

Specific Cases of China's Violation of Rights of the Mongolians

To Committee for Elimination of Racial Discrimination (CERD)

By Southern Mongolian Human Rights Information Center (SMHRIC)

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CERD Convention Article 4 (a) urges states “shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof...”

Eradication of Mongolian Nomadic Way of Life:

1. China's adoption of two sets of policies in rural Mongolian areas, namely “Ecological Migration” and “Total Ban Over Livestock Grazing”, are based on the ideas and theories of Chinese cultural superiority over Mongolian traditional nomadic way of life. All Chinese propaganda apparatus promote ideas and theories that Mongolian traditional nomadic way of life is “backward, archaic, crude, unscientific and uncivilized” way of life that need to be replaced by the Chinese way of life which is “advanced, rational, scientific and civilized”. Based on these Chinese supremacy ideas and theories, these two sets of policies have been implemented since 2001 to eradicate Mongolian nomadic civilization once for all. (See *SMHRIC Full Submission, Item 9-20*)
2. The Chinese Central Government State Council states on its website that the Government's 12th Five-Year Plan aimed to resettle the remaining nomad population of 246,000 households or 1.157 million nomads by the end of 2015. The socio-economic and political purposes of the plan were “to accelerate the development mode shift of animal husbandry and grassland eco-system protection in pastoralist areas, to maintain ethnic harmony and frontier stability, and to lay a firm foundation for building an all around prosperous society”. (See *SMHRIC Full Submission, Item 9-20*)

CERD Convention Article 4 (c) urges states “shall declare illegal and prohibit organizations, and also organized and all other propaganda activities... shall recognize participation in such organizations or activities as an offense punishable by law...”

China's Excessive Force against Mongolian Herders:

1. China's newly established special police force called “Livestock Grazing Ban SWAT Team” is a such organization that was deployed at all rural level of Mongolian pastoralist communities to carry out the aforementioned discriminatory policies by force. Mongolian herders who resisted these policies and activities of the “Livestock Grazing Ban SWAT Team” activities are arrested, tortured, detained and sent to jail. (See *SMHRIC Full Submission 9-20*)
2. **Case of Bao Guniang:** Ms. Bao Guniang, a Mongolian from Zaruud Banner of Tongliao Municipality, was taken away by the Chinese police on 26 July 2017 for organizing a protest about local authorities' illegal land grab. On July 2, 2018, she was sentenced to 3 years in jail with 4 years reprieve after nearly a year of extrajudicial detention (See *Full Submission, Item 24*)
3. **Case of Mr. Wenming:** Mr. Wenming, a Mongolian activist from Tongliao Municipality, was arrested on 12 December 2016 for posting information on the Internet exposing the land grabbing by local authorities in his home place. Wenming was officially arrested on 20 January 2017 on a charge of “disturbing social order”. In February 2017, Mr Wenming was sentenced to two years imprisonment under this charge. Mr Wenming's lawyers were denied

the right to visit him in prison and his whereabouts and health conditions are unknown (See *SMHRIC Full Submission, Item 27-29*).

4. **Trial of 35 Mongolian herders:** the People's Court of the Zaruud Banner of the Inner Mongolian Autonomous Region carried out a mass trial against 35 Mongolian herders on 14 January 2018. Arrested for protesting the illegal occupation of their grazing land, the 35 were detained for 6 months without charge prior to this trial. All 35 herders were given prison sentences ranging from 5 years to 6 months on charges of 'disturbing public order and rallying the masses to attack the government offices' (See the full submission Item (See *SMHRIC Full Submission, Item 30-31*))

CERD Convention Article 5 (i)(ii)(vii)(viii)(ix) guarantees "...right to freedom of movement... right to leave the country... right to freedom of thought... right to freedom of opinion and expression... and right to freedom of peaceful assembly and association..."

Degraded treatment of Mongolian Dissidents, Writers and Family Members:

1. **Case of Mr. Hada:** Mr. Hada who served 15 years in jail on "separatism" and "espionage" charges from 1995 to 2010 and another 4 years extrajudicial detention in a "black jail" from 2010 to 2014 is still under house arrest and denied all of the aforementioned rights. In April 19, 2018, Hada was taken to the local police station of the regional capital Hohhot and tortured on a "tiger-bench" for more than 12 hours for attempting to stage a protest in front of the government building against China's violation of Mongolian herders right to their land and rights to use native language (See *SMHRIC Full Submission, Item 35-39*)
2. **Case of Ms. Huuchinhuu Govruud:** Ms. Huuchinhuu Govruud, a Mongolian dissident writer and activist was arrested in 2010 by the Chinese. After two year of detention, on 28 November 2012, Huuchinhuu was tried behind closed doors and pronounced guilty for "providing state secrets to a foreign organization". In 2015, both Ms Huuchinhuu and her only son, Mr. Cheel Borjigin, who lived in the United States as an asylee, were diagnosed with terminal cancers around the same time. Despite these unusual circumstances, Huuchinhuu's requests to travel to the United States to see her son and to receive much needed medical treatment were continuously denied. As a result of these incredibly strict and unwarranted travel restrictions, both mother and son sadly passed away in separate countries without getting to see each other. Ms. Huuchinhuu's surveillance, travel restrictions and house arrest continued up until her death in 2016 (See *SMHRI Full Submission, Item 40-45*).
3. **Case of Mr. Lhamjab A. Borjigin:** Mr. Lhamjab A. Borjigin, a Mongolian historian, writer and the author of *China's Cultural Revolution*, was placed under house arrest by the Shiliin-hot Public Security Bureau personnel in the Autonomous Region on July 11, 2018. The People's Procurators of Shilingol League notified Lhamjab by phone on July 19 that the authorities are preparing to prosecute him under the charges of "national separatism" and "sabotaging national unity". Following his more than 20 years of research and interviews of survivors and their family members, Lhamjab compiled oral testimonies of survivors of China's state-sponsored large-scale genocide campaign in the region during the Chinese Cultural Revolution. In the book, Lhamjab documented detailed accounts of torture techniques and the gruesome nature of this genocide campaign that, according to official statistics from the Chinese Government, claimed the lives of at least 27,900 and imprisoned and tortured 346,000 (See SMHRIC website: http://www.smhric.org/news_638.htm)

CERD Convention Article 5 (i), (v) and (vi) guarantee the "...right to work... right to education and training... right to equal participation in cultural activities...", and **Article 7** stresses that "*State Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information with a view to combating prejudice...*"

Denial of Right of the Mongolians to Use of Native Language:

1. Language policies of the Chinese authorities in the Mongolian areas are discriminatory and exclusive in nature despite both Chinese constitution and the Ethnic Minority Autonomy Law guarantee that Mongolian is one of the two official languages in the Autonomous Region. **In some cases, its discriminatory nature is as explicit as that Chinese**

employers, including government agencies, would publicly state that “no candidate educated in Mongolian is considered” in their job descriptions. Mongolian students who obtained even master’s degree are denied the opportunity to employment. (See *SMHRIC Full Submission, Item 46-52*)

2. As a result of the population transfer, many Mongolian elementary schools have been eliminated and most Mongolian middle schools at rural level have been merged into Han schools, where Mongolian students must learn in Mandarin. Thus, for 210,000 Mongolian inhabitants of the capital city Hohhot, there are only two Mongolian elementary schools where the total Mongolian enrollee is less than 3,000. **Throughout the Autonomous Region, the number of enrollees at Mongolian elementary schools had dropped from 110,000 in 1980 to 19,000 in 2009 (a 82.27% drop in 29 years)**. (See *SMHRIC Full Submission, Item 46-52*).
3. Suppression and discrimination of the Mongol language are demonstrable by a number of recent incidents. On 5 December 2016, Mongolian parents protested over the restricted use of Mongolian targeted in two kindergartens in Ulaanhad city, namely the Ulaanhad’s 6.1 Kindergarten and Xincheng Mongolian Kindergarten. **Additionally, after the appointment of two Han Chinese principals to these kindergartens the existing Mongolian teachers were not allowed to speak Mongolian to each other or to plan Mongolian-language lessons.** In January 2018, the last school teaching in Mongolian language in the Bayangol Prefecture of China (a former autonomous Mongol province that now forms part of the “Xinjiang Uyghur Autonomous Region”), the Bayangol No. 3 High School, was banned from teaching in Mongolian. (See *SMHRIC Full Submission, Item 46-52*)

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Cases of Hate Crime and Hate Speech against the Mongolians by the Chinese:

1. **Case of Mr. Mergen:** On May 10, 2011, Mr. Mergen, a Mongolian herder was killed by a Chinese coal-hauling truck while he was defending his grazing land from the Chinese mining company. Around midnight, two Chinese coal-hauling truck drivers named Lu Xiangdong and Li Lindong charged on Mr. Mergen and his fellow Mongolian herders on their grassland land, shouting slogans of “a smelly Mongolian’s life worth no more than 40,000 yuan”. The two Chinese truck drivers brutally killed Mr. Mergen by hitting him with the truck and dragging his body for 150 meters before stopping. This hate crime immediately sparked a large-scale region-wide protests by Mongolian herders and students across Southern Mongolia. Chinese authorities mobilized paramilitary forces and riot police to crackdown on the widespread protests and characterized the typical hate crime as a “traffic accident”. (See the details of the case here: http://www.smhric.org/news_376.htm)
2. **Case of Ms. Zhou Zheng:** On August 29, 2014, Ms. Zhou Zheng, a Chinese railroad employee in Southern Mongolia, posted a message on the Chinese web chat social media Wei Xin stating that “Yes, I hate pure Mongolians. They don’t understand human language, because they are all animals. This breed should be destroyed by humanity,” followed by an icon of a little girl holding a gun and saying “go to hell”. The case was simply settled within the railroad company by terminating Zhou Zheng’s employment according to a document issued by the IMAR railroad authorities. The Chinese authorities remained unresponsive to the calls from the Mongolians to take a legal action against the perpetrator of the hate speech. (See the details of the case here: http://www.smhric.org/news_539.htm)