Journal of Contemporary Law and Society, *Volume 2, Issue 2, June 2025, pp. 108-113*

REVIEW ARTICLE
Online ISSN: 3139-1079
Doi: 10.18311/JCLS/2025/V2i2/51493

Online ISSN : XXXX-XXXX

Journal of Contemporary Law and Society

Contents available at: *www.informaticsjournals.co.in/index.php/jcls*

JCLS

Data Isolation and Genocide of Uyghur Muslims in China

Abeer Hans

The West Bengal National University of Juridical Sciences (WBNUJS), Kolkata – 700010, West Bengal, India; hansabeer5@gmail.com

Abstract

Uyghur Muslims, a Turkic Muslim minority with a distinct cultural and historical identity in the Xinjiang Uyghur Autonomous Region situated in China, have been facing persecution through China's policies within the framework of International human rights and genocide law. They have faced widespread abuses, including forced detention, brutal labour, destruction of their religious sites, and coercive assimilation under the guise of counter-extremism measures by the Chinese State.

The Major focus of this study is the role of data control and digital isolation harnessed as weapons to push oppression. Mass surveillance and internet censorship are their tool for targeted monitoring, which exacerbate the marginalisation of the Uyghur community by stifling dissent and obstructing access to information. Owing to opacity, despite global condemnation and targeted sanctions, China continues to reject accusations of genocide, framing its actions as vocational training and counter-terrorism initiatives.

Through legal analysis coupled with evidence of technological repression, we strive to underscore the urgent need for coordinated international accountability mechanisms along with stringent enforcement of human rights norms and collective advocacy to protect the Uyghur community from ongoing atrocities and prevent future crimes against humanity.

Keywords: *Data Isolation, Digital Surveillance, Genocide, Human Rights Violations, Uyghur Muslims*

1.0 Introduction

Uyghur Muslims are a sect of Turkic people with deep roots in Central and East Asia, tracing their heritage back over a thousand years to ancient kingdoms and trading centres along the historic Silk Road. They speak their own language, closely related to Turkish, and maintain distinct cultural traditions that reflect centuries of interaction between the East and the West.

Today, the Uyghurs are identified as the leading ethnic group in China's Xinjiang Uyghur Autonomous Region in the northwest, where most of the world's Uyghur population resides. Their ancestors established a powerful kingdom, the Uyghur Khaganate (744-840 CE), and later the Kingdom of Qocho, which served as an important commercial and cultural hub for connecting Chinese and Central Asian civilisations. Over time, they embraced Islam, which became central to their identity and culture by the 16th century.

In recent years, the international community has been deeply concerned about China's Xinjiang region. Serious concerns have been raised over China's adherence (China's Repression of Uyghurs in Xinjiang, 2022) to international human rights standards in light of reports of human rights violations, such as forced labour, arbitrary imprisonment, and limitations on religious and cultural practices. Apart from these human rights concerns, there has been compelling evidence that reveals that the Chinese government's data control measures in Xinjiang are deepening the problem. These measures involve collecting and analysing people's biometric information and extensive digital surveillance, which raises serious concerns about privacy, human rights, and technological access restrictions. They limit the ability of

Uyghur Muslims to express themselves freely and access information, and they allow the government to monitor and control their behaviour.

The combination of these factors has led some to suggest that the Chinese government is engaging in actions that could be classified as genocide under international law. All these human rights violations, coupled with the data control measures of the Chinese government, raise doubts about China's autocratic regime and its regard for human rights and the freedom of its people, highlighting the need for stronger checks and balances. Reports from the UN and major human rights organisations describe patterns of arbitrary detention, intrusive surveillance, and other abuses that demand a coordinated global response.

This paper aims to evaluate all the available evidence and facts against the claims being made and then hold it against the light of International human law and the existing legal framework surrounding the issue. It will also explore the role of data control measures in the situation and how the international community is reacting.

Looking closely at credible evidence and applicable legal standards makes it easier to grasp what is happening in Xinjiang and to consider practical steps for accountability and rehabilitation of the community. In the UN human rights office (Office of the United Nations (United Nations, 1948/1965/1966/1984) High Commissioner for Human Rights, 2022)'s 2022 assessment, it was contended that the widespread detention, torture, and other discriminatory policies against Uyghurs constitute crimes against humanity, setting a milestone for action grounded in international law.

Authoritative reviews explain how Xinjiang's counter-extremism laws and practices conflict with core rights, including freedom from arbitrary detention, privacy, religion, and family life, and call on authorities to bring laws and policies into line with international human rights obligations. These findings help point to concrete avenues such as coordinated multilateral pressure, targeted human-rights sanctions regimes, strengthened import controls to address forced labour risks, and support for independent fact-finding and universal-jurisdiction cases where feasible.

2.0 Who are Uyghur Muslims?

In Northwest China, Xinjiang Province is an autonomous region home to more than 40 cultural and ethnic groups. Even though it is an autonomous region on paper, it is governed and firmly controlled by the 'Communist Party of China', similar to the operations of 'The Communist Party' in Tibet. Uyghur Muslims and Han Chinese are the two significant ethnic populations, and the Xinjiang province of China, along with Mongolians, Russians, Chinese Muslims, Hui, Khalkha, Tatars, etc. Uyghurs are an indigenous ethnic group with roots in north-western China and Inner Asia. The Uyghurs, one of the oldest Turkic-speaking groups in Central Asia, have a historical presence documented in Chinese records dating back to the 3rd century Common Era (CE). Their rise occurred in the 8th century, when they established a kingdom beside the Orkhon River in present-day north-central Mongolia. However, in 840, the Kyrgyz overran this state, prompting the Uyghurs to migrate south-westward to the region surrounding the Tien Shan, also known as the "Celestial Mountains." There, they founded another independent kingdom in the Turfan depression area. Unfortunately, this kingdom fell to the expanding Mongol forces in the 13th century. Most of the Uyghur population resides in sedentary villages within a network of oases formed in the valleys and lower slopes of the Tien Shan, Pamirs, and related mountain ranges. Due to the arid nature of the region, the community uses irrigation techniques passed down through generations to conserve water for agriculture. Their primary crops include wheat, maize, kaoliang (sorghum), and melons. Cotton, a historically significant crop in the region, is their primary industrial crop. Many Uyghurs are employed in mining, manufacturing, and petroleum extraction in urban areas. The Uyghurs in Xinjiang adhere to Sunni Islam.

3.0 Detention Camps Or Vocational Centres?

As per reports, the Chinese government has arbitrarily detained about 1,000,000 Muslims in re-education camps since 2017. The majority of the population in re-education camps is of Uyghur Muslims, according to international researchers and U.S. government officials. The Chinese government calls these facilities "vocational education and training centres".

An estimated eight hundred thousand to two million Uyghurs and other Muslims, including ethnic Kazakhs and Uzbeks, have been detained since 2017. Experts estimate that re-education efforts started in Xinjiang in

2014 and were drastically expanded in 2017. Between 2014 and 2017, the construction of detention centres tripled in size. It has been documented that these detention centres are in development to make space for mass detention. China claims that participation and involvement in these re-education camps is with consent and that people detained in the camps can graduate. It has been observed from the available satellite imagery, leaked pictures, and videos from Uyghur Muslims who have escaped and are currently taking refuge in neighbouring countries. There have been leaks of official Chinese documents cementing the claim to expand detention centres. They found that China refashioned some lower-security re-education camps into formal detention centres or prisons, expanded existing detention centres, and constructed new, high-security detention centres throughout Xinjiang. What was detention earlier has turned into a stricter and more aggressive regime of imprisonment. In 2022, Human Rights Watch (Human Rights Watch, 2022) reported that half a million people had been prosecuted since 2017, according to Xinjiang government figures.

4.0 Why are Only Uyghurs Being Targeted?

Conflict between the Han Chinese and Uyghur Muslims has been persistent for decades. One such violent riot in July 2009 in Urumqi, the capital of Xinjiang province, resulted in more than 200 deaths and around 1500 casualties, mainly including people from the Han Community, which resulted in a considerable increase in violent crimes between the two ethnic communities. China has always laid the blame of these violent crimes on the East Turkestan Islamic Movement (ETIM), which is a separatist group found by the extremist Uyghur population has also been labelled as "the most militant of the ethnic Uyghur separatist groups" Following the 9/11 attacks, the Chinese government started justifying its actions toward Uyghurs as part of the Global War on Terrorism. It said it would combat what it calls "the three evils"—separatism, religious extremism, and international terrorism—at all costs.

The Crackdown on Uyghur Muslims began merely on suspicion that they are separatists and extremists; the crackdown involved acts of public shootings, arrests, and imprisonment. For the Chinese Communist Party, all Uyghurs could potentially be terrorists or terrorist sympathisers. During the next few years, authorities blamed Uyghurs for attacks at a local government office, train station, and open-air market, as well as Tiananmen Square in Beijing. In 2017, Xinjiang's government passed an anti-extremism law prohibiting people from growing long beards and wearing veils in public. It also officially recognised the use of training centres to eliminate extremism.

5.0 International Treaties: Xinjiang and Uyghur Muslims

Several international treaties and conventions are relevant to the situation of Uyghur Muslims in China, particularly in relation to human rights abuses and potential genocide. Some of the most essential treaties are:

United Nations (United Nations, 1948/1965/1966/1984) Convention on the Prevention and Punishment of the Crime of Genocide

This treaty, adopted by the United Nations (United Nations, 1948/1965/1966/1984) in 1948, defines genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group." It imposes a duty on states to prevent and punish acts of genocide, and to take measures to ensure the protection of groups that are at risk of genocide. China ratified this convention in 1983.

International Convention on the Elimination of All Forms of Racial Discrimination

This convention, adopted by the United Nations (United Nations, 1948/1965/1966/1984) in 1965, aims to eliminate racial discrimination. It recognises the right of all individuals to equality before the law, without distinction as to race, colour, or national or ethnic origin. China ratified this convention in 1981.

International Covenant on Civil and Political Rights

This covenant, adopted by the United Nations (United Nations, 1948/1965/1966/1984) in 1966, recognizes a wide range of human rights, including the right to life, liberty, and security of person; the right to freedom of thought, conscience, and religion; the right to freedom of expression; and the right to a fair trial. China ratified this covenant in 1998.

International Covenant on Economic, Social, and Cultural Rights

This covenant, also adopted by the United Nations (United Nations, 1948/1965/1966/1984) in 1966, recognises various economic, social, and cultural rights, including the right to work, education, and an adequate standard of living. China ratified this covenant in 2001.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

This convention, adopted by the United Nations (United Nations, 1948/1965/1966/1984) in 1984, prohibits the use of torture and other forms of cruel, inhuman, or degrading treatment or punishment. It requires states to take measures to prevent such acts and to investigate and prosecute those responsible. China ratified this convention in 1988.

These treaties provide a framework for the protection of human rights and the prevention of genocide and impose legal obligations on states to respect and protect the rights of all individuals, irrespective of their race, ethnicity, or religion. In the case of Uyghur Muslims in China, these treaties provide a basis for holding the Chinese government accountable for its actions and for seeking justice for those who have been subjected to human rights abuses.

6.0 Global Response

The rest of the world has condemned China for its actions towards the ethnic group based on evidence released by the International Consortium of Investigative Journalists (International Consortium of Investigative Journalists, 2019) (ICIJ) in 2019, which had information regarding the detention of more than 15000 people residing in the Xinjiang Province. The International condemnation of the atrocities in Xinjiang has increased, which resulted in the Chinese authorities deploying targeted Public Relations campaigns and media misinformation drives to salvage their reputation and potentially cover up the bad reputation attached to the nation. They have promoted a narrative claiming that "anti-China forces" in Western countries, notably the United States, are spreading malicious falsehoods. Beijing attempted to block the release of the UN human rights office (Office of the United Nations (United Nations, 1948/1965/1966/1984) High Commissioner for Human Rights, 2022)'s report. Once the report was published, Chinese officials dismissed it as misinformation and issued a counterstatement outlining how foreign governments and organisations have disseminated numerous false claims and rumours about Xinjiang. There remains a significant gap in understanding the events within the camps. Many people who have managed to flee China have shared harrowing stories of life inside the camps. Based on interviews with multiple witnesses, including 26 former detainees, the UN human rights office (Office of the United Nations (United Nations, 1948/1965/1966/1984) High Commissioner for Human Rights, 2022) published a 2022 report that documented "patterns of torture and other cruel, inhuman, or degrading treatment" in these facilities between 2017 and 2019.

The international community has responded to these discoveries by imposing penalties on Chinese officials and organisations connected to the persecution, including the United States, Canada, and European Union members. Beijing, however, has firmly rejected accusations of genocide, insisting the camps are "re-education" centres designed to fight extremism and promote economic growth in the region. International organisations have also been trying to address China's data control policies. Reports and recommendations from the UN Human Rights Council have urged China to uphold human rights, such as the freedom of speech and privacy. The International Criminal Court is currently conducting a preliminary examination of the situation in China, including allegations of human rights abuses against Uyghur Muslims. Apart from imposing sanctions, there have also been calls for boycotts of Chinese goods and for businesses to divest from companies involved in human rights abuses in China. These calls have been made by human rights organisations and advocacy groups, who argue that consumer pressure can facilitate effective change in China.

Efforts are also being made at the international level to raise awareness about China's human rights abuses and to pressure the Chinese government to change its policies. One such instance has been the hearings held in the United Nations (United Nations, 1948/1965/1966/1984), for example, on the situation in Xinjiang, and called on China to allow independent observers to investigate allegations of human rights abuses. However, China has resisted these efforts and has argued that its policies are necessary for national security and stability.

At the same time, some countries and organisations have been criticised for their reluctance to challenge China on this issue. This is partly due to China's economic power and influence in the global economy, which can make it difficult for countries and organisations to take a firm stance. Some have also been accused of being

too focused on their economic interests and not paying enough attention to human rights.

Proof of Genocide

There is mounting evidence that China's actions towards the Uyghur Muslim minority in Xinjiang meet the criteria for genocide as defined by the United Nations (United Nations, 1948/1965/1966/1984) Genocide Convention. The following are some examples of the evidence that has been presented to support this claim:

Detention and forced labour

The Chinese government has detained an estimated one to two million Uyghur Muslims in internment camps since 2017, where they are subject to forced labour, political indoctrination, and other forms of abuse. These camps have been compared to concentration camps and have been described as a form of cultural genocide.

Mass surveillance

The Chinese government has implemented a vast surveillance network in Xinjiang, which includes the collection and analysis of large amounts of personal data. This data is used to monitor the movements and activities of Uyghur Muslims and to identify individuals who are a threat to national security. This has been described as a form of psychological torture and has been used to justify the detention and persecution of Uyghur Muslims.

Forced sterilisation and family separation

There have been reports of forced sterilisation of Uyghur women, as well as the separation of families through the detention of parents and children in different camps. These practices are consistent with the definition of genocide as they seek to prevent births within the targeted group and to break down the family structure.

Destruction of cultural and religious sites

There have been reports of the destruction of mosques, cemeteries, and other cultural and religious sites in Xinjiang. This has been described as a form of cultural genocide as it seeks to erase the identity and cultural heritage of the Uyghur Muslim minority.

Coercive assimilation

The Chinese government has employed measures, such as the repression of the Uyghur language and the imposition of Chinese language and culture in public places and schools, in an effort to integrate Uyghur Muslims into the prevailing Han Chinese culture. Assimilationist genocide has been used to characterise this.

These actions, taken together, suggest that the Chinese government is engaged in a systematic campaign to eliminate the Uyghur Muslim minority in Xinjiang. The international community has a responsibility to take action to stop these human rights abuses and to hold those responsible accountable for their actions.

7.0 Data Control and Data Isolation as a Contributory Factor

To monitor and regulate the information flow within the nation, the Chinese government has put in place a variety of laws and procedures, including the employment of cutting-edge tools like facial recognition and artificial intelligence. The Great Firewall, a sophisticated internet censorship system that restricts access to websites and online services deemed politically sensitive or detrimental to Chinese interests, is one of the most critical laws China has put into place recently. Access to foreign news websites, social media sites, and other online services that are well-liked in different parts of the world has been restricted using this method. In addition to internet censorship, China has also implemented a range of data control measures that limit the ability of individuals and organisations to access and use data. This has been done by requiring companies to store data on servers located within China and then providing access to the same to the government upon request. With no monitoring of this mechanism, significant concerns have arisen about the potential for government surveillance and abuse of power. China has also been criticised for its use of facial recognition technology, which is used to monitor individuals and track their movements. This technology has been used to identify and track dissidents, political activists, and members of ethnic and religious minority groups, including Uyghur Muslims. One of the key data control measures that China has implemented in Xinjiang is using biometric data, such as facial recognition and DNA analysis. The government has collected biometric data from Uyghur Muslims through various methods, including mandatory physical exams and security checks. This data is used to form a database that can be used to track the movements and activities of Uyghur Muslims, as well as to identify and target individuals for further surveillance or detention.

The Chinese government has put in place a number of digital surveillance tools in Xinjiang in addition to

biometric data. This includes tracking people's whereabouts with mobile apps and keeping an eye on communications and online activities. Privacy concerns, the potential for government power abuse, and the impact of these acts on the right to free speech and expression have all been brought up. Additionally, the Chinese government has put in place data control mechanisms that limit Uyghur Muslims' access to and use of technology. This includes limiting the use of encrypted messaging apps and barring foreign social media sites and other internet services. These measures limit the ability of Uyghur Muslims to communicate with each other and with the outside world, and they also restrict their access to information and resources.

8.0 Conclusion

The situation in Xinjiang is a cause for significant concern, with the Chinese government facing accusations of human rights violations against Uyghur Muslims. According to governments, human rights agencies, and international bodies, there is strong evidence that the Chinese government may be committing acts of genocide. These situations have worsened as a result of the Chinese government's adoption of data control measures in Xinjiang, including the collection and analysis of biometric data, extensive digital surveillance, and restrictions on technological access. These policies restrict Uyghur Muslims' access to information and freedom of speech, giving the government more authority to keep an eye on and regulate their conduct.

The international community must continue to condemn these actions and take steps to hold those responsible accountable. Only through sustained and collaborative efforts can we hope to address the crisis in Xinjiang and prevent similar atrocities in the future. The situation in Xinjiang is a matter of great concern with significant consequences, as the Chinese government stands accused of violating the human rights of Uyghur Muslims. Evidence from governments, human rights organisations, and international organisations strongly suggests that the Chinese government must be committing acts of genocide.

The circumstances have been further accelerated by the Chinese government's adoption of data control measures in Xinjiang, including collecting and analysing biometric data, digital surveillance, and restrictions on access to technology. By restricting Uyghur Muslims' freedom of speech and access to information, these policies give the government more authority to keep an eye on and control their actions. The international community must continue to denounce these acts and take action to hold those in charge accountable for their behaviour at these times. For the Xinjiang situation to be resolved and similar horrors to be avoided in the future, persistent and cooperative efforts are the only way to hope.

9.0 References

"Global Gateway" - iGlobenews. https://www.iglobenews.org/eu-counters-belt-and-road-initiative-with-global-gateway/

Human Rights Watch. (2022). Break their lineage, break their roots: China's crimes against humanity targeting Uyghurs and other Turkic Muslims. Retrieved from https://www.hrw.org

iGlobenews (iGlobenews, 2021). (2021). EU counters Belt and Road Initiative with Global Gateway. Retrieved from https://www.iglobenews.org/eu-counters-belt-and-road-initiative-with-global-gateway/

International Consortium of Investigative Journalists (International Consortium of Investigative Journalists, 2019). (2019). China Cables: Secret documents reveal details of Xinjiang detentions. Retrieved from https://www.icij.org

Office of the United Nations (United Nations, 1948/1965/1966/1984) High Commissioner for Human Rights. (2022). Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China. Retrieved from https://www.ohchr.org

United Nations (United Nations, 1948/1965/1966/1984). (1948). Convention on the prevention and punishment of the crime of genocide. Retrieved from https://www.un.org/en/genocideprevention

United Nations (United Nations, 1948/1965/1966/1984). (1965). International convention on the elimination of all forms of racial discrimination. Retrieved from https://www.ohchr.org

United Nations (United Nations, 1948/1965/1966/1984). (1966). International covenant on civil and political rights. Retrieved from https://www.ohchr.org

United Nations (United Nations, 1948/1965/1966/1984). (1966). International covenant on economic, social and cultural rights. Retrieved from https://www.ohchr.org

United Nations (United Nations, 1948/1965/1966/1984). (1984). Convention against torture and other cruel, inhuman or degrading treatment or punishment. Retrieved from https://www.ohchr.org