

## **Uyghur Tribunal – Fact Witness statement**

**UTFW2-012 - Erbakit Otarbay**

### **SUMMARY**

Erbakit Otarbay emigrated to Kazakhstan in 2014 with his family. His passport was confiscated by Chinese authorities in May 2017 as he came back to visit his father. When the authorities refused to return his passport, he took a job in an iron mine in Koktobay. In July 2017, he was arrested, interrogated, and taken to a detention centre. He was accused of watching illegal videos about Islam and installing an illegal application, WhatsApp, on his phone.

In detention, the witness was deprived of food and beaten. He was transferred several times between prison and “training” camps, where he had to attend classes. Later, Erbakit Otarbay was subjected to forced labour in a clothing factory. Eventually, he was released, although he remained closely monitored, until he was allowed to go back to Kazakhstan in May 2019.

## **Witness statement**

**Erbakit Otarbay**

1. My name is Erbakit, my surname is Otarbay. I was born in 1973 in Qaba county, Altay prefecture. Ethnically I am a Kazakh. After graduating from high school, I worked in the oil industry there. I first came to Kazakhstan in 2009 to work at a Chinese-invested oil field in Aktobe. I emigrated to Kazakhstan in 2014 with my family.
2. My passport was confiscated by the Chinese authorities at the border on May 23, 2017, on my way to visit my sickened father back in China. After my father's surgery, Chinese authorities refused my request to turn over my passport. Since my wife and children were living back in Kazakhstan, I did not want to waste my time, and instead decided to find a job to make some money. I found a job in an iron ore mine in Koktokay, Altay prefecture. I got a call from authorities at 9:00 am on July 16, 2017, saying I hadn't canceled my 'hukou' (household registration) in Tarbaghatay after I moved to Kazakhstan and must do it today. I told them that I was planning to do it later. I thought since I had not violated any law, I should not worry and decided to do it later. My phone rang again the next morning on July 17, 2017. They (the authorities) told me that they were in Koktokay and asked where I was. They told me I must wait there, and that they will come to see me. After about 7 hours, they came. They were two policemen. They were from Tarbagatay police station. One was a Uyghur police officer named Alim. The other one was a Han police officer named Wang. They told me that they came to help me with the cancellation of my 'hukou'. They also said that they were going to take me with them, therefore I must go with them. I was then taken with the police officers all the way to Tarbagatay.
3. Tarbagatay was 600-700 kilometers away from where we started. They decided to take a half an hour rest when we arrived at a place called Tiechanggou which is very close to Tarbagatay. I requested to take a shower and change my clothes there. The policeman

named Alim agreed to my request. I took a shower and put on some clean clothes that I brought with me. We continued our trip. It was way past midnight on July 17 when we arrived in Tarbagatay.

4. They brought me to a room on the second floor at the police station. The windows of the room were all black and outside was not visible. After I took my seat, three policemen came in, followed by a cameraman. They asked me to sit on a steel chair. The first question was about the reason for my emigration to Kazakhstan. I told them that since I am a Kazakh and willing to live in Kazakhstan, I decided to move there with my family in 2014. They asked if there was any other reason. I said no other reason. They asked if I prayed. I replied that I have been busy with my work, and I have no time to pray. I also said I am not ready for religious activities and therefore I do not pray. Other questions included what my daily activities are and who I interact with, etc. I told them I talked to my neighbors. They asked if there were people that moved from China. I told them there were some and we lived in the same neighborhood, but since we are all busy with our work not everybody talks to each other. They asked me how many times I visited Kazakhstan. I told them, "You confiscated my passport, and you should be able to look it up from it." They asked if I had visited any other countries or not. I replied to them no. They asked again why I have WhatsApp installed on my phone. I told them we use WhatsApp to contact friends there. They asked why not use WeChat. I told them nobody uses WeChat there because WhatsApp is already widely used. They said they found a video clip about how to pray on my phone using WhatsApp and said I watched it. I insisted it is not about praying, it is about religious advice. I also told them that we do not pray 5 times a day in Kazakhstan. They said I violated the law by watching illegal videos and installing an illegal App on my phone.
5. They took me to a detention center that day. It was an afternoon around 3 or 4 o'clock. I was handcuffed and shackled with a black hood on my head. They did a medical exam such as heartbeat and blood pressure check. There were two other people with me. After

the exam, I was taken to my jail room handcuffed and shackled. I spent a total 98 days in that place before being taken to a different one. My weight was 98 kilograms when I was put in that place, and it dropped to 71 kilograms before they moved me to a different place. There was only one meal a day. If you complained about not getting enough food, you would be beaten. It was on October 14 or 15, 2017 that I had an argument with the guards. I was beaten so much that I passed out. When I opened my eyes, I saw I was at a hospital called Tarbagatay People's Hospital. It was Tahirjan, the deputy warden of this detention center, who took me there. The police officer on shift that night who beat me and knocked me out was a Kyrgyz man named Makay. Tahirjan was sitting right next to me after I recovered. There were 3-4 bottles of fluids being infused to my vein. I learned that I needed an energy supplement due to my unconsciousness.

6. Later, on November 23, they decided to take me to a camp. There were two more Uyghur men who went there with me. They were named Shohrat and Dilshat. In fact, on that day, they announced the names of 22 people who would be transferred from the prison to the camp. Among them, I can recall some of their names such as Alimjan, Shohrat, Abdurishit, Tursun Memet, Tursun Niyaz and Memet. People in the camp were mostly Uyghurs. There were some Dungans (Hui people) also. Some Dungan names I remember were Ma Wanhe, Ma Zhaojing, Ma Zhaohui, Ma Jingwei, and Zhao Qingcai. There were 42 people in a prison cell where only seven people could sleep at a time. There were about 10 people on each shift for two hours of sleep. Otherwise, there was no place to sleep. They said that because of our good performance at the detention center, they had approved 22 of us to go to the camp. When we were being transferred to the camp, there were two policemen sitting next to each of us in the vehicle. We all were handcuffed and shackled with a black hood on our head. It was November 23 when we entered the camp. We all were asked to kneel before they removed the handcuffs, shackles, and hoods. It was later that they allowed me to remove the yellow prison uniform that I used to wear at the detention center, and wear my own clothes brought by my parents. They informed my parents two days before my transfer that due to my good performance at the detention center I was

approved to be moved to the camp. They also asked my parents to bring some clothes for me as well. They distributed one basin, one towel and one pair of slippers for each of us. I was assigned to room number 8 on the second floor. This time I was taken to my room by two policemen without handcuffs and shackles. I was without handcuffs and shackles for the first time after 98 days. These rooms on the second floor all had metal doors. They could only be opened by police using some type of keys they carried on them. After three doors, I was taken into my room. There are 3 locks on the door of room number 8. The top one had chains, the middle one was big and the bottom one locked automatically when the door was closed. There was a tiny window on the door with metal bars and you can only see half of someone's face. There were 8 beds in this room, and when I entered, there were two young men. One was named Turghun and there was another Uyghur man who I forgot his name. They said the number of newcomers to the camp was increasing. This camp was originally a sanatorium, located along a road outside Tarbagatay, with an alcohol factory nearby. I remained in room number 8 for quite some time. The food there was a bit better than at the detention center. They gave us salad with two steamed breads in the morning and I felt a bit full there. I felt a bit satisfied since the conditions there were relatively better than the detention center. They said we would start school one week after I got here.

7. The school was a big hall with a capacity of about 100 people. There were Uyghurs, Dungans, Kazakhs and Kyrgyz. It was sometime in March, we were divided into groups according to ethnicity. On March 17, 2018, they suddenly told me they would take me back to prison again. We mainly studied the Chinese language, politics, and history. Mainly how China liberated Xinjiang, things such as Tarbagatay 's history and current situation. In addition, we would also sing red songs, such as Without the Communist Party There Would be no New China. Chinese national flag raising ceremonies always continued. On March 17, 2018, I was suddenly taken back to prison. They then asked me to call my wife and children and let them come here. They said I would be staying in jail if they didn't come. I told them that my wife and children are already citizens of Kazakhstan

and could not come. They said: "You did not get a good education here. Therefore, we will take you back to prison". I told them it does not matter where I stay, and I do not care.

8. So, they took me back to jail on March 17th. They brought me to another newly built prison this time, not the prison where I had lived before. The prison is located outside Tarbagatay and is very large. The prison building that I was brought to had 10 rooms, one room can hold about 40 people, with 40 beds arranged as triple decks. The rooms are mixed with Uyghurs, Dungans and Kazakhs. The toilet was inside the same room. The same was true at the detention center where I stayed previously. The head of the prison was a Chinese man named Pan Xingmin. I was taken to room number 20. I was surprised to see all the Uyghur men who had stayed with me in the previous detention center in this prison. Their names were Shohrat, Kurbanjan, Alim, Abdurishit. When I asked them why they were here, they said this place is better than the detention center because they would not have to go to class. Later they changed the rules. We all had to study there as well. The school was divided into classes according to our level of education. For example, ordinarily managed class, strongly managed class, and strictly managed class. My roommates and I were assigned to an ordinarily managed class. Most of the Uyghurs were assigned to a strictly managed class. My roommates and I had two classes per day. The classroom area is a large hall surrounded by a wire mesh and the teacher stands outside the classroom while teaching. The courses were conducted in Chinese. We had to study Chinese. We were forced to speak Chinese and had to introduce ourselves in Chinese. On April 17, Pan Xingmin (the head of the prison) asked me to come to the hall where we used to take showers. He also called another Kazakh man named Turdibeg with me. Turdibeg was a teacher in a village called Ashil in Tarbagatay. "We got a notice from superior leadership. We will take you to the camp today," said Pan Xingmin. He also said our wife and children are in Kazakhstan and asked if we are ready to go there. "Of course, we are ready. We would go back to Kazakhstan if you let us go" I said. Pan Xingmin added that they figured out Turdibeg's wife also lives in Kazakhstan. He said we must go back to

the camp before we can be released. We were brought back to the camp exactly after one month. When we returned to the camp, we also had shackles on our feet and a black bag over our heads. We were assigned to room number 7 on the third floor. There were 8 beds in one room and one bed for each person to sleep. I did not know the people staying in the room this time. By talking to them, I learned that almost all of them were people who emigrated to or visited Kazakhstan in the past. I also heard from them that there was good news coming out to release all of us to Kazakhstan soon. We waited a week, 10 days, and there was no news. We were told to continue our school and continue our classes. On September 3, 2018, I was asked if I would be willing to go back to Kazakhstan. I said I would. They told me I did not study well and that they would take me back to the previous prison again. When I got back, the people there who thought I was going to be released were surprised to see me again. I told them I did not know what was going on. We continued with our school as before. We had to learn the same things as before. Sang red songs.

9. They held a trial in the prison on November 23. It included those who prayed, those who sold the Qur'an, and those who complained. Some names were read who would remain in prison and the other names not read would go to camp. My name was not read in this court, and I was to be taken to the camp. When I was brought to the camp, I was taken to room number 5 on the second floor. Those people who knew me in the camp were asking why they brought me in and out so many times. I thought they were going to release me soon. I heard that they opened 4 factories in the camp. One makes automobile parts, one makes garments, one makes food and drinks, and the other one is a bakery. I also heard that we will be given 2 sets of clothes and will be working in these factories, but no longer studying in the school. We still had to sing red songs before we ate, and if we didn't, there would be no food. I chose to learn how to sew and learned all the skills in 3 days. The sewing machine was a Japanese made electric machine that runs using our feet. The thread tension had three different settings: high, medium, and low. Initially, we made pant belts. The stitches must be extremely straight. If we messed it up, we had to

redo it. We tried this many times and finally learned to do well. Later we sewed other clothes. For example, school uniforms, repairman clothes, factory worker uniforms. I sewed for about a month. The food was a little better while working at this factory. Normally they do not show us the brand of the clothes. The clothing brand was stitched by their own people. Once they showed us a brand, it was a small towel used by Nanhang (China Southern Airlines) in China. Later, they scolded us for putting on the wrong brand and asked us to remove them. Then we had meetings for a whole day saying that these things should not be told anywhere else. There were cameras watching us while we were working. We had not seen any brands since that incident. We sewed pants in addition to making pant belts. Each of us used to sew different parts of a pant. One person sews pockets, another person sews the back and another one sews other parts of a pant.

10. [please state, on average, how many hours a day you worked? Also please state that you were not paid anything for the work you did – if that is correct.

11. It was the afternoon of December 23, 2018, while I was sewing pants. The loudspeaker of the factory suddenly announced my name. “Erbakit Otarbay, who is sitting in seat number 147, take your belongings and get ready immediately.” the announcement said. Two police officers came right after the announcement and took me away. They also brought more than 10 people with me. One of them was a person named Yu Jian, whose father is Chinese and whose mother is Russian. Another one was a Kazakh man named Khojarkhan. Another man named Saidulla was with his wife and his daughter from a single family. There were other people that I forgot their names in this 10 person group. We were not released immediately on that day. Instead, we were told that officials from Community Management (Shequ Guanli) have to come and sign some documents first. Two officials, one man and one woman, from my community, Hepingqu, arrived on that day. It was 2-3 o’clock that night when we arrived at my home. They first asked me to take a rest in my apartment on the third floor and finish the rest of the paperwork the next day. I could not sleep that night because for the first time in a long time I entered a room without an iron barrier. I went outside the next morning and was excited to see bright sunlight. The

community manager came and said, "You must tell us if you go somewhere. One of us has to go with you and has to be with you in everything." Although I was imprisoned in my home, I was still quite happy to be able to go out because I could go to the markets and get groceries.

12. It was May 22, 2019, when a police officer from the criminal police station arrived at my apartment. He said, "You have been approved to go back to Kazakhstan with your passport and green card. Tomorrow, a policeman will come and take you to the border by car." On May 23, 2019, a police officer brought two other women who stayed with me in the camp. One woman was named Bakit and the other was named Saltanat, both of them used to be teachers. We completed the border formalities and crossed into Kazakhstan on that day.

13. I was punished several times during my stay in the camps and prisons. Since I did not know what I did wrong, I got into a lot of arguments, and got beaten up several times with an electric baton. I have scars on my head, face, and hands. They often beat me with a stick or electric baton. They do not give you food or drink when you are punished. Sometimes they give you very little food, such as half of a steamed bread. Sometimes we had to drink the water in the toilet urinal because we had to survive. I was taken to the hospital when I was beaten and passed out. During my stay there, I also underwent appendix surgery. There were people who have died because of beatings and punishment. There was a Kazakh man named Kosun who was beaten to death. When I was released, I was asked to sign documents not to tell anyone what had happened, and what I had seen and heard there. I was also asked to be quiet, otherwise there will be consequences for my parents, aunts and other relatives who are still living there. When I called my parents some time ago, they asked me not to say anything because they will not be issued passports and will not be able to come to visit me. Since my release here (to Kazakhstan), I have exposed these things through YouTube. They are now reporting this to my family. Now when I call my family (my parents) they don't pick up the phone anymore. I can only ask my friends

about my parents' well-being. During my stay, I have seen women have their hair forcefully shaved. I have heard women screaming and crying while I am in my room. But I have not seen with my own eyes women were being sexually abused or raped. I did not see any good things while I was there. I am ready and willing to state all these things in the court.