

China Xinjiang Risk: Very High/Ongoing

Under policies purported to combat terrorism and ‘extremism’, the Chinese government has subjected Uyghurs and other Turkic Muslims in the Xinjiang Uyghur Autonomous Region (‘XUAR’ or ‘Xinjiang’) to serious human rights violations consistent with crimes against humanity and acts of genocide.¹ Violations include large-scale arbitrary detention, an intrusive system of mass surveillance, cultural and religious persecution, enforced disappearances, family separations, forced labour, torture, forced abortion and sterilization, and sexual violence.

In 2018 it was estimated that upwards of one million Uyghurs and other Turkic Muslims were remanded in state custody for ‘re-education’ or ‘de-extremification’ in what Chinese authorities refer to as “Vocational Education and Training Centres” (VETC). The scale of incarceration represents the largest arbitrary detention of an ethnic or religious minority population since the Second World War. Former detainees report that they were subjected to torture and ill-treatment as well as sweeping cultural and political indoctrination.² On 24 May 2022, a group of 14 news organisations published thousands of leaked documents known as the Xinjiang Police Files that affirmed the militarized nature of the camps and refuted the Chinese government’s claims that they were benign education facilities.³

In its August 2022 report on the human rights situation in Xinjiang, the Office of the UN High Commissioner for Human Rights (OHCHR) concluded that extensive and discriminatory detention in Xinjiang in the period of 2017-2019 and potentially thereafter may constitute crimes against humanity. It likewise noted that even though China has claimed to have reduced the scope of its VETC program “the laws and policies that underpin it remain in place”, and a parallel uptick in imprisonment rates suggests that China has simply shifted detainees to the criminal justice system without due process.⁴ In March 2023, the UN Economic and Social Council (ECOSOC) Committee on Economic, Social and Cultural Rights echoed concerns over “severe, systematic, vast and undue restrictions” of human rights in Xinjiang, particularly in relation to large-scale arbitrary detention, forced labour and enforced family planning.⁵

There is credible evidence that Uyghur, Kazakh and other ethnic minorities in Xinjiang have been subjected to forced labour on a widespread basis. Xinjiang’s current Five-Year Plan (2021-2025) set in place unemployment and poverty alleviation targets and a system of surveillance that has formally consolidated forced labour practices, such that “individuals who were coercively mobilized into work placements are now effectively prevented from leaving them”.⁶ Allegations of state-sponsored forced labour have tended to focus on Xinjiang’s outsized cotton, tomato paste, and solar-grade polysilicon industries, but evidence suggests Uyghur forced labour is present in a much broader range of agricultural, raw materials, and manufacturing industries.⁷ In July 2022, the UN Special Rapporteur on contemporary forms of slavery concluded that some instances of forced labour of Turkic Muslims in China may amount to enslavement as a crime against humanity due to “the nature and extent of powers exercised over affected workers during forced labour, including excessive surveillance, abusive living and working conditions, restriction of movement through internment, threats, physical and/or sexual violence and other inhuman or degrading treatment”.⁸

The destruction of Uyghur cultural heritage in Xinjiang may also constitute atrocity crimes. Using satellite imagery, the Australian Strategic Policy Institute found that of a sample of 533 mosques across Xinjiang, 31.9% had been destroyed, 32.8% were damaged, and 35.3% were undamaged.⁹ Extrapolating this data to mosques across Xinjiang, approximately 16,000 mosques may have been damaged or destroyed and 8,450 completely demolished since 2017.¹⁰ Besides mosques, ASPI’s data and analysis suggested that 30% of other sacred sites (including shrines (*mazar*), cemeteries, and pilgrimage sites) have been demolished, mostly since 2017, and an additional 27.8% have been

damaged in some way.¹¹ Additionally, the government has allegedly separated Uyghur children from their parents and enrolled them in state boarding schools, which resembles a government-led “parallel campaign to systematically remove children from their roots” alongside the broader effort to “transform the identity of Xinjiang’s adults” through repressing Uyghur religious and cultural expression.¹² In February 2023 the Uyghur Human Rights Project issued a report that argued that China’s attacks against Turkic Muslim culture constituted what UNESCO labels a strategy of “cultural cleansing”-“the intentional and systematic destruction of cultural heritage, the denial of cultural identity, including books and manuscripts, traditional practices, as well as places of worship, of memory and learning”.¹³ The International Criminal Court’s Policy on Cultural Heritage, issued in June 2021, affirms that attacks against cultural heritage may provide evidence of specific genocidal intent to destroy a group, and may constitute crimes against humanity.¹⁴

In relation to the question of genocide, there is significant evidence available to establish forced sterilisation as having occurred in Xinjiang. With the intent to destroy a group, forced sterilisation and other forms of SGBV fall within the definition of genocide under the Genocide Convention by causing serious bodily or mental harm, inflicting conditions to bring about the group’s destruction, and imposing measures to prevent births within the group. As a matter of law, the crime of “forced sterilisation” occurs when: (1) the perpetrator deprives one or more persons of biological reproductive capacity; and (2) the conduct was neither justified by the medical treatment of the person nor carried out with their genuine consent. Individual reports by NGOs and news agencies documenting interviews with Uyghur women, as well as doctors that have treated Uyghur women both in Xinjiang and abroad,¹⁵ are evidence that numerous women have been sterilised by Chinese authorities and without their genuine consent. The occurrence of these sterilisations is consistent with official government statistics, which document a significant decline in birth rates in Xinjiang and a disproportionate rise in sterilisations in Xinjiang as compared to the rest of mainland China.¹⁶ This evidence points to a deliberate government strategy to change the demographic balance in Xinjiang in favour of Han Chinese by depressing the Muslim population and increasing the Han.¹⁷

The international response to atrocity crimes in China has been uneven and inadequate, and mostly led by Western states. The US government and parliaments of Canada, the UK, the Netherlands, Lithuania and France have publicly identified China’s human rights violations as genocide, and the parliaments of Belgium and Czechia have condemned China’s treatment of Uyghurs as crimes against humanity. The European Union, UK, US and Canada have imposed Magnitsky-style sanctions on Chinese officials, as well as passed legislation to prevent the import of goods associated with forced labour in Xinjiang. In December 2023, the US issued new sanctions against two Chinese officials and three Chinese firms, bringing the total number of sanctioned entities under its Uyghur Forced Labor Prevention Act to 30 companies. Notably, these US sanctions included the first against a central government official in connection to policies in Xinjiang—targeting Hu Lianhe, the Deputy Office Director for the Xinjiang Work Coordination Small Group of the Central Committee. Several major brands identified as having links with forced labour in Xinjiang have likewise ceased their presence in the region.¹⁸ Most recently, global carmakers such as General Motors, Tesla, BYD, Toyota and Volkswagen have been under pressure to ensure that their supply chains are not linked to Uyghur forced labour.¹⁹

Countries, mostly from the West, have also sought to address atrocities in Xinjiang in the UN Human Rights Council and UN General Assembly. The most recent effort was in late January 2024 during China’s Fourth Universal Periodic Review, which was the first cycle since the August 2022 OHCHR report finding evidence of crimes against humanity in Xinjiang. A number of mostly Western countries condemned ongoing atrocity crimes in Xinjiang, but these statements were overshadowed by a larger number of states lauding China’s human rights achievements. This is a familiar scenario. In October

2023 the UK delivered a joint statement calling on China to end persecution in Xinjiang in the UN General Assembly's Third Committee, which was initially supported by a record 51 countries, before Fiji withdrew its support under pressure from China.²⁰ China responded with a counter-statement delivered by Pakistan, which was supported by 72 signatories—up from 66 countries in support of a similar counter-statement issued by Cuba in 2022. Venezuela also issued a statement in support of China on behalf of the Group of Friends in Defense of the Charter of the United Nations.

The UN system has endeavoured to address the situation. In addition to the findings of the OHCHR and the UN Special Rapporteur on slavery that the Chinese government's abuses in Xinjiang may constitute crimes against humanity, concerns have been raised in reports of the International Labour Organisation and by UN human rights treaty bodies and special procedures.²¹ Due to the lack of improvement in human rights in Xinjiang, on 24 November 2022 the UN Committee on the Elimination of Racial Discrimination (CERD) issued a decision under its early warning and urgent action procedure calling on Chinese authorities to cease and investigate violations.²² The decision is relatively rare (the last one was in 2019) and unprecedented, insofar as it referred the matter to the attention of the Special Advisor of the UN Secretary-General on the Responsibility to Protect. Australia, Liechtenstein, the UK and US urged follow up action on this referral at the 4 July 2023 biennial dialogue of the Human Rights Council with the Special Advisor to the UN Secretary-General on the Prevention of Genocide, whose office shares a mandate with the Special Advisor on the Responsibility to Protect.²³ The UN High Commissioner for Human Rights, Volker Türk, noted the need for "concrete follow-up" on OHCHR's recommendations, and at the 54th Session of the Human Rights Council in September 2023 called for "strong remedial action" by authorities.²⁴

As noted, China has reacted to international scrutiny with predictable hostility, endeavouring to silence criticism and secure statements of support. After its failed efforts to suppress the August 2022 OHCHR report on Xinjiang,²⁵ China publicly denied and disparaged the report's findings and led an intense campaign to successfully prevent the UN Human Rights Council from holding a debate on the situation (in a failed vote of 17 for, 19 against, and 11 abstentions on 6 October 2022).²⁶ Sixteen member states of the Organisation of Islamic Cooperation (OIC) voted against or abstained on the resolution. This is a departure from the OIC's position in other cases of atrocities against Muslim populations, such as its support for Gambia filing a case before the International Court of Justice in November 2019 alleging that atrocities against Rohingya Muslims in Myanmar violated the Genocide Convention.

Recommendations

The government of China should:

- Immediately halt acts that may constitute atrocity crimes in XUAR and take active measures to prevent the recurrence or escalation of such acts.
- Repeal policies that institutionalise abuses in XUAR and respond favourably to requests for UN special procedures mandate holders to undertake official visits to China with unhindered access in Xinjiang.
- Cease its campaign to prevent discussions of the OHCHR report on the situation in Xinjiang and engage in a process to meaningfully implement the recommendations of the report.

UN Member States should:

- Examine what bilateral measures to take to encourage China to immediately halt violations in XUAR and take tangible steps to apply pressure and uphold accountability.

- Cooperate to utilize all multilateral avenues to express disapproval of Chinese policies and encourage the authorities to change course, including through supporting a UN resolution to set up an investigative mechanism to investigate alleged violations in Xinjiang with an aim to advance accountability.
- Support efforts to identify and trace the whereabouts of Turkic Muslims who have been detained, imprisoned or forcibly disappeared in Xinjiang with the aim of finding missing persons and pressing for their release.
- Actively counter China's campaign to silence criticism of its policies in Xinjiang, including through building a broader coalition of states in support of the UN's mandate to investigate and report on atrocity crimes in Xinjiang.

The UN Human Rights Council should:

- Urgently establish an investigation to gather information to assess whether patterns of abuses in Xinjiang constitute crimes against humanity or other atrocity crimes that are universally prohibited under international law, and to recommend avenues for holding perpetrators accountable.
- Utilise treaty-body and other human rights reporting processes to draw critical attention to atrocity crimes in Xinjiang.

The OHCHR and special procedures mandate holders should:

- Continue to call for the immediate release of persons involuntarily held in detention or in forced labour, closely monitor the situation in Xinjiang, and continue to urge China to implement the recommendations of the August 2022 OHCHR report on Xinjiang.

¹ [“Genocide and Crimes Against Humanity in Xinjiang? Applying the Legal Tests”](#), Asia Pacific Centre for the Responsibility to Protect, November 2020. ; [“Break their lineage, break their roots: China's crimes against humanity targeting Uyghurs and other Turkic Muslims”](#), Human Rights Watch, 19 April 2021.

² See, eg, United States Congressional-Executive Commission on China, [Testimony of Mihriqul Tursan](#) (Hearing relating to the Communist Party's Crackdown on Religion in China, 28 November 2018) esp 3-4; Philip Wen and Olzhas Auyezov, [“Tracking China's Muslim Gulag”](#), *Reuters*, 29 November 2018; Simon Denyer, [“Former inmates of China's Muslim ‘reeducation’ camps tell of brainwashing, torture”](#), *Washington Post*, 17 May 2018; Amie Ferris-Rotman, [“Abortions, IUDs and sexual humiliation: Muslim women who fled China for Kazakhstan recount ordeals”](#), *Washington Post*, 5 October 2019; [“China turns Muslim ‘re-education’ camp detainees into cheap labour force, human rights group claims”](#), *Agence France-Presse*, 4 March 2019; Ruth Ingram, [“Confessions of a Xinjiang Camp Teacher”](#), *The Diplomat*, 17 August 2020.

³ See <https://www.xinjiangpolicefiles.org/>

⁴ *Ibid*, para. 144.

⁵ United Nations Economic and Social Council Document E/C.12/CHN/CO/3, “Concluding observations of the third periodic report of China, including Hong Kong, China, and Macao, China”, Committee on Economic, Social and Cultural Rights, 22 March 2023.

⁶ Adrian Zenz, “Unemployment Monitoring and Early Warning: New Trends in Xinjiang's Coercive Labor Placement Systems”, *China Brief* 22:11, The Jamestown Foundation, 5 June 2022.

⁷ [“Products made with forced labor in the Uyghur region”](#), Issue Brief 3, Helena Kennedy Centre for International Justice, May 2023.

⁸ United Nations General Assembly Document [A/HRC/51/26](#), “Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minorities”, Human Rights Council, 19 July 2022, paras. 23-24.

⁹ Nathan Ruser, [Cultural erasure: Tracing the destruction of Uyghur and Islamic spaces in Xinjiang](#) (Policy Brief, Report No. 38/2020, Australian Strategic Policy Institute) 7 (‘ASPI, Report on Cultural Erasure’). The *New York Times* reports having independently verified “many of the details in ASPI's report”: Chris Buckley and Austin Ramzy, [“China Is Erasing Mosques and Precious Shrines in Xinjiang”](#), *New York Times* (25 September 2020).

¹⁰ ASPI, *Report on Cultural Erasure*, 3-4, 8.

¹¹ Ibid 5.

¹² John Sudworth, "[China Muslims: Xinjiang Schools used to Separate Children from their Families](#)", *BBC News*, 4 July 2019.

¹³ UNESCO Document 38 C/49, "[Reinforcement of UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict](#)", United Nations Educational, Scientific and Cultural Organization, 2 November 2015., cited in Rachel Harris and Aziz Isa Elkun, "[The Complicity of Heritage: Cultural Heritage and Genocide in the Uyghur Region](#)", Uyghur Human Rights Project, February 2023.

¹⁴ "[Policy on Cultural Heritage](#)", The Office of the Prosecutor of the International Criminal Court, June 2021.

¹⁵ Gulchehra Hoja, "[Uyghur Women, Rarely Informed About Forced Birth Control Procedures, Suffer Lifelong Complications](#)", *Radio Free Asia*, 3 August 2020.

¹⁶ See Adrian Zenz, "[Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang](#)" (Jamestown Foundation, June 2020).; Adrian Zenz, "[China's own documents show potentially genocidal sterilization plans in Xinjiang](#)", *Foreign Policy*, 1 July 2020.

¹⁷ E.g. Linda Lew, "[China census: migration drives Han population growth in Xinjiang](#), *South China Morning Post*, 15 June 2021.; "[China policies 'could cut millions of Uyghur births in Xinjiang'](#)", *Al Jazeera*, 7 June 2021

¹⁸ "[Xinjiang cotton: Western clothes brands vanish as backlash grows](#)", *BBC*, 26 March 2021,

¹⁹ "[Asleep at the Wheel: Car Companies Complicity in Forced Labor in China](#)", *Human Rights Watch*, 1 February 2024.

²⁰ Stephen Wright, "[Fiji withdraws from UN Xinjiang Statement](#)", *Radio Free Asia*, 30 October 2023.

²¹ "[CAN/PV.CCL Committee on Application of Standards](#)", *International Labour Conference*, , 110th Session, Geneva, 9 June 2022.; "[Xinjiang report: China must address grave human rights violations and the world must not turn a blind eye, say UN experts](#)," *United Nations Office of the High Commissioner for Human Rights*, 07 September 2022.

²² "[China: UN Committee on the Elimination of Racial Discrimination calls for probe into Xinjiang rights violations](#)", *United Nations Office of the High Commissioner for Human Rights*, 24 November 2022.

²³ "[HRC53: States discuss UN committee's 'responsibility to protect' referral on Uyghurs](#)", *International Service for Human Rights*, 07 July 2023.

²⁴ "[Türk: Human rights are antidote to prevailing politics of distraction, deception, indifference and repression](#)", 11 September 2023.

²⁵ William Nee, "[China's heavy-handed push to prevent a UN report on Xinjiang](#)", *The Diplomat*, 01 August 2022.

²⁶ Emma Farge, "[U.N. body rejects debate on China's treatment of Uyghur Muslims in blow to West](#)", *Reuters*, 7 October 2022.