

China: Ban on Islamic clothing in Xinjiang

The Dui Hua Foundation's Human Rights Journal (27.02.2018) – <http://bit.ly/2g4qXRB> –



Pedestrians walk past propaganda posters in Urumqi, Xinjiang. Image credit: The Uyghur American Association.

In April 2011, France became the first Western country to ban the wearing of full-face veils in public. Similar national and regional bans in other secular Western countries soon followed, including in Belgium, the Netherlands, Italy, Spain, Switzerland, Austria, and Canada. In Australia, there is ongoing legislative debate on the issue. Under these bans, anybody caught wearing a burka (a veil covering the full face and body) or a niqab (a veil covering the face except the eyes) in public can face fines and in some cases even imprisonment.

China is an officially atheist country. Civil servants and teachers across the country have long been prohibited from

participating in religious activities or wearing religious clothing in public. In schools, students can be disqualified from scholarships, government subsidies, attending their graduation ceremonies and even face expulsion if found wearing religious clothing on campus. Around the same time when many in the West were busy passing anti-Islamic legislation, China was rocked by the Urumqi Riots of July 2009. Shortly after, the Xinjiang government began tightening restrictions on Islamic clothing on security grounds in the autonomous region, home to a Muslim population of over 13 million.

In enforcing restrictions on Islamic clothing, Chinese officials have denied that veils are a part of Uyghur culture and have attempted to stigmatize wearers as uneducated and sharing a propensity towards religious extremism. A Phoenix News Media article in 2014 reported that veils had historically never been part of Uyghur culture and only first gained traction in southern Xinjiang in the 1980s. While officials argue that veils are unique to uneducated Uyghurs who share a propensity towards extremism, they also blame religious extremism in Xinjiang as deriving from overseas forces – a line of argument frequently used to justify the forced deportations of overseas Uyghurs. A Uyghur researcher from the Xinjiang Academy of Social Science's Institute of Sociology opined that the phenomenon of religious extremism was largely driven by the high and disproportionate rates of poverty and unemployment among the Uyghur population. As Xinjiang becomes increasingly dominated by a market-oriented economy run by the Han population, Uyghurs feel they face greater economic, cultural, religious, and political marginalization. The same Uyghur scholar stated that the local Uyghurs' disillusionment with their future in Xinjiang has led more Uyghur women to adopt the black veil and jilbab in place of their traditional headscarves, especially after the 2009 attacks and the ensuing incidents of ethnic unrest in the region.

Not only has Xinjiang outlawed the wearing of veils in public, but Dui Hua has also uncovered cases of individuals facing criminal charges for wearing veils in their own homes and for selling the banned clothing items.

The “Five Abnormalities”



The “Five Abnormalities” in Karamay, Xinjiang. August 2014. Image credit: ifeng.com

The restrictions on Islamic clothing in Xinjiang first emerged in a number of localities in province’s southern region. However, after the 2009 Urumqi attacks, similar regulations were implemented in northern Xinjiang. Restrictions in the north remained relatively lax until 2013, when the Xinjiang government issued a provisional-wide directive known as Document No.11. In a question and answer format, the document

serves as a set of guidelines for local authorities and as a warning to the public on how “illegal religions and extremism” will be handled; there are three mentions of the ban on the jilbab in the text. The document does not specify what the punishment for wearing a jilbab is. It merely calls on officials to “resolutely handle” violators.

It should be noted that the translation of terms used to describe Islamic clothing under Chinese regulations differ from what is generally used in Islamic communities. In August 2014, authorities in Karamay, a city in northern Xinjiang, banned those wearing Islamic clothing and those with beards from boarding a public bus, including women and girls who were wearing what authorities call a jilbab. In Islamic communities, a jilbab refers to a long and loose-fitting garment or cloak designed to cover the entire body while leaving the face visible, whereas under Chinese regulations they use the word jilbab for what would be considered a burka or a niqab in most Islamic communities, which covers the body and the face. The first category of women shown in the “Five Abnormalities,” with veils covering their face and hair but not their eyes, are wearing what would be considered a niqab outside of China, but is called a jilbab in China.

The ban also prohibits young women from wearing what China calls a niqab, a garment that would generally be referred to as a hijab (a headscarf covering the hair and neck while leaving the face visible) in most Islamic communities.

As a provincial-wide directive, Document No.11 has been introduced in localities across Xinjiang. In Karamay, authorities have banned the jilbab, the niqab, all face-covering veils, as well as young men from growing “big beards.” The ban has also outlawed clothes featuring the Islamic star and crescent symbol.

Also in 2013, Xinjiang’s Ili Prefecture issued a provisional rule to proscribe the “five abnormalities” from all public

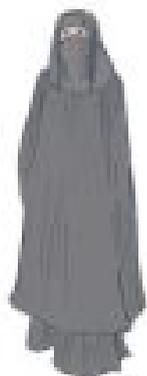
spaces. The 2014 Ili Yearbook reported investigating nearly 1,000 violators and confiscating 7,364 jilbabs and garments with the star and crescent symbol. The following year, the capital of Urumqi followed suit. Instead of using the term jilbab, which opens room for debate about what constitutes a jilbab, the Urumqi regulation has added the more secular-sounding but even vaguer term – “face-masking robes” (面罩) – to the Chinese legal lexicon, giving authorities even greater power to determine what garments can be considered illegal.

Effective April 1, 2017, Xinjiang’s “Anti-Extremism Regulations” claimed that the wearing of “face-masking robes” and “abnormal beards” symbolized extremism. The regulations also officially expanded the administrative ban to the entire autonomous region.

Criminalization of Islamic Clothing

Niqab

A veil covering the head and face, but not the eyes, usually worn with a loose black garment (abaya) that covers from head to feet.



Hijab

A general term meaning ‘to cover’ or ‘veil’, most commonly refers to a headscarf that covers the hair and neck, but not the face.



Burka

A veil that covers the entire body and face, with a mesh window or grille across the eyes for a woman to see out of.



Chador

A full-length cloak worn by many Iranian women, typically held closed at the front by the wearer’s hands or under their arms.



Dupatta

A long scarf loosely draped across the head and shoulders, common in south Asia and often paired with matching garments.



The five main categories of Islamic clothing in the Islamic world. Image credit: ABC News

Violators of the aforementioned bans can face criminal

prosecution under a number of offenses. One can be prosecuted for “forcing others to wear terrorism, extremism clothes or symbols,” a new offense that carries a maximum sentence of three years’ imprisonment. It was added to the Criminal Law in November 2015 and can be used in cases where violence or coercion is involved. Dui Hua is unable to find online judgments to understand how often this offense is being used by authorities. Unofficial news media has reported on cases of Uyghur women sentenced for promoting the wearing of headscarves, but the exact charges remain unknown.

Dui Hua has found one case where the charge of illegal business activity was used to prosecute an individual for selling banned Islamic clothing. Yang Bao’an (杨保安), a Han Chinese man who originally migrated to Xinjiang from Hunan, was sentenced to three years’ imprisonment in April 2015 in Ili Prefecture for selling a hundred niqabs in a shopping center in Korgas (China’s westernmost port bordering Kazakhstan). Twenty-four of the niqabs carried the star and crescent symbol. The court found that Yang violated the “five abnormalities” ban that had been widely enforced in Ili Prefecture. Yang pled innocent on several grounds – 1. He was not aware of the meaning behind the star and crescent symbol; 2. Nobody had purchased any of the garments from him; 3. He did not know about the local rules since he had only just arrived in Xinjiang. Given that he had obtained a university education, the court found that Yang should have been aware and cautious about local regulations and that his actions had adversely affected the social stability of the area.

There is also evidence that wearing banned Islamic clothing can fall under the purview of the crime of “picking quarrels and provoking troubles.” In September 2014, the Supreme People’s Court, the Supreme People’s Procuratorate, and the Ministry of Public Security jointly issued a judicial interpretation to expand the applicable scope of this “pocket crime” in cases related to terrorism and extremism. An

individual is now punishable for this offense if they disrupt social order by “willfully attacking, chasing, intercepting, and insulting others” while calling others “infidels or religious traitors.”

In March 2015, China Youth Online reported that a court in Kashgar sentenced a group of religious extremists for “picking quarrels and provoking troubles.” The report cited one case in which a Uyghur couple repeatedly refused to comply with “Project Beauty,” a campaign to discourage men from keeping long beards and women from wearing veils and headscarves. The husband was sentenced to six years’ imprisonment for “ignoring the national law.” Not only was he punished for keeping a long beard, but he was also punished for encouraging his wife to wear a veil. As his wife was said to have shown remorse, she was given a relatively lenient two-year imprisonment sentence. The original report was removed the day after it was originally posted. An anonymous source who proclaimed to have written the article allegedly sent an apology statement via WeChat for misreporting the case. Critics remain skeptical of its authenticity, with some suspecting that the apology was made under duress. The article has since been widely circulated online and remains accessible on official news websites.

Banning Islamic Clothing in the Home

Although the ban on Islamic clothing has been enforced in the name of “maintaining public order,” Dui Hua has found cases where authorities in Xinjiang have enforced the ban in people’s homes. Dui Hua uncovered a judgment in which a Muslim man, Gong Xiaojun (郭晓军, ethnicity unknown), was sentenced to two years’ imprisonment for “disrupting official business” in Urumqi after arguing with community cadres in December 2014. When the community cadres paid Gong a home visit in June 2014, they found that Gong had grown an “abnormal beard.” The cadres

admonished Gong for his beard and Gong allegedly responded with “extreme language” insisting that he grew the beard because he simply liked the way it looked.

The cadres informed Gong and his wife about the ban on “black religious clothing,” and accused his wife of wearing a jilbab. Gong argued that his wife was wearing a long loose black robe, not what the cadres were calling a jilbab and that the cadres had no right to intervene in what his family chose to wear at home. He claimed that he had requested his wife to wear the robe and his wife agreed that she had done so voluntarily. Gong was first indicted for “picking quarrels and provoking troubles,” but was convicted of a different charge – “disrupting official business.” The judgment did not explain in what ways Gong’s language was “extreme,” it only vaguely stated that his language was “extreme” and provocative enough to disrupt law enforcement.

Beyond Xinjiang

For Muslims who belong to China’s Hui minority, reports suggest that they currently do not face the same intensity of restrictions as Muslims in Xinjiang do. In a propaganda film entitled Leaving Heart in Hezhou (离开 Herzou) about China’s “One Belt, One Road” initiative, the Hui women of Linxia Hui Autonomous Prefecture in Gansu Province are portrayed in long black garments covering their bodies, hair, and necks. While the same clothes are banned in public and private spaces in Xinjiang and violators can face imprisonment, in Linxia, also known as “China’s Little Mecca,” Hui women are currently free to wear veils in public. However, given the growing restrictions on religious freedom in Linxia, the question remains for how long this freedom will last.

Xinjiang’s ban on Islamic clothing is no less controversial than the anti-Islamic legislation we see in the West and is no

less discriminatory to Muslims. Since joining the global ranks of countries that impose restrictions on the appearance of its Muslim citizens, China has been under fire by human rights groups for intruding on its citizens' religious freedoms. Although transparency of criminal cases involving the ban on Islamic clothing leaves much to be desired in Xinjiang, given what we know about how the sellers of Islamic clothing and those who wear Islamic clothing in their homes have fared, it is likely that those caught wearing Islamic clothing in public are facing increasing risks.

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**Russia: Danish Jehovah's
Witness Dennis Christensen's**

custody extended another five months

Stetson Russia Religion News (23.02.2018) – <http://bit.ly/2GPm0Yc> – The detention in custody of the Dane Dennis Christensen was extended until at least 1 August 2018; he has already been held in the investigation cell for about nine months because he professes the religion of the Jehovah's Witnesses. The decision on 22 February 2018 to extend the detention was issued by Aleksei Rudnev, a judge of the Zheleznodorozhnyi district court of the city of Orel.

Meanwhile, the start of the principal hearings in the criminal case regarding Dennis Christensen was scheduled for 26 February 2018. He is accused of continuing the activity of the organization of Jehovah's Witnesses, which was liquidated by a court. In fact, Christensen does not have anything to do with this organization. He only exercised the right that is guaranteed by the constitution of the Russian federation to "everybody," namely the right to have religious convictions and to act in accordance with them. (tr. by PDS, posted 23 February 2018)

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South Asia: Who made my clothes? Asian workers' diaries show 'human cost'

The largely female workforce in South Asia is often underpaid, faces verbal and sexual harassment on a daily basis and is forced to work long hours, campaigners say

By Anuradha Nagaraj

Thomson Reuters Foundation (21.02.2018) – <http://tmsnrt.rs/2HN2lJL> – Women making clothes for global fashion brands in South Asia are often yelled at by their supervisors and have to take out loans to make ends meet, hundreds of garment workers' diaries showed.

A year-long study of more than 500 workers in Cambodia, India and Bangladesh found women often work overtime or borrow money from their husbands to feed their families and pay rent.

"I wouldn't have enough money if we ate a lot," read one entry by Chenda in Cambodia, where researchers found most workers were in their 20s and married, with some primary education and

earned about \$45 for a 48-hour week.

Fashion industry manufacturers have come under pressure to improve conditions and workers' rights, particularly after the 2013 Rana Plaza collapse in Bangladesh.

The largely female workforce in South Asia is often underpaid, faces verbal and sexual harassment on a daily basis and is forced to work long hours, campaigners say.

The research, published on Tuesday, was carried out by transparency campaigners Fashion Revolution and The C&A Foundation, affiliated with retailer C&A, which partners with the Thomson Reuters Foundation on trafficking.

The diaries' aim, they said, was to show "the human cost" of fashion and improve workers' lives.

"This gives brands something to consider above and beyond their margins when deciding where to make their clothes," Eric Noggle, research director at Microfinance Opportunities, said in a statement.

"Their decisions have a real and meaningful impact on the lives of these women and their families."

Researchers found that India had the best living and working

conditions and Bangladeshi women earned the least per hour, often forcing them to borrow money.

In Cambodia, despite earning the minimum wage and supplementing their income with overtime, researcher found that most workers were still short of money, which meant they had limited access to quality food and medical care.

“What we see are stories of endurance in face of a difficult combination of low wages and economic uncertainty,” said Guy Stuart, executive director of Microfinance Opportunities.

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Nigeria confirms 110

schoolgirls missing after Boko Haram attack

The Nigerian government on Sunday confirmed that 110 girls were missing after a Boko Haram school attack in the northeast, following days of silence on the children's fate.

France 24 (26.02.2018) – <http://bit.ly/2Fyz1Gm> – “The Federal Government has confirmed that 110 students of the Government Science and Technical College in Dapchi, Yobe State, are so far unaccounted for, after insurgents believed to be from a faction of Boko Haram invaded their school on Monday,” the information ministry said in a statement.

The statement came after authorities were unable to account for 110 of the school's 906 students, the ministry said.

The kidnapping has raised questions about the military's repeated claims that the Islamist militants are on the verge of defeat, after nearly nine years of bitter fighting.

It has also revived memories of the 2014 mass abduction of more than 200 schoolgirls from Chibok that shook the world.

On Monday night, terrified pupils fled the boarding school when heavily armed fighters in military fatigues and turbans stormed the town, shouting “Allahu Akbar” (“God is greatest”).

The authorities initially denied that any student had been kidnapped.

On Friday, President Muhammadu Buhari apologised to the girls' families, saying: "This is a national disaster. We are sorry that this could have happened."

Targeting education

Former military ruler Buhari was elected in 2015 on a promise to defeat Boko Haram, after the jihadists grew in strength under his predecessor, Goodluck Jonathan.

Jonathan was lambasted for his tardy response to the Chibok abduction, which saw 276 girls from the town in Borno state taken in the dead of night.

A teacher at the school, Amsani Alilawan, said there were soldiers in Dapchi until last month but they were then redeployed.

"One month back, they carry (take away) all soldiers, they transferred them to another side, they leave us without security," he said.

Enraged relatives of the missing girls this week tried to surround the convoy of the state mayor of Yobe, only to be

pushed back by the security forces.

The kidnapping is the worst jihadist assault to have hit Nigeria since Buhari came to power.

Schools, particularly those with a secular curriculum, have been targeted by Boko Haram, whose name roughly translates from Hausa as “Western education is forbidden”.

Boko Haram’s quest to establish a hardline Islamic state in northeast Nigeria has left at least 20,000 dead and made more than 2.6 million others homeless since 2009.

The jihadists have increasingly turned to kidnapping for ransom as a way to finance their operations and win back key commanders in prisoner swaps with the Nigerian government.

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Rights coalition takes on female genital mutilation in Egypt

By Rahma Diaa

Al-Monitor (13.02.2018) – <http://bit.ly/2BzgNo6> – Women and human rights organizations in Egypt marked the International Day of Zero Tolerance for Female Genital Mutilation (FGM) Feb. 6 by announcing an “Anti-FGM Action Plan” to create new policies and mechanisms to reduce these practices against women and young girls in Egypt.

According to the most recent gender-based violence survey conducted by the Central Agency for Public Mobilization and Statistics in 2015, 9 out of 10 women in Egypt have undergone FGM. In 2014, that figure was about 92% of married women aged between 15 and 49, with 78.4% of the operations performed by doctors and nurses.

Representatives of 146 organizations were present at the press conference, including the Tadwein Gender Research Center, the New Woman Foundation, the Centre for Egyptian Women Legal Assistance, the Egyptian Initiative for Personal Rights, the Women’s Center for Legal Guidance and Awareness, Salemah for Women’s Empowerment, the Cairo Center for Development, the Egyptian Coalition on the Rights of the Child and the Union of

Associations to Combat Harmful Practices against Women and Children.

Amal Fahmi, the director of Tadwein and the group's coordinator, told Al-Monitor that efforts by state institutions against FGM practices have not achieved the necessary changes. They have criminalized FGM without setting up a framework to enforce the law or raising awareness of the psychological and physical dangers of female circumcision.

"The situation is getting worse as 80% of FGM procedures are done at the hands of doctors, according to the stats obtained by the anti-FGM associations and organizations. The campaign that was recently launched aims to pressure the government to change its approach, raise awareness through sex education courses in schools in addition to media awareness campaigns against the medicalization of female genital cutting and develop a human rights discourse against FGM with a focus of women's rights to health and bodily integrity," Fahmi explained.

Fahmi also stressed the need for the government to enforce the laws criminalizing the custom to act as a deterrent and to stop its spread. She noted that the government will have to train health inspectors, police and prosecutors to monitor for and detect FGM and respond to incidences of it.

Since 2008, when the state added Article 242 to the Penal Code criminalizing FGM, only two cases have been brought to court. The first was in 2015, when the Mansoura Appeals Court sentenced a doctor to two years in prison with hard labor and

closed his practice for one year after a child death following a procedure.

Similarly, in July 2016 in Suez, a doctor, anesthetist and the victim's mother were prosecuted in the death of a girl during a circumcision surgery. They were charged with manslaughter, and each received suspended sentences of one year in prison.

President Abdel Fattah al-Sisi issued Law No. 78 of 2016 to amend Article 242. Before that point, the article called for imprisonment between three months and two years or a fine of \$282. After the change, those accused of practicing FGM face harsher punishments: imprisonment for a period of no less than five years and no more than seven.

Reda el-Danbouki, the director of the Women's Center for Legal Guidance and Awareness, told Al-Monitor that the coalition will lobby for an amendment to close a loophole created by Article 61, which allows for violence committed to protect oneself or others against serious physical or moral harm. Danbouki said lawyers or judges could claim circumcision is done for necessary medical reasons, "basing their argument on this article."

Danbouki added that there is no need to increase FGM-related punishment as the real change will come when the existing law is enforced and the government starts inspecting hospitals and medical centers, punishing perpetrators and raising awareness on the dangers of this practice, which many Egyptians continue to view as necessary according to Sharia despite a fatwa by Dar al-Ifta declaring FGM haram (religiously forbidden).

According to a survey of Egyptian youth conducted by the International Population Council in 2017, 70% of young men and 57% of young women feel that FGM is necessary.

Azza Soliman, the director of the Centre for Egyptian Women Legal Assistance, told Al-Monitor that the campaign is intended to revitalize the efforts of the human rights organizations that took the first steps to fight FGM in 1997. Back then, their work brought about a drastic change in the rhetoric around FGM, and for the first time people started talking about it as violence against women.

“This group conducted thorough studies on the history of FGM to prove that it was not related to Islam or Pharaonic traditions but rather a practice that originated in Africa. Consequently, they worked to remove the religious framework and basis for this practice and demanded an end to it,” Soliman added.

“In 2003, the organizations’ efforts came to a halt, when the authorities took it upon themselves to combat FGM but failed to bring about a substantial change, prompting the women’s organizations to join hands and try to make a real difference to protect women and young girls against the dangers of this practice,” Soliman added.

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Also see HRWF’s work on FGM/c: [Female Genital Mutilation/Cutting & Religion](#)

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