

“LIKE WE WERE ENEMIES IN A WAR”

CHINA'S MASS INTERNMENT, TORTURE AND
PERSECUTION OF MUSLIMS IN XINJIANG



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Cover illustration: *Guards surround a large group of detainees in an internment camp in Xinjiang, China.*

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👁️ A billboard stating that “Praying in public places is strictly forbidden”. Signs with this phrase have been documented in Xinjiang.



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EXECUTIVE SUMMARY

Since 2017, under the guise of a campaign against “terrorism”, the government of China has carried out massive and systematic abuses against Muslims living in the Xinjiang Uyghur Autonomous Region (Xinjiang). Far from a legitimate response to the purported terrorist threat, the government’s campaign evinces a clear intent to target parts of Xinjiang’s population collectively on the basis of religion and ethnicity and to use severe violence and intimidation to root out Islamic religious beliefs and Turkic Muslim ethno-cultural practices. The government aims to replace these beliefs and practices with secular state-sanctioned views and behaviours, and, ultimately, to forcibly assimilate members of these ethnic groups into a homogenous Chinese nation possessing a unified language, culture, and unwavering loyalty to the Chinese Communist Party (CCP).

To achieve this political indoctrination and forced cultural assimilation, the government undertook a campaign of arbitrary mass detention. Huge numbers of men and women from predominantly Muslim ethnic groups have been detained. They include hundreds of thousands who have been sent to prisons as well as hundreds of thousands – perhaps 1 million or more – who have been sent to what the government refers to as “training” or “education” centres. These facilities are more accurately described as internment camps. Detainees in these camps are subjected to a ceaseless indoctrination campaign as well as physical and psychological torture and other forms of ill-treatment.

The internment camp system is part of a larger campaign of subjugation and forced assimilation of ethnic minorities in Xinjiang. The government of China has enacted other far-reaching policies that severely restrict the behaviour of Muslims in Xinjiang. These policies violate multiple human rights, including the rights to liberty and security of person; to privacy; to freedom of movement; to opinion and expression; to thought, conscience, religion, and belief; to participate in cultural life; and to equality and non-discrimination. These violations are carried out in such a widespread and systematic manner that they are now an inexorable aspect of daily life for millions of members of predominantly Muslim ethnic minorities in Xinjiang.

The government of China has taken extreme measures to prevent accurate information about the situation in Xinjiang from being documented, and finding reliable information about life inside the internment camps is particularly difficult. Between October 2019 and May 2021, Amnesty International interviewed dozens of former detainees and other people who were present in Xinjiang since 2017, most of whom had never spoken publicly about their experiences before. The testimonies of former detainees represent a significant portion of all public testimonial evidence gathered about the situation inside the internment camps since 2017.

The evidence Amnesty International has gathered provides a factual basis for the conclusion that the Chinese government has committed at least the following crimes against humanity: imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; and persecution.

Amnesty International interviewed 55 people who had been detained in internment camps and later released. All of them had been arbitrarily detained for what appears to be, by all reasonable standards, entirely lawful conduct; that is, without having committed any internationally recognized criminal offence. The internment camp detention process appears to be operating outside the scope of the Chinese criminal justice system or other domestic law. According to government documents and statements by government officials, applying criminal procedure would be inappropriate because the people in the camps are there “voluntarily” and are not criminals. As demonstrated by the testimonies and other evidence presented in this report, however, attendance in the camps is not voluntary, and conditions in the camps are an affront to human dignity.

Aiman, a government official who participated in mass arrests, told Amnesty how, in late 2017, police took people from their homes without warning, how family members of the detained people reacted, and what the role of government cadres was in the process:

I was there... The police would take people out of their houses... with hands handcuffed behind them, including women... and they put black hoods on them... Nobody could resist. Imagine if all of a sudden a group [of police] enters [your home], cuffs you and puts [a black hood] over your head... It was very sad... [Afterwards] I cried... That night we made 60 arrests... That was just in one district [of many where people were being detained]... Every day they arrested more people.

Individuals Amnesty International interviewed said the reasons they were given for their detention were often not tied to specific acts; rather, detainees were informed that they had been detained because they had been classified as “suspicious” or “untrustworthy” or as a “terrorist” or an “extremist”. When specific acts were mentioned, they generally fell into a few broad categories. One category includes offences related to foreign countries. Numerous former detainees were sent to camps for living, travelling, or studying abroad or for communicating with people abroad. Many were even detained simply for being “connected” with people who lived, travelled, studied, or communicated with people abroad. Another category includes those detained for offences related to using unauthorized software or digital communications technology. Many former detainees were sent to camps for using or having forbidden software applications on their mobile phones. Another common category includes anything related to religion. Former detainees were sent to camps for reasons related to Islamic beliefs or practice, including working in a mosque, praying, having a prayer mat, or possessing a picture or a video with a religious theme.

Analysed in concert with other testimonial and documentary evidence gathered by journalists and other organizations, the testimonial evidence Amnesty International has gathered demonstrates that members of ethnic minorities in Xinjiang were often detained on the basis of what can only be considered “guilt by association”. Many were interned as a result of their relationships, or perceived or alleged relationships, with family, friends, or community members – many, if not most, of whom were themselves not guilty of any internationally recognized criminal offence.

In internment camps, all detainees were subjected to a ceaseless indoctrination campaign as well as physical and psychological torture and other forms of ill-treatment. From the moment they entered a camp, detainees’ lives were extraordinarily regimented. They were stripped of their personal autonomy, with every aspect of their lives being dictated to them. Detainees who deviated from the conduct prescribed by camp authorities – even in the most seemingly innocuous ways – were reprimanded and regularly physically punished, often along with their cellmates.

Detainees had no privacy. They were monitored at all times, including when they ate, slept, and used the toilet. They were forbidden to talk freely with other detainees. When detainees were permitted to speak – to other detainees, guards, or teachers – they were required to speak in

Mandarin Chinese, a language many of them, especially older people and those from more rural areas in Xinjiang, did not speak or understand. Detainees were physically punished if they spoke in a language other than Mandarin.

There was insufficient food, water, exercise, healthcare, sanitary and hygienic conditions, fresh air, and exposure to natural light. Detainees had draconian restrictions placed on their ability to urinate and defecate. All detainees were required to “work” one- or two-hour shifts monitoring their cellmates every night. Many former detainees reported that during the first few days, weeks, or sometimes months after arriving at the internment camps, they were forced to do nothing but sit still – often in terribly uncomfortable positions – for nearly the entire day.

At some point after arriving nearly all detainees were subjected to highly regimented classes. The typical schedule included three or four hours of classes after breakfast. Then detainees had lunch and a short “rest”, which often involved sitting still on a stool or with their heads still on their desks. After lunch there was another three or four hours of classes and then dinner, followed by a few hours to sit or kneel on a stool and silently “review” the day’s material or to watch more “educational” videos. At nearly all times during classes, detainees were required to look straight ahead and not to speak with their classmates. Classes often involved memorizing and reciting “red” songs – that is, revolutionary songs that praise the CCP and the People’s Republic of China.

Teaching Chinese was a primary objective of the “education” that detainees received in the camps. In addition to language classes, most former detainees reported attending some combination of history, law, and ideology classes or, as many former detainees referred to it, “political education”. These classes focused largely on forcibly indoctrinating detainees about the “evils” of Islam and about how prosperous, powerful, and “benevolent” China, the CCP, and President Xi Jinping are. Yerulan, a former detainee, told Amnesty he believed the political education classes were structured to prevent detainees from having and practising their religion:

I think the purpose [of the classes] was to destroy our religion and to assimilate us... They said that we couldn't say '*as-salamu alaykum*' and that if we were asked what our ethnicity was we should say 'Chinese'... They said that you could not go to Friday prayers... And that it was not Allah who gave you all, it was Xi Jinping. You must not thank Allah; you must thank Xi Jinping for everything.

Detainees were questioned or interrogated regularly. They were also frequently required to write letters of “confession” or “self-criticism”. In addition to confessing one’s “crimes”, self-criticism entailed describing in writing what the detainee had done wrong, explaining that the education they were receiving enabled them to recognize the error of their ways and “transform” their thinking, expressing gratitude to the government for this education, and promising not to return to their old habits.

Every former camp detainee Amnesty International interviewed was tortured or subjected to other cruel, inhuman, or degrading treatment or punishment (in this report referred to as “torture or other ill-treatment”) during their internment. Torture and other ill-treatment are constitutive elements of life in the internment camps. The torture and other ill-treatment that detainees experience in the camps fall into two broad categories.

The first category included the physical and non-physical (that is, mental or psychological) torture and other ill-treatment experienced by *all* detainees as a result of the cumulative effects of daily life in the camps. The combination of these physical and non-physical measures, in conjunction with the total loss of control and personal autonomy in the camps, is likely to cause mental and physical suffering severe enough to constitute torture or other cruel, inhuman, or degrading treatment.

The second category of torture and other ill-treatment included physical torture and other ill-treatment that occurred during interrogations or as punishment for misbehaviour by *specific* detainees. Torture methods used during interrogations and as punishment included beatings, electric shocks, stress positions, the unlawful use of restraints (including being locked in a tiger chair), sleep deprivation, being hung from a wall, being subjected to extremely cold temperatures, and solitary confinement. Interrogations usually lasted an hour or more; punishments were often much longer.

Amnesty International interviewed many former detainees who were tortured or subjected to other ill-treatment during interrogations or punishments in internment camps. Amnesty also interviewed many former detainees who witnessed the torture or other ill-treatment of other detainees or who spoke with other detainees – usually their cellmates – who informed them that they had been tortured or otherwise ill-treated during interrogations or as punishment.

Former detainees described a broadly consistent pattern of treatment of detainees by staff and officials in the camps. Some of this treatment reflected patterns of torture and other ill-treatment that Chinese security forces have carried out in Xinjiang and other parts of China for decades. Mansur, a farmer, described to Amnesty how he was tortured multiple times in two camps during his time in detention – both during an interrogation and during multiple punishment sessions. He described his interrogation session:

Two guards took me from the cell and dropped me off [at the room where I was interrogated]. Two men were inside... [They asked what I did in Kazakhstan,] ‘Did you pray there? What do your parents do?’ I said I only stayed with family, that I took care of livestock, and that I didn’t do anything illegal... they asked me about mosque and praying... If I told them I had been praying, I had heard that I would get sentenced for 20 or 25 years. So I told them I never prayed. Then they became upset. They said, ‘All that time with livestock, you became an animal too!’ Then they hit me with a chair until it broke... I fell to the floor. I almost fainted... Then they put me on the chair again. They said, ‘This guy hasn’t changed yet, he needs to stay [in the camp] longer.’

Amnesty International documented one account of a death in an internment camp caused by torture. Madi told Amnesty he witnessed the torture of a cellmate who he later learned died from the effects of the torture. Madi said the man was made to sit in a tiger chair in the middle of their cell. The cellmates were made to watch him sit there, restrained and immobilized, for three days, and were expressly forbidden to help him.

[The man] was in our room for more than two months... he was made to sit in a tiger chair. [I think the man was being punished for pushing a guard.]... They brought the chair into our room... They told us that if we helped him then we would sit in the chair... It was an iron chair... his arms were cuffed and chained. Legs were chained as well. His body was tied to the back of the chair... Two [cuffs] were locked around his wrists and legs... A rubber thing attached to the ribs to make the person [sit] up straight... at some point we could see his testicles. He would [urinate and defecate] in the chair. He was in the chair for three nights... He died after he [was taken out of the cell]. We found out through [people] in the cell.

Most of the detainees interviewed by Amnesty were in the camps for between nine and 18 months. The process to determine whether detainees were released from camps and sent home is not well understood, including by many detainees. Like the process surrounding the initial detention and transfer to the internment camp, much of the release process appeared to operate outside the scope of the Chinese criminal justice system or other domestic law. There was a total absence of any

transparent criteria or legal assistance and protection. Nothing that former detainees experienced during the time leading up to their release indicated any regard for the fairness and due process required by the gravity of deciding individuals' fates. Detainees who were released were forced to sign a document that forbade them from speaking with anybody – especially journalists and foreign nationals – about what they experienced in the camp. Former detainees were informed that they would be interned again if they violated this prohibition, as would members of their families.

After being released from internment camps to go home, former detainees faced further severe restrictions on their human rights, particularly their freedom of movement. These restrictions were in addition to the discriminatory policies directed at all members of ethnic minority groups in Xinjiang. Nearly all former detainees who spoke to Amnesty were required to continue their “education” and to attend classes in Chinese language and political ideology after they were released. They were also forced to publicly “confess” their “crimes” at flag-raising ceremonies.

All former detainees Amnesty International interviewed said they were placed under both electronic and in-person surveillance and subjected to regular evaluations from government employees and cadres. Nearly all former detainees reported that government employees or cadres were required to stay with them in their homes for several nights per month after they were released from a camp. For at least several months, nearly all were prohibited from leaving their village or township. If they were allowed to leave, they were required to get written permission from the authorities beforehand.

Amnesty interviewed former detainees who were sent from the camps to work in factories. Arzu told Amnesty that after spending six months in one camp he was transferred to another camp, where he was taught to sew in preparation for being sent to a factory. He was then required to live and work in a factory for several months making government uniforms. These testimonies point to a number of ways in which the authorities in Xinjiang appear to be forcing or compelling Uyghurs and other members of ethnic minority groups in Xinjiang to engage in certain types of labour, sometimes as an extension of the “education” received in the camps.

Some detainees were reportedly transferred from camps to prisons. Like the process of being released to go home, the seemingly related process through which camp detainees were given prison sentences is not well understood. It is also unclear how the release process and the sentencing process were connected – especially how, or if, the prison sentencing process in the camps was integrated with any formal sentencing process outside the camps.

Amnesty International was not able to interview anyone who was given a prison sentence in a camp and then sent to a prison. Amnesty did, however, interview former camp detainees who said they were given sentences that were subsequently “forgiven”. Amnesty also interviewed former detainees who said that while they were detained, one or more of the people in their classes received prison sentences, often apparently for everyday behaviour far removed from any type of recognized offence. Many of the former detainees personally knew other people – usually multiple people – who had been given prison sentences.

The government of China has enacted other far-reaching policies that severely restrict behaviour of *all* members of predominately Muslim ethnic groups, including those who have never been sent to a camp or prison. The brutal effectiveness and tremendous scale of the government's campaign derive from the government's unprecedented use of surveillance technology, coupled with its ability to make large portions of the region's population help it to execute its will. The government relies on a nearly inescapable in-person and electronic surveillance operation designed to ensure that the behaviour of ethnic minority groups is continuously monitored and evaluated. Ubiquitous government cadres, violent security forces, and a non-independent legal system act in concert to conduct the surveillance and enforce rights-violating policies.

Muslims living in Xinjiang may be the most closely surveilled population in the world. The government of China has devoted tremendous resources to gathering incredibly detailed information about this group's lives. This systemized mass surveillance is achieved through a combination of policies and practices that infringe on people's rights to privacy and freedom of movement and expression. According to former residents of Xinjiang, the system of surveillance involves extensive, invasive in-person and electronic monitoring in the form of:

- biometric data collection, including iris scans and facial imagery;
- invasive interviews by government officials;
- regular searches and interrogations by ubiquitous security officers;
- "homestays" by government employees and cadres assigned to live with ethnic minority families;
- an ever-present network of surveillance cameras, including facial recognition cameras;
- a vast network of checkpoints known as "convenience police stations"; and
- unfettered access to people's personal communication devices and financial history.

In addition to providing the government with enormous amounts of personal information, this operation allows the authorities to comprehensively track – in real time – the communications, movements, actions, and behaviours of Xinjiang's ethnic minority populations.

Muslims living in Xinjiang cannot move freely. The government restricts their travel both within Xinjiang and between Xinjiang and the rest of China. The government also makes it extraordinarily difficult – often impossible – for members of ethnic minority groups, particularly Uyghurs, to travel abroad. All members of ethnic minority groups in Xinjiang were forced to hand over their passports to the government in 2016 and 2017. Very few people have been able to get them back.

Former residents of Xinjiang said movement restrictions are enforced in a discriminatory manner. Interviewees said the police stopped only ethnic minorities on the street and checked their ID. Witnesses, including one who worked at a government checkpoint, reported that Han Chinese either did not need to go through the checkpoints at all or were essentially waved through without having their bodies or phones searched and without being questioned. Yin, a Han Chinese person who visited Xinjiang, told Amnesty about the discrimination they witnessed while travelling:

The surveillance cameras are literally everywhere... The discrimination is so blatant. When I boarded a train, they didn't check anything, but the Uyghurs sitting right across from me, they checked their tickets and their phones... When I was in the station, there were two lines [for security checks], one for Uyghurs and one for Han without facial recognition, just through a metal detector. The line for Uyghurs was very long... Under a tunnel in [a major city] I just walked by, but Uyghurs had to have a full body check with metal detectors, including old men. They were checked at both sides of the tunnel. I was carrying luggage, and no one even checked my bag. I went through the [security] door, but no one checked with a wand... Because I am Han, I was not checked... I spoke with a [government official] who said, 'Uyghurs have to be treated differently because there are no Han terrorists'.

Muslims living in Xinjiang cannot practise their religion. Former detainees and other people interviewed by Amnesty International who lived in Xinjiang between 2017 and early 2021 also described an environment that was extraordinarily hostile to the practice of Islam. By the time these individuals left China, none felt comfortable displaying any signs of religious practice and all believed doing so would result in them being detained and sent to a camp. According to these witnesses, numerous Islamic practices that Muslims widely consider essential to their religion that were not explicitly prohibited by law in Xinjiang are now, in effect, prohibited. Muslims are prevented from praying, attending mosques, teaching religion, wearing religious clothing, and giving children

Islamic-sounding names. As a result of the constant, credible threat of detention, Muslims in Xinjiang modified their behaviour to such an extent that they no longer displayed outward signs of religious practice.

Numerous former residents of Xinjiang told Amnesty they were forbidden to possess any religious artefacts in their houses or any religious content on their phones, including religious books, films, or photographs. Several former residents also said cultural books, artefacts, and other content associated with Turkic Muslim culture have, in effect, been banned. Aiman told Amnesty how government cadres and police barged into the houses of Muslim families and forcibly confiscated all religious artefacts:

We went to [a part of the village] where 20 families from [a Muslim ethnic group] lived. We had to take out everything to do with religion and show them that these were illegal things... While we were doing this, we wouldn't even knock on the door... We would just go in without asking for permission... People were crying... We gave everything to the police... We also told them to remove things written in Arabic.

According to the evidence Amnesty International has gathered, corroborated by other reliable sources, members of predominantly Muslim ethnic minorities in Xinjiang have been subjected to an attack meeting all the contextual elements of crimes against humanity under international law. The evidence Amnesty has seen therefore provides a factual basis for the conclusion that the perpetrators, acting on behalf of the Chinese state, have carried out a widespread and systematic attack consisting of a planned, massive, organized, and systematic pattern of serious violations directed at the civilian population in Xinjiang. Amnesty International believes the evidence it has collected provides a factual basis for the conclusion that the Chinese government has committed at least the following crimes against humanity: imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; and persecution.

The government of China must immediately close all the remaining internment camps and release all persons held in internment camps or other detention facilities – including prisons – in Xinjiang, unless there is sufficient credible and admissible evidence that they have committed an internationally recognized offence. The government must also repeal or amend all laws and regulations, and end all related policies and practical measures, that impermissibly restrict the human rights of Uyghurs, Kazakhs, and other members of predominantly Muslim ethnic groups, including the right to freely leave and return to China and to choose and practise their religion.

An independent and effective investigation into the alleged crimes against humanity and other serious violations of human rights documented in this report is required. All those reasonably suspected of criminal responsibility should be brought to justice in fair trials. In particular, the UN Human Rights Council or the UN General Assembly must establish an independent international mechanism to investigate crimes under international law and other serious human rights violations and abuses in Xinjiang, with a view to ensuring accountability, including through the identification of suspected perpetrators.



METHODOLOGY

This report is a product of field and remote research carried out between October 2019 and May 2021. The report's findings and conclusions are based on first-hand testimonies that Amnesty International gathered from former detainees of the internment camps and other people who were present in Xinjiang after 2017, as well as from an analysis of satellite imagery and data. The report also draws on testimonial evidence and confidential government documents gathered and analysed by journalists, scholars, and other human rights organizations.

One hundred twenty-eight people were interviewed for this report: 55 former detainees of internment camps in Xinjiang (39 men and 16 women), 15 other witnesses who lived in or visited Xinjiang since 2017, and 68 family members of people from Xinjiang who are currently missing or detained. The majority of the interviewees were Kazakh, a minority were Uyghurs, and a small number were Kyrgyz or Han Chinese.

The former detainee testimonies represent a significant portion of all public testimonial evidence gathered about the situation inside the internment camps since 2017. Forty-four of the 55 detainees interviewed for this report had never shared any part of their stories publicly before, and several others had never shared significant portions of their stories. According to the Xinjiang Victims Database – a website run by human rights researchers and activists that aggregates and synthesizes all publicly available testimony related to Xinjiang internment camps – excluding the former detainees interviewed publicly for the first time in this report, fewer than 40 former detainees have ever spoken publicly.¹

Many of the interviews done for this report were arranged with the assistance of two human rights organizations based in Kazakhstan.

Amnesty informed all interviewees about the nature and purpose of the research and about how the information they provided would be used. Oral consent was obtained from each interviewee before the interview. No incentives were provided to interviewees in exchange for their accounts. Interviews generally lasted between four and 12 hours and were often conducted over the course of multiple days. The vast majority of interviews were conducted using translators fluent in Mandarin Chinese, Uyghur, Kazakh or Kyrgyz; a few were conducted in English and Mandarin Chinese. Interviews were conducted in person in Kazakhstan, Kyrgyzstan, and Turkey and remotely in several other countries in Asia, Europe, and North America. Interviews with former detainees and witnesses were conducted individually.

For reasons related to access and the security of the interviewees, no interviews were conducted in Xinjiang either in person or remotely. The government of China threatens, detains, tortures, and forcibly disappears individuals who speak publicly about the human rights situation in Xinjiang. Many former detainees and witnesses are rightly afraid of being identified as having spoken publicly on this issue. ***As a result, nearly all interviews with former camp detainees and other witnesses were conducted on the condition that Amnesty International refrain from publishing the***

1 See Xinjiang Victims Database, shahit.biz/eng/#filter

interviewee's name and/or any information that could be used to identify the interviewee, the interviewee's family or anyone else who might be at risk if they were to be identified. Pseudonyms are used in all cases.

Moreover, since only a small number of former internment camp detainees are believed to have left China, and because the Chinese authorities likely know the identity of each of them as well as details about their life and their time in the internment camps, Amnesty took a very cautious approach to including any information that could be used for the purposes of identification. For example, the report does not mention the specific internment camp where any particular interviewee was detained, the specific village or town where that person lived, or the specific age of any of the interviewees and only rarely does it refer to an interviewee's occupation.

OBSTACLES TO INVESTIGATING THE HUMAN RIGHTS SITUATION IN XINJIANG

The government of China has taken extraordinary measures to prevent accurate information about the situation in Xinjiang from being documented. Chinese citizens living in China – particularly former internment camp detainees – have been effectively prevented from speaking or otherwise sharing information about the situation in Xinjiang. There is only the remote possibility communicating from Xinjiang over a secure form of communication, and the consequences of being identified are severe. All members of predominantly Muslim ethnic minority groups in Xinjiang are under heavy surveillance (see section 2.3). ***Anyone living in Xinjiang who speaks out about the internment camps, is perceived to have spoken out, is accused of speaking out, or is affiliated with anyone who has spoken out, risks detention, arrest, imprisonment, torture, and enforced disappearance, not only for themselves but also for their family members.***

The risks are particularly severe for ex-detainees and their families, who face heightened levels of suspicion and surveillance. For at least several months after being released from a camp, all ex-detainees are under near constant electronic and in-person surveillance. Before being released, every former internment camp detainee who spoke with Amnesty was made to sign a document that forbade them from speaking with anybody – especially journalists and foreign nationals – about what they experienced in the camp. Former detainees were informed that they would be interned again if they violated this prohibition, as would members of their families.

As a result of the serious risks facing people in Xinjiang, it is impossible to safely do independent research and gather documentation in Xinjiang that involves speaking with people. Moreover, journalists, human rights investigators, and diplomats have all been denied unfettered access to the region.² A few journalists have entered disguised as tourists but have found it nearly impossible to speak safely with people about the internment camp.³ Journalists who have travelled to the region officially have encountered a coordinated effort by government officials to block them from speaking with local inhabitants, especially former detainees, and from accessing internment camps, except in situations where the authorities try to exercise complete control over where they visit, what they see,

2 See John Sudworth, BBC News, "China's pressure and propaganda – the reality of reporting Xinjiang," 15 January 2021, www.bbc.com/news/world-asia-china-55666153; Andrew McCormick, Columbia Journalism Review, "How extensive restrictions have shaped the story in Xinjiang, China," 16 October 2018, www.cjr.org/analysis/uighur-xinjiang.php; Matt Schiavenza, Asia Society, "Why It's So Difficult for Journalist To Report from Xinjiang," 23 May 2019, asiasociety.org/blog/asia/why-its-so-difficult-journalists-report-xinjiang; Human Rights Watch, "China's Weak Excuse to Block Investigations in Xinjiang: Ambassador Claims 'Unreasonable, Unnecessary Obstacles' Prevent UN Visit," 25 March 2020, www.hrw.org/news/2020/03/25/chinas-weak-excuse-block-investigations-xinjiang

3 See Robin Barnwell and Gesbeen Mohammad, PBS Frontline, "China Undercover," 7 April 2020, www.pbs.org/wgbh/frontline/film/china-undercover/; Isobel Yeung, Vice News, "China's Vanishing Muslims: Undercover in the Most Dystopian Place in the World," www.youtube.com/watch?v=v7AYyUqrMuQ

who they speak with, and what is said to them.⁴ Foreign journalists based in China who attempt to report on the situation in China are often expelled or unable to renew their visas.⁵

In rare cases when journalists are able to interview people on the ground in Xinjiang, interviewees have subsequently been forced by authorities to retract their stories. In connection with a recent case Amnesty had documented for another report about Uyghurs abroad trying to reunite with their children still in Xinjiang, CNN tracked down and visited one of these children who expressed a desire to reunite with her family.⁶ Chinese state media paid a visit to the child and her grandparents, who shortly afterward appeared in a video in which they refuted any wish to reunite abroad.⁷

Chinese government officials have also made a concerted effort to disseminate inaccurate and deliberately misleading information, both to foreign nationals and to the local population, about the human rights situation in Xinjiang. Former internment camp detainees told Amnesty International that they were forced to give false statements to their families or to the media, both while interned and after they had been released.⁸ Former detainees told Amnesty that while they were detained they had been coached about what to say to foreign journalists or Chinese government delegations that visited their camps.⁹ Ibrahim told Amnesty how he was trained to speak with journalists who were expected to come to the camp he was in:

One day they told us journalists were coming. And that when you see them to smile. And to say what you were told or you will be taken to an underground room [where people are tortured]... [During the days before the journalists were scheduled to arrive] our Chinese language classes stopped. And we practised answering questions for journalists for more than 10 days... We practised saying that the food is good and the Chinese Communist Party is great. I don't know if the journalists ever came because we were not allowed to go out. I heard they came, but I didn't see them.¹⁰

Bakyt, who spent more than a year in multiple internment camps, told Amnesty they were part of a group that was coached for 20 days about what to say to visiting journalists. “[We were coached] to say that we are studying well, deepening our knowledge, and we are thankful to the state, are getting a salary, that our family is taken care of, that we are here for the daytime only, and here voluntarily,” she said.¹¹ None of this was true, they added.

In 2019, leaked Chinese government documents were published by the International Consortium of Investigative Journalists (ICIJ), The New York Times, and other media outlets and scholars. These leaks appear to have triggered attempts to put even tighter controls on information coming out of Xinjiang, including through the physical destruction of documents related to the internment camp

4 Amnesty International interviews with several journalists; see also: France 24, “Fake tourists and car crashes: How China blocks reporters in Xinjiang,” 27 June 2019, www.france24.com/en/20190627-fake-tourists-car-crashes-how-china-blocks-reporters-xinjiang; Human Rights Watch, “China’s Xinjiang Tour Should Have Fooled No One: Stage-Managed Trip Shows Need for Independent Assessments,” 7 January 2019, www.hrw.org/news/2019/01/07/chinas-xinjiang-tour-should-have-fooled-no-one; James Griffiths, CNN, “From cover-up to propaganda blitz: China’s attempts to control the narrative on Xinjiang,” 17 April 2021, www.cnn.com/2021/04/16/china/beijing-xinjiang-uyghurs-propaganda-intl-hnk-dst/index.html; CBC Radio, “‘They followed me everywhere’: reporter tailed, deterred while investigating Uighur detention in Xinjiang” – Nathan VanderKlippe says he’s been ‘surrounded by people’ who reached into his car, grabbed his camera,” www.cbc.ca/radio/thecurrent/the-current-for-may-23-2019-1.5145446/they-followed-me-everywhere-reporter-tailed-deterred-while-investigating-uighur-detention-in-xinjiang-1.5146273

5 See Samuel Wade, China Digital Times, “China announces sweeping expulsion of American journalists,” 17 March 2020, chinadigitaltimes.net/2020/03/china-announces-sweeping-expulsion-of-american-journalists/; James Griffiths, CNN, “Buzzfeed’s China reporter says she was forced to leave the country,” 23 August 2018, money.cnn.com/2018/08/23/media/buzzfeed-china-reporter-visa/index.html; Cate Cadell, Tony Munroe, Reuters, “BBC journalist leaves China citing threats, obstruction,” 31 March 2021, www.reuters.com/article/us-china-britain-bbc/bbc-journalist-leaves-china-citing-threats-obstruction-idUSKBN2BN0U2

6 Amnesty International, “Hearts and Lives Broken: The Nightmare of Uyghur Families Separated by Repression”, 19 March 2021, www.amnesty.org/en/latest/research/2021/03/the-nightmare-of-uyghur-families-separated-by-repression/

7 China Global Television Network, “Xinjiang Human Rights: Uyghur family disturbed by CNN reporters asks son to come home,” 23 March 2021, news.cgtn.com/news/2021-03-24/Uygur-family-disturbed-by-CNN-reporters-asks-son-to-come-home-YTtL9kD8go/index.html

8 Amnesty International interviews.

9 Amnesty International interviews.

10 Amnesty International interview.

11 Amnesty International interview.

system. Amnesty International received several accounts of Chinese government cadres being made to burn files related to the internment camp system in the aftermath of the leaks.¹² One former detainee – a former government cadre – told Amnesty that he participated in burning files. “I attended the burning. It was in... 2019, after I was released... I was helping to carry the files... It was not only the [detainees’] files. It is any re-education–related materials. For example, all notes from meetings... It took five or six days to burn everything [in the office],” he said.¹³

The authorities’ attempts to silence the affected population and destroy evidence echo a directive from one of the leaked government documents – known as the “Telegram” – obtained by the ICIJ, which emphasizes the importance of maintaining “strict secrecy” with respect to everything that happens inside camps.¹⁴ While the leaked portion of the directive lacks significant details about how secrecy will be maintained beyond the statement that “[i]t is necessary to strengthen the [internment camps’] staff’s awareness of staying secret, and strictly enforce [the Party’s] political discipline and secrecy discipline,” the experiences of former detainees and witnesses documented in this report and elsewhere illustrate the immense resources that have been devoted to this cover-up effort, as well as the often harsh and repressive methods used to ensure population’s silence.

As a result of risks facing people in Xinjiang and obstacles facing journalists and investigators, with few exceptions the vast majority of credible testimonial evidence about the situation has been gathered from former detainees and other people who have left Xinjiang and have spoken from abroad. Yet speaking from abroad is also difficult and comes with serious risks, especially for the person’s family members who remain in China.¹⁵ Since at least 2017, obtaining permission to travel abroad – and, in many cases, domestically – has been nearly impossible for Uyghurs and extraordinarily difficult for members of other Muslim ethnic minorities in Xinjiang. Those who have obtained permission to travel abroad since 2017 appear to require a connection to a foreign country (usually citizenship or immediate family) and one or more “guarantors” in Xinjiang who agree, in writing, that they will be sent to a camp if the person they are guaranteeing speaks or shares information about the internment camps or does not return to China on time. As documented in this report and elsewhere, these are not empty threats: family members of people who speak about the issue from abroad have been sent to internment camps.

Reporting about the situation from abroad also carries significant risks. In several instances, journalists with family members in Xinjiang who reported on or spoke about the situation in Xinjiang from abroad have had their family members back in Xinjiang arrested, sent to a camp or prison, or forcibly disappeared.¹⁶ Family members of human rights activists have also been targeted.¹⁷ Family members of human rights activists have died in detention.¹⁸

12 Amnesty International interviews.

13 Amnesty International interview.

14 The Telegram (previously) cited, para. 25.

15 For more on the risks facing people who speak out about the situation from abroad see Amnesty International, “Nowhere Feels Safe: Uyghurs Tell of China-led Intimidation Campaign Abroad”, 21 February 2020, www.amnesty.org/en/latest/research/2020/02/china-uyghurs-abroad-living-in-fear/

16 See Committee to Project Journalists, “China detains family members of Radio Free Asia Uyghur editor Eset Sulaiman,” 8 March 2021, cpj.org/2021/03/china-detains-family-members-of-radio-free-asia-uyghur-editor-eset-sulaiman/; Amnesty International, “Urgent Action: 20 Relatives of Uighur Journalist Detained,” 1 March 2018, www.amnesty.org/download/Documents/ASA1779642018ENGLISH.pdf; David Martin, Deutsche Welle, “Chinese authorities detain relatives of Radio Free Asia’s Uighur reports: Relatives of five reports for Radio Free Asia’s Uighur service have been detained in China’s Xinjiang Region. RFA said families were targeted in retaliation for its coverage of Beijing’s crackdown of ethnic Uighurs,” 2 February 2018, www.dw.com/en/chinese-authorities-detain-relatives-of-radio-free-asias-uyghur-reporters/a-42803793

17 Amnesty International, “Urgent Action Update: Uyghur Activist’s 30 Relatives Still Detained,” 15 July 2019, www.amnestyusa.org/urgent-actions/urgent-action-update-uyghur-activists-30-relatives-still-detained-china-ua-251-17/

18 Shohret Hoshur, Radio Free Asia, “Niece of Prominent Uyghur Scholar Confirmed to Have Died in Xinjiang Internment Camp: Mihray Erkin was forced to return to the region in 2019 and died in detention the following year,” 25 May 2021, www.rfa.org/english/news/uyghur/niece-05252021132121.html



BACKGROUND

1.1 BACKGROUND ON XINJIANG

The Xinjiang Uyghur Autonomous Region (Xinjiang) is located in the far northwest of the People's Republic of China (PRC). At 1.66 million km², Xinjiang encompasses approximately one-sixth of China's landmass and is bordered by eight countries: Mongolia, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, Afghanistan, Pakistan, and India. The area comprises vast semi-desert steppes in the north and desert basins ringed by historic oasis towns in the south. In the winter, temperatures can be extremely cold, far below freezing.

Xinjiang is one of the most ethnically diverse regions in China. According to China's 2020 census, the region had a population of approximately 25.8 million.¹⁹ Approximately half of that population belongs to mostly Turkic and predominantly Muslim ethnic groups, including Uyghurs (around 11.3 million), Kazakhs (around 1.6 million), Kyrgyz, Uzbeks, Hui, and other members of the population whose languages, cultures, and ways of life differ distinctly from those of the Han, who are the majority ethnic group in "interior" China.²⁰

The area that Xinjiang covers was renowned over centuries for the ancient Silk Road and its flourishing conduit of trade and culture between China and the rest of the world. Rich in coal, natural gas, and oil, Xinjiang is intertwined with many of China's economic, strategic, and foreign policy goals. China's leaders now consider stability in Xinjiang vital to the success of the "Belt and Road Initiative", a massive global infrastructure development programme aimed at strengthening China's links to Central Asia and beyond.²¹

Xinjiang is one of five autonomous regions of the PRC, where officially recognized "national minorities" are legally granted some formal representation in the organs of regional government. The autonomy conferred to these regions by the PRC constitution and the Law on Regional Autonomy has, however, remained largely symbolic. In Xinjiang, as in the rest of the PRC, all major policy decisions are taken by the Chinese Communist Party (CCP).

The government of China considers Xinjiang to have been an inseparable part of China for millennia. But this history is disputed by many professional historians. It is also disputed by Uyghurs, some of whom perceive China as a colonizing force and aspire to independence.²² Abuses by government officials, discontent with government policies, and inter-ethnic resentment have led to isolated acts of violence targeting state officials, security forces, and occasionally the public. These acts are in turn usually followed by heavy-handed repression.

¹⁹ Reuters, "Factbox:-Key takeaways from China's 2020 population census," 11 May 2021, www.reuters.com/article/china-society-census-takeaways/factbox-key-takeaways-from-chinas-2020-population-census-idUSL4N2MY2I6

²⁰ These numbers are from China's 2010 census. The 2020 census did not include an updated population breakdown by ethnicity at the time of publication.

²¹ See Human Rights Watch, "China: 'Belt and Road' Projects Should Respect Rights," 21 April 2019, www.hrw.org/news/2019/04/21/china-belt-and-road-projects-should-respect-rights#

²² See James A. Millward, "Eurasian Crossroads: A History of Xinjiang," Columbia University Press, 2007.

The region has been an important target for population resettlement from interior China since 1949.²³ With the massive influx of Han Chinese in recent decades, other ethnic groups have felt increasingly marginalized in what they regard as their ancestral land.²⁴

1.2 CYCLES OF DISCRIMINATION, VIOLENCE, AND REPRESSION FROM THE 1980s TO 2016

Uyghurs, Kazakhs, and other predominantly Turkic Muslim groups living in Xinjiang have long faced discrimination and repression by their government. This repression has included violations of their human rights to freedom of movement and freedom of religion, their right to take part in cultural life, as well as their rights to access employment, education, and healthcare. This historical discrimination lessened under the “Reform and Opening” policy launched in the late 1970s and the subsequent economic reforms, which catalysed a revival of Islamic religious practices in Xinjiang as with other religions in the rest of the PRC in the 1980s. The authorities allowed the reopening of mosques, many Muslims were again allowed to travel to Islamic countries, and contact with Muslims abroad was encouraged.²⁵

Chinese authorities’ fears of organized political opposition in Xinjiang appear to have been heightened by the emergence of independent Central Asian states during the breakup of the Soviet Union after 1991 and protracted conflicts in other neighbouring countries. These worries were further heightened by the belief that Islam might provide a rallying point for ethnic nationalism, and that Islamist movements abroad might inspire young Uyghurs who had gone to study in foreign Islamic schools. These concerns combined with other stresses on the Muslim population led to a reversal of the relatively liberal policies implemented during the 1980s, which has generated growing ethnic discontent in Xinjiang.²⁶

The government’s concerns were reinforced by incidents of violence that took place during the mid-1990s.²⁷ At that time, the authorities closed many mosques and Qur’anic schools and dismissed or arrested religious leaders deemed to be too independent or “subversive”. Muslims working in government offices and other official institutions were prohibited from practising their religion under threat of losing their jobs. In 1996, the government intensified its campaign against “national separatists”, “religious extremists”, and “illegal religious activities”, launching at the same time an “in-depth atheist education” campaign to purge Muslims from grassroots Communist Party committees and other institutions.²⁸

23 During the first three decades of the PRC, resettlement of Han Chinese into Xinjiang was facilitated by what is now called the Xinjiang Production and Construction Corps (commonly known as the Bingtuan), an institution established in the early 1950s. The Bingtuan, described by many scholars as an institution that served to colonize Xinjiang, is both an administrative organ with a somewhat military structure and a large development corporation. It is established along the border and in pockets of territory roughly across the centre of Xinjiang, separating the north, where most of the Kazakhs in Xinjiang live, from the mainly Uyghur south. The Bingtuan has jurisdiction over several million hectares of land, and the vast majority of the population in this area is ethnic Han Chinese. It is a unique institution in the PRC and enjoys special status. It is administered independently from the Xinjiang regional government and has its own police force, courts, and agricultural and industrial enterprises, as well as its own large network of labour camps and prisons. For more information see “New Ghosts Old Ghosts – Prisons and Labor Reform Camps in China” by James D. Seymour and Richard Anderson, M.E. Sharpe, 1998, p.45. Chapter 3 of the book includes detailed information about the Bingtuan and its network of labour camps and prisons, as well as the separate penal establishments under the Department of Justice of Xinjiang regional government. During the 1990s, the Bingtuan was placed directly under the authority of the central government in Beijing and was granted privileges giving it the same status as Xinjiang regional government.

24 The China Quarterly, “XUAR, Central Asia and the Implications for China’s Policy in the Islamic World”, No.133, March 1993, pp.111-129, and Nicholas Bequelin, “Trouble on the Marches”, in China Perspectives No.10, March/April 1997, pp.19-28; Nicholas Bequelin, New York Times, “Behind the Violence in Xinjiang,” 9 July 2009, www.nytimes.com/2009/07/10/opinion/10iht-edbequelin.html?_r=1

25 Gaye Christoffersen, “XUAR and the Great Islamic Circle: The Impact of Transnational Forces on Chinese Regional Planning”, The China Quarterly, No.133, March 1993, pp.130-151

26 See Amnesty International, “People’s Republic of China: Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region,” April 1999, www.amnesty.org/download/Documents/144000/asa170181999en.pdf

27 See Gardner Bowington, “The Uyghurs: Strangers in Their Own Land,” Columbia University Press, 2010; Amnesty International, “People’s Republic of China: Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region,” April 1999, www.amnesty.org/download/Documents/144000/asa170181999en.pdf

28 See Amnesty International, “People’s Republic of China: Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region,” April 1999, www.amnesty.org/download/Documents/144000/asa170181999en.pdf

In the aftermath of the 9/11 attacks in the United States of America and the start of the “Global War on Terror”, restrictions on Muslims increased, as China began to classify Uyghur dissidents as terrorists and to pressure the rest of the world to designate Uyghur separatist groups as terrorist organizations.²⁹ The authorities cultivated informants to report on the content of sermons in an attempt to monitor imams and prevent mosques from being used to disseminate what were perceived as separatist ideas or extremist religious thought.³⁰ The government targeted the celebration of Ramadan, with authorities forbidding fasting by students and government employees.³¹ Religious education was strictly prohibited for people below the age of 18, who were also banned from entering mosques. The authorities also outlawed private religious instruction outside the auspices of officially sanctioned religious organizations.³²

Policies of repression intensified further in the aftermath of the violent unrest in Urumqi that erupted on 5 July 2009.³³ According to official counts, rioting left nearly 200 dead and at least 1,700 injured, with most of the casualties reported to be Han.³⁴ Many hundreds of Uyghurs were detained as police made house-to-house sweeps following the riots, and harsh punishments were imposed on those alleged to be responsible for the violence, following trials that Amnesty International considers to have fallen short of international fair trial standards.³⁵ The courts handed down numerous death sentences and long prison terms.³⁶ Dozens of other detainees were reported to have been victims of enforced disappearances, being held by authorities without any notification to family members or lawyers.³⁷

Several acts of violence took place during the following years, including attacks on police stations in Aksu in August 2010 and in Kashgar and Khotan in July 2011. The government has described these as terrorist attacks. Scholars have argued that many of these incidents were, in fact, resistance against equally violent government security forces.³⁸

In the aftermath of these incidents, the government introduced repressive criminal-justice measures and other measures designed to prevent instability in the first place. These included an increase in the number of police in Xinjiang: 8,000 officers were hired with the goal of establishing a police presence in more rural parts of the region.³⁹

Campaigns aimed at further restricting religious practices and equating such practices with “extremism” expanded. A particular focus was to prohibit men from wearing beards and women from wearing veils and headscarves.⁴⁰ In some of the region’s villages, the authorities compelled

29 See Sean Roberts, “The War On The Uyghurs: China’s Internal Campaign against a Muslim Minority,” Princeton University Press, 2020; Embassy of the People’s Republic of China, “Terrorist Activities Perpetrated by “Eastern Turkistan” Organizations and Their Links with Osama bin Laden and the Taliban,” 29 November 2001, web.archive.org/web/20201014211618/https://www.fmprc.gov.cn/ce/ceee/eng/ztlm/fdkbzy/t112733.htm; Nicholas Bequelin, New York Times, “Behind the Violence in Xinjiang,” 9 July 2009, www.nytimes.com/2009/07/10/opinion/10iht-edbequelin.html?_r=1

30 Human Rights Watch, “Devastating Blows: Religious Repression of Uighurs in Xinjiang,” April 2005, www.hrw.org/reports/china0405.pdf

31 Congressional-Executive Commission on China, “XUAR Authorities Implement Ramadan Curbs Amid Renewed Pledges for Tight Controls Over Religion,” 11 October 2011, www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=163260

32 Igor Rotar, Forum 18, “Strict Control of China’s Uighur Muslims Continues,” 15 August 2006, www.forum18.org/Archive.php?article_id=829

33 Amnesty International, “Justice, Justice’: The July 2009 Protests in Xinjiang, China,” 2 July 2010, www.amnesty.org/download/Documents/36000/asa170272010en.pdf

34 Amnesty International, “Urumqi Riots Three Years On – Crackdown on Uighurs Grows Bolder,” 4 July 2012, www.amnesty.org/en/press-releases/2012/07/urumqi-riots-three-years-crackdown-uighurs-grows-bolder/

35 Amnesty International, “Justice, Justice’: The July 2009 Protests in Xinjiang, China,” 2 July 2010, www.amnesty.org/download/Documents/36000/asa170272010en.pdf

36 Uyghur Human Rights Project, “Can Anyone Hear Us? Voices from the 2009 Unrest in Urumchi”, 1 July 2010, docs.uyghuramerican.org/Can-Anyone-Hear-Us.pdf

37 Human Rights Watch, “We Are Afraid to Even Look For Them”: Enforced Disappearances in the Wake of XUAR’s Protests, 21 October 2009, www.hrw.org/sites/default/files/reports/xinjiang1009webwcover.pdf; Amnesty International, “Justice, Justice’: The July 2009 Protests in Xinjiang, China,” 2010, www.amnesty.org/download/Documents/36000/asa170272010en.pdf

38 See Sean Roberts, “The War On The Uyghurs: China’s Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p.154–159.

39 Xinhua Net, “XUAR to Recruit 8,000 Police Officers to Boost Security in Rural Areas,” 30 January 2012, web.archive.org/web/20140903032835/http://news.xinhuanet.com/english/china/2012-01/30/c_131382807.htm

40 Congressional-Executive Commission on China, “XUAR Authorities Target Beards, Veils in Campaigns to Tighten Control Over Religion,” 18 October 2010, www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=147641

residents to pledge to abide by codes of conduct aimed at preventing “illegal religious activity”.⁴¹ Around this time, the mass surveillance of ethnic minorities also intensified. Tens of thousands of high-definition cameras were installed throughout the region, especially in the capital, Urumqi, in an effort to achieve “seamless” surveillance.⁴² In 2013 President Xi Jinping announced an internment strategy and put 200,000 cadres into villages in the region.⁴³

In 2014, in the aftermath of several stabbing and bombing attacks carried out by Uyghurs, the surveillance and repression increased significantly with the start of the government’s “Strike Hard Against Violent Terrorist Activity” campaign.⁴⁴ As part of this campaign, officials prioritized speedy arrests, quick trials, and mass sentencing. The government called for greater “cooperation” between prosecuting authorities and courts, raising additional concerns that accused individuals would not receive fair trials.⁴⁵ Under the banner of “people’s war”, religious practice was even more tightly restricted and the government imposed further bans on religious appearances and religious education and restricted halal food.⁴⁶ State media have reported that after six months of the Strike Hard campaign, by autumn 2014 at least 238 alleged “illegal religious preachers” and people who had provided venues for religious observances had been detained and 171 venues for “illegal religious activities” had been “eliminated”. A total of 23,000 “illegal religious items” were confiscated, including more than 18,000 books and 2,600 CDs and DVDs.⁴⁷ A national security law authorized sending people to 15 days of “re-education” at the government’s discretion and reports emerged of “re-education camps.”⁴⁸

As part of the Strike Hard campaign, Uyghurs were required to obtain new identification documents that restricted their mobility.⁴⁹ All mobile SIM cards and electronic communication devices were required to be registered.⁵⁰ Virtual private networks (VPNs) were outlawed. Security officers regularly checked smartphones.⁵¹ Many similar measures have since been applied more broadly throughout China as part of general cybersecurity efforts.⁵² The government also began a “voluntary” campaign of mass biometric data collection; refusal to participate could lead to being flagged as “suspicious”.⁵³

41 Congressional-Executive Commission on China, “Authorities in XUAR Use Pledge System to Exert Control Over Village Life,” 10 December 2010, www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=148787

42 Associated Press, “China puts Urumqi under ‘full surveillance’: Xinjiang city which saw ethnic violence in 2009 now watched by thousands of cameras, says state media,” www.theguardian.com/world/2011/jan/25/china-urumqi-under-full-surveillance

43 James Leibold, China Leadership Monitor, “The Spectre of Insecurity: The CCP’s Mass Internment Strategy in Xinjiang,” 1 March 2019, www.prleader.org/leibold?fbclid=IwAR380sGVP3ZYJwSUXy80gct52ywnid3RZj10Q3BhOfSDx_OruGW-2K7L3mA

44 See Jeilil Kasgary, Hai Nan, Xin Lin, Radio Free Asia, “China Steps Up ‘Strike Hard’ Campaign in Xinjiang,” 9 January 2014, on the Strike Hard www.rfa.org/english/news/uyghur/strike-hard-01092014172927.html; BBC News, “China separatists blamed for Kunming knife rampage,” 2 March 2014, www.bbc.com/news/world-asia-china-26404566; Andrew Jacobs, New York Times, “In China’s Far West, a City Struggles to Move On,” 23 May 2014, www.nytimes.com/2014/05/24/world/asia/residents-try-to-move-on-after-terrorist-attack-in-china.html; Andrew Jacobs, New York Times, “Train Station Rampage Further Strains Ethnic Relations in China,” www.nytimes.com/2014/03/04/world/asia/han-uyghur-relations-china.html?module=Ujisi; China Daily, “Xinjiang’s Party chief wages ‘people’s war’ against terrorism,” 25 May 2014, www.chinadaily.com.cn/china/2014-05/26/content_17541318.htm

45 Amnesty International, China: Draconian anti-terror law an assault on human rights, 4 March 2015, www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/

46 See Sean Roberts, “The War On The Uyghurs: China’s Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p 201.

47 Amnesty International, China: Draconian anti-terror law an assault on human rights, 4 March 2015, www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/

48 See Sean Roberts, “The War On The Uyghurs: China’s Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p 202; Jeremy Daum, China Law Translate, “XJ Education Centers Exist, but does their legal basis?,” 14 August 2018, www.chinalawtranslate.com/xj-education-centers-exist-but-does-their-legal-basis/?lang=en; James Leibold, China Leadership Monitor, “The Spectre of Insecurity: The CCP’s Mass Internment Strategy in Xinjiang,” 1 March 2019, www.prleader.org/leibold?fbclid=IwAR380sGVP3ZYJwSUXy80gct52ywnid3RZj10Q3BhOfSDx_OruGW-2K7L3mA

49 Mercy A. Kuo, The Diplomat, “Uyghur Biodata Collection in China: Insights from Darren Byler,” 28 December 2017, thediplomat.com/2017/12/uyghur-biodata-collection-in-china/

50 Reuters, “China to force buyers of computers and phones in Xinjiang to register names: Reports that new measure is designed to ‘prevent people spreading harmful information,’” 29 January 2015, www.theguardian.com/world/2015/jan/30/china-to-force-buyers-of-computers-and-phones-in-xinjiang-to-register-names

51 Radio Free Asia, “Police Increase Checks of Uyghur Smartphone Users in Xinjiang,” 08 January 2016, www.rfa.org/english/news/uyghur/police-increase-checks-of-smartphone-users-in-xinjiang-01082016133532.html

52 Samm Sacks and Paul Triolo, “Shrinking Anonymity in Chinese Cyberspace”, Lawfare, 25 September 2017, www.lawfareblog.com/shrinking-anonymity-chinese-cyberspace

53 Mercy A. Kuo, The Diplomat, “Uyghur Biodata Collection in China: Insights from Darren Byler,” 28 December 2017, thediplomat.com/2017/12/uyghur-biodata-collection-in-china/; Human Rights Watch, “China: Minority Region Collects DNA from Millions – Private Information Gathered by Police, Under Guise of Public Health Program,” 13 December 2017, www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions

In 2015, China passed a new anti-terror law that further enabled violations of ethnic minorities' rights to freedom of religion and expression by giving legal justification for persecuting people who peacefully practised religion or criticized the government.⁵⁴ The law also required technology firms to help the authorities to decrypt information.⁵⁵

In line with an overall shift to the use of big-data analysis and “predictive policing”, China began looking to technology to identify people “likely” to become “terrorists”.⁵⁶ The government used its anti-terrorism law to justify the intrusive nature of the data gathered to support the predictive policing campaign.⁵⁷ The law gave the authorities access to communication, travel, and work history; social media profiles; internet search history; financial information; and family connections.⁵⁸ The data was aggregated and entered into the government's Integrated Joint Operations Platform (IJOP), a big-data collection program that analysed the information gathered by government cadres and electronic surveillance systems throughout Xinjiang and determined whether a person was “normal” or “untrustworthy”(for more on IJOP see section 2.3).

The spread of the surveillance and social control measures in Xinjiang coincided with the arrival of Chen Quanguo in August 2016 as Xinjiang's party secretary, the highest-ranking position in the region.⁵⁹ Before being appointed to the top of the political hierarchy in Xinjiang, Chen held the same position in the Tibet Autonomous Region (TAR) from 2011 to 2016. During his time there, he established a reputation as an “ethnic policy innovator” who won praise from government officials for maintaining relative stability and bringing an end to a series of self-immolation protests by Tibetans in the TAR.⁶⁰ Authorities operating under him at this time have been accused of serious human rights abuses.⁶¹ Since arriving in Xinjiang, Chen's strategy has involved heavy investment security infrastructure. Shortly after he became party secretary in Xinjiang, the authorities advertised 100,000 new security-related jobs and constructed an estimated 7,500 checkpoints, or “convenience police stations”, in urban areas.⁶² The government also clamped down on the movement of members of ethnic minorities, with ethnic minority residents required to turn in their passports⁶³ and Uyghur students studying abroad ordered to return to Xinjiang on 20 May 2017.⁶⁴

In March 2017, new “De-extremification Regulations” were adopted in Xinjiang, prohibiting “extremist” behaviour, which included wearing face coverings, having “abnormal” beards, and refusing to take part in state cultural and recreational activities. The notoriously vague and overbroad regulation essentially criminalized many standard religious and cultural practices.⁶⁵ The

54 Amnesty International, China: Draconian anti-terror law an assault on human rights, 4 March 2015, www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/

55 Ben Blanchard, Reuters, “China passes controversial counter-terrorism law,” 27 December 2015, www.reuters.com/article/us-china-security-idUSKBN0UA07220151228

56 Sean Roberts, “The War On The Uyghurs: China's Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p. 202.

57 Amnesty International, China: Draconian anti-terror law an assault on human rights, 4 March 2015, www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/

58 Sean Roberts, “The War On The Uyghurs: China's Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p. 202.

59 Chris Buckley, New York Times, “The Leaders Who Unleashed China's Mass Detention of Muslims,” 13 October 2018, www.nytimes.com/2018/10/13/world/asia/china-muslim-detainment-xinjiang-camps.html; James Leibold, China Leadership Monitor, “The Spectre of Insecurity: The CCP's Mass Internment Strategy in Xinjiang,” 1 March 2019, www.prcleader.org/leibold?fbclid=IwAR380sGVP3ZYJwSUXy80gct52ywNid3RZjIQQ3BhOfSDx_OruGW-2K7L3mA

60 See Human Rights Watch, “China Poised to Repeat Tibet Mistakes,” 20 January 2017, <https://www.hrw.org/news/2017/01/20/china-poised-repeat-tibet-mistakes>

61 See Human Rights Watch, “Relentless: Detention and Prosecution of Tibetans under China's “Stability Maintenance” Campaign,” 22 May 2016, <https://www.hrw.org/report/2016/05/22/relentless/detention-and-prosecution-tibetans-under-chinas-stability-maintenance>

62 Sean Roberts, “The War On The Uyghurs: China's Internal Campaign against a Muslim Minority,” Princeton University Press, 2020, p. 205; Darren Byler and Timothy Grose, Dissent, “China's Surveillance Laboratory,” 31 October 2018, www.dissentmagazine.org/online_articles/chinas-surveillance-laboratory

63 Human Rights Watch, “China: Passport Arbitrarily Recalled in Xinjiang,” 1 November 2016, www.hrw.org/news/2016/11/22/china-passports-arbitrarily-recalled-XUAR

64 Hoshur, S. (2017) Uyghurs Studying Abroad Ordered Back to XUAR Under Threat to Families [online] Radio Free Asia. Available at: www.rfa.org/english/news/uyghur/ordered-05092017155554.html

65 Amnesty International, “Why China must scrap new laws that tighten the authorities grip on religious practice,” 31 August 2017, www.amnesty.org/en/latest/news/2017/08/china-must-scrap-new-laws-tighten-authorities-grip-on-religious-practice/

De-extremification Regulations provided the “legal” cover for the government to expand its then-nascent internment camp system in southern Xinjiang to the rest of the region.

In April 2017, huge numbers of individuals from ethnic minority groups in Xinjiang began to be detained and sent to government-run facilities.⁶⁶ Hundreds of buildings were built, expanded, or repurposed to this end.⁶⁷ The government initially denied reports of these facilities but later tried to justify them and rebrand them as “vocational training” or “transformation through education” centres set up as part of a national poverty alleviation programme or a deradicalization programme.⁶⁸

In July 2019, 22 mostly European governments sent a letter to the UN Human Rights Council (HRC) president expressing concern about reports of large-scale arbitrary detention as well as “widespread surveillance and restriction” in Xinjiang and requesting “meaningful access to Xinjiang for independent international observers.”⁶⁹ Thirty-seven countries from the Middle East, Africa, and Asia responded with a letter lauding China’s contribution to human rights, using language that was similar to statements China made to the HRC the same week.⁷⁰ In June 2020, 37 UN Special Rapporteurs and Independent Experts sent a letter to the HRC expressing concern on a variety of human rights issues in China, including the repression of religious and ethnic minorities in Xinjiang, and calling for the establishment of an “impartial and independent United Nations mechanism” to investigate the allegations.⁷¹

China and countries supporting it have responded to these and other calls for independent investigations by further praising China’s human rights record and claiming its government has invited the UN High Commissioner for Human Rights to Xinjiang and that discussions on the matter were ongoing.⁷² As of June 2021, no independent investigators had been granted meaningful access to Xinjiang.

66 Sheena Chestnut Greitens, Myunghee Lee, Emir Yazici, “Counterterrorism and preventive Repression: China’s Changing Strategy in Xinjiang,” *International Security*, Vol. 44, No. 3 (Winter 2019/20), pp. 9–47, doi.org/10.1162/ISEC_a_00368

67 See Ben Dooley, AFP, “Inside China’s internment camps: tear gas, Tasers and textbooks,” 24 October 2018, www.yahoo.com/news/inside-chinas-internment-camps-tear-gas-tasers-textbooks-052736783.html; Nather Ruser, Australian Strategic Policy Institute (APSI), “Documenting Xinjiang’s detention system,” September 2020, cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf

68 Lily Kuo, *The Guardian*, “From Denial to pride: how China changed its language on Xinjiang’s camps,” 21 October 2018, www.theguardian.com/world/2018/oct/22/from-denial-to-pride-how-china-changed-its-language-on-xinjiangs-camps

69 Catherine Putz, *The Diplomat*, “Which Countries Are For or Against China’s Xinjiang Policies?,” 15 July 2019, thediplomat.com/2019/07/which-countries-are-for-or-against-chinas-xinjiang-policies/

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

71 United Nation Office of the High Commissioner for Human Rights, “UN experts call for decisive measures to protect fundamental freedoms in China,” 26 June 2020, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006

72 Catherine Putz, *The Diplomat*, “2020 Edition: Which Countries Are For or Against China’s Xinjiang Policies?,” 9 October 2020, thediplomat.com/2020/10/2020-edition-which-countries-are-for-or-against-chinas-xinjiang-policies/

LEAKED CHINESE GOVERNMENT DOCUMENTS

Since November 2019, journalists, scholars, and human rights groups published half a dozen caches of leaked Chinese government documents related to the situation in Xinjiang. Together, they form the most comprehensive source of documentary evidence about the government's actions and intentions with respect to the system of persecution and mass internment in Xinjiang.

In November 2019, The New York Times reported that it had obtained more than 400 pages of internal Chinese government documents. According to the *Times*, the documents, known as the “Xinjiang Papers”, “confirm the coercive nature of the crackdown in the words and orders of the very officials who conceived and orchestrated it.” The documents included information about senior government officials ordering mass detentions, including speeches by President Xi Jinping in which he calls for an all-out “struggle against terrorism, infiltration, and separatism” using the “organs of dictatorship” and showing “absolutely no mercy”. The documents also reveal that government officials who were insufficiently supportive of the campaign were purged, and that the internment camp system expanded greatly after the appointment of Xinjiang Party Secretary Chen Quanguo, who has been quoted as saying “round up everyone who should be rounded up.”⁷³

Also in November 2019, the International Consortium of Investigative Journalists released another cache of government documents. Known as the “China Cables”, these documents included what has been described as a “operations manual” for running the internment camps in Xinjiang.⁷⁴ This manual – known as the “Telegram” – includes instructions for camp officials about “how to maintain total secrecy about the camps’ existence”, “methods of forced indoctrination”, and the points system used to evaluate detainees. The cache also includes four intelligence briefings – known as “bulletins” – that reveal information about the government’s mass data gathering and surveillance programme, including the IJOP, and how information the IJOP gathered was used to “select entire categories of Xinjiang residents for detention.”⁷⁵

Two other leaked government documents contain government records on several thousand people in total who were arrested and sent to internment camps in Xinjiang between 2017 and 2019. The documents – referred to as the “Karakax list” and the “Aksu list”, after the locations in Xinjiang where the people named in the documents lived – contain, among other things, the official reasons given for why the individuals were detained and interned.⁷⁶ (For more on the Karakax list and the Aksu list see section 3.1.)

73 “The Xinjiang Papers”: Austin Ramzy and Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims: More than 400 pages of internal Chinese documents expose an unprecedented inside look at the crackdown on ethnic minorities in the Xinjiang region”, New York Times, 16 November 2019, www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html; For the government of China’s response to the New York Times’s reporting See Steven Lee Myers, New York Times, “China Defends Crackdown on Muslims and Criticizes Times Article,” 18 November 2019, www.nytimes.com/2019/11/18/world/asia/china-xinjiang-muslims-leak.html

74 “The China Cables”: Bethany Allen-Ebrahimian, International Consortium of Investigative Journalists, “Exposed: China’s Operating Manuals for Mass Internment and Arrest by Algorithm.: A new leak of highly classified Chinese government documents reveals the operations manual for running the mass detention camps in Xinjiang and exposed the mechanism of the region’s system of mass surveillance.” 24 November 2019, www.icij.org/investigations/china-cables/exposed-chinas-operating-manuals-for-mass-internment-and-arrest-by-algorithm/; “The Telegram”: available at: www.documentcloud.org/documents/6558510-China-Cables-Telegram-English.html

75 “The Telegram”: Autonomous Region Party Political and Legal Affairs Commission, “Autonomous Region State Organ Telegram: Opinions on further strengthening and standardizing vocations skills education and training centers work,” 2017, available at: www.documentcloud.org/documents/6558510-China-Cables-Telegram-English.html

76 Ariane Zenz, Journal of Political Risk, “The Karakax List: Dissecting the Anatomy of Beijing’s Internment Drive in Xinjiang,” February 2020, www.ipolrisk.com/karakax/; Human Rights Watch, China: Big Data Program Target’s Xinjiang Muslims – Leaked List of Over 2000 Detainees Demonstrates Automated Repression, 9 December 2020, www.hrw.org/news/2020/12/09/china-big-data-program-targets-XUARs-muslims#



BLANKET REPRESSION AND ERASURE OF ETHNIC IDENTITY

“In 2019, I went to Urumqi... when I got off the train they directed Han Chinese in one direction and Muslims in another... [Muslims] had to go through another checkpoint again [Han Chinese did not].”

Saken, describing how Muslims were discriminated against.

2.1 VIOLATIONS OF HUMAN RIGHTS OUTSIDE OF INTERNMENT CAMPS SINCE 2017

In 2017, under the guise of an intensifying campaign against “terrorism”, the government of China commenced a massive escalation of its historical abuses of Muslim ethnic minorities in Xinjiang. An objective of the government’s current campaign appears to be to root out Islamic religious practices and beliefs and Turkic Muslim ethno-cultural practices and replace them with secular state-sanctioned views and behaviours. Ultimately, the government aims to forcibly assimilate members of these ethnic groups into a homogenous Chinese nation possessing a unified language, culture, and unwavering loyalty to the Chinese Communist Party.

To achieve this political indoctrination and forced cultural assimilation, the government undertook a campaign of mass detention (see Chapters 3 to 6). The internment camp system is part of a larger campaign of subjugation and forced assimilation of ethnic minorities in Xinjiang. The government has severely restricted the behaviour of Muslims living in Xinjiang including those who have never been sent to an internment camp. These restrictions violate multiple human rights, including the rights to liberty and security of person; to privacy; to freedom of movement; to opinion and expression; to thought, conscience, religion, and belief; to participate in cultural life; and to equality and non-discrimination. These violations are carried out in such a widespread and systematic manner that they are now an inexorable aspect of daily life for millions of members of predominantly Muslim ethnic minorities in Xinjiang.

The brutal effectiveness and tremendous scale of the government’s campaign derive from the government’s unprecedented use of surveillance technology, coupled with its ability to make large portions of the region’s population help it to execute its will. The government relies on a nearly inescapable in-person and electronic surveillance operation designed to ensure that the behaviour of ethnic minority groups is continuously monitored and evaluated. Ubiquitous government officials, violent security forces, and a non-independent legal system act in concert to conduct

the surveillance and enforce rights-violating policies. As a result, members of the targeted ethnic groups, including those who have never been detained, live in constant fear of arrest, detention, and torture under a draconian system of social control that is a constant affront to basic human dignity.

FREEDOM OF RELIGION AND THE RIGHT TO TAKE PART IN CULTURAL LIFE IN INTERNATIONAL LAW

Freedom of religion or belief is a human right enshrined in the Universal Declaration of Human Rights (UDHR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the International Covenant on Civil and Political Rights (ICCPR), and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, among other international human rights instruments.⁷⁷ These documents not only require that the human rights described in them be respected and ensured without any unjustified distinction, such as on the basis of religion, but also require that the law prohibit and protect against any such discrimination.⁷⁸ These documents also impose a duty on states to impartially guarantee the enjoyment of the right to freedom of religion or belief for all individuals and groups under their jurisdiction and “to ensure that individuals belonging to minorities are able to practise their religions or beliefs”.⁷⁹

Article 18 of the ICCPR sets out the right to freedom of religion as comprising two elements: the right to hold convictions or beliefs and the right to manifest one’s religion or beliefs in worship, observance, practice, and teaching. No limitations whatsoever are permitted on the freedom of thought and conscience or on the freedom to *have or adopt* a religion or belief of one’s choice. Restrictions on the freedom to *manifest* religion or belief are permitted, but only if limitations are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. The UN Human Rights Committee, the body of independent experts established under the ICCPR to monitor states’ compliance with their obligations under that treaty, has stressed that this last principle must be strictly interpreted and, in particular, that “restrictions are not allowed on grounds not specified there, even if they would be allowed as restrictions to other rights protected in the Covenant, such as national security”.⁸⁰

Article 27 of the ICCPR protects the rights of ethnic, religious, or linguistic minorities, in community with others, to enjoy their own culture, to profess and practise their own religion, and to use their own language. The UN Human Rights Committee has stated that this right includes elements that must be respected in all circumstances and cannot be made subject to derogations.⁸¹ The CERD, which is binding on China, requires states to “ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms” in the cultural field, among others.⁸²

Many aspects of human life, including religion, are affected by culture – the context of individuals’ lives in their communities. The International Covenant on Economic, Social and Cultural Rights (ICESCR), which China ratified in 2001, requires its states parties to ensure everybody’s enjoyment of all cultural rights, including the right to take part in cultural life.⁸³ Related rights, such as the right to adequate food and to education, require that food and education policies be culturally appropriate. While the ICESCR requires states to take steps to progressively achieve the full realization of the right to take part in cultural life, there is a “core” obligation “to create and promote an environment within which a person individually, or in association with others, or within a community or group, can participate in the culture of their choice”.⁸⁴

77 UN General Assembly, Universal Declaration of Human Rights (UDHR), 10 December 1948, 217 A (III), available at: www.refworld.org/docid/3ae6b3712c.html; UN General Assembly, International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, available at: www.refworld.org/docid/3ae6b3aa0.html; UN General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination (CERD), 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195, available at: www.refworld.org/docid/3ae6b3940.html; UN General Assembly, Elimination of all forms of intolerance and of discrimination based on religion or belief., 16 December 1976, A/RES/31/138, available at: www.refworld.org/docid/3b00f12c24.html; UN General Assembly, International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at: www.refworld.org/docid/3ae6b36c0.html

78 ICCPR A2, 26; ICESCR A2.2; International Convention on the Elimination of All Forms of Racial Discrimination A1

79 Report of the Special Rapporteur on freedom of religion and belief, A/HRC/37/49 paras 28-29.

80 UN Human Rights Committee, General Comment No. 22: The right to freedom of thought, conscience and religion (Art. 18), UN Doc. CCPR/C/21/Rev.1/Add.4, 30 July 1993, para. 8.

81 8 HRC General Comment 29, §13(c).

82 CERD Articles 2(2).

83 ICESCR Articles 3, Article 15(1)(a) UDHR Article 27(1).

84 Committee on Economic, Social and Cultural Rights (CESCR) General Comment No. 21: Right of everyone to take part in cultural life, UN doc. E/C.12/GC/21, 21 December 2009, para 55.

In addition, the Committee on Economic, Social and Cultural Rights (CESCR) has explained that the term “to take part” includes the components of participation in, and access and contribution to, cultural life.⁸⁵ Accessibility is a necessary condition for the full realization of this right and includes “the right of everyone to seek, receive and share information on all manifestations of culture in the language of the person’s choice, and the access of communities to means of expressions and dissemination”.⁸⁶ If any measure limits the right to take part in cultural life, the state has to prove it is justified in taking that measure, including that the measure is in pursuit of a legitimate aim, is strictly necessary, and is in compliance with other human rights laws and standards.⁸⁷ The CESCR has further explained that the promotion and respect for cultural rights is essential for human dignity and the interaction between individuals and communities.⁸⁸ The duty to protect cultural property and heritage is of such a fundamental nature that states have long agreed to exercise special care even during armed conflict, based on the principle that damage to the cultural property of any people means “damage to the cultural heritage of all mankind” and it is a rule of customary international law.⁸⁹

2.2 WITNESS ACCOUNTS OF RESTRICTIONS ON FREEDOM OF RELIGION AND CULTURAL PRACTICE

According to China’s constitution and other laws, citizens “enjoy freedom of religious belief” and the state protects “normal religious activities.”⁹⁰ The government, however, has not explicitly defined which activities qualify as “normal”. Muslims in Xinjiang have faced severe restrictions on their religious freedom for decades. In 2017, these restrictions became significantly more severe.

In March 2017, highly discriminatory De-extremification Regulations were adopted that further restricted certain Islamic religious practices, both in law and in effect.⁹¹ Open or even private displays of religious or cultural affiliation, including growing an “abnormal” beard, wearing a veil or headscarf, regular prayer, fasting, avoidance of alcohol, or possessing books or articles about Islam or Uyghur culture could be considered “extremist” under the regulations. After these regulations were promulgated, many religious figures, intellectuals, and academics were detained in Xinjiang merely for exercising their rights to freedom of religion and expression.⁹² In conjunction with these regulations, government brochures describing “75 manifestation of religious extremism” were widely distributed.⁹³ The alleged signs included wearing beards or face coverings; interference with family-planning policies; constructing religious buildings without approval; participating in unapproved pilgrimages; making minors fast, pray, or study scripture; ceasing to drink or smoke or to participate in regular social activities; buying or storing large amounts of food; and buying too much gasoline,

 Next page: *Chinese government officials removing religious and cultural artefacts from a muslim home.*

85 CESCR General Comment No. 21, para 15.

86 CESCR General Comment No. 21, para 16.

87 CESCR General Comment No. 21, paras 19, 46, 65.

88 CESCR General Comment No. 21, paras 1, 6, 48, 49(b).

89 Customary international law refers to international legal obligations that arise from established international practices, as opposed to written conventions and treaties – for a form definition see: Legal Information Institute, “Customary International Law,” https://www.law.cornell.edu/wex/customary_international_law; Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954); Second Protocol to the Hague Convention of 1954 (1999); AP I, Article 53, and AP II, Article 16, to the Geneva Conventions (1977); ICRC, Customary International Humanitarian Law, Rule 38.

90 The National People’s Congress of the People’s Republic of China, “Constitution of the People’s Republic of China,” Article 36, available at: www.npc.gov.cn/zgrdw/englishnpc/Constitution/2007-11/15/content_1372963.htm

91 See XUAR Uyghur autonomous region regulations on de-extremification, “Xinjiang Uyghur Autonomous Region Regulations on De-Extremification,” China Law Translate, March 30, 2017, www.chinalawtranslate.com/en/xinjiang-uyghur-autonomous-region-regulation-on-de-extremification/; Amnesty International, “China: Families of up to one million detained in mass “re-education” drive demand answer”, 24 September 2018, www.amnesty.org/en/latest/news/2018/09/china-XUAR-families-of-up-to-one-million-detained-demand-answers/

92 This includes Ilham Tohti, a Uyghur economist, writer and professor who was sentenced to life in prison in 2014 and Tashpolat Teyip, former president of XUAR University who was sentenced to death with a two-year reprieve in 2017, both on charges of “separatism”; See Amnesty International, “China: Civil Society & Scholars Call on China to Immediately Release Uyghur Professor Ilham Tohti Five Years After Arrest,” 15 January 2019, www.amnesty.org/en/documents/asa17/9690/2019/en/; Amnesty International, 9 September 2019, “Uyghur academic faces execution in China,” www.amnesty.org/download/Documents/ASA1710062019ENGLISH.pdf

93 See Cia Siqi, Global Times, “Xinjiang counties identify 75 forms of religious extremism”, 25 December 2014, www.globaltimes.cn/content/898563.shtml





camping gear, or strength-training equipment without “proper reasons”. Citizens were instructed to report “extremist” activities to local authorities.⁹⁴

Amnesty International interviewed 65 Muslim men and women who lived in Xinjiang between 2017 and 2021. They described an environment that was extraordinarily hostile to the practice of Islam. By the time these individuals left China, none felt comfortable displaying any signs of religious practice and all believed that doing so would result in them being detained and sent to a camp. According to these witnesses, numerous Islamic practices that Muslims widely consider essential to their religion that were not explicitly prohibited by law in Xinjiang are now, in effect, prohibited.⁹⁵ Muslims are prevented from praying, attending mosques, teaching religion, wearing religious clothing, and giving children Islamic-sounding names.⁹⁶ Former residents also said that appearing insufficiently secular – for example, not drinking alcohol, not smoking, or eating only halal foods – was also grounds for being classified as suspicious and sent to an internment camp.⁹⁷

As a result of the constant credible threat of detention, Muslims in Xinjiang modified their behaviour to such an extent that they no longer display outward signs of religious practice. Saken, a former detainee, told Amnesty that Muslims in his town changed their behaviour to dissociate themselves from the practice of Islam. “Before [2017] we could pray, and we could fast... In 2016, the governor of Xinjiang was greeting Muslims during Ramadan. But after the camps started, people did not pray or fast... People were afraid even to talk to imams... We could not even greet each other in the Islamic way,” he said.⁹⁸ Many other former residents also reported that they had either been instructed by the authorities or that it was generally understood that it was forbidden to use traditional Islamic greetings. “We couldn’t say ‘*as-salamu alaykum*’ to each other anymore,” Yerkinbek said.⁹⁹

Auelbek, who had been involved with his local mosque for most of his life before being taken to an internment camp, told Amnesty he found that people in his village had stopped praying after his release: “Not a single person [in my village] can pray anymore. It is because the government is against religion. They are against Muslims.”¹⁰⁰

Daulet, who said he had been sent to a camp for his affiliation with what he described as a government-approved mosque, told Amnesty how people’s behaviour in his village had changed as a result of the new restrictions put in place in 2017 and still in effect when he was released from the camp in 2019:

Now [in 2019] people have stopped talking about religion... No one comes to Friday prayers [in our village] anymore... Every village has its own policies. In our village women were eventually allowed to wear headscarves again... in other villages they cannot... I’ve heard that in some villages you could read the Qur’an, but in our village it is completely forbidden, even today.¹⁰¹

Raziya told Amnesty that civil servants had been prohibited from fasting and attending mosques for several years, but that in 2016, the government started to try to prevent everyone from fasting and praying. “They forbade us from fasting, especially during Ramadan. They would call us to [the village administration office] and feed us. And during Ramadan they would monitor whose light was on in the house [to see

94 See XUAR Uyghur autonomous region regulations on de-extremification, “Xinjiang Uyghur Autonomous Region Regulations on De-Extremification,” China Law Translate, March 30, 2017, www.chinalawtranslate.com/en/xinjiang-uyghur-autonomous-region-regulation-on-de-extremification/

95 See also, Amnesty International, “Forgive my children for now fasting’ – Ramadan in Xinjiang,” 2 May 2019, www.amnesty.org/en/latest/campaigns/2019/05/forgive-my-children-ramadan-in-xinjiang/

96 Amnesty International interviews; See also: Human Rights Watch, “China Bans Many Muslim Baby Names in Xinjiang: Absurd Edict Part of Growing Restriction on Uyghurs,” 24 April 2017, www.hrw.org/news/2017/04/25/china-bans-many-muslim-baby-names-xinjiang

97 Amnesty International interview; See also: Jon Sharman, Independent, “China ‘forcing Muslim to eat pork and drink alcohol’ lunar new year festival: Accusation comes after officials in Xinjiang launched ‘anti-halal’ campaign,” 7 February 2019, www.independent.co.uk/news/world/asia/china-muslims-xinjiang-pork-alcohol-lunar-new-year-spring-festival-uyghur-islam-a8767561.html

98 Amnesty International interview.

99 Amnesty International interviews; See also, Darren Byler, SupChina, “The ‘patriotism’ of not speaking Uyghur,” 2 January 2019, supchina.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/

100 Amnesty International interview.

101 Amnesty International interview.

who was praying]... People started to be afraid of [being seen] not drinking alcohol," she said.¹⁰²

Amnesty International interviewed witnesses who said the government prevented them from carrying out traditional rituals and ceremonies for marriages, baby-naming, and funerals.¹⁰³ "Now if someone dies only direct relatives come to funerals," Daulet said.¹⁰⁴ Yerkinbek told Amnesty, "In the past we used to pray and celebrate religious holidays. Now, none of this happens... No one can pray at funerals anymore. It makes people really upset because they cannot bury their loved ones in the proper way."

Saken told Amnesty that since 2017 government cadres had asked people in his village to sign documents stating whether they were religious and that many people who were religious felt compelled to say they were not because they were afraid of what might happen to them if they told the truth. Saken further described how police and government cadres halted a funeral he attended in 2019 in the middle of the ceremony because they said the dead person had signed a document saying he was not religious and that it was therefore not permitted to perform religious funeral rituals for him.¹⁰⁵

Meryemgul, a former detainee, recounted how government officials had stripped the religious aspects from traditional ceremonies in her village:

Weddings are now held according to the instructions of government. In our tradition, the imam reads verses [from the Qur'an] and gives names to newborn babies, but now it is [a government official] who give names and there is no reciting the Qur'an... And there are forbidden names [to give to your children], the Islamic names... They also started to change the names of people who already had Islamic names, like 'Mohammed'.¹⁰⁶

Witnesses further told Amnesty that the government openly pressured ethnic minorities – particularly Uyghurs – to marry people from the Han Chinese ethnic group. Others stated that some members of ethnic minorities were marrying Han Chinese because they believed it would stop the problems they were having with the government.¹⁰⁷ "The government encourages people to intermarry and gives privileges [to those who do], like exempting you from re-education and also [providing] some economic benefits... People intermarrying with Han get the same rights as Han... All of this is on television. It is in newspapers. They promote it," Meryemgül told Amnesty.¹⁰⁸

Journalists and academics have reported that the government has enacted policies to incentivize members of ethnic minority groups to marry Han Chinese. The policies reportedly include cash payments, free education for children, tuition subsidies, greater consideration for government housing and jobs, and extra points on college entrance exams for children of interethnic couples.¹⁰⁹ Journalists have also reported Uyghur women being coerced to marry Han Chinese men.¹¹⁰

DESTRUCTION OF RELIGIOUS AND CULTURAL ARTEFACTS

Numerous former residents of Xinjiang told Amnesty International that it had become forbidden to possess any religious artefacts in their houses or any religious content on their phones, including

¹⁰² Amnesty International interview.

¹⁰³ Amnesty International interviews; see also, Shohret Hoshur, Radio Free Asia, "Xinjiang Authorities Use 'Burial Management Centers' to subvert Uyghur Funeral Traditions," 19 April 2018, www.rfa.org/english/news/uyghur/burials-04192018141100.html

¹⁰⁴ Amnesty International interview.

¹⁰⁵ Amnesty International interview.

¹⁰⁶ Amnesty International interview.

¹⁰⁷ Amnesty International interviews.

¹⁰⁸ Amnesty International interview.

¹⁰⁹ Edward Wong, New York Times, "To Temper Unrest in Western China, Officials Offer Money for Intermarriage" 2 Sept 2014, www.nytimes.com/2014/09/03/world/asia/to-temper-unrest-china-pushes-interethnic-marriage-between-han-and-minorities.html; Darren Byler, SUPChina, "Uyghur Love in A time of interethnic Marriage", 7 August 2019, supchina.com/2019/08/07/uyghur-love-in-a-time-of-interethnic-marriage/;" Eva Xiao, AFP, "China pushes inter-ethnic marriage in XUAR assimilation drive", May 17, 2019, news.yahoo.com/china-pushes-inter-ethnic-marriage-XUAR-assimilation-drive-044619042.html

¹¹⁰ Leigh Hartman, Share America, "China coerces Uyghur women into unwanted marriages," 24 September 2019, share.america.gov/china-coerces-uyghur-women-into-unwanted-marriages/

religious books, films, or photographs. Amnesty also spoke with three individuals – two former government cadres and one person who assisted government cadres – who had been involved with the monitoring and searching of people’s property; two of them provided first-hand accounts of removing prohibited artefacts from Muslim households.

Several former residents also said that cultural books, artefacts, and other content associated with Turkic Muslim culture have, in effect, been banned. Members of ethnic minority groups were pressured to destroy these and replace them with Chinese books and art.¹¹¹ “The restrictions are not just about religious things... I was in my cousin’s house and [they were made to take down] their traditional wood carvings, and even the carpets [were cut]. There was something written in Uyghur on the back of the carpet... Since it was written in Uyghur [the authorities] made them cut it off,” Saken said.¹¹²

Former residents reported that their homes were searched by police or government cadres. Some reported burning or destroying all their books and cultural artefacts related to Islam or Uyghur or Kazakh culture in anticipation of being searched. “There was an announcement that everyone should bring in their books [to the government office]... We had a bookshelf. We had Uyghur books. We didn’t submit the books because that would be supplying evidence. So, we hid the books. Some people burned the books. We hid them while I was there,” Gohernisa said.¹¹³ “We were afraid. We tore [our Qur’an] into little pieces and then burned it,” Saken said.¹¹⁴

Raziya described how she observed that between 2016 and 2017 government officials in her area went from targeting certain “categories” of religious people – for example, those who dressed in a religious manner or other local government officials (who were required to be secular) – to targeting all Muslims. She said that in 2017 local government officials started searching all Muslims and Muslim households for signs of religious practice. She described the lengths to which her family went to hide the religious artefacts in their house:


[Security agents] started checking phones in the street and searching for Qur’ans and prayer mats and prayer beads [in our house]... We had to get rid of these things... We couldn’t just throw [our Qur’an] away so we put it in a pot and boiled it, then we threw it away. We believed that if we boiled it then the police couldn’t find the fingerprints on the books.¹¹⁵

Meryemgul, who worked for the government, said government officials would regularly visit the houses of Muslim families in her village to check for any signs of religious practice, and that if religious artefacts were found, those families were at risk of being sent to camps.¹¹⁶

[I]f there is a crescent on the door, you have to remove it. If there is any shape, like a dove or an ark, you have to change it... Anything from a different culture, you have to change it... There was one Qur’an given by the government allowed in each house. You can’t have anything else related to religion.

Aiman, who worked for the government, told Amnesty how government cadres and police barged into the homes of Muslim families and forcibly confiscated all religious artefacts:

We went to [a part of the village] where 20 families from [a Muslim ethnic group] lived. We had to take out everything to do with religion and show them that these were illegal things... While we were doing this, we wouldn’t even knock on the door... We would

 Opposite page: Chinese government officials monitoring a family. Government officials are often required to live several nights a month with families from predominantly muslim ethnic minority groups.

111 Amnesty International interviews.
112 Amnesty International interview.
113 Amnesty International interview.
114 Amnesty International interview.
115 Amnesty International interview.
116 Amnesty International interview.



just go in without asking for permission... People were crying... We gave everything to the police... We also told them to remove things written in Arabic.

Aiman also explained to Amnesty that government cadres regularly monitored the houses of ethnic minorities for religious artefacts. “[When we visited the houses of families we were responsible for] we had to make sure they did not have a photo of a mosque or anything linked to religion. And everyone was required to have a Chinese flag. We told them to remove photos [of mosques] and to put up flags.”¹¹⁷

Mehmet, who also worked for the government, told Amnesty that he and his colleagues were responsible for searching people’s homes for religious and cultural artefacts. “We would check every house in the village for literature and books written in Kazakh or calligraphy in Arabic, he said. We had to collect and burn them... We gathered the books [from people’s homes] and then took them to the community office. The guards at the office burned them. I saw them.”¹¹⁸

DESTRUCTION OF RELIGIOUS AND CULTURAL SITES

Mosques, shrines, gravesites, and other religious and cultural sites have been systematically destroyed or repurposed throughout Xinjiang.¹¹⁹ Using satellite imagery to survey the territory, the Australian Strategic Policy Institute has estimated that over 16,000 mosques have been destroyed or damaged in Xinjiang since 2017.¹²⁰ The affected sites include sites of pilgrimage, which have particular importance in Uyghur religion and culture. According to a foreign scholar who visited the sites, two of the most sacred pilgrimage sites – the Imam Jafiri Sadiq mazar and the Ordam Padishah mazar – have been demolished and others have been desecrated, closed, or turned in tourist attractions.¹²¹ Mehmet visited three other historic shrines and said that video cameras had been installed to monitor the sites. “Now everyone is afraid to go,” he told Amnesty.¹²²

Amnesty International interviewed numerous people who said mosques in their towns and villages had been destroyed or repurposed.¹²³ Many former detainees reported seeing dramatic changes in their villages when they returned home after months of detention, including the destruction or repurposing of mosques and other cultural artefacts. Baurzhan told Amnesty what it was like when he saw his village for the first time after being released from the camp. “They removed crescents from every mosque... and from the furniture in homes... Now every house had to have a picture of Xi Jinping. Before we had a picture of a mosque,” he said.¹²⁴ Aitugan told Amnesty many of the mosques in his area were destroyed and restaurants were no longer allowed to display halal signs. “It’s like they are trying to erase Islam,” he said.¹²⁵ Aidar told Amnesty his township used to have 15 mosques, including two in his village, but that 13 had been repurposed:

Only two mosques are operating now. Thirteen closed down... Only a very small number of people still pray [at the remaining mosques]. They are all very old... I couldn’t even pray at home. They were monitoring me. I was afraid... Some [of the closed] mosques are

117 Amnesty International interview.

118 Amnesty International interview.

119 See Rian Thum, Made in China Journal, “The Spatial Cleansing of Xinjiang: Mazar Desecration in Context”, 24 August 2020, madeinchinajournal.com/2020/08/24/the-spatial-cleansing-of-XUAR-mazar-desecration-in-context/; Lily Kuo, The Guardian, “Revealed: New Evidence of China’s Mission to Raze the Mosques of XUAR”, 6 May 2019, www.theguardian.com/world/2019/may/07/revealed-new-evidence-of-chinas-mission-to-raze-the-mosques-of-xinjiang; Uyghur Human Rights Project: ‘Demolishing Faith: the destruction and desecration of Uyghur Mosques and Shrines,’ UHRP 28 October 2019; Joanne Smith Finley, ChinaFile, “Now We Don’t Talk Anymore”: Inside the ‘Cleaning’ of Xinjiang,” 28 December 2018, www.chinafile.com/reporting-opinion/viewpoint/now-we-dont-talk-anymore

120 Nathan Ruser, Dr James Leibold, Kelsey Munro and Tilla Hoja, Australian Strategic Policy Institute (ASPI), “Cultural Erasure: Tracing the Destruction of Uyghur and Islamic Spaces in Xinjiang,” www.aspi.org.au/news/cultural-destruction-and-detention-facilities-XUAR

121 Rian Thum, Made in China Journal, “The Spatial Cleansing of Xinjiang: Mazar Desecration in Context”, 24 August 2020, madeinchinajournal.com/2020/08/24/the-spatial-cleansing-of-XUAR-mazar-desecration-in-context/

122 Amnesty International interview.

123 Amnesty International interviews; Also, Government demolition of religious venues has not been limited to mosques in Xinjiang. Under Xi Jinping, the government has intensified efforts to “sinicize” religions, including Islam and Christianity, that are considered “foreign”. Since 2014, particularly in coastal Zhejiang Province, thousands of crosses have been torn down from churches and other churches have been demolished under the pretext of regulating excessive and illegal religious sites; See “Religious Transformation in Modern Asia A Transnational Movement” Edited by David W. Kim.

124 Amnesty International interview.

125 Amnesty International interview.

empty, some are clothing factories... but all minarets have been demolished and Islamic decorations removed... Both mosques in my village [including the one still operating] had minarets demolished.¹²⁶

Witnesses also mentioned that Islamic crescents and Arabic script had been removed from the remaining mosques as well as from other cultural and religious sites, including gravesites. “Some mosques were demolished... others had crescents taken off and Chinese flags put up in their place... Crescents were also taken off gravesites. For example, my mother died, and my brother had to take the crescent off the gravestone. Officials in the village made him do it,” Abzal said.¹²⁷ “Part of my job was to take crescents off of Muslim gravesites... I used to have to paint over the Arabic words... I painted over my relative’s gravestone,” Mehmet said.¹²⁸

2.3 THE OMNIPRESENT SURVEILLANCE STATE

Muslims living in Xinjiang may be the most closely surveilled population in the world. The government of China has devoted tremendous resources to gathering incredibly detailed information about this group’s lives. This systemized mass surveillance is achieved through a combination of policies and practices that infringe on people’s rights to privacy and freedom of movement and expression.

Amnesty International interviewed 65 members of ethnic minority groups who lived in Xinjiang between 2017 and 2021, each of whom described what it was like to experience the government’s system of surveillance. Amnesty also interviewed a Han Chinese person who visited Xinjiang and provided their observations of the surveillance state.¹²⁹ According to these people, the system of surveillance involves extensive, invasive in-person and electronic monitoring in the form of:

- biometric data collection, including iris scans and facial imagery;
- invasive interviews by government officials;
- regular searches and interrogations by ubiquitous security officers;
- “homestays” by government employees and cadres assigned to live with ethnic minority families;
- an ever-present network of surveillance cameras, including facial recognition cameras;
- a vast network of checkpoints known as “convenience police stations”; and
- unfettered access to people’s personal communication devices and financial history.

The information witnesses provided to Amnesty is consistent with what journalists, scholars, and other investigators have revealed about the government’s mass surveillance operation in Xinjiang.¹³⁰ In addition to providing the government with enormous amounts of personal information, this operation allows the authorities to comprehensively track – in real time – the communications,

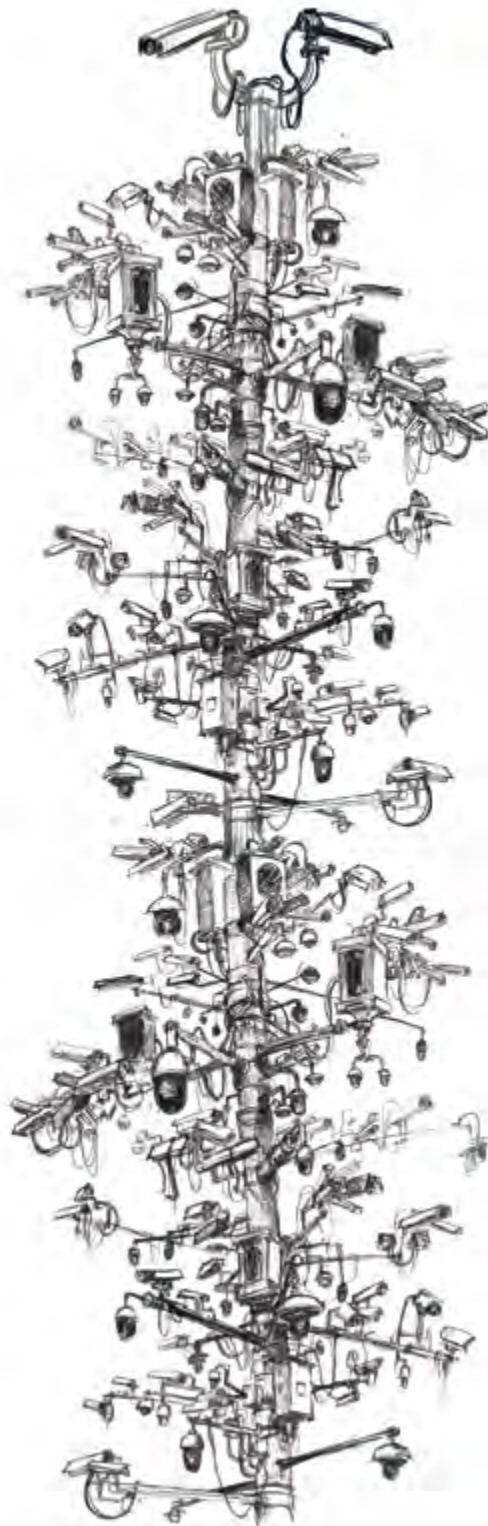
¹²⁶ Amnesty International interview.

¹²⁷ Amnesty International interview.

¹²⁸ Amnesty International interview.

¹²⁹ Amnesty International interview; For another account of a Han Chinese man in Xinjiang see Amnesty International, “Witness to Discrimination: Confessions of a Han Chinese from Xinjiang,” 16 June 2020, www.amnesty.org/en/latest/news/2020/06/witness-to-discrimination-confessions-of-a-han-chinese-from-XUAR/

¹³⁰ For other articles and reports on surveillance in Xinjiang see Paul Mozur and Aaron Krolik, New York Times, “A Surveillance Net Blankets China’s Cities, Giving Police Vast Powers: The authorities can scan your phones, track your face and find out when you leave your home. One of the world’s biggest spying networks is aimed at regular people, and nobody can stop it,” 17 December 2019, www.nytimes.com/2019/12/17/technology/china-surveillance.html; Yael Grauer, The Intercept, “Revealed: Massive Chinese Police Database – Millions of Leaked Police Files Detail Suffocating Surveillance of China’s Uyghur Minority,” 29 January 2021, theintercept.com/2021/01/29/china-uyghur-muslim-surveillance-police/; Darren Byler, Noema Magazine, “The Xinjiang Data Police: In western China, the government has deputized an army of mostly young men to surveil the digital and real lives of people in their own communities,” 8 October 2020, www.noemamag.com/the-XUAR-data-police/; Darren Byler, Prospect Magazine, “Big Brother vs. China’s Uighurs: Constant surveillance, cultural suppression and ‘re-education’ are the day-to-day reality for China’s Muslim minorities. And the technology giants that enable it are closer than we might think,” 28 August 2020, www.prospectmagazine.co.uk/magazine/big-brother-vs-chinas-uighurs; Human Rights Watch, “China’s Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App,” 1 May 2019, www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass; Megha Rajagopalan, BuzzFeed News, “This is What a 21st-Century Police State Really Looks Like,” 17 October 2017, www.buzzfeednews.com/article/meghara/the-police-state-of-the-future-is-already-here#.kxxwXj8MMB; Josh Chin and Clement Burge, The Wall Street Journal, “Twelve Days in Xinjiang: How China’s Surveillance State Overwhelms Daily Life,” 19 December 2017, www.wsj.com/articles/twelve-days-in-XUAR-how-chinas-surveillance-state-overwhelms-daily-life-1513700355



movements, actions, and behaviour of Xinjiang's ethnic minority population.¹³¹

Much of the information gathered from the government's mass surveillance effort is reportedly uploaded to a big-data collection system called the Integrated Joint Operations Platform, where it is continuously aggregated and analysed.¹³² According to research by Human Rights Watch, police and other government officials have used the IJOP for collecting large amounts of personal information as well as for "reporting on activities or circumstances deemed suspicious, and prompting investigations of people the system flags as problematic". Behaviours deemed "suspicious", included peaceful religious practices, the use of unauthorized communications software, and purchasing or using what is considered to be an abnormal amount of gasoline or electricity.¹³³ Many of the "suspicious" behaviours the IJOP reportedly tracked and flagged mirror "reasons" camp detainees interviewed by Amnesty were given for why they were sent to a camp (see section 3.1).

Azat, who worked for the government and was familiar with parts of the data collection system, told Amnesty about some of the movements and communications the government tracked:

In 2017... It was all going in the system... All the information, where you have gone, who you have talked to, goes into the database... We were collecting information on three main categories: who you travel with, where you sleep, and who you talked to... If you were involved with someone – you called them, you travelled with them, or you shared a hotel with them – then [your name] goes onto a list and is sent [to various levels of government].¹³⁴

131 Paul Mozur and Aaron Krolik, New York Times, "A Surveillance Net Blankets China's Cities, Giving Police Vast Powers: The authorities can scan your phones, track your face and find out when you leave your home. One of the of the world's biggest spying networks is aimed at regular people, and nobody can stop it," 17 December 2019, www.nytimes.com/2019/12/17/technology/china-surveillance.html

132 Human Rights Watch, "China: Big Data Fuels Crackdown in Minority Region – Predictive Policing Flags Individuals for Investigations, Detentions, 26 February 2018, www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region

133 Human Rights Watch, "China's Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App," 1 May 2019, www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass

134 Amnesty International interview.

THE RIGHT TO PRIVACY UNDER INTERNATIONAL LAW AND MASS SURVEILLANCE AS A HUMAN RIGHTS VIOLATION

The right to privacy is a human right protected under the Universal Declaration of Human Rights and the ICCPR, among other instruments.¹³⁵ According to ICCPR Article 17(1), “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home, or correspondence[.]” Any interference with the right to privacy must always be legitimate, necessary, and proportionate, and everyone has the right to the equal protection of the law against interference that is not legitimate, necessary, or appropriate.

Indiscriminate mass surveillance is the widespread bulk monitoring, interception, collection, storage, analysis, or other use of communications material that is not targeted at an individual or an identifiable and distinguishable group or location, and that is not based on reasonable suspicion.¹³⁶ Surveillance violates the right to privacy unless it is strictly necessary and proportionate in pursuit of a legitimate aim. Amnesty International believes indiscriminate mass surveillance is never a proportionate interference with the human rights to privacy and freedom of expression.¹³⁷

To be lawful, any communications surveillance must be authorized in accordance with domestic laws that are publicly accessible and foreseeable. The law must be clear enough to give people an adequate indication of the conditions and circumstances under which the authorities are empowered to resort to communications surveillance. Effective safeguards against abuse must be set forth in law and include the nature, scope, and duration of the possible surveillance measures; the grounds required for ordering them; the authorities competent to permit, carry out, and supervise them; and the remedy process provided.

The use of facial recognition technology (FRT) for identification – that is, to establish who an individual might be (in contrast to the comparison or authentication of the facial image of a person presenting themselves against the facial image registered for that specific person to verify if they are the person they claim to be) – is a form of indiscriminate mass surveillance. As such, it is a violation of the right to privacy and other human rights.¹³⁸ FRT that scans and captures data from all faces within its radius is neither necessary nor proportionate in any circumstance.¹³⁹

FRT significantly impinges on the rights to peaceful assembly and to freedom of expression. States are increasingly turning to FRT to monitor public spaces. This is not only an interference with the rights of peaceful assembly, freedom of association, and freedom of expression, it can also create a chilling effect and seriously deter peaceful dissent and participation in public life.

FRT can have a disproportionate impact on marginalized groups, undermining the right to equality and non-discrimination. The technology can and is being used by states to intentionally target certain individuals or groups of people based on their protected characteristics, including ethnicity, race, and gender. Even if this is not the stated aim of the technology, discriminatory impacts nevertheless present a huge risk. This technology can exacerbate and entrench existing societal disadvantages and further disempower already-marginalized groups of people.

135 The right to private life is enshrined in Article 12 of the Universal Declaration on Human Rights (UDHR) and Article 17 of the International Covenant on Civil and Political Rights (CCPR), to which China is a signatory.

136 Amnesty International, “Easy Guide to mass surveillance,” 18 March 2015, www.amnesty.org/en/latest/campaigns/2015/03/easy-guide-to-mass-surveillance/

137 Amnesty International, “Amnesty International Calls for Ban on the Use of Facial Recognition Technology for Mass Surveillance,” 11 June 2020, www.amnesty.org/en/latest/research/2020/06/amnesty-international-calls-for-ban-on-the-use-of-facial-recognition-technology-for-mass-surveillance/

138 Face identification systems are used to identify individuals by their face, from among a number of people, by comparing that face against a database of images to see if any matches are found. This kind of system is used by law enforcement to identify individuals against a watchlist. The individual is typically not involved in this process, which in particular does not require prior credentials to have been registered by them. In contrast, face verification systems (also described as face authentication systems) scan a face and attempt to match this face to a corresponding face image on a database of existing images. These systems are used, for example, to enter a building or to pass through border control at an airport. The individual is typically involved in this process, including when a facial image is recorded at the time of registration.

139 Amnesty International, “Amnesty International Calls for Ban on the Use of Facial Recognition Technology for Mass Surveillance,” 11 June 2020, www.amnesty.org/en/latest/research/2020/06/amnesty-international-calls-for-ban-on-the-use-of-facial-recognition-technology-for-mass-surveillance/

IN-PERSON SURVEILLANCE BY LOCAL GOVERNMENT OFFICIALS

Local government officials in Xinjiang are responsible for gathering a huge amount of personal information about families from ethnic minority groups. A large portion of this information is gathered through invasive in-person interviews that occur in government offices and in people's homes.

Aiman told Amnesty that local government officials classified households into three categories: "targeted" (usually those that had family members in the camps), "trusted" (normally government officials), and "ordinary" (everyone else). "Targeted" households were subjected to heightened in-person monitoring and electronic surveillance.¹⁴⁰

Aiman also told Amnesty how government cadres used to visit people's homes and gather information:

I had to gather information on [several dozen families in my area]... We had to gather information on many things, on their relatives abroad, about whether they had given their children Islamic names... I don't know how all the information was used... [We didn't gather all the information at once]... We would get an order... for example, to go and get a passport... In 2016 we had to gather everyone's passports... Or to find out if anyone [from the household] had been travelling to Kazakhstan... Or who prays... [In 2016 and 2017] we just asked them about praying... They didn't know how it would be used at the beginning.¹⁴¹

Mehmet, who also worked for the government, told Amnesty how he was responsible for gathering detailed information about families in the town he worked in:

We visited houses with the auxiliary police... we asked people if they had visited other countries, whether they had WhatsApp or other forbidden apps on their phone... [The assistant police] brought a device to check if people's phones had any religious content on them or any Kazakh songs... or anything else forbidden... They brought a portable PC and small electronic device that looked like a router... We also had special paper to take fingerprints and a 'family visit phone' to take photos of the household and to make voice recordings.

Mehmet, who worked in town with a significant Kazakh population also said that he was given a list. As he worked in a town with a significant Kazakh population, Mehmet also said he was given a list of topics specific to Kazakh culture to check for. According to him, if people were found with any forbidden materials it could be grounds to send them to the camp.¹⁴²

One of the most invasive aspects of in-person surveillance in Xinjiang for members of ethnic minority groups is the practice of government "homestays". Since 2014, the government has assigned cadres to live in the homes of ethnic minority residents and monitor their activities. The programme was expanded in 2017 and has reportedly included more than 1 million cadres who spend a few days a month living in ethnic minority households. Referred to as "relatives", the predominantly Han Chinese cadres are tasked with monitoring and reporting any suspicious behaviour – such as religious practice or political views – and with carrying out political indoctrination.¹⁴³ According to the government, the programme is said to "promote communication and interaction among different ethnic groups in Xinjiang".¹⁴⁴

140 Amnesty International interview.

141 Amnesty International interview.

142 Amnesty International interview.

143 Darren Byler, Foreign Policy, "China's Nightmare Homestay: In Xinjiang, unwanted Chinese guests monitor Uighur homes 24/7", 26 October 2018, foreignpolicy.com/2018/10/26/china-nightmare-homestay-XUAR-uighur-monitor; Human Rights Watch, "China: Visiting Officials Occupy Homes in Muslim Region," 13 May 2018, www.hrw.org/news/2018/05/13/china-visiting-officials-occupy-homes-muslim-region; foreignpolicy.com/2018/10/26/china-nightmare-homestay-XUAR-uighur-monitor; www.cnn.com/2018/05/14/asia/china-XUAR-home-stays-intl; Steven Jiang, CNN, "Chinese Uyghur forced to welcome Communist Party into their homes," 14 May 2018, www.cnn.com/2018/05/14/asia/china-xinjiang-home-stays-intl; Adrian Zenz, Journal of Political Risk, "Break Their Roots: Evidence for China's Separation Campaign in Xinjiang", July 2019, www.jpolicy.com/break-their-roots-evidence-for-chinas-parent-child-separation-campaign-in-xinjiang/

144 Ji Yuqiao, Global Times, "1.1 million civil servants in Xinjiang pair up with ethnic minority residents to improve unity," 7 November 2018, www.globaltimes.cn/content/1126378.shtml

According to Mehmet, cadres were required to stay with families they were responsible for – their “relatives” – five days a month. He said, other government officials would periodically check on the cadres in the middle of the night to make sure that they were actually staying at the house.¹⁴⁵ Other people also mentioned that the officials staying at in their homes were also being monitored to make sure that they were present.¹⁴⁶ According to Aiman, all “targeted” households were required to have a government cadre stay overnight in their house three times a week.¹⁴⁷ Numerous former camp detainees Amnesty interviewed said that they were required to host government cadres in their houses several nights a week or a month after they were released from detention.¹⁴⁸ Former detainees also reported that, while they were in the camp, their family members were required to have government minders stay with them.¹⁴⁹ Some former detainees reported that cadres checked in on them during the day but did not stay overnight.¹⁵⁰

The cadres took pictures of them and their family members, monitored their behaviour, and tried to teach them “correct” ideology.¹⁵¹ Minders also checked homework from the language and ideology classes members of ethnic minorities were forced to attend.¹⁵² Gauhar told Amnesty that after she was released from a camp, minders would come and inspect her house every day to make sure she was home, and they would check her homework from the night school. “If you passed the homework test they leave, or they would stay and help you do the homework,” she said.¹⁵³

Batima told Amnesty International that when her father was sent to a camp, she and her mother were forced to move back to their home village and have a government minder stay with them. She described what the minder did while staying with the family:

She ate with us. Listened to what we were saying. Told us about politics. About our ‘crimes’. For example, [she said:] ‘Do not go abroad. Do not contact the outside world. Be thankful for the government. Confess that your father committed crimes.’ ... She stayed overnight... She stayed in the same room as me... She took photos of us. And she told us to attend classes.¹⁵⁴

Similar cadre homestays have been widely reported by journalists and other human rights organizations.¹⁵⁵ Other human rights organizations have reported incidents of sexual violence occurring within the context of the programme.¹⁵⁶

145 Amnesty International interview.

146 Amnesty International interview.

147 Amnesty International interview.

148 Amnesty International interviews.

149 Amnesty International interview.

150 Amnesty International interviews.

151 Amnesty International interviews.

152 Amnesty International interview.

153 Amnesty International interview.

154 Amnesty International interview.

155 Darren Byler, Foreign Policy, “China’s Nightmare Homestay: In Xinjiang, unwanted Chinese guests monitor Uighur homes 24/7”, 26 October 2018, foreignpolicy.com/2018/10/26/china-nightmare-homestay-XUAR-uighur-monitor; Human Rights Watch, “China: Visiting Officials Occupy Homes in Muslim Region,” 13 May 2018, www.hrw.org/news/2018/05/13/china-visiting-officials-occupy-homes-muslim-region; foreignpolicy.com/2018/10/26/china-nightmare-homestay-XUAR-uighur-monitor; www.cnn.com/2018/05/14/asia/china-XUAR-home-stays-intl; Steven Jiang, CNN, “Chinese Uyghur forced to welcome Communist Party into their homes,” 14 May 2018, www.cnn.com/2018/05/14/asia/china-xinjiang-home-stays-intl

156 Darren Byler, Foreign Policy, “China’s Nightmare Homestay: In Xinjiang, unwanted Chinese guests monitor Uighur homes 24/7”, 26 October 2018, foreignpolicy.com/2018/10/26/china-nightmare-homestay-XUAR-uighur-monitor; Human Rights Watch, “China: Visiting Officials Occupy Homes in Muslim Region,” 13 May 2018, www.hrw.org/news/2018/05/13/china-visiting-officials-occupy-homes-muslim-region

RESTRICTIONS ON THE RIGHT TO PRIVACY AND TO FREEDOM OF EXPRESSION

The government attempts to restrict all personal digital communication to apps and platforms that it can access and monitor, including WeChat.¹⁵⁷ Journalists have also reported that people have been made to install an app called Clean Net Guard, which provides the government with access to the contents of the user's phone and also informs users when they are viewing "inappropriate" content.¹⁵⁸

Former detainees told Amnesty they were required to provide the government with their phone numbers and social media accounts.¹⁵⁹ "People from [our neighbourhood committee] came to every household and got all our WeChat [account IDs] and our social media account information," Kunsulu told Amnesty International.¹⁶⁰

According to numerous former detainees Amnesty has interviewed, having unsanctioned software installed on one's phone – including VPNs and encrypted messaging platforms such as WhatsApp – was grounds for being detained and sent to an internment camp (see section 3.1). Journalists have reported that not having a smartphone can also be viewed as suspicious, as can throwing out a SIM card, having a SIM but not using it, or activating multiple SIMs in a year.¹⁶¹

Former detainees told Amnesty that government officials told them not to visit some websites, especially those related to Islam or certain aspects of Turkic Muslim culture. "We were forbidden from visiting certain websites... And on your phone you can't write anything about the Qur'an or Allah, and certain words are forbidden. You can't write anything about Kazakh heroes," Kunsulu said.¹⁶²

Government agents regularly search the contents of phones owned by Muslims. Former detainee told Amnesty they were told they were sent to a camp for having religious content on their phones (see section 2.3). According to journalists' reports and leaked government documents, people have been sent to camps for being accused of belonging to certain WeChat groups.¹⁶³

RESTRICTIONS ON FREEDOM OF MOVEMENT

Muslims living in Xinjiang cannot move freely. The government restricts their travel both within Xinjiang and between Xinjiang and the rest of China.¹⁶⁴ Certain movement restrictions appear to affect all Muslims; more severe movement restrictions are placed on former detainees, the families of former detainees, and other targeted people.

For several months after being released, nearly all former camp detainees were placed under some form of house arrest or "neighbourhood" arrest. Those who were occasionally allowed to leave

157 Human Rights Watch, China: Big Data Program Target's Xinjiang Muslims – Leaked List of Over 2000 Detainees Demonstrates Automated Repression, 9 December 2020, www.hrw.org/news/2020/12/09/china-big-data-program-targets-XUARs-muslims#; Darren Byler, The Guardian, "China's hi-tech war on its Muslim minority: Smartphones and the internet gave Uighurs a sense of their own identity – but now the Chinese state is using technology to strip them of it," 11 April 2019, www.theguardian.com/news/2019/apr/11/china-hi-tech-war-on-muslim-minority-XUAR-uighurs-surveillance-face-recognition

158 William Drexel, Uyghur Human Rights Project, "Kashgar Coerced: Forced Reconstruction, Exploitation, and Surveillance in the Cradle of Uyghur Culture," June 2020, uhrp.org/press-release/uhrp-report%E2%80%9494kashgar-coerced-forced-reconstruction-exploitation-and-surveillance-cradle; Megha, Rajagopalan, BuzzFeed News, "China is Forcing People to Download An App That Tells Them to Delete 'Dangerous' Photos: The Surveillance app, the name of which literally translates to 'web cleansing,' scans for photos and videos and dispatches all the information to a mysterious outside server," 9 April 2018, www.buzzfeednews.com/article/meghara/china-surveillance-app

159 Amnesty International interviews.

160 Amnesty International interview.

161 Uyghur Human Rights Project, "The Mass Internment of Uyghurs: 'We want to be respected as humans. Is it too much to ask?'," docs.uhrp.org/pdf/MassDetention_of_Uyghurs.pdf

162 Amnesty International interview.

163 Yael Grauer, The Intercept "Revealed: Massive Chinese Police Database – Millions of Leaked Police Files Detail Suffocating Surveillance of China's Uyghur Minority," 29 January 2021, theintercept.com/2021/01/29/china-uyghur-muslim-surveillance-police/

164 Tom Phillips, The Guardian, "In China's far west the 'perfect police state' is emerging", 22 June 2017, www.theguardian.com/world/2017/jun/23/in-chinas-far-west-experts-fear-a-ticking-timebomb-religious; Human Rights Watch, "Eradicating Ideological Viruses: China's Campaign of Repression Against Xinjiang's Muslims", 9 September 2018, www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs

FREEDOM OF MOVEMENT UNDER INTERNATIONAL LAW

Freedom of movement is a human right enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.¹⁶⁵ According to the UN Human Rights Committee, “Liberty of movement is an indispensable condition for the free development of a person.”¹⁶⁶ Freedom of movement encompasses the ideas that, in principle, everybody has the right to liberty of movement and freedom to choose a residence within a state’s territory, but that they are also free to leave any country, including their own.¹⁶⁷

International law permits states to limit these aspects of the right to freedom of movement only in limited circumstances, if based on clear legal grounds, necessary and proportionate to protect certain specified legitimate aims, and consistent with other human rights.¹⁶⁸ According to Article 12(3) of the ICCPR, these freedoms “shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.” The UN Human Rights Committee has stated that any restrictions on the freedom of movement must be exceptional, precisely framed, as nonintrusive as possible, and non-discriminatory.¹⁶⁹

Restrictions on freedom of movement for minority communities can constitute discrimination, directly or indirectly, in violation of general international legal standards on equality and non-discrimination, as well as specifically the International Convention on the Elimination of All Forms of Racial Discrimination.

their homes (or other areas to which they were confined) were required to get written permission from the authorities beforehand. After this period, some of the restrictions placed on their freedom of movement were slowly lifted. (For more on freedom of movement restrictions placed on former camp detainees see section 6.3.)

Members of ethnic minority groups who have never been sent to internment camps also face serious restriction on their movements within Xinjiang. Former residents of Xinjiang reported they and their family members were forbidden from travelling outside their neighbourhood without permission.¹⁷⁰

Reyhangül, who had been living outside of Xinjiang, returned to her hometown in 2018 to find that she now needed written permission from local government officials to travel to see her friends in another town. She told Amnesty the movement restrictions also affected her family and her community. “People were not moving anywhere [outside of our neighbourhood] because they could not get permission... My [family members] couldn’t go anywhere. They were essentially bonded to the house and to their work,” she said.¹⁷¹

Interviewees said permission was needed to enter specific Uyghur neighbourhoods in certain cities.¹⁷² “Since 2016, there were special areas in Urumqi where Uyghur communities are totally blocked. If I want to go into these areas then I have to give the police my ID and tell them where I am going and for how long,” Ismail said.¹⁷³ Meryemgül told Amnesty the Uyghur population in her town had their movements restricted; her movements were even further restricted because she had travelled abroad:

165 UDHR Article 3(1) of the; UDHR Article 12(1).

166 ICCPR General Comment No. 27: Article 12(1).

167 Freedom of movement also guarantees the right to enter one’s own country, of which one may not be arbitrarily deprived (see Article 12(4) of the ICCPR).

168 See also the Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights, UN Doc. E/CN.4/1984/4 (1984), paras 8-12, which sets out that (1) No limitation on a right may be discriminatory; (2) Any limitations must respond to a pressing public or social need, pursue a legitimate aim, and be proportional to that aim; (3) States should use no more restrictive means than are required for the achievement of the purpose of the limitation; (4) The burden of justifying a limitation lies with the state; (5) Every limitation imposed shall be subject to the possibility of challenge to and remedy against its abusive application.

169 ICCPR General Comment No. 27: Article 12 (Freedom of Movement) (1999), UN Doc. CCPR/C/21/Rev.1/Add.9, paras 11-18

170 Amnesty International interviews.

171 Amnesty International interview.

172 Amnesty International interview.

173 Amnesty International interview.

There is a travel restriction. If we needed to go from town to town we needed to get permission [from the government]... Guests needed to be registered and you needed to 'guarantee' that guest... Because I went abroad, I had an '[alert]' on my ID... When I went [to this town] there was a checkpoint and they checked my ID card and told me to come into a room where they held suspicious people... [After that] I was afraid to use my ID.¹⁷⁴

Former residents reported that a “flag” was assigned to their ID for reasons they did not know and that they were prevented from travelling to certain areas or entering certain buildings as a result. “If you got flagged from a checkpoint then the flag would stay with you... I got flagged and I was prevented from riding a bus and from entering a hospital.”¹⁷⁵

These movement restrictions are enforced through a ubiquitous electronic surveillance network. Whenever members of ethnic minorities do move about in Xinjiang, the government tracks their movements through their phones and by the ever-present network of surveillance cameras on street corners and lamp posts, many of which have facial recognition capabilities.¹⁷⁶

Journalists have reported that the facial recognition technology is specifically programmed to “detect, track, and monitor Uyghurs.”¹⁷⁷ “Every roof of a police station, a checkpoint, also has many cameras. On every corner, on every red light, there are many cameras. You can’t count. There are so many... They are at the entrance of every Uyghur-populated area,” Ismail said.¹⁷⁸ Ibrahim told Amnesty a camera was installed outside his house after he was released from a camp.¹⁷⁹ Yerkinbek said officials threatened to install a camera in his place of work after they interrogated him and accused him of behaving suspiciously.¹⁸⁰ Two individuals who worked for the government told Amnesty that officials installed cameras outside the houses of families that were being monitored.¹⁸¹ “Targeted families have cameras installed outside of the gates of the house [to monitor them]... I saw this everywhere,” Aiman said.¹⁸²

In addition to surveillance by ubiquitous cameras, the population is monitored by a huge number of security forces, who often check ID and search people’s phones in the street, and by thousands of “convenience police stations” and other checkpoints located throughout Xinjiang.¹⁸³ Numerous residents told Amnesty about the increase in the number of police on the streets. “The number of auxiliary police increased. They are everywhere. In one street you might be checked several times. You might be questioned several times,” Azhar said.¹⁸⁴

“[In 2016 and early 2017] the police were everywhere, you could hear the ringing of police sirens all the time,” Merdan said.¹⁸⁵ “Assistant police started randomly checking everyone’s phones... They

174 Amnesty International interview.

175 Amnesty International interview.

176 Tom Phillips, The Guardian, “China testing facial-recognition surveillance system in Xinjiang – report: system alerts authorities when suspects on watchlist stray from their home or workplace,” 18 January 2018, www.theguardian.com/world/2018/jan/18/china-testing-facial-recognition-surveillance-system-in-XUAR-report; Paul Mozur and Aaron Krolik, New York Times, “A Surveillance Net Blankets China’s Cities, Giving Police Vast Powers: The authorities can scan your phones, track your face and find out when you leave your home. One of the world’s biggest spying networks is aimed at regular people, and nobody can stop it,” 17 December 2019, www.nytimes.com/2019/12/17/technology/china-surveillance.html; Paul Mozur, “One Month, 500,000 Face Scans: How China is Using A.I. to Profile a Minority: In a major ethical leap for the tech world, Chinese start-ups have built algorithms that the government uses to track members of a largely Muslim minority group,” 14 April 2019, www.nytimes.com/2019/04/14/technology/china-surveillance-artificial-intelligence-racial-profiling.html

177 Avi Asher-Schapiro, Reuters, “Chinese tech patents tolls that can detect, track Uighurs,” 13 January 2021, www.reuters.com/article/us-china-tech-ughurs/chinese-tech-patents-tools-that-can-detect-track-ughurs-idUSKBN291300

178 Amnesty International interview.

179 Amnesty International interview.

180 Amnesty International interview.

181 Amnesty International interviews.

182 Amnesty International interview.

183 Sheena Chestnut Greitens, Myunghee Lee, Emir Yazici, “Counterterrorism and preventive Repression: China’s Chainging Strategy in Xinjiang,” *International Security*, Vol. 44, No. 3 (Winter 2019/20), pp. 9–47, doi.org/10.1162/ISEC_a_00368; Adrian Zenz and James Leibold, The Jamestown Foundation, “Chen Quanguo: The Strongman Behind Beijing’s Securitization Strategy in Tibet and Xinjiang,” *China Brief* Volume 17, Issue 12, jamestown.org/program/chen-quanguo-the-strongman-behind-beijings-securitization-strategy-in-tibet-and-XUAR/

184 Amnesty International interviews.

185 Amnesty International interview.


were taking anyone with something [forbidden] on their phone to the camp... I used to clean my phone before I went into the city... It was a very scary time," Yerkinbek said.¹⁸⁶

Numerous residents told Amnesty how large numbers of security checkpoints were constructed in their towns and neighbourhoods in 2017.¹⁸⁷ "After Chen [Quanguo] came [to Xinjiang as party secretary], he built thousands of police outposts in the street. Every 200–300 metres. I saw them myself every day in Urumqi... My home is on [a street], and in a very short time five or six [convenience] police stations were built within 1–2 kilometres [on the street]," Asanali told Amnesty.¹⁸⁸ Kunsulu described how the security forces grew dramatically in his area after 2017 and what it was like to go through checkpoints:

In streets, the police outnumbered people... Every street had a temporary police station... it was impossible to get into the market without an ID. They would check ID, search your body and then let you in... In the temporary police stations... you go through a metal detector and facial recognition, and you scan your ID card. If there are no problems, you can go through; if not, the room is divided into two parts. It is divided by glass with police on the other side. If something is wrong, you are questioned [on the other side].¹⁸⁹

Residents told Amnesty International that at checkpoints they were required to have their ID scanned, to have iris or facial scans, and to have their phones and sometimes their bodies searched.¹⁹⁰ Interviewees also said they were required to scan their ID when they made purchases in butcher shops or gas stations, and that anything suspicious that was purchased, like a knife, needed to have a QR code on it.¹⁹¹ "I went to the town centre for shopping. I went to a tailor... The [tailor's] scissors had a bar code on them and were chained to the wall... Police were checking stores all the time. Even [steam] irons were chained to the wall," Reyhangül said.¹⁹² "In 2017... at every shopping centre, even little boutiques had to register the customers who came in and out so the police could follow up," Azat said.¹⁹³

Former residents of Xinjiang said movement restrictions were enforced in a discriminatory manner. Interviewees said the police stopped only ethnic minorities on the street and checked their ID.¹⁹⁴ Witnesses, including two who worked at a government checkpoints, reported that Han Chinese either did not need to go through the checkpoints at all or were essentially waved through without having their bodies or phones searched and without being questioned.¹⁹⁵ "Only Uyghurs have to go through checkpoints," Aisha said.¹⁹⁶ "There is an extra step for people from Xinjiang to get through airport security. They scanned our body twice with an X-ray machine," Aidar said. "After the Urumqi riots, until 2016, only Uyghurs had to go through checkpoints. In 2016/2017 they started to check Kazakhs as well. I was on a bus and thought I did not have to [get off and go through the checkpoint], but the auxiliary police checked my ID and found out I was Kazakh and I had to get off the bus. Han don't have to go through that," Kunsulu said.¹⁹⁷ Saken also reported that members of ethnic minorities were regularly asked to get off public

 Next page: A security checkpoint outside of a train station in Urumqi, Xinjiang. Han Chinese people and members of predominantly Muslim ethnic groups go through separate checkpoints. Muslims are subjected to much more severe security checks.

186 Amnesty International interview.

187 Amnesty International interviews.

188 Amnesty International interview.

189 Amnesty International interview.

190 Amnesty International interviews.

191 Amnesty International interviews; See also, Steven Melendez, Fast Company, "In locked-down Xinjiang, China is tracking kitchen knives with QR codes," 20 December 2017, www.fastcompany.com/40510238/in-xinjiang-china-some-knives-branded-with-owners-qr-codes

192 Amnesty International interview.

193 Amnesty International interview.

194 Amnesty International interviews.

195 Amnesty International interviews.

196 Amnesty International interview.

197 Amnesty International interview.





buses to be searched, but not Han Chinese.¹⁹⁸ “At malls and hospitals [everyone has to swipe their ID]... but in the street only Muslims have to do this, Han people didn’t have to swipe. And if a Han person forgets their card they can still be let in,” Dariga said.¹⁹⁹

Several witnesses reported that at train stations and airports there were separate lines for Han Chinese and ethnic minorities.²⁰⁰ “In 2019, I went to Urumqi... Before [I got on the train], I had to go through a very strict checkpoint, and when I got off the train they directed Han Chinese in one direction and Muslims in another... [Muslims] had to go through another checkpoint again [Han Chinese did not],” Saken said.²⁰¹

Yin, a Han Chinese man who visited Xinjiang, told Amnesty about the discrimination he witnessed while travelling:

The surveillance cameras are literally everywhere... The discrimination is so blatant. When I boarded a train, they didn’t check anything, but the Uyghurs sitting right across from me, they check their tickets and their phones... When I was in the station, there were two lines [for security checks], one for Uyghurs and one for Han without facial recognition, just through a metal detector. The line for Uyghurs was very long... Under a tunnel in [a major city] I just walked by, but Uyghurs had to have a full body check with metal detectors, including old men. They were checked at both sides of the tunnel. I was carrying luggage, and no one even checked my bag. I went through the [security] door, but no one checked with a wand... Because I am Han, I was not checked... I spoke with a [government official] who said, ‘Uyghurs have to be treated differently because there are no Han terrorists’.²⁰²

Members of ethnic minorities told Amnesty they had difficulties booking hotel rooms and renting apartments when they travelled outside their hometowns.²⁰³ “In Beijing, the hotel we booked online refused to check us in... They said it was because our documents were from Xinjiang... I think they rejected us because they were afraid the police would come... I felt like a third-class citizen,” Aidar said.²⁰⁴ “We were always rejected by hotels. Every time, people from the front desk would tell us that they can’t accept us or that they don’t have a room... Sometimes we would be de-registered if we had booked online. And if they did accept us, the police would always come [to the room],” Zeynepgul said.²⁰⁵

RESTRICTIONS ON LEAVING OR ENTERING CHINA

The government makes it extraordinarily difficult – often impossible – for members of ethnic minority groups, particularly Uyghurs, to travel abroad.²⁰⁶ To start with, members of ethnic minority groups in Xinjiang were forced to hand over their passports to the government in 2016 and 2017.²⁰⁷ Since then, very few people have been able to get them back.²⁰⁸

198 Amnesty International interview.

199 Amnesty International interview.

200 Amnesty International interviews.

201 Amnesty International interview.

202 Amnesty International interview.

203 Amnesty International interviews.

204 Amnesty International interview.

205 Amnesty International interview.

206 See Human Rights Watch, “One Passport, Two Systems: China’s Restriction on Foreign Travel by Tibetans and Others,” 13 July 2015, www.hrw.org/report/2015/07/13/one-passport-two-systems/chinas-restrictions-foreign-travel-tibetans-and-others; Uyghur Human Rights Project, “Weaponized Passports: The Crisis of Uyghur Statelessness,” April 2020, docs.uhrp.org/pdf/Weaponized_Passports.pdf

207 Amnesty International interview; See also Human Rights Watch, “China: Passport Arbitrarily Recalled in Xinjiang,” 21 November 2016, www.hrw.org/news/2016/11/22/china-passports-arbitrarily-recalled-XUAR; Uyghur Human Rights Project, “Weaponized Passports: the Crisis of Uyghur Statelessness,” April 2020, docs.uhrp.org/pdf/Weaponized_Passports.pdf; Edward Wong, New York Times, “Police Confiscate Passports in Parts of Xinjiang, in Western China,” 1 December 2016, www.nytimes.com/2016/12/01/world/asia/passports-confiscated-XUAR-china-uyghur.html

208 Catherine Putz, The Diplomat, “Carefully Kazakhstan Confronts China About Kazakhs in Xinjiang Re-Education Camps: Astana can’t afford to push Beijing too hard, even on behalf of its own citizens detained in Xinjiang Re-education camps,” 14 June 2018, thediplomat.com/2018/06/carefully-kazakhstan-confronts-china-about-kazakhs-in-xinjiang-re-education-camps/

Very few Uyghurs or members of other non-Kazakh ethnic groups have been able to leave Xinjiang since 2017, and nearly all the cases known to Amnesty involve people with strong family ties to foreign countries or individuals who paid bribes or have exceptionally strong contacts with senior government officials.²⁰⁹ Yerkinbek, an ethnic Kazakh who was able to go to Kazakhstan after paying a “broker” to get his passport back, told Amnesty that a Uyghur friend of his tried to do the same thing with the same broker and was told it was impossible because he was Uyghur.²¹⁰

Aidar, who left Xinjiang to study before 2017, told Amnesty that while he was living in China he had to hand his passport over to local officials. When he tried to get it back so he could go abroad he was told he was not allowed to have his passport because he was member of a minority. “My family had to pay a bribe to get my passport,” he said.²¹¹ Ismail, who left Xinjiang in early 2017, told Amnesty he believes he was one of the last Uyghur people to be able to leave:

In February 2017, our community [administration office] took back our passports and told us they were just copying them and we would get them back... I doubted I would get mine back, but I got mine back [and then I left the country]. I heard in May 2017 that everyone’s passport was taken again. And they were never returned. After I left, very few [Uyghurs] were able to leave. I am one of the last who left.²¹²

Moreover, according to former detainees Amnesty has interviewed, as well as reports from journalists and leaked government documents, travelling abroad, attempting to travel abroad, or associating with people abroad is grounds for being detained and sent to an internment camp (see section 3.1).

209 Amnesty International interviews; See also, Uyghur Human Rights Project (UHRP), “Uyghurs to China: ‘Return our relatives’ passports’,” August 2020, uhrp.org/report/uhrp-briefing-uyghurs-china-return-our-relatives-passports-html/; Uyghur Human Rights Project (UHRP), “Weaponized Passports: the Crisis of Uyghur Statelessness,” 1 April 2020, docs.uhrp.org/pdf/Weaponized_Passports.pdf

210 Amnesty International interview.

211 Amnesty International interview.

212 Amnesty International interview.



ARBITRARY DETENTION

“I was there... with hands handcuffed behind them, including women... The police would take people out of their houses... and they put black hoods on them... That night we made 60 arrests.”

Yerkinbek, a government cadre who participated in mass detentions in Xinjiang.

3.1 ARBITRARY DETENTION

Since early 2017, massive numbers of men and women from predominantly Muslim ethnic groups have been detained in Xinjiang.²¹³ This includes at least hundreds of thousands who have been sent to prisons as well as hundreds of thousands – perhaps 1 million or more – who have been sent to internment camps.²¹⁴

In 2017, many of the internment camps were in former schools and other government buildings that had been securitized and otherwise repurposed to house detainees and prevent escapes.²¹⁵ In 2018, detainees in the initial camps were often transferred to larger facilities that had been specifically constructed as detention facilities. (For more on the closure of the camps and status of the physical infrastructure of the internment camp system, see text box “Evolution of the internment camp system and the larger system of mass incarceration in Xinjiang”.)

Amnesty International interviewed 55 people – 39 men and 16 women – who spent time in internment camps and were later released. All of these former detainees were arbitrarily detained for what appears to be, by all reasonable standards, entirely lawful conduct; that is, without having committed any internationally recognized criminal offence. Their detention in internment camps violated numerous fundamental aspects of international human rights law. All of the detainees were denied due process during and after their initial detention. None were allowed access to

213 New York Times. China’s Prisons Swell After Deluge of Arrests Engulfs Muslims: Arrests, trials and prison sentences have surged in Xinjiang, where Uyghurs and Kazakhs also face reeducation, 31 August 2019, www.nytimes.com/2019/08/31/world/asia/xinjiang-china-uyghurs-prisons.html; Human Rights Watch, China: Baseless Imprisonments Surge in Xinjiang – Harsh, Unjust Sentences for Uyghurs, Other Muslims, 24 February 2021, www.hrw.org/news/2021/02/24/china-baseless-imprisonments-surge-xinjiang#

214 For estimates about the number of detainees in Xinjiang See Patrick deHahn, Quartz, “More than 1 million Muslims are detained in China—but how did we get that number?”, 4 July 2019, qz.com/1599393/how-researchers-estimate-1-million-uyghurs-are-detained-in-xinjiang/; Jessica Batke, ChinaFile, “Where Did the One Million Figure for Detentions in Xinjiang’s Camps Come From?”, 8 January 2019, www.chinafile.com/reporting-opinion/features/where-did-one-million-figure-detentions-xinjiangs-camps-come; Chinese Human Rights Defenders (CHRD) and Equal Rights Initiative (ERI), “China: Massive Numbers of Uyghurs & Other Ethnic Minorities Forced into Re-education Programs,” August 3, 2018, www.nchrd.org/2018/08/chinamassive-numbers-of-uyghurs-other-ethnic-minorities-forced-into-re-education-programs; Chinese Human Rights Defenders (CHRD), “CHRD Stands Firmly by Estimate of One Million Uyghurs Detained,” 3 August 2020, www.nchrd.org/2020/08/chrd-stands-firmly-by-estimate-of-one-million-uyghurs-detained/; Adrian Zenz, “New Evidence for China’s Political Re-Education Campaign in XUAR,” China Brief, vol. 18, issue 10, May 15, 2018, jamestown.org/program/evidence-for-chinas-political-re-education-campaign-in-xUAR; Adrian Zenz, The Journal of Political Risk, “Wash Brains, Cleanse Hearts”: Evidence from Chinese Government Documents about the Nature and Extent of Xinjiang’s Extrajudicial Internment Campaign,” November 2019, www.ipolrisk.com/wash-brains-cleanse-hearts/

215 Nathan Ruser, Australian Strategic Policy Institute, “Exploring Xinjiang’s detention system: The world’s most comprehensive database – 380+ facilities,” xjdp.aspi.org.au/explainers/exploring-xinjiangs-detention-facilities/

legal counsel. None were provided with an arrest warrant or even a reason for their detention that included a credible allegation of a criminal offence recognized under international law.²¹⁶

The internment camp detention process appears to be operating outside the scope of the Chinese criminal justice system or other known domestic law. According to government documents and statements by government officials, applying criminal procedure would be inappropriate because the camps are not detention facilities and the people in the camps are there “voluntarily” and are not criminals. The government has publicly claimed that these facilities – which it refers to as “vocational training” or “transformation-through-education” centres – were set up as part of a national poverty alleviation programme or a deradicalization programme. Government cadres have been instructed to inform family members of people detained in camps that the detainees were not criminals.²¹⁷ In March 2019, Shohrat Zakir, governor of Xinjiang, described the camps as “boarding schools” and in December 2019, indicated that attendance in the camps was voluntary, saying “attendees are free to join or quit programmes at any time.”²¹⁸


Contrary to the government’s public statements, leaked government documents refer to people sent to these facilities as being “punished”.²¹⁹ As demonstrated by the testimonies and other evidence below, attendance in the camps is not voluntary, and conditions in the camps are an affront to human dignity.

THE INITIAL DETENTION

Former internment camp detainees Amnesty International interviewed were often detained without warning. Many were taken away from their homes in the middle of the night.²²⁰ Others were called by the police or by their village administration office and told to report to a police station – often under the pretence of being requested to hand in their passport – and then detained once they arrived.²²¹ Several were pressured by government officials or employers to come back from working, studying, or living abroad and then detained shortly after returning, often at the airport or land border.²²²

Aiman, a government cadre who participated in mass detentions in Xinjiang, told Amnesty how, in late 2017, police took people from their homes without warning, how family members of the detained people reacted, and what the role of government cadres was in the process:

I was there... The police would take people out of their houses... with hands handcuffed behind them, including women... and they put black hoods on them... The police had a list [of people to detain]... Nobody could resist. Imagine if, all of a sudden, a group [of police] enters [your home], cuffs you and puts [a black hood] over your head... [Family members of the people being detained] just asked why this was happening... We accompanied [the police]. [Cadres] did not do much [related to physically detaining people]. Our main duty was to calm down and

 Next page: A mother and her child watch in agony as her husband is taken from their home and sent to an internment camp.

216 See also: Human Rights Watch, “Free Xinjiang ‘Political Education’ Detainees: Muslim Minorities Held for Months in Unlawful Facilities,” 10 September 2017, www.hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees; Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017: China’s Counter-Terror Campaign Indiscriminately Targets Ethnic & Religious Minorities in Xinjiang,” 25 July 2018, www.nchr.org/2018/07/criminal-arrests-in-xinjiang-account-for-21-of-chinas-total-in-2017/; “The Xinjiang Papers”: Austin Ramzy and Chris Buckley, “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims: More than 400 pages of internal Chinese documents expose an unprecedented inside look at the crackdown on ethnic minorities in the Xinjiang region”, New York Times, 16 November 2019, www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html

218 Xinhua News, “Trainees in Xinjiang education, training program have all graduated: official”, 9 December 2019, www.xinhuanet.com/english/2019-12/09/c_138617314.htm

219 Chris Buckley and Austin Ramzy, New York Times, New York Times, “Document: What Chinese Officials Told Children Whose Families Were Put in Camps,” 16 November 2019, www.nytimes.com/interactive/2019/11/16/world/asia/china-detention-directive.html

220 Amnesty International Interviews.

221 Amnesty International Interviews.

222 Amnesty International Interviews.





comfort the relatives [of those being detained] and tell them these things happened all the time... It was very sad... [Afterwards] I cried... That night we made 60 arrests... That was just in one district [of many where people were being detained]... Every day they arrested more people.²²³

Meryemgul, who also worked for the government during a period in which large numbers of detentions were made, also described the experience to Amnesty: “In many families, only women were left. In some houses, the door was locked because both parents are gone and the children are taken to boarding school.”

Ilyas, who worked for the government, was present on numerous calls with officials from all over Xinjiang in 2017. During these calls, officials were routinely asked to report the number of people from their areas who had been sent to camps. Ilyas told Amnesty that thousands of people were reported as having been sent to camps during most calls.

ARBITRARY DETENTION AND ENFORCED DISAPPEARANCE IN INTERNATIONAL LAW

Under international human rights law, everyone has the right to liberty of person.²²⁴ Arrest or detention is permissible only for reasons, and according to procedures, that are established by law.²²⁵ Domestic law authorizing, and setting out the grounds and procedures for, arrest and detention must conform to international standards.²²⁶ Any deprivation of liberty outside the context of criminal charges cannot amount to an evasion of the limits on the criminal justice system by providing the equivalent of criminal punishment without the applicable protections.²²⁷

According to the UN Working Group on Arbitrary Detention, arbitrary detention includes:

- situations in which an individual is deprived of their liberty without a clear basis in law;
- cases in which persons are detained solely for the peaceful exercise of certain rights such as the rights to freedom of movement or freedom of thought, conscience, and religion;
- cases of total non-observance of, or sufficiently serious violations of, the right to a fair trial; and
- situations in which the deprivation of liberty constitutes a violation of international law for reasons of discrimination, such as on the basis of ethnic origin, language, religion, or opinion.²²⁸

Arrest or detention that is arbitrary, or already unlawful under domestic law, is always prohibited under international law and standards.²²⁹ Examples of arbitrary detention further include prolonged detentions without charge or trial and secret, prolonged incommunicado or indefinite detentions without review, and keeping a person in any form of detention without periodic re-evaluation of the justification for continuing the detention.²³⁰ The UN Human Rights Committee has called detentions of family members of an alleged criminal who are not themselves accused of any wrongdoing “egregious examples of arbitrary detention” and enforced disappearances “a particularly aggravated form of arbitrary detention”.²³¹ Conditions of detention inappropriate for its purpose can also make detention arbitrary, and denial of access to counsel and family may result in violations of the right to liberty.²³²

223 Amnesty International Interview.

224 UDHR, Article 3; ICCPR, Article 9(1).

225 ICCPR, Article 9(1); CERD, Article 17(2)(a).

226 Amnesty International, “Fair Trial Manual”, 2014, www.amnesty.org/download/Documents/8000/pol300022014en.pdf

227 HRC General Comment 35, §14.

228 Working Group on Arbitrary Detention, Deliberation No. 9 concerning the definition and scope of arbitrary deprivation of liberty under customary international law, UN doc. A/HRC/22/44, 24 December 2012, para. 38

229 Article 9 of the Universal Declaration, Article 9(1) of the ICCPR; the Human Rights Committee has clarified that the term “arbitrary” in Article 9(1) of the ICCPR must be interpreted broadly to include elements of inappropriateness, injustice, lack of predictability, and due process of law, as well as elements of reasonableness, necessity, and proportionality, and that “[arrest] or detention on discriminatory grounds in violation of Articles 2(1), 3 or 26 is in principle arbitrary”; HRC General Comment 35, §§12, 17; see also HRC General Comment 36, §61; Special Rapporteur on extrajudicial, summary or arbitrary executions, Report to the UN General Assembly, A/69/265, para. 47, and Report to the Human Rights Council, A/HRC/26/36, para. 74.

230 HRC General Comment 35, §§11, 12.

231 HRC General Comment 35, §§16, 17.

232 HRC General Comment 35, §59.

Arbitrary detention facilitates torture and other ill-treatment, enforced disappearances, and other abuses. An important means of preventing these abuses is to ensure that proper grounds and procedures for deprivation of liberty are adhered to at all times, in compliance with international standards.

Policies and procedures allowing arrest and detention based on racial or ethnic profiling must be prohibited.²³³ Counter-terrorism laws targeting one ethnic group are discriminatory and are never permitted. The prohibition of arbitrary detention is also a norm of customary international law and the UN Working Group on Arbitrary Detention has stated that the prohibition constitutes a peremptory norm of international law; this means it cannot be the subject of treaty reservations or derogations but must be respected at all times, including in times of war or other public emergency.²³⁴

When anyone is arrested or detained, they must be notified of the reasons for their arrest or detention and of their rights, including their right to legal counsel.²³⁵ They must be informed promptly of any charges against them.²³⁶ This information is essential to allow persons to challenge the lawfulness of their arrest or detention.

International standards require that anyone arrested or detained be informed of their rights and be provided with an explanation of how they may avail themselves of such rights. These standards variously require notification of rights, including the right to notify a third person, to obtain legal counsel, to receive medical assistance, to challenge the lawfulness of detention, to not incriminate oneself (including having the right to remain silent), and to complain and have recourse for complaints about ill-treatment or conditions.²³⁷

Enforced disappearance: The Convention for the Protection of All Persons from Enforced Disappearances (CPED) defines this crime as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”²³⁸ State authorities are required to take adequate measures to prevent enforced disappearances, and promptly and effectively investigate to establish the fate and whereabouts of respective persons. An enforced disappearance continues to be committed as long as the fate or whereabouts of the person or their remains has not been determined.²³⁹ The fact that a person reappears at some point does not negate such a finding for the period of their disappearance. If authorities refuse to acknowledge the detention of these individuals, or acknowledge it but refuse to disclose information about where the detainees are and denying them access to the outside world with the effect of depriving them of the protection of the law, then enforced disappearance is given at some point during or throughout the entire period of detention. In certain circumstances, the crime amounts to a crime against humanity (see section 7.1).²⁴⁰ Amnesty International considers that the prohibition of enforced disappearance is a peremptory norm of general international law (*jus cogens*).

Victims of enforced disappearance include not only the disappeared person but also any individual who has suffered harm as a direct result of an enforced disappearance.²⁴¹ The families of disappeared persons must have a right to fully contribute in the investigations, and their rights must be fully respected in any decisions on remedies. Furthermore, the denial of the right to know the truth about the whereabouts of a victim of enforced disappearance results, in turn, in a form of cruel and inhuman treatment for the immediate family.²⁴²

233 CERD General Recommendation 36 (2020) on preventing and combating racial profiling by law enforcement officials, CERD/C/GC/36, §§40, 53

234 Report to the Human Rights Council, Working Group on Arbitrary Detention, UN Doc. A/HRC/22/44 (2012), paras 37-76.; see also 4 HRC General Comment 24, §8, HRC General Comment 29, §11

235 ICCPR, Article 9(2).

236 ICCPR, Article 9(2) and Article 14(3).

237 UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, G.A. res. 43/173, (1988), Principles 13 and 14; Guidelines 2 §42(c) and 3 §43(i) of the Principles on Legal Aid

238 CPED, Article (2); Although China is not a party to the CPED, it is bound by the prohibition of committing enforced disappearance under customary international law and other human rights treaties of which it is party, such as the Convention against Torture. Furthermore, enforced disappearances include acts prohibited by peremptory norms (*jus cogens*) of international law, which are legally binding on all states.

239 International Convention for the Protection of All Persons from Enforced Disappearance, Article 8(1)(b).

240 The International Convention for the Protection of All Persons from Enforced Disappearance (Article 5) recognizes that enforced disappearances may constitute crimes against humanity.

241 CPED, Article 24(1).

242 Human Rights Committee, *Edriss El Hassy v. The Libyan Arab Jamahiriya*, Communication No. 1422/2005, para. 6.11; see also, Working Group on Enforced or Involuntary Disappearances, General Comment on the Right to the Truth in Relation to Enforced Disappearances, A/HRC/16/48, para. 4.



REASONS FOR DETENTION

Some former detainees interviewed were provided with reasons for their detentions at the time they were initially detained; however, many were not given any reason until after arriving at an internment camp, and often not until being forced to “confess” to “crimes” shortly before they were released.²⁴³ Several were given a reason for their detention when they were detained and then a different reason when they were released.²⁴⁴ Some were never given any reason.²⁴⁵ “Until today, I don’t know why I was in the camp,” Mansur lamented.²⁴⁶

Former detainees told Amnesty International that the reasons they were given for their detention were often not tied to specific acts; rather, detainees were informed that they had been detained because they had been classified as “suspicious” or “untrustworthy” or as a “terrorist” or an “extremist”.²⁴⁷ The precise criteria for such classifications are not known; however, the government of China has used such terms – particularly “terrorist” and “extremist” – in over-broad ways in the context of counter-terrorism legislation.²⁴⁸


When specific acts were mentioned, they generally fell into a few broad categories. One category includes offences related to foreign countries. Numerous former detainees were detained for living, travelling, or studying abroad or for communicating with people abroad.²⁴⁹ Many were even detained simply for being “connected” with people who lived, travelled, studied, or communicated with people abroad.²⁵⁰

Another category of detainee includes those detained for offences related to using unauthorized software or digital communications technology. Many former detainees were detained for using or having forbidden software applications on their mobile phones, especially WhatsApp.²⁵¹

Another common category includes anything related to religion. Former detainees were detained for reasons related to Islamic beliefs or practice, including working in a mosque, praying, having a prayer mat, or possessing a picture or a video with a religious theme.²⁵²

Other former detainees were detained for having too many children or otherwise violating China’s strict family planning policies.²⁵³ One former detainee said they had been detained for refusing to work for the government.²⁵⁴ Elnara, who while detained helped dozens of other inmates fill in “confession” forms on which they were required to list their “crimes”, said the most common reason she observed was “having multiple household registrations”, which is prohibited under Chinese law.²⁵⁵ (For more on confession forms, see section 4.3.) One former detainee, who was accused of this offence just before her release, told Amnesty she had no idea that having multiple registrations was illegal or that she was still registered at her family’s home where she grew up. She believed the government was simply using this as a pretext to detain whomever it wanted.²⁵⁶

A few former detainees told Amnesty they had been detained after receiving explicit permission to do the very thing they were reportedly detained for. Aibek told Amnesty he was detained for travelling domestically, even though he had obtained prior approval to do so from the appropriate authorities.²⁵⁷

 Opposite page: Detainees on their way to an internment camp.

243 Amnesty International interviews.

244 Amnesty International interviews.

245 Amnesty International interviews.

246 Amnesty International interview.

247 Amnesty International interviews.

248 Amnesty International, China: Draconian anti-terror law an assault on human rights, 4 March 2015, www.amnesty.org/en/latest/news/2015/03/china-draconian-anti-terror-law/

249 Amnesty International interviews.

250 Amnesty International interview.

251 Amnesty International interviews.

252 Amnesty International interviews.

253 Amnesty International interview.

254 Amnesty International interview.

255 Amnesty International interview.

256 Amnesty International interviews.

257 Amnesty International interview.

Bolat told Amnesty he was detained twice for travelling even though he had received permission from the appropriate authorities both times.

[After I was detained the second time] I asked the village chief [why I was detained]. He said, 'We are doing what we are told. We don't know why. All people who are travelling abroad go to the camp. You have no right to ask questions. If you ask why it will be seen as resistance. It will not be good for you. You will get answers in the camp.'²⁵⁸

The reasons for detention that former detainees provided to Amnesty International are consistent with testimonial and documentary evidence gathered by journalists and other human rights investigators.²⁵⁹ Most significantly, these stated reasons are broadly consistent with the official reasons given in the Karakax list and the Aksu list for detention and internment of individuals.²⁶⁰

The Aksu list includes government records about more than 2,000 people in that prefecture detained and interned after being flagged by the IJOP. The list reveals that “suspicious” behaviour often leading to arrest and detention included regular religious practice, such as reciting the Qur’an or wearing religious clothing; having more children than permitted by China’s policies; using certain computer software, such as Skype or a VPN; travelling abroad, or travelling domestically without permission; having “extremist thoughts”; being untrustworthy; or being young.²⁶¹

The Karakax list includes government records for more than 3,000 people. These records include the official reasons why many of these people were detained and interned as well as some of the reasoning behind why certain detainees were released or not released from the camps. The document also reveals significant information about how the government collected detailed information about family members and social networks of detainees.²⁶² An analysis of reasons revealed that they fall broadly into eight non-mutually exclusive categories, including untrustworthiness, anything religion-related, and anything linked to locations abroad. The most common reason for detention was violating China’s birth control policies.²⁶³

According to another internal document leak – the so-called China Cables – hundreds of thousands of individuals have been detained for using certain mobile phone applications. The documents also explicitly instruct authorities to detain Uyghurs who also hold foreign citizenship and to work towards repatriation back to China of those living abroad.²⁶⁴ Journalists have reported that government officials were required to fulfil detention quotas and that sometimes people were essentially detained randomly.²⁶⁵

²⁵⁸ Amnesty International interview.

²⁵⁹ Foreign Policy, 48 Ways to Get Sent to a Chinese Concentration Camp: Something terrible is happening in Xinjiang, 3 September 2018, foreignpolicy.com/2018/09/13/48-ways-to-get-sent-to-a-chinese-concentration-camp/

²⁶⁰ Ariane Zenz, Journal of Political Risk, “The Karakax List: Dissecting the Anatomy of Beijing’s Internment Drive in Xinjiang,” February 2020, www.jpolarisk.com/karakax/; Human Rights Watch, China: Big Data Program Target’s Xinjiang Muslims – Leaked List of Over 2000 Detainees Demonstrates Automated Repression, 9 December 2020, www.hrw.org/news/2020/12/09/china-big-data-program-targets-XUARs-muslims#

²⁶¹ Human Rights Watch, China: Big Data Program Target’s Xinjiang Muslims – Leaked List of Over 2000 Detainees Demonstrates Automated Repression, 9 December 2020, www.hrw.org/news/2020/12/09/china-big-data-program-targets-XUARs-muslims#

²⁶² Ivan Watson and Ben Westcott, “Watched, judged, detained: Leaked Chinese government records reveal detailed surveillance reports on Uyghurs families and Beijing’s justification for mass detentions. www.cnn.com/interactive/2020/02/asia/xinjiang-china-karakax-document-intl-hnk/; Isobel Yeung and Nicole Bozorgmir, Vice News, “China Targets Muslims for ‘Re-Education’ Camps – and Spies on Their families: The vast majority of people were interned for mundane behavior like wearing a hijab, having “thick beards,” visiting a foreign website or applying for a passport,” 17 February 2020, www.vice.com/en/article/epgadw/leak-secret-documents-show-how-china-targets-muslims-for-re-education-camps-and-spies-on-their-families; Maya Wang, Human Rights Watch, “More Evidence of China’s Horrific Abuses in Xinjiang,” 20 February 2020, www.hrw.org/news/2020/02/20/more-evidence-chinas-horrific-abuses-xinjiang

²⁶³ Ariane Zenz, Journal of Political Risk, “The Karakax List: Dissecting the Anatomy of Beijing’s Internment Drive in Xinjiang,” February 2020, www.jpolarisk.com/karakax/

²⁶⁴ “The China Cables”: Bethany Allen-Ebrahimian, International Consortium of Investigative Journalists, “Exposed: China’s Operating Manuals for Mass Internment and Arrest by Algorithm.: A new leak of highly classified Chinese government documents reveals the operations manual for running the mass detention camps in Xinjiang and exposed the mechanism of the region’s system of mass surveillance.” 24 November 2019, www.icij.org/investigations/china-cables/exposed-chinas-operating-manuals-for-mass-internment-and-arrest-by-algorithm/

²⁶⁵ For reporting on quotas See Human Rights Watch, China: Big Data Program Target’s Xinjiang Muslims – Leaked List of Over 2000 Detainees Demonstrates Automated Repression, 9 December 2020, www.hrw.org/news/2020/12/09/china-big-data-program-targets-XUARs-muslims#; Radio Free Asia, Nearly Half of Uyghurs in Xinjiang’s Hotan Targeted For Re-Education Camps, 9 October 2017, www.rfa.org/english/news/uyghur/camps-10092017164000.html; Radio Free Asia, Xinjiang Authorities Up Detentions in Uyghur Majority Areas of Ghulja City, 19 March 2018, www.rfa.org/english/news/uyghur/detentions-03192018151252.html

The Xinjiang Victims Database documents the testimonies of former internment camp detainees, their families, and other witnesses.²⁶⁶ While data collected by the project do not necessarily represent the interned population as a whole, analysis of several thousand testimonies shows that the most commonly stated reasons for detention are related to religion, going abroad, having contact with the outside world, and the behaviour of the detainees' relatives. Additionally, an analysis of the official reasons for which over 1,500 individuals were detained indicates that other common reasons include allegations of "separatism", violating birth policies, and "extremism", as well as other vague justifications, such as being untrustworthy or disturbing public order.²⁶⁷

GUILT BY ASSOCIATION

Analysed together with the Aksu and Karakax lists and with other testimonial and documentary evidence gathered by journalists, the testimonial evidence Amnesty International has gathered demonstrates that members of ethnic minorities in Xinjiang are often detained on the basis of what can only be considered "guilt by association". Many were interned as a result of their relationships, or perceived or alleged relationships, with family, friends, or community members – many, if not most, of whom were themselves not guilty of any internationally recognized criminal offence. Many former detainees were detained for having a family member who was considered suspicious or untrustworthy or who was accused of being an "extremist", "separatist", or "terrorist", or for contacts with others facing these accusations.²⁶⁸

Amnesty International interviewed several former residents of Xinjiang who believe their own behaviour was the reason their family members were detained. Shamil went abroad and did not return on time. He told Amnesty [he suspects] his father was sent to a camp because of his decision.²⁶⁹ Kuanish, who also did not return from abroad on time, said the police called him from his house in China and had his son ask him to return from abroad and tell him the family would be sent to the camps if he did not. Since then, he has not been able to communicate with his family. "I do not know where my children are," Kuanish said.²⁷⁰ Azhar, a former detainee, told Amnesty that his father was taken to an internment camp because his father "let" him go abroad after he was released. "When my father was about to be detained, the police called me and said come [back to China]... They said we will let your father go if you come back."²⁷¹

In addition to often being grounds for detention, guilt by association is now a pervasive theme in the life of ethnic minorities in Xinjiang and a tool for the social control that the Chinese authorities impose on the population. As illustrated in a variety of ways throughout this report, the behaviour of members of ethnic minority groups in Xinjiang affects their family, their community, and the group as a whole. Credible threats against family members are used to control or modify behaviour.

3.2 INTERROGATIONS AT POLICE STATIONS

The majority of former detainees Amnesty International interviewed were interrogated at police stations before being sent to a camp.²⁷² A minority were sent directly to the camps without being interrogated. Most of the interrogations focused on what the person had purportedly been detained for. Interrogations usually lasted several hours. A few detainees reported being extorted during the interrogations, saying they were told that if they paid the police a bribe they would not be sent to a camp.²⁷³

266 Xinjiang Victims Database, <https://shahit.biz/eng/#home>

267 Xinjiang Victims Database, <https://shahit.biz/eng/#stats>

268 Amnesty International interviews.

269 Amnesty International interview.

270 Amnesty International interview.

271 Amnesty International interview.

272 Amnesty International interviews.

273 Amnesty International interviews.



A man being interrogated in a police station before being sent to an internment camp.

The content of the interrogations in police stations was very similar to interrogations former detainees reported going through inside the camps and after their release. Many former detainees said they were asked the same questions over and over again by different government officials during multiple interrogations over the course of months and even years while in detention.²⁷⁴

Many detainees were tortured or otherwise ill-treated during the interrogations in police stations before being transferred to the camps.²⁷⁵ Interrogations and torture were often carried out by members of the domestic security police, known as Guobao²⁷⁶; sometimes these acts were also carried out by local police. Former detainees were often interrogated in “tiger chairs” – steel chairs with affixed leg irons and handcuffs that restrain the body, often in painful positions, to an extent that it is essentially immobile.²⁷⁷ Some detainees were hooded and shackled during interrogations.²⁷⁸ Kanat, who spent a year in the camps for visiting Kazakhstan, said he was interrogated for several hours while immobilized in a tiger chair: “I was seated on a metal chair. Hands were cuffed. I was interrogated. My feet were also cuffed... It’s a metal chair that contains a board that your hands are

274 Amnesty International interviews

275 Amnesty International interviews.

276 The National Security Protection Unit, a secretive unit responsible for domestic political threats.

277 Amnesty International interviews.

278 Amnesty International interviews.

cuffed to. And there is an iron base that you put your legs inside. [The interrogation started late at night,] I was questioned until 3am.”²⁷⁹

Many former detainees told Amnesty they were held in crowded conditions before being sent to the camps. Nurislam, who said he was held in a detention centre²⁸⁰ for three weeks before being transferred to a camp, told Amnesty he was forced to stand in a small, crowded cell with 50 other inmates all day. “We don’t even put cows in that terrible condition... We slept side by side touching each other,” he said.²⁸¹

Saken also reported being held in a detention centre for several weeks before being transferred to a camp. He told Amnesty his cell was very cold and extraordinarily crowded, with nearly 60 men living in a space that he estimated to be 30m²:

There was a large bed in the cell; people used to sit on the edge of it, but there was not enough space. We let the elderly people sit on the bed... [The rest of us] had no place to sit or sleep... We slept in turns [because there was not enough space]. The floor was cold and wet. I slept for [weeks] on the floor with no mattress or carpet... It was [winter] already. Our clothes were very thin. It was very cold... And it smelled horrible in the cell.

Saken also told Amnesty he could hear female detainees in the cells on the floor above him screaming and crying at night. “After they started crying, we started crying too, because we were worried about them.”²⁸²

Journalists and other organizations have reported approximately a dozen similar accounts of torture and other ill-treatment, including beatings, overcrowded conditions, and sleep deprivation in police stations and detention centres.²⁸³

3.3 MEDICAL EXAMINATIONS AND BIOMETRIC DATA COLLECTION

Before being sent to a camp, nearly all detainees were subjected to a medical examination. Bakyt, a former detainee who worked at a hospital where some people were examined before they were sent to the camps, witnessed large numbers of detainees being brought to the hospital, as well as part of the medical examination process.

In [the city I lived in] there were four hospitals – infection, military, traditional, and regular. In 2017 they all started being used for people sent to re-education camps... At first it was Uyghurs and Hui. They were everyday people, but police treated them as serious criminals. There were six guards per person [brought for a medical examination]. Their eyes were covered, [their heads] hooded, and their hands were cuffed [when they

279 Amnesty International interview.

280 A few detainees were held detention facilities other than police stations before being sent to camps, including in “detention centers”.

281 Amnesty International interview.

282 Amnesty International interview.

283 See Human Rights Watch, “Eradicating Ideological Viruses: China’s Campaign of Repression Against Xinjiang’s Muslims”, 9 September 2018, www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs; See also Xinjiang Victims Database entries: “Baqytali Nur”, shahit.biz/eng/viewentry.php?entryno=7075; “Erbaqyt Otarbai”, shahit.biz/eng/viewentry.php?entryno=453; “Merdan Ghappar”, shahit.biz/eng/viewentry.php?entryno=12952; “Tursynbek Qabi”, shahit.biz/eng/viewentry.php?entryno=277; “Omer Bekri”, shahit.biz/eng/viewentry.php?entryno=3623; “Abduweli Ayup”, shahit.biz/eng/viewentry.php?entryno=4616; “Abduhebir Rejep”, shahit.biz/eng/viewentry.php?entryno=10553; “Kong Yuanfeng”, shahit.biz/eng/viewentry.php?entryno=5279; “Qaster Musahan”, shahit.biz/eng/viewentry.php?entryno=5419; “Mihrigul Tursun”, shahit.biz/eng/viewentry.php?entryno=2110; “Orynbek Koksebek”, shahit.biz/eng/viewentry.php?entryno=1725; “Memettursun Omer”, shahit.biz/eng/viewentry.php?entryno=5282



Chinese authorities collected detainees' biometric data before sending them to internment camps. This included photographs, fingerprints, an iris scan, a voice recording, and a writing sample. Blood samples and X-rays were also taken.

arrived at the hospital]. The whole medical examination was top secret... [The staff at the hospital] had to make sure they were healthy. [The staff] had to draw their blood to make sure they were healthy... They were all young. I was there helping with [redacted]... The targets were young graduates. [At the time, at the hospital I worked at it was] mainly Huis who studied [abroad].²⁸⁴

Nearly all former detainees told Amnesty International that in addition to undergoing medical exams they were required to allow government officials to collect their biometric data. This almost always included multiple photographs, fingerprints, an iris scan, a voice recording, and a writing sample. Biometric data was often collected at police stations. Former detainees said blood samples were taken. “Then we went to a police station for what I think was a DNA [sample]... They took our blood, spread it on something, and put it in a plastic wrap,” Bakyt told Amnesty when describing what happened after being detained.²⁸⁵

These reports of health checks and biometric data collection are consistent with other former detainee accounts reported elsewhere and with reports of widespread campaigns for biometric data collection from all people in Xinjiang, not just those sent to the camps.²⁸⁶

After undergoing a medical exam and having their biometric data collected, nearly all detainees were taken to internment camps. Nearly all were handcuffed while being transferred to the camps. Many were hooded and shackled.²⁸⁷ “You can’t see through the hood. You can’t see where you are... I was terrified about where I was being taken,” Elnara said.²⁸⁸

Many were driven to the camps in vans or buses with large numbers of detainees.²⁸⁹ Khaina, who was sent to a camp for visiting Kazakhstan, told Amnesty about being transferred to the facility: “They came in the morning. The police entered our cell [in the police station]. They put a black hood [on me]. Handcuffed me. And dragged me to the bus. And then took us to the camp,” she said.²⁹⁰ Zeynepgul, an older woman who believes she was detained for praying, told Amnesty she was taken from a police station in the middle of the night, handcuffed to another woman, put into a truck with about 20 other detainees from her village, and then driven to a camp.²⁹¹

284 Amnesty International interview; Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China’s Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uighurs

285 Amnesty International interviews.

286 Human Rights Watch, China: Minority Region Collects DNA from Millions – Private Information Gathered by Police, Under Guise of Public Health Program, www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions; New York Times, China Uses DNA to Track Its People, With the Help of American Expertise, 21 February 2019, www.nytimes.com/2019/02/21/business/china-XUAR-uighur-dna-thermo-fisher.html

287 Amnesty International interview.

288 Amnesty International interview.

289 Amnesty International interview.

290 Amnesty International interview.

291 Amnesty International interview.

DETENTION CONDITIONS UNDER INTERNATIONAL LAW

Every person deprived of liberty has the right to be treated with humanity and to be held in conditions that are consistent with human dignity.²⁹² The UN Human Rights Committee has stated that this right is a fundamental and universally applicable rule and a norm of general international law, not subject to derogations but applying at all times, in all circumstances, including in times of emergency.²⁹³ It has further confirmed that people deprived of their liberty must not “be subjected to any hardship or constraint other than that resulting from the deprivation of liberty; respect for the dignity of such persons must be guaranteed under the same conditions as for that of free persons”.²⁹⁴ Furthermore, such people must be held only in a place of detention that is officially recognized, and states must ensure that no one is held secretly in prison.²⁹⁵ States are obliged to ensure that detainees have facilities to allow religious practice and communication with others, including those in the outside world.

Conditions in detention must be in line with a state’s human rights obligations, including under the ICESCR, which China has ratified. Everyone, including an individual in custody, has the right to the highest attainable standard of physical and mental health.²⁹⁶ International human rights standards highlight that states should ensure that persons in detention have access to the same standard of healthcare as is available in the community. Authorities must ensure that all people in places of detention have prompt and regular access to a proper medical examination and to medical attention and adequate healthcare throughout any period of detention.²⁹⁷

The right to health extends not only to timely and appropriate healthcare, but also to underlying determinants of health, such as sufficient, adequate, and suitable food, water, and washing and sanitation facilities,²⁹⁸ as well as bedding and access to fresh air, natural light, and some form of exercise.²⁹⁹ Authorities must ensure that all detention facilities are equipped with sufficient and functioning sanitizing equipment and facilities, and access to such facilities and services must ensure privacy and dignity and be socially and culturally acceptable. Cramped and unhygienic accommodation and lack of privacy in custody can amount to inhuman or degrading treatment, as would failure to provide appropriate medical treatment that could reasonably be expected of the state.³⁰⁰ Law enforcement officials and prison authorities are responsible for protecting the health of people in their custody.³⁰¹

Detained people have a right to communicate with the outside world and to receive visits, which are fundamental safeguards against human rights violations, subject only to reasonable conditions and restrictions that are proportionate to a legitimate aim.³⁰² Detention without access to the outside world (incommunicado detention) facilitates torture and other ill-treatment and enforced disappearance and can itself amount to such practices.³⁰³ Incommunicado detention may also violate the rights of family members.³⁰⁴ The Working Group on Arbitrary Detention has clarified that the right not to be detained in prolonged incommunicado detention may not be restricted, even in times of emergency.³⁰⁵

292 ICCPR, Article 10.

293 HRC General Comment 21, §4; 8 HRC General Comment 29, §13(a)

294 HRC General Comment 21, §3.

295 CERD, Article 17.

296 CESCR General Comment 14, §§34, 4, 11, 43 and 44.

297 See, United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), UN Doc. A/RES/70/175, undocs.org/A/RES/70/175; Article 6 of the UN Code of Conduct for Law Enforcement Officials. The CESCR has stated that states are under the obligation to respect the right to health for all persons, including prisoners or other detainees (General Comment No. 14, The right to the highest attainable standard of health (article 12), UN Doc. E/C.12/2000/4 (2000), para 34.

298 See CPT 3rd General Report, CPT/Inf (93) 12, §53.

299 See the Nelson Mandela, Rules 13-23; Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

300 *Weerawansa v Sri Lanka*, HRC, UN Doc. CCPR/C/95/D/1406/2005 (2009) §§2.5 and 7.4; UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 1. See also CESCR, General Comment 14, The right to the highest attainable standard of health, UN Doc. E/C.12/2000/4 (2000), para. 34

301 UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, COVID-19 and Protection of right to life in places of detention.

302 CERD, Article 17(2)(d); Mandela Rules, Rule 58; the UN Basic Principles for the Treatment of Prisoners; and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), Rule 26; UN Body of Principles, Principle 19

303 Special Rapporteur on torture, annual report, UN Doc. A/56/156 (2001) §14

304 *Bashasha v Libyan Arab Jamahiriya*, HRC, UN Doc. CCPR/C/100/D/1776/2008 (2010) §§7.4-7.5; Concluding Observations of HRC: USA, UN Doc. CCPR/C/USA/CO/3/Rev.1 (2006) §12; *Amnesty International and Others v Sudan* (48/90, 50/91, 52/91 and 89/93), African Commission 13th Annual Report (1999) §54.

305 WGAD report, UN Doc. E/CN.4/2005/6 (2004) §76; WGAD Deliberation No.9, UN Doc. A/HRC/22/44 (2012).



LIFE INSIDE THE INTERNMENT CAMPS

“I think the purpose [of the classes] was to destroy our religion and to assimilate us... They said that you could not go to Friday prayers... And that it was not Allah who gave you all, it was Xi Jinping.”

Yerulan, describing why he believed the classes in internment camps were structured to prevent detainees from having and practising their religion.

Amnesty International interviewed 55 people – 39 men and 16 woman – who were detained in internment camps in Xinjiang since 2017. These former detainees provided a broadly consistent description of life in the camps. The vast majority of them were detained for between nine and 18 months; many were detained in two or more camps.

Amnesty International used high-resolution satellite imagery to identify the facilities in which some former detainees reported being detained to corroborate their testimony. Baseline imagery from 2016 was used to compare changes from 2017 up to May 2021. Amnesty was able to accurately geolocate 22 camps where 18 former detainees were held. Amnesty was also able to likely locate seven other camps where ten former detainees were held. Satellite imagery at the locations described by former detainees from the time the detainees were held displayed new features, including internal fencing, external walls, guard towers, guard posts, people present in compounds, large numbers of cars and buses, and other new and temporary structures. (For more on satellite imagery of the internment camps see section 6.5.).

4.1 DETENTION CONDITIONS

From the moment they entered a camp, detainees’ lives were extraordinarily regimented under conditions that are an affront to human dignity. They were stripped of their personal autonomy, with every aspect of their lives dictated to them. Detainees who deviated from the conduct prescribed by camp authorities – even in the most seemingly innocuous ways – were reprimanded and regularly physically punished, often along with their cellmates.

Detainees had no privacy. They were monitored at all times, including when they ate, slept, and used the toilet. They were forbidden to talk freely with other detainees. When detainees were permitted to speak – to other detainees, guards, or teachers – they were required to speak in Mandarin Chinese, a language many of them, especially older people and those from more rural



areas in Xinjiang, did not speak or understand.³⁰⁶ Some detainees were physically punished if they spoke in a language other than Mandarin.³⁰⁷ The camps were set up so that it was impossible to practise religion, and former detainees said any sign of religious practice was punished. “We can’t even touch our face, or they would suspect us of praying,” Azizbek said.³⁰⁸

Detainees were constantly evaluated. According to former detainees, as well as to the leaked government document known as the Telegram, detainees were given scores reflecting their “ideological transformation, study and training, and compliance with discipline.” Detainees’ behaviour affected their scores, which in turn factored into the treatment they received in the camp, including “rewards, punishments, and family visits”, as well as the timing of their released.³⁰⁹


According to the Telegram, detainees were supposed to be able to communicate regularly with their families.³¹⁰ Some former detainees were indeed able to call home weekly or monthly.³¹¹ A few were able to see family members in person a few times during their detention.³¹² Some detainees, though, were never able to call or see their families.³¹³ All calls and interactions were monitored and recorded.³¹⁴ Detainees were coached on what to say to their family members.³¹⁵

The former internment camp detainee testimony gathered by Amnesty corroborates many aspects of other accounts from former detainees reported by journalists and other organizations.³¹⁶

ARRIVAL AT THE CAMPS

Upon arrival at the camps, detainees were searched, their personal effects were confiscated, and they were made to remove certain items of clothing, including shoelaces, belts, buttons, and anything else that could be used as a weapon or as an implement with which to take their own life, just as is often done in prisons.³¹⁷ Some women detainees had their hair cut off after arriving, and some men had their heads and beards shaved.³¹⁸

Shortly after being searched, detainees were taken to their cells. Cells in internment camps were basic rooms, usually holding about eight to 20 people. Men and women were detained in separate cells. The cells normally contained two-level or three-level bunkbeds and small stools or chairs. Most detainees had their own bed, but some shared a bed. A few former detainees stated that all people in their cell shared one large bed, known as a *kang*, which was on the ground, and that people were packed “shoulder to shoulder”. A few former detainees stated that when there were more people than beds, some people slept on the floor. There is

 Opposite page: *A detainee at an internment camp.*

Next page: *Buses carrying detainees arrive at an internment camp.*

306 Amnesty International interviews.

307 Amnesty International interviews.

308 Amnesty International interview.

309 The Telegram (previously cited), para. 2.

310 The Telegram (previously cited), para. 13.

311 Amnesty International interviews.

312 Amnesty International interviews.

313 Amnesty International interviews.

314 Amnesty International interviews.

315 Amnesty International interviews.

316 For other detainee accounts from internment camps See Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China’s Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uighurs; The New Yorker, Inside Xinjiang’s Prison State: Survivors of China’s campaign of persecution reveal the scope of the devastation, 26 February 2021, www.newyorker.com/news/a-reporter-at-large/china-xinjiang-prison-state-uighur-detention-camps-prisoner-testimony; Los Angeles Times, “Will they let us live?” Inside Xinjiang, survivors of China’s internment camps speak, 17 December 2020, www.latimes.com/world-nation/story/2020-12-17/china-xinjiang-uighurs-muslim-minority-camps; The Believer, Weather Reports: Voices from Xinjiang – Untold Stories from China’s Gulag State, 1 October 2019, believermag.com/weather-reports-voices-from-xinjiang/; Nathan Vanderklippe, Globe and Mail, “I felt like a slave: Inside China’s complex system of incarceration and control of minorities: In Kazakhstan, former detainees recount brutal treatment, political indoctrination, forced labour and surveillance,” 31 March 2019, www.theglobeandmail.com/world/article-i-felt-like-a-slave-inside-chinas-complex-system-of-incarceration/; Xinjiang Victims Database, “Victim-Centered Primary Evidence for the Mass Incarcerations and Immense Rights Violations in the Xinjiang Uyghur Autonomous Region”, 9 May 2012, www.shatit.biz/eng/#home; and for more accounts See Xinjiang documentation project, Lived Experiences: Primary Accounts, xinjiang.sppga.ubc.ca/lived-experiences/primary-accounts/

317 Amnesty International interviews.

318 Amnesty International interviews.





usually a TV in the cell and often a Chinese flag on the wall. Windows, if they existed, were barred and usually blacked out. There was a loudspeaker in the room through which camp staff spoke to detainees. There were several closed-circuit television cameras – usually four – in each cell. Cells often had lists of camp rules and “crimes” hanging on the wall. Most detainees reported that the lights in the cell remained on at all times, including during the night.

Cell doors often had two holes, one for the guards stationed in the hallway to look in and another to pass food through. Cell doors were often positioned so that detainees could not see any other rooms from their door. The door to the cell was chained to the wall.³¹⁹ Nurislam told Amnesty International how humiliating it was to go under the chain every time he needed to leave the cell. “The door is just half open. It was chained to the wall. We had to crawl under the chain one by one, like dogs,” he said.³²⁰

CLASSIFICATION OF DETAINEES

According to government documents and testimony from former detainees, detainees were placed into one of three classifications or categories: “normal” management, “strict” management, and “very strict” management.³²¹ Detainees in different classifications were detained in the same camps; however, within camps detainees were placed in cells only with other detainees in the same classification.³²² Detainees were required to wear uniforms corresponding to their classification. According to the majority of former detainees Amnesty interviewed, those in the normal management classification had blue uniforms, those in strict management had yellow uniforms, and those in very strict management had red.³²³ A detainee’s classification could be adjusted in accordance with their “performance and point situation [that is, their score]”.³²⁴ According to leaked government documents, being placed in the normal management group was a necessary condition for being released from the camp (for more on criteria for release see section 6.1).³²⁵

The exact reasons that specific detainees were placed in different categories were not well understood by former detainees; however, there was a general belief among former detainees interviewed by Amnesty that those who were detained for reasons related to religion were more likely to be placed in the two stricter categories.³²⁶ According to a former detainee who also worked in the camp, the normal management group was for “ordinary crimes”, such as having prohibited software on your phone; strict management was for “crimes” related to religion; and very strict management was for imams and for people who had previously been convicted of “serious crimes”.³²⁷ Some former detainees believed the classification system was, at least in part, based on a detainee’s ethnicity, because Uyghurs were much more likely to be placed in one of the stricter categories.³²⁸

Former detainees stated that they observed differently classified detainees being treated differently.³²⁹ “I saw men from the strictest group... They looked terrible... I saw some whose toenails were missing,” Aisha said. Arnur, a detainee who also worked in the camp for part of the

319 Amnesty International interviews.

320 Amnesty International interview.

321 For journalist articles See Gerry Shih, Association Press (AP), “China’s mass indoctrination camps evoke Cultural Revolution,” 17 May 2018, apnews.com/article/kazakhstan-ap-top-news-international-news-china-china-clamps-down-6e151296fb194f85ba69a8babd972e4b; Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China’s Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uyghurs; See also, The Telegram (previously cited), para. 14.

322 Amnesty International interviews.

323 Amnesty International interviews.

324 The Telegram (previously cited), para. 14.

325 For other report of “scores” See Gerry Shih, Association Press (AP), “China’s mass indoctrination camps evoke Cultural Revolution,” 17 May 2018, apnews.com/article/kazakhstan-ap-top-news-international-news-china-china-clamps-down-6e151296fb194f85ba69a8babd972e4b;

326 Amnesty International interviews.

327 Amnesty International interview.

328 Amnesty International interviews.

329 Amnesty International interviews.

time she was interned, described some of the differences in treatment she observed, especially related to detainees' ability to move around the camp and to communicate with family members.

Most of the people in the strict management group were there for being religious clerics or somehow involved with religion... I know this because interrogations [for detainees] sometimes took place in the staff room where [I spent time]... [In the camp I worked in,] the normal management group learned Chinese and were allowed to walk in the yard; the strict [were allowed to] sit on their beds [some of the time]; and the very strict learned in their cell, were not allowed to move [from their cell], and never got fresh air... The normal group got to make a call once a week and the strict group once every two weeks and visits once a month... The very strict group was not permitted to have visitors.³³⁰

With two exceptions, all the former detainees Amnesty interviewed were in the normal management category when they arrived in the camp.³³¹ As a result, nearly all the conclusions in this report – like nearly all the testimonial evidence gathered about the camps from journalists and other organizations – are based on evidence provided by former detainees who experienced only the normal management treatment. However, given the second-hand accounts about the two stricter categories – which are observations made by former detainees and staff who were in the same camps as detainees in the stricter categories – it stands to reason that detainees in the stricter categories were treated much more severely and were much less likely to have been released from a camp and instead remain detained or have been transferred to prison.

Baurzhan, one of the two former detainees Amnesty International spoke with who was in the strict category, was given a yellow uniform for part of his stay. His “offence” was related to religion, also suggesting that he was likely in the strict management category during that time. Some of his treatment appears to have been demonstrably worse than that experience by detainees in the normal management category: He was detained for over two years, was not allowed to call family members when others in his camp not detained for religious crimes were, he was never allowed out of his cell, and his feet were continuously shackled together for several months. “For two years, my family didn’t know if I was alive or dead,” Baurzhan told Amnesty.³³²

4.2 DAILY ROUTINE

The life of camp detainees was highly regimented and in many ways reflected, or was even worse than, life in prisons in China. With the exception of a few former detainees describing the portion of their detention that took place in early 2017, every detainee stated that nearly every aspect of their lives in the camps was prescribed, including the position in which they sat, when they stood, and where they looked, and that this was true for every minute of the day.³³³ Khaina, who said she was detained for having WhatsApp on her phone, told Amnesty International how strict the schedule was and how physically draining each day was:

It was like a prison... [Every day] you got up at 5am and had to make your bed, and it had to be perfect. Then there was a flag-raising ceremony and an ‘oath-taking’. Then you went to the canteen for breakfast. Then to the classroom. Then lunch. Then to the classroom. Then dinner. Then another class. Then bed. Every night two people had to be ‘on duty’ [monitoring the other cellmates] for two hours... There was not a minute left for yourself. You were exhausted.³³⁴

330 Amnesty International interviews.

331 Amnesty International interviews.

332 Amnesty International interview.

333 Amnesty International interviews.

334 Amnesty International interview.



Guards escort detainees to an internment camp.



Aitugan, who said he was detained in early 2017 after being labelled a terrorist for travelling to Kazakhstan and for having attended a religious school, told Amnesty International the daily regimentation became much stricter in late 2017, to the point where even resting and the direction of one's gaze were regulated:

Before October 2017, it was a little relaxing in class. We could go to the canteen [to eat] by ourselves and we could sit relaxed in class. But after the national [security] meeting in October [2017] it became very serious... We had to be 'on duty' at night. We were escorted to the canteen. We had no more contact with our family... We had to 'sit tight'. We could not even turn our heads from the TV... [After it became strict] we got up at 5am. Breakfast was done at 7. Class at 8. We had to [walk] to class through a two-metre-high metal fence with metal ceiling; it was basically a cage... [We were escorted] to class by two guards with clubs... There was a bucket in the back of class [to urinate]. You needed permission to go [defecate]... Rest [after lunch] was mandatory, with heads on desks for two hours. You were punished if you lifted your head.³³⁵

SITTING STILL

Many former detainees reported that during the first few days, weeks, or sometimes months after arriving at the internment camps – before they were required to attend classes – they were forced to do nothing but sit still for nearly the entire day. The only breaks were for meals or to sleep. Nearly all former detainees were forced to sit or kneel for hours on end.³³⁶ “We were given a small stool. We were made to sit in two lines, with straight backs and hands on knees, all day. If one guy [in the cell] moved then the guards outside would bang on the door with a baton and shout,” Daulet said.³³⁷

Many former detainees reported that this position was very painful for their knees and other parts of their body; some developed haemorrhoids and other health problems.³³⁸ “We had to sit straight... In our room there were old women. Their hands and feet swelled up,” Meryemgül said.³³⁹ Many reported that inmates were physically punished if they were unwilling or unable to sit straight.³⁴⁰ Many reported not being permitted to look anywhere but straight ahead.³⁴¹ Meryemgül said that she was told that if the people monitoring her cell on the cameras noticed anyone moving their lips, guards would deduct from their scores.³⁴²

Former detainees often had to sing “red” songs – that is, revolutionary songs that praise the Chinese Communist Party and the People's Republic of China – or to recite basic Chinese words while they sat still, or in a few instances stood still; others were made to watch Chinese propaganda films. Some literally had to do nothing except sit perfectly still on a small chair or stool in their room.³⁴³ “I just sat on a stool for three months from morning to 11pm... There was no class, nothing,” Aldiyar recalled.³⁴⁴

Ibrahim, who said he was sent to a camp for visiting Kazakhstan, told Amnesty he was in a camp for several months before guards started taking him to class.

335 Amnesty International interview.

336 Amnesty International interviews.

337 Amnesty International interview.

338 Amnesty International interviews.

339 Amnesty International interview.

340 Amnesty International interviews.

341 Amnesty International interviews.

342 Amnesty International interview.

343 Amnesty International interviews.

344 Amnesty International interview.

During the days before classes [started] we had to sit on stools [all day]. For 16 hours a day we had to sit on stools with our hands on our knees. We were up at 6am, then sit on stools, then breakfast... Then sit until lunch. Sometimes we were given a book [to learn from]. We could not talk to other people. We had our lunch sitting on the stool. During lunch we could have a nap of an hour or less, sometimes not at all... Then we sit again until it gets dark.³⁴⁵

Ramazan, who also said he was detained for visiting Kazakhstan, told Amnesty that for the first two months after he arrived at the camp, he was forced to sit still in an uncomfortable position for hours each day:

After breakfast we had to sit on our beds with our hands on our knees and a straight back. If we moved, they spoke to us through a loudspeaker [in the room] and said, 'Don't move.' Then, around 11:30 or 12 they brought lunch. Then from 12:30 to 2 we could lie down [on our beds]. Then at 2pm they told us to maintain the seated position. We sat like that until dinner, but they sometimes said through the loudspeaker that we had five minutes to move, lie down, or urinate... Around 7pm we had dinner, and then we watched TV [while sitting]... At 9pm they ordered us to go to bed... We spent [the first] two months without leaving the room, [except] during the day they took us to the toilet, which was outside the room, to [defecate]. They took us two times a day... We never went outside.³⁴⁶

Based on former detainee testimony, it is unclear whether sitting still and doing nothing was a deliberate policy to demoralize or break the will or spirit of newly arrived detainees or if it was a consequence of the fact that at the start of the government campaign of mass incarceration certain camps were not set up to provide any formalized instruction. It is plausible that it was a deliberate policy in certain camps at certain times but not in others.

INADEQUATE HYGIENE, RESTRICTIONS ON URINATION AND DEFECATION, AND INSUFFICIENT FOOD AND WATER

Detainees were woken every morning, usually at 5 or 6am, by an alarm coming through the loudspeaker or by a loud knock on the cell door. They were required to get up immediately, quickly make their bed, and then brush their teeth and wash their face in a sink. Most cells did not have sinks and detainees had to crawl under the chain attaching the cell door to the wall and then be escorted to a washroom by a guard.³⁴⁷ Detainees were rarely permitted to shower. Some detainees showered once a week; others reported not showering for weeks or even months after they arrived.³⁴⁸ A few former detainees reported having showers in their cells and that they were monitored on video while showering.³⁴⁹ “In the new camp, beside the toilet there was a shower and a sink... There was a small partition around the shower, but it is not very tall. If you are standing in the shower, they can see you [on camera],” Auelbek said.³⁵⁰

Detainees required permission to use the toilet.³⁵¹ Some cells had squat toilets; others had a bucket. “Even to go urinate in the bucket [inside the cell] we had to get permission from the guard first,” Ibrahim said.³⁵² Detainees were monitored by cameras when using the toilet. Guards routinely shouted at detainees if they did not



Next page: *Male detainees sit silently in their cell.*

345 Amnesty International interview.

346 Amnesty International interview.

347 Amnesty International interviews.

348 Amnesty International interviews.

349 Amnesty International interviews.

350 Amnesty International interviews.

351 Amnesty International interviews.

352 Amnesty International interview.





go to the bathroom quickly.³⁵³ “They used to give us one minute to [use the bucket] or they would yell at us,” Sukhrab said.³⁵⁴

Former detainees were permitted to use the toilet only at certain times. Aibek, who spent a year in a camp, told Amnesty he was made to go long periods without being able to use a proper toilet:

At 6am they let us go out one by one to wash and use the toilet... There was a bucket in the cell... Even in the morning there was no guarantee we’ll be let out [to use the toilet]. Sometimes we went 24 hours without being allowed to use the toilet... The bucket was for [urinating]; if you had to [defecate] then you had to use the intercom and they would send two guards... and then you went out under the chain. Here you had to squat and put hands on head [when you exited the cell]... the process was like in a prison.³⁵⁵

After washing and using the toilet, detainees had breakfast, which was either eaten in their cells or at the canteen. Detainees were given very little time to eat, and many reported they got very little to eat or drink.³⁵⁶ “They didn’t give us water at night. I was thirsty all the time. We got just half a cup [of water] at meals,” Aliya told Amnesty International.³⁵⁷

“Red” songs were nearly always sung before meals and often throughout the day (see below).³⁵⁸ After breakfast, detainees attended a flag-raising ceremony.³⁵⁹ During the ceremony, detainees stood at attention and sang the national anthem.³⁶⁰

INSUFFICIENT EXERCISE, FRESH AIR, AND NATURAL LIGHT

The majority of former detainees reported rarely, if ever, being allowed outside during their detention, except when walking from their cells to classes if the classroom was in another building.³⁶¹ A minority were given a short time outside each day, often to do “military exercises”.³⁶² Some were not allowed out at all for the first few months in the camps; later, they were given a few minutes a day during the remainder of their internment.³⁶³ Some were given time outside every couple of weeks.³⁶⁴ Anarbek, a former detainee who was also made to work as a guard at a camp said new detainees were not allowed outside during the first three months of their detention, after which they were allowed a half-hour outside per day.³⁶⁵ Talgat told Amnesty he was not permitted outside at all during the first half of his year-long detention, but in the second half he was permitted some time:

[For the first six months] we never saw sunlight. We were always in our cell. Only during interrogations [did we leave our cell]. One corner of the cell had [a window], but it was covered by a dark net. You could see a bit of the sky... We sat still all day. We ate food in our cell... The beds were in one room. Then there was another door beside the toilet, [which goes to a small area] with fresh air. There was a metal net [over this area]. We had one hour a day in this [outside enclosure]... before 2018 we would sit still all day. After 2018 we would sit still and then be allowed into that area.³⁶⁶

353 Amnesty International interview.

354 Amnesty International interview.

355 Amnesty International interview.

356 Amnesty International interviews.

357 Amnesty International interview.

358 Amnesty International interviews.

359 Amnesty International interviews.

360 Amnesty International interview.

361 Amnesty International interviews.

362 Amnesty International interviews.


363 Amnesty International interviews.

364 Amnesty International interviews.

365 Amnesty International interview.

366 Amnesty International interview.



 Female detainees exit their cell by crawling under a chain that connects the cell door to the wall.

For detainees who walked to class in another building, that was often the only time they got to walk or leave their rooms during the day.³⁶⁷ “The second camp was worse because [classes were held in our room and] there was no walk to class, so we were never outside,” Meryemgül said.³⁶⁸ A few former detainees said the only time they were ever outside was to empty the bucket they and their cellmates urinated in.³⁶⁹ Zhaina, who said she was sent to the camp because she had WhatsApp on her phone, told Amnesty she was never able to get any exercise or have sunlight or fresh air.

367 Amnesty International interview.

368 Amnesty International interview.

369 Amnesty International interviews.

There was no fresh air. There was no sunlight. The windows [in the cell] were blocked... The only opportunity to go outside was to take the trash out. We were never outside, except at the very beginning when there were few people. Once more people arrived, we never went out... and once the number grew they stopped taking us to the canteen and brought food to our room.³⁷⁰

Auelbek, who was detained for a reason related to religion, told Amnesty that during the three months he was detained in the first facility he was sent to, the only time he went outside was during an “evacuation” drill in case of an earthquake. “When we got out into the yard, we saw so many police pointing their guns at us, like we were enemies in a war.”³⁷¹

Former detainees often reported that their rooms were very cold.³⁷² Abzal, who was sent to camp in one of the coldest parts of Xinjiang, told Amnesty he spent part of the winter in a cell with no heat, and that the shoes detainees were given were very thin and provided practically no warmth. “It was really, really cold,” he said.³⁷³


Many former detainees reported that there was little or no natural light in their cells.³⁷⁴ The rooms usually had either no windows or one very small window, often covered.³⁷⁵ “There was a metal net over the window so no finger could reach the glass. And the window was covered by [political] slogans. You couldn’t see outside... we sat in a chair the whole day from December to April... during these four months we never saw the sun,” Aibek said.³⁷⁶

NIGHT DUTY

At around 9 or 10pm, detainees were given a few moments to wash and use the toilet, and then they went to bed. Talking was forbidden at night. Some former detainees reported being made to sleep head-to-toe so they would be unable to communicate with each other at night.³⁷⁷ “You couldn’t talk. They regulated [how we were positioned when we] slept so that we couldn’t talk – your head was [positioned] next to someone’s feet,” Zarina told Amnesty International.³⁷⁸

All detainees were required to “work” one- or two-hour shifts monitoring their cellmates every night.³⁷⁹ The shifts were spent either walking continuously back and forth or around the cell, or sitting still on the edge of the bed. One former detainee reported that he was instructed to reposition people’s heads or lower the bedding if someone was not sleeping with their face visible and facing the camera.³⁸⁰ Some former detainees claimed this policy was instituted to ensure no one killed themselves.³⁸¹ Several had no idea why they were on duty.

Aiday, who said he was detained for allegedly failing to get permission to travel domestically, told Amnesty that at night, detainees were responsible for monitoring each other and for ensuring their faces were always visible to the CCTV cameras in the cell:

 Opposite page: *Two female detainees stand “on duty” monitoring their cellmates while they sleep.*

The lights [in the cell] were always on. At 10pm we had to lie in bed. Two cellmates were on night watch. From 10 to 12, 12 to 2, 2 to 4, and 4 to 6... these two people are [always] walking between

370 Amnesty International interview.

371 Amnesty International interview.

372 Amnesty International interviews.

373 Amnesty International interviews.

374 Amnesty International interview.

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376 Amnesty International interview.

377 Amnesty International interviews.

378 Amnesty International interview.

379 Amnesty International interviews.

380 Amnesty International interview.

381 Amnesty International interviews.



the window and the door. Their job was watching us. At night we had to sleep with head facing the camera and face uncovered. And, if not, they woke us and put us in the right position.³⁸²

Even when not on duty, it was difficult to sleep because of regular noise from the loudspeaker in the cell and because the lights in most cells were always on.³⁸³ Saken told Amnesty he never got more than a few hours' sleep at night during the year he spent in a camp:

Normally, we slept from 10pm to 5am. And we are on watch for two hours a night... And cadres and police came into our cells [late at night a couple of times a week] and ordered us to write confessions... And the light was on 24/7. It was a strong light and it disturbed our sleep. We never got enough sleep... They claimed it was [a school]... but how can you learn anything if they don't let you sleep?³⁸⁴

4.3 'EDUCATION' IN INTERNMENT CAMPS

At some point after arriving in camp, nearly all detainees were subjected to highly regimented classes, either in person, via video lectures, or both. The classes were mostly about Chinese language, history, law, and "ideology". Some involved memorizing and reciting red songs. The typical schedule included three or four hours of class after breakfast. Then detainees had lunch and a short "rest", which often involved sitting still on a stool or with their heads still on their desks.³⁸⁵ After lunch there was another three or four hours of classes and then dinner, followed by a few hours to sit or kneel on a stool and silently "review" the day's material or to watch more "educational" videos.³⁸⁶ At nearly all times during classes, detainees were required to look straight ahead and not to speak with their classmates.

Classes were usually held in classrooms outside the cells. Inmates from two or more cells were regularly brought together in one larger class with approximately 50 people. Former detainees also reported having classes in their cell.

Detainees often had to line up or sit and wait for hours in the morning because of the logistical constraints of transferring thousands of people from cells to classrooms, especially when they had to walk through narrow fenced enclosures – in essence cages – to get from the building where their cells were to the building where the classrooms were.³⁸⁷ Aibek told Amnesty he spent a large portion of the day waiting to be escorted to class: "After classes started, we got moving at 6am. It took two to three hours to send all inmates to class. The class was 1km away. The cage line, beginning from the dorm [and leading] to the class, was really narrow and we could only walk single file. It took two to three hours for everyone to get there."³⁸⁸

While walking to the classroom – or anywhere else in the camp – detainees had to walk between yellow lines painted on the ground of the facility.³⁸⁹ Anyone who stepped on or over the lines risked physical punishment. Meryemgöl, who said she had been sent to a camp because she refused to work for the government, told Amnesty she remembered a staff member speaking about the two yellow lines on the floor of the camp. The guard reportedly said, "You people went outside of the path. Here you will learn to go inside the path."³⁹⁰

382 Amnesty International interview.

383 Amnesty International interview.

384 Amnesty International interview.

385 Amnesty International interviews.

386 Amnesty International interviews.

387 Amnesty International interviews.

388 Amnesty International interview.

389 Amnesty International interviews.

390 Amnesty International interview.


Detainees were escorted to class by guards. Some guards had shields and electric batons.³⁹¹ When travelling from the cell to the classroom, detainees sometime walked outside to another building but were almost always in some sort of caged enclosure. “The roads from the dorm to the classroom were surrounded by wires and armed guards who looked like they were ready to shoot you,” Aibek said.³⁹² Detainees were often required to march to class in a military-type formation, shouting slogans.³⁹³ Meryemgül told Amnesty that inmates were required to march to and from class “like soldiers” and that while marching they were required to shout, “Study hard, elevate yourself, eliminate separatist forces, and long live Xi Jinping!”³⁹⁴

The teacher and guards entered the classroom using one door and the students entered through another, which, like the cell doors, was chained to the wall. Classes began and ended with the class thanking the teacher for their sacrifice.³⁹⁵ Students and teachers were physically separated at all times. Classrooms had a hard plastic, wooden, or metal divider, over a metre high, separating the students from the teachers and guards.³⁹⁶ A wire or metal screen often filled the space above the divider. Some former detainees and one person who worked as a guard at a camp reported that there were multiple guards with weapons in the classroom with them at all times.³⁹⁷ “[In my class] there were three guards on the same side as the teacher. They wore police uniforms... They wore bullet-proof vests... They had a metal shield that was about 1m high... One had a long spear; it was longer than the guard’s height.”³⁹⁸

Desks and stools in the classroom were often attached, and sometimes chained together.³⁹⁹ Former detainees reported being given short pencils to write with, or only the plastic tube of ink and tip from a disposable pen; they presumed this was because a full-size pencil or a pen could be used as a weapon.⁴⁰⁰ Kanat described his experience in the classroom:

Every day was almost the same... We were brought to a place where you had to sit for 17 hours. It was in another room in the same building. [In the classroom] there were five or six armed guards and a teacher. The door to the class was also chained, you must crawl to get in... The teacher was behind a barrier, maybe neck height. You could see them, but you couldn’t cross [the barrier]. The guards were on the teacher’s side. They taught us verses from Confucius. We had to read [the verses] out loud and repeat them hundreds of times. And there were loudspeakers in the classroom. Several times I heard [a voice on the loudspeaker saying], ‘Give more pressure.’⁴⁰¹

Detainees were made to sit absolutely straight while at their desks. Former detainees reported people being taken out of class and beaten or otherwise punished if they did not sit straight and look straight ahead.⁴⁰² Meryemgül told Amnesty International that failure to sit straight could also affect a detainee’s score: “We had to sit straight with our hands behind our back. In our classroom, there were old women. Their hands and feet swelled up. If you missed your home, if you cried, they would deduct from your score – they gave scores to everyone – and they would say that your mind still had problems, that your ideas hadn’t changed.”⁴⁰³

 Next page: *Detainees in a “class” at an internment camp.*

391 Amnesty International interviews.
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402 Amnesty International interviews.
403 Amnesty International interview.





LANGUAGE TRAINING

Teaching Chinese was a primary objective of the “education” that detainees received in the camps. Speaking in any other language was forbidden and was a punishable offence. Language classes took up the majority of the time in a day. Nearly all former detainees reported having to regularly pass language exams and being required to learn a certain number of Chinese characters – often 3,000 – before being released.⁴⁰⁴ This is consistent with leaked government documents that stipulate regular examinations and state that test scores “will be aggregated to form study points, which are used to evaluate the effect of the education and training and form the main basis to determine whether a student has completed (their course).”⁴⁰⁵ Inmates who failed to memorize words or songs were often physically punished.⁴⁰⁶

Detainees were sometimes divided according to their language abilities; however, many former detainees who spoke fluent Chinese reported being forced to sit in basic classes and many former detainees who did not speak any Chinese reported not understanding anything said in class for months.⁴⁰⁷ Many detainees expressed difficulty with the classes. “The classes were mainly Chinese language, but it wasn’t helpful. Each day they just wrote hundreds of characters on the board. We just copied. No one tried to explain,” Erkin told Amnesty International.⁴⁰⁸ “We were under pressure to learn 3,000 characters. There were many exams. I graduated from high school and it was hard for me. It was very hard for old people and for farmers,” Aitugan told Amnesty.⁴⁰⁹

Daulet, who spent a year in a camp for visiting Kazakhstan and for an alleged offence related to religion, told Amnesty how the language classes involved rote memorization:

During the class there was a Han teacher who wrote Chinese characters on a board and we just copied it without knowing what it was. That was it. We just wrote characters... It was just language... We were not allowed to speak Uyghur in class. If you did [speak a language other than Mandarin], you got punished. You were taken to a room with a tiger chair... I was taken twice.⁴¹⁰

‘POLITICAL EDUCATION’

Most former detainees reported attending some combination of history, law, and ideology classes or, as many former detainees referred to it, “political education”. These classes focused largely on forcibly indoctrinating detainees about the “evils” of Islam and about how prosperous, powerful, and “benevolent” China, the Chinese Communist Party (CCP), and President Xi Jinping are.⁴¹¹ These classes were often taught by government officials or delivered on video by state-approved imams talking about religion, or judges and lawyers speaking about what the state classified as “terrorism”, “extremism”, and “separatism”. Many also involved films of CCP sessions or speeches by Xi Jinping, or propaganda plays about families turning into “terrorists”. Significant portions of the classes were devoted to red songs about the greatness of China, the CCP, or Xi Jinping.⁴¹² Some detainees were made to sing for hours on end until their throats became sore.⁴¹³ Detainees were punished for not singing or for singing the songs incorrectly.⁴¹⁴

404 Amnesty International interviews.

405 The Telegram (previously cited), para 10.

406 Amnesty International interviews.

407 Amnesty International interviews.

408 Amnesty International interview.

409 Amnesty International interview.

410 Amnesty International interview.

411 Amnesty International interview.

412 Amnesty International interview.

413 Amnesty International interview.

414 Amnesty International interviews.

Yerulan, who said he was detained for downloading WhatsApp and buying an illegal SIM card, told Amnesty he believed the classes were structured to prevent detainees from having and practising their religion:

I think the purpose [of the classes] was to destroy our religion and to assimilate us... They said that we couldn't say 'as-salamu alaykum' and that if we were asked what our ethnicity was we should say 'Chinese'... They said that you could not go to Friday prayers... And that it was not Allah who gave you all, it was Xi Jinping. You must not thank Allah; you must thank Xi Jinping for everything.⁴¹⁵

Ehmet, who said he was detained for his relationship to a “suspicious” person, told Amnesty International he attended classes focused on pushing people away from Islam and from travelling abroad, and towards certain common social habits perceived to be “Chinese”.

They taught us not to visit other countries, to stay in China. That going abroad might give you the wrong 'ideology'. They told us to start smoking and to drink alcohol. If you don't [drink and smoke] it is a sign of being religious. We were told not to go to mosques when we were released, that you could get 20 years [in prison]... They told us to only greet people in Chinese. And to have your children watch only Chinese television.⁴¹⁶

Anar, who was sent to a camp for reasons related to religion, told Amnesty his classes focused on the supposed “problems” with Islam:

We watched videos by... an official religious figure, about how we should follow the country's law... there were three or four videos that we watched on repeat... In the video he says, 'There is no such thing as *jihad*, don't follow the terror idea, it is illegal to kill or do violence.' We watched [the same] video for four hours a day, or for the whole day if there was an inspection.⁴¹⁷

Khaina, who said she was detained for having a forbidden messaging application on her phone, told Amnesty that afternoons were spent in a class she described as propaganda about the greatness of China.

[T]here were 'law' classes, but it was not really law, it was ideology... It was about how a country should have one language... about how China was great and excellent, and how Kazakhstan was bad... And [they would show us a big] bridge that China built... and talk about fighting terrorism, and how those in the [re-education] camps were terrorists themselves... They were brainwashing us to say that without the Chinese Communist Party there was no China, no prosperity, and that Xi Jinping was great... They made us sing 'Xi Jinping is the father of China, father of the world'.⁴¹⁸

Kuanish, who was sent to multiple camps, told Amnesty that at the first camp he was made to watch videos about all the things the government did to help the poor and about all the sacrifices people made for China in World War II:

They also told us, 'It took 39 million people to die to build a new China, and you Uyghurs are only 16 million... Why are you Uyghurs looking for something bad? Why don't you enjoy your life?' They used to show us wars between China and Japan. They used to make us



Next page: A teacher and two armed guards stand on the other side of barrier from detainees at a “class” in an internment camp.

415 Amnesty International interview.

416 Amnesty International interview.

417 Amnesty International interview.

418 Amnesty International interview.





write essays about how we thought and felt about the movie, what we thought about millions of deaths to build a new China. They repeated the same movies every day. They told us not to bite the hand that feeds you, and don't spit in the water you are drinking. We would ask what our crime was. They would say, 'The fact that you are talking back right now is a crime in itself,' that you shouldn't speak. We would sit there quietly.

Three or four people came during the day and lectured us. They would make us memorize [political] slogans, law, and tell us that the Communist Party was good. We had to sit and listen and memorize... In the second camp they would show us photos of Uyghurs who left for Afghanistan, Uzbekistan, and Pakistan, and say that 'This guy is in prison for so many years, this guy for so many years.' They said that if you go [abroad] we will catch you and detain you... This is how they would make the day go.⁴¹⁹

These former detainees' accounts of political education classes are consistent with testimony given by other former detainees to journalist and other human rights investigators.⁴²⁰

INTERROGATIONS, FORCED 'CONFESSIONS', AND 'SELF-CRITICISM'

Detainees were questioned or interrogated regularly. The manner and frequency of the interrogations appears to vary widely from camp to camp and person to person. Some former detainees reported being interrogated once or twice during their entire stay; others reported weekly interrogations. As during the interrogations in police stations, the interrogations in camps focused on the detainees' religious practices, foreign contacts, and relationships with "suspicious" people.⁴²¹ Numerous former detainees reported being forced to "confess" to their "crimes" during interrogations. Some told Amnesty they had actually done what they were being accused of (for example, travelling abroad or downloading WhatsApp), so while they did not consider their actions criminal, they considered their confession to be honest.⁴²²

Dariga told Amnesty that detainees were periodically told to write four types of reports:

We had to write 'experience reports', which were mainly about our feelings after watching videos of Xi Jinping's speeches, the 19th Party Congress, or other political propaganda videos. Another report was called 'statement of repentance', in which we used to write about how we regretted that we had committed those mistakes; in my case it was installing WhatsApp, which could potentially bring harm to the leadership of the CCP and the country. We also wrote letters of apology and guarantee, where we would acknowledge what we have done was wrong and basically guarantee the conditions of our release from the camp, [and] promise that we would not talk about anything about camps.⁴²³

Many interrogations took place in rooms where detainees sat across a desk from a government official and did not involve any explicit ill-treatment. Many others took place in punishment rooms, which were usually in the basements of the camp, and often involved torture and other ill-treatment. Aldiyar, who was detained after having worked in Kazakhstan, told Amnesty how he was interrogated in a room in the basement of his camp:

419 Amnesty International interview.

420 See Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China's Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uyghurs; Human Rights Watch, "Eradicating Ideological Viruses: China's Campaign of Repression Against Xinjiang's Muslims", 9 September 2018, www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs

421 Amnesty International interviews.

422 Amnesty International interviews.

423 Amnesty International interview.

[Security agents] took me to an underground room and put my legs into an iron bar. My hands were handcuffed to the chair. They asked me about my biography. Where was I born, when did I start school, where did I go after high school, what did I study. I told them I went to Kazakhstan. They asked me how many times I visited, where I went, and where I stayed. They asked for the names of my relatives and what [my relatives] did, did they pray?... They asked which cities in Kazakhstan I visited, which countries I visited. They also asked about [my siblings]... They asked: ‘When you were in Kazakhstan did you learn how to pray?’⁴²⁴

Detainees were also required to write letters of “confession” or “self-criticism” in which they admitted to their “crimes”. Some former detainees reported having to write self-criticism letters once or twice during their internment; others reported this was a weekly or bi-weekly activity.⁴²⁵ Former detainees reported being given a list of “crimes” – usually the list of 75 outward manifestations of extremists behaviour– from which to choose two to “confess” to.⁴²⁶ Former detainees told Amnesty they believed that people who admitted – or were made to admitted – certain crimes, particularly crimes related to religion, were given prison sentences.⁴²⁷

In addition to confessing one’s “crimes”, self-criticism entailed describing in writing what a detainee had done wrong, explaining that the education they were receiving enabled them to recognize the error of their ways and “transform” their thinking, expressing gratitude to the government for this education, and promising not to return to their old habits.⁴²⁸ Elnara, who says he was put in a camp for having contact with people who had “extremist” thoughts, said he was forced to admit his “crime” and was told he would be sent to a punishment room if he did not confess.⁴²⁹ “Once a month there was self-assessment acknowledging that you did a crime and that you are not a good person,” Ibrahim told Amnesty International.⁴³⁰ Ibrahim also told Amnesty he was forced to choose two crimes from a list of 75 to confess to:

They started teaching us about 75 [crimes]... We had to write our names and IDs and to choose at least two. The more the better... What I read was that it was a crime not to drink and not to smoke. And that thick [rope] – to bind straw – if you had too much then it was a crime... you had to choose which you had... for example, if you brought too much food at once to your house... and if you visited a mosque not in your hometown, it is a crime... I visited a mosque in another county to attend a funeral... So, I chose two. And I put my fingerprint on it.⁴³¹

Anara, who was in a camp for a year, told Amnesty that civil servants who lived outside the camp and who she likened to case managers used to come to do interrogations and what she referred to as “self-assessments and confessions”, in which detainees were required to confess to their crime, reflect on their “progress”, and often to disavow Islam.

At the beginning [the civil servants] would tell you your crimes... Then you had to write: ‘I didn’t know having WhatsApp was a crime. I didn’t know it caused damage to the CCP. Because of WhatsApp my mind was ‘compromised’. Now, after this education, I am getting better. I will not have WhatsApp on my phone again... [My other crime was going to

424 Amnesty International interview.

425 Amnesty International interviews.

426 Amnesty International interviews; see Cia Siqi, Global Times, Xinjiang counties identify 75 forms of religious extremism”, 25 December 2014, www.globaltimes.cn/content/898563.shtml

427 Amnesty International interviews.

428 Amnesty International interviews.

429 Amnesty International interview.

430 Amnesty International interview.

431 Amnesty International interview.

Kazakhstan. I had to write:] I was in Kazakhstan. I got infected by ‘ideas’. Now I will do better and get rid of ideas... And [we also had to write] we had mistakenly chosen the religion of Islam. We will not choose this religion again... And there was also a list of ‘misdoings’ of Muslim believers against China. For example, praying before bed. So, you would have to write that you were sorry for this and that you would not do it again.

Anara told Amnesty International she was required to do a self-assessment once a week. “It was the same every week, except that you must acknowledge some progress, like learning Chinese,” she said.⁴³²

THE RIGHT TO HEALTH AND THE QUESTION OF CONSENT

The right to health as recognized in Article 12 of the ICESCR further includes the freedom to control one’s health and body and the right to be free from torture, non-consensual medical treatment, and experimentation.⁴³³ All people, including persons in detention, have the right to exercise informed consent to all medical procedures and treatments. The authorities must ensure that such people can effectively exercise their right to health, and that the healthcare provided for them complies with medical ethics, including principles of confidentiality, autonomy, and informed consent. The authorities must never require health professionals in places of detention to act in any way contrary to their professional judgment or medical ethics.⁴³⁴ Informed consent requires a voluntary and sufficiently informed decision and includes the right to refuse treatment”.⁴³⁵ Involuntary hospitalization is a form of deprivation of liberty and can constitute arbitrary detention.⁴³⁶

Article 7 of the ICCPR adds that the absolute prohibition of torture or other ill-treatment includes the principle that “no one shall be subjected without his free consent to medical or scientific experimentation.”⁴³⁷ Abusive practices in healthcare settings, such as forced sterilization or forced abortion, can likewise constitute ill-treatment or torture,⁴³⁸ as does deliberately depriving someone of medical attention.⁴³⁹ The Special Rapporteur on Torture has recognized “that medical treatments of an intrusive and irreversible nature, when lacking a therapeutic purpose, may constitute torture or ill-treatment when enforced or administered without the free and informed consent of the person concerned”, in particular when such treatments are performed on patients from marginalized groups or are discriminatory in character.⁴⁴⁰ The states’ obligation to prevent torture and other ill-treatment applies not only to public officials, but also to doctors and other healthcare professionals, including those working in state or private hospitals and detention centres.⁴⁴¹

4.4 HEALTHCARE WITHOUT CONSENT

All former detainees were subjected to health-related procedures without their consent. This occurred both during their pre-detention health check and during their time in the camp. Nearly every former detainee reported being given injections and having their blood drawn.⁴⁴² Almost none were told what the injections or blood samples were for, even after they asked. “They injected me with a liquid, to clean inside my artery. They didn’t have my consent. They said that if I didn’t [allow

432 Amnesty International interview.

433 CESR General Comment 14, §8.

434 See also the Istanbul Protocol: “Doctors have a duty to monitor and speak out when services in which they are involved are unethical, abusive, inadequate or pose a potential threat to patients’ health.”; Office of the High Commissioner for Human Rights, Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), HR/P/PT/8/Rev.1, para. 67.

435 SR right to health, report on mental health A/HRC/35/21 (2017), para 63; Annual report of the Special Rapporteur on torture, UN Doc. A/HRC/22/53 (2013) §28.

436 HRC General Comment 35, §§5, 19.

437 See also Article 15(1) of the Convention on Persons with Disabilities; Article 6 of the Universal Declaration on Bioethics and Human Rights; CESR General Comment 25 (2020), which also emphasizes the protection against discrimination as an immediate obligation.

438 HRC General Comment 28, §11.

439 See also CESCR, General Comment No. 14, The right to the highest attainable standard of health (article 12), UN Doc. E/C.12/2000/4 (2000), para 34: “States should also refrain... from limiting access to health services as a punitive measure”.

440 Annual report of the Special Rapporteur on torture, UN Doc. A/HRC/22/53 (2013) §3.

441 Annual report of the Special Rapporteur on torture, UN Doc. A/HRC/22/53 (2013) §24.

442 Amnesty International interviews.

them] then they would put me in the ‘strict’ group,” Aslan told Amnesty International.⁴⁴³ A few were told that some of the injections were flu shots or other vaccinations.⁴⁴⁴

There is a widespread belief among detainees that they were being injected to affect their memory or to sterilize them.⁴⁴⁵ Amnesty International has no basis upon which to assess these suspicions.

While government documents indicate that detainees were required to be vaccinated, the frequency with which some detainees report being injected is suspicious.⁴⁴⁶ A few former detainees claimed they were given injections or made to take pills every couple of weeks. “I can’t remember exactly [how frequent the injections were] but it was approximately every 10–15 days,” Abzal said.⁴⁴⁷ “They give pills regularly in camp. Sometimes every 2–3 weeks. You didn’t know what the pill was – no box, no paper – just blue pills. Everyone gets them... I heard that they prevent you from having children,” Meryemgul told Amnesty.⁴⁴⁸

Former detainees remarked that after people received injections they were “happy” or seemed inebriated.⁴⁴⁹ “All of us were injected [before entering the camp]. They explained that it was to prevent the flu... After the flu shot people looked happy. I’m not sure why,” Patigül told Amnesty.⁴⁵⁰ Many journalists have also reported instances of detainees being injected repeatedly without explanation.⁴⁵¹

Most former detainees reported becoming sick and weak while in the camps. Most claim they did not receive adequate healthcare. Many report developing chronic health problems.⁴⁵² Many stated that after leaving the camps they could no longer sit for long periods without being in pain.⁴⁵³ Others stated that after leaving the camps they had problems with their memory and with sleeping.⁴⁵⁴ A few said they had problems with their eyesight. “There is light in our cells 24/7, but not enough to read [and we were expected to read]. It affected our eyesight,” Alikhan said.⁴⁵⁵ A few male former detainees claimed they were unable to function sexually after being released.⁴⁵⁶

DETENTION IN ‘HOSPITALS’

Four former detainees told Amnesty International they were not interned in a formal camp, but instead spent most of their internment detained in hospitals.⁴⁵⁷ These included three older former detainees who said they were kept inside hospital rooms for nearly a year. They were nominally told to learn Chinese, but reported just sitting in the room for months on end. Erasyl, an older woman, told Amnesty how she spent most of her detention in a hospital room with other older women, none of whom were permitted to leave the floor.

I was at the hospital the whole summer... it is the [top] floor of a normal hospital, but it is blocked from other floors, and the windows are barred [and] only doctors can come in and out... I was kept in a room with six other elderly people... We were not allowed to go outside... We spent most of the day just sitting on our bed... We had lessons but I had

443 Amnesty International interview.

444 Amnesty International interviews.

445 Amnesty International interviews.

446 Amnesty International interviews.

447 Amnesty International interview.

448 Amnesty International interview.

449 Amnesty International interviews.

450 Amnesty International interview.

451 BBC News, “The Kazakh Muslims detained in China’s camps,” 15 January 2020, www.bbc.com/news/av/world-asia-51097159; AFP, “China sterilising ethnic minority women in Xinjiang, report says: Uighurs are among those facing involuntary contraception or threats over birth quotas,” 29 June 2020, www.theguardian.com/world/2020/jun/29/china-sterilising-ethnic-minority-women-in-xinjiang-report-says

452 Amnesty International interview.

453 Amnesty International interviews.

454 Amnesty International interviews.

455 Amnesty International interviews.

456 Amnesty International interview.

457 Amnesty International interviews.

problems hearing and my eyes were bad; they didn't pressure me. They just demanded that I sign my name in Chinese... and we had to sing red songs.⁴⁵⁸

Similarly, Rahima, also an older woman, was kept in a hospital room with a group of such women for several months. She told Amnesty how they spent the time:

[During the day] we would wake up and have breakfast in the room. We were handed papers and books. I pretended to read, but I didn't understand anything. We would pretend to learn all day. Then we would have a meal and sleep. They taught some red songs. They wanted us to learn Chinese words. We weren't allowed out. We just wanted to be released. We were only allowed to go to the toilet. Otherwise we stayed in the room.⁴⁵⁹

Amnesty also interviewed one person who visited a family member, in their 70s, who was temporarily detained in a hospital. "The hospital was like a prison... [my family member's] legs were covered with a blanket [at first]... but then I saw that their feet were chained to the bed... it was so sad to see with their legs cuffed," Aiman said.⁴⁶⁰

458 Amnesty International interview.

459 Amnesty International interview.

460 Amnesty International interview.

'TRANSFORMATION-THROUGH- EDUCATION'

At its core, the detention and “education” regime detailed in this report, which is referred to in by Chinese authorities as “transformation-through-education” is a system of detention functioning both to punish detainees for certain behaviours and to reintroduce them into “normal” society following “rehabilitation”. Much about the system draws upon Chinese penal practices that have been in place for decades, and many of the human rights violations that former detainees describe are endemic to other Chinese detention systems.

Different forms of compulsory re-education of individuals or groups considered to be politically “unreliable” or threats to social stability have existed in China since 1949. In the late 1950s, a new system of custodial re-education known as “re-education through labour” was introduced to deal with “minor counterrevolutionaries” and “rightists”. In the 1980s, the focus shifted to include drug abuse, prostitution, and juvenile delinquency.⁴⁶¹

RTL enabled police to confine people without judicial trial for periods of one to three years (with the possibility of a one-year extension) for a broad range of unlawful acts considered too minor for criminal prosecution. Millions were locked up in conditions barely distinguishable from – or sometimes even worse than – those of prisons. Codified regulations and a formal process of hearings gave the institution a veneer of legality, but the lack of judicial trial or, in most cases, legal representation made the deprivation of liberty under RTL inherently arbitrary under international law. Further, RTL was often imposed in a brutal and humiliating fashion, and RTL facilities were places of additional human rights violations, including compulsory labour, torture, and other ill-treatment.⁴⁶²

Though RTL functioned as a key part of local authorities’ stability-preservation toolkit for decades, its incompatibility with official professions of “rule according to law” and commitments to human rights made it a target of Chinese legal reformers. Those reformers claimed victory when RTL was abolished as an institution in December 2013, but the practice of depriving individuals of their liberty for extended periods under the guise of “education” has continued in different forms since then.

For example, even before 2013 authorities throughout the country had been using “legal education classes” to detain people arbitrarily for months. Like their counterparts in Xinjiang, these detention sites (which, like RTL, have been used extensively against practitioners of Falun Gong), were claimed to provide “classes” or “training”. In reality, they operated without clear regulations, laws, or other public directives to explain their use or operation or how and on what basis individuals were incarcerated there.⁴⁶³

The immediate domestic basis for the facilities in Xinjiang appears to be Article 14 of the De-extremification Regulations enacted by the Standing Committee of Xinjiang People’s Congress on 29 March 2017. The regulations describe several components of “transformation through education” in superficially positive terms:

Eliminating extremism necessitates doing the work of transformation through education well, combining individualized education with education in vocational training centres; legal education with “help and education”; ideological education, psychological counselling and behaviour modification with the study of the national standard spoken and written language, law and technology; and transformation through education with human care to enhance the effectiveness of transformation through education.

However, this regulation cannot serve as a basis for deprivation of liberty under Chinese law. Article 7 of China’s Legislation Law makes clear that deprivation of liberty may be based only in laws passed by the National People’s Congress or its standing committee. Though the regulation clearly considers transformation-through-education to be a form of “help and education” authorized under Article 29 of the Counterterrorism Law of the PRC, there is no legitimate way to reconcile the complete deprivation of liberty associated with transformation through education facilities in Xinjiang with the community-based education, surveillance, and support that “help and education” ostensibly entails.⁴⁶⁴

461 Fu Hualing, “Re-education through Labour in Historical Perspective”, *China Quarterly* 184 (2005): pp. 811-30, www.jstor.org/stable/20192540?seq=1

462 “Changing the Soup but not the Medicine?: Abolishing Re-Education through Labour in China” 17 December 2013, www.amnesty.org/download/Documents/12000/asa170422013en.pdf

463 Amnesty International, “‘Changing the Soup but not the Medicine?: Abolishing Re-Education through Labour in China” 17 December 2013, www.amnesty.org/download/Documents/12000/asa170422013en.pdf

464 Sarah Biddulph, “Arbitrary detention” in S. Biddulph & J. Rosenzweig (eds), *Handbook on Human Rights in China*, Cheltenham, UK: Edward Elgar Publishing, pp. 384-85.



⑤ *Detainees walking through a narrow fenced enclosure – in essence a cage – to get from the building where their cells were to the building where their classrooms were.*





TORTURE IN INTERNMENT CAMPS

“It was a metal chain with 11 links. The two ends were on my feet with bolts. [It weighed about] 3kg. We could barely step 20cm or more. I could barely walk. It was on 24/7.”

Baurzhan, whose feet were shackled together for the first year he was in a camp.

TORTURE AND OTHER ILL-TREATMENT UNDER INTERNATIONAL LAW

States have a legal obligation to treat people in detention humanely and with dignity.⁴⁶⁵ In addition, under international law, torture and other cruel, inhuman, or degrading treatment or punishment are absolutely prohibited and cannot be justified under any circumstances whatsoever. The prohibition, enshrined in Article 5 of the Universal Declaration of Human Rights and Article 7 of the ICCPR, among others, has become a rule of customary international law, which is binding on states even if they have not ratified the relevant human rights treaties. It is also a peremptory norm, a *jus cogens* rule, with no reservations or derogations permitted.⁴⁶⁶ It is not enough to simply prohibit and criminalize torture and, where appropriate, other acts of ill-treatment under national law; states must take a range of measures to protect people from, and prevent, these forms of abuse.⁴⁶⁷ In certain circumstances, the crime of torture amounts to a crime against humanity (see Chapter 7).

The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which binds China legally as a state party, is the primary UN treaty focused solely on prohibiting, preventing, and combating torture and other ill-treatment.⁴⁶⁸ Article 1 of the CAT defines torture as:

Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for

⁴⁶⁵ See Article 10(1) of the ICCPR; UN General Assembly, Basic Principles for the Treatment of Prisoners : resolution / adopted by the General Assembly, 28 March 1991, A/RES/45/111, available at: www.refworld.org/docid/48abd5740.html

⁴⁶⁶ Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), pp. 54-61, www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

⁴⁶⁷ Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), Chapter 3, www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

⁴⁶⁸ Unlike torture, “cruel, inhuman or degrading treatment or punishment” has not been defined in international treaties. This phrase originated in the Universal Declaration of Human Rights and was incorporated unchanged into the CAT. In approaching the question of what distinguishes such ill-treatment from torture, Amnesty International is guided by the principle that “[t]he term ‘cruel, inhuman or degrading treatment or punishment’ should be interpreted so as to extend the widest possible protection against abuses”. Amnesty International considers, in line with much of the jurisprudence of international and regional human rights monitoring bodies, that cruel, inhuman, or degrading treatment or punishment may generally be described negatively in relation to torture; that is, as ill-treatment that “do[es] not amount to torture” because it lacks one or more of the key elements of the torture definition described above. An act or instance of ill-treatment would therefore constitute cruel, inhuman, or degrading treatment or punishment rather than torture if 1) it lacks the required intention, 2) it lacks the required purpose (or discrimination), or 3) the pain or suffering it causes is not considered “severe”; see Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), pp. 74 – 75.

any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.⁴⁶⁹

Psychological or mental harm can constitute torture just as much as the infliction of physical pain. Courts have recognized that there is no necessary physical element to torture.⁴⁷⁰ Psychological torture can include:

- isolation
- threats
- humiliation
- intimidation
- sleep or sensory deprivation
- deprivation of communication
- constant exposure to light
- a restrictive visiting schedule
- witnessing others being tortured

Attempts to destroy a detainee's sense of self by removing control over their environment (that is, creating "learned helplessness") is also torture.

The treatment of detainees is strictly regulated under international law.⁴⁷¹ The prohibition of torture and other ill-treatment is recognized to include the prohibition of corporal punishment under international human rights law.⁴⁷² Force should be used in detention settings only when strictly necessary and proportionate to the legitimate objective to be achieved.⁴⁷³

Prohibited interrogation techniques include stress positions or restraining the victim in a highly uncomfortable position.⁴⁷⁴ Blindfolding and hooding should also be prohibited, as should prolonged sleep deprivation, threats (including threats of torture and death threats), using cold air to chill the detainee, electrocution, and beating.⁴⁷⁵ Other forms of coercion include interrogation techniques designed to offend personal, cultural, or religious sensitivities.⁴⁷⁶ Prolonged incommunicado detention and secret detention violate the prohibition against torture and other ill-treatment and are therefore forms of prohibited coercion.⁴⁷⁷

Other techniques that may violate the right of detainees to be free from ill-treatment include withholding clothing or hygiene products, permanently keeping lights on in the cell, and sensory deprivation.⁴⁷⁸ Intentionally depriving someone of food, water, or medical attention can also amount to torture.⁴⁷⁹

Extracting "confessions" through torture or other ill-treatment is a serious human rights issue that must be addressed by bringing domestic legal restrictions on prevention and prohibition of torture into alignment with international law and standards, in particular the Convention against Torture. Statements obtained through torture or other coercive means may not be invoked as evidence in any proceedings, except against the person accused of torture as evidence that the statement was made.

469 UN General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, available at: www.refworld.org/docid/3ae6b3a94.html

470 See Hernan Reyes, International Review of the Red Cross, "The worst scars are in the mind: psychological torture," September 2007, www.icrc.org/en/doc/assets/files/other/irrc-867-reyes.pdf

471 In addition to the broad provisions contained in general human rights treaties, the UN and other intergovernmental organizations have developed comprehensive standards for conditions of detention over the years, the Nelson Mandela Rules and the Bangkok Rules.

472 Amnesty International, *Combating torture and other ill-treatment: a manual for action* (Index: POL 30/4036/2016), pp. 84 – 88, www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

473 Amnesty International, *Combating torture and other ill-treatment: a manual for action* (Index: POL 30/4036/2016), Chapter 4.5, www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

474 UN Committee Against Torture (CAT), UN Committee against Torture: Conclusions and Recommendations, United States of America, para. 24, 25 July 2006, CAT/C/USA/CO/2, available at: www.refworld.org/docid/453776c60.html

475 See UN Special Rapporteur on torture, UN Doc. A/56/156 (2001) §39(f); CPT Standards, 12th General Report, CPT/Inf (2002) 15 §38

476 UN Commission on Human Rights, Situation of Detainees at Guantánamo Bay, para. 60, 27 February 2006, E/CN.4/2006/120, available at: www.refworld.org/docid/45377b0b0.html

477 UN Human Rights Council, Joint study on secret detention of the Special Rapporteur on torture & other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights & fundamental freedoms while countering terrorism, the Working Group on Arbitrary Detention & the Working Group on Enforced or Involuntary Disappearances, 19 February 2010, A/HRC/13/42, para. 27-28, available at: www.refworld.org/docid/4bbef04d2.html

478 *Asencios Lindo et al v Peru*, Case 11.182, 1998, hrlibrary.umn.edu/cases/1998/peru53-98.html

479 N. Rodley and M. Pollard, 'Criminalisation of torture: state obligations under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment', *European Human Rights Law Review* (2006) p.120.

The revised UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) provide that permitted instruments of restraint should be used only as strictly necessary and proportionate to prevent harm to the individual being restrained or to others, or as necessary to prevent escape during transfer; they are not to be used for punishment.⁴⁸⁰ The rules also prohibit the use of chains or irons and regulate the use of other restraints.⁴⁸¹

It is essential that detainees be kept in conditions that ensure their physical and mental well-being. They should not be kept in overcrowded conditions or subjected to extremes of heat or cold. They must have access to natural light and fresh air⁴⁸² and to exercise, recreational, religious, and other facilities. Rule 44 of the Mandela Rules defines solitary confinement as “the confinement of prisoners for 22 hours or more a day without meaningful human contact”. International standards and experts increasingly favour restriction or even elimination of solitary confinement, in particular as a punishment.⁴⁸³ Depending on the specific reason for its application, conditions, length, effects, and other circumstances, solitary confinement can constitute torture or other ill-treatment.⁴⁸⁴

Though China ratified the CAT in 1988, it has failed to bring domestic legislation in line with the obligations of the treaty. The Committee Against Torture, the UN expert body charged with overseeing the treaty’s implementation, has repeatedly raised concerns about a number of issues in China, including the following:


- arbitrary detention where there is a high probability of torture and other ill-treatment;
- torture and other ill-treatment of human rights defenders;
- lack of a definition of torture in domestic laws that accords with that of the CAT;
- failure to effectively exclude at trial evidence obtained through torture and other ill-treatment; and
- lack of independence of judges and lawyers.⁴⁸⁵

5.1 TYPES OF TORTURE AND OTHER ILL-TREATMENT IN INTERNMENT CAMPS

Every former detainee Amnesty International interviewed was tortured or subjected to other cruel, inhuman, or degrading treatment or punishment (in this report referred to as torture and other ill-treatment) during their internment. Torture and other ill-treatment are constitutive elements of life in the internment camps. The torture and other ill-treatment that detainees experience in the camps falls into two broad categories.

The first category includes the physical and non-physical (that is, mental or psychological) torture and other ill-treatment experienced by *all* detainees as a result of the cumulative effects of daily life in the camps. This treatment includes:

- being made to sit, kneel, or stand in stress positions for hours every day;
- sleep deprivation; and
- insufficient food, water, exercise, healthcare, sanitary and hygienic conditions, fresh air, and exposure to natural light.

 Opposite page: *A detainee is beaten by internment camp guards while immobilized in a tiger chair.*

480 The Nelson Mandela Rules, rules 43(2), 47; see also UN Committee against Torture, Observations on the UN Standard Minimum Rules, arts. 36 and 37 (“The use of restraints should be avoided or applied as a measure of last resort, when all other alternatives for control have failed and for the shortest possible time, with a view to minimizing their use in all establishments and, ultimately, abandoning them... Immobilization should only be used as a last resort to prevent the risk of harm to the individual or others”); Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), pp. 57 – 58. www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF; Robben Island Guidelines, 2008: www.achpr.org/public/Document/file/Any/rig_practical_use_book.pdf

481 Rules 47, 48 of the Standard Minimum Rules.

482 The Nelson Mandela Rules, Rules 13, 14 and 23; CPT Standards, CPT/Inf/E (2002) 1 - Rev. 2015, p. 25, §30. www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/175

483 Amnesty International, Combating torture and other ill-treatment: a manual for action (Index: POL 30/4036/2016), Chapter 4.5.5, www.amnesty.org/download/Documents/POL3040362016ENGLISH.PDF

484 Special Rapporteur on torture report, UN Doc. A/66/268 (2011) §80.

485 Amnesty International, No End in Sight: Torture and Forced Confession in China, 2015, www.amnesty.org/download/Documents/ASA1727302015ENGLISH.PDF



This category also includes various forms of psychological abuse, including:

- “re-education” under threat of severe punishment itself;
- not knowing when their detention will end;
- not being able to communicate freely with their family or anyone outside the camp;
- not being able to speak in their native tongue;
- living under the constant threat of violence and other abuse; and
- being made to see and hear other detainees being tortured or otherwise ill-treated.

The combination of these physical and non-physical measures, in conjunction with the total loss of control and personal autonomy in the camps, is likely to cause mental and physical suffering severe enough to constitute torture or other cruel, inhuman, or degrading treatment.

The camps are in fact designed to ensure that these types of torture and other ill-treatment are an inescapable aspect of daily life for every detainee. The overall environment and setting in the internment camps leads to a total absence of any safeguards against torture or other ill-treatment, which in itself is a violation of a state’s duties to protect and prevent people deprived of their liberty from violations of the absolute prohibition of such treatment in international human rights law.

The second category of torture and other ill-treatment includes physical torture and other ill-treatment that occurs during interrogations or as punishment for misbehaviour by *specific* detainees (this type of torture is detailed in section 5.2). Torture methods used during interrogations and as punishment included beatings, electric shocks, stress positions, the unlawful use of restraints (including being locked in a tiger chair), sleep deprivation, being hung from a wall, being subjected to extremely cold temperatures, and solitary confinement. Amnesty International documented one account of a death in an internment camp caused by torture.

Amnesty International interviewed many former detainees who were tortured or subjected to other ill-treatment during interrogations or punishments in internment camps. Amnesty also interviewed former detainees who witnessed the torture or other ill-treatment of other detainees or spoke with other detainees – usually their cellmates – who informed them that they had been tortured or otherwise ill-treated during interrogations or as punishment.

Former detainees and witnesses described a broadly consistent pattern of treatment of detainees by staff and officials in the camps. Some of this treatment reflects patterns of torture and other ill-treatment that Chinese security forces have carried out in Xinjiang and other parts of China for decades, such as severe beatings, forced “confessions”, being shackled or cuffed for extended periods of time, and being punished in a tiger chair.⁴⁸⁶ According to former detainees, the torture and other ill-treatment was carried out both by camp guards and by domestic security police officers (Guobao) who came to the camps for the purposes of interrogating detainees.⁴⁸⁷

The treatment of detainees during interrogations and punishments in internment camps documented in this report constitutes torture and other ill-treatment, in violation of international law. It also constitutes the crime against humanity of torture (see section 7.1).

486 Amnesty International, No End in Sight: Torture and Forced Confession in China, 2015, www.amnesty.org/download/Documents/ASA1727302015ENGLISH.PDF; Human Rights Watch, Tiger Chairs and Cell Bosses: Police Torture of Criminal Suspects in China, 2015, www.hrw.org/sites/default/files/report_pdf/china0515_web.pdf; UN Committee against Torture, Concluding Observations and Recommendations to China, A/48/44(SUPP) paras. 387-429, January 1, 1993; UN Committee against Torture, Concluding Observations and Recommendations to China, A/51/44(SUPP) paras. 138-150, January 1, 1996; UN Committee against Torture, Concluding Observations and Recommendations to China, CAT A/55/44 (2000) paras. 123-130, January 1, 2000; UN Committee against Torture, Concluding Observations and Recommendations to China, CAT/C/CHN/CO/4, December 12, 2008.

487 Amnesty International interviews.

5.2 SURVIVOR ACCOUNTS OF TORTURE AND OTHER ILL-TREATMENT

Amnesty International interviewed numerous former camp detainees who were tortured or subjected to other ill-treatment during interrogations or punishments.⁴⁸⁸ This mistreatment usually took place in interrogation or punishment rooms. These rooms were usually windowless and contained at least one tiger chair, which was used for interrogations. Three former detainees reported that tiger chairs were brought into their cells.⁴⁸⁹ Three other former detainees reported being punished in rooms with multiple tiger chairs.⁴⁹⁰

17 former detainees told Amnesty they were interrogated or punished in a tiger chair or other metal chair.⁴⁹¹ Interrogations usually lasted an hour or more; punishments were often much longer. Several people reported being left restrained in a tiger chair for 24 hours or more.⁴⁹²

Daulet, who was detained for an offence related to the practice of Islam, told Amnesty International that during the year he spent in an internment camp he was taken to punishment rooms twice, where he was immobilized in a tiger chair. The first time was for making his bed too early in the morning. The second time he was taken along with the rest of his cellmates; they were punished collectively because one member of the cell had spoken in Kazakh.

[The first time] I was taken I was on ‘night duty’ with an old Hui man. It was morning. We thought it was time to start making the beds. Then, on the loudspeaker, someone said it wasn’t time to start making the beds. Then [two guards] came into the room and took [the two of us who were on duty] to the [punishment] room. The room had eight [tiger] chairs. We were there for maybe five hours. We did not have water. There was no food. And no toilet. They opened the window. It was very cold. We stayed strapped in the chair. The chair is metal, and we were cuffed with arms straight out. Our legs were cuffed... The second time, there was a guy [in my cell] who spoke in Kazakh. And the guards asked him if he spoke in Kazakh. And he said ‘no’. And then they took [everyone in the cell] to the tiger chair.⁴⁹³

Assel, an older woman who spent a year in the camp without ever being given a firm reason for her detention – although she believes it was because she had gone to Kazakhstan – was taken to a punishment room because she had argued with a cellmate after trying to defend another woman who was hard of hearing and was being verbally abused. She described being taken by two female guards to a small, dark, cold, and windowless room in the basement of the camp, where she was handcuffed and shackled and made to sit in an iron chair for days:

Two women took me to the room. They held me under my arms. They told me to sit in an iron chair... [They] cuffed my arms and legs... My hands were cuffed to each other, not to the chair... [I was taken because] there was a woman [in my cell] who couldn’t hear well. And there was another Uyghur woman [in the cell] who used to call her names. I said [to the Uyghur woman], ‘Why are you taking advantage of her? You shouldn’t do that!’ [Then an argument started.] Then the guards came [in the cell] and asked us what happened, and they took me to this room... It was a dark room. No toilet in it. Just a bucket... There was no bed, just a chair. They brought one piece of bread and water. I was getting pretty

488 Amnesty International interviews.

489 Amnesty International interviews.

490 Amnesty International interviews.

491 Amnesty International interviews.

492 Amnesty International interviews.

493 Amnesty International interview.

cold. I started shouting that I was getting cold... My hands and legs were cuffed [to the chair]... They told me I would be there for five days. [But] the following day they took my cuffs off and brought food. And [the guard] watched through the door and told me to eat. But I was cold and couldn't eat... I was there for three days.⁴⁹⁴

Detainees told Amnesty International they were sent to punishment rooms multiple times. Mansur, a farmer, described to Amnesty how he was tortured multiple times in two camps during his time in detention – both during an interrogation and during multiple punishment sessions. He described his interrogation session:

That day two guards came to my cell. They said I would be interrogated. I stuck my hands out through the hole in the wall [door] and they cuffed me [from the other side of the door]... [I could hear] the guards talking on the walkie-talkie saying that 'Guobao is waiting'... Two guards took me from the cell and dropped me off [at the room where I was interrogated]. Two men were inside. They locked the door from inside. The guards were in uniform but the plainclothes [Guobao officers] interrogated me... They started asking about personal information, ethnicity, date of birth, when I went to Kazakhstan, my occupation... [They asked,] 'Did you pray there? What do your parents do?' I said I only stayed with family, that I took care of livestock, and that I didn't do anything illegal... they asked me about mosque and praying... If I told them I had been praying, I had heard that I would get sentenced for 20 or 25 years. So I told them I never prayed. Then they became upset. They said, 'All that time with livestock, you became an animal too!' Then they hit me with a chair until it broke... I fell to the floor. I almost fainted... Then they put me on the chair again. They said, 'this guy hasn't changed yet, he needs to stay [in the camp] longer'... then they radioed the guards, who helped me back to the cell.⁴⁹⁵

Mansur was also sent to two punishment rooms on multiple occasions for trivial offenses.

[The first time I was taken in the first camp] it was because I tried to look out the window. There was a window with a bar [in my cell]. We were not allowed to look outside... [The first time I was sent in the second camp] was because they made me the responsible person for the cell. Leaders were inspecting the cell. When they came in [to inspect our cell] we had to stand up and show respect but my cell didn't do it, so I was sent to a punishment room... [The second time I was sent to the punishment room in the second camp] was one day before I was released. It was because I didn't sit still in the classroom.

Mansur was tortured in both camps. He told Amnesty he was repeatedly electrocuted while being asked repetitively whether he “would do it again”. “[I had to say that] I made a mistake but will not do it again,” he said. “The first time they electric shocked me. Then they tied me up on a chair for 24 hours without food or water... The second time they chained me up [from the wall].” He told Amnesty he was left immobilized in a tiger chair multiple times, and the room was very cold. “They would open the window on winter days,” he said.⁴⁹⁶

Mansur also described two of the punishment rooms, one of which had 20 tiger chairs.

You can see the chair across from you, but not beside you because there are [wooden] dividers [that go to the ceiling]... Above every tiger chair there is a camera and microphone and a small white light. The light is on the ceiling. Lights are dim... There is a window but no light. The window is close to the ceiling. It is very narrow... Everything was white. The

494 Amnesty International interview.

495 Amnesty International interview.

496 Amnesty International interview.

walls, floors, ceilings. All new... It is in the basement where we live... There were several other people [in the room] but I could not see [most of] them. There was one guy in front of me. I could see him. The other guy [in front of me] was punished for using his Kazakh mother tongue... We talked to each other. We had to talk in Chinese.⁴⁹⁷

Auelbek also described being punished and sent to a place with numerous tiger chairs – in this case they were in a corridor of a building in the camp:

I was punished once... In class I raised my hand and asked a question, then [the teacher] threw a plastic ruler at me and said, 'Why do you speak!'... then [the teacher] said to the guards to take me to the tiger chair... They tied my hands and legs to the chair... I was lucky [because I wasn't there for too long]... There were 10–15 chairs... It wasn't a real room; it was part of a corridor... There were partitions between the chairs, like in a public toilet. You could not see the chair beside you... There was another person in front of me [who I could see]... When the guard left, I asked the man in front of me how long he had been there. He said 24 hours.⁴⁹⁸

Solitary confinement was used in the camps as a form of punishment. In some cases, this punishment could include confinement in tiger chairs, with the person immobilized in the chair left alone for close to a day or longer. In one case, a former detainee stated that the camp she was interned in had a “dark”, tomb-like room, which was windowless and without light, about two metres by one metre, where detainees were sent if they misbehaved. She told Amnesty she was put in the room for two days:

On that day a 70-year-old lady spoke her mother tongue, Uyghur, in our cell... The guards wanted to take her to a tiger chair. I argued with them... They said that I hadn't learned and still had extremist thoughts, so they put me in the dark room... It's just a room for one person. I was just lying on the floor... When you lie down [with your head at one end] your feet almost touch the wall... There is a toilet in the room, nothing else.⁴⁹⁹

Physical ill-treatment also takes place throughout the camps outside of interrogation and “formal” punishments, most commonly through beatings, the use of restraints, and the use of pepper spray. Guards routinely beat detainees who “misbehave”, even for the most trivial offences. Amnesty International interviewed numerous people who reported being beaten during detention.⁵⁰⁰ Electric batons were often used to electrocute and beat people.⁵⁰¹

Madi told Amnesty how he was beaten shortly after arriving at the camp when he resisted being strip-searched by guards:

When I said I wouldn't take off my underwear they beat me with an electric baton. And then I fell. They beat me and I was electrocuted... When I came to my senses, they took off my clothes, they searched me, made me bend down, tied my hands behind my neck. It was very painful.⁵⁰²

Amir told Amnesty he was severely beaten after fighting back against a guard who hit him with a rifle:

497 Amnesty International interview.

498 Amnesty International interview.

499 Amnesty International interview.

500 Amnesty International interview.

501 Amnesty International interviews.

502 Amnesty International interviews.





👁️ *Detainees are immobilized in 'tiger chairs' as punishment in internment camps.*

[One of the guards] said, ‘Squat and put your hands on the back of your head!’ ... I asked why. Then the police hit me with the back of a rifle... I wanted to protect myself, so I hit back. He fell down. Then the other police all hit me. When I was being beaten up, I heard one voice saying, ‘End him with one bullet’... I thought I was going to die... I wanted not to be killed and I screamed... Then they sprayed something in my eyes so I couldn’t open them... Then I was dragged [to my cell].⁵⁰³

Two former detainees reported having their legs shackled during part of their time in detention.⁵⁰⁴ Rustam told Amnesty his legs were shackled for 15 days after he was initially detained.⁵⁰⁵ Baurzhan told Amnesty his feet were shackled together for the first year he was in a camp.

It was a metal chain with 11 links. The two ends were on my feet with bolts. [It weighed about] 3kg. We could barely step 20cm or more. I could barely walk. It was on 24/7. Every week the guards would check the chain. Every two weeks they would tighten the bolts... [Several months after I arrived in the camp] they offered us water for showering, but always with the chain on. The old inmates showed us how to take your pants off. We took our pants off through the space between the chain and ankle, but it takes a really long time.⁵⁰⁶

Three former detainees told Amnesty International that they were sprayed with something, likely pepper spray, while they were in the camps.⁵⁰⁷ Amir told Amnesty he was sprayed with something while being interrogated twice while immobilized in a tiger chair. “I was taken [from my cell] to another room and seated in a tiger chair... they didn’t ask me anything. They sprayed something in the air that made it difficult to breathe. [The spray] was small, like [the size] of a bottle of pills. You could put it in your pocket,” he said.⁵⁰⁸ Madi told Amnesty that guards used to spray a white substance, which he believed was pepper spray, into his cell frequently – multiple times a day – which made his throat sore and made it difficult to breathe.⁵⁰⁹

Journalists and human rights organizations have reported more than a dozen first-hand accounts of torture and other ill-treatment in the camps in Xinjiang.⁵¹⁰ Journalists have also reported deaths in internment camps.⁵¹¹

503 Amnesty International interview.

504 Amnesty International interview.

505 Amnesty International interview.

506 Amnesty International interview.

507 Amnesty International interviews.

508 Amnesty International interview.

509 Amnesty International interview.

510 For other accounts of torture and other ill-treatment see: Human Rights Watch, “Eradicating Ideological Viruses: China’s Campaign of Repression Against Xinjiang’s Muslims”, 9 September 2018, www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs; Robin Schmitz, NPR, “Ex-Detainee Describes Torture In China’s Xinjiang Re-Education Camp,” 13 November 2018, www.npr.org/2018/11/13/666287509/ex-detainee-describes-torture-in-chinas-XUAR-re-education-camp?t=1614247394971; Christopher Connell, Share America, “A tale of torture in a Chinese internment camp for Uyghurs,” share.america.gov/tale-of-torture-in-chinese-internment-camp-for-uyghurs; Steve Chao, Al Jazeera, “Exposed: China’s surveillance Muslim Uighurs,” www.aljazeera.com/features/2019/2/1/exposed-chinas-surveillance-of-muslim-uyghurs; see also Xinjiang Victims Database entries: “Kairat Samarkan”, shahit.biz/eng/viewentry.php?entryno=1540; “Mihrigul Tursun”, shahit.biz/eng/viewentry.php?entryno=2110; “Omer Bekri”, shahit.biz/eng/viewentry.php?entryno=3623; “Abduwell Ayup”, shahit.biz/eng/viewentry.php?entryno=4616; “Orynbeq Koksebek”, shahit.biz/eng/viewentry.php?entryno=1725; “Abduhebir Rejep”, shahit.biz/eng/viewentry.php?entryno=10553; “Ergali Ermek”, shahit.biz/eng/viewentry.php?entryno=124; “Abduweli Ayup”, shahit.biz/eng/viewentry.php?entryno=4616; “Zharqynbek Otan”, shahit.biz/eng/viewentry.php?entryno=65; “Qaster Musahan”, shahit.biz/eng/viewentry.php?entryno=5419; “Gulzira Auelhan”, shahit.biz/eng/viewentry.php?entryno=1723; “Tursunay Ziyawudun”, shahit.biz/eng/viewentry.php?entryno=2322;

511 Shohret Hoshur, Radio Free Asia, “At Least 150 Detainees Have Died in One Xinjiang Internment Camp: Police Officer,” 29 October 2019, www.rfa.org/english/news/uyghur/deaths-10292019181322.html

5.3 WITNESS ACCOUNTS OF TORTURE AND OTHER ILL-TREATMENT

Amnesty International interviewed numerous women and men who witnessed the torture or other ill-treatment of other detainees.⁵¹² Madi told Amnesty he witnessed the torture of a cellmate whom he later learned died from the effects of the torture. Madi said the man was made to sit in a tiger chair in the middle of their cell. The cellmates were made to watch him sit there, restrained and immobilized, for three days, and were expressly forbidden to help him.

He was a [ethnicity redacted]. I can't remember his name. There are many things I can't remember [since I left the camp]... [The man] was in our room for more than two months, then he was taken to the doctor – I think he was taken for high blood pressure and because he fainted... As soon as he came back [to our cell] he was made to sit in a tiger chair. [I think the man was being punished for pushing a guard.]... They brought the chair into our room... Yes, we were watching. They told us that if we helped him then we would sit in the chair... It was an iron chair... his arms were cuffed and chained. Legs were chained as well. His body was tied to the back of the chair... Two [cuffs] were locked around his wrists and legs... A rubber thing attached to the ribs to make the person [sit] up straight... at some point we could see his testicles. He would [urinate and defecate] in the chair. He was in the chair for three nights... He died after he [was taken out of the cell]. We found out through [people] in the cell... He didn't die in front of us. After 72 hours, he was [urinating and defecating]. We told the guards. They said to clean him. His bottom was wounded. His eyes look unconscious... Then [the guards] took him [out of the cell].⁵¹³

Timur told Amnesty he witnessed two of his cellmates immobilized in tiger chairs for extended periods. He and the other cellmates were forced to watch and forbidden to provide any assistance:

They used to make people sit in tiger chairs for hours. I saw it with my own eyes. They used to make the person sit in the tiger chair in front of us. They used to bring the chair into our cell if someone was not obedient... It happened twice. The first guy [was immobilized] for 24 hours. He was not allowed to eat or drink. He was taken to the toilet twice... The second guy was made to sit for six hours.⁵¹⁴

Zhaina told Amnesty how she and her cellmates were forced to watch others sit in tiger chairs, including one who urinated on herself after being made to sit in the tiger chair for 32 hours: “A female guard used to take us [to another room in camp] to show us how people were suffering... It was in a room [that was originally intended] to keep animals, surrounded by bars. It was dirty... It was like a pound. It was made of bricks with an iron roof... I saw them sitting in the chair.”⁵¹⁵

Aibek told Amnesty he saw immobilized people tortured through the use of restraints and exposure to the cold while walking from his cell to the medical clinic in the camp: “I saw how they torture [other people]. One time they set a young lady in a metal chair outside [in January] in thin clothes... [I saw] seven Uyghur men handcuffed [outside] to metal bars and chains on their feet without shoes.”⁵¹⁶

Former detainees told Amnesty they witnessed other inmates shackled.⁵¹⁷ Madina, who also worked in an internment camp, told Amnesty that all detainees in the strict and very strict management

512 Amnesty International interviews.

513 Amnesty International interview.

514 Amnesty International interview.

515 Amnesty International interview.

516 Amnesty International interview.

517 Amnesty International interviews.

categories in the camp she worked in had to be shackled at all times.⁵¹⁸

Numerous former detainees witnessed others being beaten, including older detainees.⁵¹⁹ Beatings were often punishment for moving when they were required to sit still, for not speaking in Mandarin, or for not learning appropriately during classes. Saken told Amnesty that men in his cell were routinely beaten for minor movements.

They ordered us to stay still, to ‘sit tight’, but it was so cold that it was impossible... If you made any motion, they would beat you... You can get beaten for any reason... If someone moved and you tried to explain [to the guard] that the man was innocent then you would be beaten too... I don’t even count the [frequent] slapping and punching as beating... They beat people at night, they took them to the basement... There was a room without cameras... I saw guards dragging motionless men back to [our cell and to the cell across from ours]... I saw four guys [being dragged liked this]... One guy in our cell was beaten unconscious... He had a mental problem... They [took him out of the cell] and beat him until his skin was broken.⁵²⁰

Yerulan told Amnesty that guards routinely beat people as they walked to class, and that a man in his class was taken out of class and beaten for not singing a song properly:

[Name redacted] was beaten, he was an ethnic Uzbek; a Han Chinese [guard] beat him and put him in isolation for 24 hours... He came back with bruises. I was in his cell... and [the guard] would call people who could not recite Chinese content to the door [then the person who was called would stick their hand through the hole in the door] and then cuff them to the door and beat them with an electric baton... I saw [people being beaten] two or three times... I could hear [people being electrocuted] in the hall many more times.⁵²¹

Zhenis, who worked in a camp, told Amnesty that detainees were regularly beaten in his camp. “Every day someone was taken out [of the class] and beaten, with hands, feet, weapons, and baton,” he said.⁵²²

Many former detainees and other witnesses provided Amnesty International with accounts of torture and other ill-treatment that they themselves did not witness. These second-hand accounts were received from other former detainees – usually their cellmates – who were tortured or otherwise ill-treated during interrogations or as punishment.⁵²³ Former detainees described cellmates being taken to punishment rooms and immobilized in tiger chairs – often for several days – and being beaten during interrogations.⁵²⁴ Many returned with visible injuries and stories of torture.

Zhaina told Amnesty that women in her cell were punished by being made to stand still and look at the wall for hours.⁵²⁵ Aitugan told Amnesty that another detainees in his cell told him he was taken to a punishment room and hung on the wall with his feet off the ground.⁵²⁶ Dariga told Amnesty she spoke with a male former detainee who said his entire cell was put in tiger chairs.⁵²⁷ Tajigul told Amnesty other detainees would be taken out of her cell and return with physical injuries:

518 Amnesty International interview.

519 Amnesty International interviews.

520 Amnesty International interview.

521 Amnesty International interview.

522 Amnesty International interview.

523 Amnesty International interviews.

524 Amnesty International interviews.

525 Amnesty International interview.

526 Amnesty International interviews.

527 Amnesty International interview.

Some people would disappear for several days. When they came back their bodies were scarred... I know one, because her bed was next to me. She disappeared... [when she came back] her hands were swollen... She said don't talk to me because there are cameras in the cell... [but she did talk later and said that] two police tortured her. She said she was beaten. They also beat her on the soles of her feet.⁵²⁸

Many detainees said their cellmates appeared to have been punished for very trivial offences. Ibrahim told Amnesty, "In the second facility we had no lessons... we had to sit straight without moving... you can't even look to the side... one man was taken away [for looking to the side] and came back with swollen feet and legs and he said he was taken and cuffed to a bed and beaten."⁵²⁹

Journalists and human rights organizations have reported additional witness accounts of torture and other ill-treatment.⁵³⁰

ALLEGATIONS OF SEXUAL VIOLENCE AND VIOLATIONS OF REPRODUCTIVE RIGHTS

Journalists and other organizations have reported several accounts of rape and other sexual violence in the internment camps.⁵³¹ Two former detainees – a woman and a man – reported being raped while in the camps.⁵³² A former teacher held in a camp reported witnessing other detainees being raped by police in camp.⁵³³ Another former teacher reported that camp guards shared stories of multiple rapes of detainees by officials in the camps, including mass rapes.⁵³⁴ Another former detainee's testimony about being raped in a camp was reported by a human rights investigator.⁵³⁵ Amnesty International did not hear any first-hand accounts of rape; however, Raziya told Amnesty that she spoke with a friend who said she had been raped repeatedly by internment camp guards.

I was terrified when I found out that I would be sent to a facility, because my neighbour, who was in her 20s, was at a camp, and she and I had a drink and she shared her secrets. She said she was raped and forced to have an abortion... She told me that she said several Han people raped her, that 'two held my hands, two held my legs and one raped me'.⁵³⁶

Other reports describe gender-based violence in the form of violations of sexual and reproductive rights.⁵³⁷ The Chinese authorities' interference in the reproductive choices of Uyghur and other ethnic minority women, as well as Han women, has been well documented.⁵³⁸ Journalists have reported that ethnic minority women

528 Amnesty International interview.

529 Amnesty International interview 13.

530 See John Sudworth, BBC News, "China defends detention of Uighur model in Xinjiang," 18 August 2020, www.bbc.com/news/world-asia-china-53809345; Stephen Gibbs, Daily Mail, "Gang rape, torture and the dreaded red X: Survivor of China's modern-day concentration camps reveals the horrors behind the walls – and the REAL purpose of terrifying people," 22 May 2021, www.dailymail.co.uk/news/article-9573113/Survivor-Chinas-modern-day-concentration-camps-reveals-horrors-walls.html

531 Amie Ferris-Rotman, The Washington Post, "Abortions, IUDs, and sexual humiliation: Muslim women who fled China for Kazakhstan recount ordeals," 5 October 2019, www.washingtonpost.com/world/asia_pacific/abortions-iuds-and-sexual-humiliation-muslim-women-who-fled-china-for-kazakhstan-recount-ordeals/2019/10/04/551c2658-cfd2-11e9-a620-0a91656d7db6_story.html%20; The Rights Practice, "Invisible Pain: Sexual and gender-based violence in Xinjiang," November 2020, www.rights-practice.org/Handlers/Download.ashx?IDMF=475641a4-18f3-481f-9286-96f830c0a5ce

532 Matthew Hill, David Campanale, and Joel Gunter, BBC News, "'Their goal is to destroy everyone': Uighur camp detainees allege systematic rape," 2 February 2020, www.bbc.com/news/world-asia-china-55794071; Steve Chao, Al Jazeera, "Exposed: China's surveillance of Muslim Uighurs," 1 February 2019, www.aljazeera.com/features/2019/2/1/exposed-chinas-surveillance-of-muslim-ughurs

533 David Stavrou, Haaretz, "A Million People Are Jailed at China's Gulags. I managed to Escape. Here's what Really Goes on Inside: Rape, torture and human experiments. Sayragul Sauytbay offers firsthand testimony from a Xinjiang 'reeducation camp'," 17 October, 2019, www.haaretz.com/world-news/premium-MAGAZINE-a-million-people-are-jailed-at-china-s-gulags-i-escaped-here-s-what-goes-on-inside-1.7994216

534 Ruth Ingram, The Diplomat, "Confessions of Xinjiang Camp Teacher," 17 August 2020, thediplomat.com/2020/08/confessions-of-a-xinjiang-camp-teacher/

535 Human Rights Watch, "'Break Their Lineage, Break Their Roots': Crimes Against Humanity Targeting Uyghurs and Other Turkic Muslims," 19 April 2021, www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting#_ftn232

536 Amnesty International interview.

537 Amy Qin, New York Times, "China Targets Muslim Women in Push to Suppress Births in Xinjiang: In Most of China, women are being urged to have more babies to shore up a falling birthrate. But in Xinjiang, they are being forced to have fewer," 12 May 2021, www.nytimes.com/2021/05/10/world/asia/china-xinjiang-women-births.html

538 The Rights Practice, "Invisible Pain: Sexual and gender-based violence in Xinjiang," November 2020, www.rights-practice.org/Handlers/Download.ashx?IDMF=475641a4-18f3-481f-9286-96f830c0a5ce

in Xinjiang are regularly forced to undergo insertions of intrauterine contraceptive devices, pregnancy checks, sterilizations, and abortions in an attempt to restrict their birth rates.⁵³⁹ Kuanish, a former detainee, told Amnesty how, a year or so before he was sent to a camp, his wife was forced to have an abortion:

My wife was seven months pregnant... the law was if you have more than two kids then you have to pay [a fine], and if you can't pay there is prison... I told them I could pay the fine. They said no, we better just take the baby out and have an abortion... So they took her to hospital and did an abortion. They put the body in a plastic bag... I took my sons and we buried it.⁵⁴⁰

Darkhan, told Amnesty that, in 2017, they, along with other government officials and security officers pressured and intimidated women who violated family planning policies to have abortions:

It would be discussed in a meeting that a woman was hiding her pregnancy... Then cadres from the [family planning agency] would take the woman to the hospital to have an ultrasound. Once it was confirmed [that a woman was pregnant] we would go to her house... Auxillary police and cadres... 7-8 people... We would tell [the woman] that they would get punished [if they did not have an abortion]... in truth, we threatened them... all of them wanted to keep their babies... then we would show our muscles... the police would say if you don't [have an abortion] then we will send you to detention... [The woman all] cried.... We forced them... I didn't go to the hospital, but I went to their houses. We would stay and comfort the family... and we would visit after to see if they were angry.

Darkhan told Amnesty that the family planning policies had been in place for a long time; however, after Chen Quanguo became party secretary in Xinjiang they were enforced differently. "Before you weren't forced to have an abortion, you could pay a fine," he said.⁵⁴¹

According to some former detainees interviewed by journalists, women held in internment camps were made to attend family-planning classes and were force-fed birth control pills, given contraceptive injections, or subjected to the forced insertion of intrauterine contraceptive devices.⁵⁴² Elnara told Amnesty that her husband was "forced" to come to her internment camp for a conjugal visit. After the visit she was made to take a pill that she was told prevented pregnancy.⁵⁴³

539 The Associated Press, "China cuts Uighur births with IUDs, abortion, sterilization," 29 June, 2020, [apnews.com/article/269b3de1af34e17c1941a514f78d764c](https://www.apnews.com/article/269b3de1af34e17c1941a514f78d764c); Simina Mistreanu and Roxi Pop, The Independent, " 'The pain hasn't gone away': Women of Xinjiang reveal horror of China's brutal campaign of forced abortions and imprisonment," 16 October 2020, www.independent.co.uk/news/world/asia/china-uighur-xinjiang-forced-abortion-imprisonment-beijing-xi-kazakhstan-b1072127.html

540 Amnesty International interview.

541 Amnesty International interview.

542 Amie Ferris-Rotman, The Washington Post, "Abortions, IUDs, and sexual humiliation: Muslim women who fled China for Kazakhstan recount ordeals," 5 October 2019, www.washingtonpost.com/world/asia_pacific/abortions-iuds-and-sexual-humiliation-muslim-women-who-fled-china-for-kazakhstan-recount-ordeals/2019/10/04/551c2658-cfd2-11e9-a620-0a91656d7db6_story.html%20; Asia News, 2019. Rape, abuse and sterilisation in XUAR's 'boarding schools' for Uyghurs. www.asianews.it/news-en/Rape,-abuse-and-sterilisation-in-XUARs-boarding-schools-for-Uyghurs-48429.html

543 Amnesty International interview.



LIFE AFTER THE INTERNMENT CAMPS

“[Before I could be released] I had to make a video saying good things about the CCP and what they had done for me, how strong the country was, that [an overseas Uyghur organization] did terrorist activities.”

Tajigul, who said she was required to say false things on video in order to be released from an internment camp.

6.1 THE PROCESS OF BEING RELEASED FROM AN INTERNMENT CAMP

The process to determine whether detainees are released from camps is not well understood, including by many detainees. Like the process surrounding the initial detention and transfer to the internment camp, much of the release process appears to be operating outside of the scope of the Chinese criminal justice system or other domestic law. There is a total absence of any transparent criteria or legal assistance and protection. Nothing that former detainees experienced during the time leading up to their release indicates any regard for the fairness and due process required by the gravity of deciding individuals' fates.

Leaked Chinese government documents, particularly the Telegram, provide some insight into how the government intended – at least at one point – the release process to work.⁵⁴⁴ Based on testimony from former detainees and witnesses and on what we know from the Telegram, the decision to release or transfer someone is essentially the culmination of a process that begins when an individual is first detained. From that moment, there is an ongoing process of monitoring and evaluation, whereby people are given scores. A detainee's behaviour reportedly affects their score, which factors into the release determination.

According to the Telegram, once a detainee arrives at an internment camp there are five broad criteria that must be met to be designated as ready to be *considered* for release from the camp. The detainee must have:

- been placed in the normal management group;
- been in the camp for at least a year;
- displayed some form of improvement with respect to their “problem” since arriving in the camp;

544 The Telegram (previously cited), para 17

- achieved adequate scores with respect to “ideological transformation, academic achievement, compliance and discipline, etc.”; and
- no “other circumstances that affect completion”.

Once these criteria are met, a detainee can proceed to the first of several additional evaluations undertaken by camp and other government officials. First, “a student evaluation team overseen by the Party organization secretary” undertakes a “preliminary” evaluation and then checks the Integrated Joint Operations Platform to see if it has flagged any “new problems”. Then, in the absence of any new issues flagged by IJOP, the case is reported “up level-by-level” to three different groups of government cadres, the last of which is the “local (prefecture or city) vocational skills education and training service bureau” that, in concert with “comrades of the local [Party] committee”, makes the final determination about whether the detainee is ready for “completion” and ultimately release.⁵⁴⁵

It is also plausible that the decisions to release individual detainees were based on factors unrelated to the criteria described in the Telegram. According to reports from former detainees interviewed by Amnesty and other organizations, the criteria in the Telegram were not always adhered to. For example, a significant number of detainees have been released without being in a camp for a year.⁵⁴⁶

The decision to release a detainee is also based in part on the behaviour of the detainee’s family outside the camps, which is also being monitored, evaluated, and incorporated into the detainee’s score. A 2017 government directive on how to answer questions from ethnic minority students who wonder where their relatives are instructed cadres to tell the students that their behaviour could hurt their relatives’ scores.⁵⁴⁷ Former detainees also said that after they were released they learned their family and friends had been questioned before their release and that their family members had to fill out a long questionnaire.⁵⁴⁸

Aiman, a government cadre who assigned scores to families in her village, told Amnesty how cadres also scored family members of people in internment camps and said that family members were told that if they went to work in specific factories or attended Chinese language classes it would increase their scores. Although Aiman was personally sceptical that detainees were ever released early because of good behaviour by their family members, she was instructed to inform family that it could. Moreover, according to Aiman, when men were sent to camps, authorities would pressure their wives to work in factories:

If [a woman] refused, then they threatened that her husband’s situation would be worse . . . Under my supervision there were [a few dozen] women who were taken to factories like this. Many of them also had no choice because they needed the money [since their family lost income when their husband was sent to a camp camp].⁵⁴⁹

Batima, who worked in a village administration office and was responsible for looking through the files of people who had been sent to camps, explained to Amnesty how detainees were held responsible for the actions of their family members outside the camps and how family behaviour could have a negative impact on an individual’s score, which is the metric the government uses to determine who should be released:

⁵⁴⁵ The Telegram (previously cited), para. 18.

⁵⁴⁶ Amnesty International interviews; See also, Xinjiang Victims Database, shahit.biz/eng/

⁵⁴⁷ “The Xinjiang Papers”: Austin Ramzy and Chris Buckley, “Absolutely No Mercy: Leaked Files Expose How China Organized Mass Detentions of Muslims: More than 400 pages of internal Chinese documents expose an unprecedented inside look at the crackdown on ethnic minorities in the Xinjiang region”, New York Times, 16 November 2019, www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html

⁵⁴⁸ Amnesty International interview.

⁵⁴⁹ Amnesty International interview.

When someone was [sent to a camp] it affected three generations of the family. For example, if parents were sent then it affected the son – he could not get a job with government or police... Also, for example, the cadres staying with [the families of people in camps] overnight had to report back to the village committee if anyone prayed. And if they found this, then the score [of the person in the camp] would be lowered... And if a person was sent to re-education camp then that person's family had to attend classes. If they did [attend] then the family would get a good score and [the person in the camp would] get released sooner, or vice versa. We collected scores each week and sent them to re-education camps.⁵⁵⁰

It is also likely that some of the releases were a consequence of a change in government policy, perhaps as a result of international pressure. Moreover, it is plausible that many of the detainees were released because of a policy change with respect to certain ethnic minority groups only – in particular, ethnic Kazakhs. Testimonial evidence from former detainees' family members suggests that a significant portion of the ethnic Kazakh population detained in the camps has been released, particularly those with Kazakh citizenship or family ties to Kazakhstan.⁵⁵¹ Numerous former detainees Amnesty interviewed said many other Kazakh detainees who were in their camps were released around the same time they were released. Daulet, who said he was detained for an offence related to religion, told Amnesty that nearly all the Kazakh people were released from his camp: "I was one of the last [Kazakhs] in the camp."⁵⁵² Many of the former detainees interviewed by Amnesty believe they were released because of public pressure on the government of China to release some ethnic Kazakh detainees.⁵⁵³ The government of Kazakhstan has also reportedly engaged in closed-door diplomacy to pressure China to release ethnic Kazakhs from the camps.⁵⁵⁴

There is dramatically less testimonial evidence about whether members of other ethnic groups – particularly Uyghurs – have been released at similar rates. But it is not known if this is because Uyghurs have not been released or because, with very few exceptions, they have been unable to travel to foreign countries where they are willing and able to speak relatively freely about their detention, or even to share information about their release. Several of the Kazakh former detainees Amnesty interview said that Uyghurs were less likely to be released than Kazakhs and the vast majority of the people they know of who were released from their camps were Kazakh, even though Uyghurs made up the overwhelming majority of the camp populations in many of those camps.⁵⁵⁵

6.2 FORMER DETAINEES' EXPERIENCES OF THE RELEASE PROCESS BEFORE BEING SENT HOME

Detainees were not made explicitly aware of the government's criteria for release; however, they generally understood that their behaviour was constantly being evaluated. Many were informed that their release was predicated on achieving certain targets, such as learning a sufficient number of Chinese characters.⁵⁵⁶ Many also understood that breaking any camp rules would likely prolong their detention.

550 Amnesty International interview.

551 Gene A. Bunin, Foreign Policy. "Detainees Are Trickling Out of Xinjiang's Camps: House arrest or forced labor awaits most of those released so far in what may be a public relations ploy," 18 January 2019, foreignpolicy.com/2019/01/18/detainees-are-trickling-out-of-XUARs-camps/

552 Amnesty International interview.

553 See also: Reid Standish, Aigerim Toleukhanova, Foreign Policy, "Kazakhs Won't Be Silenced on China's Internment Camps: Activists are speaking out for those imprisoned in Xinjiang – even if their own government doesn't like it," 4 March 2019, foreignpolicy.com/2019/03/04/961387-concentrationcamps-china-XUAR-internment-kazakh-muslim/

554 See Catherine Putz, The Diplomat, "Carefully Kazakhstan Confronts China About Kazakhs in Xinjiang Re-Education Camps: Astana can't afford to push Beijing too hard, even on behalf of its own citizens detained in Xinjiang Re-education camps", 14 June 2018, thediplomat.com/2018/06/carefully-kazakhstan-confronts-china-about-kazakhs-in-xinjiang-re-education-camps/; Bruce Pannier, Radio Free Europe, "Kazakhstan Confronts China Over Disappearances", 1 June 2018, www.rferl.org/a/qishloq-ovozi-kazakhstan-confronts-china-over-disappearances/29266456.html; Qazak Times, "Consultations on the issues of Kazakh diaspora in China in continuing," 17 November 2017, qazaqtimes.com/en/article/28539

555 Amnesty International interviews.

556 Amnesty International interviews.



👁️ *The Qarqi Derwaza Mosque in Kashgar, Xinjiang before 2017.*



© The Qarqi Derwaza Mosque after being desecrated and refurbished. Mosques and other religious sites have been demolished or desecrated throughout Xinjiang.

Despite their awareness of being evaluated, very few former detainees credited their release to anything they did or did not do in the camps. Most attributed their release to factors largely or entirely outside their control, such as their Kazakh ethnicity and the fact that the government decided to release ethnic Kazakhs from the camps.⁵⁵⁷ Some believe they were released because of appeals for their release made by family members living abroad.⁵⁵⁸ Others have no idea why they were released.⁵⁵⁹ “They released 12 people the day I was released... They said, ‘Your time is up and you can go home now.’ They didn’t say why. They just released Kazakhs, not Hui or Uyghurs,” Asylbek told Amnesty International.⁵⁶⁰

Some former detainees also believed their release was connected to the reason they were initially detained; those detained for certain “crimes” – especially religion-related offences – were believed to be much less likely to be released.⁵⁶¹ This would be consistent with several other aspects of the mass incarceration campaign and the internment camp system. Because those sent to camps for religious reasons were generally placed in the “strict” or “very strict” management categories, it stands to reason that at the very least, it would take longer for them to progress from either of those categories into the “normal” management category, which, according to the Telegram, is a prerequisite for release.

The interviews and other procedural steps former detainees have described undergoing before being released are broadly consistent with the process outlined in the Telegram. Many of the former detainees were questioned by camp and other government officials before release, often by several groups of officials from different government bodies.⁵⁶² According to Nurgul, who said she was detained for having WhatsApp on her phone, the release procedure involved officials from several levels of government. “It’s like a parole hearing. Civil servants came to camp. They checked my documents, asked whether I improved, whether my family was complying. They asked your friends and your neighbours if you were reliable,” she said.⁵⁶³

The questions asked in these pre-release interviews followed a similar script. Detainees were asked about their religious practices, their contacts abroad, and other topics they had been questioned about repeatedly throughout their internment. Nearly all detainees were required to “confess” to their “crimes”, to acknowledge that their past behaviour was wrong, to express how much they appreciated the education they had received, to explain how their thoughts had been “transformed”, to swear they would not act that way again, and, often, to disavow Islam. Detainees were also required to explain what they were planning to do after they were released.⁵⁶⁴

Former detainees believed that to be released they needed to answer all the questions in the way the government officials wanted, regardless of whether it was the truth. Aitugan told Amnesty that in the weeks before his release, he was interviewed by four different groups of government officials – “school” level (that is, camp level), county level, prefecture level, and autonomous region level – all of whom asked him similar questions and, he believes, required certain answers:

All the [interviews] were the same. [They asked,] ‘What did you learn? Have your thoughts transformed? Do you love China? What are you going to do when you are released? Do you appreciate your re-education?’ We had to answer all the questions positively or be sent to jail. We know this... Each [of the four interviews] was one to two weeks apart, and lasted for 30 to 60 minutes... When they [detained] us they made up one reason [for

557 Amnesty International interviews.

558 Amnesty International interviews.

559 Amnesty International interview.

560 Amnesty International interview.

561 Amnesty International interviews.

562 Amnesty International interviews.

563 Amnesty International interview.

564 Amnesty International interviews.

our detention] even though we didn't do it... [Before you were released] you had to write something. [You had to start what you write] with that reason. Then you copied a form saying you wouldn't pray, wouldn't go to a mosque, and would follow all Chinese laws.⁵⁶⁵

Towards the end of the interview process, detainees were made to write and sign several letters and to sign several official documents, including a “confession” letter, a “gratitude” letter, and at least one document stating they would not disclose anything about their internment in the camp to anyone, including members of their family, and especially not to foreign nationals.⁵⁶⁶ Former detainees said they had to sign numerous documents before being released. “I had to sign 19 documents to be released,” Daulet said.⁵⁶⁷

Nurgul, who said he was detained for travelling to Kazakhstan, told Amnesty International he had to write and sign three letters before being released.

Before I was released, I had to write a letter of gratitude to the Party, thanking them for feeding and educating us. And I had to write a confession letter, saying that I committed a mistake by going to Kazakhstan... You needed three letters to sign out. [The third] said [I was] not allowed to say anything about our experience in the camp and that if I did then I agreed to be judged and sent back to the camp.⁵⁶⁸

All detainees were told unequivocally that if they disclosed information about the camps they would be interned again or sent to prison. Former detainees were also told that their family members would also be sent to camps. Nurislam, who was released along with a large group of Kazakh detainees, told Amnesty International that camp officials told the group before their release that if they disclosed anything about the camps they would be sent back to the camps along with their wives.⁵⁶⁹ Aidar told Amnesty he was required to write a letter of gratitude to the Party before being released and to swear not to disclose anything under penalty of his family being sent to a camp:

[During the final time I was interrogated in the camp], a few days before I was released, I had to write down everything that happened to me in the foreign country [I visited]. And to write about communism and democracy. I knew that we had to praise communism and despise democracy, so that is what I did. And I had to write that if I ever spoke about what happened in the camp then my parents would be sentenced. Then I had to sign and put my fingerprint on the paper.⁵⁷⁰

Some former detainees were told to deny they had ever been to a camp.⁵⁷¹ A few said they were coached on what to say to friends and relatives after they were released.⁵⁷² Tajigul told Amnesty International that before her release she was taken to a police station, where they put make-up on her and fed her. She was interrogated repeatedly over the course of a week, during which time they also told her what to do for the video they wanted her to make: “[Before I could be released] I had to make a video saying good things about the CCP and what they had done for me, how strong the country was, that [an overseas Uyghur organization] did terrorist activities.”⁵⁷³

565 Amnesty International interview.

566 Amnesty International interview; See also: Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China's Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uyghurs; Emily Rauhala and Anna Fifield, Washington Post, “She survived a Chinese internment camps and made it to Virginia. Will the U.S. let her stay?”, 17 November 2019, www.washingtonpost.com/world/2019/11/17/she-survived-chinese-internment-camp-made-it-virginia-will-us-let-her-stay/?arc404=true

567 Amnesty International interview.

568 Amnesty International interview.

569 Amnesty International interview.

570 Amnesty International interview.

571 Amnesty International interviews.

572 Amnesty International interviews.

573 Amnesty International interview.

Dariga told Amnesty that to be allowed to go back to Kazakhstan she had to make a very detailed video stating that her time in the camp had been voluntary, that she was treated well in the camp, and that she had learned many valuable things during her time there, including why religion was bad. “I didn’t want to say these things,” she said. “I had to say them to see my children.”⁵⁷⁴

Family members of detainees were also threatened with detention if they spoke about the fact that their family members had been to a camp. According to Batima, who worked in a village administration office, family members of about-to-be-released detainees received a call from government officials warning them not to disclose that their relative had been to a camp and threatening them with jail time if journalists ever found out anything about the relative’s internment.⁵⁷⁵

Once detainees fulfilled the necessary conditions, they were permitted to return to their homes; however, they had to do so under strict conditions limiting their movements and associations.⁵⁷⁶

6.3 TREATMENT OF FORMER CAMP DETAINEES AFTER RELEASE FROM INTERNMENT CAMPS

After being released from the internment camps to go home, former detainees faced further severe restrictions on their human rights, particularly their freedom of movement. These restrictions were in addition to the discriminatory policies directed at all members of ethnic minority groups in Xinjiang (see section 2.3).

All former detainees Amnesty International interviewed said they were placed under both electronic and in-person surveillance and subjected to regular evaluations from government employees and cadres. Yerkinbek, who worked with several former detainees after they were released from camps, told Amnesty that government officials used to show up regularly at his workplace and question his ex-detainee colleagues.⁵⁷⁷

As discussed in Chapter 2, one of the most invasive aspects of life in Xinjiang for ex-detainees is the presence of government minders. Nearly all former detainees reported that government employees or cadres were required to stay with them in their houses for several nights per month after they were released from a camp.⁵⁷⁸ Several former detainees reported that while they were in the camp, their family members were required to have minders stay with them.⁵⁷⁹

Family members of detainees also faced additional restrictions on their rights during and after the release of their detained relative. These restrictions included being subjected to additional surveillance, having their houses searched, and having their movements further curtailed.⁵⁸⁰ Ibrahim told Amnesty he found out how his family’s freedoms had been curtailed while he was in the camp: “While I was in camp, I thought my family had freedom, but I learned that they were under house arrest. They had to ask permission to move... A cadre was consistently visiting their house... There was a camera in the street [in front of their house],” he said.⁵⁸¹

574 Amnesty International interview.

575 Amnesty International interview.

576 Amnesty International interviews.

577 Amnesty International interview.

578 Amnesty International interviews.

579 Amnesty International interviews.

580 Amnesty International interviews.

581 Amnesty International interview.

Many former detainees also reported being ostracized by their friends, family, and communities after their release.⁵⁸² Patigül told Amnesty that the social ostracization was a significant reason why he ultimately left China:

The reason I decided to come back [to Kazakhstan] was because after I was designated a ‘dangerous person’, even my friends and family were avoiding me. Everyone was trying to exclude me, even from social gatherings... And security people kept asking me questions. And [so did] the head of the unit where I worked... Although I never committed a crime, they considered me a criminal.⁵⁸³

The testimonial evidence about the situation of former detainees and their family members after release provided to Amnesty is consistent with evidence provided to journalists and other investigators, as well as with leaked government documents prescribing the treatment of former detainees during the months after their release. This evidence includes a directive in the Telegram requiring that every ex-detainee be strictly monitored, evaluated, and controlled, and “must not leave the line of sight for one year” after leaving the camp.⁵⁸⁴

‘EDUCATION’ CONTINUES

Nearly all of the former detainees who spoke to Amnesty International were required to attend classes in Chinese language and political ideology after they were released.⁵⁸⁵ Members of ethnic minorities who had never been detained were also often required to attend classes; however, former detainees were normally made to go much more frequently, often for two or three hours every day.⁵⁸⁶ Family members of some detainees were also made to go to classes several hours a day.⁵⁸⁷ Ex-detainees reported that after they were released, they were required to continue to write “confession and self-criticism” letters during class and give them to local cadres to evaluate.⁵⁸⁸ One former detainee reported that Kazakhs and Uyghurs in her village were required to attend separate classes.⁵⁸⁹ Several detainees reported that Han Chinese people were not required to attend these classes.⁵⁹⁰

Many interviewees told Amnesty that all members of ethnic minorities were required to attend flag-raising ceremonies every Monday morning.⁵⁹¹ During these ceremonies, ex-detainees were often made to publicly “confess” their crimes, to speak out against extremism, to apologize for being an extremist, and to extol the virtues of the education they had received.⁵⁹² Former detainees told Amnesty that only ethnic minorities were required to attend the village flag-raising. According to Meryemgul, members of the village who had not been in camps were also required to go, but only ethnic minorities were truly compelled to attend: “Only Uyghurs go. [Han] Chinese people, they laugh at us,” she said.⁵⁹³

Shortly after she was released after more than a year in the camps, Dariga was told to write and then read at a flag-raising ceremony a statement praising the CCP and instructing others not to practise religion:

582 Amnesty International interviews.

583 Amnesty International interview.

584 The Telegram (previously cited), para. 17.

585 Amnesty International interviews.

586 Amnesty International interviews.

587 Amnesty International interview.

588 Amnesty International interviews.

589 Amnesty International interview.

590 Amnesty International interviews.


591 Amnesty International interviews.

592 Amnesty International interviews.

593 Amnesty International interview.





 Pilgrims
praying at
Imam Asim
shrine before
2017.

I was told to say... ‘I Dariga am the daughter of... I have been to a camp... because I made a mistake and now, with thanks to the Party, I have reversed my mistakes... and now I live in the right thanks to the Party. They put me on the right path.’ I also had to say that we shouldn’t be religious, that it is wrong. We shouldn’t pray. We should always follow the Party.

Family members of detainees also had to speak at flag-raising ceremonies. Bolat told Amnesty International his brother was made to speak about him at a flag-raising ceremony. “[My brother] had to confess that his brother had a ‘disease’ and that he was ashamed and sorry,” he said.⁵⁹⁴

RESTRICTIONS ON FORMER CAMP DETAINEES’ FREEDOM OF MOVEMENT INSIDE CHINA

All former detainees faced significant restrictions on their freedom of movement after they were released from the camps. Nearly all were prohibited from leaving their village or township. If they were allowed to leave, they were required to get written permission from the authorities beforehand.⁵⁹⁵ According to a document provided by a former detainee, the permit application had to be approved by four different local government agencies, including the police station and Party committee.

Some former detainees were put under additional detention in the form of house arrest for several months. Many were required to check in with the police or village administrators daily. A few former detainees were forced to live at the village administration office or police station for a few weeks or months.⁵⁹⁶

Aitugan told Amnesty how his movements were restricted after he was released: “I spent five months being monitored. I just stayed in the village. I couldn’t leave without permission. I had to report to the village office each morning. I needed permission to leave the village from the village chief,” he said.⁵⁹⁷

Many former detainees reported that for months after they left the camp their ID cards were programmed such that an alarm would sound whenever they travelled through the ever-present checkpoints or whenever they left their village.⁵⁹⁸ After an ID triggered an alarm, former detainees were often interrogated about the same things they were questioned about after their initial detention and during their time in the camp.⁵⁹⁹ Mahabbat, who had been detained for a year for visiting Kazakhstan, told Amnesty International how her movement was restricted after she was released from a camp:

After I was released... it was house arrest. Every time I scanned my ID it went off... I wasn’t allowed to go to another town. Even in the streets, the camp follows you... Even when I went to buy a meal, I had to fill in a form saying I had been to a camp. It was shameful... My daughter was living [in another town but] I couldn’t visit her because of this. Can you imagine going into the street and the police surrounding you every time?⁶⁰⁰

Other former detainees told Amnesty their ID was confiscated for a time after their release. “[When I wasn’t in class or at a flag-raising ceremony], I had to stay at home the rest of the time, because the

594 Amnesty International interview.

595 Amnesty International interviews.

596 Amnesty International interviews.

597 Amnesty International interview.

598 Amnesty International interviews.

599 Amnesty International interviews.

600 Amnesty International interview.



👁️ *The Imam Asim shrine after being desecrated. Shrines and other religious and culture sites of great importance have been demolished or desecrated throughout Xinjiang.*

inspector could come at any time. I had to be found in one of these places at all times. My ID was taken. I wasn't free," Aisanali told Amnesty.⁶⁰¹

After several months some of the movement restrictions began to decrease. Many former detainees reported that some restrictions were lifted after six months.⁶⁰² Others told Amnesty the restrictions on their movements lasted a year.⁶⁰³ One former detainee told Amnesty the restrictions on his movements were removed at the same time as those of others released when he was.⁶⁰⁴

Family members of former detainees also had severe restrictions placed on their movement while their family member was in a camp. Former detainees reported that their family members needed to get permission from local officials to leave their village.⁶⁰⁵

RESTRICTIONS ON FORMER CAMP DETAINEES' FREEDOM TO LEAVE THE COUNTRY

Many former detainees told Amnesty that regaining their freedom of movement – to travel abroad and, in some cases, to travel within China outside their home villages – was contingent upon having one or more guarantors who agreed in writing that they themselves would be sent to a camp if the person they were guaranteeing spoke or shared information about the internment camp system.⁶⁰⁶ One older woman said she needed many guarantors to leave China.⁶⁰⁷

It has been difficult for minorities in Xinjiang to travel abroad for years.⁶⁰⁸ The restrictions became more severe in 2015 and 2016, when members of ethnic minority populations were required to hand in their passports to the authorities. Since 2017, it has been nearly impossible for Uyghurs to leave China (For more on the difficulties faced by members of ethnic minorities who attempt to go abroad see section 2.3).⁶⁰⁹

Kazakhs' movements have also been restricted; however, some Kazakhs with Kazakhstani citizenship or strong family ties to Kazakhstan have been able to leave China. Some observers have suggested that Kazakhs may have been released because of diplomatic interventions by Kazakhstani officials or because of the efforts of human rights organizations based in Kazakhstan.

Before leaving, people must go through a labyrinthine bureaucratic process to get their passports back and to secure permission to go abroad.⁶¹⁰ Ex-detainees face a further round of interrogations by security personnel and must sign additional documents stating they will not say anything about being in a camp or else their family members will be sent to a camp.

A few detainees were forced to give video testimonies before leaving the country. Aldiyar, who spent several months trying to secure permission to travel to Kazakhstan, told Amnesty International he was forced to make a video extolling the benefits of the education he received in the camp before he was allowed to leave.

601 Amnesty International interview.

602 Amnesty International interviews.

603 Amnesty International interviews.

604 Amnesty International interview.

605 Amnesty International interviews.

606 Amnesty International interview.

607 Amnesty International interview.

608 See Human Rights Watch, "One Passport, Two Systems: China's Restriction on Foreign Travel by Tibetans and Others," 13 July 2015, www.hrw.org/report/2015/07/13/one-passport-two-systems/chinas-restrictions-foreign-travel-tibetans-and-others

609 Edward Wong, New York Times, "Police Confiscate Passports in Parts of Xinjiang, in Western China," 1 December 2016, www.nytimes.com/2016/12/01/world/asia/passports-confiscated-XUAR-china-uyghur.html; Human Rights Watch, "China: Passports Arbitrarily Recalled in Xinjiang: Heightened Control Over Travel for Residents of Uighur Muslim Region," 21 November 2016, www.hrw.org/news/2016/11/22/china-passports-arbitrarily-recalled-XUAR; Uyghur Human Rights Project, "Weaponized Passports: The Crisis of Uyghur Statelessness," April 2020, docs.uhrp.org/pdf/Weaponized_Passports.pdf

610 Amnesty International interviews.

One week [after I got my passport back], people from the police called me again. Then they took my passport again and said they would keep it until a county-level official signed [the form]. And then they gave me a piece of paper to sign saying I would not disclose anything about the camp or the secrets of the People's Republic of China, and I signed it. I made an oath that I would not disclose... After I signed, three or four cadres came to my house. They came with cameras. Before they started filming me, they told me what to say – that I went to school and that I got knowledge and that I was happy with the government and with the opportunity to gain knowledge... In front of the camera I said that the Party was taking good care of me and that the government was helping the poor people... and that during the seven or eight months of my schooling the teacher and others were friendly and that they taught me well... I was instructed to say this, so I said it. They saved the tape. They repeated to me not to say anything bad. Then I signed the paper where I said I would. Then they gave me my passport back. [Then I left the country].⁶¹¹

Ibrahim told Amnesty he was interrogated several times while trying to get passports for his family to go to Kazakhstan. Security officials told him repeatedly that he could not talk about what happened in the camps and that he had to swear on video that he would never disclose anything about the situation. His parents were also required to sign letters of guarantee. “My parents had to say, ‘I do give my consent and I will be taken to a camp if my son ever speaks to foreign media and discloses what happened in camp’,”⁶¹² he told Amnesty. Several months later, his family was given their passports.

Former detainees who managed to go aboard were often threatened with punishment if they did not return on time.⁶¹³ Khaina told Amnesty she was continually harassed by officials after she arrived in Kazakhstan. “Once I came to Kazakhstan, I thought I was free... But [government officials] kept calling. I realized that they would never let me live in peace,” she said.⁶¹⁴ Former detainees told Amnesty they believe their family members were sent to camps because they left the country.⁶¹⁵

Former detainees reported that government officials called them and threatened to send their family members to camps if they did not return or if they spoke out. Merdan told Amnesty that when he left Xinjiang he was told he would be sent to a camp if he did not return on time. When he did not return promptly, police called him and said they would take his father and father-in-law to a camp if he did not return.⁶¹⁶

Former detainees living abroad described being called by family members in Xinjiang – who were in the presence of government officials – asking them to return and saying that if they did not, the family member would be sent to a camp. Kuanish told Amnesty that police called him with his son, and his son said he was going to be detained if the man did not return.⁶¹⁷ Since that phone call, Kuanish has been unable to speak with his family. “I have no idea where my children are. I have no information,” he said.

611 Amnesty International interview.

612 Amnesty International Interview.

613 Amnesty International Interviews.

614 Amnesty International Interview.

615 Amnesty International Interviews.

616 Amnesty International Interview.

617 Amnesty International Interview.

6.4 ‘CAMP TO LABOUR’

The testimony of former detainees shows that for many, there is a clear compulsory labour component to the system of detention and of “transformation-through-education” targeting Uyghurs, Kazakhs and other ethnic minority groups in Xinjiang. This component is also indicated in the Telegram, which states that if a detainee was designated ready for release, the group that did the final evaluation also determined whether the detainee would enter a “skills improvement class” for “intensive training” before being released.⁶¹⁸

Despite this being described by the Chinese authorities as a “voluntary” skills training and job placement programme, some detainees who spoke to Amnesty described arrangements that left them with little or no choice or control but to accept employment or “training placements” with minimal pay, poor working conditions, a discriminatory work environment, and often continued restrictions on their freedom of movement under threat of further punishment. These arrangements, therefore, should be considered in the context of forced or compulsory labour.⁶¹⁹

FORCED OR COMPULSORY LABOUR

International Labour Organization (ILO) Convention 29 defines “forced or compulsory labour” as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”.⁶²⁰ The following factors can be used to identify forced labour in practice:

- The actual presence or threat of a penalty, including violence; financial penalties (such as non-payment of wages); loss of rights or privileges; denunciation to authorities and deportation; exclusion from future employment; or deprivation of food, shelter, or other necessities.
- Lack of consent to work, including restriction of freedom of movement or physical confinement in the work location; psychological compulsion; withholding and non-payment of wages; or confiscation of identity documents.⁶²¹ An ILO Committee has stated that a penalty “need not be in the form of penal sanctions, but might take the form also of a loss of rights or privileges”.⁶²²

“Voluntarily” is less clearly defined, but the ILO Committee of Experts has stressed that in “considering the freedom to ‘offer oneself voluntarily’ for work or service, account must be taken of the legislative and practical framework which guarantees or limits that freedom... An external constraint or indirect coercion interfering with a worker’s freedom to ‘offer himself voluntarily’ may result not only from an act of the authorities, such as a statutory instrument, but also from an employer’s practice, e.g. where migrant workers are induced by deceit, false promises and retention of identity documents or forced to remain at the disposal of an employer; such practices represent a clear violation of the Convention.”⁶²³

Amnesty International interviewed 11 former detainees who were transferred to different types of labour after their release from a camp, including three who were sent to work in factories.⁶²⁴ A few were sent to work in village administration offices, police stations, or other government buildings,

618 “The Telegram” (previously cited), para 18

619 The ILO has identified 11 “indicators” that, alone or in conjunction with others, point to the possible existence of forced labour: abuse of vulnerability; deception; restriction of movement; isolation; physical and sexual violence; intimidation and threats; retention of identity documents; withholding of wages; debt bondage; abusive working and living conditions; and excessive overtime; International Labour Organization, “ILO indicators of Forced Labour,” www.ilo.org/global/topics/forced-labour/publications/WCMS_203832/lang-en/index.htm

620 ILO Convention 29 concerning Forced or Compulsory Labour (1930), Article 2(1); the convention is not ratified by China, despite it being one of the ILO’s eight “fundamental” conventions that set out core international labour standards, identified by the ILO Governing Body as covering subjects considered to be fundamental principles and rights at work. Therefore China, as a member of the ILO, is still obliged to comply with the convention’s provisions despite the lack of ratification. Out of 187 ILO member states, China is one of only eight that has not ratified the Forced Labour Convention. See also Article 8(3) of the ICCPR, which prohibits anybody being required to perform forced or compulsory labour.

621 International Labour Office, A Global Alliance Against Forced Labour: Global Report under the follow-up to the ILO Declaration on Fundamental Principles and rights at Work, 2005, p6 and par14.

622 International Labour Conference, 1979 General Survey of the Reports relating to the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1975, (No. 105), Report of the Committee of Experts on the Application of Conventions and Recommendations, 65th Session, Geneva, 1979, Report III, Para 21.

623 International Labour Conference, 2007 General Survey of the Reports relating to the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1975, (No. 105), Report of the Committee of Experts on the Application of Conventions and Recommendations, 96th Session, Geneva, 2007, Report III, Paras 38 – 40.

624 Amnesty International interviews.

where they often performed menial tasks.⁶²⁵ One was sent to work on a state-owned farm and one was made to do chores by cadres for a Han Chinese man in the village.⁶²⁶ One person was made to work as a guard in an internment camps after being detained. “They told me I could be free if I worked as a security guard at a camp,” Anarbek said.⁶²⁷

Arzu told Amnesty that after spending six months in one camp he was transferred to another camp, where he was taught to sew in preparation for being sent to a factory. He was then required to live and work in a factory for several months making government uniforms.

During the day [at the second camp] we would sit on a plastic chair. A teacher taught language and how to make clothes. During the 21 days [we spent in the second camp] we went to class two or three times, otherwise we were just in the cell... The teachers from the screen were in [a different] class. They just showed us how to make clothes on the TV. Some guys were there [in this camp] for two years and never touched a machine... Then a list came out for people to transfer to a factory. Kazakhs, Kyrgyz, and Uzbeks, not Uyghurs... Then I was sent to a factory for five months, to make government uniforms at first. Then we started making dresses. I worked for eight hours a day. I had one hour of exercise in the yard... I was allowed to call family and friends, but not people abroad... There was no physical inspection, but we were given phones and asked to install a police app... We worked five days a week. The salary was 1,620 RMB [253 USD] a month... We were really ineffective. We didn't know how to do it. They had some Chinese woman come in for one week to try to teach us.⁶²⁸

Aldiyar told Amnesty he spent three months working in a factory for low pay after being released from the camp. All workers were members of ethnic minorities but senior managers were Han Chinese:

[After I was released from the camp] they ordered me not to leave my house for 10 days... After a week they called me back and they registered me and made a list of people who had been in the camp. Then they gathered all the people on the list, and we went to a garment factory. We didn't have a choice but to go there... The salary was low. It was impossible to take care of my family with the salary. The first month [we were paid] 200 RMB [31 USD]... The factory was on the outskirts of [redacted] county seat. Only ethnic minorities were working in the factory – Uyghurs, Kazakhs, and Hui. The [only] Han were the heads of the factory... The factory made clothes, gloves, and bags.⁶²⁹

The three former detainees who provided Amnesty with accounts of being sent to work in factories after being released from detention were all ultimately able to leave those factories. This was because of a policy that allowed factory workers to return to their homes if they had secured another job and if another employer was willing to sign a letter of guarantee taking responsibility for them. Aldiyar was permitted to leave the factory at night because he lived nearby, although other people were required to live there. Every week Aldiyar had to submit a written report of what he did [to the village administration].

I was at the factory for three months. After three months, I asked if I could do my old profession. They said, 'Okay, but you need to get a letter from your work saying that they

625 Amnesty International interviews.

626 Amnesty International interview.

627 Amnesty International interview.

628 Amnesty International interview.

629 Amnesty International interview.

are taking responsibility for you and to give the address of the head of your workplace' ... I got the paper [signed] and went back to [the place I used to work] after I finished [high] school.⁶³⁰

Ibrahim told Amnesty he worked and lived in a factory for two weeks after being released from a camp. Some other workers in the factory had not been sent from camps; rather, they had been pressured to work in the factory when another member of their family was taken to a camp:

They took us [to the factory]... There were many buildings and many people... I had to go to the third floor... They taught us how to sew clothes. And while we were having lunch I spoke with women and girls [who worked there] and learned that those women's husbands or girls' fathers were in a camp. That was why they were taken there. I learned that if one family [member] was in a camp you had to work so the father or husband can get out quickly... I worked there for [some] days.... I had been a businessman before. I explained that and they let me go... The name of the factory was [redacted]... it was in the county seat... it was a linen factory... we produced clothes.⁶³¹

Other former detainees provided second-hand accounts of people from their camps being sent to work in factories.⁶³²

This testimony points to a number of ways in which the authorities in Xinjiang appear to be compelling Uyghurs and other members of ethnic minority groups in Xinjiang to engage in certain types of labour, sometimes as an extension of the “education” received in the camps. Based on the evidence presented in this report, Amnesty believes the treatment of some former detainees in Xinjiang is characterised by elements of forced labour which meet the definition of ILO Convention 29. There is a lack of voluntariness accompanied by a threat of detention for non-compliance. In addition, there is evidence in some cases of poor or abusive working conditions, including low pay, isolation, restrictions on movement, and intimidation and threats. In light of this evidence there is a need for an independent, impartial thorough investigation.

Journalists and scholars have reported that large numbers of detainees have been sent to situations of what has been described as forced labour – inside and outside of camps – in Xinjiang and other parts of the country.⁶³³ The Xinjiang Victim's Database has reported 96 instances where people were allegedly sent from internment camps to situations of forced or compulsory labour. These former detainees described being compelled to work in garment factories, silk factories, textile factories, tea factories, electric motor assembly plants, shoe factories, and noodle factories after they were released from detention. Others were made to work as security guards or teachers.⁶³⁴ Journalists have also reported forced transfers of large numbers Uyghurs and ethnic minorities for factories in

630 Amnesty International interview.

631 Amnesty International interview.

632 Amnesty International interviews.

633 See Chris Buckley and Austin Ramzy, New York Times, “China’s Detention Camps for Muslims Turn to Forced Labour,” 16 December 2018, www.nytimes.com/2018/12/16/world/asia/XUAR-china-forced-labor-camps-uyghurs.html; John Sudworth, BBC News, “China’s ‘tainted’ cotton,” December 2020, www.bbc.co.uk/news/extra/nz0g306v8c/china-tainted-cotton; Shohret Hoshur, Radio Free Asia, “Internment Camp Assigned Uyghur Forced Laborers to Xinjiang Textile Factor: Official,” 14 November 2019, www.rfa.org/english/news/uyghur/laborers-11142019142325.html; Vicky Xiuzhong Xu, Danielle Cave, Dr James Leibold, Kelsey Munro & Nathan Ruser, Australian Strategic Policy Institute, “Uyghurs for Sale: ‘Re-education’, forced labour and surveillance beyond Xinjiang,” 1 March 2020, www.aspi.org.au/report/uyghurs-sale; Alison Killing, Megha Rajagopalan, BuzzFeed News, “The Factories in the Camps: Observers have long warned of rising forced labor in Xinjiang. Satellite images show factories built just steps away from cell blocks,” 28 December 2020 (updated 4 January 2021), www.buzzfeednews.com/article/alison_killing/xinjiang-camps-china-factories-forced-labor; Zenz, Adrian. ‘Beyond the Camps: Beijing’s Long-Term Scheme of Coercive Labor, Poverty Alleviation and Social Control in XUAR.’ Journal of Political Risk Vol.7, No.12, 10 December 2019. www.ipolrisk.com/beyond-the-camps-beijings-long-term-scheme-of-coercive-labor-poverty-alleviation-and-social-control-in-XUAR/

634 Xinjiang Victims Database, shahit.biz/eng/#filter

other parts of China, with some coming directly from detention camps.⁶³⁵ Reports have also called into question the supply chains of numerous well-known global brands.⁶³⁶

6.5 'CAMP TO PRISON'

Some detainees are transferred from internment camps to prison. Like the process of being released to go home, the seemingly related process through which camp detainees were given prison sentences is not well understood, even by former detainees who appear to have had some exposure to the process. It is also unclear how the release process and the sentencing process were connected – especially how, or if, the prison sentencing process in the camps is integrated with any formal sentencing process outside the camps.

DRAMATIC INCREASE IN PRISON SENTENCES IN XINJIANG SINCE 2017

Since 2017, massive numbers of individuals from ethnic minority groups have been sent to prisons in Xinjiang.⁶³⁷ Journalists at The New York Times, relying entirely on Chinese government statistics, demonstrated that incarceration rates in Xinjiang increased dramatically in 2017 and 2018, with hundreds of thousands more people being sent to prisons than on average – a 10-fold increase – in previous years. The data reportedly include prison sentences and “other criminal punishments, which can include suspended sentences or house detention”.⁶³⁸ Since The New York Times investigation, the government has not released any more data on incarceration rates in Xinjiang.

It is not known how many – if any – of the people included in the official government statistics were initially sent to internment camps and then given prison sentences and transferred to prisons. There is evidence that some people – perhaps large numbers – have been sent from internment camps to prisons or other detention facilities.⁶³⁹

According to another report by Human Rights Watch, also relying on Chinese government statistics, in 2017 there was a dramatic increase in the number of lengthy sentences handed down by courts in Xinjiang. Before 2017, prison sentences longer than five years accounted for approximately 11% of the total number of people sentenced. In 2017, 87% of sentences were more than five years.⁶⁴⁰

635 See Nathan Vanderklippe, *Globe and Mail*, “Thousands of Uyghurs Workers in China are being relocated in an effort to assimilate Muslims, documents show: Xinjiang’s Muslim minorities have been moved to factories thousands of kilometres away to sever their ties to home and undermine their culture, internal documents and Chinese researchers reveal,” 2 March 2021, www.theglobeandmail.com/world/article-thousands-of-uyghur-workers-in-china-are-being-relocated-in-an-effort/; Eva Dou, Jeanne Whalen, and Alicia Chen, *Washington Post*, “U.S. ban on China’s Xinjiang cotton fractures faction industry supply chains,” 22 February 2021, www.washingtonpost.com/world/asia_pacific/china-cotton-sanctions-xinjiang-uyghurs/2021/02/21/a8a4b128-70ee-11eb-93be-c10813e358a2_story.html; Vicky Xiuzhong Xu, Danielle Cave, Dr James Leibold, Kelsey Munro & Nathan Ruser, Australian Strategic Policy Institute, “Uyghurs for Sale: ‘Re-education’, forced labour and surveillance beyond Xinjiang,” 1 March 2020, www.aspi.org.au/report/uyghurs-sale

636 See Laura T. Murphy and Nyrola Elima, Sheffield Hallam University Helena Kennedy Centre for International Justice, “In Broad Daylight: Uyghur Forced Labour and Global Solar Supply Chains,” 2021, www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/in-broad-daylight; Alexandra Stevenson, *New York Times*, “China’s Forced-Labor Backlash Threatens to Put N.B.A in Unwanted Spotlight: Lucrative endorsements deals with Chinese sports brands supporting Xinjiang cotton could pull the league and its athletes back into another geopolitical firestorm,” 9 April 2021, www.nytimes.com/2021/04/09/business/china-nba-anta-xinjiang.html; Vicky Xiuzhong Xu, Danielle Cave, Dr James Leibold, Kelsey Munro & Nathan Ruser, Australian Strategic Policy Institute, “Uyghurs for Sale: ‘Re-education’, forced labour and surveillance beyond Xinjiang,” 1 March 2020, www.aspi.org.au/report/uyghurs-sale

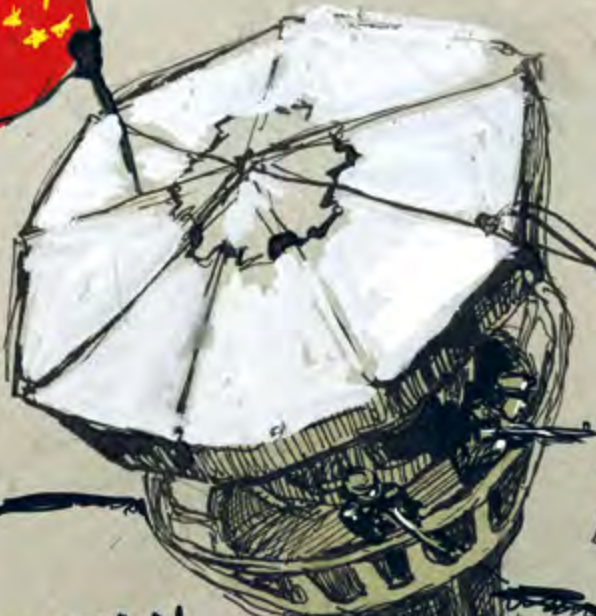
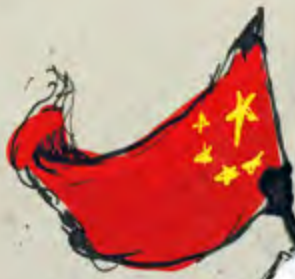
637 Chinese Human Rights Defenders, “Criminal Arrests in Xinjiang Account for 21% of China’s Total in 2017: China’s Counter-Terror Campaign Indiscriminately Targets Ethnic & Religious Minorities in Xinjiang,” 25 July 2018, www.nchrd.org/2018/07/criminal-arrests-in-xinjiang-account-for-21-of-chinas-total-in-2017/; The Art of Life in Chinese Central Asia, *The Elephant in the XUAR: II. Brand new prisons, expanding old prisons, & hundreds of thousands of new inmates*, Gene A. Bunin, 4 January 2021, livingtogetherwise.com/2021/01/04/the-elephant-in-the-xuar-ii-brand-new-prisons-expanding-old-prisons-and-hundreds-of-thousands-new-inmates/

638 *New York Times*, “China’s Prisons Swell After Deluge of Arrests Engulfs Muslims: Arrests, trials and prison sentences have surged in Xinjiang, where Uighurs and Kazakhs also face reeducation,” 31 August 2019, www.nytimes.com/2019/08/31/world/asia/xinjiang-china-uyghurs-prisons.html; Chinese Human Rights Defenders (CHRD), 25 July 2018, www.nchrd.org/2018/07/criminal-arrests-in-xinjiang-account-for-21-of-chinas-total-in-2017

639 Shohret Hoshur, *Radio Free Asia*, *Xinjiang Authorities Secretly Transferring Uyghur Detainees to Jails Throughout China*, 2 October 2018, www.rfa.org/english/news/uyghur/transfer-10022018171100.html; Holly Robertson, *ABC News*, “China reportedly begins mass transfers of Uighur detainees from Xinjiang to prisons nationwide,” 9 October 2018, www.abc.net.au/news/2018-10-10/is-china-transferring-uyghur-detainees-to-far-flung-prisons/10356406; Gene A. Bunin, *Art of Life in Chinese Central Asia*, “From camps to prisons: Xinjiang’s next great human rights catastrophe,” 5 October 2019, livingtogetherwise.com/2019/10/05/from-camps-to-prisons-xinjiangs-next-great-human-rights-catastrophe-by-gene-a-bunin/

640 Human Rights Watch, *China: Baseless Imprisonments Surge in Xinjiang – Harsh, Unjust Sentences for Uyghurs, Other Muslims*, 24 February 2021, www.hrw.org/news/2021/02/24/china-baseless-imprisonments-surge-xinjiang#

KAZAKHSTAN



KYRGYZSTAN



XINJIANG



PAKISTAN



INDIA

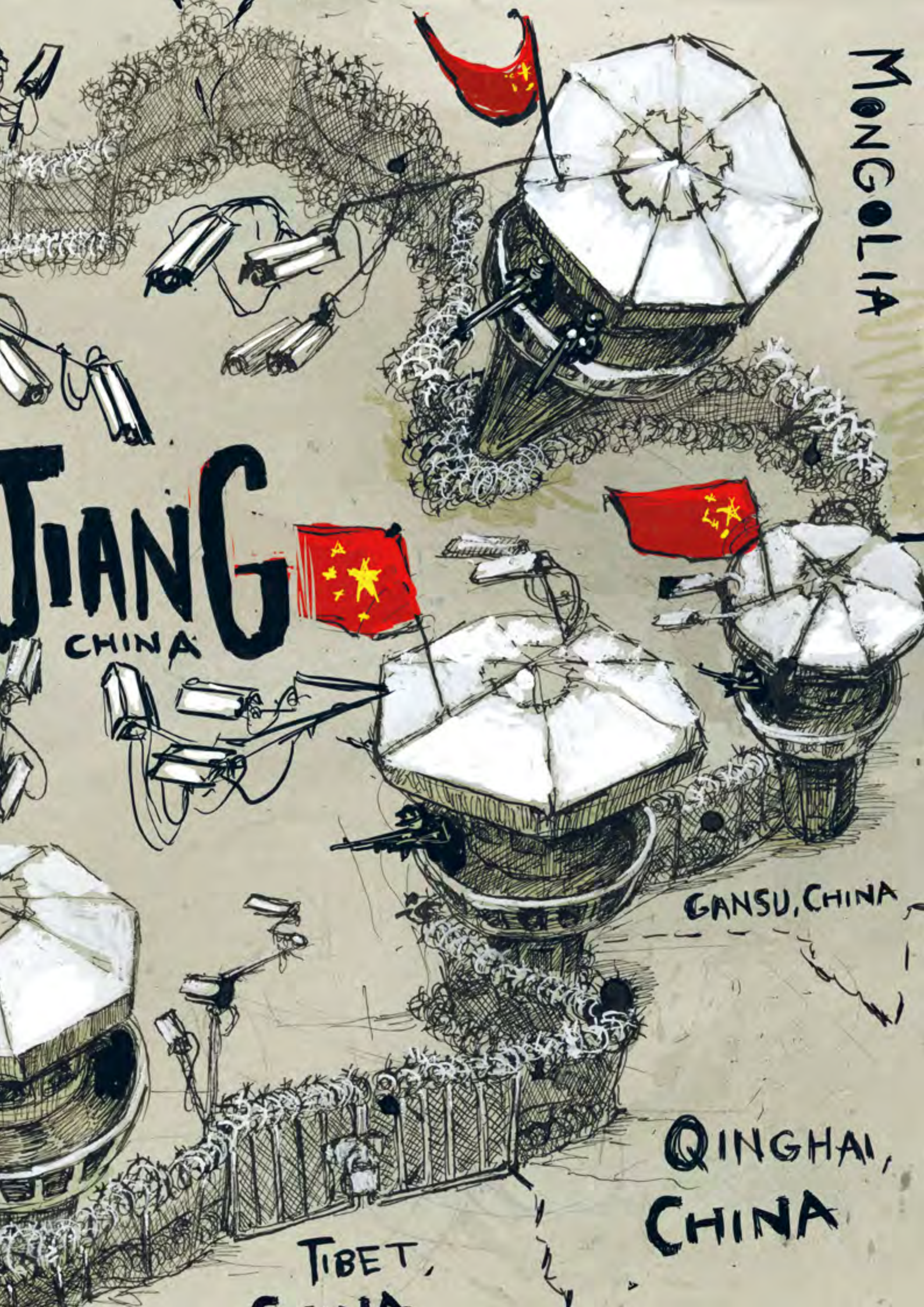
MONGOLIA

JIANG
CHINA

GANSU, CHINA

QINGHAI,
CHINA

TIBET,
CHINA



Unlike people who are sent to internment camps, who undergo no meaningful legal process, people who are sent to prison are reportedly prosecuted and convicted in accordance with formal legal rules.⁶⁴¹ This legal process, however, fails in multiple respects to comply with international human rights law and standards related to fair trial rights. According to an academic analysis, authorities made public only about 10% of the criminal verdicts from Xinjiang in 2018, dramatically fewer than in the rest of the country.⁶⁴² Moreover, the overwhelming majority of those made public were for violent, property, or financial crimes – with fewer than 1% of the public verdicts related to “‘crimes’ typically applied to Xinjiang’s ethnic-minority population (e.g., ‘terrorism’, ‘extremism’, ‘inciting ethnic hatred’, ‘disturbing social order’)”. Human Rights Watch’s analysis of 60 of the public verdicts “suggests that many people have been convicted and imprisoned without committing a genuine offense.”⁶⁴³

All of the former detainees Amnesty International interviewed for this report were detained in internment camps, not prisons. No one given a formal prison sentence and sent to prison in Xinjiang since 2017 has spoken publicly about their experience.

Amnesty International was not able to interview anyone who was given a prison sentence in a camp and then sent to a prison. Amnesty did, however, interview former camp detainees who said they were given sentences that were subsequently “forgiven”.⁶⁴⁴ Amnesty also interviewed former detainees who said that, while they were detained, one or more of the people in their classes received prison sentences. This included in some instances sentences of 15 or 20 years, often apparently for everyday behaviour far removed from any type of recognized offence.⁶⁴⁵ Many of the former detainees personally knew other people – usually multiple people – who had been given prison sentences.⁶⁴⁶

Yerkinbek, who was living in Xinjiang in 2020, told Amnesty he believed that many people in the camps, particularly those detained for religion-related offences, had been transferred to prison. “In September 2019 we started hearing that many Kazakhs had been released from camps, but some were sent to prison for many years... I have information about 13 people [from my area] who were sentenced [and sent to prison]. Most of them were imams. I know some of them personally,” he said.⁶⁴⁷

At some point during their internment, many camp detainees were presented with a verdict that lists their “crimes” and often includes a custodial sentence. Former detainees said the verdicts were announced verbally at the end of a process referred to as a “trial”. However, none of the former detainees Amnesty interviewed experienced anything resembling a genuine judicial or even administrative process, let alone one that involved fair trial safeguards. Just as with their original detention in the camps, they had no opportunity to defend themselves, examine any evidence, or consult a lawyer. Some former detainees did not recall any real process preceding the announcement of a verdict and said their verdicts and those of their classmates were just read out in class.⁶⁴⁸ Some detainees were told that their sentence was expected to be served in the camp; others were sentenced and sent to prison.

Former detainees interviewed by Amnesty International generally believed that detainees sent to camps for religion-related “offences” were more likely to have been given subsequent prison sentences.⁶⁴⁹ Some detainees also believe that ethnicity was correlated with whether a detainee was sent to a prison. Uyghurs were perceived as more likely to be sentenced than members of other ethnic groups.

641 The Art of Life in Chinese Central Asia, The Elephant in the XUAR:III “In accordance with the law”, Gene A. Bunin, 19 April 2021, livingotherwise.com/2021/04/19/the-elephant-in-the-xuar-iii-in-accordance-with-the-law/

642 The Art of Life in Chinese Central Asia, The Elephant in the XUAR:III “In accordance with the law”, Gene A. Bunin, 19 April 2021, livingotherwise.com/2021/04/19/the-elephant-in-the-xuar-iii-in-accordance-with-the-law/; and

643 Human Rights Watch, China: Baseless Imprisonments Surge in Xinjiang – Harsh, Unjust Sentences for Uyghurs, Other Muslims, 24 February 2021, www.hrw.org/news/2021/02/24/china-baseless-imprisonments-surge-xinjiang#

644 Amnesty International interviews.

645 Amnesty International interviews.

646 Amnesty International interviews.

647 Amnesty International interview.

648 Amnesty International interviews.

649 Deutsche Welle (DW), China convicts Uighurs in Sham trials at Xinjiang Camps, 8 June 2020, www.dw.com/en/china-convicts-uyghurs-in-sham-trials-at-xinjiang-camps/a-53699982

FAIR TRIAL GUARANTEES UNDER INTERNATIONAL LAW

The right to a fair trial, as recognized in Articles 10 and 11 of the Universal Declaration of Human Rights and expressed in detail in Article 14 of the ICCPR and other international legal provisions, has become legally binding on all states as part of customary international law. When an individual is confronted by the machinery of the state, how that person is treated provides a concrete demonstration of how well that state respects individual human rights and the rule of law. The necessary safeguards are heightened if the individual faces criminal charges, trial, and sanctions (and the state's commitment is tested even more when a person is accused of threatening the security of a society, such as through acts of terrorism, or the security of those who hold power).⁶⁵⁰

Everyone, including those accused of criminal offences and victims of crime, has a right to equal access to the courts, without discrimination. A fundamental principle and prerequisite of a fair trial is that the tribunal charged with making decisions in a case must be established by law and be competent, independent, and impartial. The right to a public hearing is an essential safeguard of the fairness and independence of the judicial process and is a means of protecting public confidence in the justice system, with only limited exceptions allowing closed trials. Even before any trial or sentence, anyone deprived of their liberty:

- must be informed clearly and specifically of the reasons they are being deprived of their liberty, in writing and in a language they understand;
- must be promptly informed of their rights and receive an effective opportunity to challenge the legality of their detention before a judicial body that has the power to order the person's release; and
- must be given prompt access to independent legal assistance of their own choosing.⁶⁵¹

If someone is charged with a criminal offence, other fundamental principles included in the right to a fair trial are the rights to be presumed innocent until and unless proved guilty according to law after a fair trial, and the right not to incriminate oneself, including not being forced to "confess" guilt. If an accused person alleges during the course of proceedings that they have been compelled to make a statement or to confess guilt, a judge should have the authority to consider the allegation at any stage. All those charged with criminal offences have the right to defend themselves, in person or through a lawyer. They have the right to be assisted by a lawyer of their choice or to have a competent lawyer assigned to assist them.

No one may be convicted for an act or an omission that did not constitute a criminal offence under national or international law at the time it was committed.⁶⁵² Punishments must be proportionate and may not violate international standards.

Kairatbek told Amnesty that, while he was interned, he was taken to a "court", which involved him answering questions similar to those he had answered during previous interrogations. He was not given a sentence, but he said many of his cellmates who appeared before the "court" were. He recounted:

A month or so before I was released, people were taken to 'courtrooms' and given sentences... [When I was taken to the courtroom] they just asked me what I had done... I said I had been to Kazakhstan... [The woman presiding over the process] said you need more time [in the camp]. She didn't give me a sentence... If I'm not mistaken, she was a Uyghur. She had a list of questions... I was good at answering... It was just the two of us, talking in Uyghur... She already had documents about me in front of her... Everyone [in my cell] went to court. Some came back [to the cell] and said they got prison terms. Some were the same as me [and were not given any sentence]... Some of those who did [get sentenced] were then [moved out of the cell].⁶⁵³

650 Amnesty International, "Fair Trial Manual", 2014, www.amnesty.org/download/Documents/8000/pol300022014en.pdf

651 Article 9 of the ICCPR; HRC Concluding Observations: Sudan, UN Doc. CCRP/C/79/Add.85 (1997) §13; CAT General Comment 2, §13.

652 Article 11(2) of the UDHR, Article 15 of the ICCPR, Article 19(1) of the Migrant Workers Convention.

653 Amnesty International interview.

Arzu, who was one of the few former detainees Amnesty International interviewed who was temporarily placed in the strict management category and given a yellow badge, said that approximately a year into his time in the camp, several of his cellmates were taken to court and given sentences. “They took people to court. A few days later [those people] got verdicts. The staff in charge [of our cell] came to the cell and read the verdict. We can hear it read,” he said. Arzu provided Amnesty with the full names of two of his cellmates who were sentenced, and said that one was given 15 years for gathering with others and reading a book about religion and the other was given five to seven years for insulting the police and country leaders.⁶⁵⁴ It is not clear whether the court referred to was a competent, independent, and impartial tribunal established by law, as international law requires.⁶⁵⁵

Beibut, who spent nearly a year and a half in different camps, told Amnesty International he was in a class of 50, which was approximately half Uyghurs and half Kazakhs and Hui. He said all the Uyghurs, five Hui, and two Kazakhs were given sentences. “They would read verdicts in class... [One man received] ‘three years for going to a halal restaurant’... [another man received] ‘seven years for having camping equipment or boxing [equipment], because then you were involved in terrorism,” he said.⁶⁵⁶

Not everyone who received a guilty verdict was sent to prison. It appears that some sentences were expected to be served in the camp. Two former detainees told Amnesty that people with sentences under 10 years served them in the camp, and that people with punishments over 10 years were sent to prison.⁶⁵⁷ Journalists who have reported on such proceedings have documented similar results.⁶⁵⁸

Meryemgul, who said she was sent to a camp for refusing to work for the government, told Amnesty International that officials started giving verdicts to people in her class several months after she arrived in the camp. “[Mine said] that I deserved five to 10 years but that the government was merciful so I didn’t need to go to prison... they said that my sin was going to a country that was on the sensitive country list and not cooperating with the neighbourhood committee.”⁶⁵⁹ Meryemgul was subsequently released after an appeal from family members abroad.

It is possible that some of the verdicts described by former detainees were actually meant to scare detainees and motivate them to behave more compliantly and accept the “education” they were receiving in the camp. Most former detainees Amnesty interviewed were initially given guilty verdicts, and a few were given prison sentences; however, those sentences were rescinded and none of the former detainees Amnesty interviewed was sent to prison. Because Amnesty International has not been able to speak to anyone who was sent to prison from an internment camp, it is difficult to know whether or how much such individuals’ experience may have differed.

At the very least, camp detainees believed there was a real possibility of being sent to prison on the basis of the verdicts they received. Aitugan told Amnesty that people who received sentences of 10 years or more were sent directly to prison, including three men from his class – two Uyghurs and one Kazakh. He said he was told this secretly by staff in the camp. “Those verdicts over 10 years are directly sent to prison; the family gets the verdict. Those teachers in camp, they talked secretly to us [and told us that people were sent to prison],” he said.⁶⁶⁰

Qazir, who was sent to a camp because of his involvement with his local mosque, told Amnesty that one day while in class people were called one by one to another room and told what their verdict was:

654 Amnesty International interview.

655 Article 10 of the UDHR; Article 14(1) of the ICCPR.

656 Amnesty International interview.

657 Amnesty International interviews.

658 Deutsche Welle (DW), China convicts Uighurs in Sham trials at Xinjiang Camps, 8 June 2020, www.dw.com/en/china-convicts-uighurs-in-sham-trials-at-xinjiang-camps/a-53699982

659 Amnesty International interview.

660 Amnesty International interview.

People who were religious got [between] two- and 10-year prison terms. The person who was an imam in a mosque in my village was given a seven-year sentence... He told me about the sentence. We were in the same room... Initially I was given three to five years but then they forgave me and I wasn't given a prison term... They didn't explain why. Maybe because [a relative] did an appeal for [my release] from Kazakhstan.⁶⁶¹

Amnesty also interviewed a former government official who was responsible for informing families when their detained family members were given prison sentences. The official said that several government cadres, including one who was allegedly representing the judicial system, would go to the houses of families of people who had been sentenced. "We just read from a piece of paper. There was no [official] stamp or signature. Just the [crimes]... for each person it was different 'crimes'. [Sometimes] the paper would say that the crime was one of the 75 signs of extremism," Aiman said.⁶⁶²

The accounts of the release process given to Amnesty are consistent with accounts other former detainees have provided to journalists.⁶⁶³ Testimonies given to journalists refer to "sham trials", which could lead people to be transferred from the camps to prison. As part of this process, detainees were handed a list of infractions from which they retroactively chose a crime for which they were detained in the camps – likely the 75 manifestations of extremism. Detainees who refused to choose a crime from this list were reportedly threatened with indefinite detention. Journalists have also reported camp detainees being sent to prisons in parts of China outside of Xinjiang.⁶⁶⁴

THE DEBATE AROUND THE EVOLUTION OF THE INTERNMENT CAMP SYSTEM AND THE LARGER SYSTEM OF MASS INCARCERATION IN XINJIANG

In 2017, many of the internment camps were in former schools and other government buildings that had been securitized and otherwise repurposed to house detainees and prevent escapes.⁶⁶⁵ Repurposing often entailed the construction of internal fencing, external security walls, guard towers and posts, and other new structures. In 2018, some detainees in the initial camps were transferred to new, larger facilities – often on the outskirts of towns – that had been constructed specifically as detention facilities.⁶⁶⁶ Some of these new facilities were constructed adjacent to existing prisons and are arguably expansions of these.⁶⁶⁷ According to analysis of satellite imagery by Amnesty International and other organizations, between 2018 and 2020 many of the repurposed facilities appear to have been de-securitized, often coinciding closely with the apparent completion of the new, larger facilities.

In May 2021, Amnesty International analysed the latest high-resolution satellite imagery of 29 facilities that it was able to concretely or likely identify based on descriptions provided by former detainees about the camps they were detained in. Nearly all of these facilities – including all of those that had been repurposed and turned into camps in 2017 – appear to have been de-securitized between 2018 and 2020 and are likely no longer operating as camps. Three of the larger facilities Amnesty analysed show signs of activity; however, Amnesty has been unable to determine whether these facilities are still being used as internment camps or for some other purpose. This analysis partially corroborates a September 2020 analysis of satellite imagery by the Australian Strategic Policy Institute (ASPI), which concluded that 70 of 380 suspected detention facilities

661 Amnesty International interview.

662 Amnesty International interview.

663 Deutsche Welle (DW), China convicts Uighurs in Sham trials at Xinjiang Camps, 8 June 2020, www.dw.com/en/china-convicts-ughurs-in-sham-trials-at-xinjiang-camps/a-53699982; Gene A. Bunin, Art of Life in Chinese Central Asia, "From camps to prisons: Xinjiang's next great human rights catastrophe," 5 October 2019, livingotherwise.com/2019/10/05/from-camps-to-prisons-xinjiangs-next-great-human-rights-catastrophe-by-gene-a-bunin/

664 Shohret Hoshur, Radio Free Asia, "China Spiriting Uyghur Detainees Away from Xinjiang to Prisons in Inner Mongolia, Sichuan," www.rfa.org/english/news/uyghur/detainees-02212019162142.html

665 See Ben Dooley, AFP, "Inside China's internment camps: tear gas, Tasers and textbooks," 24 October 2018, www.yahoo.com/news/inside-chinas-internment-camps-tear-gas-tasers-textbooks-052736783.html; Nather Ruser, Australian Strategic Policy Institute (ASPI), "Documenting Xinjiang's detention system," September 2020, cdn.xidp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf

666 Amnesty International Interviews.

667 Nather Ruser, Australian Strategic Policy Institute (ASPI), "Documenting Xinjiang's detention system," September 2020, cdn.xidp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf

in Xinjiang had been closed or de-securitized since 2018.⁶⁶⁸ Research by the Rand Corporation, using night-time light data to analyse the 380 locations documented by ASPI, found 51 locations had significant declines in the amount of light emitted by 24 February 2021, which also suggests the facilities were no longer operational.⁶⁶⁹

It is not known whether certain camps were dismantled because there were fewer detainees, because newer camps or prisons had been built to replace some of the original buildings, because of some combination of these two reasons, or for other reasons. According to satellite imagery analysis done by BuzzFeed News and ASPI, despite the closures of many camps, the infrastructure for the system of mass incarceration in Xinjiang expanded greatly between 2017 and 2020. ASPI concluded that at least 61 detention facilities had been expanded or built between July 2019 and July 2020, including at least 14 facilities – mostly prisons – that were still being built.⁶⁷⁰ BuzzFeed’s analysis unearthed evidence of “scores of massive new prison and internment camps” that had been built since 2017, many of which were still operating in 2020.⁶⁷¹

It is not known whether many of these new detention facilities are prisons, internment camps, hybrids, or some other type of detention facility. In 2021, it is also not known whether the people detained in these facilities were detained according to the internment camp detention process, according to the formal prison sentencing process, or through some other process altogether. From a human rights perspective, the type of facility is not important; what matters is whether the detention process and the treatment detainees receive in the camps adhere to international law and standards.

THE DEBATE AROUND THE CURRENT STATUS OF INTERNMENT CAMP DETAINEES

In July 2019, Shohrat Zakir, the governor of Xinjiang, reportedly said that 90% of the people detained in internment camps in Xinjiang had been released.⁶⁷² In December 2019 he announced that the camps had been closed and that *all* people residing in those facilities had “returned to society.”⁶⁷³ The government provided no evidence to support its sweeping assertions.⁶⁷⁴ Moreover, after the announcements, it continued to go to extraordinary lengths to prevent the public from obtaining information about the camps and the detained population.⁶⁷⁵

668 Nather Ruser, Australian Strategic Policy Institute (APSI), “Documenting Xinjiang’s detention system,” September 2020, cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf

669 Eric Robinson and Sean Mann, NGA Tearline and The Rand Corporation, “NGA Tearline: What can nighttime lighting tell us about China’s Uyghur Detention Facilities?” www.intelligence.gov/index.php/publics-daily-brief/public-s-daily-brief-articles/1039-nga-tearline-what-can-nighttime-lighting-tell-us-about-china-s-uyghur-detention-facilities

670 Nather Ruser, Australian Strategic Policy Institute (APSI), “Documenting Xinjiang’s detention system,” September 2020, cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf

671 Megha Rajagopalan, Alison Killing, Christo Buschek, BuzzFeed, “Built to Last: A BuzzFeed News investigation based on thousands of satellite images reveals a vast, growing infrastructure for long-term detention and incarceration,” 27 August 2020, www.buzzfeednews.com/article/meghara/china-new-internment-camps-xinjiang-uyghurs-muslims; Alison Killing, Megha Rajagopalan, Christo Buschek, BuzzFeed News, “Blacked-out spots on China’s Map Helped Us Uncover Xinjiang’s Camps,” 27 August 2020, www.buzzfeednews.com/article/alison_killing/satellite-images-investigation-xinjiang-detention-camps

672 Reuters, “‘Most people’ detained in Xinjiang camps have been released, China claims: Official in Chinese region says detainees have ‘returned home’ but US calls for evidence and a UN inspection,” 30 July 2019, www.theguardian.com/world/2019/jul/31/most-people-detained-in-xinjiang-camps-have-been-released-china-claims; Chris Buckley and Edward Wong, New York Times, “Doubt Greeted China’s Claim That Muslims Have Been Released from Camps,” 30 July 2019, www.nytimes.com/2019/07/30/world/asia/china-xinjiang.html

673 Lily Kuo, The Guardian, “China claims detained Uighurs have been freed: Xinjiang governor offers no evidence of release but says ‘trainees’ have found stable jobs,” 9 December 2019, www.theguardian.com/world/2019/dec/09/china-claims-detained-uyghurs-have-been-freed; Yanan Wang, Associated Press (AP), “China claims everyone in Xinjiang camps has ‘graduated,’” 9 December 2019, apnews.com/article/religion-terrorism-ap-top-news-international-news-politics-27f00e4feaa2755f25ab514cecd47add; XINHUANET, “Trainees in Xinjiang education, training program have all graduated: official,” 9 December 2019, www.xinhuanet.com/english/2019-12/09/c_138617314.htm

674 Lily Kuo, The Guardian, “China claims detained Uighurs have been freed: Xinjiang governor offers no evidence of release but says ‘trainees’ have found stable jobs,” 9 December 2019, www.theguardian.com/world/2019/dec/09/china-claims-detained-uyghurs-have-been-freed; Amnesty International, “China: Government must show proof that Xinjiang detainees have been released,” 9 December 2019, www.amnesty.org/en/latest/news/2019/12/china-government-must-show-proof-that-xinjiang-detainees-have-been-released/

675 John Sudworth, BBC News, “China’s pressure and propaganda – the reality of reporting Xinjiang,” 15 January 2021, www.bbc.com/news/world-asia-china-55666153; Human Rights Watch, “China’s Weak Excuse to Block Investigations in Xinjiang: Ambassador Claims ‘Unreasonable, Unnecessary Obstacles’ Prevent UN Visit,” 25 March 2020, www.hrw.org/news/2020/03/25/chinas-weak-excuse-block-investigations-xinjiang; Cate Cadell, Tony Munroe, Reuters, “BBC journalist leaves China citing threats, obstruction,” 31 March 2021, www.reuters.com/article/us-china-britain-bbc/bbc-journalist-leaves-china-citing-threats-obstruction-idUSKBN2BN0U2; James Griffiths, CNN, “From cover-up to propaganda blitz: China’s attempts to control the narrative on Xinjiang,” 17 April 2021, www.cnn.com/2021/04/16/china/beijing-xinjiang-uyghurs-propaganda-intl-hnk-dst/index.html

As a result of the absence of evidence provided by the government and tremendous difficulties in obtaining accurate information from Xinjiang, there has been significant debate among former detainees, family members of people believed to be missing or detained in Xinjiang, other members of the diaspora, diplomats, journalists, and scholars about the truth of the government's statements about the alleged closure of the camps and release of the detainees.⁶⁷⁶

On the one hand, as evidenced by the testimonies documented in this report and by journalists and other organizations, many internment camp detainees have been released.⁶⁷⁷ All former detainees interviewed by Amnesty, journalists, and other organizations had been released by the time of the government's announcement.⁶⁷⁸ These former detainees, other former residents of Xinjiang, and other people living abroad have also provided accounts about other detainees who had also been released by this time.⁶⁷⁹ The Xinjiang Victim's Database documented 583 camp releases in late 2018 and early 2019.⁶⁸⁰

On the other hand, the fact that some detainees have been released and some camps have closed does not necessarily support the government's broader claims. Family members of a small number of former detainees have reported that their family members were released from camps after December 2019, which directly contradicts the government's claims that the camps were all closed by that time.⁶⁸¹ Several former detainees, other former residents of Xinjiang, and family members of people believed to be missing or detained who were interviewed by Amnesty said that they knew people who they believed were still detained in camps in Xinjiang.⁶⁸²

Regardless of the number of people still detained in internment camps, there is credible evidence that many of the people sent to internment camps in Xinjiang are still *detained* in some form, either in camps or some other type of detention facility. Large numbers of people are still reporting that their family members are missing and believed to be detained in camps, prisons, or other detention facilities in Xinjiang.⁶⁸³ There is evidence that some people – perhaps large numbers – have been sent from internment camps to prisons or other detention facilities.⁶⁸⁴ Former detainees interviewed by Amnesty and other organizations, and friends and family of detainees, have been sent to prisons.⁶⁸⁵ The Xinjiang Victims Database has reported over 500 cases of people being sent from “situations of prolonged detention to prison;” however, only a minority of these people were transferred from camps, the majority were transferred from other types of detention facilities, such as “detention centres”.⁶⁸⁶ Given the lack of transparency with respect to prison sentences, the true number is unknown.

676 Chris Buckley and Austin Ramzy, “Night Images Reveal Many New Detention Sites in China's Xinjiang Region: China said it was winding down its “re-education” camps for Uighurs and other minorities, but researchers found evidence that incarceration in is on the rise,” 24 September 2020, www.nytimes.com/2020/09/24/world/asia/china-muslims-xinjiang-detention.html; Al-Jazeera, “What's happening with China's Uighurs? Start here,” 21 February 2021, www.aljazeera.com/program/start-here/2021/2/28/whats-happening-with-chinas-uighurs-start-here; Radio Free Asia (RFA), “Three Camps in Xinjiang's Uchurpan Believed to Hold Ten Percent of the County's Uyghur Population,” 10 September 2020, www.rfa.org/english/news/uyghur/camps-09102020142042.html; Gene A. Bunin, Art of Life in Chinese Central Asia, “From camps to prisons: Xinjiang's next great human rights catastrophe,” 5 October 2019, livingotherwise.com/2019/10/05/from-camps-to-prisons-xinjiangs-next-great-human-rights-catastrophe-by-gene-a-bunin/; Gene A. Bunin, The Art of Life in Chinese Central Asia, The Elephant in the XUAR: II. Brand new prisons, expanding old prisons, & hundreds of thousands of new inmates, 4 January 2021, livingotherwise.com/2021/01/04/the-elephant-in-the-xuar-ii-brand-new-prisons-expanding-old-prisons-and-hundreds-of-thousands-new-inmates/

677 Gene A. Bunin, Foreign Policy. “Detainees Are Trickling Out of Xinjiang's Camps: House arrest or forced labor awaits most of those released so far in what may be a public relations ploy,” 18 January 2019, foreignpolicy.com/2019/01/18/detainees-are-trickling-out-of-XUARs-camps/; Alison Killing and Megha Rajagopalan, BuzzFeed News, What They Saw: Ex-Prisoners Detail The Horrors of China's Detention Camps, 27 August 2020, www.buzzfeednews.com/article/alison_killing/china-ex-prisoners-horrors-xinjiang-camps-uighurs

678 Amnesty international interviews; Xinjiang Victims Database, shahit.biz/eng/

679 Amnesty international interviews; Xinjiang Victims Database, shahit.biz/eng/

680 Xinjiang Victims Database, shahit.biz/eng/

681 Amnesty International interviews.

682 Amnesty International interviews.

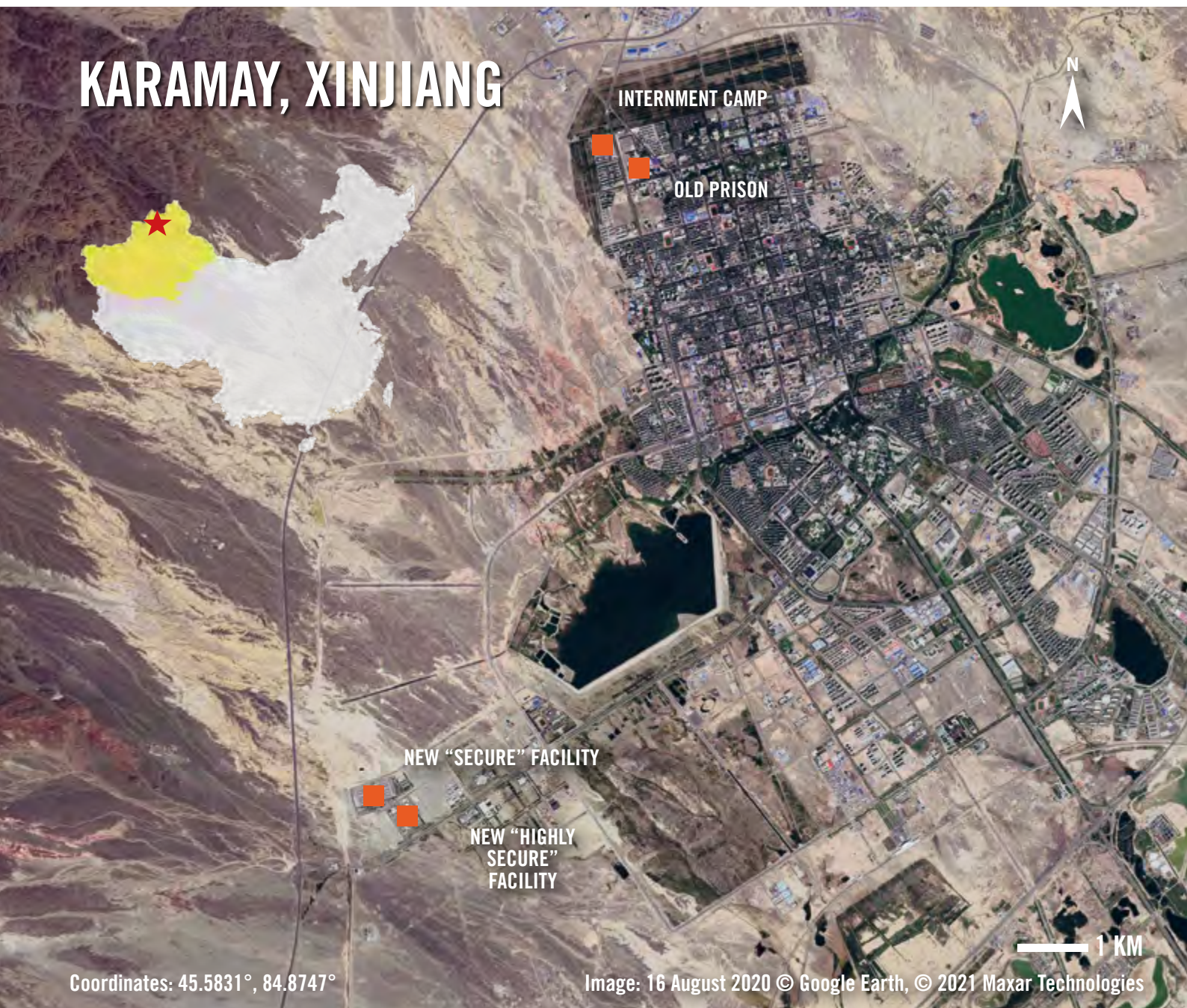
683 The Art of Life in Chinese Central Asia, The Elephant in the XUAR:III “In accordance with the law”, Gene A. Bunin, 19 April 2021, livingotherwise.com/2021/04/19/the-elephant-in-the-xuar-iii-in-accordance-with-the-law/

684 Shohret Hoshur, Radio Free Asia, Xinjiang Authorities Secretly Transferring Uyghur Detainees to Jails Throughout China, 2 October 2018, www.rfa.org/english/news/uyghur/transfer-10022018171100.html; Holly Robertson, ABC News, “China reportedly begins mass transfers of Uighur detainees from Xinjiang to prisons nationwide, 9 October 2018, www.abc.net.au/news/2018-10-10/is-china-transferring-uyghur-detainees-to-far-flung-prisons/10356406; Gene A. Bunin, Art of Life in Chinese Central Asia, “From camps to prisons: Xinjiang's next great human rights catastrophe,” 5 October 2019, livingotherwise.com/2019/10/05/from-camps-to-prisons-xinjiangs-next-great-human-rights-catastrophe-by-gene-a-bunin/

685 Reuters, “‘Most people’ detained in Xinjiang camps have been released, China claims: Official in Chinese region says detainees have ‘returned home’ but US calls for evidence and a UN inspection,” 30 July 2019, www.theguardian.com/world/2019/jul/31/most-people-detained-in-XUAR-camps-have-been-released-china-claims

686 See also Xinjiang Victims Database, shahit.biz/eng/

KARAMAY, XINJIANG




Coordinates: 45.5831°, 84.8747°

Image: 16 August 2020 © Google Earth, © 2021 Maxar Technologies

SATELLITE IMAGERY

The town of Karamay is located in Karamay county in Xinjiang approximately 275 kilometres northwest of Urumqi. There have been multiple reports of detention in the town.⁶⁸⁷ From 2017 to 2019, satellite imagery shows an old facility on the northern edge of town – west of a traffic school – that appears to have been repurposed as a detention facility, then de-securitized. Nearby is a prison that is demolished by August 2020. While activity is visible at the two facilities in 2017 and 2018, a large “highly secure” and “secure” facility, adjacent to each other, are under construction six kilometres west of town.

 Imagery of the town of Karamay shows various detention facilities since 2016 within and just outside of the town.

⁶⁸⁷ See Xinjiang Victims Database, <https://shahit.biz/eng/#facilities>

INTERNMENT CAMP



👁️ Satellite imagery shows the transition of an internment camp between 2016 and 2021. On 17 September 2016, very little activity is visible. On 24 June 2018, imagery shows a new building along with security increases such as a new enclosing wall, entrance checkpoints, fences and gates. There is also a new parking area and many cars are visible. By 28 June 2019, few cars are visible in the area and the facility appears to be de-secured with the checkpoints no longer present, fence missing and gate open. The latest image from 14 April 2021, shows many vehicles within a previously secure area – suggesting it is being used for another purpose.

OLD PRISON



👁️ Satellite imagery shows the old prison in the centre of Karamay. Between 11 March and 16 August 2020, the facility is demolished. A new facility with similar buildings has been constructed six kilometres west of town.

NEW SECURE FACILITIES



👁️ An overview of the new facilities west of Karamay shows a secure facility with an external and internal walled perimeter. To the south, there is a highly secure facility with external and internal walls, guard towers, and buildings that resemble the old prison. The facilities appear to have parking areas independent of each other. On 23 May 2021, imagery shows vehicles in each parking area.



👁️ A closer look at the northern secure facility shows many vehicles present outside and within the walled perimeters on 14 April 2021. There are 58 vehicles in the external parking area. This facility first appeared operational in imagery from 8 April 2019, around the time the internment camp first appears de-securitized.



👁️ On 23 May 2021, imagery shows fewer vehicles within and outside of the facility. Only 27 vehicles were counted in the main parking lot. As the image was taken on a Sunday, it is difficult to assess the cause of the decrease and continued monitoring is required to better understand the activity level.



INTERNATIONAL LEGAL FRAMEWORK

Evidence collected by Amnesty International provides a factual basis for the conclusion that the government of China has committed crimes against humanity in Xinjiang, including the crimes against humanity of imprisonment, torture, and persecution.⁶⁸⁸ This evidence also demonstrates that the government has committed other serious violations of human rights, including the rights to liberty and security of person; to privacy; to freedom of movement; to opinion and expression; to thought, conscience, religion and belief; to participate in cultural life; and to equality and non-discrimination. These crimes have been perpetrated against members of the region's predominantly Muslim ethnic minority groups, including ethnic Uyghurs, Kazakhs, Hui, Kyrgyz and Uzbeks.

The former detainee testimonies Amnesty International has gathered form the basis of these conclusions. These testimonies are corroborated by leaked Chinese government documents and other credible testimonial, photographic, and documentary evidence collected by journalists, scholars, and investigators. Taken together, this evidence clearly illustrates that serious human rights violations documented in this report follow a consistent pattern of criminal conduct and are part of well documented government policy that is knowingly and purposefully being carried out on a massive scale by government officials all over Xinjiang. As a result, an independent, impartial, prompt, and effective investigation is needed to determine a comprehensive picture of these violations and to establish individual criminal responsibility for these crimes.

7.1 EVIDENCE OF THE CRIMES AGAINST HUMANITY OF IMPRISONMENT, TORTURE, AND PERSECUTION

According to the evidence Amnesty International has gathered, corroborated by other reliable sources, members of predominantly Muslim ethnic minorities in Xinjiang have been subjected to an attack meeting all the contextual elements of crimes against humanity under international law.

The widespread nature of the attack is evident both because huge numbers of individuals from predominantly Muslim ethnic groups in Xinjiang have been imprisoned, tortured, or persecuted and because these violations have occurred throughout the geographical area of Xinjiang. The violations appear to have been systematic since the victims have been subjected to the same or comparable forms of persecution, deprivation of liberty, conditions of detention, torture and other ill-treatment, and harassment and surveillance on release, regardless of where they were seized and where

⁶⁸⁸ See also: Human Rights Watch, "'Break Their Lineage, Break Their Roots,': China's Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims," 19 April 2021, www.hrw.org/sites/default/files/media_2021/04/china0421_web_2.pdf; Alison Macdonald, Jackie McArthur, Naomi Hart, and Lorraine Aboagye, Essex Court Chambers, "International Criminal Responsibility for Crimes Against Humanity and Genocide Against the Uyghur Population in the Xinjiang Uyghur Autonomous Region," 26 January 2021, [14ee1ae3-14ee-4012-91cf-a6a3b7dc3d8b.usfiles.com/ugd/14ee1a_3f31c56ca64a461592ffc2690c9bb737.pdf](https://www.usfiles.com/ugd/14ee1a_3f31c56ca64a461592ffc2690c9bb737.pdf); Economist, "'Genocide' is the wrong word for the horrors of Xinjiang: To confront evil, the first step is to describe it accurately," www.economist.com/leaders/2021/02/13/genocide-is-the-wrong-word-for-the-horrors-of-xinjiang

CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW

Crimes against humanity are offences committed as part of a widespread or systematic attack directed against a civilian population pursuant to, or in furtherance of, a state or organizational policy.⁶⁸⁹ Crimes against humanity are among the most serious crimes of concern to the international community as a whole. They are prohibited during war or peace.

The Rome Statute, the treaty that established the International Criminal Court (ICC), contains articles that define crimes against humanity in a manner widely accepted as generally reflecting customary international law.⁶⁹⁰ Article 7(1) of the Statute enumerates 11 crimes against humanity, including imprisonment, torture, and persecution.⁶⁹¹ These 11 crimes constitute crimes under international law, and as such are criminal wherever they are committed, whether or not they are criminal under domestic law, and whether or not the state concerned has ratified the Rome Statute.⁶⁹²

Four legal requirements are common to all crimes against humanity:

- the underlying offence must be committed as part of a “widespread or systematic attack”;
- the attack must be “directed against the civilian population”⁶⁹³;
- the underlying offence must be carried out with knowledge of the attack; and
- the attack must be carried out as part of state or organizational policy.

These general requirements establish the context in which specific prohibited acts must take place for them to be considered crimes against humanity. In addition, each specific crime against humanity requires proof of additional elements related to the specific underlying offence.

An attack does not need to be both widespread and systematic; an attack that is either widespread or systematic will suffice. International criminal case law has helped to define what is required for an attack to be considered widespread or systematic. While one factor involved in determining whether an attack is widespread is the number of victims or magnitude of the acts,⁶⁹⁴ the term can also have a geographical dimension.⁶⁹⁵ Systematic means the crimes and other prohibited acts have been committed in an organized manner and that it is unlikely they are merely random events.⁶⁹⁶ International courts have commonly held that the systematic threshold is met when there are “[p]atterns of crimes – that is, the nonaccidental repetition of similar criminal conducted on a regular basis”.⁶⁹⁷

689 For an overview of the objective elements of Crimes against humanity see Cassese's international criminal law; and International Criminal Court The Elements of Crimes ISBN No. 92-9227-232-2 accessible at www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf

690 International Criminal Court, Rome Statute of the International Criminal Court (Rome Statute), in force on 1 July 2002, available at www.icc-cpi.int/resource-library/documents/rs-eng.pdf

691 Rome Statute, Articles 7(1)(a) – (k): “(a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectively on political, racial, national, ethnic, cultural, religious, gender... or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearance of persons; (j) The crime of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.” It should be noted that other international criminal tribunals have used slightly different categorizations and lists of crimes under their jurisdiction, but the Rome Statute is now seen as an authoritative codification of existing international criminal law.

692 For a description of customary international law on crimes against humanity, see Report of the International Law Commission: Sixty-seventh session (4 May-5 June and 6 July-7 August 2015), Chapter 7: Crimes against Humanity, UN Doc. A/70/10, p. 54 (“The characterization of crimes against humanity as ‘crimes under international law’ indicates that they exist as crimes whether or not the conduct has been criminalized under national law.”); see also A. Cassese and P. Gaeta, Cassese's International Criminal Law, Third Edition, p. 84-92

693 The term “population”, in the definition of crimes against humanity, has been interpreted to imply the “collective nature of the crime as an attack upon multiple victims”. See Situation in the Republic of Kenya, Decision, 31 March 2010 (footnote 44 above), para. 82; Bemba, Decision, 15 June 2009 (footnote 44 above), para. 77; Kunarac, Judgment, 22 February 2001 (footnote 45 above), para. 424; Tadić, Opinion and Judgment, 7 May 1997 (footnote 40 above), para.644. See Prosecutor v. Ante Gotovina, Ivan Čermak and Mladen Markač, Case No. IT-06-90-T, Judgment, vol. II, 15 April 2011, Trial Chamber I, International Criminal Tribunal for the Former Yugoslavia, para.1704), where the court held that “population” means that “enough individuals were targeted in the course of the attack, or that they were targeted in such a way” as to make it clear that the victims were more than just “a limited and randomly selected number of individuals” have been targeted but that this does not require an attack against the “entire population” or all members of the population.

694 See Prosecutor v. Akayesu, ICTR Trial Chamber, 2 September 1998, para. 579; Kordic and Cerkez, ICTY Trial Chamber, 26 February 2001, para. 179; Kayishema and Ruzindana, ICTR Trial Chamber, 21 May 1999, para. 123.

695 Yearbook of the International Law Commission 2019, paras 12 and 13. Supplement No. 10 (A/74/10); The ICC has held that an assessment of the quantitative and geographic facts will depend on the facts of each case: Situation in the Republic of Kenya, Case No. ICC-01/09, Decision pursuant to Article 15 of the Rome Statute on the authorization of an investigation into the situation in the Republic of Kenya, 31 March 2010, Pre-Trial Chamber II, International Criminal Court, para. 95. See also Prosecutor v. Jean-Pierre Bemba Gombo, Case No. ICC-01/05-01/08, Judgment pursuant to Article 74 of the Statute, 21 March 2016, Trial Chamber III, International Criminal Court, para. 163.

696 Prosecutor v. Kunarac et al., ICTY Trial Chamber, Judgment, 22 February 2001, para. 429. See also Prosecutor v. Blaškić, ICTY Trial Chamber, Judgment, 3 March 2000, para. 203; and Prosecutor v. Akayesu, ICTR Trial Chamber, Judgment, 2 September 1998, para. 580.

697 Prosecutor v. Kunarac et al., ICTY Trial Chamber, Judgment, 22 February 2001, para. 429. See also Prosecutor v. Tadić, ICTY Trial Chamber, Opinion and Judgment, 7 May 1997, para. 648.

“Attack directed against any civilian population” is defined in Article 7(2)(a) of the Rome Statute as “a course of conduct involving the multiple commission of acts referred to in [Article 7(1)] against any civilian population, pursuant to or in furtherance of a state or organizational policy to commit such attack.”⁶⁹⁸

It is rare for governments to express a policy to direct an attack at the civilian population. Thus the policy element is generally implied from the organized nature of the attack,⁶⁹⁹ especially when the crimes consist of “repeated actions occurring according to a same sequence, or (follow)... preparations or collective mobilisation orchestrated and coordinated by that State or organisation.”⁷⁰⁰

Individuals are criminally responsible for crimes against humanity when they commit *any* of the underlying offences, as long as they have a degree of knowledge about the contextual elements of the crime. Notably, perpetrators must have known that their actions were part of a widespread or systematic attack.⁷⁰¹ However, an individual does not need to be personally responsible for the actual widespread or systematic attack to be found guilty; a single act can be sufficient if – and only if – it is carried out in the context of a broader attack of which the perpetrator was aware.⁷⁰² Individuals, whether civilian or military, can be held criminally responsible for crimes against humanity for committing, co-perpetrating, indirectly perpetrating, planning, ordering, or aiding and abetting these crimes, as well as for command responsibility.⁷⁰³

Under international law, states may, and in some cases must, exercise universal jurisdiction over crimes against humanity.⁷⁰⁴ Any state may, under customary international law, undertake one of the following actions against suspected perpetrators of crimes against humanity, even if the suspects or victims are neither nationals nor residents of the state concerned, and even if the crime(s) did not take place under that state’s jurisdiction or in its territory: (1) bring such suspects before its own courts, (2) extradite them to any state willing to do so, or (3) surrender such persons to an international criminal court with jurisdiction to try persons for these crimes. At least for torture and enforced disappearances, exercising universal jurisdiction over suspected perpetrators is a legal obligation, not a choice.⁷⁰⁵

they were detained. All were detained in various camps administered by Chinese state authorities throughout the region, making it inconceivable that these violations are random occurrences.

The same evidence demonstrates that these violations were organized, planned, and committed consequent to a state policy to direct an attack against a civilian population – in this case members of predominantly Muslim ethnic minority groups. Evidence also shows that violence, arbitrary and unlawful imprisonment, and intimidation to achieve the government’s aims to ostensibly eradicate “terrorism”, “extremism”, and “separatism” are, in effect, also used to target Islamic religious practices and beliefs and Turkic Muslim ethno-cultural practices. These acts have been targeted exclusively at members of predominantly Muslim ethnic groups and effectively all members of these groups are vulnerable to imprisonment and ill-treatment, demonstrating that the attack has been directed at a civilian population.

The evidence Amnesty has collected therefore provides a factual basis for the conclusion that the perpetrators, acting on behalf of the Chinese state, have carried out a widespread as well as

698 Rome Statute, Article 7(2)(a).

699 The Prosecutor v. Laurent Gbagbo, Confirmation of Charges ICC-02/11-01/11-656-Red 12 June 2014, para. 216. Indeed the court held (para 215) that, “an attack which is planned, directed or organised – as opposed to spontaneous or isolated acts of violence – will satisfy the policy criterion, and there is no requirement that the policy be formally adopted.” The court noted that, “evidence of planning, organisation or direction by a State or organisation may be relevant to prove both the policy and the systematic nature of the attack, although the two concepts should not be conflated.”

700 Katanga TJ, ICC-02/11-01/11-534 para. 1109.

701 Rome Statute, Article 7(1). See also Prosecutor v. Kupreskic et al., ICTY Trial Chamber, Judgment, 14 January 2000, para. 556 (“[T]he requisite mens rea for crimes against humanity appears to be comprised by (1) the intent to commit the underlying offence, combined with (2) knowledge of the broader context in which that offence occurs.”). See also Prosecutor v. Tadic, ICTY Appeals Chamber, para. 271; Prosecutor v. Kayishema et al., ICTR Trial Chamber, Judgment, 21 May 1999, paras 133-34.

702 See A. Cassese and P. Gaeta, Cassese’s International Criminal Law, Third Edition, Chapter 5.

703 See A. Cassese and P. Gaeta, Cassese’s International Criminal Law, Third Edition, Chapter 5.

704 Amnesty International, Universal Jurisdiction: The duty of states to enact and enforce legislation (Index: IOR 53/008/2001), 1 September 2001, Chapter 5.


705 See, for example, UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Articles 5-9. As of March 2021, 170 states are party to this Convention, including China; See also CTM, section 6.4.

systematic attack consisting of a planned, massive, organized, and systematic pattern of serious violations of international human rights law directed at the civilian population in Xinjiang.

Evidence Amnesty International has collected provides a factual basis for the conclusion that the Chinese government has committed **at least** the following crimes against humanity:

- **Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law:**⁷⁰⁶ Under the Rome Statute, this offence requires that “The perpetrator imprisoned one or more persons or otherwise severely deprived one or more persons of physical liberty,” and that “[t]he gravity of the conduct was such that it was in violation of fundamental rules of international law.”⁷⁰⁷ The 55 former detainees interviewed for this report provided accounts of their arbitrary detention and the arbitrary detention of other people detained with them in internment camps throughout Xinjiang. Evidence gathered by journalists, scholars and other investigators suggests that massive numbers – estimated at 1 million or more – of men and women have been arbitrarily detained in internment camps or prisons throughout Xinjiang since 2017.
- **Torture:**⁷⁰⁸ Under the Rome Statute, torture means “the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions.”⁷⁰⁹ The 55 former detainees interviewed for this report provided accounts of torture and other ill-treatment they experienced inside the internment camps, as well of torture and other ill-treatment they witnessed being done to other detainees in their camps. This ill-treatment includes the physical torture of a significant portion of the internment camp population by prolonged and severe beatings, electric shocks, stress positions, the internationally unlawful use of restraints (including being locked in a tiger chair), the physical consequences of sleep deprivation, and solitary confinement.

This ill-treatment also includes the physical and mental torture or other ill-treatment of all internment camp detainees as a result of the cumulative effects of daily life in the camps, which may also amount to torture as defined under international criminal law. This treatment includes being made to sit, kneel, or stand in stress positions for hours every day; sleep deprivation; and insufficient food, water, exercise, and exposure to natural light. It also includes various forms of psychological abuse, including and exacerbated by not knowing when one’s detention will end, not being able to communicate with one’s family or anyone outside the camp, not being able to speak in one’s native language while in detention, living under constant threat of violence and other abuse, and being made to see and hear other detainees being tortured or otherwise ill-treated. This testimonial evidence is broadly consistent with other first- and second-hand accounts of torture and other ill-treatment documented by journalists and other human rights organizations.

 Next page: *A guard's shadow in front of a row of shackled detainees.*

706 Rome Statute, Article 7(1)(e).

707 For the elements of the crime against humanity of imprisonment see International Criminal Court The Elements of Crimes, Article 7(1)(e), www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf

708 Unlike torture as defined in Article 1 of the CAT, there is no requirement that the ill-treatment be committed for a specific purpose, or a requirement that the ill-treatment be “inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In addition, the Rome Statute does not explicitly differentiate between torture and other cruel, inhuman, and degrading treatment as the CAT does. Nevertheless, the ICC has held that a conviction of the crime against humanity of torture will require “an important degree of pain and suffering”, implying that the threshold under the CAT may apply (See Prosecutor v Jean-Pierre Bemba Gombo ICC Pre-Trial Chamber II, Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute ICC-01/05-01/08 15 June 2009 para 193). However, the ICC has also held that it will not judge the severity of each incident of ill-treatment; instead, it will consider the cumulative effect of a course of conduct. (Prosecutor v. Krnojelac, ICTY Trial Chamber II, Judgement, IT-97-25-T, 15 March, paras. 182-183. See also, Prosecutor v. Brđanin, ICTY Appeals Chamber, Judgement, IT-99-36-A, 3 April 2007, para. 251, citing Prosecutor v. Naletilić and Martinović, ICTY Appeals Chamber, Judgement, IT-98-34-A, 3 May 2006, para. 299; Prosecutor v. Delalić et al., ICTY Trial Chamber, Judgement, IT-96-21-T, 16 November 1998 (“Delalić Trial Judgement”), para. 467; Ireland v. United Kingdom, Case no. 5310/71, Judgment, 18 January 1978, para. 162.)

709 Rome Statute, Article 7(1)(f) and 7(2)(e); For the elements of the crime against humanity of torture see International Criminal Court The Elements of Crimes, Article 7(1)(f), www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf





- **Persecution:** The Rome Statute defines persecution as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity”.⁷¹⁰ The evidence Amnesty has gathered strongly indicates that such persecution has occurred, including through the ethnically targeted campaign of mass arbitrary detention and torture documented in this report, as well as other ethnically targeted grave violations of human rights, including the rights to liberty and security of person; to privacy; to the freedoms of movement, opinion, expression, thought, conscience, religion, and belief; to take part in cultural life; and to equality and non-discrimination, documented in Chapter 2.

EVIDENCE OF OTHER CRIMES AGAINST HUMANITY

Evidence from numerous sources suggests that other crimes against humanity may have been committed. Considering the extreme restrictions on accessing Xinjiang and the difficulties faced in documenting violations committed in the region, Amnesty International believes further independent international investigations into these allegations must also be prioritized.

These potential other crimes against humanity include **enforced disappearances of persons**.⁷¹¹ Evidence Amnesty has collected shows that in the cases of nearly all the former detainees documented in this report, detainees’ family members were aware of their detention and were able to communicate with them during their detention, although this communication was often very infrequent and always monitored and controlled. In two cases, however, former detainees were detained for months or years apparently without their families having any information about the detained person’s fate.

There are, however, numerous suspected cases of enforced disappearance in Xinjiang.⁷¹² In 2021, Amnesty interviewed more than 50 people from Xinjiang who were now living abroad and whose family members were missing and believed to be detained.⁷¹³ Journalists have also reported on people living abroad who are unable to obtain information about family members they suspect have been detained.⁷¹⁴ It is unknown whether the family members of these detainees who are still in Xinjiang have been informed about the whereabouts of these individuals.

It is part of the extensive cover-up by the authorities that the fate of many of the people thought to have been sent to the camps is unknown. The secretive and often undocumented way people are

710 Rome Statute, Article 7(1)(h) and 7(2)(g); for the elements of the crime against humanity of “Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court,” see International Criminal Court The Elements of Crimes, Article 7(1)(h), www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf

711 Amnesty International considers that the prohibition of enforced disappearance is a peremptory norm of general international law (*jus cogens*). Every instance of secret detention, which places people outside the protection of the law, facilitating torture and other human rights violations and is itself prohibited under international law, amounts to an enforced disappearance. Detention without access to the outside world (incommunicado detention) equally facilitates torture and other ill-treatment and enforced disappearance and can itself amount to such practices. Enforced disappearance is absolutely prohibited as a crime under international law. When committed as part of a widespread or systematic attack against any civilian population, enforced disappearance constitutes a crime against humanity (Article 5 of the Convention on Enforced Disappearance); Under the Rome Statute enforced disappearances means “the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.” Rome Statute, Article 7(1)(i) and 7(2)(i); For the elements of the crime against humanity of enforced disappearance of persons see International Criminal Court The Elements of Crimes, Article 7(1)(i), www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf; The Convention for the Protection of All Persons from Enforced Disappearances (CPED) defines this crime as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”; CPED, Article (2); Although China is not a party to the CPED, it is bound by the prohibition of committing enforced disappearance under customary international law and other human rights treaties of which it is party, such as the Convention against Torture.

712 Amnesty International, China: “Where are They?”—Time for Answers about Mass Detentions in the Xinjiang Uighur Autonomous Region,” 7 September 2018, www.amnesty.org/download/Documents/ASA1791132018ENGLISH.PDF; Amnesty International, “Families of missing Uighurs terrified to search for their loved ones,” March 31, 2019, www.amnesty.org/en/latest/campaigns/2019/03/uighurs-too-scared-to-search-for-missing-family/; See also Xinjiang Victims Database for large numbers of cases of alleged enforced disappearances, shahit.biz/eng/

713 The cases of many of the missing and detained people are available at: Xinjiang.Amnesty.org

714 See Austin Ramzy, New York Times, “Show Me That My Father is Alive.” China Faces Torrent of Online Pleas,” February 17, 2019, www.nytimes.com/2019/02/17/world/asia/uighurs-china-internment-camps.html

detained in internment camps in Xinjiang makes it nearly impossible for people *outside* of China to trace or confirm the whereabouts of any particular individual. Persons from Xinjiang who are now abroad often have no way to establish the whereabouts of their missing family members.⁷¹⁵ They never receive any official confirmation of this from the Chinese authorities. People who have tried to gather information from Chinese consulates abroad have been told to return to China to get information.⁷¹⁶ Overseas family members' lack of information is also due, in large part, to the fact that people living in Xinjiang have essentially been forbidden to speak with their family or friends abroad, especially about anything related to the system of mass detention. (As documented in Chapters 2 and 3, mere communication with anyone abroad is grounds for being sent to an internment camp.)

Evidence gathered by journalists, scholars, and other investigators has further demonstrated that three other crimes against humanity may have been committed in Xinjiang: **enslavement**⁷¹⁷; **deportation or forcible transfer of population**⁷¹⁸; and **rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or other forms of sexual violence of comparable gravity**.

7.2 EVIDENCE OF OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS LAW

Evidence gathered from former detainees and other witnesses interviewed by Amnesty International demonstrates that the Chinese authorities have committed serious violations of human rights, which in addition to underlying many of the crimes against humanity described above, entail state responsibility in their own right. These human rights violations include grave violations of the rights to liberty and security of person; to privacy; to freedom of movement; to opinion and expression; to thought, conscience, religion, and belief; to take part in cultural life; to equality and non-discrimination; and to freedom from forced labour. Amnesty International believes further independent international investigations into these allegations must also be prioritized.

In particular, the evidence collected for this report documents serious violations of the following human rights:

Freedom of religion and the right to take part in cultural life: The restrictions on religious and cultural practice documented in Chapters 2 and 4 are clear violations of the rights to freedom of religion and to take part in cultural life. These violations include the fact that as part of the apparent campaign to root out Islamic religious practices and to culturally assimilate Muslims in Xinjiang, numerous practices that Muslims widely consider essential to their religion, such as praying and carrying out traditional rituals and ceremonies, are now, in effect, prohibited and are grounds for being sent to an internment camp, though they are not explicitly prohibited by law in Xinjiang. Many former detainees explained that they effectively stopped displaying any signs of being religious for fear of detention or other punishment.

715 Amnesty International, "Nowhere Feels Safe: Uyghurs Tell of China-led Intimidation Campaign Abroad," 21 February 2020, www.amnesty.org/en/latest/research/2020/02/china-uyghurs-abroad-living-in-fear/;

716 Amnesty International, "Hearts and Lives Broken: The Nightmare of Uyghur Families Separated by Repression," 19 March 2021, www.amnesty.org/en/latest/research/2021/03/the-nightmare-of-uyghur-families-separated-by-repression/; See also section 6.4 "camp to labour".

717 "Enslavement" means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children; for the elements of the crime against humanity of Enslavement see International Criminal Court The Elements of Crimes, Article 7(1)(c), www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf; See also section 6.4 "camp to labour".

718 "Deportation or forcible transfer of population" means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law; for the elements of the crime against humanity of deportation or forcible transfer of population see International Criminal Court The Elements of Crimes, Article 7(1)(d) www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf; See also text box on "Allegations of sexual violence and violations of reproductive rights".

The prohibition on possessing religious or cultural artefacts and the destruction of religious and cultural sites are also violations of the right to freedom of religion and of the state's duty to protect cultural property and heritage. The fact that languages other than Chinese have been banned in the internment camps and heavily restricted outside the camps is a violation of the right of linguistic minorities to use their own language. Moreover, the entire internment camp system is designed in a way that not only prevents Muslim detainees from being able to practise any aspect of their religion but also attempts to forcibly indoctrinate them against Islamic religious practice and belief.

Freedom of movement: The restrictions on freedom of movement documented in Chapters 2 and 6 go far beyond what could be considered necessary and proportionate for a recognized aim and lack any effective safeguards. Examples of disproportionate limitations on the right to freedom of movement include:

- general requirements to obtain official permission before travelling either internally or abroad;
- the blanket confiscation of passports;
- the state's refusal to issue a passport or extend its validity based on unnecessary legal rules or administrative measures; and
- the ubiquitous system of checkpoints.

An especially egregious violation of the freedom of movement is that travelling abroad, attempting to travel abroad, or communicating with people abroad is grounds for being detained and sent to an internment camp. Limitations are particularly excessive for former internment camp detainees, in many cases amounting to a form of detention.

Liberty and security of person: The instances of arbitrary detention documented in this report are clear violations of the right to liberty of person.

Privacy: The instances documented in Chapters 2 and 6 go far beyond what could be considered legitimate, necessary, or proportionate limitations on privacy, and they lack the adequate safeguards to be considered "provided by law". Example of unjustified limitations include:

- demands for involuntary provision of excessive biometric data and the massive collection and retention of this and other personal information;
- regular searches and interrogations by ubiquitous security officers without reasonable grounds or suspicion;
- "homestays" by government employees and cadres assigned to live with ethnic minority families;
- an ever-present network of indiscriminate mass surveillance cameras, including facial recognition cameras and other extensive, invasive in-person and electronic monitoring;
- random checks of private phones and other unfettered access to people's personal communication devices, including their contacts and social media accounts; attempts to restrict all personal digital communication to apps and platforms that the government can access and monitor; and making the possession of unsanctioned software on a phone or visiting a forbidden website grounds for being detained and sent to an internment camp.

Opinion and expression: The ceaseless forced political indoctrination, especially during camp internment but also afterwards, violates the right to hold opinions, which is absolute and not open to any qualifications, such as on the grounds of national security. This violation is demonstrated by forced indoctrination aimed at rooting out Islamic religious beliefs and Turkic Muslim ethno-cultural practices and replacing them with secular state-sanctioned views and behaviours. The ultimate goal is to forcibly assimilate members of these ethnic groups into a homogenous Chinese nation possessing a unified language, culture, and unwavering loyalty to the Chinese Communist Party. The various ways in which former detainees are forbidden to talk about their experiences also violates

the right to opinion and expression. The restrictions on the right to freedom of expression described in Chapter 2 also go beyond what is legitimate and proportionate.

Equality and non-discrimination: Testimony that former residents of Xinjiang and other witnesses provided to Amnesty demonstrates a policy of discriminating against Muslim minorities. The testimony also shows restrictions on human rights documented in this report enforced in a discriminatory manner. As an illustration, former detainees said the police stopped only members of ethnic minorities on the street or at checkpoints, where they were subjected to ID checks and body searches; Han Chinese either did not need to go through the checkpoints at all or were essentially waved through without having their bodies or phones searched and without being questioned. Furthermore, Han Chinese were not compelled to attend flag-raising ceremonies or to attend “education” classes.

The state also fails to protect against discrimination by third parties. For example, members of ethnic minority groups faced much greater difficulty accessing public transport and commercial entities such as hotels and shops. Taken as a whole, the treatment of predominantly Muslim ethnic groups runs starkly counter to the state’s duties to eliminate, prevent, and remedy discrimination – not only by its own officials but also by private individuals and other non-state actors – and to take positive steps to address longstanding disadvantages that those groups experience.

Freedom from forced labour: Based on the evidence presented in this report, Amnesty believes the treatment of some former detainees in Xinjiang is characterised by elements of forced labour which meet the definition of ILO Convention 29. There is a lack of voluntariness accompanied by a threat of detention for non-compliance. In addition, there is evidence in some cases of poor or abusive working conditions, including low pay, isolation, restrictions on movement, and intimidation and threats.

CONCLUSION AND RECOMMENDATIONS

CONCLUSION

Since 2017, under the guise of a campaign against “terrorism”, the government of China has carried out massive and systematic abuses against millions of Muslims living in Xinjiang. The human suffering has been immense. The abuses are ongoing.

Chinese authorities initially denied the existence of this campaign. Then, perhaps because mounting evidence made outright denial indefensible, they advanced other explanations; for example, that Muslims were participating in a voluntary “education” or “training” programme. They also provided quasi-legal justifications for their actions as being a legitimate response to “terrorism” or “extremism”. Moreover, the government has devoted – and continues to devote – tremendous resources to concealing the truth about its actions. It prevents millions of people living in Xinjiang from communicating freely about the situation, denies journalists and investigators meaningful access to the region, stages tours for those who do enter, and forcibly enlists members of the affected population to parrot its falsehoods.

The government’s descriptions of its actions are demonstrably false, its justifications are legally and morally untenable, and its attempted cover-up should fool no one. Muslims in Xinjiang are not free to practise their religion, they are persecuted because of it; nobody chose to go to an internment camp, they were arbitrarily detained; the camps were not designed to “educate” under any reasonable understanding of the term, they were designed to erase people’s cultural identities. Human rights violations of this nature are not legally permissible under any circumstance, and no reasonable assessment could consider them a proportionate response to the purported threat of terrorism. The government’s attempts to hide these truths have come straight from the propagandist’s playbook. Its staged tours and forced testimonies lack even an air of plausibility. They reveal nothing other than tremendous fear.

The Chinese authorities’ fabrications notwithstanding, the world now knows a significant amount about what has been occurring in Xinjiang. Credible documentary, testimonial, and photographic evidence has revealed certain inescapable facts: the human rights violations have been massive in scale, methodically carried out by government officials at all levels throughout Xinjiang, and directed at parts of the population not because of anything unlawful they did but rather because of who they are and because of their beliefs and their culture. This has been nothing less than a whole-of-government effort to trample on the human rights of predominantly Muslim ethnic groups: to persecute, to detain, and to torture. The government’s ongoing efforts to conceal its actions should cause the world to draw only adverse inferences about what else may have occurred and what else may still be occurring.

The government of China is responsible to prevent, stop, investigate, and punish any suspected serious violations of international human rights and to ensure reparations to victims. Given the government's unwillingness to halt its own violations, let alone to conduct impartial and thorough investigations and prosecute those suspected to be criminally responsible, the international community has a duty to take steps to protect human rights, investigate the crimes, and ensure accountability.

It has been four years since the internment camps opened in Xinjiang and the international community has done little to help the affected population. The UN has failed to fulfil its responsibilities to the people of Xinjiang. There are a number of avenues by which "the UN" could take steps to hold China to account. UN member states could take concrete action to address the situation – to convene special sessions and launch robust investigations – through the Security Council, the General Assembly or the Human Rights Council. Not only have they failed to do so, but a significant number of states continue to use their platform at these forums to defend China's human rights record in Xinjiang and beyond. The UN Secretariat – led by the Secretary-General, including the Office of the High Commissioner for Human Rights – could also take action independently of decisions by UN member states, to conduct remote monitoring and publish the details of its findings to set the record straight, as it has done in other situations. So far, its public statements have been muted and it has done no public reporting.

The failure of the UN to take decisive action to address these egregious and well-documented human rights violations, and to hold China to account for its actions, is a stain on the institution's reputation and a failure on many counts to fulfil clear mandates to address human rights situations of concern on their merits. By turning a blind eye to the suffering of millions of people in Xinjiang, the UN has effectively contributed to China's efforts to discredit the survivors and activists who have spoken out at significant personal risk, and to dehumanize the affected population. The UN and its member states must urgently remedy this situation.

Amnesty International interviewed a Han Chinese man who travelled to Xinjiang after 2017. During his time there, he spoke with a Muslim friend who told him that what was happening to Muslims in Xinjiang was worse than what was being reported in the news. When this man asked his friend why he did not speak out about the situation, the friend replied: "Let's survive first." His silence was understandable. But unlike members of predominantly Muslim ethnic minority groups living in Xinjiang, the rest of the world has no legitimate excuse not to speak out, to try to uncover the truth, to make every effort to end the violations, and to ensure accountability for the crimes. The people of Xinjiang deserve this, at the very least.

RECOMMENDATIONS

TO THE GOVERNMENT OF CHINA

- Immediately release all persons held in internment camps or other detention facilities – including prisons – in Xinjiang, unless there is sufficient credible and admissible evidence that they have committed an internationally recognized offence, are transferred to recognized detention facilities, and are granted a fair trial in line with international standards.
- Allow all those held to legally challenge their continued detention.
- Provide the family members of people who are detained in camps, prisons, or other detention facilities – including those living abroad – with written reasons for their detention and other official documentation related to their family member’s case.
- Close the “vocational training”, “transformation-through-education”, and “de-extremification” centres (that is, the internment camps) in Xinjiang.
- Ensure that no person is subjected to arbitrary detention, enforced disappearance, or torture or other ill-treatment.
- Pending their release, ensure that all persons brought into or detained in these camps have prompt and regular access to a lawyer of their choice, to independent medical personnel, and to their families.
- Ensure that everyone in Xinjiang is able to freely communicate with family members and others, including those living in other countries, unless specific restrictions on such communication can be justified under international human rights law.
- Repeal or amend all laws and regulations, and end all related policies and practical measures, that impermissibly restrict the human rights of Uyghurs, Kazakhs, and other predominantly Muslim ethnic groups, including the right to freely leave and return to China.
- Allow everyone, including Muslims and members of all other religious or belief-based communities, to choose and keep their religion or beliefs, and to manifest these peacefully through worship, observance, practice, and teaching, both publicly and privately.
- Ensure that any legal provisions aimed at protecting national security or created in the name of counter-terrorism are clearly and narrowly defined and conform to international human rights law and standards.
- Conduct impartial, independent, prompt, effective, and transparent investigations of any person reasonably suspected of criminal responsibility for crimes under international law and other serious human rights violations against Uyghurs, Kazakhs, or other predominantly Muslim ethnic groups in Xinjiang. Ensure that alleged perpetrators are brought to justice through fair trials without recourse to the death penalty.
- Immediately allow United Nations human rights experts, independent human rights investigators, and journalists unfettered access to all of Xinjiang, including to internment camps and prisons.

- Fully and effectively cooperate with the Office of the United Nations High Commissioner for Human Rights, Special Procedures and any other UN-led investigation or other independent international human rights monitoring and investigative mechanisms.
- Provide former detainees and the families of victims of crimes under international law and of other human rights violations full, effective, gender-sensitive, and transformative reparations in accordance with international law and standards.
- Stop requesting that other countries return individuals to China, in violation of the non-refoulement principle.
- Stop all types of harassment and intimidation against Uyghurs, Kazakhs, and other predominantly Muslim ethnic groups with ties to China living overseas.

TO THE UN HUMAN RIGHTS COUNCIL

- Hold a special session or an urgent debate and adopt a resolution establishing an independent international mechanism to investigate crimes under international law and other serious human rights violations in Xinjiang, with a view to ensuring accountability, including through the identification of suspected perpetrators. The mechanism should:
 - have a mandate to closely monitor, analyse, report, and make recommendations to prevent human rights violations, and to collect, consolidate, preserve, and analyse evidence of crimes under international law and other serious human rights violations;
 - have a mandate to build cases to criminal law standards that can be used by future prosecutorial and judicial mechanisms that meet international standards of fairness and do not involve the death penalty;
 - be staffed with independent international experts, including on international human rights law, international criminal law, security force command structures, sexual and other gender-based violence, children's rights, the rights of people with disabilities, video and image verification, and forensic analysis;
 - have sufficient resources, including financial and technical, to carry out its mandate; and
 - be requested to provide regular updates and a comprehensive report on the situation to the Human Rights Council and the UNGA and to brief the UNSC and other relevant parts of the UN.

TO THE UN SECURITY COUNCIL

- Hold regular, formal, open meetings on the situation in Xinjiang to allow relevant UN entities, as well as members of civil society and human rights defenders, to brief UNSC members directly on the latest situation in Xinjiang.
- Adopt a resolution that sends an unambiguous message to the Chinese authorities condemning the situation and demanding the dismantling of the internment camp system and of all laws, regulations, and related policies and measures that impermissibly restrict the rights of Uyghurs, Kazakhs, and other predominantly Muslim ethnic groups. The resolution should demand immediate and unfettered access to Xinjiang for independent human rights investigators.

TO THE UN GENERAL ASSEMBLY

- If the UNSC fails to adopt a resolution, then adopt a comprehensive resolution on the human rights situation in Xinjiang that includes strong language condemning human rights violations in Xinjiang and that specifically calls for accountability for such violations.
- Express support for a UN-led mechanism to investigate human rights violations in Xinjiang, to collect and preserve evidence, and to prepare cases for criminal prosecution. Pledge to provide financial, technical, and other support to that mechanism. If other organs of the UN fail to establish a mechanism, immediately act to create an investigative mechanism, as the General Assembly has done in the past.

TO THE UN SECRETARY-GENERAL

- Send a clear and public message to the Chinese authorities that their actions and practices against Uyghurs, Kazakhs, and other predominantly Muslim ethnic groups in Xinjiang are unlawful and must end immediately.
- Ensure that all agencies and bodies of the UN, including the Office of the High Commissioner for Human Rights, are fulfilling their mandate to monitor and report on the situation in China and feel empowered to speak out when necessary.

TO THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS

- Conduct remote monitoring and assessment of the situation in Xinjiang and report publicly on the situation, in line with the independent mandate provided by General Assembly resolution 48/141, with concrete recommendations for next steps.
- Brief the Human Rights Council on the situation as a matter of urgency, in line with HRC resolution 45/31, which clearly requested that the High Commissioner bring information concerning “patterns of human rights violations that point to a heightened risk of a human rights emergency... to the attention of the members and observers of the Human Rights Council in a manner that reflects the urgency of the situation... including through briefings.”

TO THE INTERNATIONAL COMMUNITY AS A WHOLE


- Use all bilateral, multilateral, and regional platforms at your disposal, including those mandated by the UN, to urge the Chinese authorities to immediately end any crimes under international law and other human rights violations, to allow independent human rights investigators unrestricted access to Xinjiang, and to dismantle the system of discrimination and persecution of ethnic minorities in Xinjiang.
- Allow all persons fleeing violence and persecution in Xinjiang to enter your country without delay or restrictions, and ensure they have prompt access to a fair and effective asylum process if desired, to legal counsel, to a thorough assessment of the risks of human rights violations they might face upon return, and to the ability to challenge any removal orders.


- Strictly observe and apply the principle of non-refoulement to all persons, including refugees and asylum seekers, from Xinjiang. Cease all forced transfers, directly or indirectly, to China and guarantee that no one will be forced back to a situation where they face a real risk of serious human rights violations, including torture, arbitrary detention, enforced disappearance, the flagrant denial of fair trial rights, systematic discrimination, or persecution.



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“LIKE WE WERE ENEMIES IN A WAR”

CHINA’S MASS INTERNMENT, TORTURE AND PERSECUTION OF MUSLIMS IN XINJIANG

Since 2017, under the guise of a campaign against “terrorism”, the government of China has carried out massive and systematic abuses against Muslims living in the Xinjiang Uyghur Autonomous Region (Xinjiang). Far from a legitimate response to the purported terrorist threat, the government’s campaign evinces a clear intent to target parts of Xinjiang’s population collectively on the basis of religion and ethnicity and to use severe violence and intimidation to root out Islamic religious beliefs and Turkic Muslim ethno-cultural practices. To achieve this political indoctrination and forced cultural assimilation, the government undertook a campaign of arbitrary mass detention. Huge numbers of men and women from predominantly Muslim ethnic groups have been detained. The internment camp system is part of a larger campaign of subjugation and forced assimilation of ethnic minorities in Xinjiang.

The report’s findings and conclusions are based on first-hand testimonies that Amnesty International gathered from former detainees of the internment camps and other people who were present in Xinjiang after 2017, as well as from an analysis of satellite imagery and data. The evidence Amnesty International has gathered provides a factual basis for the conclusion that the Chinese government has committed at least the following crimes against humanity: imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; and persecution.

The government of China must immediately close all the remaining internment camps and release all persons held in internment camps or other detention facilities – including prisons – in Xinjiang, unless there is sufficient credible and admissible evidence that they have committed an internationally recognized offence. An independent and effective investigation into the alleged crimes against humanity and other serious violations of human rights documented in this report is required. All those reasonably suspected of criminal responsibility should be brought to justice in fair trials.

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