# Statement at 43rd session of the UN Human Rights Council

## Item 3: interactive dialogue with the special rapporteur on the promotion and protection of human rights while countering terrorism

*As prepared*

Thank you, Madame President. We are pleased to read this statement on behalf of ISHR and CSW.

Madame Special Rapporteur, your report and other activities of the mandate make clear the critical importance of maintaining human rights-based approaches at the heart of national level measures to countering terrorism and extremism, ensuring that such measures are aligned with international human rights obligations.

In your report, you raise concerns about ‘legislation that criminalizes “extremist” thought, belief and content on the basis that it is a precursor to terrorism’ and about ‘legislation that enables the widespread use of arbitrary detention and “re-education” as a method of preventing and countering violent extremism’. You conclude that ‘in a State governed by the rule of law, thought and belief can never be limited, let alone criminalized.’

We are deeply concerned about the application of precisely these kinds of laws and policies in Uyghur regions of China. Official documents leaked from the Uyghur region indicate that Uyghurs and Turkic Muslim populations are systematically surveilled and detained for their speech, opinion, behaviours and social contacts; that the belief in and peaceful practice of Islam by these populations is conflated with extremist activity and targeted as needing ‘eradication’; and that individuals are being ‘punished’, in practices that amount to arbitrary detention, enforced disappearance, and torture – though by the Government’s own admission they are not formally considered criminals.

Iminjan Seydin was a publisher and professor, and worked with the Xinjiang Bureau of Religious Affairs and on poverty alleviation projects. Suddenly, in 2017, he went missing. Last year, his daughter Samira Imin learned he’d been sentenced to 15 years’ prison for ‘inciting extremism’. Says Samira: ‘My dad tried to maintain Uyghur culture, spread knowledge and benefit a Uyghur-speaking audience with books on wide range of topics while toeing the Party line...now, my ultimate goal is to get him out of prison safely.’

Much of this was highlighted in the JOL that your mandate joined, with eleven other Special Procedures, in November of last year. What have been the openings, or constraints, of your mandate in seeking to provide technical assistance to the Chinese government to improve their Counter-Terrorism Law, and in particular to ensure that provisions which regulate ‘extremism’ – and have ‘no purchase in international law’ – are repealed?

We are also concerned about the promotion, normalisation and export of such practices. How should the broader UN system improve its human rights due diligence, with respect to both political support and technical cooperation on CVE/PVE?

In light of a potential visit by the High Commissioner to China this year, we hope that the insightful analysis and thematic concerns of your and other relevant mandates about the human rights situation in China clearly inform her constructive and critical dialogue and engagement.

Thank you, Madame Special Rapporteur.