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**Situation of Violation of United Nations Convention  
on the Elimination of All Forms of Discrimination  
in People's Republic of China**

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# Situation of Violation of United Nations Convention on the Elimination of All Forms of Discrimination in People's Republic of China

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## Preface

Institute of Asian Solidarity of Council for Freedom and Democracy in Japan makes a report as follows on the situation of racial discrimination in People's Republic of China (hereinafter China) against each ethnic group in Uyghur, South Mongolia and Tibet aiming at eradicating racial discrimination in the world.

Besides, this report is submitted by cooperation between NPO corporation Japan Uyghur Association and Kuril Tai (World Mongolia Conference) Japan Branch, a solidarity organization of overseas Mongolians.

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"International convention on the Elimination of All Forms of Racial Discrimination (ICERD)" has defined its policy as "construction of international society without any forms of racial segregation and discrimination" by taking any and all measures necessary for promptly abolishing all forms of racial discrimination while pointing out risks caused by governmental policies based on racial discrimination as well as racial superiority and hatred (apartheid, segregation or separation policy, etc.) which are seen across the world.

In China which is a member of United Nations and a member country of Security Council, however, racial discrimination policies have been practically implemented against people in Uyghur, Mongolia and Tibet by Chinese (Han Chinese people) causing such situations of serious apartheid and destruction of ethnical cultures, and even an ethnic extinction policy has been implemented.

In particular, serious infringements have been constituted against the basic principle of Article 5, "States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, or ethnic or racial origin, to equality before the law, notably in the enjoyment of the following rights" of ICERD and each item as set out below:

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

- (c) Political rights, in particular the rights to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;
- (d) Other civil rights, in particular:
  - (i) The right to freedom of movement and residence within the border of the State;
  - (ii) The right to leave any country, including one's own, and to return to one's country;
  - (\*snip\*)
  - (vii) The right to freedom of thought, conscience and religion;
  - (viii) The right to freedom of opinion and expression;
  - (ix) The right to freedom of peaceful assembly and association;
- (e) Economic, social and cultural rights, in particular:
  - (\*snip\*)
  - (v) The right to education and training;
  - (vi) The right to equal participation in cultural activities;

#### **A. Actual situation of racial discrimination in Xinjiang Uyghur Autonomous Region of China**

**(1) Prohibition of Uyghur language use:** It is a racial discrimination policy to prioritize Chinese by depriving of language as a foundation of ethnic culture.

Even though Chinese government advocates "bilingual education" (education of both Chinese and each ethnic language) in each ethnic autonomous region, class instruction has been made mainly in Chinese in reality.

Education personnel of Hotan province prohibited use of Uyghur language in schools at junior high school level on June 2017. Similarly to the prohibition of use of Uyghur language for public activities and educational management affairs at schools, use of signs in Uyghur language is also prohibited within the premises of schools.

On March 2017, Chinese government announced that it would construct or expand 4,387 bilingual kindergartens in total in the whole Xinjiang Autonomous Region and reinforce "bilingual education" during early childhood by employing 10,000 bilingual teachers in the same year.

This measure means to essentially force all children of Uyghur people to accept education in Chinese from early childhood under the name of "bilingual education" resulting in monolingual education in fact.

Article 4 of People's Republic of China Constitution defines that freedom for minorities to

use their own language is protected and Article 37 of Regional Ethnic Autonomy Law describes that schools in autonomous regions should employ the local ethnic people as main educational measures. A right for each ethnic group to receive education in mother tongue is granted internationally too. As these policies of Chinese government result in depriving ethnic people of their native language, they should be regarded as racial discrimination policies from a perspective of Chinese existing constitution and international point of view as well.

## **(2) Compulsory return order for Uyghur students studying abroad**

Article 5

(d) Other civil rights, in particular:

- (i) The right to freedom of movement and residence within the border of the State;
- (ii) The right to leave any country, including one's own, and to return to one's country;

Tremendous violations and racial discrimination policies have been implemented as described below.

In 2017, Chinese government ordered Uyghur students studying in Egypt to return to China. It has been reported that Chinese authority forcibly asked the students to return by putting their families under constraint at that time. On August 2017, more than 100 students who didn't follow the request for return by China government were put under constraint in Egypt.

Chinese government has requested Uyghur people studying and living not only in Egypt but also across the world to return home. There is such a case also in Japan that Uyghur people applying for renewal of their passport and visa are ordered to return China to go through procedures even in spite of no need for them to do so. In consideration of a fact that it deprives Uyghur people of their freedom to select residence and that Chinese expatriates have not been asked for similar procedures, it is a racial discrimination policy.

At the same time, overseas travel is restricted and their passports are controlled and confiscated for Uyghur people living within the country. Residents in Xinjiang Uygur Autonomous Region are asked to submit their passports to authorities and imposed regulations and security compliance for "group control" (HRW, 2016) more strictly than Chinese people (Han Chinese) with strict prohibition of travel overseas.

## **(3) Political criminal camp under the name of Re-education center (Racial segregation policy**

and forcible brainwashing)

The harshest racial discrimination policy is compulsory accommodation of Uyghur people in "Re-education" center in Xinjiang Autonomous Region (East Turkestan). Even though the whole picture has not been revealed at the present stage, there has been even such a report that 1 million Uyghur people have been housed in the facilities.

Uyghur people who were forced to return home from across the world in (2) have been automatically housed in the center and forced to receive political and thought education provided by the Communist Party of China. Human Rights Watch (HRW), an international human right advocate group, has requested Chinese government to release people restrained in the illegal "Political education" center in Xinjiang Uygur Autonomous Region and close the facility.

These compulsory and irrational arrest and detention are also in violation of People's Republic of China Constitution. Article 37 of the Constitution stipulates that any and all arrests are limited to such cases approved by any of public prosecutor, State prosecution or court, but any institution has not been involved in determination of detention in the center. With serious situations caused by these compulsory detentions such as separation of parents and child/married couple and isolation of boys/girls and elderly people who are supposed to be protected, case of detained people missing has occurred one after another.

#### **( 4 ) Forced labor and transfer of young Uyghur women to main land China**

In Xinjiang Uygur Autonomous Region, working conditions based on serious racial discrimination in violation of the following treaty have been forced:

Article 5 (e)

- (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

In Xinjiang Uygur Autonomous Region, in particular at the rural areas, a forced labor program has been implemented imposed by the Chinese government which is called as *Hasar* in Uyghur language. The program, which imposes unpaid work for four to eleven hours a day for public projects carrying strict penalty for those who didn't participate in the work, significantly infringes labor rights of Uyghur people. *Hasar* program not only eliminates jobs

for Uyghur people to be paid but also hinders them to perform farming on their own.

Chinese government continuously transfer young Uyghur women to east part of the country in order to make them work in plants with lower wage. Due to these policies, thousands of Uyghur women have been removed from their families and put under harsh working conditions in plants thousands of miles away from their home.

## **B. Situation of racial discrimination in Mongolian Autonomous Region (South Mongolia) in People's Republic of China**

### **(1) Bias of educational content in Inner Mongolia Autonomous Region**

All text books used in Inner Mongolia Autonomous Region are "nationally standardized text book" compiled by Chinese government in which history of Mongolia is rarely described. It is a definitive racial discrimination policy because Mongolians have been deprived of their own ethnic history and culture as well as opportunities to learn the ethnic tradition.

In addition, it has been reported by a local Mongolian via posting to SNS WeChat on December 18, 2017 that Bayangol third middle and high school consistent school was prohibited to use Mongolian at the beginning of the week which was the last school conducting classes in Mongolian in Bayangol Mongolian Autonomous state of Xinjiang Uygur Autonomous Region.

### **(2) Denial of pastoral farming as life tradition in Mongolia**

As more than 60% of Inner Mongolia Autonomous Region is said to have been turned into a state of desertification under the control of People's Republic of China, environmental condition in Mongolia has seriously deteriorated. Chinese government has forced to implement "Grazing prohibition" policy contributing the cause of the desertification to grazing which is a part of traditional lifestyle of Mongolians.

Main causes of the desertification in Inner Mongolia Autonomous Region with a natural condition where annual average amount of rainfall is slightly less than 300 ml, however, include a policy of Chinese government since its foundation forcing them farming which was originally impossible there as well as recent overdevelopment of resources and waste materials left by corporations.

With "Ecological migration" policy further adopted by Chinese government to move Mongolian nomads to urban area where Han people live densely, lands and resources of Mongolians have been deprived as the result, and moral and sense of value as well as traditional culture are going to be lost along with abolition of Mongolian schools.

At the same time, as a result of influx of even up to 1.5 million Chinese people (Han people) until today since 1950's, Chinese accounts for 80% of population in Inner Mongolia as of now while Mongolians have become minority only accounting for 17%. Moreover, with various conflicts occurred between Chinese and Mongolians as well as racial hatred and violence incidents in addition to racial discrimination, even such situation has been inflicted that legitimate protests by Mongolians have not been reflected on trials.

The following cases constitute apparent violation of written part of International Convention on the Elimination of All Forms of Racial Discrimination:

#### Article 5

(a) The right to equal treatment before the tribunals and all other organs administering justice;

(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

#### **Case 1. Murder of Mr. Mergen**

On May 10 2011, Mr. Mergen, a Mongolian, was murdered at Ujungmu Right Qi of Xilingol Meng in Inner Mongolia Autonomous Region. Mr. Mergen, who had tried to protect the pastures from mine development by Chinese, was protesting with about 40 Mongolian pastoralists against overdevelopment of mine and unregulated driving of trucks to destroy prairies by about 100 Chinese people but he was run over to death by a truck of coal carrier company and the Chinese driver expressed such a racial hatred saying, "I have taken out insurance readily for my truck but the stinky life of Mongolian doesn't deserve even to 40,000 yuan."

Behind this case lies a policy decided by Chinese government to forcibly deprive of rich underground resources in Inner Mongolia Autonomous Region. In response to a report announced in 2010 by Xinhua News Agency that Inner Mongolia Autonomous Region has become "the first provincial administrative district of which annual coal output exceeded 700 million ton alone", Chinese coal companies visited there from across the country. In case of conflicts between Mongolians who try to protect their fixed lands across the Region and maintain pastoral living there and Chinese people, police is conducting in favor of Chinese



and corporations. (Refer to attached materials)

### **Case 2. Actual case of land robbery by Chinese**

Due to damages in health of livestock and pastoralists caused by construction of a company called "Holingol" at a pastoral area of Jarud Qi in Tungliyoo city, about 100 pastoralists made an appeal to the Qi government but police force put them under siege and fired a shot in the air to keep them in a state of fear before arresting a dozen of them unlawfully. Similar protests and intimidation by shooting have occurred frequently at other places too.

Han Uula state-owned forests at Alueerqin Qi in Chifeng city are lands of pastoralists which were unlawfully occupied in 2003. In spite of protest by pastoralists against land robbery and prohibition of pastoral farming, such incidents have happened in 2009 that a Chinese officer of Forestry Agency run down a flock of sheep and a housewife Ojuun Qiqige (aged 35) who was protecting them to death by a car. However, a district court treated it as an "ordinary traffic accident".

Inner Mongolia Autonomous Region Committee announced a project in 2014 that it would renovate used and former houses of pastoralists or newly build houses within the whole Autonomous region. The Autonomous Region Committee provided only a slight part of the fund in reality, however, most of the fund was to be borne by pastoralists. Without considering such situation that they could not pay such high amount of renovation cost, the Autonomous Region government forcibly demolished their houses.

Judging from many other cases ever reported, it is clear that Chinese government has implemented racial discrimination policies to diminish subsistence right, property right and human rights of Mongolians in Inner Mongolia Autonomous Region and bring these rights under control of bureaucrats of Chinese Communist Party and Chinese corporations which are virtually political rulers. In addition, according to the latest report of Southern Mongolian Human Rights Information Center based in the U.S., Chinese government has not taken any measure to improve the situation while many protesting activities by Mongolians have been continuing still now.

### **(3) Suppression and unlawful detention of Mr. Huuchinhu**

Ms. Huuchinhu (1954 to 2016) had protested against a Chinese government project to immigrate a large number of Chinese people to Inner Mongolia Autonomous Region at the stage of 1981 and as a result of subsequent activities advocating preservation of Mongolian culture and education, he has been tortured in captivity after arrested by the government.

She insisted rights of Mongolian children to receive sufficient Mongolian language education and preservation of Mongolian culture as well as protested against destruction of Mongolian traditional culture by Chinese government. Even though she suffered from breast cancer developed after the arrest and continued supporting activity for poor Mongolian students via a website organization in 2000's, she was suppressed by Chinese authorities simply because of "intense nationalistic overtone" and the website operator was arrested. It is a racial discrimination suppression in which the very action to try to support Mongolian students and preserve Mongolian culture education is prohibited.

She continuously made efforts for protecting human rights and culture of Mongolians in spite of repeated arrests and state under supervision at home while fighting against her disease throughout her life, and in 2011 when she suffered intense violence, a picture of her face with severe damage was divulged at the end of September. It is said that a police man exercised brute force during supervision. However, it is not clear whether the police man who committed the violence was punished or not. In 2016, she passed away under supervision while being almost unable to freely communicate with her son studying abroad in the U.S.

### **C. Situation of racial discrimination in Inner Tibet Autonomous Region of People's Republic of China**

For a period of time in 1980's, education of Tibetans in Tibetan language as well as adherence to Buddhism had been admitted by so-called "Reform and Door-opening" policies and efforts of the 10th Panchen Lama.

In addition to crackdown against Tibetans and Tibetan culture and language intensified again by Chinese government in 1990's, however, further crackdown was ordered on Tibet by applying political, military, economic and artificial pressure in the name of so-called "Western Development" especially since beginning of the 21st century and Tibetan language and culture has become to be destroyed.

Such situation is a complete violation against the treaty as described below.

#### Article 2

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures 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.

### **( 1 ) Destruction of Tibetan cultural tradition and protest against the action**

Qinghai Ethnic Teacher's College, which was established in 1980 by the 10th Panchen Lama as honorary headmaster, faced a crisis due to policies developed by the regime of Communist Party of China when he died in 1989 and the college was virtually abolished at around 2004 and the students and teachers were transferred to Qinghai Normal University to which only Chinese is allowed to belong. This is a typical example of cultural suppression against Tibet.

On March 10 in 2008, an annual protest demonstration began against the regime of Communist Party of China at Lahasa in Tibet. Since the protest demonstration developed into a riot on 14th, it resulted in an incident bringing many deaths due to forcible seizure by the regime of Communist Party.

On February 27 in 2009, a Buddhist monk named Tabeo at the age of 20 poured gasoline over his head to set fire at Kirti Monastery in Khams of Tibet and showed protest against Chinese government shouting "Return of Dalai Lama" and "Freedom for Tibet". However, Chinese police discharged a gun at him to be injured and took him away without putting out of the fire for life-saving. Direct cause of the protest by self-burning was a strict regulation by the regime of China for Tibetan New Year Prayer Festival called as Montlam held as usual year on 25th two days before the incident. In spite of the subsequent continued protest by self-burning up to now asking for freedom of speech and religion in Tibet and return of their spiritual leader Dalai Lama, Chinese government won't hear a word from them at all and boosted its surveillance system with its iron fist including installation of surveillance cameras across the Tibetan area.

In 2010, many residents at each region in Tibet intended to refrain from New Year's celebration in mourning fellow citizens who committed self-burning for protest. Chinese government, however, forced ordinary residents and Tibetan government officials to celebrate the New Year by distributing new Tibetan costumes, money and firecrackers to make them "celebrate cheerfully" and Chinese TV aired the scene with a narration; "People have greeted the New Year with full of joy in rich Tibet released from helotry." These political propaganda is an action to insult Tibetans as well as to accelerate racial discrimination and bias and expand wrong messages.

152 Tibetans have committed protest by self-burning against the oppressive rule of the regime of Communist Party of China until 7th of this month since 2009, and most of them lost their lives. While Chinese government has accused of these protests by self-burning as

"terrorism", they have just expressed their protest in non-violent manner without damaging anyone.

## ( 2 ) **Virtual prohibition of Tibetan language education and forcible use of Chinese in Tibet**

In 2010, Chinese government announced its political policy to change the first language from mother tongue Tibetan to Chinese to be used in all education facilities from care center to high schools which Tibetan children attend in Amdo.

In response to the announcement, thousands of students in elementary, junior high and high schools and universities held protests under the slogan of "Ethnic equality" and "Freedom of speech" in each region of Amdo in Tibet and a head of Education Agency in Qinhai announced to "postpone" implementation of the said policy but all text books distributed to students for the new semester of 2012 were written in Chinese. For further protest activities of the students, participants were arrested and teachers were also punished for a reason that they didn't repress the demonstrations. Activities of Tibetan students in elementary, junior high and high schools are strictly controlled still now. Ordinary Tibetan citizens have been also in jeopardy of arrest and imprisonment as "Ethnic separationist" or "Sin of subversion" if they appeal protection of their mother tongue and Tibetan culture. It is a racial discrimination policy that deprives Tibetans of a right to learn their own ethnic language.

At the same time, Chinese government has abolished care centers and elementary schools in farming and nomadic areas of Tibet and integrated into those located in urban areas where they proceed with education centered by Chinese language with increased Chinese teachers in the name of "Bilingual education" like a case of Uyghur. As children are virtually supposed to accept boarding life away from their parents in such education facilities located at urban areas distant from their home, they cannot receive Tibetan tradition and culture education at home. It is a virtual separation of parents and children and segregation/controlled education of Tibetans by China.

With unification of writing of names of ordinary Tibetans, places and even animals by Chinese characters in progress, virtual colonialism has been underway.

On the 37th UN. Human Rights Council held on March 9, Satsu Raku, a representative of China Society of Human Rights, made comments regarding current situation of Tibetan language such as "Chinese Constitution and autonomous laws of ethnic areas have guaranteed a right of each ethnic group to use their own ethnic language and characters," "Tibetan language is used as official language in Tibet," "Tibetan language has the similar level of effect as ordinary language (Chinese)," and "Tibetan language is used as main language by Tibetans", but these remarks have ignored the reality as described above.

As mentioned above, the largest cause of "Tibetan problem" is colonial occupation of Tibet by the regime of Communist Party of China and we Tibetans have been facing with ethnic crisis by the colonial occupation.

#### **D. Conclusions and proposals to U.N. Committee on the Elimination of Racial Discrimination**

1. Policies for each ethnic groups of Uyghur, Mongolia and Tibet developed by the government of People's Republic of China constitute racial discrimination that denies their ethnic languages, lifestyles and cultural traditions and force sense of value of Communist Party of China.
2. These policies are also associated with persecution against ethnic groups including violent crackdown, forcible detention, unreasoning arrest and torture, indicating a suspicion of genocide to deprive victim ethnic people of even their lives.
3. As it is a serious problem for U.N. of its significance of existence that suspicions of such racial discrimination, persecution and ethnic genocide have been recognized in China as one of U.N. permanent members, U.N. should dispatch international neutral team of inspectors for human rights survey to the above-mentioned each Ethnic Autonomous Regions in China from perspectives of racial discrimination elimination and human rights protection.
4. In consideration of such discrimination and hierarchical relationship close to colonial occupation which exists between Chinese (Han people) and each ethnic group as described above in China, similar measures should be taken against China that resolved racial segregation and discrimination policy peacefully by international society's economic sanction against South Africa where distinctive discrimination structure had existed between whites and blacks.

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