

Written evidence submitted by Justice For All (XIN0043)

1. Justice For All is a non-profit organization based in Chicago, USA with staff and volunteers in Washington DC, New York, Boston, Texas, Canada, and other locations. The organization, which was incorporated in 1999, grew out of advocacy efforts on the human rights abuses experienced in Bosnia and later Kosovo during the break-up of the former Yugoslavia. At that time, it was instrumental in shaping the discourse around the 'genocide' debate and campaigned to declare rape as a war crime in international law.
2. Save Uyghur is a project of Justice For All. It focuses on education and advocacy for the rights of Uyghur and other Turkic people under Chinese occupation.
3. This submission aims to highlight the extensive human rights abuses that the Uyghur population is experiencing at the hands of Chinese authorities in Xinjiang (a region referred to as 'East Turkestan' by the Uyghur population, who reject the nomenclature of Xinjiang due to connotations of imperialism). The systemic persecution of Uyghurs by the Chinese Government violates international human rights treaties to which China is a ratified party, including the United Nations Convention on the Rights of the Child, and Article 6 and Article 7 of the International Covenant on Economic, Social and Cultural Rights. The widespread policies of arbitrary detentions, familial separations, forced labour, high-tech surveillance, and forced sterilisations fulfil the criteria of genocide as defined in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

Detention, Familial Separation, and Forced Labour

4. Since 2017, the Government of the People's Republic of China has detained between 1 and 3 million Uyghurs, Kyrgyz, Kazakhs, and other ethnic minorities in the Xinjiang Uyghur Autonomous Region. Under the guise of 'terrorism prevention' and 'domestic security', both national and local Chinese Communist Party authorities have pursued a concerted campaign of

mass internment, familial separation, indoctrination, and forced labour. Analysis¹ of satellite imagery has confirmed the presence of over 380 mass detention facilities in Xinjiang. Chinese authorities state that these detention camps serve the purposes of “re-education” and “poverty alleviation”; however, leaked official documents² and testimonies from former detainees have revealed the purposes of these facilities to be political indoctrination, the suppression of Uyghur culture, and forced labour. The ‘re-education’ that detainees are subjected to consists of Mandarin language classes, forced renunciations of faith, propaganda films, and pledges of loyalty to the Chinese Communist Party. Those detainees who continue speaking the Uyghur language or professing the Islamic faith are faced with strict disciplinary measures, mistreatment, and physical punishments which fulfil the definition of torture under the *Criminal Justice Act 1988*. The emphasis on integration into Han Chinese cultural practices combined with the repression of Uyghur culture, language, and religion indicates a deliberate governmental effort of cultural erasure. Many detentions have been conducted extrajudicially and arbitrarily, and those detainees who have faced trial have had no right to legal representation.

5. Uyghur children whose parents are detained are placed in state-run orphanages, where they undergo a similar regime of political indoctrination and cultural erasure. Orphanages combine Mandarin lessons with a curriculum that places an emphasis on loyalty to the state, and condemnation of the Uyghur culture and religion. Children have limited or no contact with their parents, and are taught that their parents deserve internment and to denounce their parents’ alleged anti-social behaviour. The Chinese Government has drastically increased funding to build state-run orphanages in Xinjiang, and official documents³ show that certain counties received quotas that they needed to fulfil on the number of Uyghur children placed in state-run facilities. The government directives on familial separation and the institutionalisation of the

¹ Australian Strategic Policy Institute. The Xinjiang Data Project, 2020. <https://xjdp.aspi.org.au/>

² Ramzy, Austin, and Chris Buckley. “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims.” The New York Times, November 16, 2019. <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>

³ Wang, Yanan, and Dake Kang. “China Treats Uighur Kids as ‘orphans’ after Parents Seized.” September 21, 2018. <https://apnews.com/article/903a97b7c62a47b98553b6f422827dd7>.

indoctrination and erasure of Uyghur culture among Uyghur children is a gross violation of the United Nations Convention on the Rights of the Child, to which China is a signatory and ratified party. These actions also fulfil one of the criteria of genocide stipulated in the U.N. Convention on the Prevention and Punishment of the Crime of Genocide, specifically Section E of Article II, “forcibly transferring children of the group to another group”.

6. As part of the ‘re-education’, there is a particular emphasis on ‘vocational training’, in which Uyghurs are coerced into factory work. Government subsidies incentivise companies to utilise factories with Uyghur labour, and Uyghurs are paid at rates well below minimum wage, sometimes being paid nothing. The system of mass internment facilitates the pervasive usage of forced labour within manufacturing and industrial production in Xinjiang. Factories are often located in close proximity to detention centres, with some factories being located within detention facilities themselves. Uyghur participation in the manufacturing base is largely involuntary, with satellite imagery revealing the presence of barbed wire fences, surveillance cameras, and guard towers at factories in Xinjiang. Testimonies⁴ from former detainees recount threats and intimidation made by Chinese authorities in order to compel them into forced labour, including the prolongation of their detention or the detention of family members. Official documents reveal⁵ that Chinese authorities have also transferred Uyghurs to other regions of China where they are confined in manufacturing compounds and experience conditions similar to those in Xinjiang, revealing the complicity of 83 companies using Uyghur forced labour. Due to the intimidation and surveillance of workers, and efforts by Chinese authorities to conceal the practice of forced labour; due diligence on supply chains in Xinjiang is functionally impossible. Efforts to audit supply chains are more likely to endanger workers than yield reliable evidence⁶,

⁴ Lehr, Amy K., and Mariefaye Bechrakis. Connecting the Dots in Xinjiang: Forced Labor, Forced Assimilation, and Western Supply Chains. Center For Strategic & International Studies. October 16, 2019. <https://www.csis.org/analysis/connecting-dots-xinjiang-forced-labor-forced-assimilation-and-western-supply-chains>.

⁵ Xu, Vicky Xiuzhong, Danielle Cave, James Leibold, Kelsey Munro, and Nathan Ruser. Uyghurs for Sale. Australian Strategic Policy Institute. March 01, 2020. <https://www.aspi.org.au/report/uyghurs-sale>.

⁶ U.S. Congress. Congressional-Executive Commission On China. Global Supply Chains, Forced Labor, and the Xinjiang Uyghur Autonomous Region. By Luke Adams, Steve Andrews, Scott Flipse, Megan Fluker, and Amy Reger. Cong. Rept. <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/CECC%20Staff%20Report%20March%202020%20-%20Global%20Supply%20Chains%2C%20Forced%20Labor%2C%20and%20the%20Xinjiang%20Uyghur%20Autonomous>

and components made by detainees are often integrated into other supply chains by the Chinese Government in order to make them untraceable. The unreliability of auditing supply chains, and the prevalence of forced labour, implies that all goods sourced from Xinjiang must be presumed to have exploited coerced labour.

State Surveillance

7. In order to exert an intrusive level of control over the Uyghur populace of Xinjiang, the Chinese Government has utilised advanced biometric technology and artificial intelligence to establish a surveillance state. Under the pretence of medical examinations, every Uyghur resident of Xinjiang between the ages of 12 and 65 is required to provide the state with biometric data including DNA and blood samples, voice recordings, iris scans, and photographic imaging from multiple angles⁷. China's architecture of social control relies upon an extensive network of closed-circuit surveillance cameras, including those inside houses of worship, and frequent police checkpoints in urban areas. At these checkpoints, Uyghurs are interrogated, submit their mobile phones to be checked for prohibited communications, and have their faces and movement logged. The Chinese Government is compiling this biometric dataset for the purpose of creating a facial recognition and DNA phenotyping system that can identify an individual as being ethnically Uyghur. This state regime of high-tech racial profiling allows the security forces in Xinjiang to target their policies of security checks and discrimination on the Uyghur population and not the ethnically Han residents of Xinjiang. Uyghur residents of Xinjiang are required to install monitoring software on their mobile devices that collects and transmits data to Chinese authorities. Chinese mobile application companies are required to provide data of Uyghur users to Chinese authorities. Google security researchers⁸ discovered that state-backed hackers exploited

[%20Region.pdf](#)

⁷ U.S. Congress. United States Commission on International Religious Freedom. Religious Freedom in China's High-Tech Surveillance State. By Dominic J. Nardi. Cong. Rept. <https://www.uscirf.gov/sites/default/files/2019%20China%20Surveillance%20State%20Update.pdf>

⁸ Greenberg, Andy. "Amid Its Covid-19 Crisis, China Was Still Hacking Uighurs' iPhones." Wired, April 22, 2020. <https://www.wired.com/story/amid-covid-19-crisis-china-hacking-ughur-iphones/>.

vulnerabilities in the operating systems of mobile phones in order to install spyware and misappropriate the private data of Uyghurs.

8. The massive amount of personal data collected on Uyghur residents in Xinjiang is then fed into a data analytics algorithm, the Integrated Joint Operations Platform (IJOP), that conducts a security risk assessment, and classifies individuals as problematic. These individuals are subject to investigations and restrictions on personal rights and freedoms -- this includes severe restrictions on movement, communication, and free association, as well as arbitrary detention in 're-education camps'. An investigation⁹ by Human Rights Watch reversed engineered the IJOP application and uncovered aspects of the automated system that determines which individuals are subject to investigation and arrest. Data points of particular interest to the algorithm include peaceful religious activities, travel abroad, unusual household electricity usage, the usage of unregistered mobile phones or the non-usage of mobile devices altogether, and non-social behaviour such as avoiding the use of the front door when entering a domicile. While the majority of the behaviour monitored by the application are not violations of Chinese law, the algorithm utilises these data points designate an individual for investigation and arrest, leading to extrajudicial detention¹⁰. As Uyghurs are not allowed legal representation, and are often not afforded trials altogether, this algorithmic classification can often be the primary determiner of a person's freedom. In a particularly draconian form of social control, IJOP takes into account not only the behaviour of an individual, but also the behaviour of all those that the individual has associated with or contacted. Association or communication with those who have been determined to be problematic by the algorithm can lead to an increased likelihood of investigation and detention.

⁹ "China's Algorithms of Repression." Human Rights Watch, May 01, 2019. <https://www.hrw.org/report/2019/05/02/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass>.

¹⁰ Allen-Ebrahimian, Bethany. "Exposed: China's Operating Manuals for Mass Internment and Arrest by Algorithm." International Consortium of Investigative Journalists, November 24, 2019. <https://www.icij.org/investigations/china-cables/exposed-chinas-operating-manuals-for-mass-internment-and-arrest-by-algorithm/>.

9. Due to the extensive government expenditures into the 'Sharp Eyes' and 'Skynet' surveillance projects, most of China's major technology companies have participated in implementing the apparatus of state surveillance in Xinjiang through state contracts. Reports¹¹ by the Australian Strategic Policy Institute outlined the active involvement of China's major technology companies in state surveillance of Uyghurs, and have found that Western investment in China's artificial intelligence sector has actively funded the development of technologies used by Xinjiang security forces¹². Through holdings in video surveillance companies such as Dahua Technologies and Hikvision, British investment management firms have helped these companies finance their installation of surveillance equipment at detention camps. Investment funds publicly available to British investors hold shares in Dahua Technologies and Hikvision surmounting £759 million¹³. On account of concentrated efforts by Chinese corporations to conceal their involvement in the government monitoring of ethnic minorities in Xinjiang, British investment has aided the Chinese state in establishing an Orwellian level of social control on ethnic minorities.

Forced Sterilisation

10. Concerning findings by the Associated Press¹⁴ and Dr. Adrian Zenz¹⁵ illustrate a concentrated government effort to reduce the birth rate among the Uyghur population in Xinjiang. In doing so, the Xinjiang Health Commission, along with local governments, brazenly and repeatedly violated

¹¹ Cave, Danielle, Samantha Hoffman, Alex Thomas, Fergus Ryan, and Elise Thomas. "Mapping China's Tech Giants." Australian Strategic Policy Institute, April 18, 2019. <https://www.aspi.org.au/report/mapping-chinas-tech-giants>.

¹² Cave, Danielle, Fergus Ryan, and Vicky Xiuzhong Xu. "China's Tech Giants: AI and Surveillance." November 28, 2019. <https://www.aspi.org.au/report/mapping-more-chinas-tech-giants>.

¹³ Bridge, Mark, Lucy Fisher, and Mark Atherton. "British Funds 'are Used to Enable China's Human Rights Abuses'." The Times, July 15, 2019. <https://www.thetimes.co.uk/article/british-funds-used-to-enable-chinas-human-rights-abuses-c2r80dfgg>.

¹⁴ "China Cuts Uighur Births with IUDs, Abortion, Sterilization." Associated Press, June 28, 2020. <https://apnews.com/article/269b3de1af34e17c1941a514f78d764c>.

¹⁵ Zenz, Adrian. "Sterilizations, IUDs, and Coercive Birth Prevention: The CCP's Campaign to Suppress Uyghur Birth Rates in Xinjiang." The Jamestown Foundation. <https://jamestown.org/program/sterilizations-iuds-and-mandatory-birth-control-the-ccps-campaign-to-suppress-uyghur-birth-rates-in-xinjiang/>.

the reproductive rights of thousands of Uyghur women. Under the auspices of family planning and population control, authorities have established a systemic campaign to forcibly administer Intrauterine contraceptive devices (IUD), sterilisations, family separations, and abortions. Leaked government documents revealed that one of the most common reasons for internment of Uyghur women is noncompliance with state-mandated limits on the number of children a woman could have. Uyghur and other ethnic minority women found to have had more children than state-mandated limits are faced with excessive fines, compulsory IUD placement, and are often subjected to internment and separation from their children. Eyewitness accounts from former female detainees recount being forcibly fitted with IUDs in medical procedures undergone during their internment. Family planning statistics of certain districts in Xinjiang show in excess of 70% of Uyghur women of childbearing age receiving IUD placements, nearly half of whom were not in violation of state-mandated population control measures. The IUDs administered are designed in such a way that they can only be removed via a medical operation, and unauthorised removal is punishable by imprisonment and fines. IUD placement in Xinjiang far outpaces the national average. In 2018, 80% of all new IUDs fitted in China were in Xinjiang, compared to Xinjiang only comprising 1.8% of China's population. Across Xinjiang, birth rates dropped 24% in the last year, approximately six times higher than the 4.2% decrease nationally.

11. Many Uyghur women have reported¹⁶ that they were subject to mandatory abortions or tubal ligations from local health authorities, and were threatened with internment if they refused. In 2018, 1.1% of all married women of childbearing age were subjected to sterilisation from authorities. In certain rural districts in which Uyghurs are particularly demographically represented, 34.3% of married women of childbearing age were subjected to sterilisation. The tubal ligation that Uyghur women are subjected to is an irreversible procedure, as Chinese medical authorities remove sections of the fallopian tube. In addition to tubal ligations and IUDs, Uyghur women in detention have been subjected to hormonal injections, among other medical procedures. Mihrigul Tursun¹⁷, a former detainee and mother of triplets, testified before the

¹⁶ "China: Uighur Women Reportedly Sterilized in Attempt to Suppress Population." Deutsche Welle, July 01, 2020. <https://www.dw.com/en/china-uighur-women-reportedly-sterilized-in-attempt-to-suppress-population/a-54018051>.

¹⁷ Kellar, Megan. "Uighur Mother Asks Congress to 'take Strong Action' against China's Re-education Camps." November

United States Congress, that during her detention, she and other Uyghur women were subjected to pills and injections that caused irregularity and eventual cessation of their menstrual cycles. Later medical examinations determined she had been sterilised. Other testimony from former female detainees recalls compulsory medical procedures during their internment, unknowingly and without their consent these women had been sterilised. Female detainees who were found to be pregnant during medical examinations were forcibly administered abortions. The calculated campaign of mass female sterilisation carried out by Chinese authorities in Xinjiang fulfils one of the criteria of genocide stipulated in the *U.N. Convention on the Prevention and Punishment of the Crime of Genocide*, specifically Section D of Article II, “imposing measures intended to prevent births within the group”.

Recommendations to the Foreign Affairs Committee

- The Secretary of State should designate members of the following organisations as part of *The Global Human Rights Sanctions Regulations 2020* under powers granted in the *Sanctions and Anti-Money Laundering Act 2018*. Members of these organisations should face sanctions including the non-issuance of visas and asset freezing as outlined in the regulations. The Office of Financial Sanctions Implementation should also add these organisations and their members to the consolidated list of financial sanctions.
 - **Standing Committee of the People’s Congress of Xinjiang Uyghur Autonomous Region**
 - The provincial-level Chinese Communist Party authority that devised and instigated the regime of mass detention and indoctrination.
 - **Xinjiang Production and Construction Corps** - A paramilitary organisation under the direct command of the Chinese Communist Party that administers internment camps and is complicit in the ongoing forced labour and human rights abuses.

29, 2018. <https://thehill.com/homenews/senate/418913-uyghur-mother-asks-congress-to-take-strong-action-against-those-responsible>.

- **China Electronics Technology Group** - a state-owned corporation that provides the People's Liberation Army and Xinjiang Security Forces with advanced technology and computer systems in order to monitor and control the Uyghur population in Xinjiang, including the Integrated Joint Operations Platform.
- Her Majesty's Revenue and Customs should implement an import ban on goods produced or sourced, wholly or in-part, in Xinjiang. Efforts to conduct due diligence on supply chains in Xinjiang are unreliable due to extensive integration of forced labour into the regional economy, the mixing of involuntary labour with voluntary labour, the inability of witnesses to speak freely about working conditions given government surveillance and coercion, and the incentive of government officials to conceal forced labour. Until such a point that the Foreign, Commonwealth & Development Office can make a determination that the systemic use of forced labour in Xinjiang has ceased, all goods produced or sourced in Xinjiang should be presumed to be in violation of the *Foreign Prison-Made Goods Act 1897* and therefore be prohibited from importation into the United Kingdom.
- The Export Control Joint Unit should amend Schedule 4 of *The Export Control Order 2008* such that the export of military goods, technology, and other dual-use goods to the People's Republic of China is subject to an embargo and stricter transit control. If exported to China, these goods will be utilised as part of the system of mass surveillance and arbitrary detention.
- The Department for International Trade should update the UK Strategic Export Control Lists to include a broader definition of technology subject to export control, including facial recognition and artificial intelligence systems, GPS tracking software, biometric devices, and DNA sequencers.
- The Permanent Representative of the United Kingdom to the United Nations should submit a complaint, with accompanying evidence, to the Committee on Economic, Social and Cultural Rights that the People's Republic of China's actions in Xinjiang stand in violation of Article 6

and Article 7 of the International Covenant on Economic, Social and Cultural Rights. Both the United Kingdom and the People's Republic of China have signed and ratified this treaty, and are therefore obligated to uphold the "the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts" stated in Article 6 and the fair remuneration and safe and healthy working conditions stipulated in Article 7.

- Her Majesty's Government should support the passage of the *Trade Bill 2019-21* through Parliament with the inclusion of Clause 68 that would invalidate trade agreements between the United Kingdom and states that are guilty of contravening the Genocide Convention as determined by the High Court of Justice.
- Her Majesty's Government should propose to Parliament an amendment to Part 6 of the *Modern Slavery Act 2015*, to allow the Secretary of State to enact financial penalties on commercial organisations that have been found to have taken insufficient steps in ensuring slavery and human trafficking is not taking place within their supply chains.
- The Foreign, Commonwealth & Development Office should provide greater assistance to Uyghurs in the United Kingdom in order to facilitate family reunification with relatives that are currently detained. Familial reunification should be addressed in bilateral diplomatic channels between the United Kingdom and the People's Republic of China.
- Due to increased pressure from the Ministry of Foreign Affairs of the People's Republic of China, many Middle Eastern and Asian nations have deported Uyghur students and asylum seekers back to China, where they face detention¹⁸. The Foreign, Commonwealth & Development Office should utilise bilateral relations with these nations to implore them to cease deportations of Uyghurs back to China, due to the credible threat of detention that these deportees will face.

¹⁸ "Egypt: Don't Deport Uyghurs to China." Human Rights Watch, July 7, 2017. <https://www.hrw.org/news/2017/07/08/egypt-dont-deport-uyghurs-china>.

- The Joint Intelligence Committee should closely monitor the situation in Xinjiang, as well as maintain oversight of the activities of Chinese officials and agents within the United Kingdom. There have been several reports of Uyghur activists residing in Europe facing intimidation by agents of the Chinese government¹⁹. British intelligence agencies should remain vigilant in order to ensure the safety of the Uyghur community in the United Kingdom.
- The BBC World Service should continue to investigate and report on the human rights abuses occurring in Xinjiang, as a means to counter Chinese state media disinformation and propaganda. Particularly important is BBC news coverage in Arabic, Turkish, Bengali, Swahili, and Urdu.

October 2020

¹⁹ Halliday, Ellen. "Uighurs Can't Escape Chinese Repression, Even in Europe." The Atlantic, August 20, 2019. <https://www.theatlantic.com/international/archive/2019/08/china-threatens-ughurs-europe/596347/>.