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The Uighurs in China

* *By Cameron Kellett*



Occupying nearly the entire Asian landmass, China is the largest of all Asian countries and boasts the largest population in the world. [1] In the northwest area of China, nestled between mountains and deserts, is the Xinjiang region, [2] which takes up just one-sixth of China's mainland. [3] The Xinjiang region is of economic and geopolitical importance to China because the land is rich in oil, produces the vast majority of China's cotton, [4] and "is a key part of the country's Belt and Road Initiative." [5] The region borders several countries, including Afghanistan, Russia, Pakistan, India, Magnolia, Kazakhstan, Kyrgyzstan, and Tajikistan, forcing China to long prioritize the need for stability in the region. [6] There was much international attention to this remote area when the Chinese government implemented a "sweeping crackdown" to assimilate the Uighurs, a mostly Muslim ethnic minority group. [7]

While China heavily increased its "re-education efforts" to assimilate the Uighurs in 2017, [8] ethnic tensions first arose between the Hans (Chinese) and the Uighurs when the Chinese government gained control of the region in 1949. [9] Some Uighurs refer to this region as Eastern Turkestan and have long advocated for its independence. [10] Since many Uighurs are Muslim, their religion has put them in odds with China's Communist Party. [11] The reeducation efforts started in 2014. [12] These efforts were significantly expanded upon as experts found that "thirty-nine of the camps almost tripled in size between April 2017 and August 2018" costing about 2.96 billion dollars. [13] Further, an official report from 2018 indicated that at least 800,000 to possibly more than 2 million Uighurs, ethnic Kazakhs, and other Muslim minority groups were detained in "internment camps for indefinite periods of time." [14]

The detainment of the Uighurs raises both humanitarian and legal concerns because most people in the camps have never been charged with crimes, [15] and once detained, are subjected to forced labor and torture. [16] According to reports, Uighurs are targeted for various reasons, including travelling to or contacting people from "sensitive" countries such as Afghanistan and Turkey, [17] attending mosques, sending texts with Quranic verses, [18] and for wearing headscarves or longbeards. [19] Many Uighurs have been detained simply

for being Muslim as they are labeled as extremists.[20] In response to international pressure, “China points to sporadic terrorists attacks in Xinjiang and a Uighur independence movement as justification for the crackdown.”[21]

Inside the camps, detainees attend daily indoctrination programs where they receive lessons in patriotism and Chinese language.[22] At some camps, detainees learn vocational skills like textile-making, while other detainees admit they were tortured by guards and forced to work at a factory as a condition of release.[23] Many Uighurs stress they were “detained, interrogated, and beaten because of their religion” and were interned, not “re-educated.”[24] Further, the Chinese government implemented a high-tech surveillance system, tracking Uighurs’ movements through police checkpoints, facial recognition surveillance, and house visits by officials.[25]

The international response to China’s mistreatment was slow and underwhelming. Governments were hesitant to criticize the oppression in China “out of fear of retaliation.”[26] It was not until 2016, when the U.S. organized the first common statement that criticized China on human rights.[27] Notably, only eleven other states joined the U.S. and the statement did not explicitly mention the Uighurs.[28] In 2019, in a joint letter addressed to the UN High Commissioner for Human Rights and the President of Human Rights Council, twenty-five governments expressed “collective concern over widespread surveillance, restrictions to freedom of religion and movement, and large-scale arbitrary detention of Uyghurs and other minorities in Xinjiang.”[29] The ambassadors “urged China to uphold its national laws and international obligations, and called for meaningful access to Xinjiang for independent observers.”[30] Notably, however, no one decided to read aloud this statement at the council.[31] Unsurprisingly, the Kingdom of Saudi Arabia, notorious for violating human rights, joined Russia and 35 other states to support China’s policies in the Xinjiang region.[32]

The strongest and most outright condemnation of China’s actions came in January 2021 from then Secretary of State Mike Pompeo.[33] The Secretary of State said in a statement, “I believe this genocide is ongoing, and that we are witnessing the systematic attempt to destroy Uighurs by the Chinese party-state,” adding that Chinese officials were “engaged in forced assimilation and eventual erasure of a vulnerable ethnic and religious minority group.”[34] Consequently, the Trump Administration, announced an import ban on all cotton and tomato products from China’s Xinjiang region.[35] However, during a townhall meeting held in February 2021, when asked about the Uighur human rights crisis, President Biden expressed the “different norms” between China and the U.S.[36] When further questioned if China would face repercussions for violating human rights, President Biden said “there will be repercussions for China” and that the U.S. “would reassert our role as spokespersons for human rights at the UN and other agencies.”[37]

While international condemnation has grown in recent months, Beijing warned foreign governments to not interfere with the country’s internal affairs.[38] Additionally, the international press continues to face obstacles with gathering information and reporting on the Uighurs in Xinjiang.[39] Despite how troubling the current state of affairs is, one glimmer of hope is that Congressmen are writing a bipartisan bill that would expediate refugee applications from the Uighurs.[40] If passed, the bill will place Uighurs’ applications to “Priority 2” in the U.S. refugee system, allowing applicants to directly apply as refugees and forego a UN referral, which reduces concerns that Beijing could be notified by a third party and seek their deportation back to China.[41]

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*Image credits: <https://www.hrw.org/news/2018/09/09/china-massive-crackdown-muslim-region>

[1] Cho-yun Hsu, *China*, Britannica (Mar. 2, 2021), <https://www.britannica.com/place/China>.

[2] Chiao-Min Hsieh, *Xinjiang*, Britannica, <https://www.britannica.com/place/Xinjiang>.

- [3] Lindsay Maizland, *China's Repression of Uyghurs in Xinjiang*, Council on Foreign Relations (March 1, 2021), <https://www.cfr.org/backgrounder/chinas-repression-uyghurs-xinjiang>.
- [4] Eva Dou, *Who are the Uighurs, and What's Happening to Them in China?*, Wash. Post (Feb. 11, 2021), <https://www.washingtonpost.com/world/2021/02/11/china-uyghurs-genocide-xinjiang/>.
- [5] Bryan Wood, *What is happening with the Uighurs in China?*, PBS, <https://www.pbs.org/newshour/features/uyghurs/>. (“China’s Belt and Road Initiative is the most expensive infrastructure project in history. Chinese companies are constructing roads, pipelines and railroads across the globe. But they are also building China’s influence, and critics in the U.S. and Asia worry Belt and Road projects can reduce countries’ sovereignty and grow Chinese power.”) *See How Huge Belt and Road Project is Building Chinese Influence*, Pbs Newshour (aired Sept. 27, 2019), <https://www.pbs.org/video/how-huge-belt-and-road-project-is-building-chinese-influence-1569628017/>.
- [6] Dou, *supra* note 4.
- [7] Dou, *supra* note 4.
- [8] Maizland, *supra* note 3.
- [9] *See generally* Chiao-Min Hsieh, *supra* note 2.
- [10] Maizland, *supra* note 3.
- [11] Dou, *supra* note 4.
- [12] Maizland, *supra* note 3.
- [13] Maizland, *supra* note 3.
- [14] Testimony of Deputy Assistant Secretary Scott Busby, Senate Foreign Relations Committee On East Asia, The Pacific, and International Cybersecurity Policy (Dec. 4, 2018), https://www.foreign.senate.gov/imo/media/doc/120418_Busby_Testimony.pdf.
- [15] Maizland, *supra* note 3.
- [16] Dou, *supra* note 4.
- [17] Maizland, *supra* note 3.
- [18] Maizland, *supra* note 3.
- [19] Dou, *supra* note 4.
- [20] Maizland, *supra* note 3.
- [21] Dou, *supra* note 4.
- [22] Dou, *supra* note 4.
- [23] Dou, *supra* note 4.
- [24] Bryan Wood, *What is Happening With the Uighurs in China?*, PBS News Hour, <https://www.pbs.org/newshour/features/uyghurs/>.
- [25] Dou, *supra* note 4.
- [26] Kenneth Roth, *Biden Can't Make Washington a Beacon for Human Rights by Returning to Business as Usual*, Human Rights Watch (Jan. 14, 2021), <https://www.hrw.org/news/2021/01/14/biden-cant-make-washington-beacon-human-rights-returning-business-usual>.
- [27] *Id.*
- [28] *Id.* *See* Item 2: Joint Statement – Human Rights in China, US Mission to International Organizations in Geneva (March 10, 2016), <https://geneva.usmission.gov/2016/03/10/item-2-joint-statement-human-rights-situation-in-china/>.
- [29] Human Rights Council 41, *25 States Jointly Condemn China's Suppression of Minorities in Xinjiang*, International Service for Human Rights (Nov. 7, 2019), <https://www.ishr.ch/news/hrc41-l-25-states-jointly-condemn-chinas-suppression-minorities-xinjiang>.
- [30] *Id.*
- [31] Roth, *supra* note 25.
- [32] Tom Miles, *Saudi Arabia and Russia Among 37 States Backing China's Xinjiang Policy*, Reuters (July 12, 2019), <https://www.reuters.com/article/us-china-xinjiang-rights-idUSKCN1U721X>.
- [33] Edward Wong & Chris Buckley, *U.S. Says China's Repression of Uighurs Is 'Genocide'*, NYT (Jan. 19, 2021), <https://www.nytimes.com/2021/01/19/us/politics/trump-china-xinjiang.html>.
- [34] *Id.*
- [35] David Lawder, *U.S. Bans Imports of All Cotton, Tomato Products from China's Xinjiang Region*, Reuters (Jan 13, 2021), <https://www.reuters.com/article/us-usa-trade-china-xinjiang/u-s-bans-imports-of-all-cotton-tomato-products-from-chinas-xinjiang-region-idUSKBN29I2KO>.
- [36] *Biden Reveals Conversation with Chinese President on Human Rights*, CNN, <https://www.cnn.com/videos/world/2021/02/17/china->

uyghurs-human-rights-joe-biden-town-hall-vpx.cnn/video/playlists/joe-biden-town-hall/.

[37] *Id.*

[38] Dou, *supra* note 4.

[39] Dou, *supra* note 4.

[40] Reuters Staff, *U.S. Congressman Seek Bill to Boost Uighur Refugee Status*, Reuters (March 5, 2021), <https://www.reuters.com/article/us-usa-china-uighurs-idUSKBN2AX20Z>.

[41] *Id.*