



UYGHUR HUMAN RIGHTS PROJECT

HEARING: Forced Labor, Mass Internment, and Social Control in Xinjiang

Congressional-Executive Commission on China

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The human rights and humanitarian crisis taking place in the Uyghur homeland of East Turkistan (designated by the government as the Xinjiang Uyghur Autonomous Region) has entered a new phase since CECC's groundbreaking hearing on the crisis in July 2018. It is now clear that Uyghurs and members of other Turkic ethnic groups are not only being detained and tormented with cruel and unusual mistreatment and abuse. They are also being swept into a vast system of forced labor. The extra-legal internment camps are only one piece of this emerging system, which involves prisons and village-based manufacturing as well. It is becoming increasingly hard to ignore the fact that goods manufactured in East Turkistan have a high likelihood of being produced with forced labor.

Forced labor as a deeply embedded tool of repression, punishment, and control

Forced labor is a deeply embedded tool of control in China. A regime of forced labor has become the fulcrum of the CCP's campaign of forced assimilation in East Turkistan. Transforming the population from one largely made up of independent farmers and traders into industrial workers, subject to regimes of surveillance and control in factories far from their hometowns, is a major part of the government's program of "stability maintenance."

The link between forced labor and "re-education" goes back decades. Despite the fact the government claimed to have abolished the re-education-through-labor or "laojiao" system in 2013, extrajudicial detention has continued under different names.

East Turkistan has been a particular locus of forced labor since the establishment of the PRC. The Xinjiang Production and Construction Corps (XPCC) is powered by forced labor, serving a function similar to the Soviet Union's gulags. In addition to the XPCC prisons, there is a decades-long history of forced labor in the XUAR prison system, including in textile factories such as the Qixin Garment Company inside the Xinjiang Women's Prison in Urumchi.¹

¹ Han, Lianchao, August 2019 "Cotton: the Fabric Full of Lies" Citizen Power Initiatives for China

In the Uyghur Autonomous Region, a system of forced agricultural and infrastructure construction labor known as “Hashar” was supposedly abolished in 2017, although similar forms of forced labor persist, according to the State Department’s 2019 Trafficking in Persons report.²

Over a decade ago, in 2008, UHRP reported on the systematic program of coercive labor transfer that particularly targeted young women to be sent to factories in coastal Chinese provinces.³ Government cadres used a combination of deception, pressure, and threats to round up thousands of young Uyghurs against their will. Then, as now, the program had a dual effect of separating families and placing Uyghurs in involuntary factory settings far from home.

A long-term state plan to relocate the textile industry in the Uyghur Region

Today, we are seeing a confluence of the “Strike Hard” campaign of mass internment with a pre-existing state plan to relocate the textile industry in the Uyghur Region. East Turkistan is the source of over 80% of the total cotton produced in China, and the crop is heavily subsidized.⁴ As documented in the new report on forced labor in the cotton industry, published by Citizen Power for China, since the mid-2010s, the Chinese government has developed plans to transfer the textile processing on a large scale to the region, including the production of cloth and finished garments. This addresses rising costs in coastal areas for land, electricity, and above all labor, but in addition, new subsidies encourage companies to shift factories to the region. Government documents outline a plan to have at least a million textile industry jobs in the region by 2023.⁵ A disturbing picture is thus emerging of the government pushing companies to use cheap or entirely unpaid Uyghur labor.

The general manager of a factory known to use detainee-labor, speaking in state TV interview released in December 2018, stated, “With the support of the government, we have already ‘recruited’ more than 600 people.” He said that since the founding of the new factory in 2017, “We have generated more than \$6 million in sales. We plan to reach 1,000 workers by the end of this year. We plan to provide jobs to 1,500 people by the end of 2019.”⁶

From camps to factories

It is clear that some individuals are being moved from the extra-legal prison-camps, where the “de-extremification” program focused on indoctrination classes, Chinese-language, and indefinite detention, to factories. While some factories are inside camp compounds, others are in industrial parks, where individuals are forced to stay in on-site dormitories and allowed to leave for only

² U.S State Department June 20, 2019 “Trafficking in Persons Report June 2019,” Office to Monitor and Combat Trafficking in Persons <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>

³ Uyghur Human Rights Project, February 8, 2008 “Deception, Pressure, and Threats: The Transfer of Young Uyghur Women to Eastern China” http://docs.uyghuramerican.org/Transfer_uyghur_woman.pdf

⁴ USDA September 6, 2018 “China: Cotton and Products Update” USDA Foreign Agricultural Service GAIN Report https://apps.fas.usda.gov/newgainapi/api/report/downloadreportbyfilename?filename=Cotton%20and%20Products%20Update_Beijing_China%20-%20Peoples%20Republic%20of_8-30-2018.pdf

⁵ Darren Byler, October 11, 2019 “How Companies Profit From Forced Labor In Xinjiang,” Living Otherwise. <https://livingotherwise.com/2019/10/11/how-companies-profit-from-forced-labor-in-xinjiang/>

⁶ Darren Byler, October 11, 2019 “How Companies Profit From Forced Labor In Xinjiang,” Living Otherwise. <https://livingotherwise.com/2019/10/11/how-companies-profit-from-forced-labor-in-xinjiang/>

short periods, if at all. One woman, Dilnur Idris, told her sister in Australia via WeChat that she had been sent from the camps to a factory forced to work.⁷ Another woman reported being paid less than half the minimum wage, though she received far less due to expenses incurred during her stay. She was not allowed to leave, continued to endure forced indoctrination, and was threatened with being sent back to the camp if she refused to sign a contract.⁸

While some detainees are being “released” into another form of captivity in factories, others are being sentenced under absurd charges in secret trials. As of 2017, the region accounted for 21% of arrests despite making up only 1.5% of the population of China.⁹ The already massive prison system is being rapidly expanded, and disturbing reports of large numbers of people being transferred from the camps to prisons are emerging,¹⁰ including reports of people being sentenced in “open court sessions” for infractions inside the camps such as failure to study well.¹¹ The prisons, too, have long been sites of forced labor and given unfair trials, the sentences cannot be considered legitimate.

In December 2018, the Associated Press broke the story that clothing had been exported to the U.S. by a Chinese manufacturer Hetian Taida, in a factory in the Hotan Vocational Education and Training Center, one of the many detention camps that have been established across East Turkistan.¹² This clothing was being sold to U.S. supplier Badger Sportswear. Several weeks later, Badger Sportswear announced that it had ceased sourcing from the company and all companies with operations in Xinjiang, but continued to maintain that it was skeptical that the goods had been produced by forced labor. This was despite the fact that the factory and the re-education camp share an address, the fact that satellite imagery confirms they are in the same compound, and the fact that the chairman of the company acknowledged that the factory was employing “trainees” and was located in the same compound.¹³

We wish to thank the CBP for issuing a withhold release order on goods produced by Hetian Taida. However, it is extremely disturbing that U.S. companies are still sourcing from the company despite clear evidence of forced labor. Baby clothes produced by the company recently went on sale at Costco; while Costco has now pulled the goods from their shelves, they should never have gotten that far in the first place, given how long this information has been public. U.S. enforcement

⁷ McNeill, Sophie, McGregor, Jeanavive, Griffiths, Meredith, Walsh, Michael, Hui, Echo, Xiao, Bang, July 16, 2019 “Cotton On and Target investigate suppliers after forced labour of Uyghurs exposed in China's Xinjiang” ABC Four Corners <https://www.abc.net.au/news/2019-07-15/uyghur-forced-labour-xinjiang-china/11298750>

⁸ Byler, Darren, September 4, 2019 “How Companies Profit from Forced Labor in Xinjiang” SupChina <https://supchina.com/2019/09/04/how-companies-profit-from-forced-labor-in-xinjiang/>

⁹ Chinese Human Rights Defenders 7/25/2018 “Criminal Arrests in Xinjiang Account for 21% of China's Total in 2017” <https://www.nchrd.org/2018/07/criminal-arrests-in-xinjiang-account-for-21-of-chinas-total-in-2017/>

¹⁰ Xinjiang Victims Database “List: From prolonged detention to prison, Excluding victims from pre-Chen Quanguo period” Accessed October 9, 2019 <https://www.shahit.biz/export.php?list=15>

¹¹ Bunin, Gene, October 5, 2019, “From camps to prisons: Xinjiang's next great human rights catastrophe” Art of Life in Chinese Central Asia <https://livingtogetherwise.com/2019/10/05/from-camps-to-prisons-xinjiangs-next-great-human-rights-catastrophe-by-gene-a-bunin/>

¹² Kang, Dake, Mendoza, Martha, and Wang, Yanan, December 19, 2018 “US sportswear traced to factory in China's internment camps” Associated Press <https://www.apnews.com/99016849cddb4b99a048b863b52c28cb>

¹³ Worker's Rights Consortium, June 24, 2019 “Worker's Rights Consortium Factory Assessment Hetian Taida Apparel Co. Ltd. (China): Findings, Recommendations, and Status” <https://www.workersrights.org/wp-content/uploads/2019/06/WRC-Report-on-Hetian-Taida-China-June-2019.pdf>

must be stepped up to ensure that all goods sourced from companies in the Uyghur Region receive scrutiny commensurate with the extremely high risk of forced labor in the supply chain.

Asphyxiating social control facilitates forced and involuntary labor

Asphyxiating social control facilitates forced and involuntary labor. The techno-totalitarian system of surveillance and intimidation put in place by Xinjiang authorities means that any attempt to resist orders puts oneself and one's family at great risk. Those "recruited" directly from their villages into factories cannot be assumed to be working of their own free will. Communist cadres have been sent to Uyghur villages by the tens of thousands. They enter Uyghur households, politically assess them, and push them towards work in the factories in the so-called "homestay" program. As in the case of the 2008 labor-transfer program to Eastern factories, Uyghurs do not have a choice. Refusing to participate in the state's "poverty alleviation" programs can get one labeled extremist and therefore sent to the camps. The threat is often implicit, but according to some testimonies, it is explicit.¹⁴ This is the same dynamic as in the state program encouraging marriage between Han men and Uyghur women, celebrated in Party media outlets. Uyghur women's consent to these marriages must be assumed in the vast majority of cases to be given under extreme duress. If a young woman were to decline a marriage proposal from a Han man, she and her family could be labeled "extremists" and sent to the camps. Uyghurs cannot say no.

As one Uyghur living overseas described it to the BBC, there is an atmosphere of horror where "everyone feels like they're being watched all the time... There is a huge sense of fear - people tell me they sleep in their clothes because no-one knows whether at night they might be taken away."¹⁵

Nor is asphyxiating social control confined to PRC borders. Uyghurs outside China are also subject to extraterritorial surveillance and coercion. UHRP's latest report, *Repression Across Borders: the CCP's Illegal Harassment and Coercion of Uyghur Americans*,¹⁶ documents the ongoing and flagrant violations of federal law on U.S. soil. As one Uyghur American said about being contacted by Chinese State Security agents:

They are just telling us, "We are watching you. Wherever you go, still you are a Chinese." Even though abroad, it doesn't mean they can't do something to you. Because they have your friends, your relatives.

Agents of a foreign power are surveilling and terrorizing our own fellow American citizens, with threats to send their remaining family members to the camps if they speak out about what is happening in East Turkistan.

¹⁴ Sophie McNeill, Jeanavive McGregor, Meredith Griffiths, Michael Walsh, Echo Hui, Bang Xiao, July 16, 2019 "Cotton On and Target investigate suppliers after forced labour of Uyghurs exposed in China's Xinjiang" ABC Four Corners <https://www.abc.net.au/news/2019-07-15/uyghur-forced-labour-xinjiang-china/11298750>

¹⁵ Andreas Illmer, October 11, 2019, "Tashpolat Tiyp: The Uighur leading geographer who vanished in China" BBC News, <https://www.bbc.com/news/world-asia-china-49956088>

¹⁶ Uyghur Human Rights Project, August 2019 "Repression Across Borders: The CCP's Illegal Harassment and Coercion of Uyghur Americans" <https://uhrp.org/press-release/new-uyghur-human-rights-project-uhrp-report-details-how-chinese-government-engaged>

Due diligence is impossible in the Uyghur Region

Given this system of intimidation and terror, extended not only throughout the Uyghur region and but also abroad, corporate supply-chain due diligence is impossible. The complete secrecy surrounding the camps, and the horrific means of total control hanging over those who are not in the camps, means that the free flow of information has been cut off to an extent rarely seen in modern times. Simply put, it is impossible to conduct normal due diligence to determine whether a particular facility is producing goods with forced labor. No independent auditor or supply-chain certification process can collect reliable information from workers, factory management, or local government. No interviews can be treated as uncoerced. Recall that any Uyghur who departs from the government-dictated script faces a high risk of detention, torture, and possibly death in custody.

Because due diligence is impossible, companies cannot carry out their claims to manage their supply chains in accordance with ethical principles. By definition, no company can provide credible assurance that products sourced in Xinjiang qualify for legal import into the United States, or any country that bans the import of forced-labor products.

The evidence is now clear that all manufacturing in the Xinjiang Uyghur Autonomous Region is taking place under inhuman and degrading conditions – under a nightmare totalitarian police state preventing free choice and the free flow of information. If existing authorities are insufficient for Customs and Border Protection Agency to issue Withhold Release Orders (WROs) commensurate with the risk of allowing illegal goods into the U.S., Congress must act to shift the burden of proof to companies that wish to import products sourced in Xinjiang or produced with Xinjiang-sourced cotton.

RECOMMENDATIONS

Recommendations for the U.S. Government:

1. Congress should act urgently to pass the Uyghur Human Rights Policy Act, putting in place a legislative mandate for vigorous U.S. government action to respond to the Uyghur crisis.
2. Congress should ban the importation of cotton, textiles, and garments originating from Xinjiang, until the policies of mass internment and coerced labor recruitment are ended, and the conditions necessary for due diligence have been established, including a free press and unimpeded access for international observers and diplomats.
3. Congress should pass legislation to mandating clearer transparency about their suppliers and to publicly disclose to the Securities and Exchange Commission and elsewhere the risk of forced labor in their supply chain, and whether they have taken measures to identify and address forced labor from Xinjiang and China in specifically.
4. The Administration must vigorously enforce international trade standards to address China's unequal subsidies to Xinjiang industries that help fuel the use of forced labor in that region.

5. Congress should increase funding for the Uyghur Service of Radio Free Asia in the FY2020 Foreign Operations Appropriation bill, commensurate with the scale of the crisis, to enable it to carry out adequate investigative journalism and continue to uncover critical evidence regarding the situation on the ground.
6. The State Department and Department of Education should conduct a thorough review of all educational and cultural exchanges with the People's Republic of China. There should be no government funding of any programs involving the Chinese Ministry of Education as long as the mass internment and unfair trials of intellectuals continue, and should not resume until all educators and students are released and receive reparations. At least 77 Uyghur and Kazakh university instructors and hundreds of students are known to have been disappeared, sentenced, or arbitrarily detained, figures which are just the tip of the iceberg.¹⁷
7. USAID's program to support international religious freedom, including the new \$25 million fund to protect religious sites, announced by President Trump in September, should include support for cultural preservation, and research and documentation regarding Uyghur mosques, shrines, and religious libraries.
8. Governments must jointly press for a UN-mandated independent investigation. Most such investigations involve travel to the region where mass atrocities are taking place. This will likely be impossible in the case of the Uyghur Region. In that case, there should be an official investigation even in the absence of access to Xinjiang, and the U.S. should contribute funding to this effort.
9. Governments should continue to make joint statements of condemnation.
10. Governments should jointly impose coordinated sanctions. Sanctions should include visa denials, freezing of assets, a modification of the EU-U.S. Tiananmen sanctions to add additional restrictions, suspension of government funding of educational and research exchanges, and export restrictions on textiles and on high-tech tools for surveillance and racial-profiling.
11. The U.S. and like-minded countries should back United Nations action similar to the action on Apartheid, including the 1960 Security Council Resolution 134 deploring the policies and actions of the South African government and calling on the government to abandon its policies of apartheid and racial discrimination; the 1963 Resolution 181 calling upon all States to cease the sale and shipment of arms, ammunition and military vehicles to South Africa; and the General Assembly resolution of 1968 requesting that all States and

¹⁷ Uyghur Human Rights Project, Oct 22, 2018, "The Persecution of the Intellectuals in the Uyghur Region: Disappeared Forever?" <https://uhrp.org/press-release/persecution-intellectuals-uyghur-region-disappeared-forever.html> and Uyghur Human Rights Project, May 21, 2019, "UHRP UPDATE: 435 Intellectuals Detained and Disappeared in the Uyghur Homeland" <https://uhrp.org/press-release/uhrp-update-435-intellectuals-detained-and-disappeared-uyghur-homeland.html>

organizations "suspend cultural, educational, sporting and other exchanges with the racist regime and with organizations or institutions in South Africa which practice apartheid."

12. The Red Cross should be mandated to seek access to the camps. There is an urgent need to collect information now so that families can be re-united, before it is too late.
13. The silence of the Organization of Islamic Cooperation must come to an end. To mobilize support for those members of the OIC that are concerned about the Uyghur crisis, the U.S. can conduct bilateral diplomacy and make funding available to NGOs who can translate materials into relevant languages in these countries, bring witnesses, and other focused programming to educate local civil society, religious leaders, parliamentarians, lawyers, and others.
14. In countries where the government or CCP influence operations have succeeded in suppressing accurate reporting on the Uyghur crisis, the U.S. government should provide funding to human-rights advocacy organizations to translate the available documentation, including explanation of the satellite evidence, witness testimonies, and the Chinese government's own announced policies to eliminate Islamic practices, force Uyghurs and other Turkic Muslims to renounce their faith and denounce Islam, and demolish and desecrate mosques, shrines and cemeteries.
15. Conclusive evidence is rapidly emerging regarding China's continued sourcing of transplant organs from prisoners, including both Uyghur and Falun Gong practitioners, despite the government's continued denials. The China Tribunal, a panel of jurists and medical professionals, led by Sir Geoffrey Nice, Queen's Counsel, issued a major report on June 17, 2019. It concluded "beyond a reasonable doubt" that China's lucrative organ-transplant system is heavily reliant on prisoners' organs. The voluntary-donor system is insufficient to provide a huge number of human organs needed for transplantation surgeries, and China's organ-procurement program does not meet minimal ethics standards. All cooperation with the transplantation field in China should be suspended, including a ban on transplantation professionals from China participating in international conferences, and from publishing in international scientific and medical journals.
16. Congress should prohibit U.S. universities and companies from using federal funds for joint research or other forms of cooperation with China-based companies and government agencies building and maintaining China's suffocating total-control police state – openly based on racial-profiling and designed to commit mass atrocities against Uyghurs and other Turkic Muslims.
17. Congress should request an update regarding U.S. government protection of Uyghur Americans and action to investigate and deter illegal acts of coercion, threats, and reprisals by Chinese government agents, aiming to intimidate Uyghurs and prevent them from providing testimony about what is happening to their relatives in East Turkistan.

Recommendations for businesses, universities, and other private actors:

1. Companies must recognize that due diligence in the supply chain is impossible, given the conditions of total control, mass internment, widespread government-subsided forced-labor recruitment, and large-scale government-sponsored prison/camp labor. Companies must suspend all sourcing of cotton, textiles, and garments from Xinjiang.
2. Private companies must immediately end collaboration with surveillance and racial profiling of Uyghurs, enabling arbitrary secret detention and an Orwellian system of control-by-terror.
3. Pension funds, both private-sector, and government must divest from these companies facilitating crimes against humanity, whether U.S. or foreign, including those listed on the Shanghai, Shenzhen, Hong Kong, and New York stock exchanges.
4. Researchers must end joint projects with China-based institutions building the system of surveillance and racial-profiling, including in artificial intelligence, big-data programs, and bio-engineering.
5. Scholars and universities should institute an academic boycott in response to “the crime of the century” taking place in East Turkistan. In 1965, U.S. and U.K. universities began an academic boycott of South African universities in order to ensure that they were not complicit in the system of Apartheid. Scholarly collaboration, publication of research, and participation in international conferences were denied to those representing the Apartheid institutions of South Africa. UHRP urges a similar approach to the cultural genocide of the Uyghurs.