It's Not Only about Illegal Migration & International Law: The Uighur Conundrum

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SIEGFRIED O. WOLF, JUL 21 2015

There is much media attention on Thailand's latest deportation of more than 100 Uighur back to China, which was officially confirmed on 9 July 2015. The asylum seekers which entered the South East Asian country illegally got subsequently detained by the Thai immigration authorities and held in custody for over a year. In order to find a solution, the Royal Thai government finally decided to hand them over to China 'under the agreement that their safety is guaranteed according to humanitarian principles'. Nevertheless, Bangkok had to face immense criticism by the international community, especially through human rights organisations and the United Nations. UNHCR's Assistant High Commissioner for Protection, Volker Türk, proclaimed he is considering the deportation of the Uighurs as 'a flagrant violation of international law'. Additionally, in several countries such as Turkey and Germany, remarkable protests broke out not only to express solidarity with the Uighurs but also to formulate grievances about the manner in which deportation was carried out.

The Uighurs are a distinct and mostly Sunni Muslim ethnic community located in China's Xinjiang Uighur Autonomous Region and are one of the 55 country's recognized ethnic minorities. However, the Uighurs feel suppressed by the Chinese central government and regard Beijing as a 'colonising power' attempting to undermine their cultural identity, political rights and religion, and to exploit ('their') region's rich natural resources. This is gaining significance since the Uighurs identify themselves as original inhabitants of Xinjiang, which they describe as 'East Turkistan'.[1] As such, many of the Eastern-Turkic speaking Uighurs (which makes them feel closer to Central Asian states) are favouring separation from China or at least opting for greater autonomy. It does not come by surprise that this is facing a sharp reaction by Chinese security circles which want to have Xinjiang under their tight control, for economic as well as geostrategic reasons. Furthermore, constituting one sixth of the People's Republic territory, Xinjiang is perceived as an integral part of the modern Chinese nation state[2].

The Chinese government struck down separatist intentions in the respective province several times. This has subsequently led to an increase in militancy among extremist elements within the Uighur community, which in turn have further radicalized. The situation is becoming even more complex due to the fact that Uighur separatism is not solely an ethnic-nationalist movement, it also has a religious dimension. Muslims in Xinjiang felt oppressed by the central and regional authorities – dominated by the Han Chinese majority– when it comes to practicing their Muslim culture, traditions, and religion.

Having observed an increased intermingling of international Jihadist networks with Uighur militants aiming at the separation of Xinjiang from China, Beijing has enforced harsher regulations, raised its budget for internal security dedicated to Xinjiang, and intensified activities to fight terrorism, separatism, and religious extremism. As a result, tensions between Uighurs and Han Chinese increased dramatically. Clashes and violent riots broke out between both groups in July 2009, which resulted in at least 197 fatalities, hundreds injured, and much damage to buildings and infrastructure in Urumqi, the capital of Xinjiang Uyghur Autonomous Region (XUAR).[3] Another wave of violence occurred in 2012. Experiencing a deadly rioting vicious and deadly rioting cycles of unrest and retribution, many of the Uighurs fled from China and migrated (legally or illegally) to other countries.

There is no doubt that the forced "returnees" have to face severe persecution, torture, abuses, and even

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disappearances in China. The Chinese authorities have executed several of them in the past. However, it is important to point out here that the "Uighur Conundrum" is not only a matter of illegal migration, international law or a secret deal between Thailand and Beijing to appease the Chinese. Although these points might have some kind of substance, they are only reflecting a part of the whole picture. It is argued here that political decision-makers within the region and beyond have to consider the Uighur problem in the context of the rising Global Jihad and Islamic fundamentalism, too. It is of utmost importance to investigate how far the refugees (or illegal migrants) are involved in Jihadist networks or serving as potential recruits for terrorist organizations before repatriating them to China or to send them to third countries like Turkey. Of course, it will be difficult to differentiate between 'would-be Jihadists' and 'would-be refugees'. There might be actors preferring to blur the line between both groups for political reasons in order for individuals to be handed over apriori to Beijing. However, the crucial point is that the case of the Uighurs is getting increasingly hijacked by the global Jihadist movement.

One must shed light on South Asia's experiences with Uighur militancy, which helps to understand the security dimension of the whole issue. In the Af-Pak region, China's Uighurs have proven to be not only an unusual source of frictions in bilateral China-Pakistan and Afghanistan-Pakistan relations but also having added to regional instability [4]. Furthermore, the Uighur issues also cast shadows on Pakistan-Turkey relations and add to simmering tensions between Turkey and China. In this context it is important to note that the Pakistani governments have adopted a tolerant attitude toward the Uighur presence in its country [5] and remained ignorant to their separatist militant cause in China. This policy changed in the late 1990s in order to mollify Beijing, which felt increasingly uncomfortable about the fact that Pakistan, especially its lawless tribal areas bordering Afghanistan, developed into a hideout for Uighur extremists.

According to China's *Global Times*, the Uighurs militants intended to use fake Turkish passports to enter Afghanistan and Pakistan [6] to then join the international Jihad network. In Afghan and Pakistani camps, funded heavily by Saudi Arabia, the Uighurs received ideological indoctrination, as well as military training in weapon and explosives. Moreover, many of the Uighurs fighters are organized in an umbrella group, called East Turkestan Islamic Movement or ETIM [7]. The ETIM was listed as one of the 'more extreme separatist groups' and as a terrorist organization by the US in 2002. The UN al-Qaida/Taliban Sanctions Committee listed the ETIM for its associations with al-Qaida. At that time, there was much hope in Washington and New York of a closer U.S.-Chinese cooperation on antiterrorism in the wake of the 9/11 attacks. However, ETIM fighters fought alongside al-Qaida and Taliban forces in Afghanistan during US-led Operation Enduring Freedom and offered support fighting against NATO's International Security Assistance Force (ISAF) mission. Furthermore, Uighurs gained combat experience in Chechnya and were involved in terrorist activities in Kyrgyzstan, for example by plotting the attack on US embassy in 2002. Reportedly, ETIM has not only links with al-Qaeda (which provided also funds and training) but also sends fighters for the Islamic State in Syria.

Despite the fact that some Uighurs are serving al-Qaida, Taliban and Islamic State in anti-US, anti-NATO activities, the main focus of ETIM is still to plan and carry out attacks in and outside China, especially against Chinese people and projects in the Af-Pak region. It is important to note that al-Qaeda joined the Islamic State, who declared Jihad against China, by condemning Beijing for its handling of its Uighur Muslim population. Both organisations worship the fight against the Chinese as their "Islamic responsibility" describing them as "enemy of all Muslims". This classic Sunni-Jihadist propaganda on the persecution of Muslims was adapted in the context of Uighurs' rhetoric. This is evident in videos and other material, in which Uighurs call for global Jihad and uprisings in China [8]. To this date, any assessment of ETIM regarding size, scope, and capacity is difficult. Moreover, the strength of ETIM and other militant Uighur groups operating outside China, like the Turkestan Islamic Party, is unclear. A Reuters report from 2014 placed the figures at around 400 in Pakistan and 250 in Afghanistan and Global Times talks about 300 Chinese nationals (meaning Uighurs) fighting for Islamic State. These numbers are not verified and consequently questions appear not only surrounding how large the Uighurs terrorist network is but also how dangerous it really can be.

Even if the number of Uighur militants seems to be relatively marginal and they keep a low profile in Pakistan, they constitute a concrete, serious threat. The lack in members and material resources can be easily compensated by logistic, financial and personal support from Jihadist networks or the Uighurs get integrated in existent Jihadist structure and actions. This is of particular concern since the Islamic State is increasing its activities in the AF-Pak

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region. With the Uighur issue, it seems that IS found common ground to work with al-Qaida and the Taliban, a cooperation, which seemed rather difficult before [9]. Thus, the Uighurs' cause is getting exploited by the global Jihadism in two directions: Directly, because the Uighurs are getting indoctrinated and manipulated by the Jihadists to serve them as fighters. And indirectly, because the persecution of Uighurs as part of the whole (Sunni) Muslim community is getting utilized as part of an ideological platform to bring IS, al-Qaida, and Taliban in South- and Central Asia together. In this context, the planned China-Pakistan Economic Corridor (CPEC), funded and most likely constructed exclusively by China, could be a primary target. This would have tremendous negative impact on Pakistan's extraordinary weak economy and disturb the relations between Islamabad and Beijing. Furthermore, Uighurs based in Pakistan will continue their attacks on foreign (especially Chinese) development projects in Afghanistan. This cross-border terrorism will increase to a severe problem between Islamabad and Kabul.

Overall, the criticism on the deportation of the Uighur from Thailand to China has certainly many valid points from a human rights and international law perspectives. However, the current scenario must be put into full perspective to see the larger picture for several reasons. Above all, it shows the ambiguity and selective views of the US administration and other international actors like certain human rights organizations regarding the treatment of Uighurs by international partners. Pakistan (especially under military rule) is continuously handing over Uighurs to China, knowing that they will face torture, even capital punishment. Obviously, the need for Pakistani support in the war against terror and the subsequent multi-national engagement in Afghanistan was silencing the international (Western) critic on Islamabad's handling of the Uighur issue. The close Sino-Pakistan ties and the idea to convince China to join hands in fighting international terrorism was, without any question, another factor in turning a blind eye on the plight of the common Uighur people. Also Turkey, who has traditionally good relations with Pakistan, was surprisingly silent during this time, despite the fact that they developed a keen interest in the Uighur issue and hosting a large community of them – much to Beijing's displeasure. Also in the Cambodian case of 2009, where a group of ethnic Uighurs who had sought political asylum, got returned to China, international responses remained on a relatively moderate level.

When it comes to the current Thailand case, it seems that some of the determinants for decision-making has changed. China is clearly not joining any US led effort to fight against Islamic fundamentalism and terrorism and prefers its own defined path. In contrast, it sees the US engagement in South Asia and South East Asia as a threat to its own security and economic interests. Therefore, there is the peril that the increasing US-China rivalry in the extended region (especially Strait of Hormuz, Indian Ocean, Bay of Bengal, Strait of Malacca, and Southern China Sea) is hampering a comprehensive, satisfying solution for the Uighurs refugees. This is playing into the hands of the Jihadists which can further exploit the Uighurs' vision for an improvement of their social, cultural, and economic-political conditions in their homeland. This is unfortunate, since the strategic and ideological patterns of the international Jihadists organisations are not aiming at the establishment of an independent state or an improvement for the living conditions of the Uighurs but rather to incorporate them into a greater Islamic Caliphate which will be ruled by draconian notions of Islamic fundamentalist state and society.[10]

Notes

[1] Pantucci, Raffaello and Edward Schwarck (2014), Transition in Afghanistan: Filling the Security Vacuum – The Expansion of Uighur Extremism?, CIDOB Policy Research Project, Barcelona Centre for International Affairs

[2] Pantucci, Raffaello and Edward Schwarck (2014), Transition in Afghanistan: Filling the Security Vacuum – The Expansion of Uighur Extremism?, CIDOB Policy Research Project, Barcelona Centre for International Affairs.

[3] Numbers are based on official Chinese resources;

[4] Cf. Haider, Ziad (2005), Asian Survey, Vol. XLV, No. 4, July/August 2005, pp. 522-545.

[5] Reportedly Pakistan is home to around 1,000 Uighur families, mostly those who left China during the 1950s and 60s; Cf. Haider, Ziad (2005), Asian Survey, Vol. XLV, No. 4, July/August 2005, pp. 523.

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[6] Also in other countries were Uighurs found with faked Turkish passport, like 155 in Malaysia in October 2014. China claims that Turkish diplomats in several South Asian countries had facilitate the illegal movement of Uighurs.

[7] Another large Uighur militant group is the Turkestan Islamic Party (Hizb al Islam al Turkestani), aiming to establish a territorial entity that stretches beyond the borders of today's Xinjiang; Pantucci, Raffaello and Edward Schwarck (2014).

[8] Pantucci, Raffaello and Edward Schwarck (2014), Transition in Afghanistan: Filling the Security Vacuum – The Expansion of Uighur Extremism?, CIDOB Policy Research Project, Barcelona Centre for International Affairs.

[9] Because of the rather competitive than cooperative relationship between al-Qaida and Islamic State as well as the local focus of the Taliban.

[10] The inaugural issue of *Resurgence*, a new jihadist magazine published in English by al-Qaeda's media arm, al-Sahab ("The Cloud"), with a particular focus on the Asia-Pacific region, describes 'East Turkistan' as an "occupied Muslim land" to be "recovered [into] the shade of the Islamic Caliphate."

About the author:

Dr. Siegfried O. Wolf is a Senior Researcher at the South Asia Institute, Heidelberg University, and Director of Research at South Asia Democratic Forum, a Brussels based think tank. Additionally he is a visiting fellow at the National University of Science and Technology, Islamabad, affiliated researcher at the Pakistan Security Research Unit, Durham University, and a former research fellow at IPW and Centre de Sciences Humaines, New Delhi. He has worked as a consultant for the Federal Ministry for Economic Cooperation and Development, Germany and is member of the external expert group of the Afghanistan-Pakistan Task Force, Federal Foreign Office, Germany. He is the co-author of 'A Political and Economic Dictionary of South Asia' (Routledge; London 2006), co-editor of 'Politics in South Asia. Culture, Rationality and Conceptual Flow' (Springer: Heidelberg, 2015), 'The Merits of Regionalisation. The Case of South Asia' (Springer: Heidelberg, 2014) and 'State and Foreign Policy in South Asia' (Samskriti: New Delhi, 2010), and Deputy Editor of the 'Heidelberg Papers in South Asian and Comparative Politics' (HPSACP).