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China: Xinjiang Children Separated from Families

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Return Minors Housed in State-Run Institutions to Relatives

(New York) – Chinese (<https://www.hrw.org/asia/china-and-tibet>) authorities should immediately release to their families children held in “child welfare” institutions and boarding schools in Xinjiang, Human Rights Watch said today. The government should cease unnecessarily separating Uyghur and other Turkic Muslim children from their families.

Under China’s “Strike Hard Campaign against Violent Terrorism,” an estimated 1 million Turkic Muslims have been arbitrarily detained (<https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>) in unlawful political education camps in Xinjiang since 2017. An unknown number are being held in detention centers and prisons (<https://www.nytimes.com/2019/08/31/world/asia/xinjiang-china-uyghurs-prisons.html>). Chinese authorities have housed countless children whose parents are detained or in exile in state-run child welfare institutions and boarding schools without parental consent or access.

“The Chinese government’s forced separation of children is perhaps the cruelest element of its oppression in Xinjiang,” said Sophie Richardson (<https://www.hrw.org/about/people/sophie-richardson>), China director at Human Rights Watch. “Children should be either immediately returned to the custody of relatives in China or allowed to join their parents outside the country.”

Human Rights Watch interviewed five families from the Xinjiang region now living outside the country who described having no contact with their children. Some know and others believe the authorities placed their children in state-run institutions without their family’s consent.

Abdurahman Tohti, a Uyghur living in Turkey, has been unable to contact his son, now 4, and daughter, 3, since authorities detained his wife in August 2016. In January, he spotted his son in a video (<https://www.businessinsider.com/mans-family-vanished-saw-son-2-years-later-in-china-propaganda-video-2019-2>) posted online that showed him in a school answering questions in Chinese. “I miss my children, my wife,” said Tohti. “I want them back very much. I fear if I ever meet my children again in my lifetime, they wouldn’t know who I am, and they would’ve been assimilated as Chinese and think that I’m their enemy.”

The number of children in Xinjiang placed in state-run child welfare institutions and boarding schools without consent is not known. Government control and surveillance in the region, including severe punishments for those who speak out or have contacts abroad, prevent comprehensive reporting. Many Turkic Muslims living outside of China have completely lost contact with their families in Xinjiang. The website Xinjiang Victims Database (<https://shahit.biz/eng/#view>) collected accounts of over 5,000 people in Xinjiang, including more than 100 children, who have been imprisoned, detained in political education camps, or subjected to other restrictions on movement.

Xinjiang government documents provide little information on decisions to send children to state-run facilities. They do not indicate whose consent is needed, which government agencies make decisions about removal to state institutions, or whether there are procedures for determining consent or challenges to such determinations. As Human Rights Watch previously reported (<https://www.hrw.org/news/2018/10/16/china-children-caught-xinjiang-crackdown>), certain localities have received specific quotas from higher-level authorities for institutionalizing orphans.

Beyond the transfer of children to institutions without consent or lawful justification, Human Rights Watch remains deeply concerned about practices in these facilities that appear to deny children their basic rights and cultural heritage. Chinese state media (<https://3g.163.com/dy/article/D78J6F690514E09F.html>) and government websites report that children in boarding schools in Xinjiang are taught in Chinese – raising concerns about the children’s right to learn their own language – and sing and dance to propagandistic songs. Government propaganda extols the benefits (https://news.china.com/domestic/945/20181022/34224039_all.html) of children living in boarding facilities, so as not to be influenced by “extreme thought” and to develop better personal hygiene and manners.

Foreign journalists who visited Xinjiang in 2018 and 2019 were not able to visit or photograph the schools to report on the education being provided. Barbed wire, fencing, and surveillance cameras appeared more like security at a detention facility than for the children’s safety.

Various indicators suggest that Xinjiang authorities have been putting more resources into child welfare institutions and boarding schools since the start of the “Strike Hard Campaign.” There have been many policy directives on the institutionalization of children whose parents are in detention facilities, government documents on the management of children in child welfare institutions and boarding schools, and procurement notices (<https://apnews.com/903a97b7c62a47b98553b6f422827dd7>) for the construction of these facilities, which Human Rights Watch (<https://www.hrw.org/news/2018/10/16/china-children-caught-xinjiang-crackdown>), independent researchers (http://www.jpolrisk.com/break-their-roots-evidence-for-chinas-parent-child-separation-campaign-in-xinjiang/#_ftn61), and international media organizations (<https://www.bbc.com/news/world-asia-china-48825090>) have uncovered.

Similarly, government statistics show dramatic increases in educational expenditure, preschool enrollment, and school floor space in Turkic Muslim-heavy areas in Xinjiang in the past three years, according to a recent study (<http://www.jpolrisk.com/break-their-ro>

ots-evidence-for-chinas-parent-child-separation-campaign-in-xinjiang/#_ftn61) . Governments have an international human rights law obligation to improve education, but this cannot be achieved by arbitrarily removing children from their families.

Article 43 of China's Law on the Protection of Minors says that state-run child welfare institutions are responsible for caring for orphans, children whose parents or guardians cannot be found, and other children not in care. However, Chinese law does not empower government authorities to remove children from their relatives to place them in state care, nor does it outline any legal procedures to do so.

The United Nations Convention on the Rights of the Child, which China ratified in 1992, recognizes the family as the natural environment for the growth and well-being of children. The convention obligates governments to ensure that children should not be separated from their parents against their will, "except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child." Such determinations may be necessary in cases involving parental abuse or neglect.

Even when alternative care arrangements are necessary, care by close family members should be given priority. Removing a child from the family's care is a measure of last resort and should, whenever possible, be temporary and for the shortest possible duration. Officials need to ensure that a child who is capable of forming their own views has the right to express those views freely in all matters affecting them. The child's views should be given due consideration in accordance with their age and maturity.

All decisions concerning alternative care should take full account of the desirability, in principle, of maintaining the child as close as possible to their habitual place of residence, to facilitate contact and potential reintegration with the child's family, and to minimize disruption of the child's educational, cultural, and social life.

The Convention on the Rights of the Child provides that applications by children or their parents to enter or leave a country for family reunification must be dealt with in a "positive, humane, and expeditious manner." Such requests should have no adverse consequences for the applicants or their family members. Children whose parents reside in different countries have the right to maintain personal relations and direct contacts with both parents.

The convention also protects children from ethnic, religious, or linguistic minorities from being denied the right to enjoy their own culture, to practice their own religion, or to use their own language.

The UN High Commissioner for Human Rights, 25 countries (<https://www.hrw.org/news/2019/07/10/un-unprecedented-joint-call-china-end-xinjiang-abuses>) , and many human rights groups, including Human Rights Watch (<https://www.hrw.org/news/2019/07/11/independent-reporting-xinjiang-abuses-requires-unfettered-access-not-stage-managed>) , have called on the Chinese government to allow independent observers unfettered access to Xinjiang to assess the scope and scale of abuses there. Organizations, such as the Organisation for Islamic Cooperation, should similarly endorse such visits.

"Governments should speak out against the unbearable pain that Chinese authorities are inflicting on families as part of their campaign of repression in Xinjiang," Richardson said. "They should make clear to China that family reunification is a fundamental human right."

Accounts from Parents Unable to Contact Their Children in Xinjiang

Dilnur, a Canada-based Uyghur from Kashgar, has been unable to make any contact with two of her children, a now 8-year-old girl and a 6-year-old boy, since April 2017. Dilnur, then widowed, had left Xinjiang in May 2016 to study in Turkey – before the mass arbitrary detentions in her locality started – taking only her oldest child, a daughter, with her. Dilnur was not able to obtain a passport for her son, and her younger daughter was not in good health then, so both remained in the care of their grandparents.

Dilnur has not been able to contact her parents or her brother's family, suspecting that they have been detained in political education camps. She found that many of her contacts in Xinjiang had removed her from their social media contacts or refused to accept her requests to be connected on social media. She frequently asked friends elsewhere in China to contact her Xinjiang relatives, but to no avail. As a result, she said she has no one to contact to inquire about the whereabouts of her children.

"Every time new propaganda videos appear on Douyin [a Chinese video app], I would desperately look for my children, hoping to spot them in these videos. But I've never found them. Every time when I see a child of my children's age on the street, I start to cry. My eyes hurt terribly from too much crying."

Memetrasul Khasan, a Kyrgyzstan-based ethnic Kyrgyz from Kashgar, has been unable to make any contact with his twin sons, now 14 years old, since March 2017, after authorities detained his wife in a political education camp. Khasan has not been able to make any contact with his relatives in Xinjiang to inquire about his children.

"I miss my children very much. I don't know where they are. All my relatives are detained. No one could look for my sons. I've written 50 letters to the Chinese government. I took them to the Chinese embassy in Bishkek. I want the Chinese government to release my children, my sisters' children, and allow them to come to Kyrgyzstan, to live in their motherland."

Khasan's mother, **Khalimakhan Akunjankyzy**, has five adult daughters, three of whom are detained in political educational camps. She does not know the whereabouts of the other two, or any of her 16 grandchildren.

"I don't know where my 16 grandchildren are. Everyone is gone. I miss them a lot. I dream a lot. I dream all my grandchildren altogether coming to Kyrgyzstan, to be united with us."

Mahmutjan, a Uyghur from Turpan, went alone to Turkey in February 2016, because his family could not obtain passports at the time. In October 2016, his wife and their eldest child joined him in Turkey. Mahmutjan's second child, now a 7-year-old girl, was placed in a boarding facility by authorities from September 2018 to June 2019, without his or his family's consent. During that period, authorities temporarily returned the girl to Mahmutjan's brother's family when she became sick. But Mahmutjan has not heard any updates about her situation since July.

"When my second daughter was released from the children's camp, she was very thin and looked unwell. They didn't take good care of her. It is so painful to see the pictures. A few months after she was taken away, they returned her to my brother's family because her toe was infected. My brother's family took her to see the doctor and she got better. Then the government took her away again."

Mahmutjan described the impact of the separation on his wife:

"My wife is in great pain. She sometimes calls our eldest daughter using the name of the second daughter. My wife is broken psychologically. She dreams about them a lot. My biggest wish is to bring my daughters back to live with us, especially our second one. She's broken. She's unwell."

Abdul Aziz, a Turkey-based Uyghur from Hotan, has been unable to make any contact with his four children, now aged 13, 6, 5, and 2, since July 2017, after authorities detained his wife in a political education camp. Aziz learned that his eldest is living with his mother-in-law in Xinjiang, but he does not know the whereabouts of his other three children. Aziz's father has died and his mother lives in Istanbul. He has two brothers in Xinjiang but does not know their whereabouts. He has tried various ways to locate his children and brothers, but to no avail.

"When we were a family together, we were so happy. I could at least see my children once a day. They loved me so much. Every day when I got home, they ran to me and hugged me. Where are they now? Are they dead? Are they sick? The only thing I want in this life in this world is to see my wife and my children one more time."

ecoi.net summary:

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