IV. Xinjiang

Introduction

During the Commission's 2015 reporting year, authorities in the Xinjiang Uyghur Autonomous Region (XUAR) emphasized the implementation of top-down security and development initiatives in the region, enforcing policies some observers said could exacerbate existing ethnic tensions. International journalists and rights groups provided accounts of violent clashes throughout the reporting year that differed significantly from official accounts, and included reports of Chinese authorities' excessive use of force and extrajudicial killings in addition to attacks committed by Uyghurs. Central government lawmakers considered counterterrorism legislation that critics said could provide officials with unprecedented authority to commit rights abuses, including in the XUAR. Regional lawmakers enacted new regulations regarding religious affairs that increased officials' ability to monitor and control Uyghurs' religious practices. XUAR authorities also tightened regulations on online speech and continued to restrict independent media coverage of violent incidents in the region.

Security Measures and Conflict

During this reporting year, regional authorities continued to implement repressive security measures targeting Uyghur communities. In January 2015, XUAR Communist Party Secretary Zhang Chunxian called for a renewed push against terrorism in the XUAR.¹ Reports from international media and rights advocates documented arbitrary detentions;² police, People's Armed Police, and People's Liberation Army (PLA) checkpoints and patrols;³ and searches of Uyghur homes.⁴ In November 2014, officials began to recruit at least 3,000 former members of the PLA to serve as "community workers" in Urumqi city in order to "maintain stability."⁵ International observers expressed concerns over security measures and the excessive use of force in the region.⁶ In conjunction with security measures, authorities launched activities aimed at eradicating "religious extremism,"⁵ which international media and other observers argued frequently targeted Uyghurs' peaceful Islamic religious practices.⁵

International media and rights advocates also raised concerns about Chinese authorities' failure to report information and attempts to suppress information regarding deadly clashes involving Uyghurs.⁹ An April 2015 Agence France-Presse report cast doubt on the Chinese government's account of July 28, 2014, violence in Yarkand (Shache) county, Kashgar prefecture, citing villagers who said security personnel shot and killed protesters and "disappeared" hundreds of others who were protesting against religious restrictions.¹⁰ Officials called the incident, likely the deadliest of 2014, a terrorist attack in which militants from outside the area had "incited rioters to attack police." ¹¹ On September 21, 2014, in Bugur (Luntai) county, Bayingol Mongol Autonomous Prefecture, more than 50 people died and 50 others were injured, according to official figures, after residents reportedly raided government buildings and a police station and set off explosive devices. ¹² Authorities

initially reported that only two people had died in the violence. ¹³ An official media report in Tianshan Net describing the incident as a "terrorist attack" differed markedly from a Radio Free Asia (RFA) report that did not explicitly label the clash a terrorist attack, and that quoted a source who said it was sparked by anger over forced evictions. ¹⁴

Throughout this reporting year, more than 160 people died in violent clashes in the XUAR that likely involved ethnic or political tensions. Representative cases follow:

- On October 12, 2014, in Maralbeshi (Bachu) county, Kashgar, 22 people died, including the assailants, after 4 Uyghur men with knives and explosives attacked police officers and Han Chinese stall owners at a farmers' market. ¹⁵ Officials reportedly instructed state media not to report on the incident. ¹⁶
- On November 28, 2014, in Yarkand county, Kashgar, 15 people died, including 11 attackers shot by police, and 14 others were injured. The assailants reportedly used knives and explosives to attack and kill people on a street with food vendors.¹⁷
- sives to attack and kill people on a street with food vendors. ¹⁷
 On February 17, 2015, in Bay (Baicheng) county, Aksu prefecture, 17 people died, including 9 attackers shot by police, when Uyghurs inside a house clashed with police conducting house-to-house searches. ¹⁸ According to RFA, the dead included the local police chief and three other police officers, nine attackers and four "passersby" who were killed by police gunfire. ¹⁹
- On June 23, 2015, in Kashgar city, Kashgar prefecture, between 18 and 28 people died when a group of Uyghurs with knives and explosives attacked police at a traffic checkpoint. The dead reportedly included up to 5 police officers and 15 attackers, as well as a number of bystanders. ²¹

In at least three fatal attacks during the reporting year, Uyghur attackers specifically targeted local officials. On February 24, 2015, in Guma (Pishan) county, Hotan prefecture, a young Uyghur man reportedly stabbed a population planning official to death.²² On March 8, 2015, in Yarkand, Kashgar, Uyghur attackers killed a local police commander and two of his family members, as well as a security guard.²³ According to RFA, the attackers came from a nearby township where, days earlier, the police commander had been involved in the shooting of a Uyghur woman.²⁴ On May 15, 2015, a young Uyghur man reportedly stabbed a township head to death in Hotan county, Hotan prefecture.²⁵ In March 2015 in Hotan county, an unidentified group of Uyghurs kidnapped the chief of public security in a local village, after which police detained more than 200 suspects and conducted raids of local homes to investigate the kidnapping.²⁶

In addition to attacks that took place within the XUAR during the reporting year, Uyghurs reportedly carried out attacks outside of the XUAR. Several witnesses stated that Uyghurs were responsible for a March 6, 2015, knife attack that injured nine people at the railway station in Guangzhou municipality, Guangdong province.²⁷ Police shot and killed one of the attackers.²⁸ On March 26, police in Kaiyuan city, Yunnan province, reportedly shot and killed

one Uyghur after he and three other Uyghurs attacked a public security checkpoint.²⁹

Legal and Counterterrorism Developments

According to the XUAR annual work report on the region's courts, XUAR authorities oversaw a 40-percent rise in concluded criminal trials in 2014 and carried out nearly twice as many arrests as compared to the previous year.³⁰ The U.S.-based human rights organization Dui Hua Foundation stated that the increase in criminal trials indicated "heightened . . . suppression of human rights activism and dissent in Xinjiang." ³¹ In the spring of 2014, central and regional government officials launched a year-long crackdown on terrorism in the XUAR,32 following a series of violent clashes and attacks in the region. 33 Amnesty International expressed concern that under the crackdown, authorities would not try defendants according to due process of law.34 In late 2014, state media reported that as part of the crackdown, XUAR authorities had destroyed 115 alleged "terrorist cells," detained 238 people who had provided religious instruction or sites for religious instruction, and shut down 171 "religious training sites." ³⁵ In May 2015, XUAR officials announced that they had broken up 181 "terrorist groups" as part of the crackdown.³⁶ In December 2014, Supreme People's Court President Zhou Qiang said authorities must "crack down harshly and quickly" on terrorism cases, as well as on cases involving national security and social stability.37 In addition, in January 2015, XUAR Party Secretary Zhang Chunxian wrote in an article discussing the rule of law and stability in the region that rule of law in China is not based on "separation of powers," and China should not emulate Western "judicial independence" and "judicial neutrality." 38

Draft PRC Counterterrorism Law

In November 2014, the Chinese government made public for consultation a draft of the PRC Counterterrorism Law, 39 legislation described by Chinese scholars and lawmakers as necessary to protect the country against terrorism.⁴⁰ The wide-ranging law seeks to define what constitutes terrorist activity, and lays out a framework for establishing counterterrorism institutions, enhancing security, and coordinating intelligence gathering and emergency response, among other areas.41 Human rights organizations and other critics warned that the law fails to conform to international legal standards and provides officials with a pretext to commit human rights abuses in the name of counterterrorism, including in the XUAR.⁴² During a February 2015 review, authorities removed a reference to "thought" in the draft law's definition of terrorism,43 a definition that Human Rights Watch (HRW) had warned was "overly broad." 44 The Commission did not observe reports of the removal of other language in the draft law that HRW cautioned could be used to carry out rights abuses in the XUAR.⁴⁵ For instance, under Article 24, minors' participation in religious activity could be characterized as "terrorist or extremist tendencies." 46

In December 2014, the Urumqi Intermediate People's Court sentenced six Uyghurs and one member of the Yi ethnic minority to prison terms ranging from three to eight years on the charge of "separatism," ⁴⁷ a crime falling under the category of "endangering state security." ⁴⁸ The seven individuals had reportedly been students of Uyghur scholar Ilham Tohti, and at least some had contributed to the website Uyghur Online, which Tohti founded. ⁴⁹ In November 2014, the XUAR High People's Court upheld Tohti's life sentence, rejecting an appeal filed by his lawyers. ⁵⁰ The court announced its decision on the appeal inside the Urumqi No. 1 Public Security Bureau Detention Center, ⁵¹ where Tohti was being held, a move his lawyers and international rights groups said violated normal judicial procedures. ⁵²

On May 31, 2015, authorities released from prison Ablikim Abdureyim, the son of U.S.-based Uyghur rights advocate Rebiya Kadeer, who had served nine years for "instigating and engaging in secessionist activities." ⁵³ Kadeer attributed her son's survival in prison, where he was reportedly tortured, to "the concern shown by the international community and rights organizations, as well as

pressure from western governments on Beijing." 54

Development Policy

During the Commission's 2015 reporting year, central government and regional authorities continued to focus on cultivating the XUAR as a central point of China's new "Silk Road" development strategy, promoting extensive "Silk Road" projects for their ability to simultaneously stimulate economic growth and "maintain stability" in the region. 55 Some observers expressed concern over the environmental impact of new and ongoing development projects in the XUAR. 56 Other observers raised concerns that development initiatives could further exacerbate existing regional economic inequality and ethnic tensions. 57

In November 2014, President Xi Jinping announced that central government authorities would spend US\$40 billion to establish a Silk Road Fund,⁵⁸ including US\$16.3 billion in funds for infrastructure projects.⁵⁹ In April 2015, during a two-day visit to Pakistan, Xi announced a US\$46 billion package of development projects, including energy, rail, road, and other infrastructure projects linking the XUAR to Pakistan's Gwadar port.⁶⁰ During the visit, Xi Jinping and Pakistani leaders also stressed the importance of bilat-

eral efforts to fight terrorism.⁶¹

Central and regional authorities continued investing substantial funds in the XUAR to extract coal and gas, as well as to construct oil and gas pipelines and high-voltage electricity lines to transport energy resources between the XUAR and other parts of China and Central Asia.⁶² In November 2014, authorities launched the XUAR's first high-speed rail line, which cut the travel time by around half between Qumul (Hami) city and the regional capital Urumqi.⁶³ In February 2015, central government authorities announced a financial support package for southern areas of the XUAR designed to "stimulate economic development and safeguard social stability."

As part of policy measures President Xi introduced in May 2014 that were reportedly aimed at employing and educating Uyghurs in

Han Chinese areas, as well as strengthening "ethnic unity," ⁶⁵ authorities continued to bring groups of Uyghurs from the XUAR to areas on China's east coast to work in factory jobs. ⁶⁶ The government of Guangdong province, which reportedly planned to bring 5,000 workers from the XUAR in the three years beginning in 2014, ⁶⁷ issues payments to companies employing the workers. ⁶⁸

In 2015, regional officials began the second round of the "Down to the Grassroots" campaign,⁶⁹ which officials and Party-run media billed as aiming to boost development, improve people's livelihoods, and enhance stability and "ethnic unity." ⁷⁰ Under the program, which began in 2014, 70,000 XUAR officials assume one-year "grassroots" positions in villages throughout the region,⁷¹ as part of a three-year regional plan to dispatch 200,000 "grassroots" cadres.⁷² In one village in Ghulja (Yining) municipality, Ili Kazakh Autonomous Prefecture, authorities reported that officials cleared a landfill site and improved public transport for local children, among other tasks.⁷³ A British reporter found that the 12 officials stationed in Bayandai village in Ghulja were equipped with riot shields, helmets, and spears at their base at the local population planning clinic, and they had set up a closed-circuit television camera and a temporary police station in front of the village mosque.⁷⁴

Freedom of Religion

This past reporting year, XUAR authorities increased their ability to regulate and penalize Uyghurs for Muslim religious practices and the expression of their religious identity. In November 2014, the XUAR People's Congress amended the Xinjiang Uyghur Autonomous Region Regulations on Religious Affairs (RRA), which took effect on January 1, 2015.⁷⁵ The RRA were first issued in 1994 ⁷⁶ and last amended in 2001.⁷⁷ The newly amended regulations broaden XUAR officials' authority to limit religious practices, control online expression, and restrict wearing beards or attire perceived to have religious connotations.⁷⁸ The 2015 RRA amendments codify a number of guidelines previously implemented only as policy directives or by local authorities.⁷⁹

Authorities throughout the XUAR also continued to implement other policies and regulations restricting Uyghur Muslims' attire, appearance, and behavior. In January 2015, the XUAR People's Congress Standing Committee approved a ban on wearing face-covering veils in public in Urumqi municipality,⁸⁰ which followed similar restrictions drafted or enforced in 2014 in Qaramay (Kelamayi) city ⁸¹ and Turpan prefecture.⁸² Authorities continued to promote a regional "beauty project," under which authorities urge Muslim women to dress in a "modern" fashion and not to wear veils and other clothing that may be associated with Islamic beliefs or a Muslim cultural identity.⁸³ In December 2014, authorities in some parts of the XUAR issued a brochure listing 75 forms of "extreme religious activities." ⁸⁴ The 75 listed activities included wearing veils and abusing or threatening people who dress "fashionably," in addition to reading extremist websites, abstaining from alcohol, and other types of behavior. ⁸⁵ In April 2015, authorities in Hotan county, Hotan prefecture, reportedly ordered Uyghur shopkeepers to stock alcohol and cigarettes in a campaign to "weaken religion,"

as many local residents refrained from drinking and smoking for

religious reasons.86

Authorities in some locations in the XUAR tightened restrictions on minors' observance of Islamic religious practices.⁸⁷ In October 2014, more than 1,000 school principals in Kashgar prefecture, for instance, signed a pledge to "resist the infiltration of religion on campus." 88 Authorities also targeted what they termed "religious extremism," and local governments throughout the XUAR enforced campaigns to "eradicate extremism" throughout the reporting year. 89 In June 2015, XUAR Communist Party Secretary Zhang Chunxian delivered a speech on religion in which he warned against "religious extremism" and emphasized the role of Chinese culture and "Chinese socialism" in guiding religion in China. 90 In June 2015, a court in Atush (Atushi) city, Kizilsu (Kezilesu) Kirghiz Autonomous Prefecture, reportedly sentenced five Uyghurs to terms of between one and three years for engaging in "religious extremism," after they attended "unsanctioned" sermons and wore "crescent moon-shaped" beards.⁹¹ In addition, state media reported in March 2015 that the XUAR People's Congress was planning to draft, by 2016, regulations specifically targeting "religious extremism." 92

Some Uyghur Muslims and Christians continued to serve prison sentences for the peaceful observance of their religious beliefs.93 In March 2015, an online state media outlet published an article reporting that a court in Kashgar prefecture sentenced a man to six years in prison for wearing a long beard and sentenced his wife to two years for wearing a burqa. 94 The state media website later deleted the article, reportedly due to censorship instructions from government authorities. 95 On March 21, 2015, authorities in Hanerik (Han'airike) township, Hotan county, reportedly sentenced Uyghur religious scholar Qamber Amber to nine years' imprisonment, following a public trial, for defying official instructions to stop giving speeches at religious ceremonies and for otherwise "re-

fusing to cooperate" with authorities.96

As in the previous reporting year,97 local government officials throughout the XUAR reportedly maintained restrictions on Uyghurs' observance of Ramadan, forbidding government employees, students, and teachers from fasting. In Keriya (Yutian) county, Hotan prefecture, authorities forbade food establishments from shutting down or refusing to serve food during Ramadan. 99 Hotan prefecture's Quality and Technology Supervision Bureau announced in June that, as in previous years, it would carry out special educational activities regarding atheism for the bureau's cadres and workers during Ramadan. ¹⁰⁰ In addition, authorities reportedly restricted imams in the XUAR to one hour of preaching on Fridays, the Muslim holy day, during the Ramadan period. 101

Freedom of Expression

During the reporting period, regional officials restricted the flow of information, including media reports and Internet communications. Foreign journalists reported that security officials monitored them and attempted to restrict their coverage when they reported from the XUAR. 102 Government authorities also periodically issued instructions to domestic media outlets not to report on violent incidents involving Uyghurs.¹⁰³ International reports cited a statement from Radio Free Asia (RFA) that Chinese authorities had sentenced one of Uyghur-American RFA journalist Shohret Hoshur's brothers to prison in 2014 on "state security" charges, likely in retaliation for his coverage of news in the XUAR.¹⁰⁴ Authorities reportedly scheduled an August 2015 trial for another of Hoshur's brothers on charges of "leaking state secrets," with a third brother potentially set to be tried soon afterwards on the same charge ¹⁰⁵—both of whom were reportedly detained after discussing their brother's 2014 trial in a telephone call with Hoshur.¹⁰⁶

The XUAR government also tightened measures to control and monitor online speech. In December 2014, regional officials issued new restrictions requiring Internet service providers to provide their encryption technology to the government, locate their servers within the XUAR, and obtain information about users' real identities. According to an international rights group, the restrictions are a continuation of the Chinese government's strategy of "combining broad-based definitions of 'terrorism' and what it styles as 'religious extremism' with highly restrictive [I]nternet regulation." 108 In January 2015, state media reported new regulations requiring anyone selling a mobile phone or computer in the XUAR to provide the purchaser's personal details to police. 109 State media described the measures as tools to combat terrorism and other crimes, 110 but overseas rights groups voiced concerns over the scope of the restrictions. 111

Freedom of Movement

In October 2014, XUAR authorities issued new guidelines for the region's household registration (hukou) system, relaxing restrictions on people settling in southern parts of the XUAR but limiting migration to the more developed northern cities of Urumqi and Qaramay. Local police officials reportedly said the relaxation of guidelines was aimed at facilitating Han Chinese migration to certain areas in the XUAR, and that Uyghurs were less likely to qualify for hukou in areas such as Urumqi and Qaramay under the guidelines. According to an Australian scholar, officials intended the new rules to encourage Han Chinese to migrate to southern parts of the XUAR, even if they did not overtly state this aim. Regional authorities promoted the plan, which facilitates migration to areas predominantly populated by Uyghurs, as aimed at boosting the establishment of mixed communities.

During this reporting year, authorities limited Uyghurs' ability to travel, both domestically and abroad. Reports indicated officials continued to restrict Uyghurs' access to hotels in areas outside of the XUAR. In December 2014, Radio Free Asia reported that authorities in Hotan prefecture had begun enforcing rules making it more difficult for local Uyghurs to obtain passports in order to travel abroad. In April 2015, authorities in Ili Kazakh Autonomous Prefecture ordered residents to turn in passports to police by May 15, and said border control officials would cancel passports that were not turned in. 119

In August 2015, in a potentially positive development, XUAR authorities announced they would simplify the region's passport ap-

plication process and facilitate international travel for XUAR residents of different ethnic groups. 120

Uyghur Refugees in Southeast Asia

During this reporting year, international media reports highlighted a trend of Uyghurs traveling from the XUAR to Southeast Asian countries in hopes of later finding refuge in Turkey. 121 This migration came amid a period of security crackdowns in the XUAR and restrictions on Uyghur Muslims' religious practices. 122 In particular, reports highlighted the situation of hundreds of individuals believed to be Uyghurs whom Thai authorities were holding in detention facilities. 123 Thai authorities intercepted and held more than 400 Uyghurs beginning in March 2014, including large numbers of women and children, 124 although some reportedly fled from Thai detention facilities in November 2014. 125 In March 2015, a Thai court rejected the claims of 17 Uyghurs held in Thailand that immigration authorities had illegally detained them. ¹²⁶ In late June 2015, Thai authorities allowed 173 Uyghur women and chil-

dren to leave Thailand and travel to Turkey, where they planned to resettle. The group reportedly included some of the 17 Uyghurs who had appealed to the Thai court. When the July 9, 2015, Thai authorities forcibly deported 109 Uyghurs to China, Superior of widespread concern on the part of rights groups that Chinese authorities would persecute them upon their sections. return. 130 Chinese officials had reportedly pressured Thai authorities to deport the Uyghurs. 131 The U.S. State Department, 132 the United Nations High Commissioner for Refugees (UNHCR), 133 and some international rights groups 134 condemned the deportation, describing it as a violation of international law and warning that Chinese authorities were likely to subject them to harsh treatment. As of July 9, 2015, between 50 and 67 Uyghurs reportedly remained in Thai detention facilities. 135

In addition, in October 2014, rights groups urged Malaysian authorities not to deport 155 Uyghurs, including 76 children, who had fled to Malaysia from China. ¹³⁶ In December 2012, Malaysian authorities deported six Uyghur asylum seekers to China, although

the UNHCR was still reviewing their asylum claims. 137

In January 2015, Chinese authorities said that since they began cracking down on "human smuggling" in southern border regions in May 2014, they had detained 1,204 people for their role in "human smuggling" or for trying to cross the border illegally. Reports attributed the crackdown largely to officials' attempts to block Uyghurs they said were connected with violence or terrorism from crossing the border. 139 Chinese police used lethal force in at least three incidents involving individuals who were likely Uyghurs attempting to cross the border into Vietnam and who, in at least two of the incidents, authorities said attacked police. 140

Other Social Policies

During this reporting year, Chinese officials linked the implementation of social policies in the areas of education, population planning, and labor to the preservation of stability in the XUAR. In December 2014, Yu Zhengsheng, a member of the Standing Committee of the Political Bureau of the Communist Party Central Committee and Chairman of the Chinese People's Political Consultative Conference (CPPCC), 141 stated that "bilingual education" was important to the maintenance of "social stability" and "ethnic unity" in the XUAR. 142 Under "bilingual education," class instruction takes place primarily in Mandarin Chinese, largely replacing instruction in languages spoken by ethnic minority groups. 143 In January 2015, Hou Hanmin, a CPPCC delegate and Party Secretary of the XUAR Women's Federation, 144 called for measures to lower birth rates in southern parts of the XUAR. 145 Hou voiced concern that high birth rates, in addition to a high number of early marriages and high divorce rates, "pos[ed] risks to social stability." 146 In June 2015, officials in Toqsu (Xinhe) county, Aksu prefecture, reportedly said they had ordered local Uyghur farmers to engage in hashar, a type of forced group labor for public works projects, in part to promote stability in the area. 147

While authorities sent some Uyghur workers outside of the XUAR to participate in programs reportedly aimed at promoting "ethnic unity," ¹⁴⁸ some government and private employers within the XUAR discriminated against non-Han job applicants. ¹⁴⁹ As in past reporting years, ¹⁵⁰ the Commission observed employment advertisements that set aside positions exclusively for Han Chinese, including civil servant and private-sector positions, contravening Chinese labor law. ¹⁵¹ Private and public employers also continued to reserve some positions exclusively for men, leaving non-Han women to face both ethnic and gender discrimination in the hiring

process. 152

Notes to Section IV—Xinjiang

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