

## ETHNIC MINORITY RIGHTS

*Introduction*

During the Commission's 2017 reporting year, Chinese government and Communist Party officials continued to act in contravention of domestic and international law with regard to members of China's 55 recognized minority "nationalities."<sup>1</sup> The PRC Regional Ethnic Autonomy Law contains protections for the languages, religious beliefs, and customs of these "nationalities," in addition to a system of regional autonomy in designated areas.<sup>2</sup> Article 27 of the International Covenant on Civil and Political Rights, which China has signed and declared an intention to ratify, contains safeguards for the rights of "ethnic, religious or linguistic minorities" within a state.<sup>3</sup> In practice, however, Chinese authorities reportedly implemented policies that marginalized the cultures and languages of ethnic minority populations.<sup>4</sup> [See Section IV—Xinjiang and Section V—Tibet for additional information on these areas.]

*State Minority Policy*

According to the 2016–2020 National Human Rights Action Plan issued by the State Council, Chinese authorities will "prioritize" rights for ethnic minorities including "[t]heir ability to participate in the deliberation and administration of state affairs," their right to economic development, and their right "to learn, use and develop their own spoken and written languages."<sup>5</sup> Nevertheless, during this reporting year, officials continued to promote top-down development initiatives that restricted ethnic minorities' ability to preserve and practice their cultures and languages.<sup>6</sup> The UN Special Rapporteur on extreme poverty and human rights, Philip Alston, following his 2016 visit to China, issued a report criticizing what he saw as authorities' lack of consultation with ethnic minorities regarding economic development that affects them, and he recommended that the State Ethnic Affairs Commission develop policies integrating human rights considerations into all aspects of its policymaking.<sup>7</sup> He noted that "most ethnic minorities in China are exposed to serious human rights challenges, including significantly higher poverty rates, ethnic discrimination and forced relocation."<sup>8</sup>

## LIMITS ON MONGOLIAN-LANGUAGE INSTRUCTION

Mongol parents and students in the Inner Mongolia Autonomous Region (IMAR) reportedly faced limits on access to Mongolian-language instruction during the past reporting year, in spite of Chinese law protecting the use of minority languages.<sup>9</sup> In late 2016, Mongol parents in Chifeng municipality, IMAR, published open letters on social media<sup>10</sup> and demonstrated outside government offices to protest the appointment of Han Chinese principals to the only two kindergartens in Chifeng that provide instruction in the Mongolian language.<sup>11</sup> The administrations of the two schools reportedly restricted the use of the Mongolian language, and at least one of the schools banned Mongol teachers from speaking Mongolian in the office.<sup>12</sup> In April 2017, four rights advocates, representing 429 Mongol teachers who had taught in the Mongolian language in Horchin (Ke'erqin) Right Forward Banner, Hinggan

## Ethnic Minority Rights

2

(Xing'an) League, IMAR, petitioned regional government authorities in Hohhot municipality, IMAR, over authorities' dismissal of the teachers from their jobs beginning in the year 2000, which they said authorities did without providing justification.<sup>13</sup>

### *Grasslands Protests in Inner Mongolia*

During this reporting year, Mongol herders in the IMAR demonstrated over the state's role in the loss of their traditional grazing lands, the harmful ecological effect of state development on grassland and livestock,<sup>14</sup> and the state's failure to provide herders with adequate compensation for their land.<sup>15</sup> As in past reporting years,<sup>16</sup> authorities detained many of the Mongol herders who peacefully protested, including those who voiced their concerns online or talked with foreign reporters about their complaints.<sup>17</sup>

Representative examples of protests by Mongol herders and villagers included the following:

- On **October 17, 2016**, in Hailas (Hailasu) township, Ongniud (Wengniute) Banner, Chifeng, nearly 200 herders marched toward the construction site of a state-run pig farm and blocked the road, in protest against what they alleged was the farm's occupation of their traditional grazing lands.<sup>18</sup> Local officials reportedly sent more than 400 police officers to deal with the protest; the police beat many herders and detained at least three.<sup>19</sup>
- On **November 2, 2016**, dozens of herders in Zaruud (Zalute) Banner, Tongliao municipality, IMAR, protested in front of banner government offices over an aluminum plant's pollution of a local river, which the herders said had poisoned their sheep.<sup>20</sup> Security personnel reportedly detained nine of the herders, and prevented others from attending the protest.<sup>21</sup>
- On **April 10, 2017**, over 300 herders in Horchin (Ke'erqin) Left Rear Banner, Tongliao, gathered in an attempt to block bulldozers and tractors from turning up earth on their grazing lands for a government afforestation project.<sup>22</sup> On April 13, security personnel reportedly took 13 of the herders into custody, placing them under administrative detention for 10 days.<sup>23</sup>
- On **April 10, 2017**, in Horchin (Ke'erqin) Right Forward Banner, Hinggan (Xing'an) League, IMAR, over 3,000 Mongols protested in the streets and in front of a local government building, demanding compensation for Mongols whose traditional land had reportedly been taken or ruined due to state initiatives and policies.<sup>24</sup> Protesters clashed with nearly 1,000 security personnel, who reportedly detained at least 30 people and beat many protesters, some severely.<sup>25</sup>

In addition, in early August 2017, in Evenk Autonomous Banner, Hulunbei'er municipality, IMAR, more than 100 ethnic Evenki herders reportedly protested over restrictions on livestock grazing on local grasslands.<sup>26</sup> Police reportedly beat and injured many of the herders.<sup>27</sup>

Beginning on May 10, authorities in Xilingol (Xilinguole) League, IMAR, reportedly administratively detained Mongol Yangjindolma for 15 days for "inciting and planning an illegal gathering."<sup>28</sup> She told Radio Free Asia (RFA) that she had planned an activity to call

for the designation of a “Protect the Grasslands Day,” and to commemorate the sixth anniversary of the death of Mongol herder Mergen, who was run over by a coal truck in 2011 while protesting against a mining company’s destruction of grasslands.<sup>29</sup> On June 20, Yangjindolma submitted a petition in Hohhot municipality, IMAR, the regional capital, to protest against her alleged detention and torture.<sup>30</sup> She told RFA that authorities had shackled her to a “tiger bench” for 24 hours while interrogating her.<sup>31</sup>

*Hada Continues To Protest Official Mistreatment*

Mongol rights advocate Hada reportedly continued to press authorities to hold officials accountable for mistreating him during his 15-year prison sentence and subsequent detention and surveillance.<sup>32</sup> IMAR authorities imprisoned Hada for 15 years starting in 1995 and then extralegally detained him for another 4 years,<sup>33</sup> following his organization of peaceful demonstrations for Mongol rights and his establishment of the banned Southern Mongolian Democratic Alliance.<sup>34</sup> In a November 2016 interview, he described his current living conditions, in an apartment heavily surveilled by security personnel, as similar to those he experienced under detention, and complained that authorities had at times cut off his family’s water and heat in an effort to compel him to “cooperate with them and give up [his] ideas.”<sup>35</sup> In the same interview, his wife Xinna said Chinese officials were determined to force Hada to “admit to his crimes.”<sup>36</sup> In a separate development, in May 2017, authorities in Hohhot reportedly forcibly demolished a building that Xinna used to store books and other items without her consent.<sup>37</sup> In the summer of 2017, authorities reportedly restricted her Internet access.<sup>38</sup>

In an example of government restrictions on Mongols’ freedom of speech, in October 2016, authorities shut down the Genghis Khan website, after numerous tributes to recently deceased Mongol rights advocate and author Govruud Huuchinhuu appeared on the site.<sup>39</sup> Authorities had for years persecuted Huuchinhuu in part due to her advocacy on behalf of Hada.<sup>40</sup>

### Notes to Section II—Ethnic Minority Rights

<sup>1</sup>Shenghai He, “An Overview of China’s Ethnic Groups and Their Interactions,” *Sociology Mind*, Vol. 7, No. 1 (January 2017), 1. The *Sociology Mind* article provides the number of officially recognized ethnic minorities, or “nationalities,” as 55.

<sup>2</sup>PRC Regional Ethnic Autonomy Law [Zhonghua renmin gongheguo minzu quyue zizhi fa], passed 31 May 84, effective 1 October 84, amended 28 February 01. For protections related to languages, religious beliefs, and customs, see Articles 10, 11, 21, 36, 37, 47, 49, and 53.

<sup>3</sup>International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 66, entry into force 23 March 76, art. 27.

<sup>4</sup>See, e.g., “China Bans ‘Extreme’ Islamic Baby Names Among Xinjiang’s Uyghurs,” *Radio Free Asia*, 20 April 17; Southern Mongolian Human Rights Information Center, “Parents Protest Appointment of Chinese Principals and Ban of Mongolian Language in Kindergartens,” 22 November 16; Letter to the Ambassador and Permanent Representative, Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva, from Six Special Rapporteurs (each covering a separate area of human rights): the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on minority issues; and the Special Rapporteur on freedom of religion or belief, AL CHN 10/2016, 7 November 16.

<sup>5</sup>State Council Information Office, “National Human Rights Action Plan of China (2016–2020)” [Guojia renquan xingdong jihua (2016–2020 nian)], 29 September 16, sec. 3(1); State Council Information Office, “Full Text: National Human Rights Action Plan of China (2016–2020),” August 2016, reprinted in *Xinhua*, 29 September 16, sec. III(1).

<sup>6</sup>See, e.g., Uyghur Human Rights Project, “End of the Road: One Belt, One Road and the Cumulative Economic Marginalization of the Uyghurs,” 6 March 17, 13–14, 31; Simon Denyer, “China Says Tourism Is Tibet’s Best Hope. But Can Its Culture Survive the Onslaught?” *Washington Post*, 6 October 16.

<sup>7</sup>UN Human Rights Council, Report of the Special Rapporteur on Extreme Poverty and Human Rights on His Mission to China, Philip Alston, A/HRC/35/26/Add.2, 28 March 17, para. 45.

<sup>8</sup>*Ibid.*, para. 44.

<sup>9</sup>“Parents Protest Curbs on Mongolian Language Teaching in Chinese Schools,” *Radio Free Asia*, 5 December 16. See also “Inner Mongolian Mother Language Substitute Teachers Petition IMAR Government, Request Truth Behind Dismissals” [Neimenggu muyu daike jiaoshi zizhiqiu zhengfu qingyuan yaoqiu chaming jiegu zhenxiang], *Radio Free Asia*, 19 April 17. For Chinese law protecting the use of minority languages, religious beliefs, and customs, see PRC Regional Ethnic Autonomy Law [Zhonghua renmin gongheguo minzu quyue zizhi fa], passed 31 May 84, effective 1 October 84, amended 28 February 01, arts 10–11, 21, 36–37, 47, 49, 53.

<sup>10</sup>Southern Mongolian Human Rights Information Center, “Parents Protest Appointment of Chinese Principals and Ban of Mongolian Language in Kindergartens,” 22 November 16.

<sup>11</sup>“Parents Protest Curbs on Mongolian Language Teaching in Chinese Schools,” *Radio Free Asia*, 5 December 16.

<sup>12</sup>Southern Mongolian Human Rights Information Center, “Parents Protest Appointment of Chinese Principals and Ban of Mongolian Language in Kindergartens,” 22 November 16.

<sup>13</sup>“Inner Mongolian Mother Language Substitute Teachers Petition IMAR Government, Request Truth Behind Dismissals” [Neimenggu muyu daike jiaoshi zizhiqiu zhengfu qingyuan yaoqiu chaming jiegu zhenxiang], *Radio Free Asia*, 19 April 17. See also Rights Defense Network, “The Voice of IMAR Xing’an League Substitute Teachers” [Neimenggu xing’an meng daike jiaoshi de xinsheng], 19 April 17.

<sup>14</sup>Southern Mongolian Human Rights Information Center, “Mongolian Herders Stage Protest, Demanding Halt of COFCO Pig Farm Project,” 21 October 16; “The Leaseholders Have Destroyed the Forest,” *Radio Free Asia*, 19 April 17; “More Than a Hundred Herders Block Pig Farm Construction Site in Chifeng, IMAR, Protest Against Pollution of Grasslands and Disruption of Means of Livelihood” [Neimeng chifeng bai duo mumin du yangzhuchang gongdi kangyi wuran caoyuan duan shenglu], *Radio Free Asia*, 22 October 16; “Several Hundred Inner Mongolian Farmers and Herders Block Road To Protest COFCO Pollution, 18 Individuals Taken Into Custody” [Nei menggu shubai nongmumin du lu kangyi zhongliang jituan wuran 18 ren bei zhua], *Radio Free Asia*, 29 May 17; “Inner Mongolian Farmers and Herders Protesting Pollution From State-Owned Enterprise Criminally Detained, 2 Approved for Arrest” [Nei menggu nongmumin kangyi guoqi wuran bei xingju 2 ren bei pibu], *Radio Free Asia*, 12 July 17.

<sup>15</sup>Southern Mongolian Human Rights Information Center, “3,000 Mongolians Take to the Streets, 30 Arrested, Protest Continues,” 12 April 17; “Violent Conflict as Inner Mongolian Herders Protest Against Occupation of Grasslands Without Compensation, 7 People Are Detained” [Neimeng mumin kangyi qiangzhan caochang wu butie bao chongtu 7 ren bei bu], *Radio Free Asia*, 18 May 17.

<sup>16</sup>See, e.g., CECC, 2016 Annual Report, 6 October 16, 143–44; CECC, 2015 Annual Report, 8 October 15, 138–39.

<sup>17</sup>“Ethnic Mongolian Activist Detained After Tweet About Land Dispute,” *Radio Free Asia*, 20 December 16; “China To Prosecute Ethnic Mongolian Over Tweet About Land Dispute,” *Radio Free Asia*, 6 February 17; “Two Mongol Youths in Inner Mongolia Who Criticized Officials on WeChat Detained” [Neimeng liang menggu zu qingnian weixin piping guanyuan bei ju], *Radio Free Asia*, 27 February 17; “Mongol Youth Arrested for Online Posts, Wife Sends Open Letter to IMAR Secretary Asking for Help” [Menggu zu qingnian wangshang fatie bei bu qizi xiang neimeng shuji fa gongkai xin qiuzhu], *Radio Free Asia*, 7 February 17.

## Ethnic Minority Rights

<sup>18</sup>Southern Mongolian Human Rights Information Center, “Mongolian Herders Stage Protest, Demanding Halt of COFCO Pig Farm Project,” 21 October 16. For reports on the herders’ concerns about untreated sewage and other pollutants from the state-run pig farm, see “Several Hundred Inner Mongolian Farmers and Herders Block Road To Protest COFCO Pollution, 18 Individuals Taken Into Custody” [Nei menggu shubai nongmumin du lu kangyi zhongliang jitan wuran 18 ren bei zhua], Radio Free Asia, 29 May 17; “Inner Mongolian Farmers and Herders Protesting Pollution From State-Owned Enterprise Criminally Detained, 2 Approved for Arrest” [Nei menggu nongmumin kangyi guoqi wuran bei xingju 2 ren bei pibu], Radio Free Asia, 12 July 17.

<sup>19</sup>Southern Mongolian Human Rights Information Center, “Mongolian Herders Stage Protest, Demanding Halt of COFCO Pig Farm Project,” 21 October 16.

<sup>20</sup>“Herders Protest Pollution in Tongliao, Inner Mongolia, 9 People Are Detained” [Neimenggu tongliao mumin kangyi wuran 9 ren bei bu], Radio Free Asia, 3 November 16; Rights Defense Network, “Nine Rights Defenders in Arikunduleng, Zaruud Banner, IMAR, Detained by Authorities for Opposing Huolin River Aluminum Plant Pollution” [Neimenggu zalute qi arikunduleng 9 weiquan gongmin yin kangyi huolin he luchang wuran bei dangju zhuabu], 3 November 16.

<sup>21</sup>Ibid. For more information, see the Commission’s Political Prisoner Database records 2017-00244 on Buren, 2017-00250 on Tian Hu, 2017-00251 on Eridemutu, 2017-00252 on Shuang Fu, 2017-00253 on Huricha, 2017-00254 on Alata, 2017-00255 on Buhechaolu, and 2017-00256 on Hanggaili. One of the nine herders was unnamed.

<sup>22</sup>Southern Mongolian Human Rights Information Center, “Herders Protest Afforestation Project, 13 Detained,” 15 April 17.

<sup>23</sup>Ibid. See also “Hundreds of Herders Suppressed for Protesting Occupation of Grasslands, 13 People Detained” [Shu bai mumin kangyi caochang bei zhan shou zhenya 13 ren bei juliu], Radio Free Asia, 14 April 17.

<sup>24</sup>Southern Mongolian Human Rights Information Center, “3,000 Mongolians Take to the Streets, 30 Arrested, Protest Continues,” 12 April 17.

<sup>25</sup>Ibid.

<sup>26</sup>“Clashes as Ethnic Evenk Herders Protest China’s Grazing Ban in Inner Mongolia,” Radio Free Asia, 4 August 17; “Inner Mongolian Herders Clash With Police Over Grasslands Protest, Etoke Forward Banner Herders Say Thousands of Mu of Grassland Have Been Seized” [Nei menggu mumin caochang jiu fen yu jing chongtu e qian qi mumin su qian mu caochang bei qiangzhan], Radio Free Asia, 4 August 17.

<sup>27</sup>Ibid.

<sup>28</sup>“Ethnic Mongolian Activist Lodges Formal Complaint Over ‘Tiger Bench’ Torture, Interrogation,” Radio Free Asia, 22 June 17; “Organizer of Event Commemorating Mergen Detained, Herders Call on Government To Designate Grasslands’ Environmental Protection Day” [Zuzhi jinian morigen huodong bei juliu mumin cu zhengfu queding caoyuan huanbao ri], Radio Free Asia, 22 June 17.

<sup>29</sup>Ibid. For Commission analysis on the death of Mergen, see “Mongols Protest in Inner Mongolia After Clashes Over Grasslands Use, Mining Operations,” Congressional-Executive Commission on China, 1 July 11.

<sup>30</sup>“Ethnic Mongolian Activist Lodges Formal Complaint Over ‘Tiger Bench’ Torture, Interrogation,” Radio Free Asia, 22 June 17; “Organizer of Event Commemorating Mergen Detained, Herders Call on Government To Designate Grasslands’ Environmental Protection Day” [Zuzhi jinian morigen huodong bei juliu mumin cu zhengfu queding caoyuan huanbao ri], Radio Free Asia, 22 June 17.

<sup>31</sup>Ibid.

<sup>32</sup>“Ethnic Mongolian Dissident Appeals ‘Separatism’ Conviction to China’s Highest Court,” Radio Free Asia, 23 November 16. See also Southern Mongolian Human Rights Information Center, “Hada’s Appeal to the Supreme People’s Court of the People’s Republic of China,” 21 November 16; Kerry Brown, “Lost in Time: Hada, an Inner Mongolian Dissident,” openDemocracy, 7 December 16.

<sup>33</sup>Southern Mongolian Human Rights Information Center, “Hada’s Appeal to the Supreme People’s Court of the People’s Republic of China,” 21 November 16; Southern Mongolian Human Rights Information Center, “Mongolian Dissident’s Son Arrested and Detained for ‘Obstructing Official Business,’” 16 October 15.

<sup>34</sup>“Inner Mongolian Dissident’s Family Targeted,” Radio Free Asia, 5 December 10; Hada, Xinna, and Uiles, “Open Letter From Hada and His Family Members,” reprinted in Southern Mongolian Human Rights Information Center, 2 July 14; Southern Mongolian Human Rights Information Center, “SMHRIC Statement to the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association,” 19 February 14. For Commission analysis on Hada, Xinna, and Uiles, see “Authorities Heighten Persecution of Detained Mongol Rights Advocate’s Wife and Son,” CECC China Human Rights and Rule of Law Update, No. 1, 3 January 13, 2. For more information, see the Commission’s Political Prisoner Database records 2004-02045 on Hada, 2010-00704 on Xinna, and 2010-00705 on Uiles.

<sup>35</sup>“Ethnic Mongolian Dissident Appeals ‘Separatism’ Conviction to China’s Highest Court,” Radio Free Asia, 23 November 16.

<sup>36</sup>Ibid.

<sup>37</sup>“Mongolian Rights Advocate Xinna’s Building Demolished” [Menggu zu weiquan renshi xinna jiafang wu zao tou chai], Radio Free Asia, 23 May 17.

<sup>38</sup>Ben Blanchard, “China Marks 70 Years of Inner Mongolia’s Founding, Activist Complains of Curbs,” Reuters, 8 August 17; “Mongolian Rights Advocate Xinna’s WeChat [Account] Shut Down, Mongol Herder Detained for Forwarding Picture of Xi Jinping” [Menggu zu weiquan renshi xinna weixin bei fenghao menggu zu mumin zhuanfa xi jinpings xiang bei juliu], Radio Free Asia, 21 June 17.

<sup>39</sup>“She Was the Pride of the Mongolian People,” Radio Free Asia, 28 October 16.

## **Ethnic Minority Rights**

<sup>40</sup>Ibid. Southern Mongolian Human Rights Information Center, “Southern Mongolian Human Rights Defender, Dissident Writer and Activist Huuchinhuu Died,” 25 October 16. See also CECC, 2015 Annual Report, 8 October 15, 140.