

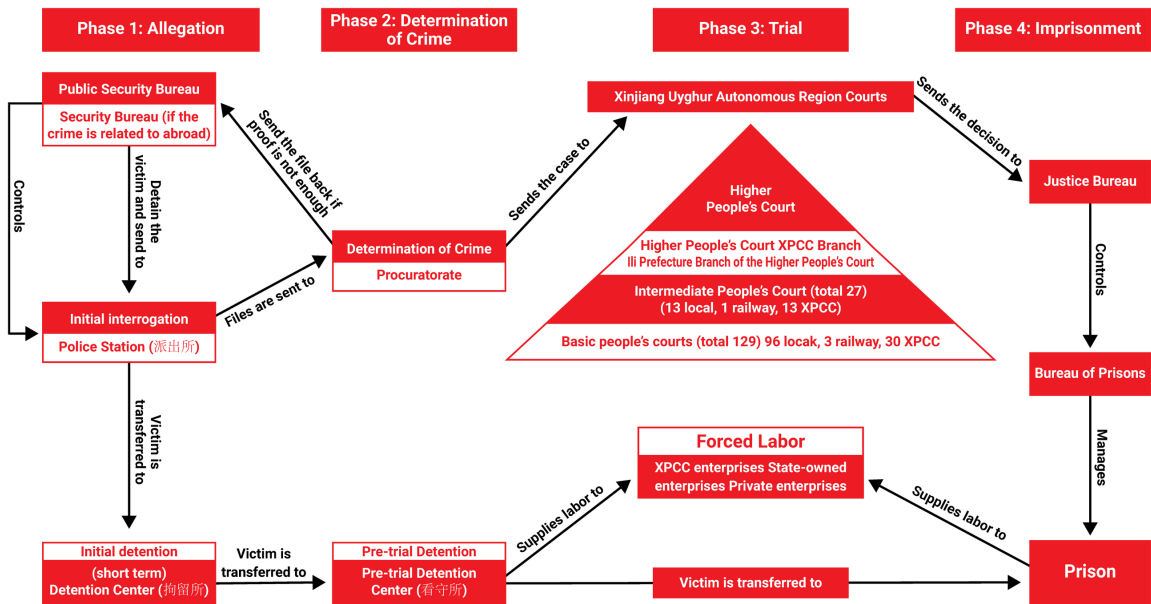
Unpacking Mechanisms Behind the Imprisonments in the Uyghur Region

Executive Summary

Long imprisonment in the Uyghur region is seemingly carried out according to the formal legal rules. Yet, the lack of due process and the absence of the right to fair trials results in most imprisonments being political rather than criminal. People are imprisoned without committing a genuine crime. Most trials are not public. Most often, the reasons for imprisonment are vague and unjust. Appeals for convictions are generally rejected by the Higher People's Court, like in the recent case of Rahile Dawut. This policy brief explores the mechanisms at play in imprisonment in the Uyghur region, from the allegation to imprisonment.

How Imprisonment Works in the Uyghur Region?

The whole process is controlled and directed by Xinjiang Political and Legal Affairs Commission



How Imprisonment Works in the Uyghur Region

Previous URM reports have unveiled the agencies behind [camps](#) and [state-imposed labor transfers](#). Unlike those, people who are sentenced to prison are believed to be persecuted and convicted following the [formal legal rules](#). This, however, does not reflect and comply with international human rights law and the right to a fair trial. An analysis of public verdicts by the Human Rights Watch [concludes](#) that “many people have been convicted and imprisoned without committing a genuine offense.” Amnesty interviews [found](#) that Uyghur ethnic groups were “perceived as more likely to be sentenced than members of other ethnic groups.” The prisoners were not allowed to appeal the charges directed to them. Even if they did, appeals against the convictions are generally rejected, as in the recently [reported](#) case of Rahile Dawut. [According to the Dui Hua Foundation](#), Dr. Dawut’s conviction was by an intermediate people’s court in the Uyghur region, where the Xinjiang Uyghur Autonomous Region High People’s Court rejected the appeal. How, then, do the mechanisms work in the legal system in the Uyghur region? The present brief maps out the steps of imprisonment in the Uyghur region.

The mechanism behind the imprisonments in the Uyghur region can be divided into four phases. The first phase is the allegation, followed by the determination of crime. The third phase is trial, which then results in imprisonment. These phases are identified based on research on the existing legal system in the Uyghur region and the experience of Uyghur victims. Xinjiang Political and Legal Affairs Commission (PLCA) is the key government body behind the decision-making and implementation of mass detention and prison labor through its connection with the “re-education” camps. The PLCA operates an Integrated Joint Operation Platform (IJOP) and controls a body called Counterterrorism and Stability and Maintenance Command (CSMC). The CSMC directs grassroots organizations to monitor, investigate, and collect information about individuals. Grassroots organizations directly or indirectly determine who gets to the camps. With close cooperation with the Human Resources and Security Bureau, the detainees are [assigned to industrial parks and state-owned and private companies](#). The secretary of PLCA is also a member of the CPC Standing Committee, a primary regional architect of the genocide in the Uyghur region. Members of the CPC Standing Committee [hold several “hats”](#) by which they coordinate and implement policies developed at the regional level. For example, Wang Mingshan, the current PLCA secretary, is also the president of the XUAR Law Society.

The [public security bureau and/or security bureau](#) (if the allegation is related to abroad) detain the victim and send them to the police station for initial interrogation. Authorities frequently [employ ambiguous terms](#) like “extremism” and “picking quarrels and provoking trouble” to detain individuals, allowing for subjective interpretation and arbitrary arrests. Everyday [cultural and religious activities](#), such as attending religious gatherings and wearing long clothing, are unjustly categorized as “extremist” behaviors, violating personal freedom. The lack of well-defined parameters for identifying “extremism” or “inciting ethnic hatred” leads to uncertainty, enabling authorities to [detain individuals without clear evidence or rationale](#). After the initial interrogation, the victim will be transferred to initial detention until the nature of the crime is determined by the procuratorate. The files and documents from the initial interrogation will be sent to the procuratorate from the police station. The Xinjiang High People’s Procuratorate [reported in February 2022](#) that a total of 540,826 people have been prosecuted in the Uyghur region since 2017. As China’s conviction rate is above 99.9 percent, almost all these 540,826 people would have been convicted.

After the crime is determined, the case will be sent to court for trial. Analysis of 29,517 victim entries in the Xinjiang Victims Database shows that “endangering state security” is the most common official detention reason, accounting for 22% of total entries with stated official detention reason. This is followed by “extremism and terrorism” and “disturbing public order,” with 18% and 17%, respectively, three in total, accounting for [almost 60% of official detention reasons](#). The data based on entries of victims shows that more than 80% of victims (out of 15,229) are

sentenced to between five to 15 years, and 5% of victims are sentenced to more than 20 years, which generally equates to life imprisonment.

Between the determination of the crime and conviction, the victim is held in [pre-trial detention facilities](#). The individual remains at the pre-trial detention center during the length of the trial as well, and sometimes for months or even years after the verdict. Much has been reported about the poor conditions, torture as investigation, and frequent general mistreatment in China's pre-trial detention centers, with the resulting impression being that this is by far the worst, most dangerous, and most abusive form of detention. There are over 100 identified pre-trial detention centers in the Uyghur Region. The distinct features of the facility are dense walled-off compounds, serrated edges of buildings with small outdoor spaces, and connections to armed police barracks via a bridge.

Urumqi No.3 Detention Center is one example of such pre-trial detention facilities. Spanning over 220 acres, making it twice [as large as the Vatican City](#), the detention center is the largest in the country and possibly in the world. It is estimated to hold around 10,000 people, often under crowded conditions. After facing international criticism, they were initially described as “vocational training centers,” and they were converted into prisons and pre-trial detention facilities. Detainees are held [for varying durations](#), from 15 days to a year before trial; most of them are under vague charges of “separatism” and “terrorism” for minor or non-criminal acts. Some detainees were forced to sign confessions claiming they were involved in terrorism for studying abroad. Detainees are held under terrible conditions, as one former teacher at the facility quoted, “[It was worse than hell.](#)”

Concerns Over Prison Labor

Prison labor in XUAR is [integrated into broader government policies and programs](#), such as poverty alleviation and “pairing” programs. In these programs, detainees are [often transferred from detention facilities to work in factories](#); they are compelled to work while detained or even upon release. The XPCC, a quasi-governmental paramilitary organization, plays a significant role in prison labor; it [operates numerous prison farms](#) and is believed to run several prison labor squadrons that work in various sectors.

For instance, owned by the Prison Administration Bureau of the Xinjiang Uygur Autonomous Region, [Xinjiang Huaxin Ruian Group Co., Ltd.](#) (新疆华新瑞安集团有限公司) is located at No. 380 Huanghe Road, Sayibak District, Urumqi City, Xinjiang. It is suspected of the unit responsibility system and is subject to the supervision of judicial enforcement agencies including prisons, labor camps, correctional institutions, and reform-through-labor facilities. **The company**