims en masse in his region of Yarkand, he worried that this hardline approach would provoke backlash, exacerbate ethnic tensions, and hurt the region's economy.²²⁴ In a signed confession that appears to have been made under duress, Wang professed that the pressure to detain Turkic Muslims and prevent violence led him to drink on the job. Eventually, he ordered the release of over 7,000 political education camp inmates in September 2017.²²⁵ For this act of defiance, the CCP detained him, stripped him of all power, prosecuted him, and, by publicizing his confession, made an example of him for "gravely disobeying the party central leadership's strategy for governing Xinjiang."²²⁶

In 2017, the Party opened 12,000 investigations—20 times more than the previous year—into other Party cadres for similar infractions in Xinjiang, and purged or otherwise punished thousands of Xinjiang officials who resisted or failed to implement the mass detention campaign.²²⁷ This routine removal of Party members who did not fully carry out the campaigns bolsters the conclusion that the CCP's treatment of Turkic Muslims is a reflection of state policy.

²²¹ "一体化联合作战平台" 每日要情通报: 第 20 期 ("Integrated Joint Operation Platform" Daily Essentials Bulletin No. 20).

²²² Ramzy and Buckley, "Absolutely No Mercy," *New York Times*.

²²³ See, e.g., Enshen Li, "Fighting the 'Three Evils': A Structural Analysis of Counter-Terrorism Legal Architecture in China," *Emory International Law Review*, vol. 33, no. 3, 2019; Kilic Kanat, "Repression in China and Its Consequences in Xinjiang," Hudson Institute, July 28, 2014, <https://www.hudson.org/research/10480-repression-in-china-and-its-consequences-in-xinjiang>.

²²⁴ Ramzy and Buckley, "Absolutely No Mercy," *New York Times*.

²²⁵ *Ibid.*

²²⁶ *Ibid.* His confession and the investigation report were read aloud to officials throughout Xinjiang, and state media outlets portrayed him as corrupt.

²²⁷ *Ibid.*

The Chinese government's insistence on and enforcement of secrecy shows a high degree of centralized control over the camps, and an institutional awareness of the need to cover up their internal workings. Leaked CCP directives warned officials that the "work policy of the vocational skills education and training centers are ... highly sensitiv[e]," and directed officials to "strengthen [their] staff's awareness of staying secret," and instruct them to exercise "serious political discipline" and "secrecy discipline" in the camps, including the prohibition of any video equipment in the camps.²²⁸ Likewise, former detainees have reported being forced to sign documents agreeing not to divulge the internal camp practices.²²⁹

Finally, in the cases of some of these crimes against humanity, there exist explicit, written or otherwise recorded government policies, such as the laws prohibiting Islamic religious practices. Even in the absence of comprehensive written policies, the concerted, systematic nature and the massive scale of the attacks against Turkic Muslims shows the existence of a state policy.

Constitutive Acts

The discussion above shows that constitutive acts of crimes against humanity enumerated in the Rome Statute have been committed. The information uncovered for each, however, varies; in the sections below, the discussion of these acts will be ordered according to the amount and quality of the information meeting the elements of the crime, starting with the strongest.

Enslavement

The forced labor of Turkic Muslim detainees may also constitute enslavement as contemplated by the Rome Statute. Although the Rome Statute itself defines the crime narrowly,²³⁰ the Elements of Crimes interpret enslavement to encompass "exact[ing] forced labour or otherwise reducing a person to a servile status."²³¹ Even if Turkic Muslim laborers

²²⁸ 自治区机关发电 (Autonomous Region State Telegram), para. 25.

²²⁹ Emily Rauhala and Anna Fifield, "She survived a Chinese internment camp and made it to Virginia. Will the U.S. let her stay?" *Washington Post*, November 17, 2019.

²³⁰ Rome Statute, art. 7(2)(c).

²³¹ ICC Elements of Crimes, art. 7(1)(c), n.11. The Trial Chamber of the International Criminal Tribunal for the former Yugoslavia held in the *Kunarac* case that exploitative conditions may rise to the level of enslavement when factors such as control of

are well treated,²³² the Nuremberg Tribunal has held that even in the absence of torture or ill-treatment, slavery can exist where laborers are “without lawful process ... deprived of their freedom by forceful restraint.”²³³

The forced labor of Turkic Muslims arbitrarily detained in political education facilities, as well as the automatic, involuntary transfer of “graduated” detainees to adjacent factories where they work for low or no wages, in a state where the government has exerted total and arbitrary power over the Turkic Muslim population, amounts to enslavement.

Imprisonment and Other Severe Deprivation of Physical Liberty

Chinese authorities have arbitrarily and without due process imprisoned up to one million Turkic Muslims in Xinjiang in political education camps. Others are being held arbitrarily in detention facilities and prisons. This mistreatment amounts to the crime against humanity of imprisonment and other severe deprivation of physical liberty. Restrictions on the liberty of those not being held in detention facilities may be so drastically limited by Chinese government policies that their treatment also constitutes a “severe deprivation of physical liberty” within the scope of crimes against humanity.

Torture

Turkic Muslims in custody have been subjected to torture, defined by the Rome Statute as “the intentional infliction of severe pain or suffering” that can be either physical or mental.²³⁴ The Rome Statute definition of torture as a crime against humanity does not require that it be inflicted with a specific prohibited purpose, such as to obtain a confession, meaning that certain acts of severe physical or mental pain or suffering would fall within the crimes against humanity definition of torture regardless of the purpose for which it is committed.²³⁵

movement, control of environment, use or threat of force, psychological control, and other forms of coercion that would diminish a person’s free will are present. *Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković*, Case Nos. IT-96-23-T and IT-96-23/1-T, Judgement in the Trial Chamber, International Criminal Tribunal for the Former Yugoslavia, February 22, 2001, §§ 543-543, <https://www.icty.org/x/cases/kunarac/tjug/en/kun-tjo10222e.pdf>.

²³² See, e.g., Chris Buckley and Austin Ramzy, “China’s Detention Camps for Muslims Turn to Forced Labor,” *New York Times*, December 16, 2018, discussing state propaganda extolling the benefits of the “job training” program.

²³³ *United States v. Pohl*, Judgement, US Military Tribunal at Nuremberg, November 3, 1947, http://www.worldcourts.com/imt/eng/decisions/1947.11.03_United_States_v_Pohl.pdf.

²³⁴ Rome Statute, art. 7(1)(f), 7(2)(e).

²³⁵ *Oxford Public International Law* (Oxford: Oxford University Press, 2021), p. 519.

Many of the acts committed against Turkic Muslims amount to torture under the Rome Statute as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Acts of torture include interrogation in “tiger chairs” using electroshock and other violent means of interrogation, and beatings, prolonged solitary confinement, sexual violence, and deprivation of food or water that are arbitrarily inflicted on detainees.

Persecution

The Chinese government’s targeting of and the repressive measures used against the Turkic Muslim ethnic group meet the requirements for the crime against humanity of persecution. Persecution is “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity,”²³⁶ based on “political, racial, national, ethnic, cultural, religious, gender ... or other grounds that are universally recognized as impermissible under international law.”²³⁷ Persecution operates as an umbrella term that encompasses other constitutive acts so long as they are committed with discriminatory intent.

Formal legislation and informal rules that target the religious practices of Turkic Muslims—including their names, attire, appearance, diet, observance of religious holidays, and prayer—and the abuse of Turkic Muslims for violations of such rules demonstrate that the Chinese authorities are taking action against Turkic Muslims on the basis of their religious and cultural identity.

Other acts that qualify as persecution may include the razing of mosques and other religiously or culturally important sites, the involuntary implantation of contraceptive devices in Turkic Muslim women, the mandatory or coerced assimilation of Han Chinese culture into Turkic Muslim families through government programming, and the forced indoctrination of Turkic Muslims into state propaganda both inside and outside of camps.

These actions reflect what has been termed “cultural persecution.”²³⁸ The International Law Commission has previously indicated that persecution could take the form of “a

²³⁶ Rome Statute, art. 7(2)(g).

²³⁷ ICC Elements of Crimes, art. 7(1)(h).

²³⁸ See Elisa Novic, *Beyond Words: From ‘Cultural Genocide’ to ‘Cultural Persecution,’* Oxford Scholarship Online, 2016.

prohibition on practising certain kinds of religious worship; prolonged and systematic detention of individuals who represent a political, religious or cultural group; a prohibition on the use of a national language, even in private; [and] systematic destruction of monuments or buildings representative of a particular social, religious, cultural or other group.”²³⁹

In addition, the CCP’s use of highly invasive surveillance technology to identify and locate Turkic Muslims, as well as the mass aggregation of biometric data of Turkic Muslims, facilitates apprehension and wrongful detention.²⁴⁰

Enforced Disappearance

The Rome Statute defines an enforced disappearance as arrests or detentions of someone by government authorities “followed by a refusal to acknowledge the arrest, detention, or abduction, or to give information on the fate or whereabouts of those persons,” “with the intention of removing them from the protection of the law for a prolonged period of time.”²⁴¹ Enforced disappearances not only violate various human rights law provisions, but they put the individual disappeared at heightened risk of torture and other ill-treatment and take a terrible psychological toll on their families, who may wait long periods before finding out what happened to them.

The Chinese authorities in Xinjiang have routinely taken people into custody, including those sent to “political education” camps as well as other detention facilities without immediately notifying family members of this. In some cases, families do not learn that their relative has been taken into custody until that person has been released or transferred to another facility.

²³⁹ Ibid., p. 148-149, citing International Law Commission commentary on the 1991 Draft Code of Crimes against the Peace and Security of Mankind.

²⁴⁰ See, for example, Tactics from Turpan City, instructing officials on how to respond to the economic concerns of detainees’ family members; Adrian Zenz, “China Didn’t Want Us to Know. Now Its Own Files Are Doing the Talking,” *New York Times*, November, 24, 2019, describing the economic fallout of these policies.

²⁴¹ ICC Elements of Crimes, art. 7(1)(i); Rome Statute, art. 7(2)(i).

Rape, Enforced Sterilization, and Other Forms of Sexual Violence

Allegations of sexual violence in detention, including rape, would be crimes against humanity if committed with knowledge of an attack on the civilian population.²⁴² For example, the ICC Elements of Crimes specify that sterilizations carried out without patients' "genuine consent" qualify as crimes against humanity. On the other hand, the Elements of Crimes also note that birth control measures that have a "non-permanent effect" would not count as "enforced sterilization"—which makes it more difficult to include the forced or coerced implantation of IUDs in this category.²⁴³

Deportation and Forcible Transfer of Population

Turkic Muslims in China and abroad have been "deported or forcibly transferred, without grounds permitted under international law ... to another location, by expulsion or other coercive acts."²⁴⁴ The Elements of Crimes provide that both physical and psychological force, such as "fear of violence, duress, detention, psychological oppression or abuse of power against such person or persons or another person" can characterize an act of displacement as forcible transfer.²⁴⁵

²⁴² ICC Elements of Crimes, art. 7(1)(g)-2.

²⁴³ *Ibid.*, art. 7(1)(g)-5.

²⁴⁴ *Ibid.*, art. 7(1)(d).

²⁴⁵ *Ibid.*, art. 7(1)(d), n.12.

Recommendations

To the Chinese Government

- Take immediate steps to end human rights violations against Turkic Muslims in Xinjiang and elsewhere, notably arbitrary detention and imprisonment, including in so-called reeducation camps; torture and other ill-treatment; restrictions on freedom of religion, privacy, and movement; sexual violence and enforced sterilization; and forced labor.
- Take immediate steps to end alleged crimes against humanity against Turkic Muslims.
- Investigate and appropriately prosecute government officials implicated in serious human rights violations and crimes against humanity.

To the United Nations

- The United Nations Human Rights Council should adopt a resolution to create a commission of inquiry with authority to:
 - Investigate allegations of crimes against humanity and other human rights abuses against Turkic Muslims in Xinjiang, including unlawful imprisonment or other severe deprivation of physical liberty; persecution against an identifiable group on political, racial, national, ethnic, cultural, or religious grounds; enforced disappearance; torture; murder; other inhumane acts including forced labor; and restrictions on religious freedom; sexual violence; and violations of reproductive rights;
 - Make recommendations to end the abuses;
 - Identify responsible officials and provide a road map for holding them accountable;
 - Call for appropriate reparations for victims and survivors; and
 - Report regularly to the council and other relevant UN bodies.
- The UN high commissioner for human rights should exercise her independent monitoring and reporting mandate to collect information, speak out publicly on her findings, prepare reports on the human rights situation in Xinjiang, and keep the Human Rights Council regularly informed.

- UN special procedures should continue to document and publicly report on human rights violations in Xinjiang by the Chinese authorities within their respective mandates, with a view to supporting the creation of a commission of inquiry or a similar investigative mechanism.
- The UN secretary-general should publicly voice support for a commission of inquiry into human rights violations in Xinjiang, and publicly and privately urge Chinese authorities to end abuses against Turkic Muslims in Xinjiang. The secretary-general should publicly express support for accountability for those responsible for crimes against humanity in Xinjiang.
- The UN General Assembly should request that the commission of inquiry into abuses in Xinjiang also present its reports to the General Assembly and that the reports be transmitted to all UN member states and relevant UN bodies.
- The General Assembly should adopt a resolution that explicitly supports concrete measures for accountability, including targeted sanctions against those responsible for crimes against humanity.
- Members of the UN Security Council should take action to the extent possible, given China's position as a permanent member, including by expressing support for a commission of inquiry on human rights violations in Xinjiang, including through an Arria formula meeting.

To Concerned Governments

In Coordinated Bilateral or Multilateral Action

- Impose visa bans, travel bans, and targeted individual sanctions under the US Global Magnitsky Act, the EU Global Human Rights Sanctions Regime, and other human rights sanctions regimes in place in Canada, the United Kingdom, and elsewhere; these sanctions will be more effective if pursued collectively.
- Specify in all individual and joint public condemnations of rights abuses in Xinjiang that Chinese authorities are responsible for criminal acts that are part of widespread or systematic attacks against Turkic Muslims in Xinjiang that amount to crimes against humanity.
- Facilitate prosecutions against Chinese officials implicated in crimes against humanity on the basis of universal jurisdiction laws.
- Encourage national prosecutors to launch structural investigations, similar to ICC preliminary examinations, in which the prosecutor's office collects and analyzes

information about alleged serious violations to provide groundwork for future prosecutions.

- Impose escalating actions against technology companies found to be contributing to China's mass surveillance state in Xinjiang, including by using the US Global Magnitsky Act, the EU Global Human Rights Sanctions Regime, and other sanctions regimes in place in Canada, the UK, and elsewhere.
- States party to the International Convention on the Elimination of All Forms of Racial Discrimination should individually and jointly file complaints against China for its violations of the convention against Turkic Muslims.

With Respect to Trade, Investment, and Business Activities

- Relevant government agencies should review all investments in Xinjiang and, where necessary, impose trade sanctions, including divestment, in sectors facing credible allegations of serious abuses such as forced labor.
- Issue public advisories to companies similar to the one issued by Canada in January 2021 about:
 - The gravity of human rights abuses in Xinjiang, including forced labor;
 - Companies' legal responsibilities under international and national law;
 - Risks of becoming complicit in serious human rights violations through direct business activities and supply chains; and
 - Responsibilities to conduct transparent and thorough human rights due diligence for any business dealings in China.
- The European Commission should not submit the EU-China Comprehensive Agreement on Investment to the European Parliament and Council for ratification until reports of forced labor have been investigated by independent and impartial international experts, abuses have been addressed, victims compensated, and there is substantial progress toward holding perpetrators to account.
- Call on businesses to publicly disclose the names, addresses, ownership, and other relevant details about whom they do business with in Xinjiang.
- Adopt legally binding requirements for human rights due diligence by companies operating in Xinjiang.
- Review the portfolios of international financial institutions to ensure that they are not complicit in repression in the region.

- Adopt or enact thorough due diligence legislation binding companies to prevent, mitigate, and remedy human rights abuses and environmental harms in their value chains.
- Adopt or enact legislation banning imports of goods produced through forced labor.

To Countries with Turkic Muslim Diasporas

- Ensure Turkic Muslims have access to a fair system for adjudicating asylum requests.
- Facilitate family reunification by allowing family members of Turkic Muslims to join them.
- End all refoulement and other direct and indirect forced returns of Turkic Muslims to China.
- Establish mechanisms to track cases of harassment of Turkic Muslims present in other countries and take steps, including through the criminal law, to hold perpetrators accountable.
- Ensure Turkic Muslims have access to programs providing legal, medical, and psychological assistance to survivors of torture, rape, and other crimes, and for cultural and religious preservation.

To Businesses and Investors

- Recognize that the responsibility to undertake human rights due diligence as articulated in the UN Guiding Principles on Business and Human Rights is not currently possible in Xinjiang due to government interference.
- Join the “Call to Action” to end the practice of forced labor involving Turkic Muslims or take comparable steps.

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“Break Their Lineage, Break Their Roots”

Chinese Government Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims

China’s government is committing crimes against humanity against Uyghurs and other Turkic Muslims in the northwest region of Xinjiang. Since the beginning of the “Strike Hard Against Violent Extremism” campaign in 2014, Chinese authorities have subjected Turkic Muslims to increasing repression without any accountability.

“Break Their Lineage, Break Their Roots”: Chinese Government Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims details a range of abuses that amount to a widespread and systematic attack directed against a population. They include mass arbitrary detention, torture, enforced disappearances, mass surveillance, cultural and religious erasure, separation of families, forced returns to China, forced labor, and sexual violence and violations of reproductive rights.

Crimes against humanity are considered among the gravest human rights abuses under international law. The Chinese government’s oppression of Turkic Muslims is not a new phenomenon, but in recent years has reached unprecedented levels. Pervasive restrictions on the practice of Islam, the “Becoming Families” program, and the forced separation of children from their families are of particular concern.

Human Rights Watch, with support from Stanford Law School’s Human Rights & Conflict Resolution Clinic, urges the United Nations General Assembly, Human Rights Council, secretary-general, and high commissioner for human rights to establish an international commission of inquiry to investigate alleged crimes against humanity and provide a road map for holding responsible officials accountable. They also call on concerned governments to impose targeted sanctions against responsible Chinese officials, vigorously regulate companies to ensure they are not complicit in repression, and provide protection for Turkic Muslim diaspora communities.

(above) A large Muslim cemetery on the outskirts of Urumqi, Xinjiang, September 2019. China is destroying burial grounds where generations of Uyghur families have been laid to rest.

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(front cover) A Chinese police officer guards the road near a “reeducation” camp in Yining, Xinjiang, September 4, 2018.

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