

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: CHN17737
Country: China
Date: 12 January 2006

Title: China – East Turkistan – Eastern Turkistan Liberation Party – Uighurs – Family Planning

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

Questions

1. Please provide information about the Eastern Turkistan Liberation Party. Is it a terrorist organization?
2. Question deleted.
3. Please advise as to the dissatisfaction with the PRC government held by the Uighur people.
4. Is there a restriction of no more than two children for Uighurs? How well is this enforced?
5. What are the requirements now for a person such as the applicant to depart the PRC by air from Beijing?

List of Sources Consulted

Internet Sources:

Government Information & Reports:

DFAT Reports, US DOS Reports, UK Home Reports

United Nations (UN)

UNHCR, UNFPA (United Nations Family Planning Association)

Non-Government Organisations

Uyghur American Association <http://www.uyghuramerican.org>

International News & Politics

CNN www.cnn.com

Peoples Daily <http://english.peopledaily.com.cn/>

BBC News www.bbc.co.uk

Region Specific Links:

European Country of Information Network <http://www.ecoi.net>

China.Org <http://www.china.org.cn>

Topic Specific Links:

Uyghur Human Rights Project <http://www.uhrp.org/>

<http://www.china.org.cn>

Terrorism Knowledge Base: www.tkb.org
 Wikipedia <http://en.wikipedia.org>
 Population Research Institute <http://www.pop.org/>
 Human Rights in China www.hrichina.org

Search Engines

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

Online Subscription Services

Janes Intelligence Review, <http://jir.janes.com/public/jir/index.shtml>
 Harvard Asia Quarterly, <http://www.fas.harvard.edu>

Library Networks

State Library of NSW <http://www.sl.nsw.gov.au/>

University Sites

<u>Databases:</u>		
Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

RESPONSE

1. Please provide information about the Eastern Turkistan Liberation Party. Is it a terrorist organization?

Information regarding the profile of the Eastern Turkistan Liberation Party, often referred to as the East Turkistan Liberation Organisation, (ETLO), states that the group is a Muslim armed separatist group operating China and Kyrgyzstan. According to Wikipedia:

The East Turkistan Liberation Organization (Sharq azat Turkistan) is a Muslim armed separatist group operating in Xinjiang, China and Kyrgyzstan. It is an arm of the East Turkestan Islamic Movement, and has links to Al-Qaeda and Osama bin Laden.

On the eve of the 50th anniversary of the formation of the Xinjiang Uyghur Autonomous Region, the ETLO declared they will use “all means necessary” to fight against the Chinese government. This is the first time any East Turkestan separatist movement openly declared armed conflict.

The ETLO sent a tape to the East Turkestan Information Center based in Munich, Germany, which was then forwarded to BBC China. By analyzing the internet information, the tape was found to be released on 26 September using a free ISP. According to the tape, the content is from ETLO’s Tianshan branch. The tape showed 3 masked men holding automatic rifles, with the ETLO’s crescent flag in the background, calling in Uighur for the Uighur people to disrupt the celebration of the 50 years of the Xinjiang Uyghur Autonomous Region, and that they will use any means necessary to achieve that. (‘East Turkestan Liberation Organization’, 2005

Wikipedia website

http://en.wikipedia.org/wiki/East_Turkestan_Liberation_Organization

– Accessed 3 January 2006 – Attachment 1).

According to the following Xinhua news article excerpt sourced from *BBC Monitoring Online*, China has an established set of criteria for determining whether an organization is a terrorist organization and for determining whether an individual is a terrorist:

The criteria for identifying a terrorist organization are as follows:

- (I) An organization or organizations that engage in terrorist activities endangering national security or social stability, and harm the life and property through violence and terror (regardless of whether it is based in or outside of China);
- (II) Some form of division for organization and leadership work, or system of division;
- (III) Meeting the aforementioned criteria and having involved in any of the following activities:
 - (a) Organizing, masterminding, instigating, staging or taking part in terrorist activities; (b) offering funding assistance or support for terrorist activities; (c) having a base or bases for terrorist activities, or recruiting and training terrorists in an organized way; (d) collaborating with other international terrorist organizations, accepting funding, training of other international terrorist groups, or taking part in their activities.

The criteria for a terrorist is as follows:

- (I) Having contact with a terrorist organization and engaging in terrorist activities at home or abroad that endanger national security and life and property of people (regardless of whether or not the terrorist has been naturalized as a citizen of another nation);
- (II) Meeting the aforementioned criteria and being involved in any of the following activities: (a) organizing, heading or taking part in a terrorist organization; (b) organizing, plotting, instigating and inciting terrorist activities; (c) providing funding and assistance for terrorist organizations or terrorists for terrorist activities; (d) accepting funding support or training from aforementioned organizations and other international organizations or pitching in their activities.

The four identified “East Turkistan” terrorist organizations are the East Turkistan Islamic Movement (ETIM), the East Turkistan Liberation Organization (ETLO), the World Uighur Youth Congress (WUYC) and the East Turkistan Information Centre (ETIC). [Passage omitted]

All those terrorist groups were founded outside China and have plotted, organized and staged terrorist activities and violence, including bombings, assassinations, arson, poisonings, attacks in China’s Xinjiang Uighur Autonomous Region and other areas, and some other countries. (‘China sets forth criteria for identifying terrorists, terrorist groups’ 2003, *BBC Monitoring*, source Xinhua News Agency, 15 December www.bbcmonitoringonline.com – Accessed 16 December 2003 – Attachment 2).

As the following article by John Hill restates, the Chinese Counter-terrorism Bureau, a part of the Public Security Bureau, (PSB) issued a list of groups it claimed were terrorist organizations including the East Turkistan Liberation Organization. The Eastern Turkistan Liberation Organization is included despite the lack of evidence provided by the Chinese authorities:

The groups named included ETIM...(East Turkistan Islamic Movement)...the Eastern Turkistan Liberation Organisation (ETLO), the German-based World Uyghur Youth Congress (WUYC), and the Eastern Turkestan Information Center (ETIC). The PSB also identified 11 individuals as 'Eastern Turkistan terrorists': Hasan Mahsum named as the head of the ETIM); Muhanmetemin Hazret (also translated as Mehmet Emin Hazret) said to have established ETLO in 1996)...(Hill, J. 2004, 'China publishes Xinjiang terrorists list', Janes Intelligence Review website, 1 April <http://jir.janes.com> – Accessed 9 January 2006 – Attachment 3).

Despite the ETLO being listed as a terrorist group, Hill states there are few details available about their activities and states:

...given the weakness of the separatist movement, the lack of recent terrorist activity within China, and the quality of evidence so far made available by the Chinese authorities, the nature of the terrorist threat Beijing is talking up is unclear... (Hill, John 2004, 'China publishes Xinjiang 'terrorists' list', Janes Intelligence Review website, 1 April <http://jir.janes.com> – Accessed 9 January 2006 – Attachment 3).

And:

...While it is unlikely that a clear cut deal was made, China agreed to support the US war on terrorism and in turn, the USA accepted that China's concerns about a Uighur terrorist threat were legitimate...(Hill, J. 2004, 'China publishes Xinjiang 'terrorists' list', Janes Intelligence Review website, 1 April <http://jir.janes.com> – Accessed 9 January 2006 – Attachment 3).

And further:

...There are also few details available about ETLO, which is based in Turkey and also possibly known as the East Turkestan National Party. Its leader, Muhanmetemin Hazret, who also appears on the Beijing terrorist list told Radio Free Asia in January 2003 that ETLO would "inevitably" form a military wing to target the Chinese government, but denied his groups involvement in any previous attacks and any knowledge of links with ETIM, as alleged by the Chinese. (Hill, J. 2004, 'China publishes Xinjiang terrorists list', Janes Intelligence Review website, 1 April <http://jir.janes.com> – Accessed 9 January 2006 – Attachment 3).

Several sources have given support to the Chinese authorities' view that the East Turkistan Liberation Organisation (ETLO), whose alternative name is *Sharq azat Turkistan* is a separatist group operating in China and Kyrgyzstan. The Memorial Institute for the Prevention of Terrorism, Terrorism Knowledge Base, an organization that offers in-depth information on terrorist incidents, groups, and trials, profiles the ETLO as a faction of the Eastern Turkistan Islamic Movement as outlined in the following report:

Founding Philosophy: The East Turkistan Liberation Organization (ETLO) is one of several ethnic Uyghur groups operating in central Asia and the Chinese province of Xinjiang. The Uyghurs, Muslims of Turkic descent, have had a tumultuous history with successive Chinese dynasties and governments. Although the Uyghurs have at times enjoyed autonomy and freedom of religion, their relationship to the current Communist regime in China has been rife with conflict. The ETLO is one of several factions of the Eastern Turkistan Islamic Movement (ETIM), an umbrella organization dedicated to the foundation of an Islamic State in Xinjiang. Although East Turkistan technically refers to the Chinese province of Xinjiang, some believe

that these Uyghur militants are seeking to create a state that includes parts of Afghanistan, Kyrgyzstan, Kazakhstan, Turkey, and Pakistan in addition to Xinjiang.

Although the East Turkestan Liberation Organization has been blamed for several small attacks in both China and Central Asia, their lone definitive attack was the assassination of the First Secretary of the Chinese Embassy and a companion, a Kyrgyzstan citizen, in Bishek, Kyrgyzstan. China has called for the East Turkestan Liberation Organization to be designated a terrorist organization by the United States and UN. As yet, only the ETIM has been recognized as such, and the ETLO is seen solely as a faction of that group. ('Group Profile – East Turkistan Liberation Organization' (Undated), Memorial Institute for the Prevention of Terrorism website <http://www.tkb.org/Group.jsp?groupID=3588> – Accessed 3 January 2006 – Attachment 4).

Sources such as Human Rights Watch and Amnesty International have both questioned the legitimacy of the Chinese authorities' labelling of Uighur nationalists as terrorists. As part of an international crackdown on terrorism, Chinese authorities charged that Uighur groups had links with the Taliban in Afghanistan. According to the following Human Rights Watch report from 2001:

After September 11, 2001, the Chinese government charged that Uighur groups had links with the Taliban in Afghanistan, but it has long claimed that they were supported from abroad by radical Islamist organizations. (Human Rights Watch 2001, *China: Human Rights Concerns in Xinjiang*, October <http://www.hrw.org/backgrounder/asia/china-bck1017.htm> – Accessed 3 January 2006 – Attachment 5).

Human Rights Watch further states:

There are several difficulties with Beijing's claims that it is facing "international terrorism" in Xinjiang:

- Allegations that the Taliban have provided help to Uighur separatist groups in Xinjiang are unsubstantiated.
- The short Sino-Afghan border at the edge of the mountain pass known as the Wakhan corridor is controlled by the anti-Taliban Northern Alliance; there is no contact there with Taliban forces.
- The Uighurs are ethnically akin to the Uzbeks, and have more affinity with the ethnic Uzbeks in Afghanistan than with the Pashtuns who dominate the Taliban.
- Pakistan has been too concerned with safeguarding its relations with China (a provider of crucial military and nuclear support) to ignore separatist Uighur activities on its soil; in the past it has repatriated Uighur students, closed Uighur guesthouses in Islamabad, and generally abstained from recruiting Uighurs to fight by proxy in Kashmir or Afghanistan.
- Interviews conducted with Uighurs enrolled in the Taliban forces and captured by the Northern Alliance (published in *Le Monde* on September 30, 2001) indicated that they came on an individual basis to participate in the pro-Taliban *jihad* after a stay in Pakistan's Islamic schools. There was no suggestion that they sought to establish international networks. (Human Rights Watch 2001, *China: Human Rights Concerns in Xinjiang*, October <http://www.hrw.org/backgrounder/asia/china-bck1017.htm> –

Accessed 3 January 2006 – Attachment 5).

The following 2005 Amnesty International report states that the classification of the Uighurs underwent a swift change after the events of September 11, 2001:

Following the 11 September 2001 attacks in the USA, the Chinese authorities have used the international “war on terror” as a pretext to justify their political crackdown in the region. Over the last four years, Uighur nationalists who would formerly have been branded as “separatists” have increasingly been labelled “terrorists”.

Other exiled Uighur nationalists have also been branded publicly as ‘terrorists’ by the Chinese authorities who have not provided any credible evidence to substantiate these allegations. They include Dolkun Isa and Abdujelil Karakash, both working with Uighur non-governmental organizations in Germany, who were named on an list of eleven ‘terrorists’ issued by the Chinese Ministry of Public Security in December 2003.

In May 2005, the Chinese authorities publicly renewed their “Strike Hard” campaign in the region which continues to be aimed at the so-called ‘three evil forces’ of “separatists, terrorists and religious extremists”. Amnesty International remains deeply concerned that the broad and vague wording of ‘crimes of endangering state security’ in the Criminal Law enable the authorities to detain, charge and imprison those engaged in the peaceful exercise of their human rights. (Amnesty International 2005, *China: Harassment and detention of Rebiya Kadeer’s family and associates*, ASA 17/030/2005, 8 September, Amnesty International website – <http://web.amnesty.org/library/Index/ENGASA170302005?open&of=ENG-CHN> – Accessed 5 January 2006 – Attachment 6).

The classification of the Uighur movement as terrorists by the Chinese authorities after the events of September 11 has been called into question by Human Rights Watch. A 2005 report by Human Rights Watch states:

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

However, immediately after the September 11 attacks on the United States, the authorities reversed their stance. For the first time they asserted that opposition in Xinjiang was connected to international terrorism. They also asserted that in some cases the movement had connections to Osama bin Laden himself. China claimed that “Osama bin Laden and the Taliban in Afghanistan had provided the ‘Eastern Turkestan’ terrorist organizations with equipment and financial resources and trained their personnel,” and that one particular organization, the “Eastern Turkestan Islamic Movement” (ETIM) was a “major component of the terrorist network headed by Osama bin Laden.” (Human Rights Watch 2005, *Devastating Blows: Religious repression of Uighurs in Xinjiang*, April – Attachment 7).

The report continues to assert that:

On November 12, 2001, China told the U.N. Security Council that anti-state Uighur groups had links with the Taliban in Afghanistan and claimed that they were

supported from abroad by radical Islamist organizations. Siding with the U.S. in the new “global war against terrorism,” the Chinese government initiated an active diplomatic and propaganda campaign against “East Turkestan terrorist forces.” This label was henceforth to be applied indiscriminately to any Uighur suspected of separatist activities. There has been no sign of any attempt by the Chinese authorities to distinguish between peaceful political activists, peaceful separatists, and those advocating or using violence.

In its efforts to win support for its post-September 11 equation of Uighur separatism with international terrorism, China has released a number of documents describing in some detail the alleged activities of Uighur terrorists groups in China. The first of these was published by the Information Office of the PRC State Council in January 2002, under the Keywords: “East Turkestan Terrorist Forces Cannot Get Away with Impunity.” It offers the most comprehensive account to date of anti-state violence in Xinjiang and provides a catalog of violent acts allegedly committed by separatist groups in Xinjiang over the past decade. The document asserts that “East Turkestan terrorist forces” had conducted “a campaign of bombing and assassinations” consisting of more than 200 incidents resulting in 162 deaths and 440 people injured over the preceding decade. This was the first time the Chinese authorities provided detailed specifics about violence in Xinjiang. The document also asserted that Uighur organizations responsible for the violence had received training and funding from Pakistan and Afghanistan, including direct financing from Osama bin Laden himself.

The document has a highly charged ideological tone and contains numerous inconsistencies. It also lacks any independent intelligence to support its conclusions. In particular, the central claim that all instances of anti-state violence, and all “separatist groups,” originated from a single “East Turkestan terrorist organization” runs counter to known intelligence about the situation in Xinjiang. Even more problematic are the inconsistencies in the account of specific acts of violence within the document itself.

Human Rights Watch has no way of corroborating or disproving the incidents alleged in the January 2002 report. But as James Millward has written in his monograph, *Violent Separatism in Xinjiang: A Critical Assessment*:

[There] are problems in the document’s treatment of events in the 1990s. While its preface claims that terrorist acts killed 162 (and injured 440) over the past decade, the document itself enumerates only 57 deaths. Most of these people died in small-scale incidents with only one or two victims. The selection criteria for including these incidents, as well as many that resulted in no deaths, while excluding acts that led to the remaining 105 deaths are unclear. But if we are safe in assuming that the document likely mentions all spectacular acts of separatist violence, including those involving high loss of life, then we are left to conclude that over a hundred deaths from “terrorism”—nearly two-thirds the claimed total—occurred in small-scale or even individual attacks. Though definitions of terrorism are notoriously arbitrary, it seems legitimate to question what makes the unlisted acts “terrorist” or “separatist” as opposed to simply criminal.

In December 2003, the Chinese government released a second report designed to legitimize its policies in Xinjiang and to enlist the support of the international community. The document listing “East Turkestan terrorist groups and individuals” was issued by the Ministry of Public Security and gave the names of four “Eastern

Turkestan” terrorist organizations and eleven individual members of these groups, and called for international support to stop their activities, including a request for Interpol to issue arrest warrants. The document points to the presence of Chinese Uighurs in Pakistan and Afghanistan, including some among the Taliban forces. It suggests that all Uighur opposition to Chinese domination, including non-violent resistance, is connected to international radical-Islamic terrorism. (Human Rights Watch 2005, *Devastating Blows: Religious repression of Uighurs in Xinjiang*, April – Attachment 7).

According to Nicolas Becquelin in a very useful article entitled *Criminalizing ethnicity: Political repression in Xinjiang*, the Chinese government have used international campaigns against terrorism as a pretext to crack down on any expression of dissent from independence movements such as the Xinjiang:

Beijing has long equated independent religious activities and political dissent with separatism” – a statutory crime against State Security under China’s criminal law – but never before has it explicitly linked all dissenting voices in Xinjiang with terrorism. This new approach contrasts sharply with the consistent position of the Chinese authorities prior to September 11, which was to play down the seriousness of ethnic strife in Xinjiang. (Becquelin, Nicolas 2004, ‘Criminalizing ethnicity: political repression in Xinjiang’ *China Rights Forum*, No1, 2004, September 28 <http://www.hrichina.org/public/search?q=On+The+Margins> – Accessed 9 January 2006 – Attachment 8).

Becquelin further states:

In the panic following 9/11, however, the U.S. government, keen to enrol China’s support in its efforts against Islamic terrorism, agreed to cosponsor the inclusion of a little-known Uighur organization, the East Turkistan Islamic Movement (ETIM), on the UN list of terrorist organizations linked to Al-Qaeda and subject to asset freezing. The U.S State Department immediately came under heavy criticism from the international community for taking at face value the information provided to them by the Chinese government. Although American officials affirmed that they had “independent evidence”, their press release quoted word for word the January 2002 document issued by the Chinese government, even mistakenly attributing all the terrorist incidents solely to ETIM. The “independent evidence” quoted by the State Department appears to have originated from the arrest a few weeks earlier of a group of Uighurs in Kyrgystan who were allegedly planning an attack on the U.S embassy. (Becquelin, N 2004, ‘Criminalizing ethnicity: political repression in Xinjiang’ *China Rights Forum*, No1, 2004, September 28 <http://www.hrichina.org/public/search?q=On+The+Margins> – Accessed 9 January 2006 – Attachment 8).

And further...

The U.S State Department has subsequently indicated unease over the episode, and declined to support China’s request in December 2003 to list another Uighur organization, the Eastern Turkistan Liberation Organization. (Becquelin, N 2004, ‘Criminalizing ethnicity: political repression in Xinjiang’ *China Rights Forum*, No1, 2004, September 28 <http://www.hrichina.org/public/search?q=On+The+Margins> – Accessed 9 January 2006 – Attachment 8).

2. Question deleted.

3. Please advise as to the dissatisfaction with the PRC government held by the Uighur people.

The Uighurs of Xinjiang, according to a 2004 report entitled *The Xinjiang Problem*, believe that they are increasingly becoming ignored and that increased development in the Xinjiang region in recent years is favouring the Han Chinese at their expense:

Despite their living in a nominally “autonomous” zone, the many people in Xinjiang who consider themselves Uyghurs,” “Muslims,” or “Turks” feel that Chinese policy has ignored them or, worse, consciously worked against them. Today these people feel deeply threatened.

In their view, the unequal division of wealth favors Han Chinese at the expense of Uyghurs. Those involved with the development of the province’s energy wealth are mainly Han Chinese, rather than Uyghurs, and the profits go mainly to Beijing. (Fuller, G and Starr, S.F 2004, ‘The Xinjiang Problem’, Central Asia-Caucasus Institute, Cornell Caspian Consulting website, p.6 http://www.cornellcaspiian.com/pub2/xinjiang_final.pdf – Accessed 9 January 2006 – Attachment 9).

The report further states:

The new opportunities created by open commerce across the western border also benefit mainly Han, who increasingly are shouldering Uyghurs to the sidelines. And while it cannot be denied that more Uyghurs are benefiting from education at all levels than ever before, both the language and content of such education strongly favors the Han. The fact that millions of Han immigrants are flooding the province means that all these problems seem daily to grow more urgent. (Fuller, G and Starr, S.F 2004, ‘The Xinjiang Problem’, Central Asia-Caucasus Institute, Cornell Caspian Consulting website, pp.6-7 http://www.cornellcaspiian.com/pub2/xinjiang_final.pdf – Accessed 9 January 2006 – Attachment 9).

According to a July 2004 report, the Uighurs lag behind their Han Chinese counterparts in terms of quality of life indicators such as education, unemployment, life-expectancy and poverty rates. The report highlights the issues of economic, political and religious deprivation experienced by the Uighurs:

Uyghur Economic Deprivation

Recent central government initiatives to ameliorate economic disparities in the region have actually highlighted and perpetuated the problem. Many of the large infrastructure construction projects initiated by the central government provide jobs for migrant workers (not local workers) and in spite of preferential policies for ethnic minorities,⁴² jobs often go to Han workers rather than indigenous Uyghurs. Employment and social discrimination adds to Uyghur frustrations and resentment of the Han. One young Uyghur in Xinjiang vents: “Look, . . . I am a strong man and well-educated. But [Han] Chinese firms won’t give me a job. Yet go down to the railway station and you can see all the [Han] Chinese who’ve just arrived. They’ll get jobs. It’s a policy, to swamp us.” This sentiment drives the Uyghur resistance against the Han Chinese.

Uyghur Political Deprivation

In addition to the Uyghurs’ economic deprivation, they also suffer the indignity of

lacking any political control in their own “autonomous region.” Indeed, the primary Uyghur political grievance stems from unfulfilled promises of autonomy and self-determination made by communist leaders in the 1950s. Linda Benson points out that the goal of Uyghur separatists “is true autonomy, the kind promised in the 1950s by the People’s Republic of China but never really delivered.”

While some Uyghurs have been promoted within the Communist Party to senior administrative posts, the XUAR is overwhelmingly governed by Han Chinese. In fact, “autonomy” in Xinjiang seems to be little more than political rhetoric. The Uyghurs in Xinjiang have little voice in day to day affairs of the region, and even less in determining the region’s long-term political destiny.

Uyghur Religious Deprivation

The growing economic, social, and political disparities in the region have led to the growing feeling of marginalization by Uyghurs. In addition, the increasing level of integration between the Han Chinese and Uyghurs highlights the severity of Uyghur deprivation. As their sense of grievance deepens, many Uyghurs embrace their ethnic identities and also turn to Islam. Since the mid-1990s, however, Chinese authorities have tightened restrictions of Uyghur Islam, which is now subject to far stricter controls than Islam among other peoples in China. In the past few years Human Rights Watch and Amnesty International have both documented religious repression in Xinjiang. (Moneyhon M. 2004 ‘Taming China’s ‘Wild West’: Ethnic conflict in Xinjiang’, *Peace and Conflict Development*, Issue 5, July, pp.11-13 <http://www.peacestudiesjournal.org.uk/edition.asp?id=17> – Accessed 4 January 2006 – Attachment 10)

One *Agence France Presse* article states:

An atmosphere of fear pervades China’s largely Muslim Xinjiang region, where strangers shy away of open discussion and religious and civil rights are curbed.

So say residents of the 1.6 million-square-kilometer (620,000 square mile) area in the far west which borders eight largely Muslim Central and South Asian nations and once made up the central portion of the legendary Silk Road.

Since a series of bombings and protests culminated in violent and deadly riots in the city of Yining in 1997, Beijing has clamped down on all religious and cultural undertakings by the majority Uighur Muslim population.

The all pervasive “strike hard” campaign against separatism and extremism has succeeded in ending ethnic violence, but at the expense of people’s rights, they say.

“The Chinese are putting far too much pressure on society,” says an unemployed Uighur accountant in the regional capital of Urumqi, who only identifies herself as Rozhana.

“You cannot discuss politics publicly, you can hardly have any group meetings with friends without the Chinese suspecting that you are trying to overthrow them.” (‘Atmosphere of fear pervades China’s largely Muslim Xinjiang region’ 2005, *Agence France Presse*, 19 April – Attachment 11).

The article further states:

“The worldwide campaign against terrorism has given Beijing the perfect excuse to crackdown harder than ever in Xinjiang,” says Brad Adams, Asia director for Human

Rights Watch.

“Other Chinese enjoy a growing freedom to worship, but the Uighurs, like the Tibetans, find that their religion is being used as a tool of control.”

China denies this.

Pan Zhiping, a leading expert on racial issues at the Xinjiang Academy of Social Sciences, says the strike-hard campaign appears to be working.

“After the September 11 terrorist attacks (on the United States), the government very openly and clearly stated its opposition to separatism, religious extremism and terrorism,” he tells AFP.

“Since then the Xinjiang people have become very clear on this policy.

“Right now Xinjiang is quiet, this has been so especially after 1997. No one wants to see chaos, no one wants to see innocent people dying on buses because of some separatist bomb.” (‘Atmosphere of fear pervades China’s largely Muslim Xinjiang region’ 2005, *Agence France Presse*, 19 April – Attachment 11).

According to a 2004 article in *Harvard Asia Quarterly*, the influx of Han immigration into the Xinjiang province is said to be a contributing factor to tensions and the dissatisfaction with the PRC government held by the Uighur minority:

Although the differences in ethnicity and religion and the politics of separatism are the most obvious sources of tension in Xinjiang, there are others. Two that stand out are the immigration of Han people into Xinjiang and various kinds of inequality.

The Uygurs consider Han immigration into Xinjiang a means of deluging them with foreign overlords who take land and jobs from local people. The fact that the Chinese are non-Muslims or “infidels” only exacerbates the pain. Han immigration is a growing problem as it has increased greatly in the last decade of the twentieth century and shows no signs of decreasing.

There are several kinds of inequality that cause tension in Xinjiang. One is political, the feeling that the Han have much more power than the minorities, especially the Uygurs. Another is economic, because there is a general feeling that the Han are better off than the minorities and grab the lion’s share of increased prosperity. Economic inequalities also imply social inequalities. Many Uygurs feel that they have become second-class citizens in their own land; they feel that the Han treat them as inferiors, looking down on their culture and religion. (McKerras, C 2004, ‘Ethnicity in China: The case of Xinjiang’, *Harvard Asia Quarterly*, Winter, FAS website <http://www.fas.harvard.edu/~asiactr/haq/200401/index.htm> – Accessed 17 August 2005 – Attachment 12).

Human rights groups have accused China of conducting a campaign of severe repression against the Uighurs of Xinjiang and this has in turn contributed to fears among the Uighur population in their dealings with the PRC authorities. The following BBC article from November 2005 states:

“Fear is definitely pervasive in Xinjiang,” said Nicolas Becquelin of pressure group Human Rights in China.

“People from the Uighur community are very much at risk of being arrested, detained, tortured or sentenced to labour camps for anything the government equates to separatist feelings, or for holding religious activities,” he said.

Uighurs are doing anything they can to make a living – there’s no alternative

Anonymous Uighur

At the central mosque in Urumqi, the sights and sounds are not entirely Muslim. The old mosque was knocked down a few years ago and replaced by a handsome brick building. But when it was rebuilt, it came with the addition of a shopping mall. Now the faithful pray above a KFC and next to a Carrefour supermarket.

Those around the mosque are afraid to speak. Uighur men and women have been imprisoned for simply speaking to foreign journalists.

The BBC was monitored by undercover policemen for most of our time in Xinjiang. We slipped away briefly and spoke to a Uighur who was unhappy about the redevelopment.

“It really isn’t appropriate,” he said. “We come here to worship – but sometimes we can’t hear our prayers because of the music and singing from the bazaar.” Life is difficult for Muslims in Xinjiang, he said, warning that he could get into trouble for speaking to the BBC.

“It’s getting more and more difficult for us to earn money now. Uighurs are doing anything they can to make a living – there’s no alternative,” he said.

China wants to focus on the smiles.

Northern Xinjiang is rich and fertile, and it has oil. But Uighurs enjoy little of its riches, especially since China has flooded the province with Han Chinese. In 1950 Uighurs were 94% of the population – they are now less than half.

This ethnic [sic] dilution is denied by officials such as Yahfu Wumar, director of Urumqi’s Religious and Ethnic Affairs Committee.

“There’s very little difference in the ethnic balance between now and the early 1950s,” he said. (Sommerville, Q. 2005, ‘China’s grip on Xinjiang Muslims’ 2005 BBC News website, 29 November <http://news.bbc.co.uk/2/hi/asia-pacific/4482048.stm> – Accessed 14 December 2005 – Attachment 13)

4. Is there a restriction of no more than two children for Uighurs? How well is this enforced?

The current national law on population and birth planning, enacted in September 2002, at Article 18, states that minorities must also practice birth planning but the regulations are exercised at a sub-national level. As such, the regulations are stipulated by the specific autonomous regions. Following is a translation of the law by Edwin Winckler :

ARTICLE 18 The State shall stabilize currently implemented birth policies, encouraging (*guli*) citizens to postpone marriage and childbearing (*wanhun wanyu*, literally "late marriage and late birth") and advocating (*tichang*) that each couple have

one child. Those who meet the conditions stipulated in laws and regulations can request the arrangement of the birth of a second child. Specific [administrative] measures (*juti banfa*) shall be stipulated by the people's congresses of provinces, autonomous regions, or directly subordinate municipalities, or by their standing committees.

Minority nationalities too must (*ye yao*) practice birth planning, with the specific measures to be stipulated by the people's congresses of provinces, autonomous regions, and directly subordinate municipalities, or by their standing committees. (Winckler, Edwin 2002, 'People's Republic of China law on population and birth planning', *Population and Development Review*, 1 September, p.579 – Attachment 14)

As further discussed by Winckler, the birth limitations placed on minorities by local family planning authorities can allow for extra children. The following article from Winckler states:

The state encourages (*guli*) late marriage and late childbearing and advocates (*tichang*) one child per couple, but does not absolutely legally require it (Article 18). Couples who meet the conditions specified by subnational legislatures may apply to have a second child (Article 18). Ethnic minorities must practice birth planning, but subnational legislatures specify the details (i.e., sometimes allowing more children, Article 18). (Winckler, E 2002, 'Chinese reproductive policy at the turn of the millennium: dynamic stability' *Population and Development Review*, September, p.379 – Attachment 15)

Evidence that supports the leniency of the family planning authorities in regards to strict enforcement of family planning regulations is provided in a 2005 article from *The Economist*. The following excerpt provides a contrast between urban and rural settings and highlights the existence of large families in Xinjiang:

Energy and tourism aside, industrial growth is slow enough to leave many of the province's natives by the wayside. Much of Xinjiang is still rural and even the most impressive cities have a tendency to give way suddenly to pastures and mud-houses, where six-person families live cramped in a single room (ethnic minorities in Xinjiang are subject to less stringent planning regulations than families in Han areas of China). ('Under the thumb- China's far west' 2005, *The Economist*, 3 December, p.26 – Attachment 16).

The US Department of State's Country report on Human Rights Practices for 2004 supports the claims that there is much more lenient approach to family planning regulations for ethnic minorities:

Local officials, caught between pressures from superiors to show declining birth rates, and from local citizens to allow them to have more than one child, frequently made false reports. Ethnic minorities, such as Muslim Uighurs and Tibetans, were subject to much less stringent population controls. In remote areas, limits often were not enforced, except on government employees and Party members. (US Department of State 2005, *Country Reports on Human Rights Practices 2004 – China*, February, Section I.f. Arbitrary interference with privacy, family, home, correspondence – Attachment 17)

Information regarding the enforcement of family planning regulations is provided in the following 2004 article by Colin McKerras, in which he recounts fieldwork conducted in China:

Exemption from the one-child-per-couple policy does not mean no rules at all. Uyghur couples in urban areas are allowed a maximum of two children. Rural couples are allowed three. During my fieldwork in 1999, I came across several families of nine children. In 2003, I did not come across any such large families and gained the strong impression that implementation of the rules had become stricter in the intervening years. Han people in Xinjiang are subject to the same one-child-per-couple rule as elsewhere in China. Despite the stricter atmosphere, the fact that there are so many minorities in Xinjiang is one of the reasons for the relatively high population growth rate. (McKerras, C 2004, 'Ethnicity in China: The case of Xinjiang', *Harvard Asia Quarterly*, Winter, FAS website <http://www.fas.harvard.edu/~asiactr/haq/200401/index.htm> – Accessed 17 August 2005 – Attachment 12).

According to a 2001 *People's Daily* article, the official organ of the Chinese Communist Party, minorities are encouraged to have fewer but “more healthy” children:

The Han, the most populous nationality in China, practices the “one child for one couple” policy. But the country’s ethnic people are permitted to have two or three children because of their small population and because they live in frontier areas with harsh natural conditions.

Xinjiang, the home of 47 nationalities, has a population of 19 million, 60 percent of which is made up of ethnic people.

The majority of local residents had no concept of planned births before 1990 when the family planning policy was introduced to the region. Over the past 11 years, the government has given wide publicity to the importance of family planning in China and has given widespread rudimentary information about birth control to married couples. At present, ethnic people in Xinjiang have accepted the concept of “having fewer but more healthy children” and appreciate the birth control policy. Many come to seek contraception guidance, said Eshan Ayup, director of the Regional Family Planning Commission.

According to regional statistics, 110,000 ethnic couples in Xinjiang have chosen to have two or three children. About 9,670 couples prefer to have only one child. The birth control rate in Xinjiang has climbed from 77 percent in 1990 to last year’s 98 percent. ('Ethnic Women in Xinjiang Have New Concept of Birth Control' 2001, *People's Daily*, 28 December <http://www.china.org.cn/english/SO-e/24394.htm> – Accessed 9 January 2005 – Attachment 18).

The family planning restriction policies placed on the Uighur population by the PRC family planning authorities are in opposition to the Islamic beliefs held by Uighurs. As the following article states, the restrictions have been a major source of tension in the Xinjiang region in recent years:

Despite China’s relaxed stand on birth control, women who are Muslim Uighurs, an ethnic minority group in China’s Xingjiang province, are unhappy with family planning restrictions.

Most Chinese families are supposed to have one child -- a policy introduced in the 1970s to limit the nation’s population growth. But that is not the case for the Uighurs, who are allowed by the government to have two or three children.

Like women across China, Uighur women receive regular check-ups to make sure their intra-uterine birth control devices are firmly in place. Any unplanned pregnancies are terminated.

However, government family planning policies in Xinjiang have clashed with Islamic beliefs.

“When I started doing family planning work, some people couldn’t accept it,” said family planning official Amina Barat. “They said children are a gift from Allah.” Resistance to policies may also be an issue of ethnic survival. Since the communist revolution, ethnic Chinese have grown from 5 percent to 37 percent of Xinjiang’s total population.

“There is a growing resentment to all kinds of issues and migration is one of the largest,” said Dru Gladney from the East-West Center, a U.S.-sponsored education and research organization.

“Uighurs feel that China is trying to assimilate the region, integrate the region through immigration,” he said. (‘Uighur women in remote Chinese province clash with family planning restrictions’ 2000, CNN News, 14 November <http://archives.cnn.com/2000/ASIANOW/east/11/13/china.birth.control/> – Accessed 4 January – Attachment 19)

For more background on the family planning regulations in the PRC prior to 2002, please see the following Research Response:

- RRT Country Research 2001, *Research Response CHN14827*, 10 October – Question 3 Attachment 20

5. What are the requirements now for a person such as the applicant to depart the PRC by air from Beijing?

Please see the following research response for information on the requirements for departing the PRC by air from Beijing with specific reference to suspected dissidents leaving the country:

- RRT Country Research 2003, *Research Response CHN16313*, 4 December – Question 12 Attachment 21

List of Attachments

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17. US Department of State 2005, *Country Reports on Human Rights Practices 2004 – China*, February, Section I.f. Arbitrary interference with privacy, family, home, correspondence.
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19. 'Uighur women in remote Chinese province clash with family planning restrictions' 2000, CNN News, 14 November <http://archives.cnn.com/2000/ASIANOW/east/11/13/china.birth.control/> – Accessed 4 January
20. RRT Country Research 2001, *Research Response CHN14827*, 10 October – Question 3
21. RRT Country Research 2003, *Research Response CHN16313*, 4 December – Question 12