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**Data on the Citizenship Problem in the Conflict
between the Xinjiang Region and the Soviet Union**

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Summary:

A detailed Chinese reports on the history of Soviet citizens in Xinjiang.

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The Xinjiang region has three outstanding nationality problems in the conflict with the Soviet Union. The first issue is the nationality of people who came [to Xinjiang] from the Soviet Union from 1917 to 1933. The second issue is the nationality of people of mixed Chinese and Soviet descent. The third issue is the nationality of people who had their Soviet citizenship restored under a 1946 Supreme Soviet Resolution but have yet to be granted Soviet passports. These three issues also involve our August 1957 proposal to sign a dual nationality treaty (we have yet to give a reply to the Soviet Union [on this issue]). The following is a report on these issues:

(1) The nationality of people who came from the Soviet Union from 1917 to 1933:

These people came to China for various reasons. Some of them fled the Soviet Union as they were opposed to the Soviet Socialist Revolution and wanted to escape it. The majority of them were working-class people who fled the Soviet Union during the October Revolution and the period of agriculture collectivization because [they] failed to understand the policies. The total number was estimated at about half a million.

These people's nationalities were exactly the same as the ethnic minorities in Xinjiang. The overwhelming majority of them were Kazakh, while others were Uyghur, Uzbek, Kyrgyz, Tartar, and Russian. With the exception of the Russians, these people lived with and had been married to minority nationalities in Xinjiang for decades, and, since liberation, they have been living in Xinjiang in peace and contentment, enjoying the same political and economic rights as the Chinese people. During the rule of the Guomindang's Sheng Shicai, these people were declared ethnic minorities of Xinjiang and were not recognized as resident aliens. After liberation, our country did not explicitly declare their nationality, but on 13 April 1953, the Ministries of Public Security, Internal Affairs, and Foreign Affairs jointly released a stipulation stating [that] the "people who both descended from and were born in the Soviet Union, and people who descended from the Soviet Union and who hold a Soviet passport, shall be considered Soviet aliens. Those without a passport from the Soviet Union shall not necessarily be deemed part of China's ethnic minority groups. Those who have resided in China for a significant period of time and are willing to be Chinese shall be deemed to have become Chinese [citizens] after they complete the relevant formalities. Those who have resided in China for a significant period of time but are unwilling to become Chinese shall be deemed stateless nationals." As these people had never completed the formalities for Chinese nationality, they were considered stateless persons under this rule (these people are hereinafter referred to as "stateless people").

In 1954, the Soviet Union began repatriating Chinese residents in large numbers and encouraged these "stateless people" to go back to the Soviet Union to have their Soviet nationality restored. On 15 October 1955, our Ministry of Foreign Affairs issued the follow instructions to officials in Xinjiang officials-"the nationality of the stateless people shall be handled according to the intentions of the Soviet Union and the wishes of the persons in question. We should not stop those people who wish to have their nationality restored. Instead, we should provide assistance for them to do so. If the person in question is reluctant to have his or her nationality restored, he or she shall be not prodded to do so." However, as a large number of people requested to restore their nationality and travel to the Soviet Union, production and social order in Xinjiang were affected. In particular, in the [Yili] Kazakh Autonomous Prefecture, it was reported that "stateless people" accounted for 60 percent of the prefecture's total population of 900,000. If all these people and their families became Soviet citizens, the entire Kazakh Autonomous Prefecture would no longer exist. Thus, on 12 July 1955, He Wei, Assistant Minister of Foreign Affairs, made a request through Counselor J.M. Lomakin of the Soviet Embassy in Beijing, asking the Soviet Union not to encourage Kazakh and Uyghur people to return to the Soviet Union. In reply, the Soviet Union agreed to this request and sent a memorandum stating that "the Soviet

Embassy has been instructed to explain to non-Soviet citizens who wish to go to the Soviet Union that their requests to obtain Soviet citizenship and travel to the Soviet Union will be considered strictly on a case-by-case basis and be made with the permission of the Chinese authorities." According to a report from the Xinjiang Foreign Affairs Office, in 1958 Chairman Sai Fuding [Säypiddin Äzizi] reached an agreement with Soviet Consul-General G.S. Dobashin. According to the agreement, the Soviet Union would discontinue issuing passports in Xinjiang (this agreement is currently under verification). However, on 28 November 1959, the Soviet Consul-General in Wulumuqi [Urumqi], Dobashin, stated to the Party Secretary of the Xinjiang Autonomous Region, Lü Jianren, that "the Soviet Union believes that people who came from the Soviet Union and obtained household registration according to previous Soviet files or obtained a transit visa from 1917 to 1933, regardless of their ethnicity, should be considered Soviet citizens." Right then and there, Secretary Lü Jianren replied that "regarding the Soviet assertion that those who have no official and valid Soviet passports are recognized by the Soviet Union as Soviet nationals, the situation is rather complicated and history has to be traced back very far and the issue may be studied in detail in the future. However, history can't be traced back too far for nationality issues, as the investigation would be without a source."

As a matter of fact, even after 1956, the Soviet Consul issued many Soviet passports without our consent, and some of these passports have been confiscated by our public security agencies, and the Foreign Affairs Office has raised the issue with the Soviet Consul, demanding the Soviet Union honor the agreement, but the situation had not improved and instead somehow deteriorated after 1961. For example, from 17 June through 22 June 1961, the Secretary of the Consulate in Yining [Gulja] visited Tacheng [Qoqek], telling ethnic minorities in Dacheng [Hui Autonomous County], Yumin [Chaghantoqay], Emin [Dörbiljin], and Tuoli [Toli] counties that "any Kazakhs who have come here from the Soviet Union will be recognized by us as Soviet nationals, whether they have Soviet passports or not. You are all welcome to go back to the Soviet Union," and that "you have had a hard life in China. In the Soviet Union, we have everything-meat, butter, and bread."

In November 1960, the Premier [Zhou Enlai] issued oral instructions to deem all of these people as Chinese nationals. Thereafter, Xinjiang public security agencies issued Chinese passports to those people who planned to visit the Soviet Union (previously, such people were issued exit permits for stateless persons).

In June 1961, the Soviet consuls in Wulumuqi and Yining in turn said to our Foreign Affairs Office that "it is extremely inappropriate for you to issue Chinese passports to people who have lived in the Soviet Union for generations. These people should be considered Soviet nationals." They also argued that "the two nations' have different views and the issue should be resolved through negotiations between the governments of the two nations." The consuls also told the people that "you are Soviet nationals [and] you cannot go to the Soviet Union with a Chinese passport."

On 27 September 1961, as instructed by Vice Premier Chen Yi, the Xinjiang Foreign Affairs Office replied to the Soviet consuls, affirming that "all of these people are Chinese ethnic minorities. They were born and raised here, and they have been living and working in peace and contentment and engaged in socialist construction. Therefore, we hope that the Soviet Consulates will cease distributing Soviet passports to these people. As such, the Xinjiang authorities believe that the Soviet passports distributed to Chinese people in the past by the Soviet Consulates without the consent of the authorities cannot be deemed as valid."

On 29 March 1962, Qi-ku-nuo-fu [sic], Head of the Consular Section of the Soviet Embassy in Beijing, made the following unofficial remarks during a conversation with the head of our Department of Consular Affairs, Comrade Chen Li-"regarding the people who came to China from the Soviet Union and who have not lost their Soviet citizenship, the Soviet Union believes that these people can remain Soviet citizens if

they wish. What does the Chinese side think?" The Department of Consular Affairs stated that a reply would be given to Qi-ku-nuo-fu after ascertaining the situation with related departments.

(2) The nationality of people of mixed Chinese and Soviet descent:

There are no exact statistics on the number of people of mixed Chinese and Soviet descent in Xinjiang. Preliminary estimates put the number at about 30,000. Chinese and Soviet laws have conflicting provisions over how to determine the citizenship of people of mixed Chinese and Soviet descent. The Soviet nationality law provides that "a child born in the Soviet Union with either parent being a Soviet national will automatically receive Soviet citizenship, and a child whose either parent is a citizen of the Soviet Union and whose parents were residing outside of the territories of the Soviet Union at the time of his or her birth shall have his or her nationality determined by his or her parents with mutual consultations." However, in the past, the children of parents of mixed Chinese and Soviet descent who were born in Xinjiang were often registered on the passports of the Soviet parent and were granted Soviet passports when they reached age 16.

Our nationality regulations for people of mixed Chinese and Soviet descent are as follows: On 13 April 1953, the Ministries of Public Security, Internal Affairs and Foreign Affairs jointly issued the following rule for Xinjiang-"People of mixed Chinese and Soviet descent who hold Soviet passports should be deemed as Soviet aliens, while a Soviet birth certificate should not be used as the yardstick for determining the nationality of minors. People who have a parent who is Chinese and who were born after the founding of the People's Republic of China should be deemed as Chinese nationals, and those who were born before the founding of the People's Republic of China should be allowed to decide whether they want Chinese nationality or not according to their personal wishes (applicable to adults) or their parents' wishes (applicable to minors)." On 15 April 1954, the Ministry of Internal Affairs issued another new rule on the citizenship of children born in wedlock by Chinese and foreign parents, stating that "children who were born in wedlock by Chinese and foreign parents and who are currently residing in China and less than 18 years old should be deemed as Chinese nationals. When the child becomes 18 years old, he or she may be allowed to renounce his or her current citizenship." On 28 November 1959, the Party Secretary of the Xinjiang Autonomous Region, Lü Jianren, told the Soviet Consul-General in Urumqi, Dobashin, that "we deem children born in wedlock by Chinese/Soviet parents as Chinese nationals; when they reach adulthood, they will no longer be Chinese nationals if they switch to Soviet citizenship, and those who have not done so will of course remain Chinese nationals." However, before 1961, Xinjiang was unable to stop the Soviet side from issuing Soviet passports to people of mixed Chinese and Soviet descent. As a result, a large number of people of mixed Chinese and Soviet descent obtained Soviet passports. The Soviet Consul in Yining, Sha-lu-nuo-fu [sic], revealed on 14 November 1961, that his consulate had issued a total of 55,000 passports to people of mixed Chinese and Soviet descent (this figure needs further verification).

On 3 March 1961, the Ministries of Foreign Affairs and Public Security jointly instructed Xinjiang to reiterate that "people of mixed Chinese and Soviet descent are Chinese nationals before age 18 and will remain Chinese citizens after age 18 if they have not apply for a change in citizenship." On 28 March 1961, the Xinjiang Foreign Affairs Office notified the Soviet Consulate in Urumqi of this rule. On 3 November and 14 November 1961, the Soviet Consulate-Generals in Urumqi and Yining separately challenged this rule, arguing that China had previously always recognized passports issued by the Soviet Union under the Soviet law for people of mixed Chinese and Soviet descent and that China did not claim that these people were Chinese nationals until after March 1961.

On 29 March 1962 Qi-ku-nuo-fu, head of the Consular Section of the Soviet Embassy

in Beijing, made the following unofficial remarks to the head of our Department of Consular Affairs, Comrade Chen Li-"in the past, the Soviet Union considered children with Chinese/Soviet parents to be Soviet nationals, and now I hear that China deems them as Chinese nationals. Would you please tell me the Chinese regulations?"

(3) The nationality of people who had their Soviet nationality restored under a 1946 Supreme Soviet Resolution but had yet to be granted soviet passports:

In 1946, the Supreme Soviet passed a resolution to allow former Russian citizens who were residing abroad to apply for restoration of their Soviet nationality within a period of months (the original text needs to be verified). During the same year, some people in Xinjiang restored their Soviet citizenship and obtained Soviet passports.

On 24 September 1958, the Soviet Consul-General in Yining, Sha-lu-nuo-fu, and the Soviet Consul-General in Urumqi, Dobashin, told the Foreign Affairs Office that "in 1949, the Presidium of the Supreme Soviet approved Soviet citizenship for fifty to sixty households (or more than sixty households), but for one reason or another, these households did not obtain Soviet passports. The Soviet Government believes that these people are Soviet citizens and should be given passports." On 23 February 1959, Dobashin again made this assertion to [Party] Secretary Säypiddin Äzizi.

On 17 March 1959, Su-da-li-ke-fu [sic], an attaché at the Soviet Embassy in Beijing, raised a similar issue with the Department of Consular Affairs of our Ministry of Foreign Affairs and requested that China allow these people to go to the Soviet Union.

On 25 March 1959, Qin Lizhen, head of the Department of Consular Affairs of our Ministry of Foreign Affairs told Wei-li-xia-jin [sic], an attaché at the Soviet Embassy in Beijing, that "it should not be a big problem for these people (about sixty households) to go to the Soviet Union, as the number is small, but [we] fear they will influence people without Soviet passports, so [we] cannot allow them to go." Right then and there, Wei-li-xia-jin agreed that these people would not be allowed to go for the time being. (Note: no decision was made as to how these people's citizenship should be determined.)

On 14 July 1961, the Soviet Consul in Urumqi submitted a list of 106 persons to the Foreign Affairs Office, saying that the restoration of Soviet citizenship for these people had been approved in 1946, but they had yet to obtain Soviet passports and that Moscow thought that they should now be given passports.

In September 1961, the Soviet Consul in Yining gave a list of fifty persons to the Foreign Affairs Office.

On 27 September and 14 November 1961, the Xinjiang Foreign Affairs Office in Urumqi and the Yili Foreign Affairs Sub-Branch separately replied to the Soviet side that all of those people were Chinese citizens.

On 29 March 1962, Qi-ku-nuo-fu, head of the Consular Section of the Soviet Embassy in Beijing, made the following unofficial remarks to the head of our Department of Consular Affairs, Comrade Chen Li-"The Soviet Union believes that these people should be given passports and would like to know the opinion of China." Chen Li said that a reply would be given later.

The above three items are the outstanding issues about nationality which remain points of contention between China and the Soviet Union (Note: not all information has been collected, and supplemental information will be subsequently provided). On 12 August 1957, the Soviet Government proposed to sign a dual nationality treaty

with our nation. The main points of the treaty would be as follows: people whom both China and the Soviet Union consider to be their citizens should be allowed to pick their citizenship within a year, and if they fail to do so, they would be considered to be the citizens of their current country of residence. All other regions in China have no objection to this treaty, but Xinjiang believes that it will be seriously affected and therefore prefers not to sign it. On 22 July 1960, Vice Premier Chen Yi issued an oral instruction-"the treaty will not be considered, and people with dual nationality will be allowed to go to the Soviet Union if they would like." To this, the Soviet Union has yet to reply. The Soviet Union urged China to sign the treaty once or twice in 1958, but has not urged [China] to do so since then.