HEARING OF THE CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA “Surveillance, Suppression, and Mass Detention: Xinjiang’s Human Rights Crisis” Dirksen Senate Office Building

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Statement of Jessica Batke[[1]](#footnote-1)

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Chairman Rubio, Chairman Smith, distinguished Members of the Commission, thank you for holding a hearing on this important subject, and thank you for inviting me to participate. I am here today in my personal capacity and do not represent any organization or entity other than myself.

I will only briefly touch on the many ways in which human rights in Xinjiang continue to deteriorate; there is a wealth of well-sourced and reliable reporting that will provide more detail than I can here today, and I believe my fellow panelists will offer some of this necessary detail as well. Therefore, I will focus on how we in the international community discuss what is happening in Xinjiang, how the Party-state’s policies towards Uyghurs and other Muslims in the region fit into the context of Chinese leadership politics, and the implications of these policies outside of Xinjiang. Finally, I will make some recommendations about what the U.S. Government should do in the face of the Party-state’s escalating campaign to forcibly sever Xinjiang’s ethnic minority Muslims’ ties to their religion, cultural practices, and ethnic identity. This includes holding individuals within the Chinese Party-state personally and directly responsible for the policies being enacted in Xinjiang.

The Worsening Situation in Xinjiang

The Party-state’s policies related to Xinjiang have become startlingly more repressive in the last two years, even for a region that was already under more intensive digital and physical controls than most other areas of China. In particular, two interrelated efforts have signaled a dramatic increase in repression.

The first is the recall and forcible repatriation of ethnic Uyghur and other predominantly Muslim minority Chinese citizens from abroad. Beginning in early 2017, Chinese authorities began to order ethnic minority Muslim citizens studying abroad to return to Xinjiang, sometimes detaining family members back home until they did so. Some of those who returned were reportedly detained, held incommunicado, or sentenced to prison.[[2]](#endnote-1) In the summer of 2017, local security personnel in Egypt detained, and in some cases forcibly repatriated, dozens of students who had not heeded the call to return.[[3]](#endnote-2)

The second is the rounding up of those same populations in Xinjiang to put them into what are frequently called “re-education camps.” It is worth taking a moment to consider the nomenclature we use when discussing these camps. Official Chinese sources refer to them as “transformation through education” and “counter-extremism training” centers. In many cases, this is a euphemistic characterization. Though we do not know what is happening in each of these facilities, in at least some of these facilities, detainees are subject to waterboarding, being kept in isolation without food and water, and being prevented from sleeping. They are interrogated about their religious practices and about having made trips abroad. They are forced to apologize for the clothes they wore or for praying in the wrong place at the wrong time.[[4]](#endnote-3)

Some detainees are apparently held simply because they do not speak Mandarin Chinese.[[5]](#endnote-4) In other cases, individuals are detained because local police must meet a detention quota; at least two villages have reportedly had this quota set at 40 percent of the local population.[[6]](#endnote-5)

Using the Chinese euphemisms for these camps, or even the more suggestive term “re-education camps,” does not clearly and precisely define what it is we are currently witnessing. Some observers have chosen to call them “concentration camps,” based on a definition that describes them as places that confine members of ethnic and religious minorities that the state has targeted as such for the professed goal of state security.[[7]](#endnote-6) As expert Dr. Sean Roberts recently wrote, “Historically, we have seen that the internment of large segments of a country’s population on the basis of ethnicity and religion can give rise to apartheid or, worse, ethnic cleansing and genocide. Given the politically charged nature of the terms ethnic cleansing and genocide, reporters and scholars have been reticent to apply them to the current policies in Xinjiang, but it is also irresponsible to ignore early warning signs.”[[8]](#endnote-7)

I am not an expert in international law and therefore cannot offer the legal term of art that most accurately captures the situation in Xinjiang as we know it. But I do believe that we can only treat the phenomenon with the seriousness and alarm that it merits if we first label it accurately. Therefore, I encourage further thought and discussion about how the U.S. Government and the international community more generally should refer to these camps.

No matter what they are called, these camps do not represent the full scope of day-to-day repression that we see in Xinjiang. Omnipresent security checks, digital and biometric surveillance, and the policing of individuals’ clothing and hair are just some of the ways in which residents of Xinjiang experience restrictions on their individual rights even outside these camps.[[9]](#endnote-8) Recent reports indicate that the state may also be rapidly constructing crematoria in different areas of Xinjiang. This could well be for the government’s stated purpose of environmental conservation; it could also be a way to subvert Muslim burial traditions and assert the Party-state’s authority in all aspects of area Muslims’ cultural and religious practices.[[10]](#endnote-9)

The Party-state’s actions outside the camps clearly violate ethnic and religious minorities’ human rights and deserve our attention. In addition, I encourage observers, particularly those with international legal expertise, to think about the full scope and nature of PRC policies in Xinjiang and consider whether we should take them as an early warning signal of something much worse.

How Does Xinjiang’s Current Leadership Fit in to the Broader Pattern of State-Led Repression in the Region?

Though as a rule we have very little insight into top CCP leadership deliberations and personal preferences, careful observation of personnel appointments and policy trends does allow for some judgments about individual leaders’ roles; in this regard, current Xinjiang Party Secretary Chen Quanguo’s influence on the region’s policies is unusually evident. Chen is undoubtedly responsible for some of the significant changes in security and treatment of ethnic minorities in China. The timing of his tenure in Xinjiang, beginning in August 2016, coincides neatly with the large-scale use of the camps discussed above. And with perhaps only a few exceptions, the timing of the recalls and repatriations of Chinese citizens abroad—said to have begun in early 2017—also fit in this timeframe (though it is very unlikely that a provincial-level party secretary has the unilateral authority to order security operations overseas).

These moves echo Chen’s security policies in his prior position as the Party secretary of Tibet (2011-2016). It was on his watch that 21,000 government employees were stationed in villages and monasteries throughout Tibet to carry out security and propaganda work, and that “convenience police stations” sprang up throughout the region to ensure adequate surveillance of the local population.[[11]](#endnote-10) Indeed, almost immediately after Chen arrived in Xinjiang in 2016, the region instituted a similar building spree—along with a massive increase in security personnel hiring and overall security spending in the region.[[12]](#endnote-11)

Though Chen has been directly responsible for overseeing these policies, neither the policies nor Chen himself are sui generis. They fit clearly into a longer policy trend of increased securitization, criminalization of ethnic and religious identity, and the reframing by the CCP of nonconforming behavior as “extremism.” At least since 2014, when the CCP leadership held its second Central Xinjiang Work Conference, central PRC policy guidance and regional policy documents shifted from an emphasis on economic development to security and counter-extremism. Regionwide counter-extremism regulations that went into effect in 2017 were the result of a two-year-long drafting process.[[13]](#endnote-12) “Education through transformation” centers were already being opened in Xinjiang as early as 2015.[[14]](#endnote-13) Whether he himself is the progenitor of increasingly repressive measures now employed in Xinjiang, or whether he is simply the most ruthless tool by which to implement them, the policies he is enacting are the logical endpoint of the party’s broader policy trajectory.

Beyond the Xinjiang Party Secretary, there are two main constellations of bureaucratic agencies that have influence over and responsibility for policy and implementation in Xinjiang: those engaged in “United Front” work, and those in the “Politics and Law” ambit. These constellations comprise both Party and state bodies, though now more than ever the Party is clearly the center of gravity. In addition, there is the Central Committee Xinjiang Work Coordination Small Group, formed in 2000, that brings together leaders from both of these policy hierarchies—as well as from others—to provide guidance on Xinjiang policy.

* The United Front Work Department (UFWD), a Party entity, is under the leadership of the Chairman of the Chinese People’s Political Consultative Conference, who also sits on the most powerful policymaking body in the PRC, the Politburo Standing Committee. Beyond its own “Xinjiang Bureau,” the UFWD oversees the State Ethnic Affairs Commission and the State Administration for Religious Affairs (which was recently absorbed into the UFWD itself), both of which have a role in Xinjiang-related policy.[[15]](#endnote-14)
* The Central Committee Politics and Law Commission (PLC) is a Party body that oversees the country’s security apparatus as well as its justice system, and as such has as its members the heads of all the relevant state agencies in charge of implementing its policies. The head of the PLC generally moves up to this position after serving as Minister of Public Security, and is concurrently the First Political Commissar of the People’s Armed Police, a paramilitary organization that is a major component of Xinjiang’s security strategy.
* The Central Committee Xinjiang Work Coordination Small Group is one of a number of “leading small groups,” or policy advisory bodies, in the PRC Party-state. Since 2012, the head of the CPPCC (and a Politburo Standing Committee member) has been head of the Xinjiang Small Group, an indication of the importance the central leadership accords Xinjiang-related issues.

The Impact Beyond Xinjiang

There are a number of ways in which Beijing’s policies toward Xinjiang have implications outside the region. The intensive surveillance capabilities deployed in the region could readily be expanded for use throughout mainland China. Some reports suggest this could already be starting in the neighboring province of Gansu, with local Hui Muslims worried that “they’re going to implement the Xinjiang model here.”[[16]](#endnote-15) Outside the PRC, Uyghurs in exile, including those who have fled the current wave of repression, are not only surveilled but can be coerced into reporting on fellow Uyghurs by Chinese state security authorities who threaten family members back in Xinjiang.[[17]](#endnote-16) Other members of the diaspora, including ethnic Kazakhs and Kyrgyz who have received Kazakh or Kyrgyz citizenship, are at risk of being detained in these camps if they make a return visit to China.[[18]](#endnote-17)

As previously mentioned, other governments have already assisted in forcibly repatriating China’s ethnic minority citizens back to Xinjiang. By deferring to China’s wishes with regard to its fleeing religious and ethnic minorities, compliant governments undermine broader international norms regarding protections for human rights and religious freedom. They also contribute to the normalization of China’s use of its “internal affairs” as the justification for interfering in the “internal affairs” of other sovereign nations.

Beyond the most obvious impact on current or former PRC citizens, Chinese government pressure also has the effect of encouraging self-censorship among foreign academics and China-watchers. I myself am saddened at the prospect that this testimony may foreclose the possibility of me traveling to China for some time to come; I have spent much of my adult life studying and working on China and the possibility that I will find my visa cancelled based on my participation today is distressing. This type of looming threat allows Beijing to limit factual discussion of the conditions in Xinjiang, even among non-citizens and even on foreign soil, often without having to directly intervene.

Policy Recommendations

It is a mistake to think that staying silent on human rights in China is a neutral act. Instead, every instance of silence simply resets Beijing’s expectations and increases the psychic cost of re-injecting human rights into the conversation. Silence can be interpreted as tacit approval. Further, Beijing does still care about its international reputation, meaning both public and diplomatic pressure can be effective tools in encouraging change.[[19]](#endnote-18) The United States only abets the CCP when it does not forcefully speak out for human rights in China.

My recommendations fall under several broad categories: taking a firm position on the human rights situation in Xinjiang that is consistent with the U.S. government’s values and respect for human rights; publicly and precisely communicating that position, including in coordination with like-minded countries whenever possible; and leveraging available legal mechanisms to apply targeted pressure to the PRC and to individuals within the Party-state responsible for the abuses in Xinjiang.

I urge Congress and the Administration to:

* Maintain a clear, consistent, and full-throated public defense of human rights and religious freedom in Xinjiang in addition to direct diplomatic engagement. International pressure can be effective, but it must be consistent over time and be conveyed through multiple channels. It also gives potential allies confidence that the U.S. government will be there with them if they take a public stand.
* Work with like-minded countries to issue joint statements and otherwise coordinate an international response to the situation in Xinjiang. Critically, this should include engagement with Muslim-majority countries and international institutions such as the Organization of Islamic Cooperation.
* Be rigorous and accurate in official statements describing what is happening in Xinjiang, particularly with regard to the large-scale detention of ethnic and religious minorities on the basis of that status, and avoid using PRC euphemisms or other indirect language.
* Similarly, not simply repeat PRC language with regard to terrorism or terrorist group designations; seek additional clarification from independent sources of information and from U.S. intelligence experts.
* Offer support to PRC citizens who have fled Xinjiang, whether here in the United States or elsewhere around the globe. This includes pressing third countries that have detained Uyghurs or other minorities to ensure they provide access to a full and impartial hearing of any asylum claims and do not simply repatriate individuals to China without further investigation or consideration. It also includes raising the cases of exile Uyghurs’ family members who are detained in Xinjiang.
* Use their power, through mechanisms such as the International Traffic in Arms Regulations, to limit the ability of private U.S. individuals and companies to provide security training or materiel to Chinese state security agencies and affiliated entities, particularly those that have a role in repressing ethnic and religious minorities in China.[[20]](#endnote-19) Special attention should be paid to the connections between such transactions and China’s Belt and Road Initiative, of which Xinjiang is a key component; security-related procurement and training for the Belt and Road Initiative can easily be employed for repressive ends in Xinjiang even if that is not their stated purpose.
* Use their power, through mechanisms such as the Export Administration Regulations, to limit the ability of U.S. companies to sell surveillance equipment and technology to Chinese state security agencies and affiliated entities; the chairs’ recent letter to the Secretary of Commerce requesting additional information about the tracking of such sales is very helpful in this regard.
* Sanction relevant Chinese officials under the Global Magnitsky Human Rights Accountability Act. Any sanctions package should include Xinjiang Party Secretary Chen Quanguo. Sanctioning a sitting Politburo member, one of the top 25 leaders of the Chinese Communist Party, would clearly convey the United States Government’s unequivocal condemnation of the camps. A wide range of additional central and regional leaders can and should be held to account for this large-scale violation of human rights.[[21]](#endnote-20)

Thank you for your time. I welcome your questions.

1. The opinions and characterizations in this testimony are those of the author, and do not necessarily represent official positions of the United States Government. [↑](#footnote-ref-1)
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<http://www.rfa.org/english/news/uyghur/scholar-08092017151559.html>. [↑](#endnote-ref-1)
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5. Shih, “China’s mass indoctrination camps evoke Cultural Revolution.” [↑](#endnote-ref-4)
6. Shohret Hoshur, “Nearly Half of Uyghurs in Xinjiang’s Hotan Targeted For Re-Education Camps,” *Radio Free Asia*, October 9, 2017, <https://www.rfa.org/english/news/uyghur/camps-10092017164000.html>; Shohret Hoshur, “One in 10 Uyghur Residents of Xinjiang Township Jailed or Detained in ‘Re-Education Camp,’” *Radio Free Asia*, June 29, 2018, <https://www.rfa.org/english/news/uyghur/target-06292018132506.html>. [↑](#endnote-ref-5)
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8. Sean R. Roberts, “How Should the World Respond to Intensifying Repression in Xinjiang?” *ChinaFile*, June 4, 2018, <http://www.chinafile.com/conversation/how-should-world-respond-intensifying-repression-xinjiang>. [↑](#endnote-ref-7)
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13. Jessica Batke, “Central and Regional Leadership for Xinjiang Policy in Xi’s Second Term,” *China Leadership Monitor*, No. 56, https://www.hoover.org/sites/default/files/research/docs/clm56jb.pdf. [↑](#endnote-ref-12)
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21. Though by no means exhaustive, the following list includes positions in the Party and state hierarchy that play a role in setting and implementing Xinjiang policy, as discussed in Batke, “Central and Regional Leadership for Xinjiang Policy in Xi’s Second Term”:

UFWD Head;

UFWD Executive Deputy Director;

UFWD Xinjiang Bureau staff;

Ministry of Public Security Executive Vice Minister with a seat on the Xinjiang Leading Small Group;

National Development and Reform Commission Deputy Head with a seat on the Xinjiang Leading Small Group;

CPPCC Committee for Ethnic and Religious Affairs Head;

State Administration for Religious Affairs Head;

State Ethnic Affairs Commission Head;

People’s Armed Police Commander;

Xinjiang Production and Construction Corps Party Committee Secretary;

Xinjiang Production and Construction Corps Commander and Deputy Party Committee Secretary;

Xinjiang Uyghur Autonomous Region (XUAR) Deputy Party Secretary and Chairman;

XUAR UFWD Head;

XUAR Politics and Law Commission Head. [↑](#endnote-ref-20)