

Uyghur Solidarity Aotearoa

12 June 2024

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Tēnā kōrua Prime Minister and Minister of Foreign Affairs,

Issues raised by the New Zealand Uyghur community on human rights abuses in China

We are writing to advise you of the issues which the New Zealand Uyghur community seek to be raised with Chinese Premier Li Qiang.

You will be aware of the well-documented atrocities which have taken place in recent years against the Uyghur people in Xinjiang and elsewhere in China. In May 2021 the New Zealand Parliament unanimously declared that severe human rights abuses were taking place against the Uyghur people.

In 2024, the issues remain much the same. While China claims to have closed its “vocational educational and training centres” in Xinjiang, the epidemic of arbitrary detention continues. At least hundreds of thousands of Uyghurs remain detained, many serving prison sentences simply for practising their religion or expressing Uyghur culture. Hundreds of thousands more Uyghurs have been placed into an expanding system of forced labour.¹ Families continue to be broken apart and Uyghur life is being stamped out. Amid sophisticated and intrusive surveillance – where it is a crime to install a messaging app on one’s smartphone which cannot be monitored – Uyghurs in Xinjiang live in an open-air prison.

In New Zealand, many Uyghurs are still cut off from communication with their loved ones in China, for fear of reprisals. Few Uyghurs in China are allowed access to their passports.

¹ Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and 2024, report by Adrian Zenz dated 14 February 2024: <https://jamestown.org/program/forced-labor-in-the-xinjiang-uyghur-autonomous-region-assessing-the-continuation-of-coercive-labor-transfers-in-2023-and-early-2024/>

Some Uyghur children in New Zealand have never known their grandparents. Uyghur New Zealanders continue to seek the freedom of their arbitrarily detained loved ones. They live with this pain daily.

Most members of the Uyghur community in Aotearoa are naturalised New Zealand citizens. They are victims of these crimes against humanity.

Members of the community have requested that the following issues be raised with Premier Li.

1: They wish for their parents and relatives to be able to travel freely to New Zealand. They ask why their family members cannot access their passports, and what measures have been put in place by the Chinese government to improve this process. Importantly, they query what the differences are in the process for an Uyghur individual to obtain a passport compared to a Han Chinese individual.

2: While many Uyghur New Zealanders have concerns for their detained loved ones, for fear of reprisals they do not raise these concerns publicly. However, Rizwangul NurMuhammad has been calling for freedom of movement for her family and publicly advocating for the release of her brother, Mewlan NurMuhammad, who she believes has been wrongfully and arbitrarily detained by the Chinese government. She demands that the Chinese government respond to the New Zealand government's (MFAT's) request to allow her and her family to resume contact.

3: Uyghur New Zealanders raise their concerns about the continued and growing issue of forced labour, brought into focus in recent weeks with the US Senate finding automakers have been using parts for US-destined cars made by a supplier banned under the Uyghur Forced Labor Prevention Act,² while the US has also blocked imports from a further 26 Chinese textile firms under the same Act.³ Popular online Chinese retailers Temu and Shein face credible claims of selling cheap products made with Uyghur forced labour. Such products are inevitably being imported into New Zealand, likely to the detriment of struggling New Zealand retailers. Uyghur New Zealanders wish to ask Premier Li what action China is taking to address Uyghur forced labour.

4: Uyghur New Zealanders wish to know the status (including the health status) of Ilham Tohti, an Uyghur economist and scholar who was sentenced to life

² <https://www.finance.senate.gov/chairmans-news/automakers-shipped-cars-and-parts-made-by-chinese-company-banned-for-forced-labor-to-the-united-states-car-companies-are-failing-to-police-their-supply-chains-for-chinese-components-made-with-forced-labor-finance-committee-majority-staff-investigation-finds>

³ <https://www.reuters.com/markets/us-bars-imports-26-cotton-traders-warehouses-over-uyghur-forced-labor-2024-05-16/>

imprisonment in 2014 for “splitting the state”. They wish to know when he will be released. Ilham Tohti has been nominated to receive the 2024 Nobel Peace Prize.

5: In 2022, the UN High Commissioner for Human Rights found that China’s abuses against Uyghurs and other predominantly Muslim groups were so severe and widespread that they may constitute crimes against humanity. Uyghur New Zealanders wish to ask Premier Li what progress is being made in light of these extremely serious human rights concerns, and the recommendations made by the High Commissioner for Human Rights, repeated below.⁴

OHCHR [the Office of the High Commissioner for Human Rights] recommends to the Government of China that it:

- (i) Takes prompt steps to release all individuals arbitrarily deprived of their liberty in XUAR [Xinjiang Uyghur Autonomous Region], whether in VETCs [voluntary educational and training centres], prisons or other detention facilities;*
- (ii) Urgently clarifies the whereabouts of individuals whose families have been seeking information about their loved ones in XUAR, including by providing details of their exact locations and establishing safe channels of communication and travel enabling families to reunite;*
- (iii) Undertakes a full review of the legal framework governing national security, counter-terrorism and minority rights in XUAR to ensure their compliance with binding international human rights law, and urgently repeal all discriminatory laws, policies and practices against Uyghur and other predominantly Muslim minorities in XUAR, in particular those that have led to the serious human rights violations as detailed in this assessment;*
- (iv) Promptly investigates allegations of human rights violations in VETCs and other detention facilities, including allegations of torture, sexual violence, ill-treatment, forced medical treatment, as well as forced labour and reports of deaths in custody;*
- (v) Implements, as a matter of priority, the Concluding Observations from the UN Committee against Torture and the UN Committee on the Elimination of Racial Discrimination, including establishment of an independent*

⁴ <https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assesment.pdf> at paragraph [151].

oversight mechanism to ensure prompt, impartial and effective investigation into all allegations of torture and ill-treatment;

- (vi) Ensures that surveillance both on and offline comply with strict tests of legality, necessity and proportionality, including for matters of national security, and does not infringe on fundamental rights and freedoms of individuals;*
- (vii) Cooperates with the ILO [International Labour Organisation] and social partners in the implementation of the recommendations made by the ILO Committee of Experts on Conventions No. 111 and 122, including by allowing a technical advisory mission, and in the implementation of Conventions No. 29 and 105 on forced labour, and the 2014 Protocol;*
- (viii) Provides adequate remedy and reparation to victims of human rights violations;*
- (ix) Clarifies the reports of destruction of mosques, shrines and cemeteries by providing data and information and suspend all such activities in the meantime;*
- (x) Ceases immediately all intimidation and reprisals against Uyghur and other predominantly Muslim minorities abroad in connection with their advocacy, and their family members in XUAR; and ensure that all citizens including of Uyghur and other predominantly Muslim minorities can hold a valid passport and travel to and from China without fear of reprisals;*
- (xi) Ratifies the International Covenant on Civil and Political Rights; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Optional Protocols to the Convention against Torture, to the Convention on the Elimination of All Forms of Racial Discrimination and to the Convention on the Elimination of All Forms of Discrimination against Women;*
- (xii) Invites as a matter of priority the Working Group on Enforced and Involuntary Disappearances, the Working Group on Arbitrary Detention, the Special Rapporteur on Torture, the Special Rapporteur on the Rights of Minorities, the Special Rapporteur on Freedom of Religion and Belief, the Special Rapporteur on Cultural Rights and the Working Group on Business and Human Rights to conduct unrestricted country visits to China, including to XUAR; and*

- (xiii) *Continues engagement with OHCHR to enable further assessment of the situation; and facilitates further visits by OHCHR and technical exchanges on human rights issues in XUAR, in follow up to the High Commissioner's visit.*

We understand that your meeting with Premier Li is imminent, however we seek your response subsequent to this meeting on how you have addressed these human rights abuses, and how your government can help to uphold human rights and seek freedom for Mewlan NurMuhammad, Ilham Tohti, and all arbitrarily detained Uyghurs.

There is significant scope for action to be taken by New Zealand, particularly by drawing on the example of the United States which has taken concrete action to address Uyghur forced labour.

Members of the Uyghur community, including Rizwangul NurMuhammad and others, would appreciate contact from you about these issues. They are available to discuss.



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