

# Human rights: Freedom of religion and belief, and human rights defenders

Submission to the Foreign Affairs Select Committee Inquiry

**Submission by** René Cassin, UK

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## **Introduction**

In this submission, René Cassin seeks to assist the Foreign Affairs Committee's inquiry on the FCO's human rights work, in particular its work on the freedom of religion and belief, by drawing attention to the oppression of the Uyghur community in north west China. René Cassin is raising awareness of the Uyghur crisis<sup>1</sup>, because when one community's rights are violated, all our rights are threatened.

In the first section, we provide an overview of the oppression of the Uyghur people in Xinjiang, and how this has alarming implications for freedom of religion internationally, drawing upon the experience of the Jewish community. In the second section, we examine existing methods for raising awareness of the Uyghur crisis and holding China to account, and provide recommendations on how the FCO can improve in achieving its aim to promote the UK's soft power by protecting human rights, particularly "defend[ing] freedom of religion and belief".<sup>2</sup>

## **About René Cassin**

René Cassin, the Jewish voice for human rights, is a human rights organisation that promotes and protects universal human rights, drawing upon Jewish experience and values. We campaign and educate on issues such as hate crime and discrimination, immigration detention, modern day slavery and safeguarding human rights protections.

The organisation is named in honour of Monsieur René Cassin, a French Jew and Nobel Laureate who was one of the principal co-drafters of the Universal Declaration of Human Rights.

## **Section 1**

### **Xinjiang – “never again” is happening again**

#### **Background**

1. After being annexed by the Chinese government in 1949<sup>3</sup>, relations between the Chinese government and the Uyghur community in Xinjiang have been contentious for decades, as some Uyghur people viewed it as a colonisation. The Uyghur people do not necessarily all feel the close connection with the Han Chinese that the government suggests exists.<sup>4</sup> They are predominantly of Turkic origin, have their own language and culture, and are mostly Muslims. After escalating tensions in 2009, the Chinese government began to take measures to

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<sup>1</sup> <https://www.renecassin.org/never-again-a-jewish-response-to-the-uyghur-crisis/>

<sup>2</sup> FCO, 'Foreign and Commonwealth Office single departmental plan' (GOV.UK, 27 June 2019) <<https://www.gov.uk/government/publications/foreign-and-commonwealth-office-single-departmental-plan/foreign-and-commonwealth-office-single-departmental-plan-2019-20>> accessed 6 September 2019

<sup>3</sup> Anna Hayes, 'Explainer: who are the Uyghurs and why is the Chinese government detaining them?' (*The Conversation*, 14 February 2019) <<https://theconversation.com/explainer-who-are-the-uyghurs-and-why-is-the-chinese-government-detaining-them-111843>> accessed 9 September 2019

<sup>4</sup> Baruch Solomon, 'Cultural Genocide in Xinjiang' (*René Cassin*, 13 December 2018) <<https://www.renecassin.org/cultural-genocide-in-xinjiang/>> accessed 9 September 2019

curb the freedoms of the Uyghur people.<sup>5</sup> In 2014, the Chinese government commenced the “Strike Hard Campaign against Violent Terrorism” (“Strike Hard”). The aim was ostensibly to tighten security, but in reality apparently justified further restrictions on freedom of religion, with oppression tactics growing in severity to an even greater extent after a change in Xinjiang leadership in 2016.<sup>6</sup>

2. Under the guise of security, the Chinese government has labelled the entire Uyghur community “as a terrorist collective” and any behaviour that could disagree with the Communist Party line or traditional Han Chinese ways of life is seen as dangerous.<sup>7</sup> According to a *Human Rights Watch* report, officials “insist that... [non-Han Chinese] beliefs and affinities must be ‘corrected’ or ‘eradicated’”, going as far as to “effectively [outlaw] Islam” in Xinjiang.<sup>8</sup> Such religious oppression should be concerning from anyone who values the freedom of religion and to worship.
3. The Jewish experience of religious (and ethnic) persecution shows us the importance of being able to both hold our beliefs and express them freely. The Jewish community in the UK, for the most part, is proud of its Jewish religion and is able to celebrate its rituals in public. This includes celebrating the Jewish festival on Hanukkah every year in Trafalgar Square or the ability to practice *Eruv* (a ritual enclosure that some Jewish communities, and especially Orthodox Jewish community, construct in their neighbourhoods as a way to permit Jewish residents or visitors to carry certain objects outside their own home on Shabbat and Yom Kippur). In the Universal Declaration of Human Rights, which was drafted in the aftermath of the Holocaust, Article 18 states that ‘Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance’<sup>9</sup>. Unfortunately, the “never again” phrase that came out of the atrocities of the Second World War has not applied, and history has concerning predictions for what will happen in Xinjiang, if it has not already taken place.
4. In May 2019 René Cassin hosted [Never Again? A Jewish response to the Uyghur crisis](#), where we heard from an academic who specialises in Uyghurs and cultural policy in China, a leading Rabbi from our community and a member of the Uyghur diaspora. There was a clear consensus from the audience that members of the Jewish community have a special responsibility to speak up and take action against the persecution of Uyghurs.<sup>10</sup>

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<sup>5</sup> Peter Irwin, ‘The world needs to pressure China over the plight of the Uighurs’ (*The Guardian*, 5 July 2019) <<https://www.theguardian.com/commentisfree/2019/jul/05/china-plight-uighurs-xinjiang-beijing-muslim>> accessed 6 September 2019

<sup>6</sup> “‘Eradicating Ideological Viruses’”: China’s Campaign of Repression Against Xinjiang’s Muslims’ (*Human Rights Watch*, 9 September 2018) <<https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>> accessed 9 September 2019

<sup>7</sup> Hayes (n 3)

<sup>8</sup> Human Rights Watch (n 6)

<sup>9</sup> [https://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

<sup>10</sup> <https://www.renecassin.org/jewish-action-against-persecution-of-uyghurs/>

## The current situation

1. In recent years, there have been reports of so-called “re-education” camps in Xinjiang<sup>11</sup>, and Uyghur people disappearing. The camps have been compared to “wartime concentration camps”<sup>12</sup>, although the Chinese government has called them “re-education” camps or “boarding schools”.<sup>13</sup> It is estimated that between one and two million Uyghurs have been incarcerated in these camps, where they “are reportedly subject to forced political indoctrination and religious oppression”.<sup>14</sup> Inmates cannot contact their family members beyond prescribed contact according to what is dictated to them owing to the strong fear of being monitored.
2. Those who attempt to contact the outside world, whether from within a camp or just from within China, to shed light on what is happening, face serious threats to their liberty and even life.<sup>15</sup> The Strike Hard campaign and its associated mass surveillance are such that “foreign ties [are] a punishable offence”, so that Uyghurs, even if they live somewhat freely outside of the camps, cannot contact family or friends abroad out of fear of the dangerous consequences.<sup>16</sup>
3. In such camps, the Muslim Uyghurs cannot pray, cannot grow beards, and are coerced into eating pork, particularly on Fridays, at a time traditionally reserved for praying.<sup>17</sup> The Chinese government is not only prohibiting worship of their religious belief and is attempting to “re-educate” the beliefs out of them, but is also forcing the Uyghurs to directly contravene what their beliefs dictate. Satellite evidence shows that over two dozen Muslim sites of worship have been severely damaged or completely destroyed in Xinjiang in only the last three years, including a “sacred shrine” to which many made pilgrimage.<sup>18</sup> These measures are clearly “neither necessary nor proportionate” to the alleged original aim of ensuring public security.<sup>19</sup>
4. Entire families are being destroyed and separated. For example, under the guise of “centralised care”, Muslim children have been removed from their families, and sent to “boarding schools”, in efforts to create a distance between them and their roots.<sup>20</sup> The aim being mainly ethnic and religious, this also has disturbing

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<sup>11</sup> Peter Stubley, ‘Uighur Muslims forbidden to pray or grow beards in China’s ‘re-education’ camps, former detainee reveals’ (*The Independent*, 22 March 2019) <<https://www.independent.co.uk/news/world/asia/china-uyghur-muslim-education-camps-forbidden-beards-pray-pork-xinjiang-a8835861.html>> accessed 6 September 2019

<sup>12</sup> Peter Stubley, ‘Muslim women “sterilised” in China detention camps, say former detainees’ (*The Independent*, 12 August 2019) <<https://www.independent.co.uk/news/world/asia/uyghur-muslim-china-sterilisation-women-internment-camps-xinjiang-a9054641.html>> accessed 6 September 2019

<sup>13</sup> *ibid.*

<sup>14</sup> Yasmin Qureshi and Alistair Carmichael, ‘MPs can no longer hide from the mass incarceration of Uighur Muslims in China’ (*New Statesman*, 26 July 2019) <<https://www.newstatesman.com/politics/staggers/2019/07/mps-can-no-longer-hide-mass-incarceration-uyghur-muslims-china>> accessed 6 September 2019

<sup>15</sup> HC Deb 29 January 2017, vol 653, col 332

<sup>16</sup> Human Rights Watch (n 6)

<sup>17</sup> Stubley (n 11)

<sup>18</sup> Lily Kuo, ‘Revealed: new evidence of China’s mission to raze the mosques of Xinjiang’ (*The Guardian*, 7 May 2019) <<https://www.theguardian.com/world/2019/may/07/revealed-new-evidence-of-chinas-mission-to-raze-the-mosques-of-xinjiang>> accessed 9 September 2019

<sup>19</sup> Irwin (n 5)

<sup>20</sup> John Sudworth, ‘China Muslims: Xinjiang schools used to separate children from families’ (*BBC News*, 4 July 2019) <<https://www.bbc.co.uk/news/world-asia-china-48825090>> accessed 6 September 2019

implications for the right to family life. Many children have both of their parents in camps.<sup>21</sup> Those in “boarding schools” are reported to be dressed in unwashed, thin clothes, even during harsh winter weather.<sup>22</sup> Women in camps are being sterilised without their consent by being given injections, the purposes of which they are not told, which stop menstruation and have caused mental illness.<sup>23</sup> The situation in Xinjiang extends beyond simple restrictions on freedom of religion into the realm of “social re-engineering and cultural genocide”.<sup>24</sup>

## Section 2

### **Recommendations – role of the FCO**

#### Measures currently being taken

1. People in Xinjiang who try to raise awareness face serious ramifications for doing so. Uyghur people who talk to the media suddenly disappear and Han Chinese sources for journalists are being imprisoned.<sup>25</sup> Other countries and international institutions therefore have a greater responsibility to hold the Chinese government to account.
2. The Chinese government has, thus far, been able to bypass attempts by the international community to investigate the religious repression of the Uyghur people through available international mechanisms. The UK did raise concerns at China's UN Universal Periodic Review (UPR)<sup>26</sup>, but there are inherent issues with the UPR mechanism. Only raising concern does not necessarily exert much political pressure on the state involved. In the report that China submitted to the United Nations General Assembly on its human rights record in 2016, only one paragraph of around twenty-five pages was on Xinjiang, and none of that addressed the current persecution.<sup>27</sup> As a permanent member of the Security Council, China can avoid most of the sanctions that could be imposed by the UN.<sup>28</sup>
3. China has also resisted any attempts by UN officials to investigate on the ground. The Chinese government has said that it would allow UN investigators to enter, but only within the parameters set by the Chinese Communist Party, which defeats the purpose of an independent UN investigation.<sup>29</sup>

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<sup>21</sup> Adrian Zenz, 'Break Their Roots: Evidence for China's Parent-Child Separation Campaign in Xinjiang' (2019) 7(7) Journal of Political Risk <<http://www.jpolrisk.com/break-their-roots-evidence-for-chinas-parent-child-separation-campaign-in-xinjiang>> accessed 6 September 2019

<sup>22</sup> *ibid.*

<sup>23</sup> Stubbley (n 12)

<sup>24</sup> Zenz (n 20)

<sup>25</sup> HC Deb (n 15)

<sup>26</sup> FCO, 'Human Rights & Democracy: The 2018 Foreign & Commonwealth Office Report' (GOV.UK, June 2019) <[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/806851/human-rights-democracy-2018-foreign-and-commonwealth-office-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/806851/human-rights-democracy-2018-foreign-and-commonwealth-office-report.pdf)> accessed 6 September 2019

<sup>27</sup> HC Deb (n 15) col 335

<sup>28</sup> Human Rights Watch (n 6)

<sup>29</sup> HC Deb (n 15) col 340

## What can the FCO do?

1. China has already been identified as a Human Rights Priority Country for the FCO<sup>30</sup>, but the pressure must be increased to prevent the religious repression in Xinjiang from going any further. The All-Party Parliamentary Group for International Freedom of Religion or Belief has recommended that the FCO train its staff to “assess, prevent and practically respond to... violations in the” Priority Countries<sup>31</sup>. In the case of China, this practical response to reports of violations as they occur should be done in such a way that the pressure is felt by the government.
2. Current interventions have had little impact on the Chinese government. The international impact can be seen in the move from pure denial of the scale and extent of the oppression in Xinjiang, but this is insufficient when Uyghur people are still being persecuted because of their religion (and ethnicity).<sup>32</sup> There needs to be a stronger global consensus that this suppression of the freedom of religion is completely unacceptable. No religion is safe when such violations take place. We recommend that the UK government takes the initiative and leads the international effort on this front.
3. The Chinese government has not shown any signs, propaganda notwithstanding, that it expects any “significant political cost to its abusive Xinjiang campaign”<sup>33</sup>, even though its behaviour could be considered a crime against humanity.<sup>34</sup> As domestic activists and citizens face serious repercussions, including loss of freedom or life, for disagreeing with the government, it is not possible to exert pressure from within the country. Stringent censorship regulations prevent much of the considerable international media coverage from exerting any real pressure domestically. This leaves the international institutions and individual national governments coordinating an international response to hold China accountable.
4. The Foreign Affairs Committee has stated that “the prioritisation of human rights [over conflicting interests] is in the UK’s long-term commercial, as well as moral, interest”.<sup>35</sup> This prioritisation should be (re)emphasised with regards to freedom of religion and belief, particularly in this case with China as an important trading partner. The previous Prime Minister’s Special Representative on Freedom of Religion or Belief had little tangible impact in this regard.
5. *The Guardian* suggests that “sustained pressure”<sup>36</sup> is required to effect change and preserve the freedom of religion and belief in China, rather than sporadic words

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<sup>30</sup> FCO (n 25)

<sup>31</sup> APPG for International Freedom of Religion or Belief, *Commentary on the current state of Freedom of Religion or Belief* (November 2018) <<https://appgfreedomofreligionorbelief.org/media/Commentary-on-the-Current-State-of-FoRB-2018-APPG-FoRB-online.pdf>> accessed 9 September 2019

<sup>32</sup> Irwin (n 5)

<sup>33</sup> Human Rights Watch (n 6)

<sup>34</sup> ‘The Persecution of the Uighurs and Potential Crimes Against Humanity in China’ (Global Centre for the Responsibility to Protect, April 2019) accessed 6 September 2019

<sup>35</sup> Foreign Affairs Committee, ‘Promoting the rule of law and democracy’ in *Global Britain: Human rights and the rule of law* (11 September 2018) <<https://publications.parliament.uk/pa/cm201719/cmselect/cmfaffi/874/87406.htm>> accessed 9 September 2019

<sup>36</sup> ‘The Guardian view on Xinjiang: speak out, or be complicit’ (*The Guardian*, 17 July 2019) available at <<https://www.theguardian.com/commentisfree/2019/jul/17/the-guardian-view-on-xinjiang-speak-out-or-be-complicit>> accessed 6 September 2019

of condemnation. We expand on this, and recommend that the FCO and senior officials in general use all available opportunities to challenge their Chinese counterparts, even when it may be more economically prudent not to. To date, this has not been carried out to the fullest extent possible.

6. The UK could also be at the forefront of multilateral efforts to consistently pressure China to halt its current Xinjiang policy. This could be achieved through making an active effort to encourage its partners in international institutions to take a harder approach on China, such as the possibility of sanctions or sending an investigator with unfettered access and investigating power. In this respect, the new Special Representative could play more of a role.
7. Finally, we recommend that the FCO works in partnership with the third sector to ensure that it receives the most accurate information, both about changes in Xinjiang and coordination strategies. As campaigns should ideally include those for whom the campaign takes place, there should be an active involvement of at least the UK's Uyghur community, and specific Uyghur groups such as the World Uyghur Congress.<sup>37</sup> This would ensure that Uyghurs themselves are able to share their concerns and unique insight. They could also help to find effective and accurate messaging.

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<sup>37</sup> <https://www.uyghurcongress.org/en/>