

STATEMENT OF BRUCE FEIN

RE: EXPLORING THE NATURE OF UIGHUR NATIONALISM: FREEDOM
FIGHTERS OR TERRORISTS

BEFORE THE HOUSE INTERNATIONAL RELATIONS COMMITTEE

JUNE 16, 2009

Dear Mr. Chairman and Members of the Subcommittee:

I am pleased to share my views on Uighur nationalism as either an expression of the natural right to establish a government to secure unalienable rights to life, liberty, and the pursuit of happiness enshrined in the United States Declaration of Independence, or as terrorism. I am convinced the facts best fit the former characterization. A few pages of history are worth volumes of logic on that score.

The Declaration defines the circumstances when a people like the Uighurs enjoy not only a right but are saddled with a duty to overthrow an oppressive government aimed to reduce them to vassalage; and, to establish new forms that will secure their unalienable rights:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness...[W]hen a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their

right, it is their duty, to throw off such Government, and to provide new Guards for their future security.” Exemplary of King George III’s despotism that justified the American Revolutionary War were denial of jury trial, a subservience of civil to military authority, taxation without representation, and a pliable judiciary.

By any reasonable interpretation of the Declaration of Independence, Uighurs have suffered persecution at the hands of the Chinese government to justify a resort to force. Consider the following.

Oppressed Uighurs in East Turkestan (China’s Xinjiang province) are neglected relics of the “big power” politics that informed the 1945 Yalta Conference’s cynical division of Europe and Asia. As President George W. Bush declared in Riga, Latvia on May 6, 2005, “[T]he Yalta Conference was a huge mistake in history.” And Uighur subjugation under Chinese Communist (PRC) tyranny has intensified.

The Uighur people occupy a corner of Central Asia called “Xinjiang or the New Territory” by the PRC. During the Nineteenth Century, they were a pawn in the hands of the Russian and British Empires. Sporadic uprisings against their oppressors eventuated in the short-lived establishment of an independent Uighur republic in 1944. But Soviet dictator Joseph Stalin quickly exerted control over the new republic through KGB infiltration of the Uighur leadership. As a derivative of the Yalta Conference, Stalin signed the Sino-Soviet Friendship Treaty on August 14, 1945, which sold out the independent East Turkestan to China. The United States acquiesced because it wished to strengthen the hand of Generalissimo

Chiang Kai Sheik in his civil war with Communist Mao Tse Tung. Further, the United States then thought that the Soviet Union would be a cooperative partner in advancing its policies in the Far East. The 1945 Pact was followed by the Sino-Soviet Treaty inked by Stalin and Mao in Moscow on February 14, 1950, which extinguished any idea of an independent Uighur republic for the duration of the Cold War. Chairman Mao is said to have clucked, "Xinjiang is a colony, a Chinese colony."

The Berlin Wall fell in 1989. Central and Eastern Europe escaped from Soviet clutches. In 1991, the Soviet Union disintegrated. Uighurs believed their hour was at hand. In April 1990, they organized the Barin Uprising, followed by a large scale non-violent demonstration in the Hotan region in 1995. From February 5-7, 1997, Uighurs in Ili region demonstrated peacefully for freedom from Chinese rule. The PRC crushed the demonstration with military force slaying 407 unarmed civilians. Many Uighurs were arrested and sentenced to execution within seven days.

With the witting or unwitting assistance of the United States, Uighur persecution has climbed since the 1997 atrocities. In the aftermath of 9/11 and to elicit the PRC's non-opposition to invading Iraq, the United States designated the East Turkistan Islamic Party (ETIM), a phantom organization, as a foreign terrorist organization in August 2002. The PRC exulted at the counter-terrorist pretext available to destroy Uighurs and their non-Han Chinese culture. Uighur activists were falsely accused of terrorism and executed. The Uighur language was purged

from the classroom and cultural events. At a meeting of the National People's Congress on January 18, 2008, Mr. Rozi Ismail, head of the Department of Justice in Xinjiang, reported more than one thousand political cases during the previous five years. More than 15,000 Uighurs had been arrested and sentenced to prison for a term of years, for life, or for execution.

Since 2002, the PRC has forcibly relocated young Uighur women. In 2007, the number of relocations surpassed 1.5 million, and approximately 130,000 had been directly relocated to Han Chinese regions, such as Tianjin, Shandong, Jiansu, etc. Of that number, more than 80% were Uighur women. During the last three years, relocations reached 3.3 million, and more than 90,000 were moved directly as cheap labor to factories in Chinese villages and hamlets. At the same time, the PRC dispatched large numbers of Han Chinese in the opposite direction to achieve demographic ethnic cleansing. The United States has remained largely mum to avoid friction with the PRC and jeopardizing its financing of staggering United States debt.

The State Department's 2007 human rights report on China documents a government campaign of discrimination and persecution of Uighurs and the destruction of their cultural identity by changing the demographics in favor of the Han Chinese in the Xinjiang Uighur Autonomous Region (XUAR).

The report relates: "Racial discrimination was the source of deep resentment in some areas, such as the XUAR, Inner Mongolia, and Tibetan areas..."

The government's policy to encourage Han migration into minority areas resulted in significant increases in the population of the Han Chinese in the XUAR...

The migration of the ethnic Han into the XUAR in recent decades caused the Han-Uighur ratio in the capital of Urumqi to shift from 20 to 80 to 80 to 20 and was a deep source of Uighur resentment. Discriminatory hiring practices gave preference to Han and discouraged job prospects for ethnic minorities...

The XUAR government tightened measures that diluted expressions of Uighur identity, including measures to reduce education in ethnic minority languages and to institute language requirements that disadvantage ethnic minority teachers...

Since 2001 authorities have increased repression in the XUAR, targeting in particular the region's ethnic Uighur population. In January XUAR Party Secretary Wang Lequan again urged government organs to crack down on the 'three forces' of religious extremism, 'splittism,' and terrorism, and to 'firmly establish the idea that stability overrides all.' It was sometimes difficult to determine whether raids, detentions, and judicial punishments directed at individuals or organizations suspected of promoting the 'three forces,' were instead actually used to target those peacefully seeking to express their political or religious views. The government continued to repress Uighurs expressing peaceful political dissent and independent

Muslim religious leaders, sometimes citing counterterrorism as the reason for taking action...

Uighurs were sentenced to long prison terms, and in some cases executed, on charges of separatism. On February 8, authorities executed Ismail Semed, an ethnic Uighur from the XUAR, following convictions in 2005 for 'attempting to split the motherland' and other counts related to possession of firearms and explosives. During his trial, Semed claimed that his confession was coerced...On April 19, foreign citizen Huseyin Celil was sentenced to life in prison for allegedly plotting to split the country and 10 years in prison for belonging to a terrorist organization, reportedly after being extradited from Uzbekistan and tortured into giving a confession...During the year the government reportedly sought the repatriation of Uighurs living outside the country, where they faced the risk of persecution...

Possession of publications or audiovisual materials discussing independence or other sensitive subjects was not permitted. According to reports, possession of such materials resulted in lengthy prison sentences."

In sum, Uighurs in the XUAR are denied every human right protected by the United States Constitution, including self-government, freedom of speech, freedom of religion, freedom of association, freedom of press, due process, protection against invidious discrimination, ex post facto laws, torture and arbitrary detention.

The United States acknowledges the repression of Uighurs by refusing its requests for repatriation. Uighurs have a well-founded fear of torture or

persecution based on ethnicity, religion, or political belief. The United States has released five Uighurs from Guantanamo Bay, but dispatched them to Albania.

The Government of China alleges that many Uighurs are part of ETIM, which was listed by the Secretary of State under Executive Order 13224 on September 3, 2002. Whether such a group constitutes a genuine terrorist organization is doubtful. A story in The Washington Post (December 5, 2006, A13), reported that then-Deputy Secretary of State Richard L. Armitage met with Chinese officials in Beijing in late August 2002 to discuss Iraq. He said at the time that ETIM was placed on the foreign terrorist list by President Bush after months of discussions with China, while making clear that China should respect the human rights of its minority Uighur population.

“They had been after us to put ETIM on the list,” Armitage said in a recent interview. He said the decision did not have anything to do with winning China’s tacit approval with the Iraq invasion. “But at the time, we didn’t know when we were going to invade Iraq. It was done in response to information gathered by the intelligence group.”

Internationally recognized East-West Center’s study on separatist movements in Xinjiang observed a cynical transformation in rhetoric between China’s pre-9/11 and post-9/11 view of the threat raised by Uighurs.

In welcoming Chinese and international trade partners to the Urumqi trade fair on September 2, 2001, Xinjiang Party Secretary Wang Lequan together with

Abdulahat Abdurishit proclaimed that the situation in Xinjiang was “better than ever in history.” While mentioning separatism, they stressed that “society is stable and people are living and working in peace and contentment.”

In the aftermath of 9/11, “the official line on Xinjiang” somersaulted. “PRC pronouncements began to stress the threat of ‘terrorism’ in Xinjiang as China’s leadership maneuvered to position itself ‘side by side with the United States in the war against terror.’ This apparently required a revision of the official description of separatists in Xinjiang. What had generally been described as a handful of separatists was now a full-blown terrorist organization.”

President Bush met with a Uighur human rights activist, Rebiya Kadeer, on July 29, 2008 in the White House to honor her courage and convictions. She does not believe that ETIM even exists, at least as a Uighur organization. She had contributed the following article to National Review Online on September 14, 2005:

I am a terrorist. I would argue that I'm not, but because the Chinese government says I am a terrorist, it must be true...

The Chinese authorities sent me to prison for eight years in 1999 because I'd sent newspaper articles to my husband in America about the plight of the Uyghur people. They accused me of "leaking state secrets to foreign organizations." I'd used my status as a successful businesswoman — once lauded by the same people who later imprisoned me — to work for the protection of Uyghurs' human rights. The Chinese government was so terrified I might say something that impugned their infallibility, they arrested me just as I was about to meet a U.S. congressional research committee in my hometown of Urumchi. ..

When I was released, I was warned not to speak on behalf of the Uyghur people when I came to America, or my children and by

business would be "finished." I think they were trying to scare me, and to give credit where credit is due, they did. True to their word, they consequently ransacked my office and dragged away two former colleagues who are still in detention. They accused me of owing millions in debts and taxes, and threatened to break every one of my son's ribs if he didn't sign a statement saying this was "true." Who wouldn't be scared by that?...

I have been terrified for young Uyghur mothers who become pregnant when the Chinese government say they shouldn't; and I have been horrified when their pregnancies have been forcibly terminated. I have been terrified for the Uyghurs' ancient culture; and watched horrified as the Chinese authorities have stooped to burning Uyghur books. I have been terrified for those Uyghurs who have stood up and objected; and been horrified when they have been executed as "terrorists." And yes, I have been horrified by the treatment of my friends and family....

On July 10, 2008, the Uyghur American Association issued the following press release emblematic of Chinese Communist repression of Uyghurs:

According to Chinese state media reports, five Uyghurs were shot to death by police in Urumchi, the regional capital of East Turkistan (also known as Xinjiang Uyghur Autonomous Region) on July 9. The Xinhua News Agency reported that the five were members of a 15-member criminal gang, including five women and 10 men, that had trained for "holy war" and had wielded knives, injuring one policeman, during the raid. Two other Uyghurs were said to have been injured in the raid. Xinhua also reported that three men in the group had been implicated in a recent stabbing at a beauty salon in Urumchi...

In recent months, as the Beijing Olympic Games have drawn closer, officials in the People's Republic of China (PRC) have intensified the persecution of Uyghurs in East Turkistan, while simultaneously ratcheting up claims of Uyghur terrorism and religious extremism.

The Uyghur American Association (UAA) has learned of unofficial accounts of the Urumchi raid that are at odds with the official version of events. According to these accounts, the 15 young Uyghurs were not religious extremists, and were merely gathered peacefully in an apartment in the Chen Guang residential area of Urumchi...

UAA calls upon the PRC government to provide evidence to the international community regarding its allegations of the criminal

nature of the 15 Uyghurs, and to ensure that any criminal proceedings carried out with regard to the ten surviving Uyghurs are held in a free and fair court, in accordance with international legal norms...

Also on July 9, a court in Kashgar, in the southern part of East Turkestan, sentenced five Uyghurs to death out of a group of 15. Two of the five were shot to death immediately after being sentenced, and the other three were sentenced to be executed after a two-year reprieve. The remaining 10 Uyghurs were sentenced to life imprisonment. All 15 were convicted of terrorism charges...

“As the Olympics approach, instead of showing progress in its treatment of Uyghur people and enhancing the transparency of its judicial system, the PRC is clamping down even harder and using executions and imprisonment to choke off peaceful Uyghur dissent,”
said Ms. Kadeer.”

In recent years, and particularly in the past few months, using ‘terrorism’ as a justification, Beijing has undertaken a renewed, systematic, and sustained crackdown on all forms of Uyghur dissent in East Turkestan....

The persecution of Uighurs did not alleviate in 2008. The State Department’s Country report elaborates:

“Executions of Uighurs whom authorities accused of separatism, but which some observers claimed were politically motivated, were reported during prior reporting periods. In February 2007 authorities executed Ismail Semed, an ethnic Uighur from the XUAR, following 2005 convictions for “attempting to split the motherland” and other counts related to possession of firearms and explosives.”

“Many political prisoners remained in prison or under other forms of detention at year’s end, including rights activists Hu Jia and Wang Bingzhang; Alim and Ablikim Abdureyim, sons of Uighur activist Rebiya Kadeer; journalist Shi Tao; dissident Wang Xiaoning; land-rights activist Yang Chunlin; Internet writers Yang Zili and Xu Wei; labor activists Yao Fuxin, Hu Mingjun, Huang Xiangwei, Kong Youping, Ning Xianhua, Li Jianfeng, Li Xintao, Lin Shun’an, Yue Tianxiang, Li Wangyang, and She Wanbao; CDP cofounder Qin Yongmin; family planning whistleblower Chen Guangcheng; Bishop Su Zhimin; Christian activist Zhang Rongliang; Inner Mongolian activist Hada; Uighurs Tohti Tunyaz and Dilkex Tilivaldi; and Tibetans Jigme Gyatso, Tenzin Deleg, and Gendun Choekyi Nyima. Labor activist Hu

Shigen was released in August. Political prisoners obtained parole and sentence reduction much less frequently than ordinary prisoners."

"In August Mehbube Ablesh, a Uighur writer, poet, and employee of Xinjiang People's Radio, was fired from her post and detained by police after posting articles online that criticized the central government and provincial leaders."

"At year's end Korash Huseyin, the former editor of the Uighur-language Kashgar Literature Journal, remained in an undisclosed prison. In late 2004 Huseyin was sentenced to three years for publishing Nurmuhemmet Yasin's short story "Wild Pigeon," which authorities considered critical of CCP rule of Xinjiang. Yasin remained in prison serving a 10-year sentence. Authorities continued to ban books with content they deemed controversial."

"The government tightly controlled the practice of Islam, and official repression of Uighur Muslims in the XUAR increased. Regulations restricting Muslims' religious activity, teaching, and places of worship continued to be implemented forcefully in the XUAR. Measures to tighten control over religion in XUAR included increasing surveillance of mosques, religious leaders, and practitioners; detaining and arresting persons engaged in unauthorized religious activities; curbing illegal scripture readings; and increasing accountability among implementing officials. On August 5, authorities in Kashgar reportedly issued accountability measures to local officials responsible for high-level surveillance of religious activity in the region. Also in August in Kashgar, authorities called for enhancing controls of groups that included religious figures as part of broader CCP measures of "prevention" and "attack." Authorities in Hotan reportedly restricted women from wearing head coverings (Hijab) in government offices. Coupled with news of a proposed government ban on headscarves, this led to large protests in March. In addition some men were required to shave their beards.

The government reportedly continued to limit access to mosques, detain citizens for possession of unauthorized religious texts, imprison citizens for religious activities determined to be "extremist," pressure Muslims who were fasting to eat during Ramadan, and confiscate Muslims' passports to strengthen control over Muslim pilgrimages. Following violent clashes in western Xinjiang during the Olympic Games, XUAR authorities imposed widespread detentions, restricted movement within the XUAR, and established curfews in some cities. XUAR party secretary Wang Lequan declared in September that the XUAR government would carry out "preemptive attacks," implement

"antiseparatist reeducation" across the region, and increase policing of religious groups.

XUAR authorities maintained the most severe legal restrictions in the country on children's right to practice religion. Authorities continued to prohibit the teaching of Islam outside the home to elementary-and middle-school-age children in some areas, and children under the age of 18 were prohibited from entering mosques. In August authorities reportedly forced the return of Uighur children studying religion in another province and detained them in the XUAR for engaging in "illegal religious activities."

According to procuratorial officials, XUAR authorities arrested nearly 1,300 persons on state security charges during the first 11 months of the year. Authorities approved the prosecution of 1,154 of these individuals for committing one or more of the "three evils" of terrorism, separatism, and extremism. This was a dramatic increase from 2007, when the number of individuals arrested for state security crimes nationwide was 744.

Authorities reserved the right to censor imams' sermons, and imams were urged to emphasize the damage caused to Islam by terrorist acts in the name of the religion. Certain Muslim leaders received particularly harsh treatment. Authorities in some areas conducted monthly political study sessions for religious personnel, which, according to one CCP official who took part in a study session, called for "creatively interpreting and improving" religious doctrine. Authorities also reportedly tried to restrict Muslims' opportunities to study religion overseas. The China Islamic Conference required religious personnel to study "new collected sermons" compiled by an Islamic Association of China (IAC) committee, including messages on patriotism and unity aimed at building a "socialist harmonious society." In contrast to the heavy-handed approach to Muslims in the XUAR, officials in Ningxia, Gansu, Qinghai, and Yunnan Provinces did not interfere heavily in Muslims' activities.

In addition to the restrictions on practicing religion placed on party members and government officials throughout the country, teachers, professors, and university students in the XUAR were sometimes not allowed to practice religion openly. Authorities imposed restrictions on state employees' observance of Ramadan and prohibitions on closing restaurants during periods of fasting. A local party secretary, Zhang Zhengrong, reportedly called on schools to strengthen propaganda education during Ramadan and to put a stop to activities including fasting and professing a religion. The Kashgar Teachers College

reportedly implemented a series of measures to prevent students from observing Ramadan, including imposing communal meals and requiring students to obtain permission to leave campus. School authorities also made students gather for a school assembly at a time of day coinciding with Friday prayers.

The government took steps to prevent Muslims from traveling on unauthorized pilgrimages. The government continued to enforce a policy barring Muslims from obtaining hajj visas outside of China. The government published banners and slogans discouraging hajj pilgrimages outside those organized by the IAC. Foreign media reported that XUAR officials confiscated the passports of Uighur Muslims in some areas to prevent unauthorized hajj pilgrimages. Government officials in some areas also arbitrarily detained Muslims to prevent them from going on the hajj, required them to show that their hajj travel funds were not borrowed from other sources, required them to pay a large deposit to retrieve their passports for overseas travel, and required them to pass a health test.

Official reports noted that 11,900 Muslims traveled to Mecca during the year for the hajj pilgrimage. This figure did not include participants who were not organized by the government, for whom there were no official estimates but who numbered in the thousands in previous years.

The government's policy to encourage Han Chinese migration into minority areas has significantly increased the population of Han in the XUAR. In recent decades the Han-Uighur ratio in the capital of Urumqi has shifted from 20 to 80 to 80 to 20 and was a deep source of Uighur resentment. Discriminatory hiring practices gave preference to Han and discouraged job prospects for ethnic minorities. According to 2005 statistics published by XUAR officials, eight million of the XUAR's 20 million official residents were Han. Hui, Kazakhs, Kyrgyz, Uighur, and other ethnic minorities comprised approximately 12 million XUAR residents. Official statistics understated the Han population, because they did not count the tens of thousands of Han Chinese who were long-term "temporary workers." While the government continued to promote Han migration into the XUAR and fill local jobs with migrant labor, overseas human rights organizations reported during the year that local officials under direction from higher levels of government have deceived and pressured young Uighur women to participate in a government sponsored labor transfer program.

The XUAR government took measures to dilute expressions of Uighur identity, including measures to reduce education in ethnic minority languages in XUAR schools and to institute language requirements that disadvantaged ethnic minority teachers. The government continued to apply policies that prioritized Mandarin Chinese for instruction in school, thereby reducing or eliminating ethnic-language instruction. Graduates of minority language schools typically needed intensive Chinese study before they could handle Chinese-language course work at a university. The dominant position of standard Chinese in government, commerce, and academia put graduates of minority-language schools who lacked standard Chinese proficiency at a disadvantage.

During the year authorities increased repression in the XUAR, and targeted the region's ethnic Uighur population. In August officials in XUAR reiterated a pledge to crack down on the government-designated "three forces" of religious extremism, "splittism," and terrorism. In September XUAR CCP Chair Wang Lequan stated that "this winter and next spring we will launch a concentrated antiseparatist reeducation campaign across the whole region." It was sometimes difficult to determine whether raids, detentions, and judicial punishments directed at individuals or organizations suspected of promoting the "three forces" were instead actually used to target those peacefully seeking to express their political or religious views. The government continued to repress Uighurs expressing peaceful political dissent and independent Muslim religious leaders, often citing counterterrorism as the reason for taking action.

Uighurs were sentenced to long prison terms, and in some cases executed, on charges of separatism. In April 2007 foreign citizen Huseyin Celil was sentenced to life in prison for allegedly plotting to split the country and 10 years in prison for belonging to a terrorist organization, reportedly after being extradited from Uzbekistan and tortured into giving a confession. During the year the government reportedly sought the repatriation of Uighurs living outside the country, where they faced the risk of persecution.

Possession of publications or audiovisual materials discussing independence or other sensitive subjects was not permitted. According to reports, those possessing such materials received lengthy prison sentences, such as Uighur Mehbube Ablesh, who was detained for expressing sensitive views online. Uighurs who remained in prison at year's end for their peaceful expression of ideas the government found objectionable included Abdulla Jamal, Tohti Tunyaz, Adduhelil Zunun, Abdulghani Memetemin, and Nurmuhemmet Yasin."

In sum, if the United States were to honor the principles of its own Declaration of Independence, It would recognize not only the right, but the duty of Uighurs to revolt against the People's Republic of China and to establish a new government dispensation to secure their unalienable rights to life, liberty, and the pursuit of happiness.