

**THE**

# **CONSTITUTION**

**of the East Turkistan Republic**



Translated from the Official Uyghur Version

*The Constitution was updated and ratified by the Parliament at a Special Session in Washington, DC on April 20, 2019.*

## PREAMBLE

The present Constitution has been prepared according to the common national desires of East Turkistani emigrants who have been obliged to live in exile in several parts of the world, having escaped from East Turkistan after it was invaded by Communist China in 1949. The present Constitution aims to ensure that the people of East Turkistan and their children live in liberty. Furthermore, it aims to show our people – who have been living under a state of foreign occupation – what may be attained when we regain our freedom.

## **SECTION 1: NAME OF OUR STATE, OUR STATE’S CHARACTERISTICS, NATIONAL FLAG, NATIONAL EMBLEM, INDEPENDENCE ANTHEM AND NATIONAL ANTHEM, NATIONAL LANGUAGE, NATIONAL RELIGION, AND NATIONAL CAPITAL**

### ARTICLE 1. THE NAME OF OUR STATE

The name of our State is the East Turkistan Republic. The name of our state is not open for debate. The name of our state was paid for by the blood and lives of our forebears, therefore, proposing a different name, or referring to our state by a different name is a direct violation of the law. The name of our state will remain as is until we regain our independence.

### ARTICLE 2. OUR STATE’S CHARACTERISTICS

Our state is a democratic, unified, and law-based state that respects all human rights. It shall not be permitted to divide or undermine the territorial integrity of East Turkistan, nor the unity of our nation and its peoples.

### ARTICLE 3. OUR NATIONAL FLAG

The National Flag is a Blue Flag with a White Crescent and White Star (Enclosure A).



*(Enclosure A: National Flag of East Turkistan)*

#### ARTICLE 4. OUR NATIONAL EMBLEM

Nine beads on both the right and left of the crescent moon with the Bismillah Calligraphy inscribed in the middle of the crescent. Three stars above the mouth of the crescent with a cord tying the beads together with a knot at the bottom flowing into six branches. The eighteen points represent the nine Uyghur and nine Oghuz tribes living in East Turkistan, while the three stars symbolize the Köktürk, Uyghur, and Qarakhanid States that were previously founded in East Turkistan (Enclosure B).



*(Enclosure B: National Emblem of East Turkistan)*

#### ARTICLE 5. OUR INDEPENDENCE ANTHEM AND NATIONAL ANTHEM

The Independence Anthem of our State, Qurtulush Yolida [On the Path to Salvation], was a poem written by Memet Ali Tewfiq in 1933 and sung by the East Turkistani people as the official Independence Anthem.

##### ***On the Path of Salvation***

*Our blood flowed like water on the path of salvation  
For your oh our Homeland, may our lives be a sacrifice.  
By giving our blood and lives we finally saved you,  
We had the faith in hearts for your salvation.*

*Oh, our Homeland, we cleansed your face and eyes with blood,  
With the rising flame, our name has been cleansed  
Our efforts became a friend / lover to you  
Broad and Famous with Effort were our Ancestors*

*Our forefathers' battles will not be erased from the pages of history  
Their offspring are left warriors, we are their descendants.  
We gave our lives, spilled our blood and had our revenge from the enemy  
Long live, for eternity, may our future shine.*

The National Anthem of Our State, *Tarixtin Ewwel Biz Iduq, Tarixtin Kiyin Yene Biz [We Existed Before History, and We Will Exist After History]*, was a poem written by Memet Ali Tewfiq.

### ***We Existed Before History and We Will Exist After History***

*We existed before history and we will exist after history,  
In our heart is our conscience, this is our faith.  
We are Turks, We are all the bronze bosom of our Motherland  
Even if our heads are to be cut off, the Turk braves will not turn back on their path  
Even the mountains and stones are our Homeland's gold,  
Each of us are lions, the youth of this Homeland  
For our Homeland, the heads of our youth are a sacrifice,  
Their faith and warm blood are their comrades.  
Our Army and Our Homeland, Famous is our Turk name,  
Our religion, our faith, this is our conscience.  
Our Homeland is the Homeland of the Turks, we are their sacrifice,  
Our Flag is the Blue Flag, in the middle is the Crescent moon and star.*

### **ARTICLE 6. OUR NATIONAL LANGUAGE, NATIONAL RELIGION, AND NATIONAL CAPITAL**

The official national language of the East Turkistan Republic is Uyghur. Kazakh and Kyrgyz are also among the recognized national languages.

The official national religion is Islam. The state respects and protects other religions and shall fully guarantee their rights to religious practice.

The national capital of our state is Urumchi.

ARTICLE 7. The foregoing ARTICLES, viz. ARTICLES 1, 2, 3, 4, 5, and 6, may not be changed by any means, nor can any proposal be set forth or attempt made for the amendment thereof.

### **SECTION 2: THE EAST TURKISTAN REPUBLIC'S GOVERNMENT-IN-EXILE**

ARTICLE 8. The Government-in-Exile of East Turkistan Republic, which was founded on September 14, 2004 in Washington, the capital of the United States of America, is the sole organ of the East Turkistan Republic permitted to exercise legal authority over and to represent of the people of East Turkistan, until our country has been liberated from China's rapacious occupation.

ARTICLE 9. The essential tasks of the Government-in-Exile of the East Turkistan Republic are to gain the support of those nations amongst the Free World who adhere to the principles of democracy, rule of law, peace, and respect for human rights, as well as all international organizations under the leadership of United Nations, and all international human rights

organizations that cooperate therewith, in order to oppose China's state terrorism against the people of East Turkistan, and in order to achieve the independence of our country, East Turkistan.

ARTICLE 10. The High Commission shall be a 7-member group composed of the President, Vice President, Speaker of the Parliament, Deputy Speaker of the Parliament, Prime Minister, and Deputy Prime Minister. The High Commission constitutes the supreme leadership of the government that has been given the authority to oversee and guide the East Turkistan Republic's Government-in-Exile events, meetings, and to issue important directives.

ARTICLE 11. The High Commission shall meet once a year (and more often if necessary) at any location, at the invitation of the President. Issues involving East Turkistan, the government, the members of the government, and the government's official statements shall be discussed, and directives resulting therefrom shall be issued by a majority vote. The decisions shall be recorded into law (made official) by the Prime Minister.

ARTICLE 12. The Ministers of the East Turkistan Republic's Government-in-Exile shall be organized into a Ministerial Cabinet under the auspices of the Prime Minister. Based on the severity of the violation, three reprimands shall be issued to Ministers in the Ministerial Cabinet who undermine or violate the programs (policies) of the government (some extreme violations will receive no warning and violators will be punished immediately). Those who do not heed these reprimands(s) shall be dismissed from the Cabinet by the Prime Minister once the decision has been made by the Ministerial Cabinet and affirmed by the President.

ARTICLE 13. The Cabinet shall meet once or twice a year, in which they shall submit reports on the implementation of Government programs (policies) and discuss and act on how to implement the High Committee's directives and the government's policies.

### **SECTION 3: EAST TURKISTAN'S PARLIAMENTARY ELECTIONS AND CITIZENSHIP**

ARTICLE 14. The Parliament shall elect a Speaker, a Deputy Speaker, a Secretary General and two Assistant Secretaries General (all these positions must have at least two candidates) from among the Members of the Parliament, for a term of 4 years, by a two-thirds majority of the vote. The Parliament is composed of Members of Parliament elected in accordance with the rules of the Parliament and elected from any region in a democratic manner. The Parliament opens – apart from extraordinary cases – at the end of every four years on 10th November and closes on 11th November. The Members of Parliament are elected according to ARTICLES 17, 18, and 19 of this Constitution, and thus the Parliament is formed. Newly elected Members of Parliament shall assume office with an oath on 12th November.

ARTICLE 15. Those inside and outside of the East Turkistan Republic who have collaborated with or are connected to the enemy and its occupations forces or have made it easier for the enemy to occupy or continue to occupy East Turkistan are not allowed to be elected as Members of

Parliament. Those who were members of organizations outside of the Homeland (East Turkistan) who are engaged in any political activities or hold views other than independence shall be required to end their membership of said organizations and shall undergo a waiting period, during which period they must recitify their political views towards Independence in order to become a Member of Parliament. For those persons who worked for such organizations, if acts were committed or statements were issued by such organizations which contradicted or undermined our national interest, those persons will not be allowed to become Members of Parliament, even if they later resigned from such organizations.

ARTICLE 16. Any persons who are not Chinese and have nothing to do with the invasion and occupation of the State, and who have not collaborated with the enemies or the occupation forces, and who have not protected them, and who were born in East Turkistan or who have a family history in East Turkistan, are regarded as a citizens of East Turkistan. Those emigrants who live outside of East Turkistan but feel themselves to be from East Turkistan, and who take East Turkistan as their Homeland, are to be considered naturalized citizens of East Turkistan.

#### **SECTION 4: MEMBERS OF PARLIAMENT**

ARTICLE 17. Members of Parliament shall be elected by those citizens of East Turkistan, who have completed their 18th year, who support Independence for the Homeland, who have participated and been involved in all types of political and patriotic events and activities supportive of our Homeland's Independence, irrespective of their gender, by voting through democratic means. In every host nation where East Turkistanis are residing, at most 10 Members of Parliament can be elected.

ARTICLE 18. Members of foreign Armed Forces and of foreign Police forces may not be elected Members of Parliament for the duration of their service. However, provided that they resign at least 3 months prior to the election, such persons shall have the right to vote and to be elected.

ARTICLE 19. One Member of Parliament is elected for every 60 thousand citizens within the boundaries of the country. In the case of the Parliament-in-Exile, the number of Members of the Parliament is determined according to the number the East Turkistanis in that country where the Members of Parliament live on basis of the principles of law accepted by the Parliament. In any case, the number of the Parliamentarians-in-Exile may not be more than 60.

ARTICLE 20. In instances where Members of the Parliament have died (or have left or been dismissed from office for other reasons), new Members of Parliament shall be elected within a period determined by the Parliament's Decree, through an election to be held where their predecessors were elected. In all cases, Parliamentarians-in-Exile are replaced by those citizens of East Turkistan in the host country where they reside.

#### **SECTION 5: LAWS AND DECREES**

ARTICLE 21. All laws shall be introduced by the Parliament. The introduced laws may be approved by a two-thirds majority vote. The President must then approve laws. Adopted laws shall be implemented by the Government.

ARTICLE 22. All directives shall be issued by the Government in accordance with the guiding principles of the Constitution and the laws of the state.

## SECTION 6: PARLIAMENT AND THE NATIONAL ARMED FORCES

ARTICLE 23. The President is the Commander-in-Chief of the Armed Forces

ARTICLE 24. In times of peace, the Armed Forces shall be commanded and administered by a high-ranking officer who has been appointed by the President, who is experienced and respected, and who is loved and trusted by the Armed Forces.

ARTICLE 25. The Parliament authorizes the Government to prepare for war, and for the protection of the interests of the State and our National Independence, to wage war and to enter into agreements with other countries, with a majority of Parliament's votes.

## SECTION 7: THE ELECTION OF THE PRESIDENT AND THE PRESIDENT'S RIGHTS

ARTICLE 26. The President shall be chosen through election by Parliament. Candidates must be citizens of East Turkistan who have devoted themselves to the cause of Independence for East Turkistan, who are self-sacrificing for the interests of the people of East Turkistan, who are respected and loved by the East Turkistani people, who have reached at least the age of 30, who are educated, who are of Turkic ethnic background, who eligible to be elected Members of Parliament, and who espouse the national interest. The President may only be elected to two (4-year) terms. The President-elect shall assume office with an oath.

### *PRESIDENTIAL OATH*

*As the President (of the East Turkistan Republic), I swear oath in front of the Great God and the people of East Turkistan, to uphold and defend our state, its interests, and to protect and uphold our independence and the territorial integrity, sovereignty, and unity of our nation and our Homeland, to uphold and respect the Constitution and the principles of human rights, and to strive to glorify our state and bring prosperity to our state and people with all my strength.*

ARTICLE 27. RIGHTS AND DUTIES OF THE PRESIDENT

The President shall nominate two people for the position of the Prime Minister and shall put them forth to Parliament, who shall elect one. The President has the right to approve or reject candidates for the Prime Minister's Cabinet. Should the Prime Minister commit serious wrongdoings, he/she shall be reprimanded, and if he/she does not heed the reprimand, then Parliament shall be obligated to propose their dismissal. The President shall retain the right to write a proposal, with evidence, to either dismiss, replace, or extend a candidate's position in the Prime Minister's Cabinet.

The President is the symbol of the Unity of the State. The President shall undersign the laws, regulations, statements and decrees endorsed by the Parliament; in addition, he/she shall appoint ambassadors abroad and shall receive the ambassadors of foreign countries. Upon the proposal of the Minister of Justice, he may pardon those who have committed major crimes or lessen their penalty.

ARTICLE 28. During periods when the President is prevented from executing the duties of his/her office, because of illness, travel, or other reasons, the Vice President, who is a Member of Parliament, shall serve as acting President, and shall be vested with all the powers of the Presidency, until the President has recovered from his/her illness, returned from his/her journey, etc. In the event of the death of the President, the Vice President shall fill his/her office until a new President has been elected by the Parliament. The present ARTICLE is also valid for the President of East Turkistan Republic-in-Exile.

ARTICLE 29. Should the President violate the Constitution and its principles by acting unilaterally and refusing to respect the Parliament's and the High Committee's directives, he/she shall be warned three times. Should the President fail to heed these warnings, with the proposal of the High Committee, at the behest of Parliament, the President shall be impeached from office. In these cases, the Vice President shall assume the office of the Presidency until a new President has been elected by the Parliament.

## **SECTION 8: THE ELECTION OF THE PRIME MINISTER AND THE PRIME MINISTER'S RIGHTS AND DUTIES**

ARTICLE 30. The Prime Minister shall be chosen through election by Parliament. Candidates must be citizens of East Turkistan, who have devoted themselves to the cause of Independence for East Turkistan, who are self-sacrificing for the interests of the people of East Turkistan, who are respected and loved by the East Turkistani people, who have reached at least the age of 25, who are educated, who are of Turkic ethnic background, who are eligible to be elected Member of Parliament, and who espouse the national interest. The Prime Minister may only be elected to two (4-year) terms. The Prime Minister shall form a Cabinet of Ministers and submits them to the Parliament after the approval of the President. After the Parliament has approved the formation of a Government, it approves the Cabinet of Ministers with majority of the votes. During this process, the pre-existing Cabinet of Ministers shall continue to fulfill their duties.



ARTICLE 31. The Prime Minister shall appoint one or two ministers to serve as Official Spokespersons for the Government.

ARTICLE 32. The Prime Minister shall report to Parliament at least once per year regarding the Government's Policies and the overall situation in the Homeland. The Prime Minister shall have the right to maintain readiness of the armed forces during the times of war and peace, to supervise the activities of the Cabinet of Ministers, to warn three times those Ministers that act against the decrees adopted by the Cabinet of Ministers and to expel them out of the Cabinet if they do not take these warnings into account, to ensure that the laws are executed justly, to issue decrees that have the power of laws when the country faces extraordinary circumstances, and to declare martial law with the Parliament's approval.

## **SECTION 9: THE RIGHTS OF PARLIAMENT**

ARTICLE 33. The Parliament shall be authorized to introduce all laws and regulations, to introduce related codes of law concerning tax-collection, import and export regulations, to levy taxes on commodities, to seek and issue loans, to serve as fiduciary custodian of the public interests, and to introduce laws so that general taxes and taxes imposed on imported goods should have equal effect within the boundaries of East Turkistan. In addition, the Parliament shall make laws with regard to the following issues:

ARTICLE 34. Receiving loans on behalf of the East Turkistan Republic from abroad and controlling internal and external trade;

ARTICLE 35. Granting citizenship, revoking citizenship, preventing such banking transactions as shall bring about monetary crises, and issuing banking laws;

ARTICLE 36. Issuing currency, protecting its value, fixing the rates of exchange with foreign currencies, adjusting measures and scales;

ARTICLE 37. Punishing those who counterfeit money;

ARTICLE 38. Opening post offices, hospitals and schools, and carrying out the construction, maintenance and improvement thereof;

ARTICLE 39. Determining the intellectual rights of authors, artists and scientists, protecting the patent rights of inventors and ensuring that they may carry out their studies and research freely;

ARTICLE 40. Establishing a Supreme Court and the other courts subordinate to it;

ARTICLE 41. Investigate, prevent, and stop the crimes of robbery, corruption, illegal trade, plunder and forgery, and punishing those who act against the laws within the territory of our State;

ARTICLE 42. Waging war, making preparations for defense against attacks upon the country in cases when such attacks are probable;

ARTICLE 43. Training and supporting the armed forces, and introducing laws for the administration of the National Armed Forces;

ARTICLE 44. Charging the Armed Forces and other Security Forces with duties in case of rebellion against the State or invasions, with the purpose of protecting the unitary structure of the State;

ARTICLE 45. Concerning the organization and armament of the Armed Forces, the appointment of the military officers and military training in conformity with the laws introduced by the Parliament;

ARTICLE 46. The Parliament of the East Turkistan Republic has ordained that the Government of the East Turkistan Republic is vested with full authority by the present Constitution to issue all other the laws as necessary and appropriate for the execution of the aforementioned duties, to be faithfully executed by any Government office or any Government civil servant.

## **SECTION 10: CITIZENSHIP RIGHTS AND PARLIAMENT RIGHTS**

ARTICLE 47. The Parliament shall guarantee the rights and religious beliefs of the people of East Turkistan and shall not introduce such laws which might prohibit or hinder the people's right to practice their own religion freely, nor to restrict their freedom of thought, self-expression, right to assembly, public demonstration, or protest, nor to restrict the freedom of the press and media, nor to hinder their freedom to submit petitions.

ARTICLE 48. With the guidance of East Turkistan's Government, the public has the right keep and bear arms.

ARTICLE 49. Those who have collaborated with the occupation forces and acted as instruments (openly or secretly) in the invasion and/or occupation of our country, or helped the enemy in any way, are to be prosecuted and punished according to the nature of their crimes.

ARTICLE 50. No military or security official is allowed to enter or seize a property – be it in time of peace or war – without the consent of the owner, or a courts' decree, or the public prosecutor's writ.

ARTICLE 51. People's own selves, properties, documents, money, movable and immovable goods shall be secure against unreasonable searches and seizures, and this right of theirs shall not be abridged.

ARTICLE 52. Except in the event of war or when there is a risk to public safety, no person shall be arrested nor stand accused without a Court's decree or the Prosecutor's writ. No person shall be judged twice for the same offence. No may shall be deprived of their freedom or properties nor may their properties be confiscated nor their rights to properties be transferred to the public unless the case has been adjudicated by the court.

ARTICLE 53. In all criminal prosecutions, the accused shall be judged in an impartial court serving on behalf of the public. The accused shall be advised of the charges against them. In addition, the witnesses of the event shall be heard, and the accused shall be able to employ a lawyer for their defense.

ARTICLE 54. 50: No excessive bail may be demanded of the accused, nor excessive fines be levied, nor cruel and unusual penalties be given. The guilty may only be punished with such codes as befitting their crime, pursuant to the Penal Code.

ARTICLE 55. The rights of citizens indicated in this Constitution may not be ignored; in addition, those rights that have already been granted cannot be trespassed against; furthermore, the equal rights guaranteed by this Constitution may not be denied.

ARTICLE 56. The court may not impose punishments other than those proscribed in the Penal Code. The court may not ridicule or sentence a criminal to forced labor or discriminate against a criminal based on their financial status. All East Turkistani citizens are equal before the law.

## **SECTION 11: RESTRICTIONS ON GOVERNMENT'S AUTHORITY**

ARTICLE 57. With the exclusion of the allocations determined by law, no illegal expense shall be incurred by the East Turkistan Government. The Prime Minister is authorized, with the endorsement of the Parliament, to keep with him and spend funds required for the security and public business of the State. The Parliament shall endorse the annual financial budget of the state which shall be submitted by the Government with a simple majority of the votes. The Prime Minister shall have the budget expenses of the concerned Ministries and Institutes inspected every year by the Parliament's Commission of Inspection and Control. The aforementioned Commission shall be composed of Members of Parliament, the number whereof is 3, 5, 7, 9 or an odd number.

ARTICLE 58. The East Turkistan Government may grant no titles of nobility to anyone. Public officials and Members of Parliament are not allowed to accept or receive gifts or ranks without the Parliament's leave. Nevertheless, such titles, gifts and warrants as are deemed concordant to the State's national interests and as such bear the character of honorarium which might be

received by public officials, Members of Parliament and other accomplished persons, and in this regard they have the right not only receive but also give such as an acknowledgment.

## **SECTION 12: JUSTICE SYSTEM**

ARTICLE 59. The justice system of East Turkistan functions through the Constitutional Court, the Supreme Court, and subordinate Courts that are established by laws through Parliament. Judges and prosecutors shall be appointed by the Ministry of Justice from among jurists who have completed their legal graduate education, who are of good conduct and are respected by the public. Judges and prosecutors shall execute their office with impartiality and justice.

ARTICLE 60. Persons shall retain the right to appeal the decisions and decrees taken by a subordinate Court to the Supreme Court of Appeal.

ARTICLE 61. The East Turkistan Government shall be responsible for the impartial execution of laws adopted pursuant to the Constitution, the fulfillment of international judicial agreements, and shall represent East Turkistan in international legal cases wherein the East Turkistan Republic is party. The East Turkistan Government shall be responsible for ensuring that the Justice Ministry adheres impartially to the Constitution, to all international agreements, to all international treaties acceded to by the East Turkistan government.

ARTICLE 62. All [criminal] cases shall be adjudicated in impartial courts upon indictment by the Prosecutor.

ARTICLE 63. Inciting war or conflict in the State of East Turkistan, and assisting, helping, or abetting the enemies of the state and Homeland are determined to be acts of Treason. Treason is the most heinous, serious crime against the Homeland; thus, traitors shall be punished severely.

Unless such offences are attested to by two witnesses, or unless the accused person confesses to their offence before an impartial court, no person may be convicted of treason.

ARTICLE 64. The Parliament is vested with the authority to endorse the punishment of treason.

## **SECTION 13: ADMENDMENTS AND CORRECTIONS TO THE CONSTITUTION**

ARTICLE 65. Any ARTICLE(s) of this very Constitution that will be deemed inappropriate by two-thirds of the Parliament could be amended. Nevertheless, the guiding principle ARTICLES of this Constitution, viz. ARTICLES 1, 2, 3, 4, 5 and 6, may not be changed nor even proposed to be changed. Those ARTICLES amended are presented in the AMENDEMENTS TO THE CONSTITUTION.

ARTICLE 66. The laws of East Turkistan shall consider those changes that shall be concluded under the authority of the State as the supreme laws of the country and judges shall endeavor to uphold to these laws. The Members of Parliament, and Administrative and Judicial Functionaries shall swear their loyalty with an oath before taking office.

ARTICLE 67. Members of the East Turkistan Parliament-in-Exile must be elected by the East Turkistani people through a democratic process, 6 months prior to the opening of the General Assembly, which shall be held every 4 years. After East Turkistan's independence is restored, Parliamentary elections shall take place every 4 years during the first week of November. On November 12th, the new Parliament will be in session after it has sworn oath. This oath ceremony shall be officiated over by the Highest-ranking member of the Parliament. After the oath ceremony, Parliament shall be in session according to the guidelines in ARTICLE 14.

#### **SECTION 14: CONSTITUTIONAL COURT**

ARTICLE 68. The Constitutional Court is founded in accordance with a special law introduced by the East Turkistan Parliament. This Court supervises whether the laws and decrees introduced by the government as well as the Parliament's regulations are in conformity with the Constitution in both form and character.

The Constitutional Court shall consist of 11 official members, and 4 candidate members. The members of the Constitutional Court shall elect one person from among themselves to be the Chief Justice of the Constitutional Court, along with another person as the Deputy Chief Justice.

ARTICLE 69. The Constitutional Court - in its position as the Supreme Court of Justice – shall decide whether the political parties' activities are in conformity with the Constitution by studying the Public Prosecutor's written report and application. Before rendering a verdict, it shall hear arguments from the President and Deputy President of the concerned political party.

ARTICLE 70. The Constitutional Court - with the Public Prosecutor's indictment and the Parliament's approval – shall try at the Supreme Court cases when the President, Prime Minister or other Ministers have caused severe loss to the State's national interests. The Supreme Court's decision is final and may not be appealed.

ARTICLE 71. The present Constitution being composed of 14 Sections and 71 Articles was accepted unanimously by the Members of Parliament that convened in Washington from November 20 to November 22, 2004 and was announced thereafter. The text that will be taken as authoritative is the one authored in Uyghur.