

**Alternative Report submitted to the  
UN Committee on the Economic, Social and Cultural Rights for the  
consideration of the Second Report of China  
during the 52<sup>nd</sup> session.**



**Unrepresented Nations and Peoples Organization**

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## Table of Contents

Section A: Introduction to the Report.....	3
Section B: Introduction to the Uyghurs, Inner Mongolians and Tibetans .....	4
Section C: Compliance with ICESCR.....	5
Article 1 – Right to Self-determination .....	5
Article 2 – Non-discrimination.....	6
Article 3 – Right of Women’s Equal Status .....	8
Articles 6 – Right to Work .....	8
Article 11 – Right to Adequate Standard of Living .....	9
Article 12 – Right to Health .....	11
Article 13 – Right to Education .....	13
Section D: Recommendations .....	19

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## Section A: Introduction to the Report

This alternative report was submitted by the Unrepresented Nations and Peoples Organization (UNPO) on the occasion of the 52<sup>nd</sup> Session of the Committee on Economic, Social and Cultural Rights (henceforth, “the Committee”).

The framework of this report will comment upon relevant articles of the International Covenant on Economic, Social and Cultural Rights sequentially. The final section of the report raises questions and introduces recommendations intended to inform the discussions taking place within the International Covenant on Economic, Social and Cultural Rights (henceforth, “ICESCR” or “the Covenant”) and between the Committee and the Chinese delegation at the 52<sup>nd</sup> Session.

This report will focus primarily on the situations of the Tibetans, Mongolians and Uyghurs in the People’s Republic of China and its compliance with and implementation of the International Covenant. The main issue that will be dealt with in this report is the severe marginalization faced by the Uyghurs, Tibetans and Mongolians as a result of social, political and ethnic discrimination. Consequently, the Tibetans, Mongolians and Uyghurs lack adequate healthcare, education and employment opportunities. Furthermore they have been the victims of forced eviction from their ancestral lands.

This report will be organized in the following fashion. First, it will introduce the current situation of UNPO Members in China, describing the main issues they are each confronted with, with regards to the policies adopted by the Chinese government. Following the brief description, it will outline every article of the ICESCR that the Chinese government is believed to have violated, and address them with a brief description. Finally, the report will present a series of recommendations to be discussed during the 52<sup>nd</sup> Session.

**The Hague, March 2014**

## Section B: Introduction to the Uyghurs, Inner Mongolians and Tibetans

**The Uyghurs** live in an area to the west of China. It is claimed by the People's Republic of China and called "The Xinjiang Uyghur Autonomous Region", (XUAR), despite the name, there is no self-rule or government for the Uyghurs. Indeed, the majority of positions in important administrative, economic and political bodies in the XUAR are occupied by Han Chinese. The Uyghurs are a Turkic ethnic group, most of whom are Sufi Muslims. Throughout the centuries the Uyghurs enjoyed varying degrees of independence, in 1949 however, they were absorbed into the PRC.

**Inner Mongolians** live in a territory located to the north of China, incorporated into the PRC in 1947 and known as the "Inner Mongolia Autonomous Region"(IMAR). Indeed, the IMAR was the first autonomous region established by the Chinese government. Since 1947, the Inner Mongolians have suffered severe and brutal repression. Inner Mongolians represent 17% of the population in the region yet enjoy very little political autonomy. The Inner Mongolians are a traditionally pastoral and nomadic community, they have had to change their lifestyle to adapt to the influx of Han Chinese. Moreover, the continued exploitation of the region by the Chinese authorities has led to severe environmental degradation in the region.

**Tibet**, located in Southern China, is the homeland of the Tibetan people. It was incorporated in 1950 in the territory of the PRC. In 1965, the PRC established the Tibet Autonomous Region (TAR), established for administrative reasons and which comprises less than half of historic Tibet. The TAR is tightly controlled by the PRC, violating numerous articles of the Covenant. Reports document that the situation in Tibet remains critical.

## Section C: Compliance with ICESCR

### Article 1 – Right to Self-determination

- 1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.*
- 2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.*

The Regional Ethnic Minority Law of the People's Republic of China states that "regional ethnic autonomy means that the ethnic minorities, under unified state leadership, practice regional autonomy in areas where they live in concentrated communities and set up autonomous agencies for the exercise of the power of autonomy. Regional ethnic autonomy reflects the state's full respect for and guarantee of ethnic minorities' right to administer their internal affairs and its adherence to the principle of equality, unity and common prosperity for all nationalities."<sup>1</sup> However, various government policies have hindered the effective implementation of the law and hindered meaningful autonomy in ethnic minority regions. Because of the systematic violations of religious freedom in the PRC, the United States Commission on International Religious Freedom (USCIRF) recommended in 2013 that China be designated as a "country of particular concern".<sup>2</sup> The government has tight control over groups who are seen to challenge State authority. The Tibetan Autonomous Region (TAR), the Xinjiang Uyghur Autonomous Region (XUAR) and the Inner Mongolia Autonomous Region (IMAR) have been subjected to the strictest government control, violating their right to self-determination.

The Tibetan People's right to self-determination has been endorsed in several United Nations General Assembly Resolutions.<sup>3</sup> The TAR is one of the five autonomous regions in China that at the provincial level exercise regional autonomy. However, under the existing circumstances the Tibetans as well as the Uyghurs and Mongolians lack the right to self-determination. The Tibetans inability to exercise their right to self-determination, has led to Tibetans being more vulnerable to social discrimination, and has hindered their ability to access all economic, social and cultural rights. The violations of articles 1 and 2 of the covenant create a situation whereby the Tibetans further suffer violations to the right to employment, the right to an adequate standard of living, the right to health, the right to education and the right to cultural life.<sup>4</sup>

The Tibetans are a distinct people, living under a form of political governance not of their choosing yet they do not have the right to make decisions over eco-systems and natural resources. Control over their economic, social and cultural practices is necessary for the Tibetan people. The PRC has

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<sup>1</sup> People's Republic of China Regional Ethnic Autonomy Law, available at: <http://www.cecc.gov/resources/legal-provisions/regional-ethnic-autonomy-law-of-the-peoples-republic-of-china-amended>

<sup>2</sup> United States Commission on International Religious Freedom, Annual Report 2013, p. 30, available at: [http://www.uscirf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20(2).pdf)

<sup>3</sup> 1353 (XIV) in 1959, 1723 (XVI) in 1961, and 2079 (XX) in 1965

<sup>4</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 3, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

enacted policies that subvert Tibet's decision-making power over its resources.<sup>5</sup>

The government has continued to place severe restrictions on religious freedoms; religious organizations as well as the clergy must be officially registered. Access to religious websites is restricted as well as access to religious materials. Indeed, it is an offence to possess unapproved religious texts. In January 2014 the police detained without charge and tortured a Tibetan laborer after finding photos, videos and audio recordings of the Dalai Lama.<sup>6</sup> This is but one isolated incident. Furthermore, over the past year the government has pursued a new policy arresting family or relatives of self-immolators.<sup>7</sup>

In Western China, the government established the XUAR in 1955. The XUAR, comprises 1/6 of the Chinese territory and is extremely rich in natural resources such as uranium. The government continues to exploit the resources in the region; the Uyghurs have been unable to determine their own future, moreover, they face severe restrictions in terms of religious freedom. The Uyghurs are unable to choose their own religious leadership, as imams are required to go to monthly political trainings. Uyghur human rights organizations are considered to be terrorist organizations encouraging "separatism" by the Chinese government and often face attempts at silencing them when attending United Nations sessions.<sup>8</sup>

The Chinese government has continued to promote Han Chinese migration to the TAR, IMAR, and XUAR under the guise of economic and social development for the ethnic minority regions. Consequently, the Tibetans, Uyghurs and Mongolians have become a minority in their own land. They are vastly outnumbered by Han Chinese who are given preferential treatment in terms of education, employment and health. Members of ethnic minorities are treated as second-class citizens and the influx of migrants has placed a strain on limited resources such as land and water.

## Article 2 – Non-discrimination

- 1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.*
- 2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*
- 3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.*

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<sup>5</sup> Tibetan Centre for Human Rights and Democracy, "Annual Report: Human Rights Situation in Tibet, 2013, p.2, available at: <http://www.tchrd.org/category/annual-reports/>

<sup>6</sup> Radio Free Asia, "Tibetan Laborer Held, Tortured Over Dalai Lama Photos, Audio", 29 January 2014, available at: <http://www.rfa.org/english/news/tibet/audio-01292014160017.html>

<sup>7</sup> Tibetan Centre for Human Rights and Democracy, "Annual Report: Human Rights Situation in Tibet, 2013, p.2, available at: <http://www.tchrd.org/category/annual-reports/>

<sup>8</sup> UNPO, "UNPO Member Attend Sixth Session of the Forum on Minority Issues", 29 November 2013, available at: <http://www.unpo.org/article/16643>

Under the guise of eliminating terrorism and separatist behavior, the government frequently targets ethnic minorities, denying them freedom of expression. This is a form of ethnic discrimination targeted at the Uyghurs in particular. Their religious and cultural rights are severely curbed. Politically motivated arrests are commonplace. In January 2014 the authorities detained famous scholar Iham Tohti for his critical opinion on the policy in Xinjiang.<sup>9</sup> Iham Tohti merely expressed concern for the increased pressure on the Uyghurs following the deadly attack on Beijing's Tiananmen Square last year. He has been detained for over a month and in February 2014 was formally arrested on charges of "separatism", even though his opinions are widely considered as moderate by all parties.<sup>10</sup> Moreover, his lawyer has been denied access to see him, in violation of rights of due process. This case is particularly worrying as Mr. Tohti is an outspoken yet moderate voice for the Uyghurs who has never advocated for separatism. His arrest and detention represent a severe threat to peace in the region, considering his honorability.

Chinese authorities have tightened controls on the Tibetans by cutting communication links with outside areas.<sup>11</sup> Moreover, the past year has seen the government persecute those who are relatives of self-immolators. In 2012, people in the same family or village of a self-immolator were forced to undergo political education campaigns and other punitive measures. In 2013, those who were associated with self-immolators were sent to prison or re-education through labor.<sup>12</sup>

China continued to deny its citizens the right to leave the country by restricting travel to politically sensitive individuals, including Uyghurs, Tibetans and political activists. It is very difficult for Uyghurs to obtain passports ever since the 2009 events.<sup>13</sup> 14 million people are affected by restrictions on international travel.<sup>14</sup> Despite a new regulation put in place, it remains extremely difficult for Uyghurs to obtain passports. New centers built to handle passport applications have still not opened in Uyghur majority areas. Consequently, many Uyghurs are forced to go through private centers that often demand bribes. Not many Uyghurs are able to obtain passports in the Uyghur regions as a result of ethnic discrimination, exacerbated by the influx of Han Chinese migrants.<sup>15</sup> The authorities continue to confiscate the passports of Uyghurs in order to prevent them to make the pilgrimage to Mecca.

In Inner Mongolia, authorities continued to hold Mongol rights activist Hada in extrajudicial detention.<sup>16</sup> Despite severe health issues, he has not been released and was refused treatment for

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<sup>9</sup> Radio Free Asia, "Beijing Criticized for Arbitrary Detention of Uyghur Scholar", 16 January 2014, available at: [http://www.rfa.org/english/news/uyghur/scholar-01162014221805.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+NamNguyen-GooglePublicPosts+\(Google%2B+Posts\)](http://www.rfa.org/english/news/uyghur/scholar-01162014221805.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+NamNguyen-GooglePublicPosts+(Google%2B+Posts))

<sup>10</sup> World Uyghur Congress, "China Uyghur Scholar Iham Tohti on Separatism", 26 February 2014, available at: <http://www.uyghurcongress.org/en/?p=22039%20China%20Uighur%20scholar%20Iham%20Tohti%20on%20separatism%20charges>

<sup>11</sup> Ibid.

<sup>12</sup> Tibetan Centre for Human Rights and Democracy, "Annual Report: Human Rights Situation in Tibet, 2013, p.2, available at: <http://www.tchrd.org/category/annual-reports/>

<sup>13</sup> Congressional Executive Commission on China, Annual Report 2013, p. 10, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>14</sup> Ibid, p. 107

<sup>15</sup> Radio Free Asia, "Passport Application 'Not Easy' for Uyghurs", 20 November 2013, available at: <http://www.rfa.org/english/news/uyghur/process-11202013151356.html>

<sup>16</sup> Congressional Executive Commission on China, Annual Report 2013, p. 24-25, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

his health issues.<sup>17</sup> Authorities in IMAR are continuing to restrict the movements of those who oppose the government and advocate for the rights of Mongolian herders.<sup>18</sup>

## Article 3 – Right of women’s equal status

*1. The State Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.*

As Article 12 of the Chinese Labor Law states “Laborers shall not be discriminated against in employment due to their nationality, race, sex, or religious belief”.<sup>19</sup> Despite this law, women continue to suffer discrimination firstly for being an ethnic minority, and secondly for being female. The annual report by the Congressional Executive Commission on China demonstrated that more and more private and public employers continued to reserve more positions for men. Consequently, non-Han women suffer gross violations of equal status by suffering ethnic and gender discrimination.<sup>20</sup>

## Articles 6 – Right to work

*1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.*

*2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.*

Article 12 of the Chinese Labor Law specifically states, “Laborers shall not be discriminated against in employment due to their nationality, race, sex, or religious belief”.<sup>21</sup> However when looking for employment, ethnic minorities in China suffer severe discrimination. Certain jobs, such as positions in important regional economic, political and administrative bodies are only available to Han Chinese despite the area being populated by a majority of ethnic minorities.

The government promotes the migration of Han Chinese to the XUAR, IMAR and TAR. Consequently Uyghurs, Tibetans and Mongols find themselves at a large disadvantage for economic resources, especially when it comes to finding meaningful employment.<sup>22</sup>

<sup>17</sup> Global Post, “Profiles in Dissidence: why China is crushing a Mongolian intellectual”, 5 March 2013, available at: <http://www.globalpost.com/dispatch/news/regions/asia-pacific/china/130228/inner-mongolia-china-dissident-hada>

<sup>18</sup> Congressional Executive Commission on China, Annual Report 2013, p. 24-25, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>19</sup> PRC Labor Law, article 12, Available at: [http://www.china.org.cn/living\\_in\\_china/abc/2009-07/15/content\\_18140508.htm](http://www.china.org.cn/living_in_china/abc/2009-07/15/content_18140508.htm)

<sup>20</sup> Congressional Executive Commission on China, Annual Report 2013, p. 167, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>21</sup> PRC Labor Law, article 12, Available at: [http://www.china.org.cn/living\\_in\\_china/abc/2009-07/15/content\\_18140508.htm](http://www.china.org.cn/living_in_china/abc/2009-07/15/content_18140508.htm)

<sup>22</sup> “Living on the Margins: The Chinese State’s Demolition of Uyghur Communities”, A Report by the Uyghur Human Rights Project, p.7 Available at: <http://docs.uyghuramerican.org/3-30-Living-on-the-Margins.pdf>



In July 2013, China Labor Watch issued a report documenting that despite the laws in place guaranteeing equal employment opportunities for both Han Chinese and ethnic minorities; ethnic minorities are often discriminated against. The report documents the violations of three factories belonging to the Pegatron Group, a major supplier to Apple.<sup>23</sup> A sign entitled “Recruitment Standards” displayed outside the Shanghai based Pegatron factory stated that “Ethnic groups including the Hui, Dongxiang, Salar, Yi, Tibetan and Xinjiang Uyghur, with special lifestyles are refused admission”.<sup>24</sup>

The annual report of the Congressional Executive Commission on China documented during the 2013 reporting year that just as in previous years, in XUAR, job advertisements were solely reserved for Han Chinese. This is particularly the case when it comes to civil servant jobs and private-sector jobs and in direct contravention of article 12 of the Chinese Labor Law. A study conducted by the University of Melbourne, published in November 2012, found that Han Chinese residents in XUAR are more likely than Uyghurs to secure employment in high-paying, high-status positions.<sup>25</sup> The CECC also documented that Uyghurs are still being coerced to participate in exploitative work programs by performing road building and agricultural work without pay. The CECC also reported that these “work programs” have also included the use of underage workers. Although these “free labor” programs are officially abolished, they still happen in practice and are targeted towards ethnic minorities.<sup>26</sup>

A 2013 report by the Tibet Justice Center documents that despite the Chinese laws not being discriminatory in practice, Tibetans in the TAR have reported that some job advertisements stated that ethnic Tibetans were not able to apply. Furthermore, the report documented that ethnic Tibetans were finding it increasingly difficult to find jobs due to the great influx of Han Chinese to the Tibetan region. Han Chinese have been encouraged by the government to migrate the TAR. Once there, the Han Chinese are given preferential treatment in terms of employment opportunities.<sup>27</sup> Moreover this shows that “China has not fulfilled its obligation to protect individuals from third parties violating the right to a freely chosen occupation”.<sup>28</sup>

## Article 11 – Right to adequate standard of living

*1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.*

*2. The States Parties to the present Covenant, recognizing the fundamental right of everyone*

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<sup>23</sup> China Labor Watch, “Apple’s Unkept Promises: cheap Iphones come at high costs to Chinese workers”, 29 July, 2013, p.3, available at: [http://www.chinalaborwatch.org/pdf/apple\\_s\\_unkept\\_promises.pdf](http://www.chinalaborwatch.org/pdf/apple_s_unkept_promises.pdf)

<sup>24</sup> Uyghur Human Rights Project Blog, “Uyghurs, Other Ethnic Groups Need Not Apply”, 7 August 2013, available at: <http://weblog.uhrp.org/uyghurs-other-ethnic-groups-need-not-apply/>

<sup>25</sup> Congressional Executive Commission on China, Annual Report 2013, p. 167, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>26</sup> Ibid, p.167

<sup>27</sup> Tibetan Centre for Human Rights and Democracy, “ Annual Report: Human Rights Situation in Tibet, 2013, p.71available at: <http://www.tchrd.org/category/annual-reports/>

<sup>28</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 15, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

*to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:*

*(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;*

*(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.*

In the TAR, IMAR and XUAR, the traditional lifestyle for a sizeable part of the population is a nomadic lifestyle. This has been the case for centuries. However, the government over the past year has continued its programs of forced relocation. Indeed, “in June 2011 the central government instructed all provincial units, including the TAR, Sichuan, Qinghai, Gansu, Inner-Mongolia, and Xinjiang, to complete by the end of 2014 all ongoing relocation programs for hundreds of thousands of nomadic herders.”<sup>29</sup> The government portrays these resettlement programs as “a move to improve and ‘modernize’ the lives of Mongols, Tibetans, Kazakhs, and other minority groups and to combat grasslands degradation.”<sup>30</sup> There is no proof however, that the nomadic lifestyle leads to the increasing degradation of the grasslands. The local populations report that the resettlement programs are implemented so that the government can control the plethora of natural resources available in the IMAR and XUAR.

The government claims that all of the relocations are voluntary and they are being “culturally sensitive” by building houses to suit ethnic characteristics. A Human Rights Watch report documented the involuntary nature of the relocation programs, the absence of any prior consultation, the inadequate compensation methods, quality of the new houses, increased financial burden resulting from relocation, the loss of assets and the dissolution of communities.<sup>31</sup>

In the TAR, the government has “been implementing permanent removal and resettlement, land confiscation, and exclusion-fencing policies across all pastoral areas of Tibet, drastically infringing on the right of some 2.25 or more million Tibetan pastoralists to determine where and how they live, cultural choices in housing and food supply, and how best to implement socio-economic and socio-cultural livelihood practices.”<sup>32</sup> The government has stated that the goal of these relocation programs is to improve the housing situation amongst Tibetans. However, herders are often relocated to isolated townships and unable to take part in their traditional life. The relocation programs are depriving Tibetans of an adequate standard of living. “The newly constructed settlements are destroying traditionally constructed homes and traditional livelihood practices. China’s dissolution of the unique Tibetan cultural identity reflects its view of what is necessary for the unity of the state, but this view is at odds with the core requirements of the Covenant.”<sup>33</sup>

A report by the Tibetan Centre for Human Rights and Democracy states, “it is estimated that by the end of 2013, 90% of all Tibetan nomads living in Qinghai Province will be resettled. The forcible

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<sup>29</sup> Human Rights Watch, “They Say We Should Be Grateful”, 27 June 2013, available at:

<http://www.hrw.org/reports/2013/06/27/they-say-we-should-be-grateful-0>

<sup>30</sup> Congressional Executive Commission on China, Annual Report 2013, p. 24-25, available at:

<http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>31</sup> Ibid.

<sup>32</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 28, available at:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

<sup>33</sup> Ibid, p.21-22.

relocation of nomads has led to the destruction of their way of life. Nomads are rarely paid the compensation promised. Many are forced to live in newly built urban areas. The nomads are replaced by state owned enterprises that build mines to extract natural resources from Tibet, these profits go east and do not reach the Tibetans. Those protesting against the mining activities are violently suppressed.<sup>34</sup> The relocation of Tibetan nomads threatens to destroy their traditional way of life, moreover, as a result of this relocation, these nomads face economic hardships as result of the loss of their traditional lifestyle. Furthermore, as a result of the relocation programs, the PRC undoubtedly has tighter control over the area and free access to exploit the natural resources of the Tibetan region.<sup>35</sup> The government has set up mines on the land freed up by the forced relocation of the nomads. These mines cause severe degradation of the environment as well as causing the death of livestock and the destruction of farmers' fields.<sup>36</sup>

In the IMAR, nomadic populations were also forced to resettle away from grasslands.<sup>37</sup> On several occasions in 2013, Mongol herders protested against the appropriation of their lands for developments projects.<sup>38</sup> Critics of the resettlement programs have raised concerns over the increased mining activities in the IMAR and the loss of water and production of toxic wastewater that an increase in mining activities brings.

Over the past few years, the XUAR authorities have intensified housing construction and demolition projects in rural and urban areas of the XUAR inhabited by Uyghurs and other ethnic minorities. The XUAR authorities continued to relocate farmers and herders from grasslands, in order to "improve living standards of the farmers and herders".<sup>39</sup> These policies have undoubtedly affected the livelihoods of herders with a traditional lifestyle; moreover, it has violated their right to an adequate standard of living. According to official figures released in May 2013, between 2010 and 2012, 136,800 of herders were resettled, comprising 49.2% of the population.<sup>40</sup> Moreover, ethnic Uyghurs have been forcibly relocated from three mountain townships in the Xinjiang region in order to make place for tourist resorts. Those relocated reported that the authorities have not provided them with adequate compensation or job opportunities.<sup>41</sup>

### Article 12 – Right to health

*1. The States Parties to recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the improvement of all aspects of environmental and industrial hygiene.*

*2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:*

*(a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;*

*(b) The improvement of all aspects of environmental and industrial hygiene;*

<sup>34</sup> Tibetan Centre for Human Rights and Democracy, "Annual Report: Human Rights Situation in Tibet, 2013, p.2 available at: <http://www.tchrd.org/category/annual-reports/>

<sup>35</sup> Ibid, p. 73

<sup>36</sup> Ibid, p. 75

<sup>37</sup> Congressional Executive Commission on China, Annual Report 2013, p. 9, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>38</sup> Ibid, p. 24-25.

<sup>39</sup> Ibid, p.166-167

<sup>40</sup> Ibid, p. 166-167

<sup>41</sup> Radio Free Asia, "Uyghur Villages Forcibly Relocated to Make Way for Tourist Resorts", 17 January 2014, available at: <http://www.rfa.org/english/news/uyghur/villagers-01172014174059.html>

*(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;*

*(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.*

Article 21 of the Constitution of the People's Republic of China states that "The state develops medical and health services, promotes modern medicine and traditional Chinese medicine, encourages and supports the setting up of various medical and health facilities by the rural economic collectives, state enterprises and undertakings and neighborhood organizations, and promotes sanitation activities of a mass character, all to protect the people's health. The state develops physical culture and promotes mass sports activities to build up the people's physique."<sup>42</sup>

Despite the health services that the government has established, access to healthcare in rural communities and therefore among ethnic minorities continues to be severely lacking, compared to urban China. Many ethnic minorities still do not have adequate healthcare facilities, or they are often too expensive when available. Indeed healthcare in Tibet continues to lag behind the rest of China. Ethnic minorities in the PRC suffer geographic marginalization and poor quality health facilities along with a higher rate of maternal mortality.<sup>43</sup> A report by UNICEF documented that mortality among ethnic minority children is more than 50% higher than among Han Chinese children up to the age of 10 and more than 80% higher for ages between 11 and 17.<sup>44</sup> "Therefore, despite the PRC's success at reducing the maternal mortality rate and infant mortality rate nationwide, these improvement have not reached ethnic minorities, like Tibetans"<sup>45</sup>

Infant and child mortality rates in Tibet are amongst the highest in the world. The PRC announced that it had achieved a Millennium Development Goal for reducing maternal mortality by two thirds. However, the maternal mortality rate in Tibet is 13-16 times higher than the national average.<sup>46</sup> The China National Human Development Report 2013 shows that Tibet ranks the lowest in the region in the PRC in life expectancy, education and human development.<sup>47</sup>

Furthermore, when Tibetans are able to get to hospital, the hospitals are often run by Chinese officials who prevent Tibetan doctors from treating Tibetan patients unless they have permission to do so from their Chinese superiors. Moreover, it has been reported that hospitals in Tibet often charge exorbitant fees known as "security deposits". Unless this "security deposit" has been paid, Tibetans are unable to receive adequate healthcare.<sup>48</sup> Furthermore, for nomads living in rural areas, the hospitals are often too far away.

A joint report by the Tibet Justice Center and Boston University Asylum and Human Rights Program further documented that forced sterilizations and abortions are happening in Tibet against their will.

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<sup>42</sup> Article 21 of the Constitution of the People's Republic of China, available at:

<http://english.people.com.cn/constitution/constitution.html>

<sup>43</sup> Report Global Health in Action

<sup>44</sup> Unicef Report

<sup>45</sup> Tibetan Centre for Human Rights and Democracy, "Annual Report: Human Rights Situation in Tibet, 2013, p.78 available at: <http://www.tchrd.org/category/annual-reports/>

<sup>46</sup> Ibid, p. 1-2.

<sup>47</sup> Ibid, p.69-70

<sup>48</sup> Joint Report Tibet Justice Center and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 28, available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

This clearly violates the right to health “as it pertains to the right to control over one’s body, and the freedom from interference”.<sup>49</sup>

Like the Tibetans, the Uyghurs do not have access to adequate healthcare, they face some similar problems. The infrastructure is not highly developed enough to provide health centers in rural areas. For many, healthcare often arrives too late. Along with the lack of adequate resources, the Uyghurs face discrimination when it comes to being treated by Chinese doctors.

Furthermore, many Uyghurs continue to face health complications such as cancer and birth defects as a result of the prolific nuclear testing of the 1960’s. The likelihood of getting cancer is 30% higher in XUAR than in the rest of the PRC. Following the build of nuclear facilities in Xinjiang in the 1960’s, it today still serves as a dumping ground for toxic waste, putting the population at enormous risk.<sup>50</sup> It is extremely difficult for NGOs to get adequate information concerning the nuclear testing and its effects on the population because the PRC is unwilling for an investigation to take place. Furthermore, the rate of HIV/AIDS is more prevalent among ethnic minorities than Han Chinese. Although the government has implemented educational programs and needle exchange points, it is not implementing a region-specific program in order to decrease the rate of HIV/AIDS amongst ethnic minorities.

Arsenic poisoning remains a chronic issue for people living in Inner Mongolia, Xinjiang, Henan, Shandong and Jiangsu. A study published in August 2013 demonstrated that 19.58 million people live in areas that are considered high risk for arsenic poisoning, of those 14.7 million live in areas with excessive levels of arsenic and 5.6 million of them in high-risk areas.<sup>51</sup> Many people are unaware that the water is contaminated with arsenic; indeed many do not even know what arsenic is.<sup>52</sup>

### Article 13 – Right to education

*1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.*

*2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:*

*(a) Primary education shall be compulsory and available free to all;*

*(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;*

*(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;*

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<sup>49</sup> Ibid, p.24

<sup>50</sup> Violation of Uyghurs’ right to health: Nuclear testing in Xinjiang”, 13 February 2012, Radical Party, available at: <http://www.radicalparty.org/en/content/violation-uyghurs-right-health-nuclear-testing-xinjiang>

<sup>51</sup> Science Mag, “Groundwater Arsenic Contamination Throughout China”, August 2013, available at: <http://www.sciencemag.org/content/341/6148/866>

<sup>52</sup> China dialogue, “Arsenic poisoning leaves trail of damage in China”, 29 October 2013, available at: <https://www.chinadialogue.net/article/show/single/en/6454-Arsenic-poisoning-leaves-a-trail-of-damage-in-China>

*(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;*  
*(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.*

*3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.*

*4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.*

Article 46 of the Constitution of the People's Republic of China states that "citizens of the People's Republic of China have the duty as well as the right to receive education. The state promotes the all-round moral, intellectual and physical development of children and young people."<sup>53</sup> Furthermore, article 4 states that "the people of all nationalities have the freedom to use and develop their own spoken and written languages, and to preserve or reform their own ways and customs."<sup>54</sup> Despite this, article 19 of the Constitution states "the state promotes the nationwide use of Putonghua".<sup>55</sup> Moreover, the 1986 Chinese Law on "Nine Year Compulsory Education" states that all children shall receive at least nine years education. Moreover it states that "Chinese government attaches great importance to the universalization of compulsory education in rural, poor and minority areas."<sup>56</sup>

Despite the laws in place, the Uyghurs, Tibetans and Mongols continue to suffer violations to their right to education. Indeed the government plans to have Mandarin as the medium of instruction by 2015.<sup>57</sup> The government continues to regard minority languages with contempt.<sup>58</sup> Over the past few years, the government has increased efforts to eradicate minority languages in education in the IMAR, the XUAR and the TAR, thus violating ethnic minorities' right to education and eradicating the identity of ethnic minorities.

With regards to the Tibetans, as a result of the large influx of Han Chinese, education is primarily in Mandarin, thereby forcing the Tibetans to assimilate. During the reporting year, the government has been successful in widening the education inequity already present in Tibet, by further excluding the use of minority languages and implementing a forced assimilation process. In 2004 only 31% of

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<sup>53</sup> Article 46 of the Constitution of the People's Republic of China, available at:

<http://english.people.com.cn/constitution/constitution.html>

<sup>54</sup> Article 4 of the Constitution of the People's Republic of China, available at:

<http://english.people.com.cn/constitution/constitution.html>

<sup>55</sup> Article 9 of the Constitution of the People's Republic of China, available at:

<http://english.people.com.cn/constitution/constitution.html>

<sup>56</sup> Chinese Education Law, "Nine Years of Compulsory Education", available at:

<http://www.china.org.cn/english/education/184879.htm>

<sup>57</sup> Minority education policy of China with reference to Tibet, available at:

<http://www.merabsarpa.com/education/minority-education-policy-of-china-with-reference-to-tibet>

<sup>58</sup> Radio Free Asia, "Tibetan Students Jailed for Defending Language Rights", 17 April 2014, available at:

<http://www.rfa.org/english/news/tibet/students-04172013150910.html>



children had access to the nine-year compulsory education.<sup>59</sup> Indeed, on average Tibetans only complete 2.2 years of education, compared to 7.3 years in rural areas, and 10.2 years in urban Chinese areas. Moreover, as Mandarin is the language of instruction, many Tibetan parents are unwilling to send their children to school fearing a loss of identity.<sup>60</sup>

Schools run by Tibetans, teaching in Tibetan and teaching Tibetan cultural knowledge face severe restrictions from the authorities.<sup>61</sup> As a result of the large influx of Han Chinese migrants, participation in economic life requires a proficiency in Mandarin. It is estimated however that 80% of Tibetans are illiterate in Chinese.<sup>62</sup> In order to succeed in academic and professional life, Mandarin is needed. For those Tibetan parents who send their children to school, the children end up not being able to speak Tibetan. In places where education is available, it has been reported that bribery and consideration of political affiliation is commonplace, thereby directly violating the requirement that education be provided free of charge.<sup>63</sup> Furthermore in April 2013, Tibetan students were jailed for defending their language rights. Eight students were sentenced to up to four years for their role in a protest defending their right to use the Tibetan language. More than a thousand Tibetan students from various schools came together to protest over an official Chinese booklet that quoted the Tibetan language as being “irrelevant”.<sup>64</sup>

Over the past few years, the government has continued to broaden the scope of the “bilingual education” in the IMAR, the TAR and the XUAR. In Xinjiang, the local authorities continued to broaden the scope of the Mandarin-focused “bilingual education”, seen to be an assimilation attempt by the government forcing young Uyghurs to conform to Chinese society. Under the “bilingual education” system classes are primarily taught in Mandarin. In 2013, the government continued to carry out the expansion of the bilingual education system in line with the 2010 targets “to universalize and develop bilingual education in preschool through to secondary school instruction throughout the region”.<sup>65</sup>

Over the past few years, the number of students enrolled in “bilingual education” has increased rapidly. By the end of 2012, in the XUAR, 1.41 million students were enrolled in “bilingual education” from preschool to secondary school, 55% of the ethnic minority student population.<sup>66</sup> Uyghurs fear that the younger generation is increasingly faced with the loss of the Uyghur identity and the loss of the ability of the Uyghurs to speak the Uyghur language.<sup>67</sup> Students continue to suffer at the hands of the government for their political beliefs. In November 2013, Xu Yuanzhi, the Party Secretary at Kashgar Teachers College in Southern Xinjiang revealed that students whose political qualifications

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<sup>59</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 28, available at:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

<sup>60</sup> International Campaign for Tibet, Education in Tibet, available at: <http://www.savetibet.org/wp-content/uploads/2013/07/Education-in-Tibet-paper.pdf>

<sup>61</sup> Ibid.

<sup>62</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 28, available at:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

<sup>63</sup> Ibid, 29

<sup>64</sup> Radio Free Asia, “Tibetan Students Jailed for Defending Language Rights”, 17 April 2014, available at:

<http://www.rfa.org/english/news/tibet/students-04172013150910.html>

<sup>65</sup> Congressional Executive Commission on China, Annual Report 2013, p. 135, available at:

<http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>66</sup> Ibid, p.47-48

<sup>67</sup> Ibid, p.47-48.

did not meet Party requirements would not be able to graduate.<sup>68</sup> Indeed, students from Xinjiang will be required to sit a political test. Unless they pass this test, students will be unable to graduate. A move made by the local government in order to fight against “political extremism”.<sup>69</sup>

## Article 15 - Cultural Rights

1. *The States Parties to the present Covenant recognize the right of everyone:*

(a) *To take part in cultural life;*

(b) *To enjoy the benefits of scientific progress and its applications;*

(c) *To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.*

2. *The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.*

Article 36 of the Constitution of the People’s Republic of China states “Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination.”<sup>70</sup>

For ethnic minorities in the PRC such as the Tibetans and Uyghurs, religion is an integral part of daily life and cannot be separated from their customs and traditions. Although the Constitution guarantees freedom of religion, only “normal” religious activities are protected. The government only recognizes five religions namely: Buddhism, Catholicism, Taoism, Islam and Protestantism.<sup>71</sup> Furthermore, all religious organizations have to be officially registered. The government has also implemented an official policy whereby all clergy had to be registered by the end of 2013.<sup>72</sup> The government harshly suppresses religious activities it sees as a “cult” or “superstitious”, or a threat to social harmony or national security. The majority of the religious practices performed by the Uyghurs and Tibetans fall within this categories. As the report by the United States Commission on International Religious Freedom demonstrated “the National Regulations on Religious Affairs (NRR) permits only ‘normal religious activity’ and contains vague national security provisions that suppress the peaceful activity of unregistered religious groups, organizations deemed ‘cults’.”<sup>73</sup> In Tibetan and

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<sup>68</sup> Uyghur Human Rights Project, “Xinjiang college says approved political views needed to graduate”, 26 November, 2013, available at: <https://uhrp.org/news/xinjiang-college-says-approved-political-views-needed-graduate>

<sup>69</sup> Radio Free Asia, “Uyghur Scholar Takes Aim at College Graduation Ban”, 27 November 2013, available at: <http://www.rfa.org/english/news/uyghur/ban-11272013112752.html>

<sup>70</sup> Article 36 Constitution People’s Republic of China, available at: <http://english.people.com.cn/constitution/constitution.html>

<sup>71</sup> Congressional Executive Commission on China, Annual Report 2013, p. 8, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>72</sup> Congressional Executive Commission on China, Annual Report 2013, p. 21, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

<sup>73</sup> United States Commission on International Religious Freedom, Annual Report 2013, p. 31, available at: [http://www.uscifr.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscifr.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20(2).pdf)



Uyghur areas the NRRA implements additional provincial regulations, including restrictions on peaceful religious expression.<sup>74</sup>

The conditions of religious freedom for the Tibetan Buddhists and Uyghur Muslims have remained severely restricted. A report by the United States Commission on International Religious Freedom (USCIRF) reported that the government continued “its effort to discredit and imprison religious leaders, control the selection of clergy, ban certain religious gatherings, and control the distribution of religious literature by members of these groups.”<sup>75</sup> Moreover, the report documented that worship activities are criminalized and the activities of Christian and Muslim missionaries is curtailed. The government restricts the religious materials available; it punishes individuals responsible for distributing “unapproved bibles” and “Muslim books”. Furthermore, the government restricts online access to religious websites, the communities are unable to choose their own religious leadership and in Uyghur and Tibetan areas parents are unable to teach their children religion.

The authorities in the TAR have denied the Tibetan people with the full realization of the right to take part in their unique cultural life. The Tibetans traditional lifestyle, such as their way of practicing pastoralism and agriculture, involve cultural practices deeply rooted in Buddhist ethics and respect for the land.<sup>76</sup> The forced eviction programs deny the Tibetans their right to take part in their unique cultural life. Throughout 2013, the authorities not only continued to strengthen control over Tibetan Buddhism but also to chart its future developments by establishing a government approved “Tibetan Theological Institute”, the goal of the institute will be to “conform Tibetan Buddhism...to the development of our times, and to resist the Dalai clique’s religious infiltration... and remove the crude customs and habits that are not in line with social progress.”<sup>77</sup>

The number of self-immolations peaked during the 18<sup>th</sup> Party Congress; consequently, the government launched a campaign to hold relatives of self-immolators responsible and criminally liable. It has been reported that over the past year, self-immolators called for greater use of the Tibetan language, an indication of the threat that Tibetans believe the official policies have on Tibetan culture.

According to the annual USCIRF report the authorities have implemented a system of “religious information gatherers” who document the religious activities taking place in the area. Furthermore, imams are required to undergo annual political training seminars in order to retain their license. They are required to meet monthly with officials from the provincial level to receive “advice” on the content of their sermons. The XUAR government restricts the observance of political holidays. Academic professionals, government employees and students are prohibited from observing Ramadan. Government officials are prohibited from observing Ramadan and are subject to fines if they do so.<sup>78</sup> Unapproved religious texts are confiscated and those possessing such texts can face criminal charges. People under the age of 18 are not allowed to enter mosques, Uyghurs are not

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<sup>74</sup> United States Commission on International Religious Freedom, Annual Report 2013, p. 31, available at: [http://www.uscirtf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirtf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20(2).pdf)

<sup>75</sup> Ibid, p.30.

<sup>76</sup> Joint Report Tibet Justice Centre and Boston University Asylum and Human Rights Program, Parallel Report Submitted to the CESCR, 1 April 2013, p. 31, available at:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fNGO%2fCHN%2f14068&Lang=en)

<sup>77</sup> United States Commission on International Religious Freedom, Annual Report 2013, p. 32, available at: [http://www.uscirtf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirtf.gov/sites/default/files/resources/2013%20USCIRF%20Annual%20Report%20(2).pdf)

<sup>78</sup> Ibid, 34-35

allowed to undertake Hajj unless it is with an officially approved tour, and an outward expression of faith by wearing headscarves is forbidden.<sup>79</sup>

The XUAR authorities have continued to impose religious restrictions on the Uyghurs. During the month of Ramadan, Muslim Uyghurs are banned from holding private religious discussions and were unable to travel to mosques outside their residential areas.<sup>80</sup> Moreover, the authorities have been surveying religious worshippers with the ultimate aim of compiling a register of religious believers.<sup>81</sup> In addition, petrol stations in Xinjiang have reportedly displayed notices calling on women to remove headscarves if they wish to be served. This is a recent policy also enforced in other public places such as schools and hospitals.<sup>82</sup>

The report of Congressional Executive Commission on China reported that in the IMAR, Mongolians continued to face harassment and imprisonment for peaceful protest and assertions of Mongolian cultural identity.<sup>83</sup>

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<sup>79</sup> Uyghur Human Rights Project, “Living on the Margins: The Chinese State’s Demolition of Uyghur Communities”, p. 11, available at: <http://docs.uyghuramerican.org/3-30-Living-on-the-Margins.pdf>

<sup>80</sup> Radio Free Asia, “Uyghur Muslims Face New Religious Clampdown”, 11 July 2013, available at: <http://www.rfa.org/english/news/uyghur/restrictions-07112013221210.html>

<sup>81</sup> Radio Free Asia, “China Registering the Religious in Xinjiang”, 2 May 2013, available at: <http://www.rfa.org/english/news/uyghur/registration-05022013112851.html>

<sup>82</sup> Radio Free Asia, “Gas Stations in Xinjaing Bar Veil-Wearing Muslim Women”, 18 July 2013, available at: <http://www.rfa.org/english/news/uyghur/petrol-06182013153821.html>

<sup>83</sup> Congressional Executive Commission on China, Annual Report 2013, p. 9, available at: <http://www.cecc.gov/sites/chinacommission.house.gov/files/AR13DJ.PDF>

## Section D: Recommendations

The Unrepresented Nations and Peoples Organization strongly urges the People's Republic of China to consider the following recommendations:

- 1. Provide meaningful autonomy to the autonomous regions of the PRC, including by adequately enforcing the Regional Ethnic Minority Laws;*
- 2. Halt the exploitative measures in XUAR, TAR and IMAR, and to ensure that any economic benefit is distributed fairly amongst the population;*
- 3. Put an end to criminal punishments for those exercising their right to freedom of religion;*
- 4. Engage meaningfully with the local population when it comes to policies or activities that may affect their way of life;*
- 5. End the forced eviction programs of nomads;*
- 6. Ensure ethnic minorities have access to healthcare by making healthcare accessible to rural areas, and to promote HIV/AIDS awareness campaigns for ethnic minorities;*
- 7. Put an end to the discriminatory practices that are widespread when it comes to education and employment opportunities;*
- 8. Ensure that the use of minority languages is promoted in education, and ensure that important pamphlets and documents are published in minority languages as well as Mandarin;*
- 9. Maintain the economic and social development as long as this is translated into the political, economic and social development of minorities;*
- 10. Adopt measures to put an end to the extreme poverty facing ethnic minorities.*



*The Unrepresented Nations and Peoples Organization (UNPO) is an international, nonviolent, and democratic membership organization founded in 1991. Its Members are indigenous peoples, minorities, and unrecognized or occupied territories who have joined together to protect and promote their human and cultural rights, to preserve their environments, and to find nonviolent solutions to conflicts which affect them.*