



Senate Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security,
Democracy, Human Rights, and Global Women's Issues and

Subcommittee on East Asia, the Pacific, and International Cybersecurity

Hearing on "Atrocities in Xinjiang: Where Do We Go From Here?"

June 10, 2021

Testimony of Dr. Sophie Richardson, China Director, Human Rights Watch

Human Rights Watch appreciates this opportunity to testify regarding the role of the private sector in human rights violations against Uyghurs and other Turkic communities in Xinjiang, the northwestern region of China. Building on 25 years of work documenting human rights violations in Xinjiang, Human Rights Watch recently concluded that Chinese authorities are committing crimes against humanity targeting Uyghurs, Kazakhs, and other Turkic Muslim minorities. Those crimes include imprisonment or other deprivation of liberty in violation of international law; persecution of an identifiable ethnic or religious group; enforced disappearance; torture; murder; and alleged inhumane acts intentionally causing great suffering or serious injury to mental or physical health, notably forced labor and sexual violence.

This testimony address issues of coerced or forced labor by Uyghurs and other Turkic communities, and the role of the Chinese and foreign private sectors, since the beginning of the Xinjiang authorities' "Strike Hard against Violent Extremism" campaign in 2014. It sets out recommendations for bilateral and multilateral policies.

Introduction

Since the beginning of the "reform and opening" era in the late 1970s, Chinese authorities repeatedly implied that once the country reached a certain level of economic development it will consider political liberalization. From the 1990s onward, some foreign firms investing in the country and business associations [insisted](#) that with greater international economic interaction the government would become less authoritarian. Neither has come true, and [Chinese](#) firms with close ties to the government and [foreign](#) firms have continued to profit while the

human rights environment has deteriorated significantly, particularly since Xi Jinping assumed power in 2013.

Chinese and foreign firms have a history of aiding the Chinese government in its repressive activities, particularly with respect to technology companies, given how intertwined their products and services can be in the Chinese government's human rights violations. Public pressure has forced some of the foreign firms to change their policies, such as Google's 2010 announcement that it would no longer [accept](#) censorship of its search engine in China, but others have looked the other way. Scholars, research organizations, journalists, and activists have published strong research documenting [forced](#) and "[transfer](#)" labor in the [apparel](#), [cotton](#), and [solar](#) sectors in Xinjiang, raising questions about other sectors operating in the region.

Human Rights Watch is a member of the [Coalition](#) to End Forced Labor in the Uyghur Region, which calls on cotton and apparel brands and retailers to take steps to demonstrate their supply chains are free of human rights violations – or exit the region.

Forced Labor Inside and Outside Xinjiang

There have been numerous credible reports that Chinese authorities are subjecting Uyghurs and other Turkic peoples to forced labor under the government's "idle labor transfer programs" (富余劳动力转移). Under this program, ethnic minorities are placed in jobs, including in factories, in Xinjiang and elsewhere in China.

These labor transfer programs predated the Strike Hard Campaign. They started in 2006 but dipped around 2014 following the Kunming train station attack.¹ The programs saw a revival around 2017 and 2018 as part of the Chinese government's nationwide "poverty alleviation" efforts.²

¹ For a discussion about the history around these schemes, see Li Xiaoxia, "(新疆少数民族产业工人队伍发展及现状分析)," 北方民族大学学报(哲学社会科学版), 2015.

² See, for example, 新疆的农村劳动力转移出现四个转变产生四大效应, http://www.gov.cn/gzdt/2007-06/18/content_652170.htm, mentioning that over 100,000 Xinjiang workers were exported to other provinces under the scheme in 2006.

The levels of coercion involved in these programs appear to have dramatically increased with the Strike Hard Campaign. The evidence indicates that detainees have been sent to perform forced labor after they were released from Xinjiang's political education camps. Satellite images also show the recent emergence of new factories, connected to or near the camps, where inmates allegedly provide low-cost or unpaid labor.³ In at least one instance, such a factory purportedly became an extension of a political education camp; laborers live in dormitories, may be prohibited from returning home on a regular basis, and receive no pay for their work until they "complete their training."⁴

The crackdown on Uyghurs and other Turkic peoples since 2014 also coincides with the Chinese government's encouragement of the vertical integration of China's garment manufacturing sector by moving textile and garment factories closer to the cotton production centered in Xinjiang, hinting at a textile and apparel expansion plan that risk depending heavily on the forced labor of inmates at the various detention facilities.⁵

Additionally, authorities have assembled Uyghurs and other Turkic peoples and sent them to factories in various Chinese provinces. The conditions strongly suggest coercion, including the use of minders and political indoctrination of exported workers.⁶ A 2017 state television report showed how officials pressured one young woman into participating in such schemes, even though she did not wish to be away from home.⁷ A leaked Nankai University study of these schemes described how "some [exported] workers are unwilling to leave and have been seriously homesick."⁸ Organized labor transfer programs exist in other parts of

³ Chris Buckley and Austin Ramzy, "China's Detention Camps for Muslims Turn to Forced Labor," *New York Times*, December 16, 2018, <https://www.nytimes.com/2018/12/16/world/asia/xinjiang-china-forced-labor-camps-uyghurs.html>.

⁴ Shohret Hoshur, "Internment Camp Assigned Uyghur Forced Laborers to Xinjiang Textile Factory: Official," Radio Free Asia, November 14, 2019, <https://www.rfa.org/english/news/uyghur/laborers-11142019142325.html>.

⁵ Fair Labor Association, "Issue Brief: Forced Labor Risk in Xinjiang, China," 2020, https://www.fairlabor.org/sites/default/files/documents/reports/fla-brief-xinjiang_forced_labor_risk_final.pdf; Citizen Power Initiatives for China, *Cotton: The Fabric Full of Lies*, 2019.

⁶ ASPI, "Uyghurs for Sale," March 2020, <https://www.aspi.org.au/report/uyghurs-sale>.

⁷ John Sudworth, "'If the others go I'll go': Inside China's scheme to transfer Uighurs into work," *BBC News*, March 2, 2021, <https://www.bbc.com/news/world-asia-china-56250915>.

⁸ *Ibid.*; 中国财富经济研究院智库报告-1009 新疆和田地区维族劳动力转移就业扶贫工作报告, Nankai University, <http://web.archive.org/web/20200507161938/https://ciwe.nankai.edu.cn/2019/1223/c18571a259225/page.htm>.

China, such as Shanxi province, but these workers do not appear to be subjected to the same coercive conditions as those from Xinjiang.⁹

Official plans published online detail how the program will transform ethnic minorities into a disciplined, patriotic, Chinese-speaking industrial work force.¹⁰ As of 2018, the Chinese government has documented the employment of 450,000 new Turkic workers including impoverished household members, which included struggling relatives of prisoners and detainees, and political education camp “graduates” in the cotton and textiles industry.¹¹

Mass Surveillance in Xinjiang

Although the Chinese government uses mass surveillance throughout the country, its monitoring and tracking of Uyghurs and other Turkic peoples is particularly invasive in Xinjiang.¹² Street corner police stations, known as “convenience police stations,” form a dense control complex, carefully organized in a grid system that divides populations into geometric units for tighter and more focused surveillance.¹³

Another facet of this mass surveillance of the Turkic Muslims is the extensive and compulsory collection of their biometric data.¹⁴ Chinese authorities collect DNA samples, fingerprints, iris scans, and blood types from all Xinjiang residents between the ages of 12 and 65, in part through a medical examination program, “Physicals for All”; biometrics are collected without choice or informed consent.¹⁵ In addition, Chinese authorities have also collected voice samples

⁹ 我省出台措施进一步加大就业扶贫力度, http://www.jcgov.gov.cn/dtxx/sxyw/202003/t20200315_890057.shtml.

¹⁰ Bernhard Zand and Adrian Zenz, “The Equivalent of Cultural Genocide,” *Spiegel Online*, November 28, 2019, <https://www.spiegel.de/international/world/chinese-oppression-of-the-uyghurs-like-cultural-genocide-a-1298171.html>.

¹¹ 孙瑞哲分享十大行业发展热点 (Sun Ruizhe Shares Top Ten Industry Development Hot Topics), March 4, 2018, transcript, http://www.ccta.org.cn/hyzx/201803/t20180305_3683861.html; Jianli Yang and Lianchao Han, “Did a Muslim Slave Make Your Chinese Shirt?,” *Wall Street Journal*, October 16, 2019.

¹² US Committee on International Religious Freedom, Annual Report, 2019, <https://www.uscirf.gov/sites/default/files/2019USCIRFAnnualReport.pdf>; Jianli Yang and Lianchao Han, “Did a Muslim Slave Make Your Chinese Shirt?,” *Wall Street Journal*, October 16, 2019.

¹³ Human Rights Watch, *China’s Algorithms of Repression*, May 2019, https://www.hrw.org/sites/default/files/report_pdf/china0519_web5.pdf, p. 15-16.

¹⁴ Xinjiang: 2017 Nián Quánmín Jiànkāng Tǐjiǎn Gōngzuò Quánbù Wánchéng (新疆: 2017 年全民健康体检工作全部完成), *Xīnjiāng Rìbào* (新疆日报), November 2, 2017, http://www.gov.cn/xinwen/2017-11/02/content_5236389.htm; Human Rights Watch, “China: Minority Region Collects DNA from Millions,” December 13, 2017, <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>.

¹⁵ Human Rights Watch, *China’s Algorithms of Repression*, p. 15; “China: Minority Region Collects DNA from Millions.”

from Turkic Muslims during passport application processes and at police checkpoints.¹⁶ Much of this data is entered into searchable databases.¹⁷ The collection of these biometrics is part of the government's drive to form a "multi-modal" biometric portrait of individuals and to gather ever more data about its citizens. All of this data can be linked in police databases to the person's identification number, which in turn is linked to any of their additional biometric and personal information on file.

The Xinjiang authorities have also put in place networks of automated sensory systems throughout the region, which include CCTV cameras with facial recognition, automated license plate recognition, and infrared capabilities; WiFi sniffers that collect identifying addresses of networked devices; and security checkpoints and visitors' management systems that gather identifying information.¹⁸ Kitchen knives in Xinjiang are tracked by QR codes that include the owner's ID number, photo, ethnicity, and address, and vehicles are subject to mandatory location trackers.¹⁹

Much of this information is fed into the Integrated Joint Operations Platform (IJOP), which aggregates data about individuals, flags to officials those whom it deems potentially threatening, and determines who should be rounded up by police, investigated, and sent to political reeducation camps or other detention facilities.²⁰ Human Rights Watch in December 2020 published research based on

¹⁶ Human Rights Watch, *China's Algorithms of Repression*, p. 15; Isobel Cockerell, "Inside China's Massive Surveillance Operation," *Wired*, May 9, 2019, <https://www.wired.com/story/inside-chinas-massive-surveillance-operation/>.

¹⁷ Human Rights Watch, "Police DNA Database Threatens Privacy," May 15, 2016, <https://www.hrw.org/news/2017/05/15/china-police-dna-database-threatens-privacy>.

¹⁸ Human Rights Watch, "China: Big Data Fuels Crackdown in Minority Region," February 26, 2018, <https://www.hrw.org/news/2018/02/26/china-big-data-fuels-crackdown-minority-region>; Uyghur Human Rights Project, "Ideological Transformation': Records of Mass Detention from Qaraqash, Hotan," February 2020, https://docs.uhrp.org/pdf/UHRP_QaraqashDocument.pdf, p. 16-17.

¹⁹ Steven Melendez, "In locked-down Xinjiang, China is tracking kitchen knives with QR codes," *Fast Company*, December 20, 2017, <https://www.fastcompany.com/40510238/in-xinjiang-china-some-knives-branded-with-owners-qr-codes>; "When CCTV cameras aren't enough: Chinese police order drivers to install tracking devices on their cars," *Fast Company*, February 21, 2017, <https://www.fastcompany.com/4031016/when-cctv-cameras-arent-enough-chinese-police-order-drivers-to-install-tracking-devices-on-their-cars>.

²⁰ Human Rights Watch, *China's Algorithms of Repression*, p. 1, 24; "China: Big Data Fuels Crackdown in Minority Region." IJOP collects information such as the individual's name, ID type and number, ethnicity, address, license plate number, profession, education, passport, phone number, relationship with head of household, blood type, height, photo, political status, religion, "religious atmosphere" (fair or strong), reason for seeking asylum or education abroad, destination country, exit time, changed identity? (if yes, to what), and reason for leaving Xinjiang. See also, Uyghur Human Rights Project, "Ideological Transformation," p. 14-15; and "一体化联合作战平台" 每日要情通报: 第 2 期 ("Integrated Joint Operation Platform" Daily Essentials Bulletin No.

a leaked list of over 2,000 detainees from Aksu prefecture, which provided detailed evidence that the vast majority of the people flagged by the IJOP system are detained for everyday, lawful, nonviolent behavior.²¹ In one case, for example, the IJOP system flagged a woman as suspicious because she had received four calls from a foreign number in March 2017, noting the precise duration of the calls.

In 2019 Human Rights Watch [wrote](#) to China Electronics Telecommunications Corporation, the conglomerate that oversaw the development of the IJOP, asking about its human rights due diligence policies and other human rights safeguards; the company did not reply. In 2017, Human Rights Watch had put similar questions to Chinese voice recognition firm iFlytek about its sale of voice pattern collection systems to the Xinjiang Public Security Bureau; it did not reply.

Human Rights Watch wrote to ThermoFisher Scientific, a Massachusetts-based firm, in June and August 2017 after discovering procurement documents showing that the firm had sold DNA sequencers to the Xinjiang Public Security Bureau. The company replied to our initial letter but did not answer the questions, prompting a second letter, which received no reply.

In February 2019, after more than a year of unanswered questions from Human Rights Watch, members of the US Congress, and others – culminating in a highly critical *New York Times* exposé of its sales in Xinjiang – the company [announced](#) it would stop selling human identification technology in Xinjiang. Thermo Fisher chalked the decision up to “fact-specific assessments.”

Challenges of Human Rights Due Diligence in Xinjiang

Human Rights Watch believes that all companies have a responsibility, in accordance with the United Nations Guiding Principles on Business and Human Rights, to conduct human rights due diligence throughout all of their operations and supply chains, no matter how complex. The goal of this exercise is to assess and publicly explain whether corporate activity is creating or contributing to

2), encouraging the detention of Xinjiang residents who IJOP identified as having obtained foreign nationality and applied for Chinese visas, or having obtained certificates from Chinese embassies and consulates.

²¹ Human Rights Watch, “China: Big Data Program Targets Xinjiang’s Muslims: Leaked List of Over 2,000 Detainees Demonstrates Automated Repression,” December 9, 2020, <https://www.hrw.org/news/2020/12/09/china-big-data-program-targets-xinjiangs-muslims>.

human rights violations, and, if so, whether adequate redress is afforded to those affected.

Chinese authorities have turned Xinjiang into an unparalleled surveillance state, one in which effective human rights due diligence by foreign firms that source from Xinjiang is not currently possible. It is unclear how firms that claim to conduct social compliance audits of facilities they source from in these parts do so and to what extent Chinese firms attempt such social compliance audits. Foreign and domestic inspectors cannot visit facilities unannounced or speak to workers without fear of reprisals. Some foreign firms have attempted to send quality control inspectors and present their findings as adequate; others have sent only Chinese-speaking inspectors to factories with Uyghur-speaking workers. Human Rights Watch is not aware of any company that has undertaken, let alone published, robust human rights due diligence assessments of their business operations inside Xinjiang, or facilities outside Xinjiang that employ “transfer” labor from the region. In 2020, at least five firms hired to conduct audits of supply chains in the region [announced](#) that they would no longer do so.

Are any American companies directly or indirectly complicit in abuses? Human Rights Watch is unaware of a single centralized list of US firms with a presence in Xinjiang that would enable the beginning of such a discussion. In October 2018 ChinaFile [published](#) a list of the Fortune 500 companies operating there; while some are merely liaison offices, the scope of other companies' operations is not entirely clear. Seven international companies have [agreed](#) to the Call to Action of the Coalition to End Forced Labor in the Uyghur Region: Italy-based OVS SpA; Netherlands-based WE Fashion; South Africa-based TFG Limited; UK-based ASOS plc and Marks & Spencer; and US-based Eileen Fisher and Reformation.

2021 Discussions with Companies

Since the beginning of 2021, Human Rights Watch has briefed—at their request—dozens of banks, investment firms, manufacturers, and other corporate entities. All of the companies to which we have spoken are based in Australia, Europe, Japan, and the United States, and almost all inquired about the ethics of doing business in Xinjiang. Many assert that they have ESG or other CSR policies, but effectively admit that they struggle to properly audit their Xinjiang or China operations at all, let alone conduct effective human rights due diligence.

While these companies may not be fully representative of all firms operating across the region, it is nevertheless disturbing how poorly informed these companies are about basic aspects of the region's government, and particularly the role of the state agency Xinjiang Production and Construction Corps (XPCC, or *bingtuan*) in the political economy and social control of the region. Few express a willingness to withdraw from the region—even now.

Recommendations

Human Rights Watch supports the current and previous administrations' approaches to addressing human rights violations in China using targeted individual sanctions, entity list designations, scrutiny of imports, and Customs and Border Patrol "withhold and release orders." More broadly, the Biden administration's high-level diplomatic initiatives to press for an international investigation under the auspices of the United Nations into grave international crimes against Uyghurs and other Turkic communities are critically important.

The US Congress is also playing a crucial role in advancing human rights protections and scrutiny to mitigate Chinese government violations. It can augment that role by:

- Urgently passing the Uyghur Forced Labor Prevention Act ([S.65](#)), which would impose a "rebuttable presumption" on goods imported from Xinjiang, and the Surveillance and free speech Protection Enhancement in Export controls for Censorship and Human rights Act of 2021 (SPEECH Act of [2021](#)), which aspires to expand export controls over technology that can be used for human rights violations;
- Calling on businesses to publicly disclose the names, addresses, ownership, and other relevant details about whom they do business with in Xinjiang, and consider making such a listing mandatory;
- Holding a hearing with representatives of major US firms with a presence in Xinjiang to assess whether and how they are ensuring that their operations are not causing or contributing to, or are linked with adverse human rights impacts;
- Adopting legally binding requirements for human rights due diligence by US companies operating in Xinjiang, detailing how companies should conduct effective human rights due diligence and responsibly disengage when such due diligence is not possible;

- Exploring, perhaps jointly with the Departments of Commerce and Treasury, which Chinese firms implicated in human rights abuses in Xinjiang are conducting business in the US, including whether they are listed on US stock exchanges, and whether they are used for surveillance and other mass data collection purposes;
- Tasking the Congressional Research Service to review whether US state or federal pension funds invest in any of the Chinese or US firms implicated in human rights abuses in Xinjiang;
- Reviewing through the Department of Treasury the portfolios of international financial institutions to ensure that they are not complicit in repression in the region and consider creating reporting requirements on this topic;
- Ensuring that US government procurement practices reward companies that demonstrate they do not use goods or services from Xinjiang;
- Pursuing opportunities to work with legislators in Australia, Canada, the European Union and its member states, Japan, New Zealand, the United Kingdom, and other democracies to challenge Chinese authorities to end crimes against humanity in Xinjiang. This could include multilateral briefings or hearings on similar topics to this hearing, working groups to examine the conduct of multinational firms, and initiatives to assist Uyghurs and other Turkic minorities in jeopardy.

Congress can also work with the Biden administration to:

- Impose escalating actions against Chinese companies found to be contributing to Chinese government human rights violations in Xinjiang, including by using the US Global Magnitsky Act;
- Appoint a Special Coordinator for Xinjiang Issues similar to the one for Tibetan Issues;
- Urge the Chinese government to release from arbitrary detention or from baseless prison sentences, and for departure from China, family members of US citizens and permanent residents; and
- Request that relevant US government agencies review all investments in Xinjiang and, where necessary, impose trade sanctions, including divestment, in sectors facing credible allegations of serious abuses such as forced labor.

Multilaterally, the Biden administration has taken key steps that should not only continue but should be coordinated with like-minded governments. These include:

- Impose coordinated, targeted sanctions on individuals such as Xinjiang Party Secretary Chen Quanguo, Chinese technology firms that play a role in repression, and state agencies such as the Xinjiang Ministry of Public Security and the Xinjiang Production and Construction Corps (XPCC);
- Deploy sanctions to the extent like-minded governments have sanctions regimes akin to the Specially Designated Nationals (SDN) list;
- Encourage the European Commission not to submit the EU-China Comprehensive Agreement on Investment to the European Parliament and Council for ratification at least until reports of forced labor have been investigated by independent and impartial international experts, abuses have been addressed, victims compensated, and there is substantial progress toward holding perpetrators to account; and
- Continue to call upon the United Nations High Commissioner for Human Rights to undertake an investigation into human rights violations against Uyghurs and other Turkic communities outside of China.

Businesses and investors can also play a role in helping to end human rights violations in Xinjiang. Congress should press them to:

- Recognize that for those businesses sourcing from Xinjiang, the responsibility to undertake human rights due diligence as articulated in the UN Guiding Principles on Business and Human Rights is not currently possible in Xinjiang due to government interference;
- Collectively and publicly urge the Chinese authorities to close the “political reeducation” camps and dismantle surveillance to create conditions conducive to due diligence across the region; and
- Join the Coalition to End Forced Labor in the Uyghur Region’s “Call to Action” to end the practice of forced labor involving Turkic people.