

## **Briefing: Refusals of passports to Uyghurs and confiscations of passports held by Uyghurs indicator of second-class status in China**

February 7, 2013

The Uyghur American Association (UAA) calls on the Chinese government to immediately halt all discriminatory practices regarding the issuance of passports to Uyghurs.

UAA urges Chinese authorities to respect its own laws and handle all passport applications by Uyghurs according to the articles of the [2007 Passport Law of the People's Republic of China](#), as well as return all passports confiscated from Uyghurs without due process and reasonable cause.

Citing research conducted by the Uyghur Human Rights Project and the media, UAA believes the Chinese government has denied Uyghurs the right to a passport in a pattern stretching back to 2006.

In a statement, UAA President, Alim Seyoff said, “Evidence points to a concerted effort among Chinese officials to deny Uyghurs passports. The evidence also tells us that this has been happening for some time. This violation of its own laws makes it clear the Chinese authorities are not interested in the rule of law. Blatant discrimination by the very people who should be protecting the welfare of Uyghurs opens up the Chinese government to questions of whether it is an appropriate leader for the international community.”

### ***Student detained***

On February 5, 2013, Uighurbiz, an online forum reporting on Uyghur issues, disclosed that officers from the Toqsu County [Ch. Xīnhé] Public Security Bureau had [detained](#) Central Nationalities University student, Atikem Rozi. Prior to her detention, Rozi had [expressed frustration online](#) at being unable to secure a Chinese passport. Rozi was detained with her mother and [interrogated for six hours](#) before her release. Two days later, [Uighurbiz revealed](#) that state security officers had continued their harassment of Rozi with a visit to her home at 1:30 pm on February 7, 2013.

Rozi applied for a passport at the Beijing Entry and Exit Bureau; however, officials informed her that without the approval of authorities in the Xinjiang Uyghur Autonomous Region (XUAR) a passport could not be issued. Between 2010 and 2012, Rozi submitted three separate applications, and all three were refused. Rozi was told her request had been denied on “[political grounds](#),” despite the absence of any criminal record.

After Rozi’s third refusal on November 17, 2012, she began to post on the Sina Weibo microblogging service about her difficulty in securing a passport and of the violation of her civil rights.

### *A pattern of passport confiscations and refusals*

Atikem Rozi's detention was reported just over two weeks after Radio Free Asia (RFA) detailed the [denial of passports to Tibetans](#). The RFA report stated, "Hardly any Tibetans have been issued international passports since Chinese authorities introduced tough travel rules nearly a year ago in...Tibet." RFA added travel restrictions forced on Tibetans were strengthened after the implementation of new regulations issued in April 2012. Documented refusals of passports to Uyghurs and confiscations of passports held by Uyghurs date back to 2006 and indicate similar regulations have been in place in East Turkestan. Evidence suggests that after unrest in 2009, authorities shifted to a policy of passport denials from one of passport confiscations.

UHRP issued a press release on September 14, 2006 describing the case of a large number of Uyghurs in Rawalpindi awaiting Saudi visas to travel for Umrah. Prior to 2006, Uyghurs had circumvented an "official tours only" policy by traveling to Pakistan and applying for Saudi visas in Islamabad. According to Uyghurs in Pakistan, the Saudi embassy in Islamabad stopped issuing visas to Uyghurs after a request from the Chinese government. However, an October 4, 2006 [report](#) detailed how the Saudi embassy had granted visas to "hundreds" of Uyghurs in Pakistan on "humanitarian grounds." The reversal of policy did not prevent Chinese government reprisals against Uyghurs involved in the incident. [Amnesty International](#) detailed how when the pilgrims "returned to China, all of them had their passports confiscated."

On June 27, 2007, RFA cited [officials from Urumchi and Kashgar](#) confirming the confiscation of passports in their jurisdictions. The Kashgar official said confiscations were targeted at Uyghurs. The Kashgar official added the measure was aimed at "preventing people from going on the Hajj pilgrimage." The Urumchi official explained, "The authorities will keep the passports for the public. If they want to go to other countries, they can come to fetch their passports. The authorities will give the passports back to them accordingly." However, quoting a World Uyghur Congress spokesman, a July 20, 2007 [Associated Press](#) stated, "Uighurs who wanted to leave China could do so only after being officially invited by a formal organization, and in some cases would have to put down a deposit of 50,000 yuan (US\$6,600; €1,780) to retrieve their passports."

In October 2008, the [New York Times reported](#) the Chinese government had begun confiscating Uyghurs' passports region-wide two years earlier: "Now virtually no Uighurs have passports, though they can apply for them for short trips. The new restriction has made life especially difficult for businessmen who travel to neighboring countries. To get a passport to go on an official hajj tour or a business trip, applicants must leave a deposit of nearly \$6,000."

Confiscations were also [documented by UHRP in 2008](#). According to Uyghur informants inside East Turkestan, UHRP learned that in the run-up to the Beijing Olympics, Uyghurs' passports were almost universally confiscated throughout the People's Republic of China. Nevertheless, after unrest in the East Turkestan capital on July 5, 2009, official practice appears to have shifted from passport confiscation to denial of

passports. In 2010, [RFA interviewed an employee](#) from the Xinjiang branch of the state-owned China Travel Service. The employee told RFA:

[Passport applications] must bear the seal of the nationalities and religious affairs committees before [applicants] are allowed to leave the country...They haven't been sending back these forms for some time, so ethnic minorities are totally unable to process their applications [to leave the country] right now...There have been less than 10 successful applications during that time.

An employee at a second travel agency based in Urumchi said it was easier for Han Chinese to secure passports and denials of passports to Uyghurs were due to “internal policies.” In the same report, a Uyghur youth told RFA local authorities were not considering any applications for passports by Uyghurs at present.

In its [2010 Human Rights Report](#), the U.S. State Department corroborated the discrimination faced by Uyghurs in securing a passport for travel.

Most citizens could obtain passports, although those whom the government deemed threats, including religious leaders, political dissidents, and *ethnic minorities* [UHRP italics], were refused passports or otherwise prevented from traveling overseas. Uyghur residents of the XUAR reported difficulties at the local level in getting a passport application approved. Some residents of the XUAR and other citizens have reportedly had valid passports seized.

In a 2011 RFA report, a Uyghur resident of Urumchi [confirmed the change of policy](#) towards passport denial since the July 5, 2009 unrest. The man, Abdula, said without some kind of connection to Chinese officials, Uyghurs had found it hard to obtain a passport in the past two years. World Uyghur Congress spokesman Dilxat Raxit commented, “Basically if you are a Uyghur and you apply, you won't be able to get a passport at all.”

Uyghur residents of Urumchi told The Hindu newspaper in interviews published in [an article dated October 29, 2011](#) that the “IAC [Islamic Association of China] rarely accepted [Uyghur Hajj] applications, and police stations across Xinjiang had, in recent months, completely stopped issuing passports. Without ‘connections’, they said, it was impossible to obtain a passport and travel to Makkah.”

In addition to the policy of denying Uyghurs passports, confiscations of existing passports held by Uyghurs were on going. In advance of the 2012 Hajj pilgrimage to Mecca, UHRP received unconfirmed reports of confiscations by police in Urumchi and Ghulja. According to Uyghur informants police conducted house-to-house searches if Uyghurs known to have passports did not hand them in to police. Confiscation of passports was [threatened against at least 20 Uyghurs](#) who had family members with pending asylum applications in Europe. The threats were made in an attempt to have the asylum seekers drop their petitions. The Uyghurs interviewed for the RFA piece said

officials in Urumchi and in other parts of East Turkestan had already invalidated passports held by their families.

### *Corruption endemic*

Uyghurs have been able to obtain passports since the 2009 unrest, as is evident in the increase of Uyghurs seeking asylum in Europe. Nevertheless, in a September 2011 report on the condition of Uyghur refugees in the Netherlands, Norway and Sweden, [UHRP documented the widespread corruption](#) of immigration and passport issuing authorities in China.

Without exception, all of the Uyghurs UHRP spoke to when preparing the report, or their family members, paid bribes to facilitate their passage out of the country. Bribes were paid to obtain visas, airplane tickets, and/or passports; and they were also paid in order to preempt border checks that are carried out disproportionately on Uyghur travelers. In addition, some interviewees had to put up a sizeable bond to police or other authorities to guarantee against a potential failure to return to China.

Most Uyghurs interviewed for the report sought the services of underground companies or agents based in Urumchi or Beijing in order to leave China. “If you know someone, you can get a passport. The company has no building, it is just comprised of a group of Chinese people,” one interviewee told UHRP.

Sometimes bribes were paid to one agent or underground company that took care of all arrangements, and at other times several payments were paid to several different people. Bribes were paid both to government employees, such as at a government office processing passport applications, and to private, underground companies and agents. Interviewees gave amounts ranging from 2,000 Renminbi (312.50 USD) to 40,000 Renminbi (6,250 USD) per person for obtaining a passport. The individual who paid 2,000 Renminbi reported that the amount was lower than usual because his uncle had official connections. The average price reported by interviewees that was paid to obtain a passport, without accounting for the 2,000 Renminbi payment, was 25,000 Renminbi (3,906.25 USD) per person.

An interviewee in Norway told UHRP that although he was a university student in a coastal Chinese city, he was required to return to East Turkestan when he applied for a passport in 2004 to study abroad. He recalled that police told him that his situation was “special,” since he was from East Turkestan. The interviewee stated that he had to pay nearly 15,000 Renminbi (2,343.75 USD) to get 12 stamps in his passport in Urumchi, and he had to give officials ‘gifts’ to get six stamps in Ghulja.

Interviewees also cited intimidation by Chinese officials during the passport application process. While UHRP researchers were in Sweden, an interviewee described how before he left China for Sweden secret police in a northern city of East Turkestan pressured him to inform on the Uyghur community in Sweden. The police said they would only issue his passport if he agreed to conduct espionage for Chinese intelligence.

### *Chinese law violated*

In a 2012 [statement](#), Beijing-based lawyer, Teng Biao said that the passport difficulties facing Uyghurs was “clearly discrimination...It is harder for them to get passports than for other people... even if they have a passport, it's a bit harder for them to actually leave the country than it is for Han Chinese.”

The 2007 Passport Law of the People's Republic of China sets out the conditions in which passports are issued in China.

Article 13 details the conditions for passport refusal. These are when the applicant:

- (1) does not possess the nationality of the People’s Republic of China;
- (2) cannot prove his identity;
- (3) practices fraud in the course of application;
- (4) is punished for a crime and is serving a sentence;
- (5) is not allowed to leave the country because of an unsettled civil case, as is notified by a people’s court;
- (6) is a defendant in a criminal case or a criminal suspect; or
- (7) is a person who the relevant competent department of the State Council believes will undermine national security or cause major losses to the interests of the State.

Article 15 describes how “People’s courts, people’s procuratorate, public security organs, national security organs and administrative supervisory authorities may, where necessary for handling a case, seize the passports of the parties of a case according to law.” State authorities are also authorized to invalidate the passports of people who refuse to hand them over.

Article 20 outlines the circumstances in which staff of passport issuing authorities fails to carry out their duties properly. These include:

- (1) failing to accept an application that should be accepted;
- (2) without justifiable reasons, failing to issue a passport within the statutory time limit;
- (3) collecting fees in excess of the rates fixed by the State;
- (4) asking the applicant for bribes or accepting bribes;

Given the provisions outlined in Chinese law, UAA concludes that blanket confiscations of passports held by Uyghurs and widespread denials of passport applications by Uyghurs is an indication that Chinese law is being applied discriminatorily against the Uyghur population in China. The targeting of Uyghurs in this manner reinforces the notion among the Uyghur population that they are second-class citizens and state suspects in the eyes of the Chinese Communist Party administration, especially if the provisions of Article 13 (7) are being applied. In an [interview](#) with RFA publicizing a guide for Uyghurs on their rights under Chinese law, activist Wan Yanhai said, “There is nothing

in the law that specifies that passports can be withheld from an entire ethnic group...Most Uyghurs are regular people, who have little to do with politics...To behave in this way turns them into enemies of the state.”

Article 5 of the Passport Law states passport applications should be made where applicants are legally registered. The refusal of applications by XUAR authorities of applications made by Uyghurs legally registered outside of East Turkestan contradicts this provision. The practice subjects all Uyghurs living in China to the harsher regulations in place in East Turkestan and means Uyghur residents of cities, such as Beijing, do not enjoy the same rights as their co-residents.

[Speaking to the Global Times](#) an official from the Exit-Entry Administration Department in Kumul stated that if the passport applicant had not lived in their legally registered residence outside of East Turkestan for more than ten years, “The police in the place of the original household registration will investigate, including the criminal record and the date of transferring the household registration.” As far as can be ascertained, this regulation is not publically available.

Furthermore, considering the evidence of widespread corruption among passport issuing authorities in East Turkestan, UAA calls on the Chinese government to appropriately sanction officials according to the law.



The Uyghur American Association (UAA) works to promote the preservation and flourishing of a rich, humanistic and diverse Uyghur culture, and to support the right of the Uyghur people to use peaceful, democratic means to determine their own political future in East Turkestan.



The UAA launched the UHRP in 2004 to promote improved human rights conditions for Uyghurs and other indigenous groups in East Turkestan, on the premise that the assurance of basic human rights will facilitate the realization of the community's democratic aspirations.

UHRP also works to raise the profile of the Uyghur people and the plight of all “minority” peoples in East Turkestan by:

Researching, writing and publishing news stories and longer reports covering a broad range human rights issues involving civil and political rights, through to social cultural and economic rights;

Preparing briefings – either written or in person – for journalists, academics, diplomats and politicians on the human rights situation faced by the Uyghur people and others in East Turkestan.

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