



CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

STAFF RESEARCH REPORT
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Global Supply Chains, Forced Labor,
and the Xinjiang Uyghur Autonomous Region



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REPORT CONTRIBUTORS

Luke Adams
Steve Andrews
Scott Flipse
Megan Fluker
Amy Reger

About the Congressional-Executive Commission on China

The Congressional-Executive Commission on China was established by the U.S.-China Relations Act of 2000 (Public Law No. 106–286) as China prepared to enter the World Trade Organization. The Commission is mandated to monitor human rights and the development of the rule of law in China.

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INTRODUCTION

As many as 1.8 million Uyghurs, ethnic Kazakhs, Kyrgyz, and other Muslim minorities are, or have been, arbitrarily detained in the Xinjiang Uyghur Autonomous Region (XUAR). The severe human rights abuses, torture, political indoctrination, forced renunciations of faith, and widespread and systematic forced labor occurring in mass internment camps may constitute crimes against humanity under international law.

Global supply chains are increasingly at risk of being tainted with goods and products made with forced labor from the XUAR. Intrusive surveillance, restrictions on movement, and the inability to obtain reliable information from workers at risk of detention and other reprisals also makes it increasingly impossible to conduct due diligence. The risk for complicity in forced labor is high for any company importing goods directly from the XUAR or those partnering with a Chinese company operating in the region.

As this report details, forced labor exists both within the XUAR's system of mass internment camps, and throughout the region, and is confirmed by the testimony of former camp detainees, satellite imagery, and recently leaked Chinese government documents. This report documents both products and companies reportedly tainted by forced labor. It also documents how forced labor in the XUAR contravenes U.S. and international law. The import of forced labor-made goods is in violation of U.S. law, namely, Section 307 of the Tariff Act of 1930. Additionally, Chinese government-sponsored forced labor in the XUAR constitutes forced labor under the International Labour Organization and is a form of human trafficking under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Based on the findings of this report, the human rights abuses being committed in the XUAR deserve a concerted response from the U.S. Government and the international community. To that end, this report includes recommendations for Congress and the Administration to address the system of forced labor created by the Chinese government. U.S. businesses and consumers should not be complicit in forced labor and Chinese businesses should not profit from the forced labor of Uyghurs, Kazakhs, Kyrgyz, and other Muslim minorities.



Mass Internment Camp Detainees in the XUAR

FORCED LABOR PART OF SYSTEMATIC REPRESSION OF ETHNIC MINORITY GROUPS IN THE XINJIANG UYGHUR AUTONOMOUS REGION (XUAR)

In the Xinjiang Uyghur Autonomous Region (XUAR), the Chinese Communist Party has implemented a campaign of repression and authoritarian control that, according to scholars and rights groups,¹ constitutes or may constitute crimes against humanity.² Experts have documented a large network of mass internment camps in which authorities have arbitrarily detained up to 1.8 million individuals from predominantly Muslim ethnic minority groups.³ Outside the camps, members of ethnic minority groups in the XUAR face extreme levels of surveillance; restrictions on freedom of

movement, expression, and religion; forced political indoctrination; and forced placement of children in state-run orphanages and boarding schools.⁴

Satellite imagery, personal testimonies, and official documents indicate that the XUAR authorities are systematically forcing predominantly Muslim ethnic minorities, including Uyghurs, Kazakhs, and others, to engage in forced labor in the XUAR.⁵ In some cases, detainees performed forced labor in factories within internment camps.⁶ In other cases, authorities released individuals from the camps to perform forced labor in factories elsewhere in the XUAR.⁷ In still other cases, XUAR authorities reportedly assigned individuals from ethnic minority groups to forced labor directly, without first sending them to the camps.⁸ The Congressional-Executive Commission on China (Commission) has also observed reports of authorities sending Uyghurs and Kazakhs from the XUAR to other parts of China for forced labor.⁹

Chinese officials have reportedly described mass internment in the region as “job training”¹⁰ and promoted regional “poverty alleviation” programs that subject Uyghurs, Kazakhs and others to forced labor.¹¹ International observers have stressed that many scholars and highly skilled professionals have been among those detained in mass internment camps and subjected to forced labor.¹²

Comments from the president of the China National Textile and Apparel Council in March 2018 suggested that textile manufacturers, in particular, were working with XUAR authorities to exploit ethnic minority labor.¹³ He noted that various localities in the XUAR planned to have 100,000 new workers ready to work in the industry in 2018, part of a new textile industry employment plan that included combining the development of the textile and apparel industry

with the skills training of camp detainees.¹⁴ More recent reports found that authorities used tax exemptions and subsidies to encourage Chinese garment manufacturers to move production to the XUAR.¹⁵ Leaked Chinese government documents published online in November 2019 confirm that forced labor is part of the Chinese government’s targeted campaign of repression, mass internment, and indoctrination of ethnic minorities in the region.¹⁶



Satellite Imagery of Mass Internment Camp and Other Detention Facility in the XUAR
Source: Maxar Technologies, Google Earth

FORCED LABOR TAINTS INTERNATIONAL SUPPLY CHAINS

Due to the pervasiveness of government repression in the XUAR, which includes government-sponsored forced labor, observers continue¹⁷ to warn against sourcing products from the XUAR.¹⁸

Red Flags Indicating Presence of Forced Labor

The U.S. think tank Center for Strategic and International Studies (CSIS) provided a list of red flags that may indicate a company is exploiting forced labor in the XUAR, including the following:¹⁹

- A factory located in a detention facility;
- A factory in an industrial park connected to government “reeducation” efforts;
- A company hiring workers through government recruiters;
- A company receiving government incentives or subsidies for “training supplements,” “vocational training,” or “aid to Xinjiang”;
- Company participation in government poverty alleviation²⁰ and/or pairing assistance programs.²¹

Goods Suspected of Being Made or Processed With Forced Labor

The Commission has observed credible reports indicating that the following products are made at least in part using forced labor associated with the XUAR:

- Textiles, such as yarn, clothing, gloves, bedding, and carpet²²
- Cotton²³
- Electronics, including cell phones and computer hardware²⁴
- Food products, including noodles and cakes²⁵
- Shoes²⁶
- Tea²⁷
- Handicrafts²⁸

Companies Suspected of Using Forced Labor

The following companies are suspected of directly employing forced labor or sourcing from suppliers that are suspected of using forced labor:

- Adidas²⁹
- Badger Sportswear (has since committed to stop sourcing from the XUAR)³⁰
- Calvin Klein³¹
- Campbell Soup Company³²
- Coca-Cola Company³³
- COFCO Tunhe Company³⁴
- Costco³⁵
- Esquel Group³⁶
- Esprit³⁷
- H&M³⁸
- Hetian Taida³⁹
- Huafu Fashion Company⁴⁰
- Kraft Heinz Company⁴¹
- Litai Textiles⁴²
- Nike, Inc.⁴³
- Patagonia, Inc.⁴⁴
- Tommy Hilfiger⁴⁵
- Urumqi Shengshi Huaer Culture Technology Company⁴⁶
- Yili Zhuo Wan Garment Manufacturing Company⁴⁷
- Zhihui Haipai Internet of Things Technology Company⁴⁸

Scholar Adrian Zenz warned that “Soon, many or most products made in China that rely at least in part on low-skilled, labor-intensive manufacturing, could contain elements of involuntary ethnic minority labor from Xinjiang.”⁴⁹

DUE DILIGENCE IN XINJIANG IS NOT POSSIBLE

Observers caution firms and others seeking to avoid complicity in forced labor against relying on auditing of supply chains in the XUAR given the impossibility of obtaining accurate information from the region.⁵⁰ Worker Rights Consortium (WRC) and the Fair Labor Association note the difficulty of receiving reliable testimony on the working conditions at factories in the XUAR due to a coercive environment for detainees, and the WRC

“...attempts to [interview workers] were more likely to endanger workers than yield reliable evidence.”

-Worker Rights Consortium

warned of the risks of conducting audits in the XUAR, noting that “attempts to [interview workers] were more likely to endanger workers than yield reliable evidence.”⁵¹ One U.K. consulting firm warned that there is risk of association with forced labor in the XUAR when doing business with Chinese companies, and that “the [Chinese] government will do its best to make [detainee-made components in footwear manufacturing, food processing and electronics manufacturing] untraceable to other supply chains.”⁵² The Center for Strategic and International Studies (CSIS) said “traditional third-party audits are highly unlikely to be effective” due to Chinese government interference, including heavy surveillance in the region and government prevention of third-party auditors from doing their work.⁵³ According to Zenz, “The only viable solution is to consider the entire region to be thoroughly tainted with different forms of coercive labor.”⁵⁴

Authorities reportedly also sent some Uyghurs and Kazakhs from the XUAR to other parts of China for forced labor.⁵⁵ Workers sent to other parts of China may not be able to speak candidly about their working environment due to the threat of detention to themselves and their family members.⁵⁶ Third-party audits cannot effectively determine if Uyghurs and Kazakhs, or other Muslim minority workers in factories outside of the XUAR are engaged in forced labor. Thus, even supply chains that do not directly involve corporate entities in the XUAR may include products or materials involving forced labor.

The barriers to positively determining that XUAR-sourced goods are not connected to supply chains involving forced labor are such that companies seeking to comply with U.S. and international law while sourcing goods or materials from China must ensure that:

1. No materials or products are sourced from within the XUAR; and
2. No materials or products are sourced from companies that work with the XUAR government to employ ethnic minorities or to implement “poverty alleviation” or “mutual pairing assistance” programs.



Workers in a garment factory in Hotan
Source: CCTV footage via Associated Press

U.S. COMPANY STOPS SOURCING FROM THE XUAR

In January 2019, U.S. company **Badger Sportswear**⁵⁷ (Badger) stopped importing clothing from **Hetian Taida Apparel** (Hetian Taida), following media reports that the clothing was made with forced labor by internment camp detainees.⁵⁸ Badger said the U.S.-based social compliance nonprofit **Worldwide Responsible Accredited Production** (WRAP) had provided a labor rights certification for Hetian Taida.⁵⁹ Following media reports of forced labor in a Hetian Taida factory, WRAP conducted a follow-up investigation, concluding that “this facility is not engaged in the use of forced labor.”⁶⁰ WRAP later admitted to the Associated Press, however, that it had not visited the facility inside the internment camp, but rather a separate Hetian Taida workshop located less than 350 yards from a known internment camp.⁶¹ The labor rights monitoring organization Worker Rights Consortium (WRC) conducted its own investigation of Hetian Taida, finding that Badger had imported goods made with forced labor and failed to conduct appropriate due diligence.⁶² WRC further found that both Hetian Taida facilities likely used forced ethnic minority labor.⁶³ In October 2019, U.S. Customs and Border Protection issued a “Withhold Release Order” on garments produced by all Hetian Taida facilities due to indications “that the products are produced, in whole or in part, using forced labor.”⁶⁴ Badger agreed to pay \$300,000 to human rights organizations as a remedial measure and to stop sourcing products from the XUAR altogether.⁶⁵

IMPORT OF FORCED LABOR PRODUCTS VIOLATES U.S. LAW

Under Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307), it is illegal to import into the U.S. any products made “wholly or in part” with forced or prison labor.⁶⁶ This act defines forced labor as “all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.”⁶⁷ In the XUAR, current and former internment camp detainees, as well as rural residents, are assigned to labor, meaning they have not offered themselves voluntarily.⁶⁸ The “menace of penalty” is the ever-present threat to oneself or one’s family members of arbitrary detention in an internment camp. Both the Wall Street Journal and Radio Free Asia reported that individuals who resisted work placement were threatened with detention.⁶⁹ As of February 2020, U.S. Customs and Border Protection has issued one “Withhold Release Order” on garments produced in the XUAR due to “suspected prison or forced labor.”⁷⁰

FORCED LABOR VIOLATES INTERNATIONAL HUMAN RIGHTS STANDARDS

Forced Labor

Similar to U.S. law, the International Labour Organization (ILO) defines forced or compulsory labor as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”⁷¹ The ILO also provides indicators of forced labor, such as restriction of movement, intimidation and threats, withholding of wages, and excessive overtime.⁷² All of these indicators have been reported as occurring in the XUAR.⁷³

Human Trafficking

While the Chinese government has not ratified the ILO Forced Labour Convention, China is a state party to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol).⁷⁴ The Palermo Protocol definition of human trafficking involves three components: the action of recruiting, transporting, harboring, or receiving persons; the means of coercion, deception, or control;⁷⁵ and “the purpose of exploitation,” including forced labor.⁷⁶ Government-sponsored forced labor in the

XUAR involves each of these components, and thus violates the Palermo Protocol.

*Government-sponsored
forced labor in the XUAR
is a form of human
trafficking under the
Palermo Protocol*

Forced Labor in the XUAR Is Human Trafficking under Palermo Protocol	
Components of Human Trafficking under the Palermo Protocol	Elements of Forced Labor Program in the XUAR
Action of recruitment, transport, harboring, or receiving persons	An investigation by the Wall Street Journal, multiple Radio Free Asia articles, and independent scholar Adrian Zenz all describe forced labor among current and former camp detainees as well as rural poor being “transferred for work.” ⁷⁷ In some cases this includes being sent to other parts of China for work. ⁷⁸
Means of coercion, deception, or control	Both the Wall Street Journal and Radio Free Asia reported that individuals who resisted work placement were threatened with detention. ⁷⁹ As one Uyghur in the XUAR told the Wall Street Journal, “If the government tells you to go work, you go.” ⁸⁰ Amy Lehr, director of the Center for Strategic and International Studies’ Human Rights Initiative, said there was a “very significant risk of coercion” for workers in the XUAR, “even if the coercion was implicit or the programs offered workers a decent income.” ⁸¹
Purpose of exploitation	Ethnic minority forced labor in the XUAR is in part for the purpose of “social stability” and control. ⁸² This program, moreover, also exploits ethnic minority labor for the purpose of the Party and government’s broader economic development goals. ⁸³ Numerous reports show that ethnic minority workers in the XUAR are often paid well below minimum wage. ⁸⁴ In some cases, they are not paid at all, according to CSIS. ⁸⁵

CHINESE GOVERNMENT SUPPRESSION OF ETHNIC MINORITIES AND DOMESTIC AND INTERNATIONAL LAW

The treatment of ethnic minority groups in the XUAR meets the definition of “gross human rights violations” under U.S. law, and these egregious human rights abuses may constitute atrocities under U.S. law and crimes against humanity under international law. The use of forced labor is part of a broader government policy of suppression and control of ethnic minorities in the XUAR. Chinese officials have detained or disappeared up to 1.8 million members of ethnic minority groups in the XUAR, holding them in mass internment camps where detainees are subject to torture. Authorities have separated children from their families and placed them in orphanages and boarding schools in the region. These rights abuses take place in the context of widespread surveillance of ethnic minorities and severe restrictions on the peaceful Islamic practices of XUAR residents.

Global Magnitsky Human Rights Accountability Act

The publicly available evidence of these gross violations of human rights strongly supports the placing of Global Magnitsky sanctions on leading government officials in the XUAR. Under the Global Magnitsky Human Rights Accountability Act (Public Law 114–328), the President may impose sanctions on any foreign person the President determines “is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights...”⁸⁶ The Act refers to the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)) to define “gross violations of internationally recognized human rights” as “torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial,

causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person.”⁸⁷ Since around April 2017, the Commission has observed numerous reports of XUAR authorities subjecting individuals to torture, prolonged detention without charges or trial, and enforced disappearances.⁸⁸

Elie Wiesel Genocide and Atrocities Prevention Act

The Commission believes that Chinese authorities may be committing atrocities as defined by U.S. law. The Elie Wiesel Genocide and Atrocities Prevention Act makes clear that it is in the national interest of the United States to prevent atrocities, and that it is U.S. policy to work to “identify, prevent, and respond to the risk of atrocities.”⁸⁹ The law defines atrocities as “war crimes, crimes against humanity, and genocide.”⁹⁰ As discussed in greater detail below, the Commission believes Chinese authorities may be committing crimes against humanity against the Uyghur people and other Muslims in the XUAR.

Crimes against Humanity

Based on available evidence of Chinese government and Communist Party persecution of ethnic minority groups in the XUAR—including government-sponsored forced labor—scholars⁹¹ and rights groups⁹² provide a strong argument that the “crimes against humanity” framework may apply to the case of the persecution against ethnic minority groups in the XUAR. Article 7 of the Rome Statute of the International Criminal Court provides a list of 11 acts that may constitute “crimes against humanity” “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”⁹³ “Enslavement” is one of those acts.⁹⁴ Although neither China nor the United States is

a state party to the Rome Statute,⁹⁵ this framework is useful in highlighting the severity

of the abuses the Chinese government is carrying out against Muslims in the XUAR.

Crimes against Humanity Framework Applied to Government Actions in the XUAR	
Acts Listed in Article 7 of the Rome Statute⁹⁶	Possible Application to the Treatment of Muslims in the XUAR
(c) Enslavement	Satellite imagery, personal accounts, and official documents indicate that XUAR authorities are systematically forcing predominantly Muslim ethnic minorities, including Uyghurs, Kazakhs, and others, to engage in forced labor in the XUAR. ⁹⁷
(e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law ⁹⁸	Security personnel have carried out the arbitrary, prolonged detention of Uyghurs, Kazakhs, Kyrgyz, Hui, and others in mass internment camps in the XUAR since around April 2017. ⁹⁹
(f) Torture	Security personnel in mass internment camps in the XUAR subjected detainees to widespread torture, including through the use of electric shocks and shackling people in uncomfortable positions. ¹⁰⁰
(h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in Paragraph 3 [Article 7(3) of the Rome Statute], or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph [Article 7 of the Rome Statute] or any crime within the jurisdiction of the Court	Security personnel have detained up to 1.8 million Uyghurs, Kazakhs, Kyrgyz, and Hui; ¹⁰¹ enforced harsh, widespread restrictions on peaceful Islamic practices of XUAR residents; ¹⁰² and subjected Turkic and Muslim XUAR residents to intense surveillance, checkpoints, intimidation, and involuntary biometric data collection. ¹⁰³ In addition, authorities in the XUAR have reportedly placed the children of mass internment camp detainees and individuals forced to labor in orphanages, welfare centers, and boarding schools, often despite the willingness of other relatives to care for the children, raising concerns of forcible assimilation. ¹⁰⁴
(i) Enforced disappearance of persons	Hundreds of intellectuals forcibly disappeared by authorities in the XUAR are among the million or more Uyghurs, Kazakhs, Kyrgyz, and Hui detained in mass internment camps. ¹⁰⁵

RECOMMENDATIONS:

For Congress

- *Finalize and pass the Uyghur Human Rights Policy Act (S. 178)* to focus the resources of the U.S. Government on gross violations of human rights in the XUAR and to hold Chinese officials responsible for these violations.
- *Raise the issue of forced labor in the XUAR when conducting oversight hearings* with Department of Homeland Security (DHS) and Customs and Border Protection (CBP) officials to ensure that the “reasonable suspicion” standard found in the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125) is being applied broadly in the XUAR and that the agency is addressing effectively the systematic and widespread exploitation of Uyghurs, Kazakhs, Kyrgyz, and other Muslim minorities for the purpose of forced labor.
- *Consider passing new legislation to expand the Administration’s authority to more robustly address widespread and systematic forced labor in the XUAR*, including through enhanced import controls and enforcement on goods produced in the XUAR, designation of individuals and entities responsible for forced labor for sanctions, and creation of due diligence and financial disclosure requirements for companies operating in the XUAR.

For the Administration

- *Apply Global Magnitsky Human Rights Accountability Act (Public Law 114–328) sanctions* to hold accountable Chinese businesses and officials complicit in mass internment and surveillance in the XUAR and encourage like-minded allies and partners to issue their own sanctions.
- *Consider issuing a comprehensive import ban on all goods produced, wholly or in part, in the XUAR* until a determination can be made by U.S. Customs and Border Protection (CBP) that XUAR authorities and producers have ended the systematic use of forced labor of Uyghurs, Kazakhs, Kyrgyz, and other Muslim ethnic minorities. CBP has targeted entire product lines and regions for import bans in the past, including a “Withhold Release Order” for the cotton industry of Turkmenistan in 2018 and gold from artisanal small mines in eastern Democratic Republic of the Congo in 2019.
- *Extend the Commerce Department’s “Entity List”* to place specific export license requirements on any Chinese business or governmental entity engaged in, or profiting from, forced labor in the XUAR.
- *Continue to designate the Chinese government as a “Tier 3” violator of human trafficking standards* and, as part of that designation, employ the actions described in section 110 of the Trafficking Victims Protection Act of 2000 as amended (22 U.S.C. 7107) to address specifically the forced labor of Uyghurs, Kazakhs, Kyrgyz, and other Muslim ethnic minorities.

For the Administration (continued)

- *Ensure that significant traffickers in persons in the XUAR are identified and sanctioned* under section 111 of the Trafficking Victims Protection Act of 2000 as amended (22 U.S.C. 7108).
- *Establish stronger financial disclosure requirements* to alert American investors about the presence in U.S. capital markets of Chinese companies complicit in human rights abuses, including American and foreign companies listed on U.S. exchanges that source their products from or have a presence in the XUAR.
- *Issue a determination on whether atrocities are being committed in the XUAR* and ensure that the interagency Atrocity Early Warning Task Force implements policies throughout the U.S. Government to respond to atrocities in the XUAR.
- *Update the Department of Labor’s “List of Goods Produced by Child Labor or Forced Labor”* to reflect goods and products produced, wholly or in part, by the forced labor of Uyghurs, Kazakhs, Kyrgyz, and other Muslim ethnic minorities in the XUAR.
- *Conduct an assessment of the Xinjiang Production and Construction Corps (XPCC)* to evaluate whether this paramilitary organization reporting directly to the Chinese Communist Party is complicit in mass internment and forced labor and determine whether goods or products produced by XPCC entities are procured by U.S. Federal agencies.

ADDITIONAL CECC RESOURCES

Hearings

- *October 17, 2019 hearing: “Forced Labor, Mass Internment, and Social Control in Xinjiang”*
- *June 4, 2019 hearing: “Tiananmen at 30: Examining the Evolution of Repression in China”*
- *November 28, 2018 hearing: “The Communist Party’s Crackdown on Religion in China”*
- *July 26, 2018 hearing: “Surveillance, Suppression, and Mass Detention: Xinjiang’s Human Rights Crisis”*

Letters and Statements

- *December 12, 2019 letter to Secretaries Mike Pompeo, Steve T. Mnuchin, and Wilbur Ross*
- *October 31, 2019 letter to acting U.S. Customs and Border Protection Commissioner Mark A. Morgan*
- *October 10, 2019 statement “Xinjiang: Chairs’ Statement on State and Commerce Department Actions”*
- *August 13, 2019 CECC Chair letter to the World Bank*
- *July 5, 2019 statement “Xinjiang: Chairs Seek Urgent Action from Administration to Address Probable Crimes against Humanity”*
- *April 3, 2019 letter to Secretaries Mike Pompeo, Steve T. Mnuchin, and Wilbur Ross*
- *September 12, 2018 letter to Secretary of Commerce Wilbur Ross*
- *May 9, 2018 letter to Secretary of Commerce Wilbur Ross*

ENDNOTES

¹ Elizabeth Lynch, “China’s Attacks on Uighur Women Are Crimes against Humanity,” editorial, *Washington Post*, October 21, 2019; Kate Cronin-Furman, “China Has Chosen Cultural Genocide in Xinjiang—For Now,” *Foreign Policy*, September 19, 2018; Kate Cronin-Furman, “About Me,” Personal Website of Kate Cronin-Furman, accessed February 13, 2020; Uyghur Human Rights Project, “Universal Children’s Day 2018: China Must Reunite Uyghur Children and Parents. Forcible Placement of Children of Living Parents in State-Run Facilities Constitutes a Crime against Humanity,” November 19, 2018; Gene A. Bunin, “Detainees Are Trickling Out of Xinjiang’s Camps,” *Foreign Policy*, January 18, 2019; Michael Caster, “At Davos, the Message of ‘Globalization 4.0’ Must Include a Rebuke of China’s Ethnic Cleansing in Xinjiang,” *Hong Kong Free Press*, January 21, 2019; Global Centre for the Responsibility to Protect, “The Persecution of the Uighurs and Potential Crimes against Humanity in China,” April 2019.

² Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, A/CONF.183/9, July 17, 1998, entry into force July 1, 2002, art. 7.

³ See, e.g., Adrian Zenz, “China Didn’t Want Us to Know. Now Its Own Files Are Doing the Talking.,” *New York Times*, editorial, November 24, 2019; Adrian Zenz, “Xinjiang’s Re-Education and Securitization Campaign: Evidence from Domestic Security Budgets,” *China Brief*, Jamestown Foundation, November 5, 2018; Fergus Ryan, Danielle Cave, and Nathan Ruser, “Mapping Xinjiang’s ‘Re-Education’ Camps,” International Cyber Policy Centre, Australian Strategic Policy Institute, November 1, 2018; Human Rights Watch, “China,” in *World Report 2019: Events of 2018*, 2019, 142. For information from the previous reporting year, see CECC, *2018 Annual Report*, October 10, 2018, 273–83; CECC, *2019 Annual Report*, November 18, 2019, 266–275.

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⁵ Dake Kang, Martha Mendoza, and Yanan Wang, “US Sportswear Traced to Factory in China’s Internment Camps,” *Associated Press*, December 19, 2018; Emily Feng, “Forced Labour Being Used in China’s ‘Reeducation’ Camps,” *Financial Times*, December 15, 2018; Li Zaili [pseud.], “Uyghur Women Forced to Labor in Camp,” *Bitter Winter*, September 28, 2018; Li Zaili [pseud.], “Handicraft Production Base Converted into a Camp (Video),” *Bitter Winter*, September 21, 2018; “Businesses in China’s Xinjiang Use Forced Labor Linked to Camp System,” *Radio Free Asia*, January 1, 2019; “Xinjiang Yining qiangbi Musilin dang lianjia laogong” [Yining, Xinjiang, forces Muslims to labor for cheap], *Radio Free Asia*, December 31, 2018; Adrian Zenz, “Beyond the Camps: Beijing’s Long-Term Scheme of Coercive Labor, Poverty Alleviation and Social Control in Xinjiang,” *Journal of Political Risk*, 7, no. 12, (December 10, 2019); Bethany Allen-Ebrahimian, “Exposed: China’s Operating Manuals for Mass Internment and Arrest by Algorithm,” *International Consortium of Investigative Journalists*, November 24, 2019; Gene A. Bunin, “Xinjiang’s Hui Muslims Were Swept Into Camps Alongside Uighurs,” *Foreign Policy*, February 10, 2020; Austin Ramzy, “How China Tracked Detainees and Their Families - The New York Times,” *New York Times*, February 17, 2020.

⁶ Chris Buckley and Austin Ramzy, “China’s Detention Camps for Muslims Turn to Forced Labor,” *New York Times*, December 16, 2018; Emily Feng, “Forced Labour Being Used in China’s ‘Re-Education’ Camps,” *Financial Times*, December 15, 2018; Dake Kang, Martha Mendoza, and Yanan Wang, “US Sportswear Traced to Factory in China’s Internment Camps,” *Associated Press*, December 19, 2018.

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⁹³ Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court of July 17, 1998, entry into force July 1 2002, art. 7; United Nations Treaty Collection, chap. XVIII, Penal Matters, Rome Statute of the International Criminal Court, accessed June 14, 2019. China has neither signed nor ratified the Rome Statute. According to Article 7 of the Rome Statute, any of the following acts may constitute a “crime against humanity”: murder; extermination; enslavement; deportation or forcible transfer of population; imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; enforced disappearance of persons; the crime of apartheid; and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health. See also Michael Caster, “China’s Crimes Against Humanity You’ve Never Heard Of,” *CNN*, July 26, 2018; “‘Crimes Against Humanity’ in Xinjiang Draw Attention,” *China Digital Times*, July 30, 2018.

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Congressional-Executive Commission on China
243 Ford House Office Building
Washington, D.C. 20515

202-226-3766
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