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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[01 February 2021]

* Issued as received, in the language(s) of submission only.

Interactive Dialogue with Special Rapporteur on freedom of religion or belief The People’s Republic of China’s Genocide of Uyghurs and Other Ethnic and Religious Minorities in Xinjiang

Jubilee Campaign would like to draw the Council’s attention to growing global consensus and consideration that China’s inhumane persecution of Uyghurs and other Muslim minorities in the Xinjiang Uyghur Autonomous Region of China, referred to by its residents as East Turkestan, has met the internationally recognized definition of genocide. Among the most commonly reported human rights atrocities that Uyghur and other minorities in Xinjiang are being subjected to include: arbitrary detention, enforced disappearance, physical torture, forced re-indoctrination, sterilization, forced abortion, infanticide, and more. Comprehensive investigations have been carried out by international human rights and religious freedom organizations that confirm the existence of such a genocidal campaign, despite China’s claims that the rhetoric amounts to nothing more than ‘fake news’ and “groundless accusations”.¹

On 19 January 2021, United States Secretary of State Michael Pompeo made a public statement in which he formally designated China’s persecution of the Uyghurs and other minorities as not only genocide, but also crimes against humanity. He further states that he believes that this “genocide is ongoing, and that we are witnessing the systematic attempt to destroy Uyghurs by the Chinese party-state.”²

Furthermore, Secretary Pompeo asserts that the United States urges the People’s Republic of China to cease all genocidal practices – including especially (1) mass forced internment and torture; (2) oppressive population control measures such as forced abortion, sterilization, infanticide, and coercive birth control; and the myriad methods of systematic persecution through restriction of freedoms of religion, belief, travel, and emigration. Secretary Pompeo implores “multilateral and relevant juridical bodies” to make similar determinations of genocide and/or crimes against humanity, and instructs the Department of State to continue its investigation for the foreseeable future of China’s human rights atrocities in Xinjiang.

The United States is not the first entity to compare China’s crimes against humanity to that which were perpetrated during World War II³; however, the United States is the first nation to formally and officially designate the atrocities in Xinjiang as both constituting genocidal acts and demonstrating genocidal intent.

Canadian Parliamentary Subcommittee on International Human Rights

In October 2020, the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development of Canada’s House of Commons conducted a series of meetings that lasted a total of two days and 12 hours of testimonies from scholars, civil society groups, and survivors of the persecution in Xinjiang. In its concluding statement, the Subcommittee expressed its concerns that, should the international community fail to recognize and rebuke the human rights atrocities that the CCP is waging against Uyghurs and Turkic Muslims, a dangerous “precedent” will be set; other countries will believe that they as well can engage in violations of human rights and dignity with impunity.

Notably, the Subcommittee, following its condemnation of China’s persecution, states that, based upon the Subcommittee’s hearings in both 2018 and 2020, that it “is persuaded that the actions of the Chinese Communist Party constitute genocide” according to the Convention on the Prevention and Punishment of the Crime of Genocide. The Subcommittee also “note that the Government of Canada is not only responsible for punishing the crime of genocide, but for preventing one from occurring as well.”⁴

Following the Subcommittee’s recognition of genocide against Uyghur and other ethno-religious minorities, the Subcommittee then outlines a list of recommendations to the broader government of Canada, including (1) publicly condemning China’s persecution, (2) collaborating with and supporting civil society organizations who are shedding light on the persecution, (3) publicly recognizing the persecution as genocide and “work within legal frameworks of international bodies to recognize that acts being committed against Uyghurs constitute genocide”, and (4) leveraging sanctions on responsible Chinese government officials via the Justice for Victims of Corrupt Foreign Officials Act.

United Kingdom Parliament

In the United Kingdom, the parliament is currently debating the inclusion of a genocide-related amendment to the Trade Bill; the bill’s overall purpose, in essence, is to oversee the implementation of trade agreements between the United Kingdom and other nations. Currently in a process referred to as ping pong, the bill is bouncing back and forth between the House of Lords and the House of Commons with revisions and amendments – both Houses must agree to the resolution for it to be ratified.⁵ The topic currently overtaking the debate is the following proposed amendment introduced by Lords David Alton, Michael Forsyth, and Andrew Adonis, which states that trade agreements would be “revoked if the High Court of England and Wales makes a preliminary determination that they should be revoked on the ground that another signatory to the relevant agreement has committed genocide under Article II of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide....”⁶

The genocide amendment, while broad in language, is specifically targeted to hold China accountable for its genocidal actions. Lord Alton, the leading supporter, posted on his website that he is horrified to repeatedly hear the testimonies of Uyghur and other minorities from Xinjiang that China is engaging in conscripted labor, mass surveillance, slavery, birth prevention, and torture. Lord Alton asserts that “genocide should no longer be allowed to be the crime that dares not speak its name” and that the UK parliament has an opportunity to take a stance regarding the genocidal persecution of the Uyghurs by adopting the proposed amendment.⁷

However, on 19 January 2021, the genocide clause was just narrowly rejected by 11 votes, 319 to 308, in the House of Commons, though this is not the end to the debate; Lord Alton revealed that the amendment will return to the House of the Lords for revision, but that “just 6 more good men and women on the Conservative benches need to change their minds” for the amendment to be passed.⁸

Australian Entities

In the hours following the United States State Department’s designation of genocide against the Uyghurs, Chinese foreign ministry spokesperson Hua Chunying disparaged the US action and placed blame upon the Australian Strategic Policy Institute for disseminating ‘anti-China’ ‘fabrications’. The ‘rumors’ at hand were in ASPI’s highly-regarded 2020 report Uyghurs for Sale and its Xinjiang Data Project, through which it recognized that China was engaging in “cultural genocide.”⁹ ASPI is a think tank founded by the Australian government and partially funded by the Australian Department of Defense.

Recommendations

Jubilee Campaign urges members and observer states of the Human Rights Council to:

1. Similarly designate the Chinese government’s persecution of Uyghurs and other Turkic Muslims as genocide and crimes against humanity, and publicly condemn this genocidal campaign.

2. Establish an impartial and independent United Nations mechanism to closely monitor, analyze, and report on the human rights situation in China, particularly in the Xinjiang Uyghur Autonomous Region.
3. Urge China to allow UN independent experts free and unfettered access to the Xinjiang Uyghur Autonomous Region and other affected regions to investigate the crimes against humanity.

1 Ministry of Foreign Affairs of the People’s Republic of China, What’s False and What’s True on China-related Human Rights Matters, 2020 July 2.

2 Michael R. Pompeo, Secretary of State, “Determination of the Secretary of State on Atrocities in Xinjiang”, United States Department of State, 19 January 2021.

3 Rayhan Asat & Yonah Diamond, “The World’s Most Technologically Sophisticated Genocide Is Happening in Xinjiang”, Foreign Policy, 15 July 2020.

Isabella Steger, “On Xinjiang, even those wary of Holocaust comparisons are reaching for the word ‘genocide’”, Quartz, 20 August 2020.

4 Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development, Statement by the Subcommittee on International Human Rights Concerning the Human Rights Situation of Uyghurs and other Turkic Muslims in Xinjiang, China, Canada House of Commons, 21 October 2020.

5 Trade Bill 2019-21 Volume 687: debated on Tuesday 19 January 2021, UK Parliament

6 Provisional Sixth Marshalled List of Amendments to be Moved in Committee to the Whole House, Bill 5801128-VI, UK Parliament

7 Lord David Alton of Liverpool, “For the Uyghurs, Genocide is a word which dares not speak its name.”, 18 January 2021.

8 Lord David Alton of Liverpool, “The House of Lords All-Party Genocide Amendment was today defeated in the House of Commons by a slender margin – a Government majority of 11.”, 19 January 2021.

9 Josh Butler, “Australian analysts hit back after China ‘genocide’ criticism”, The New Daily, 22 January 2021.