

## **Written evidence submitted by Uyghur Human Rights Project (XIN0071)**

### **Introduction to your organisation:**

The Uyghur Human Rights Project (UHRP) promotes the rights of the Uyghurs and other Turkic Muslim peoples in East Turkistan, referred to by the Chinese government as the Xinjiang Uyghur Autonomous Region, through research-based advocacy. UHRP publishes reports and analysis in English and Chinese to defend Uyghurs' civil, political, social, cultural, and economic rights according to international human rights standards.

We document violations; highlight human rights defenders, survivors, and victims; and research avenues for defence and positive promotion of Uyghurs' human rights, especially in the arenas of policymaking, grassroots action, and cultural rights promotion. UHRP emphasizes bringing forward Uyghur voices and Uyghur experiences.

### **Reason for submission:**

Our primary motivation for this submission is to leverage UHRP's expertise in collecting on-the-ground documentary evidence to directly inform policy interventions which will improve the human rights situation in the Uyghur region as well as Uyghur diaspora communities in the United Kingdom (U.K.) and around the world. This submission has been compiled from original research conducted by UHRP with, and alongside, Uyghur activists, dissidents, and victims living both in and outside of the Uyghur region. The recommendations and analysis contained within this submission are derived from UHRP's years of research and advocacy work to further international accountability for the Chinese government's actions within the Uyghur region at the domestic, regional, and multilateral levels. We thank you for your time and consideration of our recommendations as outlined below.

### **Summary:**

Our submission outlines three (3) principal avenues for how the U.K. government can better address the current human rights crisis in the Uyghur region: first, greatly increasing the U.K.'s voice on Uyghur issues at the UN and bilaterally through the FCDO abroad; second, imposing coordinated sanctions on individuals as well as export/import controls on "blacklisted" corporations tied to the abuses; and third, improving U.K.'s anti-trafficking and forced labour standards by facilitating total divestment of the British textile industry from the Uyghur region.

We start by recommending that the U.K. upholds its obligations under international law and vigorously pursues international accountability for the Chinese Communist Party's (CCP) actions in the Uyghur region through multilateral diplomacy at the UN. We call upon the U.K. government to use its Human Rights Council position to lobby for the creation of an independent UN Commission on Inquiry to investigate atrocities occurring within the Uyghur region and to combat the CCP's malign efforts to undermine universal human rights standards within the broader U.N. system.

Additionally, we call on the U.K. to ban the forced return—or illegal "refoulement"—of Uyghurs to China and to protect U.K.-based Uyghur diaspora members and dissidents from CCP harassment on U.K. soil. On sanctions, we call upon the U.K. government to coordinate with allies such as the United States and Canada in deploying economic sanctions against individuals and "blacklisted" corporations complicit in the genocide occurring in the Uyghur region. Doing so will not only magnify the impact of the new

*Global Human Rights Sanctions Regulations Act of 2020* but also encourage other like-minded states to take action.

Finally, on improving forced labour standards, we call upon the U.K. government to strengthen the *Modern Slavery Act of 2015* by requiring U.K. corporations to not only report annually on supply chain issues, but to immediately act on them. We call on the British textile to divest entirely from the Uyghur region, where forced labour has been proven by international investigators to be present in every step of the production process. Finally, we end our submission with a recommendation that the U.K. government develop a national atrocity-prevention strategy and a dedicated atrocity-prevention office which would coordinate the implementation of these recommendations.

*(Note: all recommendations written in bold text)*

### **How can the United Kingdom use organisations and agreements such as the UN Human Rights Council and the Genocide Convention to influence China towards better human rights practices?**

The U.K.'s obligations and mechanisms for action fall within three principal areas: the U.K.'s obligations under the 1948 UN Genocide Convention, its obligations to recognise and combat crimes against humanity under the Rome Statute, and the U.K.'s public commitment to bolstering international accountability for human rights violations as a newly re-elected member of the United Nations Human Rights Council (HRC).

As a signatory to the 1948 Genocide Convention, the U.K. has an obligation and mechanism to act on genocide and crimes against humanity whenever and wherever they occur. Article 8 of the Convention states that "Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III."

- **The Government of the U.K. should invoke Article 8 of the Genocide Convention to support the establishment of an independent UN mechanism to investigate and document violations of international human rights within the Uyghur region. The UHRP as well as dozens of UN human rights experts believe the most effective mechanism would be to establish an official Commission of Inquiry through the Human Rights Council.**

In September 2020, the UHRP, in conjunction with 22 genocide and atrocity prevention organisations and 16 internationally-renowned genocide scholars, published a letter assessing that the Chinese government's recent actions in Uyghur region "meet the threshold of acts constitutive of genocide, core international crimes under the Genocide Convention" and that China's actions "are consistent with crimes against humanity, an international crime under the Rome Statute, including persecution against an identifiable group on racial, ethnic, and religious grounds, forced population transfers, enforced disappearances, and deprivation of liberty in violation of international law."<sup>1</sup>

The joint letter called on governments to appoint a UN Commission of Inquiry to investigate the abuses, and to implement commitments on atrocity and genocide prevention through bilateral and multilateral

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<sup>1</sup> Uyghur Human Rights Project, "Genocide prevention experts call for UN Commission of Inquiry on crimes against humanity and genocide against Uyghurs." *UHRP Press Room*, 14 September 2020. Web. [https://docs.uhrp.org/pdf/UyghurGenocideJointOpenLetter\\_2020-09-14.pdf](https://docs.uhrp.org/pdf/UyghurGenocideJointOpenLetter_2020-09-14.pdf)

diplomacy, as well as “independently investigate and make appropriate legal determinations regarding the Xinjiang situation” within their national judicial system.<sup>2</sup>

An international accountability mechanism is required to fully investigate the human rights situation in the Uyghur region. On June 26, 2020, 50 UN independent human rights experts and special procedures mandate holders called for greater UN scrutiny of China’s human rights practices,<sup>3</sup> a demand which was echoed by an unprecedented 400 civil society groups from around the world.<sup>4</sup>

- **As a candidate for the Human Rights Council this October, the British government pledged to work “for everyone’s human rights, leaving no person behind” if elected. Now as a successfully elected member of the HRC, the U.K. has a responsibility to act on this pledge by greatly raising the profile of Uyghur issues in Geneva.<sup>5</sup>**

In recent years, the Chinese mission to the UN has pressed for, and passed, HRC resolutions which seek to undermine current international human rights standards, including a March 2018 resolution which commissioned a report on the concept of a “Win-Win” or “mutually beneficial” approach to human rights advocacy at the UN.<sup>6</sup> China’s “Win-Win” approach is not focused on supporting internationally established human rights standards, but rather designed to establish the CCP’s non-interventionist, “sovereignty-respecting” interpretation of rights as a new norm within the UN system.

In the report resulting from the March 2018 resolution, the Chinese Mission to the UN called upon states to “avoid applying any pressure to secure cooperation [on human rights]” and to even avoid “preaching so-called ‘universal’ values.” Instead, the CCP’s “Win-Win” or mutually-beneficial approach to human rights recommends technical assistance and capacity-building on human rights be “dispensed in line with ... the principles of sovereignty and non-intervention,” and “only at the request” of member states concerned.<sup>7</sup>

- **The U.K. mission to the UN must make combating China’s efforts to undermine the international human rights system a priority.<sup>8</sup> This means calling out China whenever and wherever it seeks to use the Council or broader UN system to promote a human rights**

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<sup>2</sup> Ibid.

<sup>3</sup> United Nations Office of the High Commissioner for Human Rights, “UN experts call for decisive measures to protect fundamental freedoms in China,” OHCHR News Room, 26 June 2020. Web.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006&LangID=E>

<sup>4</sup> Human Rights Watch, “Global call for international human rights monitoring mechanism on China,” 25 September 2020.

<https://www.hrw.org/news/2020/09/25/global-call-international-human-rights-monitoring-mechanism-china>

<sup>5</sup> UK Foreign Commonwealth and Development Office, “UN Human Rights Council United Kingdom 2021–2023 candidate flyer,” FCDO. September 2020. Web.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/925677/un-human-rights-council-uk-2021-2023-candidate.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925677/un-human-rights-council-uk-2021-2023-candidate.pdf)

<sup>6</sup> Worden, Andréa, “China’s win-win at the UN Human Rights Council - Just not for human rights,” *Charles University, Department of Sinology*. 29 May 2020. Web. <https://sinopsis.cz/wp-content/uploads/2020/05/worden-unhrc-win-win.pdf>

<sup>7</sup> Chinese Human Rights Center, Amnesty International, Human Rights Watch, Asian Forum for Human Rights, et al. “Annex: key concerns with draft resolution a/hrc/43/l.31 on promoting mutually beneficial cooperation in the field of human rights,” *NCHRD*, March 2020. <https://www.nchrd.org/wp-content/uploads/2020/06/Joint-NGO-annex-on-Mutually-Beneficial-Cooperation-15-June-2020.pdf>

<sup>8</sup> Human Rights Watch, “The Costs of International Advocacy China’s Interference in United Nations Human Rights Mechanisms,” HRW.org. September 2017. <https://www.hrw.org/report/2017/09/05/costs-international-advocacy/chinas-interference-united-nations-human-rights>

**regime that prioritises the sovereignty of member states over the innate, indivisible, and universal nature of human rights upon which the United Nations was founded.**

The Human Rights Council in particular provides a high-profile forum for the U.K. government to spotlight and investigate the Chinese government's systematic abuse of Uyghurs. Given that the Chinese government has been re-elected to a seat on the Council, as well as a position on the HRC's Consultative Group, **the U.K. government must make a conscious effort to proactively promote the discussion of Uyghur human rights abuses whenever possible within the UN system.** This can be done by the U.K. mission to the UN by:

- **Supporting the creation of a Commission of Inquiry (COI) within OHCHR to investigate human rights abuses within the Uyghur region.** A COI would be composed of independent human rights experts and granted unfettered access to the Uyghur region and detention camps.
- **Working with the UN Office on Genocide Prevention and the Responsibility to Protect for greater visible action on the Uyghur issue.**
- **Supporting the work of the UN Independent Experts and Special Rapporteurs whose mandates intersect with the Uyghur human rights crisis.**
- **Advocating for more competitive Human Rights Council races within the Asia-Pacific regional bloc so that China does not continue to hold a seat on the Council.** This autumn the UHRP, in conjunction with 70 other Uyghur groups, launched a campaign against China's bid.<sup>9</sup> While the campaign was ultimately unsuccessful, the October 2020 HRC election was China's worst-ever showing in terms of vote count - with China earning only 139 votes for its bid, a loss of 41 UN member states from its previous tally.<sup>10</sup>
  - **The U.K. government should support candidate states for the Asia-Pacific group who uphold the highest standards in the promotion and protection of human rights, and reject candidates with poor human rights records.**
- **Preventing China from obstructing the independent operations and mandates of the Human Rights Council's special procedure system given China's new position on the Council's influential "Consultative Group."**
  - Incredibly, China has the authority to appoint and manage the Council's system of independent experts and rapporteurs while refusing to cooperate with them by allowing fact-finding country visits to China.<sup>11</sup>
- **Pushing China to provide OHCHR experts, including the High Commissioner herself, unfettered access to the Uyghur region as their mandates and concerns may require.**

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<sup>9</sup> World Uyghur Congress, "#VoteNoChina: 70 Uyghur organizations call on governments to vote against China's election to UN human rights body," 7 October 2020. <https://www.uyghurcongress.org/en/votenochnina-70-uyghur-organizations-call-on-governments-to-vote-against-chinas-election-to-un-human-rights-body/>

<sup>10</sup> Richardson, Sophie, "China Grudgingly Gets UN Rights Body Seat - Lowest Vote Total Among 15 Countries Elected," *Human Rights Watch*, 13 October 2020. Web. <https://www.hrw.org/news/2020/10/13/china-grudgingly-gets-un-rights-body-seat#>

<sup>11</sup> Uyghur Human Rights Project, "China should not be appointing UN investigators while refusing cooperation with them," *UHRP Press Unit*, April 7 2020. Web. <https://uhrp.org/press-release/china-should-not-be-appointing-un-investigators-while-refusing-cooperation-them.html-0>

## **Where these mechanisms prove ineffective, what other international laws and agreements can be used effectively for atrocity prevention?**

- **The FCDO, in concert with other states at the United Nations, should publicly call upon the Chinese government to ratify the following essential international treaties on forced labour:**
  - The Forced Labour Convention (1930)
  - The Abolition of Forced Labour Convention (1957)
  - The 2014 Protocol to the Forced Labour Convention
  - The Freedom of Association and Protection of the Right to Organise Convention (1948)
- **The U.K. government should enact targeted economic sanctions and visa restrictions against CCP leadership via its recently passed *Global Human Rights Sanctions Regulations Act of 2020*.**
  - Suggested individuals to sanction include Party Secretary Chen Quanguo as well as other identifiable senior officials linked to facilitating abuses and crimes against humanity in the Uyghur region.
  - The U.K. government should formally coordinate Uyghur-related sanctions with allies with similar legislation - notably, the U.S. and Canada. Such coordination was supported by an August 2020 letter from over 70 human rights organisations, including UHRP and Human Rights Watch, urging Canada, the U.S. and the U.K. to “globalise” their domestic “Magnitsky-style” sanctions law through coordinated action on an agreed set of CCP individuals.<sup>12</sup>

## **How can the UK use its influence on countries other than China who are complicit in the persecution of Uyghurs?**

- **The U.K. government should counter Chinese diplomatic efforts to dissuade other countries from expressing public concern about the Uyghur issue.** The U.K. government should conduct both bilateral and multilateral diplomacy to counter CCP disinformation which denies the detention of Uyghurs and other horrific abuses.
- **British embassies around the world should provide support to local Uyghur diaspora civil society organisations working to promote dialogue about the crisis,** particularly in countries where the national government refuses to acknowledge the situation, or is complicit in providing technologies and assistance to Chinese government activities in the Uyghur region.
- **The FCDO should work to build international consensus that the act of returning Uyghur asylum seekers, or more broadly, Uyghur citizens residing abroad, back to China constitutes an illegal act of “refoulement” under the 1951 Refugee Convention.**<sup>13</sup>

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<sup>12</sup> Freedom House - Joint Statement, “*Freedom House Urges Canada, U.K., to Join Global Magnitsky Sanctions Against Chinese Officials Violating the Rights of Uyghurs*,” 18 August 2020, Web. <https://freedomhouse.org/article/freedom-house-urges-canada-uk-join-global-magnitsky-sanctions-against-chinese-officials>

<sup>13</sup> UN Office of the High Commissioner for Refugee, “*Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol*,” 26 January 2007. Web. <https://www.unhcr.org/4d9486929.pdf>

- The “forced return” of the Uyghur diaspora back to China has been well documented in a number of countries and represents a grave violation of international law and complicity in crimes against humanity. [For more information on the issue of “forced returns,” please see our Policy Recommendation and context located under Question 6.]
- **The U.K. should work to combat Chinese influence in other, non-UN multilateral organisations, including regional and functional international organisations.** Thus far, the Chinese government has been effective in pushing a narrative to several countries that China’s actions against the Uyghur community are a legitimate response to terrorist threats within the Uyghur region.
  - For example, in March 2019, the Organisation of Islamic Cooperation (OIC) passed a resolution commending “the efforts of the People's Republic of China in providing care to its Muslim citizens.” The U.K. government, when appropriate, and in coalition with key regional players, should play a role in rejecting the Chinese government’s disinformation narrative.<sup>14</sup>
- **U.K. diplomatic missions should support host governments in bilateral meetings to ban the export of surveillance technology or general services to the Chinese government which may be deployed to the Uyghur region.** British embassies should also encourage industry in their host-country to comply with international labour standards which prohibit the importation of products produced using forced labour from the Uyghur region.

### **What mechanisms can the Government use to discourage private sector companies from contributing to human rights abuses?**

- **The U.K. government should enact sanctions on Chinese technology and surveillance companies responsible for abuses in the Uyghur region.**<sup>15</sup>

The U.K. maintains relationships with Hikvision - the world’s largest maker of surveillance cameras which has already been awarded more than \$1 billion worth of Chinese government backed contracts in the Uyghur region since 2016.<sup>16</sup> Hikvision cameras have been deployed throughout the Uyghur region and as the primary camera technology used in the CCP’s internment camps.<sup>17</sup>

Hikvision cameras are utilised as one primary source of information fed into China’s Integrated Joint Operations Platform (IJOP), a large database which receives and stores information about Uyghurs. The IJOP data is evaluated together with other sources of information to determine individuals “who ought to be taken, should be taken” into custody, two work reports say, according to Human Rights Watch.<sup>18</sup> The

<sup>14</sup> Organisation of Islamic Cooperation, “OIC/CFM-46/2019/mm/res/final - Muslim communities and muslim minorities in the non-OIC member states adopted by the 46th session of the council of foreign ministers,” 2 March 2019. Web. <https://www.oic-oci.org/docdown/?docID=4447&refID=1250>

<sup>15</sup> CNBC, “US names Hikvision, Chinese security bureaus to economic blacklist,” 7 October 2019. Web. <https://www.cnbc.com/2019/10/07/us-names-hikvision-chinese-security-bureaus-to-economic-blacklist.html>

<sup>16</sup> Kirchgassner, Stephanie, “Chinese cameras blacklisted by US being used in UK school toilets,” *The Guardian*, 21 September 2020. Web. <https://www.theguardian.com/world/2020/sep/21/chinese-spy-tech-firm-linked-uyghur-abuses-increases-uk-presence>

<sup>17</sup> Uyghur Human Rights Project, “World’s Largest Pension Fund Must Divest from Hikvision and Dahua, Chinese Companies Supporting Mass Internment and Surveillance,” 13 March 2020. Web. <https://uhrp.org/press-release/world%E2%80%99s-largest-pension-fund-must-divest-hikvision-and-dahua-chinese-companies>

<sup>18</sup> Human Rights Watch, “China: Big Data Fuels Crackdown in Minority Region”, 26 February 2018.

IJOP system generates lists of individuals to be rounded up by the police and sent to internment camps or prisons.

Hikvision cameras have been purchased and deployed widely by the U.K. government, including by authorities in Kensington and Chelsea, Chelmsford, Guildford, Coventry, and Mole Valley, as well in private gyms and even high schools in the U.K.<sup>19</sup> Hikvision cameras are also available to the public through online retailers.

- **The U.K. government should immediately work to identify foreign firms operating in connection with the Chinese government in the Uyghur region and blacklist them, as the United States and Norwegian government have already done.**
- **The U.K. government must investigate current procurement standards for surveillance technologies at the local and national level and prohibit the purchasing of technologies used to subjugate, harass, and detain Uyghurs.**
- **U.K. Parliament should legislate standards which would bar any government official from purchasing equipment from firms or individuals aiding and abetting crimes against humanity.**

Additional avenues to influence private sector actors, particularly business leaders, exist under the U.K.'s recently-passed *Sanctions and Anti-Money Laundering Act of 2018* as well as the *Global Human Rights Sanctions Regulations Act of 2020* -- both of which grant Parliament the right to enact targeted sanctions against individuals found to be committing serious human rights abuses. Such sanctions should include leaders of firms found to be directly aiding and abetting crimes against humanity and genocide in the Uyghur region.

- **The U.K. government - in conjunction with the U.S. and Canada - should prioritise the multilateralisation of targeted human rights sanctions.**
- **The FCDO should formalise and routinise information-sharing concerning targeted sanctions against individual human rights abusers. By collaborating, the United States, Canada, and the U.K. can make it much harder for perpetrators to evade sanctions enforcement or a “patchwork” of accountability mechanisms.**
- **The U.K. government should work to promulgate the *UN Guiding Principles on Business and Human Rights* as an accepted and expected international human rights norm for all businesses operating within the U.K.**

### **How can UK-linked businesses with operations in Xinjiang be made accountable for any involvement in human rights abuses?**

Under current U.K. legislation, companies operating in the U.K. have no legal responsibility to take action to actively prevent contributing to human rights abuses in their supply chains. **While the U.K. *Modern Slavery Act*, Section 54 “Transparency in Supply Chains,” imposes a reporting obligation**

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<https://www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region>

<sup>19</sup> Kirchgaessner, Stephanie, “Chinese cameras blacklisted by US being used in UK school toilets,” *The Guardian*, 21 September 2020. Web. <https://www.theguardian.com/world/2020/sep/21/chinese-spy-tech-firm-linked-uyghur-abuses-increases-uk-presence>

**on companies, it does not require companies to *take steps and actions* to prevent harm in their supply chains.<sup>20</sup>**

Therefore, there is an urgent need for Parliament to enact stronger measures in both legislation and policy to ensure that U.K. companies are held responsible for preventing forced labour in their supply chains, and that the U.K. government employs other complementary measures to move to exclude goods tainted with forced labour from the U.K. market.

U.K.-linked businesses with operations in the Uyghur region can be liable for involvement in human rights abuses through the utilisation of forced labour in the production of goods originating from the Uyghur region, or the export of technologies which aid and abet the Chinese government's authoritarian surveillance system used to track and detain Uyghurs.

Evidence collected by the Coalition to End Forced Labour in the Uyghur region has illustrated how widespread China's usage of forced labour is both inside and outside the Uyghur region.<sup>21</sup> As such, any operation in the Uyghur region carries an overwhelming likelihood that a business's products are being made through forced labor -- regardless of whether produced in an agricultural or industrial setting.

The following statistics put into scale the pervasiveness of forced labour within textile production in the Uyghur region. **The only effective approach in preventing forced labour is for U.K. businesses to cease any and all production ties with the Uyghur region entirely:**<sup>22</sup>

- In the garment industry, evidence from on-the-ground informants has shown that forced labour is present in *all* stages of the production process, including in the planting, harvesting and processing of cotton, the spinning of yarn, the weaving of textiles and the manufacture of finished garments within the Uyghur region. This risk has also been recognised by industry bodies such as the Fair Labor Association.
- Given that 84 percent of all Chinese cotton comes from the Uyghur region, any and all yarn, textile or garments made with Chinese cotton are at extraordinarily high risk of being tainted with forced and prison labour, whether manufactured in China or anywhere else in the world.
- China is one of the two largest cotton producers in the world, with the Uyghur region accounting for over 20 percent of global production. China is also the largest producer and exporter of yarn, and the largest producer and exporter of textiles and apparel. The Chinese government plans on doubling manufacturing capacity in the Uyghur region by 2025, with apparel and textiles forming a key element of that plan.
- The scale of the repression and the level of state control in the Uyghur region means that it is impossible for any company to operate in the Uyghur region in accordance with the UN Guiding Principles on Business and Human Rights.

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<sup>20</sup> The U.K. National Archives, "*Modern Slavery Act 2015, UK Public General Acts 2015 c. 30 PART 6 Section 54,*" Legislation.Gov.UK. Web. <https://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted>

<sup>21</sup> Coalition to End Forced Labour in the Uyghur region, "Call to action on human rights abuses in the Uyghur region in the apparel and textiles sector," October 2020. Web. <https://enduyghurforcedlabour.org/wp-content/uploads/sites/44/Call-to-Action-on-Human-Rights-Abuses-in-the-Uyghur-Region-October-2020.pdf>

<sup>22</sup> Coalition to End Forced Labour in the Uyghur region, "Call to action on human rights abuses in the Uyghur region in the apparel and textiles sector," October 2020. Web. <https://enduyghurforcedlabour.org/wp-content/uploads/sites/44/Call-to-Action-on-Human-Rights-Abuses-in-the-Uyghur-Region-October-2020.pdf>

The Coalition to End Forced Labour in the Uyghur region launched a Call to Action in July 2020, outlining the steps to which brands and retailers should take to eliminate the use of forced Uyghur labour.<sup>23</sup> The Coalition wrote to almost 400 brands and retailers—including 90 here in the U.K.—requesting the brands to commit to each of the elements outlined in the “Brand Commitment to Exit the Uyghur Region”.

**However, by 10 October 2020, just 10 U.K.-headquartered brands/retailers out of almost 90 contacted had engaged in formal discussion with the Coalition in response to our requests. A number of those companies refused to take any of the steps outlined by the Coalition. Government action is therefore needed to push these companies to comply with universally-accepted standards on business and human rights.**

**Given the broad potential for forced labour usage and the lack of motivation on the part of industry to reform, we recommend the U.K. government require the following:**

- **Direct U.K. textile companies to exit from the Uyghur Region entirely.** Brands and retailers must take urgent action to identify and end *all* links to the Uyghur region in their supply chain, as detailed above. **International bans on textiles from the Uyghur region would therefore create a demand decrease for production, and thus forced labour, within the region.**
- **Strengthen existing anti-forced labour legislation like the Modern Slavery Act to require companies to take tangible steps and action against forced labour, and not just write annual reports.**
- **On the issue of U.K. businesses providing surveillance technologies and capabilities to the Chinese government, Parliament should consider forbidding the sale of services or exportation of technologies by British firms to anywhere in the Uyghur region.**
  - In this way, Chinese surveillance technology used in the Uyghur region would be banned from importation, while U.K.-patented technology and businesses would be prohibited from exporting to the Uyghur region.

### **What is the best form of support to offer to members of the Uyghur diaspora (and others) who are experiencing persecution and harassment abroad?**

The U.K. government should take immediate steps to ensure that Uyghur asylum seekers in the U.K. are protected and granted due process for their asylum claims as mandated under both British and international law:

- **The U.K. government should follow the lead of the federal migration agencies of Germany and Sweden<sup>24</sup> by announcing that Uyghurs and other Turkic peoples will never be forcibly returned back to China at the request of state authorities, as doing so would amount to refoulement—a practice explicitly banned under the 1951 UN Refugee convention.**
- **Similar to the protections the U.K. government recently extended to Hong Kongers, the U.K. government should consider creating a naturalisation or “settled status” scheme for**

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<sup>23</sup> Ibid.

<sup>24</sup> Rettman, Andrew, “China accused of intimidating Uighur refugees in Europe,” *EUObserver*, 22 June 2020. Web. <https://euobserver.com/justice/148711>

### **Uyghurs currently residing in the U.K. who risk political reprisal should they return to China.**

- Otherwise, Uyghurs living on short-term residency permits should have the right, over time, to apply for long-term permanent residency in the U.K. so as to avoid having to face possible detention and human rights abuses should they be forced to return to China due to visa expiration.

The Chinese government has for years engaged in a highly-effective campaign of intimidation and espionage against the Uyghur diaspora whilst they are on foreign soil.<sup>25</sup> The ultimate goal of this harassment is to silence the Uyghur diaspora in an attempt to stop them from organising to advocate for Uyghur rights.

**Several European governments have already determined China’s monitoring of dissident groups as constituting formal espionage: the German ministry of the Interior stated that “a substantial part of the spying activities in Germany is directed against dissident groups, including Uyghurs.”<sup>26</sup>**

- **The U.K. government should take immediate steps to ensure that Uyghur dissidents and Uyghur diaspora residing in the U.K. are protected against any form of retaliation from the Chinese government by invoking domestic law when appropriate to address foreign interference and intimidation.**
  - The Home Office and other relevant government authorities must counter the activities of the Chinese security services by protecting Uyghurs living in diaspora communities within the UK’s borders.

China’s overseas intimidation campaigns have escalated since 2017, with representatives of the Chinese government threatening to throw the China-based family members of Uyghur dissidents into various forms of detention lest they do not return to China or cease their dissident activities:

- Chinese authorities have pressured Uyghur students studying in foreign universities to return home for “ideological assessment.” In many cases the students were disappeared, detained, with some later found dead in custody after returning to China.
- Chinese police have called Uyghurs residing overseas to demand their home, school, and work addresses; photos; and scans of their Chinese or foreign ID cards and passports, as well as those of their spouses.
- Reports from France, Belgium, Finland, the Netherlands, and Germany all document Uyghurs who have been asked to give information or cease speaking out.<sup>27</sup>

From a legal and public policy perspective, the harassment of Uyghurs overseas constitutes a brazen effort by the Chinese government to interfere in the lives of Uyghur citizens, permanent residents, and students residing in free and democratic countries like the U.K. As such:

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<sup>25</sup> Uyghur Human Rights Project, “The Fifth Poison: The Harassment of Uyghurs Overseas,” November 2017. Web. <https://uhrp.org/docs/The-Fifth-Poison-The-Harrassment-of-Uyghurs-Overseas.pdf>

<sup>26</sup> Ibid. page 4.

<sup>27</sup> Halliday, Ellen, “Uighurs Can’t Escape Chinese Repression, Even in Europe,” *The Atlantic*, August 2019. Web. <https://www.theatlantic.com/international/archive/2019/08/china-threatens-uighurs-europe/596347/>

- **The U.K. should regard foreign harassment as well as efforts to recruit Uyghurs to spy on other Uyghurs by way of threats against their families as a criminal act prosecutable by U.K. law.**
- **The Home Office should extend support to U.K.-based Uyghur activists targeted by CCP, including fully investigating harassment as well as sending diplomatic demarches to the Chinese Embassy in London declaring that such incursions against U.K.-based Uyghur activists are completely unacceptable violations of U.K. sovereignty and law.**

### **How can the UK support the promotion of knowledge and transparency about this issue, both within China and internationally?**

**The FCDO's traditional approach of conducting “quiet diplomacy” on human rights abuses in China has proven woefully inadequate.** The human rights crisis in the Uyghur region has deteriorated to the point where such a diplomatic style only signals to the Chinese government that they can continue their actions without serious repercussion or multilateral condemnation.

Therefore, the FCDO must drastically raise the profile of the human rights crisis in the Uyghur region as part of its foreign policy, including:

- **Highlighting the Uyghur human rights crisis at every relevant opportunity both in multilateral and bilateral meetings with the Chinese government,** as well as bilaterally with countries who are aiding or abetting persecution in the Uyghur region.
- **Supporting the work of Uyghur civil society operating in and outside of the Uyghur region, as well as diaspora organisations operating overseas.**
  - FCDO support could include providing funding for Uyghur groups to produce public events, research, and Uyghur-language media coverage of the crisis in the Uyghur region, as well as funding for asylum groups helping Uyghurs apply for international protection abroad.
- **Leveraging the FCDO’s profile and vast network of embassies to host sideline events, panels, and forums on the Uyghur human rights crisis, by way of inviting Uyghur-led organisations and activists to speak out about their experiences and combat Chinese disinformation about the reality of the situation.**

### **How effective is the FCDO’s current approach to atrocity prevention, and how can it be restructured to maximise the UK’s impact in this area?**

In 2018, after reviewing the U.K.’s failures in preventing atrocities in Syria and Myanmar, the Foreign Affairs Committee called upon the government to “act urgently to produce a comprehensive atrocity prevention strategy and implementation plan to ensure it moves beyond words and towards concrete actions.”<sup>28</sup> **To date, no comprehensive strategy on atrocity prevention has been published by the U.K. government.**

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<sup>28</sup> U.K. House of Commons “Global Britain: The Responsibility to Protect and Humanitarian Intervention Contents,” Foreign Affairs Committee, 10 September 2018. Web. <https://publications.parliament.uk/pa/cm201719/cmselect/cmfaff/1005/100506.htm>

**The on-going genocide in the Uyghur region and the inability of the U.K. government to effectively respond to it underscores the urgent need for the government to establish a national strategy of atrocity prevention.** The absence of an atrocity prevention strategy has contributed to delayed, inconsistent, and ad-hoc policy responses to the, by now, well-documented and well-known pattern of widespread systemic discrimination and violence in the Uyghur region which international experts have identified as amounting to genocide. As such, the U.K. government should take the following steps:

- **Develop a national atrocity prevention strategy immediately.** Any national strategy created by the FCDO should be implemented through a coordinating office/mechanism situated within government that is able to confront the following challenges and nuances of atrocity prevention policy, including:
  - Redressing inconsistencies between the U.K.'s trade policy and its human rights policy;
  - Determining the U.K. strategy's in deploying its new human rights sanctions policy and how to coordinate with allies like the U.S. and Canada on joint human rights sanctions;
  - Condemning the Chinese state for its human rights abuses while taking appropriate actions to avoid inciting Sinophobia or jingoistic attitudes in the U.K. which perpetuate rising levels of anti-Chinese and East Asian hate crime.
- **Develop an office within the FCDO which exclusively focuses on atrocity prevention.**
  - Such an office would assist in designing the U.K. government's multilateral diplomacy on atrocity prevention (i.e. the creation of a UN Commission on Inquiry) as well as work to identify individuals to be sanctioned for complicity in crimes against humanity.
- **Bolster engagement with UN agencies, allied governments, and international civil society to standardise atrocity prevention as a core moral responsibility of every national government and to coordinate actions and economic sanctions at the bilateral and multilateral level.**

*30 October 2020*