

ETHNIC MINORITY RIGHTS

Introduction

During the Commission's 2018 reporting year, Chinese Communist Party and government authorities promoted policies and regulations restricting rights guaranteed to ethnic minority groups under Chinese and international law.¹ The UN Special Rapporteur on Minority Issues requested to visit China multiple times beginning in 2009, but as of August 20, 2018, the Chinese government had not allowed the visit.² The Chinese government has acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which prohibits racial discrimination and guarantees the right of everyone to equal treatment before the law, including "freedom of thought, conscience and religion."³ International human rights organizations submitted statements⁴ for consideration at an August 2018 review of China's compliance with ICERD by the UN Committee on the Elimination of Racial Discrimination that raised concerns over issues such as arbitrary detentions in the Xinjiang Uyghur Autonomous Region (XUAR);⁵ religious repression in the Tibet Autonomous Region;⁶ and the resettlement of Mongol nomads in the Inner Mongolia Autonomous Region (IMAR).⁷

State Minority Policy

At the March 2018 meetings of the National People's Congress and the Chinese People's Political Consultative Conference in Beijing (Two Sessions), Party and government authorities changed the mechanisms they use to implement policies toward ethnic minorities, as the Party's United Front Work Department (UFWD) assumed control of the work of the government departments overseeing ethnic affairs (the State Ethnic Affairs Commission) and religion (the State Administration for Religious Affairs).⁸ A number of observers expressed the view that the UFWD's newly expanded powers represented an official move toward tighter Party control over ethnic affairs and policies promoting ethnic assimilation over ethnic pluralism.⁹ In line with such policies, the government and Party under President and Party General Secretary Xi Jinping continued to emphasize the importance of "sinicizing" ethnic and religious minorities.¹⁰ [See Section II—Freedom of Religion for additional information on the "sinicization" of religious minorities.]

Policies Affecting Hui Islamic Communities

Policies and restrictions that targeted Hui communities and restricted Hui Muslims' religious practices this past year illustrate ways in which authorities have promoted the "sinicization" of ethnic and religious minorities. Chinese officials have historically allowed Hui Muslims more freedom to engage in religious practices than Uyghur Muslims, but in recent years authorities have reportedly increased religious controls among Hui communities.¹¹ During the Two Sessions in 2018, Yang Faming, Chairman of the China Islamic Association, stressed that Muslims in China should incorporate Chinese characteristics into Islamic religious rituals, culture, and architecture, avoid the expansion of the concept of "halal"

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into secular life, and adhere to “socialist core values.”¹² According to an American historian, Yang’s speech reflected a formal declaration of a policy trend that officials had begun implementing in regions with significant Hui populations beginning in fall 2016, and it gave “a justification for what, until March [2018], had been informal and patchwork implementation of restrictions on mosque construction, mosque design, private or semi-official Islamic schooling, and ‘Islamic’ customs among the Hui.”¹³ In an interview with the Party-run media outlet Global Times that was conducted during the Two Sessions, Yang Yuanzhong, the Party Secretary of Linxia Hui Autonomous Prefecture (HAP), Gansu province, also warned against the expansion of the concept of “halal,” linking this effort to the promotion of ethnic unity and social stability.¹⁴ In January, education officials in Guanghe county, Linxia city, and Linxia county, all located within Linxia HAP, issued notices restricting local school-age children from entering religious buildings during their winter break and other similar measures.¹⁵ Hui residents of Linxia city and Guanghe county reportedly expressed apprehension over the impact tightened government restrictions could have on their lives.¹⁶ [For more information on freedom of religion for Muslims in China, see Section II—Freedom of Religion.]

Language Policy

During this reporting year, government and Party officials implemented policies limiting ethnic minorities’ freedom to engage in cultural practices and speak or learn their languages.¹⁷ In a report published in January 2018, the Dui Hua Foundation documented how authorities in some prisons located in provinces with large ethnic minority populations restricted the use of ethnic minority languages, including during family visits.¹⁸ In December 2017, international media and rights advocates reported that under a policy implemented in September, XUAR education authorities had ended the use of Mongolian as a language of instruction in elementary and lower middle schools in Bayangol (Bayinguoleng) Mongol Autonomous Prefecture, XUAR.¹⁹ Local Mongol parents reportedly protested the change on social media, in connection with the corresponding end of the use of a Mongolian-centered curriculum at the last secondary school in the prefecture to offer such a course of study.²⁰ Authorities and educators in the XUAR and Tibetan autonomous areas continued to promote a Mandarin-centered curriculum at the expense of Uyghur, Tibetan, and other languages spoken by ethnic minority groups, as part of what is officially referred to as “bilingual education.”²¹ [For additional information on language policy and education in these areas, see Section IV—Xinjiang and Section V—Tibet.]

Grassland Protests in Inner Mongolia

During this reporting year, Mongol herders in the IMAR demonstrated and petitioned authorities over the government’s role in the loss of their traditional grazing lands, the harmful ecological effect of state development on grassland and livestock,²² and the government’s failure to provide herders with adequate compensation

for their land.²³ As in past reporting years,²⁴ authorities detained some of the Mongol herders who peacefully protested.²⁵

Representative examples of protests by Mongol herders included the following:

- Beginning on **December 24, 2017**, in Ongniud (Wengniute) Banner, Chifeng municipality, IMAR, around 200 herders protested against Ongniud Banner authorities over the state-owned COFCO pig farm's pollution of their grazing lands and the continued detention of two fellow herders beginning seven months earlier.²⁶ Security personnel reportedly beat some of the herders and detained eight of the herders overnight.²⁷ On December 25, more than 200 herders in Damao Banner, Baotou municipality, IMAR, also protested against COFCO's pollution of their grazing lands, and asked for compensation from officials for the loss of grazing lands and the demolition of their homes.²⁸
- In **February 2018**, before and after the lunar New Year holiday, Bao Yu, a herder from Urad (Wulate) Middle Banner, Bayannur (Bayanna'er) municipality, IMAR, traveled to Hohhot municipality, IMAR, the regional capital, to protest against the air and water pollution in her village caused by a gold mining company.²⁹ Bao said local residents had repeatedly called upon government officials to take action over the pollution, but officials had not acted.³⁰

THIRTY-FIVE HERDERS SENTENCED AT JOINT TRIAL

On December 27, 2017, the Zaruud (Zalute) Banner People's Court in Zaruud Banner, Tongliao municipality, IMAR, reportedly sentenced 35 Mongol herders to prison terms on charges of "picking quarrels and provoking trouble" and "assembling crowds to attack state agencies," in what local herders described as an unjust trial.³¹ Nine of the herders received sentences of between one and five years in prison.³² The court sentenced the other 26 to six months in prison, releasing them for time served while in detention.³³ Authorities alleged that the defendants took part in events in May 2017, including blocking traffic during a protest and staging an illegal demonstration in front of a police dispatch station.³⁴ In a written statement they sent to a U.S.-based rights organization, local herders reportedly said they had protested against a construction company belonging to a Han Chinese family that had "illegally occupied" their grazing lands.³⁵ Relatives of the nine imprisoned herders reportedly said authorities had not permitted them to visit the herders, whose whereabouts were unknown.³⁶

Notes to Section II—Ethnic Minority Rights

¹PRC Regional Ethnic Autonomy Law [Zhonghua renmin gongheguo minzu quyue zizhi fa], passed 31 May 84, effective 1 October 84, amended 28 February 01. For protections related to languages, religious beliefs, and customs, see Articles 10, 11, 21, 36, 37, 47, 49, and 53. International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 27. The PRC Regional Ethnic Autonomy Law contains protections for the languages, religious beliefs, and customs of these “nationalities,” in addition to a system of regional autonomy in designated areas. Article 27 of the International Covenant on Civil and Political Rights, which China has signed and declared an intention to ratify, contains safeguards for the rights of “ethnic, religious or linguistic minorities” within a state.

²UN Office of the High Commissioner for Human Rights, “Country Visits,” last visited 20 August 18; Human Rights in China, “Country Visits by Special Procedures,” last visited 20 August 18; Human Rights Watch, “The Costs of International Advocacy: China’s Interference in United Nations Human Rights Mechanisms,” September 2017.

³International Convention on the Elimination of All Forms of Racial Discrimination, adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 65, entry into force 4 January 69, in accordance with Article 19, art. 5(a), (d)(vii); United Nations Treaty Collection, Chapter IV, Human Rights International Convention on the Elimination of All Forms of Racial Discrimination, last visited 19 July 18. The Chinese government acceded to the Convention on December 29, 1981.

⁴UN Office of the High Commissioner for Human Rights, “Committee on the Elimination of Racial Discrimination Discusses Situation in Latvia and China With Civil Society,” 7 August 18.

⁵See, e.g., Human Rights Watch, “Submission to the CERD Review of China,” 21 June 18.

⁶See, e.g., International Campaign for Tibet, “Convention on the Elimination of Racial Discrimination (CERD) Consideration of the State Report by the People’s Republic of China,” August 2018, 4, 6, 11–13.

⁷Southern Mongolian Human Rights Information Center, “Submission to the Committee on the Elimination of Racial Discrimination (CERD) for the Consideration of the Review of the People’s Republic of China During the 96th Session,” 4 July 18, 6–8, 14.

⁸Gerry Groot, “The Rise and Rise of the United Front Work Department Under Xi,” Jamestown Foundation, China Brief, Vol. 18, Issue 7, 24 April 18; “Chinese Communist Party Central Committee Issues ‘Plan for Deepening Reform of Party and Government Agencies’” [Zhonggong zhongyang yinfaxing “shenhua dang he guojia jigou gaige fang’an”], Xinhua, 21 March 18.

⁹Gerry Groot, “The Rise and Rise of the United Front Work Department Under Xi,” Jamestown Foundation, China Brief, Vol. 18, Issue 7, 24 April 18; Teddy Ng and Mimi Lau, “Fears About Chinese Influence Grow as More Powers Given to Shadowy Agency,” South China Morning Post, 22 March 18; “CCP’s United Front Work Department Expands Its Powers, Overseas Infiltration Leads to Concerns of Outside World,” Voice of America, 22 March 18.

¹⁰Cristina Maza, “Communist China President Xi Jinping Now Wants To Control Religion Too,” Newsweek, 24 October 17; “Xi Jinping: Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism With Chinese Characteristics for a New Era” [Xi Jinping: juesheng quanmian jiancheng xiaokang shehui duoque xin shidai zhongguo tese shehui zhuyi weida shengli], 18 October 17, Xinhua, 27 October 17; Gerry Groot, “The Rise and Rise of the United Front Work Department Under Xi,” Jamestown Foundation, China Brief, Vol. 18, Issue 7, 24 April 18; Olivia Enos, “Growing Religious Persecution in China a Symptom of Xi’s Consolidation of Power,” Forbes, 28 March 18; Sandra Jolley and Tenzin Dorjee, “President Trump: Support Religious Freedom in China,” The Diplomat, 1 November 17; “Xi Jinping: Comprehensively Improve Religious Work Standards Under the New Situation” [Xi Jinping: quanmian tigao xin xingshi xia zongjiao gongzuo shuiping], Xinhua, 23 April 16; CECC, 2017 Annual Report, 5 October 17, 129.

¹¹See, e.g., Michael Martina, “China’s Hui Muslims Fearful Chinese New Year Education Ban a Sign of Curbs To Come,” Reuters, 16 February 18; Viola Zhou, “Why China’s Hui Muslims Fear They’re Next To Face Crackdown on Religion,” South China Morning Post, 11 March 17; Kiyo Dörner, “The Hui—China’s Preferred Muslims?” Deutsche Welle, 9 December 16.

¹²“Yang Faming: Rooted in the Fertile Soil of Chinese Civilization: Uphold the Sincicization of Our Country’s Islam” [Yang faming: zhagen zhonghua wenhua wotu jianchi woguo yisilan jiao zhongguohua fangxiang], Xinhua, 10 March 18. See also the following unofficial translation: Yang Faming, “Rooted in the Fertile Soil of Chinese Civilization: Uphold the Chinafication of Our Country’s Islam,” 10 March 18, translated in Academia.edu, last visited 27 July 18, 2–3; Liu Caiyu, “Muslims Must Practice Islam With Chinese Characteristics To Avoid Societal Division,” Global Times, 11 March 18; “Chinese Official Warns Against Creeping Islamisation,” Reuters, 10 March 18; Yu Xiaojie and Shi Jingnan, “Committee Member Yang Faming: Uphold the Sincicization of Islam in China” [Yang faming weiyuan: jianchi woguo yisilan jiao zhongguohua fangxiang], Xinhua, 10 March 18. See also Nectar Gan, “How China Is Trying To Impose Islam With Chinese Characteristics in the Hui Muslim Heartland,” South China Morning Post, 14 May 18.

¹³“Yang Faming: Rooted in the Fertile Soil of Chinese Civilization: Uphold the Sincicization of Our Country’s Islam” [Yang faming: zhagen zhonghua wenhua wotu jianchi woguo yisilan jiao zhongguohua fangxiang], Xinhua, 10 March 18. See also the following unofficial translation: Yang Faming, “Rooted in the Fertile Soil of Chinese Civilization: Uphold the Chinafication of Our Country’s Islam,” 10 March 18, translated in Academia.edu, last visited 27 July 18, 1.

¹⁴Li Ruohan, “Linxia Vows To Fight Against Pan-Halal Tendency To Safeguard Ethnic Unity,” Global Times, 7 March 18.

¹⁵Michael Martina, “China’s Hui Muslims Fearful Chinese New Year Education Ban a Sign of Curbs To Come,” Reuters, 16 February 18; Christian Shepherd, “Muslim County in China

Bans Children From Religious Events Over Break,” Reuters, 17 January 18; “Guanghe, Gansu, Issues Prohibition on Students Entering Religious Venues During Winter Break” [Gansu guanghe fawen yaociu jinzhi xuesheng hanjia jinru zongjiao changsuo], Radio Free Asia, 19 January 18. The majority of the residents in Linxia HAP are ethnic Hui. Li Ruohan, “Linxia Vows To Fight Against Pan-Halal Tendency To Safeguard Ethnic Unity,” Global Times, 7 March 18.

¹⁶ Michael Martina, “China’s Hui Muslims Fearful Chinese New Year Education Ban a Sign of Curbs To Come,” Reuters, 16 February 18.

¹⁷ See, e.g., Unrepresented Nations and Peoples Organization and Southern Mongolian Human Rights Information Center, “Submission to the UN Office of the High Commissioner for Human Rights for the Consideration of the 3rd Universal Periodic Review of the People’s Republic of China During the 31st Session,” 29 March 18; UN Office of the High Commissioner for Human Rights, “China: UN Experts Denounce the Criminalization of Linguistic and Cultural Rights Advocacy,” 21 February 18; ChinaAid, “[Authorities in] Ili, Hotan, and Other Locations in Xinjiang Seize Ethnic Minority-Language Textbooks” [Xinjiang yili, hetian deng di shoujiao minzu yuyan jiaoke shu], 2 April 18.

¹⁸ Dui Hua Foundation, “‘Mandarin Only’ Visitation Rules,” Dui Hua Human Rights Journal, 10 January 18.

¹⁹ Southern Mongolian Human Rights Information Center, “Mongolian Language Banned in Schools, Internet Posts Removed,” 22 December 17; “China Ends Mongolian-Medium Teaching in Xinjiang High School,” Radio Free Asia, 22 December 17; “Xinjiang Bayinguoleng Mongol Autonomous Prefecture Mongol School’s Name Revoked, Eliciting Protest From Mongolians at Home and Abroad” [Xinjiang bazhou menggu zu xuexiao bei zhaipai yinfa hai nei wai menggu ren kangyi], Radio Free Asia, 16 January 18.

²⁰ “China Ends Mongolian-Medium Teaching in Xinjiang High School,” Radio Free Asia, 22 December 17; Southern Mongolian Human Rights Information Center, “Mongolian Language Banned in Schools, Internet Posts Removed,” 22 December 17; “Xinjiang Bayinguoleng Mongol Autonomous Prefecture Mongol School’s Name Revoked, Eliciting Protest From Mongolians at Home and Abroad” [Xinjiang bazhou menggu zu xuexiao bei zhaipai yinfa hai nei wai menggu ren kangyi], Radio Free Asia, 16 January 18.

²¹ Gerry Groot, “The Rise and Rise of the United Front Work Department Under Xi,” Jamestown Foundation, China Brief, Vol. 18, Issue 7, 24 April 18; Nikhil Sonnad, “Taiwan’s Laws on Language Are Showing China What It Means To Be a Modern, Inclusive Country,” Quartz, 9 May 18; Cao Siqi, “Xinjiang University Calls for Promoting Putonghua,” Global Times, 9 October 17; Jiang Fu’er, “Xinjiang: Expanding Inclusive Kindergarten Coverage This Year” [Xinjiang: jinmian jiang kuoda puhui xing you’eryuan fugaimian], China Education Daily, 2 April 18.

²² Southern Mongolian Human Rights Information Center, “Mongolian Herders’ Land Grabbed, Livestock Robbed,” 4 December 17; “Inner Mongolian Herders Petition for Grasslands Compensation, New Overseas Book Reveals Genocide of Inner Mongolians” [Neimeng mumin qingyuan taoyao caochang butie haiwai xinshu jie neimeng zhongzu miejue], Radio Free Asia, 11 December 17; “Ethnic Mongolian Herder Protests Mining Pollution of Grasslands,” Radio Free Asia, 23 February 18.

²³ “Inner Mongolian Herders Petition for Grasslands Compensation, New Overseas Book Reveals Genocide of Inner Mongolians” [Neimeng mumin qingyuan taoyao caochang butie haiwai xinshu jie neimeng zhongzu miejue], Radio Free Asia, 11 December 17; Southern Mongolian Human Rights Information Center, “Testimonies of Mongolian Victims of Chinese Land Grab (1): Cases of Four Jailed Herders,” 9 March 18; “China Detains Ethnic Mongolian Herders Who Petitioned in Beijing,” Radio Free Asia, 29 March 18; Unrepresented Nations and Peoples Organization and Southern Mongolian Human Rights Information Center, Submission to the UN Office of the High Commissioner for Human Rights for the Consideration of the 3rd Universal Periodic Review of the People’s Republic of China During the 31st Session,” 29 March 18.

²⁴ See, e.g., CECC, 2017 Annual Report, 5 October 17, 148–49; CECC, 2016 Annual Report, 6 October 16, 143–44.

²⁵ See, e.g., “Two Mongol Female Herders in Inner Mongolia Detained for Petitioning” [Nei menggu liang menggu zu nu mumin qingyuan bei ju], Radio Free Asia, 8 December 17; “Hundreds of Herders Petition in Ongniud and Damao Banners in Inner Mongolia, Many Are Detained” [Nei menggu wengniute ji damaoqi shu bai mumin qingyuan duoren bei zhua], Radio Free Asia, 26 December 17.

²⁶ “Hundreds of Herders Petition in Ongniud and Damao Banners in Inner Mongolia, Many Are Detained” [Nei menggu wengniute ji damaoqi shu bai mumin qingyuan duoren bei zhua], Radio Free Asia, 26 December 17.

²⁷ Ibid. COFCO is the acronym for China National Cereals, Oils and Foodstuffs Corporation.

²⁸ Ibid.

²⁹ “Ethnic Mongolian Herder Protests Mining Pollution of Grasslands,” Radio Free Asia, 23 February 18; “Herders From Urad Middle Banner Petition in Hohhot After Lunar New Year,” [Nei menggu wulate zhongqi mumin nongli nian hou hu shi shangfang], Radio Free Asia, 22 February 18.

³⁰ “Ethnic Mongolian Herder Protests Mining Pollution of Grasslands,” Radio Free Asia, 23 February 18; “Herders From Urad Middle Banner Petition in Hohhot After Lunar New Year,” [Nei menggu wulate zhongqi mumin nongli nian hou hu shi shangfang], Radio Free Asia, 22 February 18.

³¹ Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinshan de menggu zu mumin bei panxing], Radio Free Asia, 24 January 18.

³² Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinshan de menggu zu mumin bei panxing], Radio Free Asia, 24 January 18.

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³³Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinzhan de menggu zu mumín bei pánxíng], Radio Free Asia, 24 January 18.

³⁴Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinzhan de menggu zu mumín bei pánxíng], Radio Free Asia, 24 January 18.

³⁵Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinzhan de menggu zu mumín bei pánxíng], Radio Free Asia, 24 January 18.

³⁶Southern Mongolian Human Rights Information Center, “35 Mongolian Herders Tried, Long Sentences Handed Down,” 24 January 18; “35 Ethnic Mongol Herders Who Protested Han People’s Occupation of Their Grassland Sentenced” [35 ming kangyi caochang bei hanren qinzhan de menggu zu mumín bei pánxíng], Radio Free Asia, 24 January 18.