

Written evidence submitted by William Browder, Head of the Global Magnitsky Justice Campaign (FL0001)

Dear Chairman and Members of the Committee,

My name is William Browder. I am Head of the Global Magnitsky Justice Campaign and CEO of Hermitage Capital Management. I am submitting evidence for your inquiry into possible policy responses to the forced labour of Uyghurs in the Xinjiang region of China.

For anyone who has read about the Chinese policy towards the Uyghurs, it can be categorised as nothing less than genocide. As such, it constitutes one of the gravest and most significant human rights abuses currently going on in the world. When we discuss past genocides such as the holocaust and Rwanda, the typical reaction is “never again”. Here we are in 2020 with millions of people in concentration camps, subjected to sterilizations, political and religious re-education, forced labour and murder. It is impossible for us to stand by and do nothing.

The obvious question is: what can we do?

The British government is in a difficult position in relation to China. Unlike other countries who perpetrate human rights abuses, China is intimately engaged with the rest of the world in terms of trade and finance. As such, they have an enormous amount of power to retaliate in response to actions taken against them. Hence, it is unlikely that we would be able to convince the government to take any broad sanctions against the Chinese government at this time.

While this may be frustrating, it does not mean we are unable to take decisive action.

I have spent the last eleven years lobbying for Magnitsky Acts around the world. In 2008, my lawyer, Sergei Magnitsky, uncovered a massive fraud committed by Russian government officials that involved the theft of US \$230 million of state taxes. Sergei testified against state officials involved in this fraud and was subsequently arrested, imprisoned without trial and systematically tortured. He spent a year in prison under horrific detention conditions, was repeatedly denied medical treatment, and died in prison on November 16, 2009, leaving behind a wife and two children.

I then sought justice outside of Russia and started a global campaign for governments around the world to impose targeted visa bans and asset freezes on human rights abusers and highly corrupt officials. Western countries do not have to punish states as a whole, but rather target specific individuals identified as responsible for abuses.

The United States was the first to impose these targeted sanctions with the passage of the *Sergei Magnitsky Accountability Act* in 2012, followed by the *Global Magnitsky Human Rights Accountability Act* in 2016 which includes all countries around the world (including China). Since then, Canada, United Kingdom, Estonia, Latvia, Lithuania and Kosovo have passed their own versions of the Magnitsky Act.

While it may be financially and politically impossible to implement broad sanctions against China, it wouldn't be impossible to impose Magnitsky Sanctions in relations to the perpetrators of human rights abuses against the Uyghurs.

There appears to be ample evidence regarding who bears responsibility for the network of concentration camps and who is implementing the policy of repression. There is also a precedent with Magnitsky Sanctions already being applied by the United States. So far, seven Chinese individuals and two entities have been sanctioned under the Global Magnitsky Human Rights Accountability Act, including Chen Quanguo and Zhu Hailun.

Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Accountability Act (9 July 2020)

1. <https://home.treasury.gov/news/press-releases/sm1055>
2. <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20200709>

In July 2020, the UK implemented sanctions on 49 persons (47 individuals and two entities)

- 20 Russian nationals involved in the death of Sergei Magnitsky
- 20 Saudi nationals involved in the murder of journalist Jamal Khashoggi
- Two high-ranking Myanmar military generals involved in the systematic violence against the Rohingya people
- Two organisations involved in forced labour, torture and murder in North Korea's gulags

<https://www.gov.uk/government/news/uk-announces-first-sanctions-under-new-global-human-rights-regime>

In September 2020 the UK sanctioned eight members of the Belarusian regime, including Alexander Lukashenko, for human rights violations following the rigged elections.

<https://www.gov.uk/government/news/belarus-uk-sanctions-eight-members-of-regime-including-alexander-lukashenko>

I believe it is entirely reasonable for the British government to impose Magnitsky Sanctions on Chinese individuals, notably those already sanctioned by the United States.

When you compare genocide to the banning of visas and freezing of assets, it may not seem like a particularly satisfying consequence, which it isn't. However, it has been proven that Magnitsky Sanctions are damaging to officials who otherwise enjoy impunity.

Most of these individuals enjoy the fruits of their abuse in the West, buying properties and sending their children to boarding schools and elite universities - London is a particular favourite for Chinese officials. The UK must send a powerful message: "They are no longer welcome". Human rights abusers should not benefit from strong financial systems, rule of law and free societies.

I would hope that one of the recommendations of this committee would be to urge the government to sanction Chinese individuals responsible for these atrocities and expand the sanctions list as more evidence becomes available.

Sincerely,
William Browder

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