



Written Submission to the U.S. Commission on International Religious Freedom (Hearing on Refugees Fleeing Religious Persecution)

Uyghur Human Rights Project
February 10, 2021

UHRP commends the U.S. Commission on Religious Freedom for holding this hearing on refugees fleeing religious persecution. USCIRF's role in the protection of freedom of religion and belief is widely recognized not only in its advisory capacity to the U.S. government but also in setting the agenda globally.

UHRP makes five recommendations below for urgent U.S. and global responses to the ongoing Uyghur refugee crisis caused by the Chinese government's genocidal policies targeting Uyghurs as an ethno-religious group.¹

Key issues facing Uyghur refugees and asylum seekers

The Chinese government has created both an unprecedented human rights crisis in the Uyghur homeland and a refugee crisis that has received almost no international attention or policy response. The Chinese government, in an extraordinary campaign of repression abroad, is systematically pursuing Uyghurs living in other countries and pressuring governments to forcibly return them to China.

Even as the international community has become aware of the dangers Uyghurs face if returned to China, there remains a significant threat of refoulement. In 2017, Chinese officials began a concerted campaign to order Uyghurs residing abroad to return to their hometowns. Those who did not comply were intimidated with threats to family members. UHRP commends USCIRF for speaking out in 2017 when local security services in Egypt seized and deported as many as 200 Uyghur students and others at China's request.²

Chinese officials continue to use threats and harassment to attempt to forcibly return Uyghurs to China. The diaspora community is increasingly afraid that countries that traditionally provided a safe haven are giving in to Chinese pressure and incentives to deport Uyghurs. A pending extradition treaty in Turkey has caused Uyghurs there to fear that deportations will increase;³ In Kazakhstan, the government's quiet efforts to have its naturalized citizens freed from the camps has not prevented it from putting increasing pressure on the community of victims to cease speaking out.⁴

An increasing number of Uyghurs abroad are also threatened by statelessness due to Chinese government policies. UHRP has documented numerous cases of Uyghurs having their PRC passports seized and destroyed at Chinese embassies and consulates when they attempt to renew them. Chinese consular officials then issue a one-way return to China, claiming that passports can only be renewed there, despite Chinese law saying otherwise. If returned to China, Uyghurs face extrajudicial detention and torture. Travel abroad is a major

¹ Essex Court Chambers (January 27, 2021). "International Criminal Responsibility for Crimes Against Humanity and Genocide Against the Uyghur Population in the Xinjiang Uyghur Autonomous Region"; <https://uhrp.org/press-release/authoritative-legal-opinion-concludes-treatment-uyghurs-amounts-crimes-against>; US State Department 1/28/2021 "Determination of the Secretary of State on Atrocities in Xinjiang," <https://2017-2021.state.gov/determination-of-the-secretary-of-state-on-atrocities-in-xinjiang/index.html>.

² US Commission on International Religious Freedom (August 2, 2017). "USCIRF Condemns Egypt's Deportation of Uighur Muslims to China," <https://www.uscirf.gov/news-room/releases-statements/uscirf-condemns-egypts-deportation-uighur-muslims-china>.

³ Xiao, E. (February 3, 2021). "Exiled Uighurs in Turkey Fear China's Long Reach—'We Are All Panicking Now'" Wall Street Journal <https://www.wsj.com/articles/exiled-uighurs-fear-chinas-reach-will-erode-turkish-haven-11612178314#>.

⁴ Pitel, L., Shepard, C., and Seddon, M. (December 26, 2020). "Xinjiang campaigner says China pressure led him to flee Kazakhstan" Financial Times <https://www.ft.com/content/0d8c5c4c-7f2f-4043-82e3-d45238dddb16>.

reason cited for detaining individuals in extrajudicial camps, and numerous Uyghurs have disappeared upon their return.⁵

The refusal of the Chinese government to issue Uyghurs passports amounts to a violation of their “right to leave,” established in international law.⁶ The seizure and destruction of the passports of Uyghurs overseas constitutes a further violation of the right to freedom of movement by the Chinese government and is creating a statelessness crisis. Chinese officials create further difficulties for Uyghurs by denying them access to official documents such as birth and wedding certificates, causing many in the diaspora to become undocumented. Uyghur children who are born abroad in countries such as Turkey, whose parents do not have residency status, are unable to obtain identity documents, rendering them stateless people and unable to access schooling, medical care, and other necessities. Numerous Uyghurs children have been stranded in Turkey without one or both of their parents since the beginning of the crackdown.⁷

Harassment by Chinese officials is a persistent issue for Uyghurs abroad, including in the United States.⁸ As noted in the February 2021 Freedom House report, [Out of Sight, Not Out of Reach: Understanding Transnational Repression](#), “The Chinese government’s campaign reaches the most people globally due to the broad range of groups under threat and the sheer number of countries where individuals face repression. Members of ethnic and religious minorities, former insiders of the Chinese Communist Party, human rights defenders, and increasingly, people from Hong Kong—all have been subjected to serious forms of transnational repression, including assassination attempts and renditions.”⁹

Uyghur asylum seekers already in the United States face extremely long wait times before a decision is made in their cases, with some waiting as long as four or five years.¹⁰ In many cases it is those who have been waiting the longest who continue to be affected by the refugee backlog, while more recent applicants are approved relatively quickly. Although the U.S. has an exemplary track record of not deporting Uyghurs, America must do more to grant prompt asylum to victims of religious repression, and, as in the case of Uyghurs and other Turkic Muslims, victims of genocide.

UHRP requests that USCIRF make the following formal recommendations to the U.S. government, and further encourage other governments to take similar action through its international outreach.

Recommendations for the U.S. government

1. Expedite the asylum cases of Uyghurs already in the United States. Some Uyghurs have been waiting four or five years for their cases to be accepted. The Department of Homeland Security should instruct USCIS to move forward pending cases as quickly as possible so that Uyghur asylum seekers can receive timely assurance of safe haven from religious repression.
2. Create a refugee resettlement program for Uyghurs. The State Department can bring Uyghurs stranded in third countries without the need for UNHCR processing by designating them “Priority 2” refugees.

⁵ UHRP (January 4, 2020). “Weaponized Passports: The Crisis of Uyghur Statelessness,” <https://uhrp.org/press-release/uhrp-report-weaponized-passports-crisis-uyghur-statelessness.html>.

⁶ UHRP (August 6, 2020). “Uyghurs to China: Return our Relatives’ Passports,” https://uhrp.org/sites/default/files/Passport_returns_briefing.pdf

⁷ Randolph, E. (December 19, 2019). “China took their parents: the Uighur refugee children of Turkey,” *AFP* <https://news.yahoo.com/china-took-parents-uighur-refugee-children-turkey-020134697.html?guccounter=1>.

⁸ UHRP (August 28, 2019). “Repression Across Borders: The CCP’s Illegal Harassment and Coercion of Uyghur Americans,” https://docs.uhrp.org/pdf/UHRP_RepressionAcrossBorders.pdf.

⁹ Freedom House (February 2021). “Out of Sight, Not Out of Reach: Understanding Transnational Repression,” https://freedomhouse.org/sites/default/files/2021-02/Complete_FH_TransnationalRepressionReport2021_rev020221.pdf

¹⁰ Areddy, J. and Hackam, M. (August 28, 2020). “China’s Muslim Uighurs Are Stuck in U.S. Immigration Limbo” *Wall Street Journal* <https://www.wsj.com/articles/chinas-muslim-uighurs-are-stuck-in-u-s-immigration-limbo-11595937603>.

The U.S. should work with like-minded countries to stand up a coordinated resettlement program for victims of the ongoing genocide and refugee crisis.

3. Ensure that Uyghur resettlement is not impeded by lack of documentation, such as passports and birth certificates, caused by Chinese government actions. The U.S. and other nations should ensure that Uyghurs have access to travel documents necessary to reach safety. Address the separation of Uyghur children from their families by identifying pathways for reunification of Uyghur families in the United States or wherever relatives have settled.
4. Punish and deter the harassment of the Uyghur diaspora in the United States and globally. Investigate reports of Chinese government harassment, intimidation, threats, pressure to spy against the Uyghur community and impose consequences for these violations of their civil rights under law.
5. Encourage other nations to take similar steps by pledging not to deport Uyghurs to China in violation of international refugee laws.

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About the Uyghur Human Rights Project:

The Uyghur Human Rights Project (UHRP) promotes the rights of the Uyghurs and other Turkic Muslim peoples in East Turkistan, referred to by the Chinese government as the Xinjiang Uyghur Autonomous Region (XUAR), through research-based advocacy. UHRP documents violations; highlights human rights defenders, survivors, and victims; and researches avenues for defense and positive promotion of Uyghurs' human rights, especially in the arenas of policymaking, grassroots action, and cultural rights promotion.

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