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Connecting the Dots in Xinjiang

Forced Labor, Forced Assimilation,
and Western Supply Chains

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A Report of the CSIS Human Rights Initiative

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CENTER FOR STRATEGIC &
INTERNATIONAL STUDIES

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Introduction

THE CHINESE GOVERNMENT HAS DETAINED and “reeducated” more than one million Uyghurs and other Muslim ethnic and religious minorities (“minorities”) in Xinjiang in an effort to fully secure and control the population there.¹ This repression escalated significantly in 2017. This is believed to be the largest-scale detention of religious minorities since World War II. Held without charges or trial, detainees are unable to leave or even communicate with their loved ones.² They are subjected to what the Chinese government calls “reeducation” and “vocational training,” which includes intensive Mandarin classes, praising the Chinese Communist Party, and in some instances, job training.

The government’s goal is to secularize these minority groups under the belief that this will strengthen loyalty to the Communist Party and enhance stability in the region. From China’s perspective, “reeducation” and detention at this scale are justified by government concerns about religious extremism and security, especially given periodic unrest in Xinjiang in the past.³

However, this response is obviously disproportionate to the threat and fundamentally misaligned with international norms. The “reeducation” occurs in highly coercive circumstances. Detainees are sometimes tortured⁴ and shackled for mistakes in class or for practicing their religion or culture.⁵ They are reported-

ly detained for growing a beard, international travel, WhatsApp usage, or for no known reason at all.⁶ These detentions combine with an unprecedented and all-pervasive surveillance system that permeates the lives and movements of the minorities who are not detained.⁷

Government documents and interviews with ex-detainees suggest that forced labor increasingly forms an integral part of the government's efforts to "reeducate" Muslim minorities and erase their culture and religion. The government calls for "cleansing" ethnic minorities of their extremist thoughts through not only "reeducation," but also work.⁸ The government's determination to move both ex-detainees and hundreds of thousands of poor minorities out of their traditional roles and into manufacturing positions is leading to forced labor, seemingly at a significant scale. This massive effort derives from the belief that the combination of "re-education" and work will make minorities more like mainstream Han Chinese by detaching them from their culture and religion and strengthening their loyalty to the Communist Party. As a result, both ex-detainees and poor minorities are being forced to work in Xinjiang's factories as part of the government's efforts to eradicate minority religion and culture. Forced labor combines with widespread surveillance and detention to accomplish the government's goal of stability through the eradication of minority culture and religion.

While forced labor is always abhorrent, the use of compelled labor as part of a concerted effort to eliminate a culture and religion sets the situation in Xinjiang apart. According to the International Labor Organization, forced labor includes "all work or service that is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily." Forced labor in Xinjiang does not resemble the most common pattern of forced labor—a workforce that is in bondage due to recruitment fees. Nor is it equivalent to the seasonal use of forced labor for cotton harvesting by former Soviet Republics, such as Uzbekistan and Turkmenistan. Rather, China's policies in Xinjiang, including

forced labor, target these minority groups in a manner reminiscent of World War II or the apartheid era, though there are obvious differences.

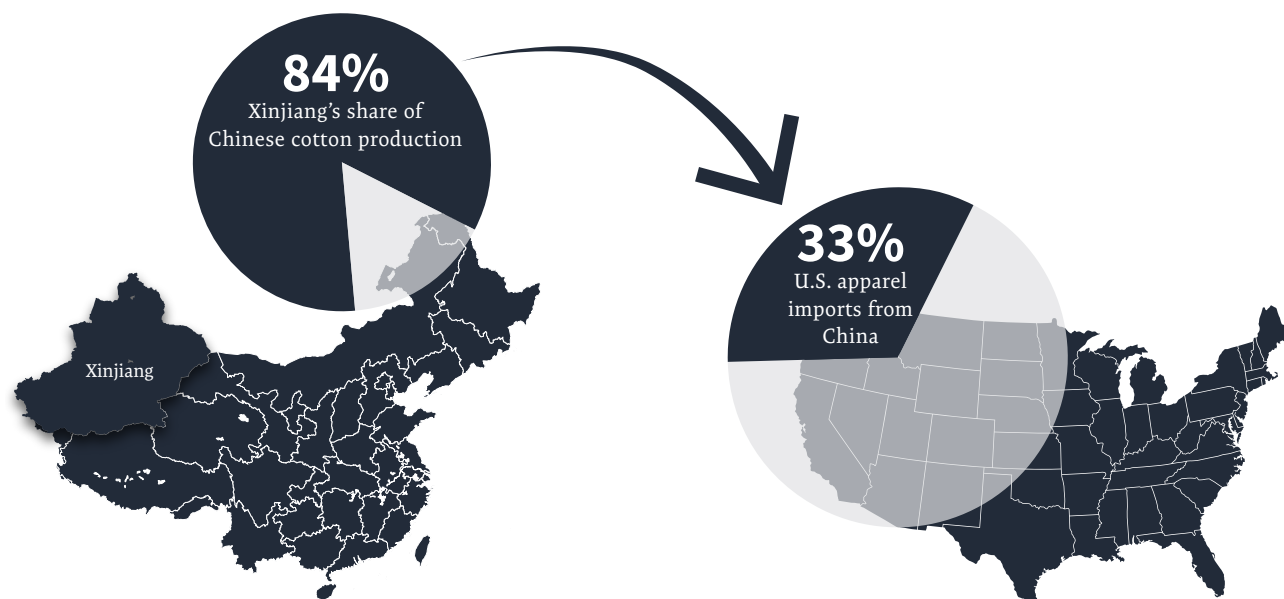
Not only is forced labor a *jus cogens* violation,⁹ but there is a significant risk that the government-engineered use of forced labor in Xinjiang is part of a concerted and widespread government attack on a population and thus would be considered a crime against humanity.¹⁰

“While forced labor is always abhorrent, the use of compelled labor as part of a concerted effort to eliminate a culture and religion sets the situation in Xinjiang apart.”

A cheap and compliant minority labor force not only supports government stability" efforts but is an important element of the government's economic plans for Xinjiang. State documents indicate that the government is in the process of significantly increasing textile and apparel manufacturing in the region through a mix of company subsidies and underpaid workers. Xinjiang will then be an export hub for the Belt and Road Initiative.

This coerced labor force is connected to Western supply chains and consumers. Few products ship directly from Xinjiang to the United States. Rather, Xinjiang produces more than 80 percent of China's cotton. China, in turn, is one of the world's largest cotton producers, representing around 22 percent of the global market in 2018-19, with much of the cotton at least partially processed within China. Some of the cotton is transformed into yarn and textiles inside Xinjiang, while much is sent on for processing in other regions of China, with a smaller percentage going to neighboring countries and then shipped to the United States. More than 30 percent of U.S. apparel imports come from China. Those

China's Cotton Production in Xinjiang



including cotton most likely incorporate products from Xinjiang and thus may be affected by forced labor. Although apparel is the most obvious sector implicated, other affected products containing textiles could include automobiles, furniture, or toys. Xinjiang is also a major producer of tomato paste, lavender, and hops,^{11,12} and these require more examination to determine how they intersect with global supply chains.

The potentially widespread use of forced labor in Xinjiang and its connections to Western supply chains and consumers create both a moral imperative for action and an opportunity to use economic leverage to improve the situation in Xinjiang. This briefing focuses on what we know about forced labor in Xinjiang and how it connects to Western supply chains. We then identify actions that are most likely to improve the situation.¹³

Methodology

WE EXAMINED EXISTING, publicly available research on forced labor in Xinjiang, particularly the work of Adrian Zenz.¹⁴ We also conducted interviews with a number of detainees who were forced to work or their family members. These interviews corroborated the conclusions of research conducted by us and others using Chinese government and other online open sources. We used publicly available information in English and Mandarin to locate a number of factories suspected of using forced labor or being involved in the government's "reeducation" efforts and examined satellite imagery of them. Lastly, we examined U.S. import data to understand the volume and types of products imported from Xinjiang. In combination, this data helped us determine certain patterns potentially associated with forced labor in Xinjiang and make recommendations to address it.

Connections between the Economies of the United States and Xinjiang

XINJIANG HAS NOT HISTORICALLY BEEN a manufacturing hub. Rather, it has rich supplies of minerals and oil, which are believed to be consumed primarily within China. Xinjiang has, however, long been a major producer of cotton.¹⁵ Xinjiang produced 84 percent of China’s cotton in 2018,¹⁶ and production is increasing due to government subsidies.¹⁷ China exports less than one percent of its cotton, indicating that the vast majority is consumed internally, including in the production of textiles and apparel.¹⁸

Cotton from Xinjiang is in some instances processed there into yarn or textiles or, in rarer cases, finished apparel. For example, Xinjiang is home to a factory that claims to be China’s largest yarn producer that is alleged to have employed reeducated workers from vocational training centers—often a euphemism for graduates of detainment centers.¹⁹ The government is urgently seeking to grow the textile and apparel manufacturing sectors in Xinjiang, as discussed below. Currently, 43 percent of Xinjiang’s exports are apparel, footwear, or textiles²⁰—although most finished products are sent to Central Asia—and this percentage is likely to increase. This growth industry is particularly concerning because research indicates that cotton ginning, apparel, and textile manufacturing in Xinjiang are increasingly at risk of being affected by forced labor, as is more thoroughly explored below.

“Xinjiang produced 84 percent of China’s cotton in 2018,²¹ and production is increasing due to government subsidies.”

It is believed that more than half of the cotton, yarn, and textiles produced in China are consumed by its own apparel industry into finished products.²² This means there is a high probability that cotton-con-

taining apparel or textiles from China in fact contain cotton products from Xinjiang—and a related risk that they are affected by forced labor.

U.S. and European companies source significant quantities of apparel from China. For example, China supplies 33.7 percent of the apparel entering the United States, making it the largest exporter of apparel to the U.S. market.²³ In the past two years, the United States has received approximately 224,000 shipments of textile and garment items containing cotton, wool, or cashmere from China, with shipments continuing well after allegations of forced labor in Xinjiang emerged.²⁴

Only a small percentage of these shipments came directly from landlocked Xinjiang, but many more may have contained Chinese cotton and textiles tainted by Xinjiang’s forced labor. Western companies have an opportunity to better understand and respond to the risk of such products entering their supply chains, as outlined in this report.

Minorities and Forced Labor in Xinjiang

FORCED LABOR IN XINJIANG IS NOT NEW. Nor are efforts to incorporate ethnic minorities there into “modern” work such as manufacturing through “rural poverty reduction” programs. Indeed, the Chinese government has long seen the incorporation of ethnic minorities into manufacturing as a vital method to bring ethnic minorities into the non-religious, mainstream Chinese fold (“Sinicize” them), thus diminishing the links to their culture and religion and deterring unrest.²⁵ These efforts for the most part failed because minorities showed limited interest in voluntarily joining this workforce.²⁶

Xi Jinping’s top policy priority is eradicating poverty, and enormous resources are being deployed to this end.²⁷ This policy, combined with efforts to sinicize the minority population, means that government plans to move Xinjiang’s minorities into manufacturing jobs are increasingly ambitious and are being unrolled at a time when minorities are being surveilled,

detained, and terrorized. The potential for coercion is enormous. Indeed, both government documents and interviews of ex-detainees and their families indicate a risk that many of the minorities moving into manufacturing are doing so under the threat of detention. Perhaps because of the urgency with which the government is pursuing secularization and security, evidence suggests that minorities are being compelled to work in unprecedented numbers as the government’s “reeducation” and detention program and “rural poverty reduction programs” coincide.

Forced labor affecting ethnic minorities swept up in the effort to securitize Xinjiang falls into three main categories:

- Coerced labor by the rural poor,
- Forced labor by current or ex-detainees, and
- Forced labor by prisoners.²⁸

Putting Minorities to Work: “Poverty Reduction” and “Reeducation”

CHINESE GOVERNMENT DOCUMENTS HIGHLIGHT a push to incorporate Muslim ethnic minorities into the workforce to accomplish multiple objectives:

- “Reeducation” to reduce their attachment to their cultural and religious heritage, make them more like the Han ethnic majority (sinicization), and increase their loyalty to the Chinese Communist Party; and
- Reducing poverty in the region, which is believed to contribute to stability and combat terrorism, especially when combined with grid system control and surveillance.

These efforts are intertwined. The government is accomplishing them by 1) creating coercive quotas for minorities to enter the workforce as part of “poverty reduction” and 2) providing financial incentives for companies to train or employ ethnic minorities, including those that have been detained and “reeducated.” In some instances, the corporate training

includes elements of “reeducation.”

1. Coerced “Poverty Reduction” for Rural Poor Minorities

Xinjiang is undertaking a massive effort to move hundreds of thousands of its rural, ethnic minority population into manufacturing, particularly textiles and apparel.²⁹ Researcher Adrian Zenz has examined the government’s plans for poverty reduction in detail and how this coerces rural minorities. The government states that it plans to “lift 606,000 people”—mostly ethnic minorities—out of poverty in 2019.³⁰ The government has proposed quotas for the number of ethnic minorities that should join the formal workforce for at least some regions of Xinjiang,³¹ which places significant pressure on government officials to meet them. By 2023, Xinjiang aims to have 1 million workers in textile and garment industries, with 650,000 of them coming from southern Uyghur majority regions such as Kashgar, Hotan, and Aksu.³² This target number is equal to the entire Uyghur population of Kashgar³³ and one-twentieth of the entire Uyghur population in Xinjiang.³⁴ It is not known whether the government is hitting its targets, but if it is even approaching them, it is possible that hundreds of thousands of minorities are being transferred to work, sometimes against their will.

It is unclear why Xinjiang’s ethnic minorities, which historically have resisted the government’s efforts to incorporate them in the manufacturing base, would now choose en masse to enter the workforce, particularly when they are paid below minimum wage, as discussed below. While helping people out of poverty is not objectionable, the question is whether those ethnic minorities moving into the workforce are doing so voluntarily. Given that the government has struggled for years to integrate Xinjiang’s minorities into the manufacturing base, it may be difficult for regional administrators to hit their targets without some degree of coercion.

The risk of coercion is exacerbated by the heavily secured environment in Xinjiang. These minority populations are subjected to intrusive surveillance of their daily lives that the government uses to de-

termine whether they should be sent to detention facilities. Government documents indicate that these populations are being urged to work in factories,³⁵ sometimes at less than the minimum wage.³⁶ Government notices indicate that the Aksu government gathered over 4,000 residents over two years to be deradicalized and take textile-making courses under “closed-off, military-style” management. The residents were then sent off to textile factories.³⁷ According to *The Wall Street Journal*, village boards in Aksu listed poor residents’ names and often stated “transferred to work.”³⁸ This word choice suggests the local government may be forcing poor minorities to work—often in private enterprises—to play its part in the central government’s poverty alleviation plan. Private companies and state-owned enterprises are vital to the development of this industry. The government offers a range of incentives to companies to incorporate minorities, who are believed to be less efficient workers,³⁹ into their operations. The government explicitly permits companies in Xinjiang to pay minorities below the minimum wage.⁴⁰ This appears to be carried out in practice. One ex-detainee who we interviewed noted that poor civilians “recruited” to work were being paid the same as former detainees of “reeducation camps,” which ranged from 300/400 to 1,300 RMB for an entire year (the monthly minimum wage in Xinjiang varies from 1,460 to 1,820 RMB per month).⁴¹ We were told that they sometimes were not paid at all.

Some factories run their own vocational training programs as part of their efforts to support the government’s poverty alleviation and reeducation policies. The government announced plans to pay them a subsidy of 1,800 RMB per trainee.⁴² Journalists and researchers have raised concerns that minority participation in these programs may also not be entirely voluntary.⁴³ In one example, Huaifu Fashion Co.—a major supplier to Western brands and one of the largest textile companies in China⁴⁴—runs a training “college” in the middle of the Aksu Industrial Park,⁴⁵ a large park built specifically to form a key element of the government’s poverty alleviation program. Its enrollees are dressed in identical camouflage uni-

forms.⁴⁶ Company accounting documents suggest the training was paid for with government subsidies.⁴⁷ The training college is next to Huaifu’s factory, which has reportedly employed workers who came from training programs intended to eradicate their extremist thoughts.⁴⁸ Several other factories in the park are involved in poverty alleviation and have been featured in reporting focused on forced labor in the region. For example, COFCO Tunhe Wushi Fruit and Vegetables Products Co. Ltd. is engaged in poverty alleviation programming and some reports have suggested workers recruited through that program may have been unwilling, although the allegations are less fulsome.⁴⁹ Documents indicate that at least some company vocational training programs have a “reeducation” element, suggesting that they are part of the government’s effort to transform and Sinicize minorities.⁵⁰ Satellite imagery reveals that many of the factories in the park have abnormally high fences, around 16 feet, suggesting they are securitized. While this is not hard evidence of forced labor, company involvement in vocational training of minorities as part of the government’s poverty alleviation program deserves closer scrutiny for forced labor.

Our interviews confirm that at least some of these minorities entering the workforce through poverty alleviation programs are indeed doing so against their will. We interviewed multiple ex-detainees who were forced to work in factories that included a substantial local ethnic minority workforce. Some of the latter, who were part of the poverty alleviation effort, informed the ex-detainees that they had been told they would be sent to a detention facility if they did not agree to work in the factory. Under international law, work conducted under such a threat would likely be considered forced labor.⁵¹ In other instances, the threat of being sent to detention may simply be implied, given the overall state of repression in Xinjiang. Minorities being moved into manufacturing may in some cases be treated similarly to ex-detainees. One of our interviews indicated that civilians who were recruited as part of poverty alleviation efforts were forced to reside in the same dormitories as former detainees if they lived more than 15 km

away from the factory. They were also often transferred to and from factories in buses along with former detainees from “reeducation centers.” Our interviews suggest that these dormitories are secured, and the inhabitants are not free to come and go. The fact that poverty alleviation program workers are required to live in secured dormitories far from home with ex-detainees suggests the arrangement may not be voluntary.

The extent to which these rural populations are coerced to work in factories is difficult to determine but given that the entire minority population of Xinjiang is under constant and ubiquitous surveillance, it may be considerable. Any factory that has employed ethnic minorities as part of the government’s efforts to “assist” the rural ethnic minority poor by moving them into the formal workforce should be closely scrutinized. Heightened scrutiny is needed if this started occurring in 2016 or after, when efforts to surveil and detain minorities substantially increased. Factories using government recruiters to secure their employees in Xinjiang also deserve heightened scrutiny.

Moreover, efforts to move minorities into the workforce are part of a government effort to cut their ties with their traditional culture and religion, as discussed by researcher Adrian Zenz.⁵² As a result, companies that are participating in the government’s poverty alleviation program are arguably linked to its broader attempts to destroy minorities as a group, which could rise to the level of an international crime. Even if it is not clear whether a company participating in the program is forcing its workers to participate, they may be complicit in these broader abuses.

2. Detainees and Forced Labor

The employment of detainees and ex-detainees, often combined with ongoing reeducation, forms another part of Xi’s “poverty alleviation” program. Their employment is a mechanism for government officials to meet their quotas and for companies to benefit from government subsidies. Government and company documents emphasize that

“reeducated” ethnic minorities—presumably many being released from detention facilities—should form part of this new manufacturing workforce as a final step in helping them join modern Chinese society.⁵³ A top official in Xinjiang stated in late 2018 that the government was preparing “job assignments” for detainees,⁵⁴ and other government documents indicate the detention facilities are connecting the detainees to workplaces.⁵⁵ Not surprisingly, some of these detainees do not enter the workforce by choice.

To incentivize companies to hire ethnic minorities out of “reeducation” centers, the government provides a significant number of subsidies. These subsidies take the form of monetary compensation or other benefits, such as tax exemptions and electricity subsidies.⁵⁶ Indeed, the government issued a promise in March 2018 to provide a subsidy of \$260 for each ex-detainee a factory trains.⁵⁷ In some instances, companies also receive shipping cost subsidies equivalent to 4 percent of their sales volumes.⁵⁸

This, plus the lower wage requirements, lowers costs and creates a competitive advantage for those companies. For example, public documents advertised an industrial textile and apparel park known to house factories using workers who went through vocational training, including in detention facilities. The publicity materials state that costs in the industrial park are 30 percent lower than in other parts of China.⁵⁹ This is surprising because manufacturing in Xinjiang has historically been prohibitively expensive⁶⁰ and the workers are half as efficient as in mainland China.⁶¹ It suggests that a combination of government subsidies and underpaid and unpaid workers—both ex-detainees and the rural minority poor—have convinced companies to locate their factories to Xinjiang, which the government believes will also contribute to long-term stability.⁶² The movement of eastern China-based companies into Xinjiang is further discussed below.

It is increasingly apparent that there is a concerted government policy to move detainees into factories in Xinjiang, in some cases against their will.

However, the prevalence of forced labor by detainees or ex-detainees is difficult to determine. A credible source with first-hand knowledge of the situation estimated that more than 10,000 detainees were working in factories in his county in 2018. He stated to an Associated Press journalist that this would constitute 10 or 20 percent of the population in his county.⁶³ Assuming that other counties are moving similar percentages of the detainee population into work, these numbers suggest that at least 100,000 ex-detainees in Xinjiang would be working potentially in conditions of forced labor,⁶⁴ not including the rural poor who may also be coerced to work.

This may be a conservative estimate. The government of Kashgar stated that in 2018, it would send 100,000 ex-detainees who had gone through “vocational training” (often a euphemism for time in a detention center) to work in factories.⁶⁵ That is 20 percent of the entire Uyghur population of Kashgar, not just the Uyghurs in detention.⁶⁶ Moreover, the percentage of ex-detainees in forced labor may have increased since 2018, considering the Chinese Government’s July 2019 public announcement that it is releasing more Uyghurs from “reeducation centers” into the workforce.⁶⁷

The government targets should be understood as an approximation, as it is not known whether the local governments hit their targets. However, the prevalence of the practice is corroborated by an interview we conducted with the sister of an ex-detainee. The ex-detainee was first forced to work in a textile factory, but then was required to work in a government office processing paperwork. The ex-detainee told her sister that “everyone who is detained is sent to work after and then put under surveillance.”⁶⁸ This is almost undoubtedly an exaggeration, but, considering these data points as a whole, it is possible that hundreds of thousands of ex-detainees are being forced to work in Xinjiang. Without much greater and unfettered access to Xinjiang, a more exact estimate is not likely to be forthcoming.

3. Prison Labor

The little research available on the forced labor of minorities in Xinjiang has focused primarily on ex-detainees in extrajudicial detention facilities. Recent research, however, has highlighted the increasing risk of minorities being placed into the traditional prison system and subjected to forced labor.

Although some portions of the Xinjiang prison system are run by the provincial government, the Xinjiang Production and Construction Corps (XPCC) administers its own prison system and associated factories. The XPCC is a unique paramilitary organization that provides border defense, builds and administers towns, and engages in commercial activities.⁶⁹ The XPCC has long employed prison labor at a large scale, using inmates sent to remote Xinjiang from the rest of China. The XPCC helped create Xinjiang’s cotton industry, developing most of its cotton fields using forced labor.⁷⁰ Its various business enterprises—estimated by some to number in the thousands⁷¹—produce an estimated 33.5 percent of the country’s cotton output.⁷² The XPCC’s inmates allegedly continue to work in the cotton fields, process cotton, and produce apparel.⁷³ Their brochures clarify that they are revenue-generating units that have production assignments and are profitable.⁷⁴ Some of the XPCC’s businesses, including those active in cotton and apparel production, are large, such as Xinjiang Lihua Cotton Industry Co. Ltd. and the companies it holds.⁷⁵ The XPCC has been expanding its presence in southern Xinjiang, where the government is most focused on “stabilizing” ethnic minority groups, including through detention and labor.⁷⁶ Other evidence indicates that the primary prison system also employs forced prison labor at scale under the guise of companies with ordinary sounding names.⁷⁷

Minorities are believed to constitute a rapidly growing percentage of Xinjiang’s prison population.⁷⁸ In 2017, 230,000 ethnic minorities in Xinjiang were charged with religious extremism, separatism, or terrorism, accounting for 21 percent of all arrests in China.⁷⁹ This was a five-fold increase in prose-

cutions in Xinjiang from the previous year.⁸⁰ Given China's high conviction rate, most are probably now in the prison system, including the one run by the XPCC.⁸¹ Some, in short, are likely in conditions of forced labor within China's prison system.

Prison labor in China is a long-standing concern for Western brands, and they have in place some processes to identify and address it. In practice, doing so is challenging because the Chinese government obfuscates prison labor by taking down websites and creating complex ownership structures. Some of these prison-related companies even reportedly have subsidiaries in the United States.⁸² Recent work by the Citizen Power Initiatives for China (CPIFC) identifies a number of the companies they have found to be linked to Xinjiang's prison system and the XPCC, although this is undoubtedly incomplete.⁸³ Prison companies also "wash" their products through middlemen. Companies should redouble their efforts to avoid prison labor in China, focusing particularly on Xinjiang.

The Role of Chinese Companies Based Outside Xinjiang

THE MOST COMMON WAYS IN WHICH U.S. and other Western companies are linked to forced labor in Xinjiang are not through direct relationships with factories in Xinjiang. As noted earlier, few shipments come directly to the United States from Xinjiang (such precise import data is not available for Europe, so the scope of that sourcing relationship is not known). Rather, U.S. companies buy yarn, textiles, and finished products that incorporate products from Xinjiang that may be affected by forced labor. U.S. companies may also purchase products made in Xinjiang but shipped by the parent company from an address in eastern China. Given that Xinjiang provides the vast majority of China's cotton and industry experts estimate that the majority of that cotton is further transformed into finished and semi-finished products in China, any product from China containing cotton is arguably suspect. Because of the severity of

"Because of the severity of forced labor in Xinjiang and its ties to the destruction of culture and religion, companies should exercise heightened vigilance."

forced labor in Xinjiang and its ties to the destruction of culture and religion, companies should exercise heightened vigilance.

Not only do companies in other provinces and countries purchase and process Xinjiang's cotton products, but Chinese companies may also contribute in other ways to forced labor and labor as a means to weaken minority culture and religion. The Chinese government called for other provinces to assist with efforts to move ethnic minorities in Xinjiang into the formal workforce as part of its "reeducation" and poverty alleviation efforts. The provinces then asked that local companies ("eastern companies") engage in the pairing program. It has two main components.

First, eastern companies are to invest substantially in factories in Xinjiang. They gave more than \$2 billion in the "pairing" program in 2018.⁸⁴ In some instances, eastern companies build and run factories in Xinjiang.⁸⁵ In other cases, publicly available documents suggest that they provide money to help build such factories and industrial parks as a joint venture.⁸⁶ To complement this, company employees and Party cadres are sent to Xinjiang to assist with reeducation and vocational training.

The second main element of the pairing program is called a "school + enterprise + industry" model, by which minorities from reeducation and vocational training programs are sent to work in enterprises in Xinjiang owned by the paired eastern companies. As researchers have highlighted, some of these eastern companies paid to build factories and industrial parks that were developed to incorporate "reeducated" workers and poor minorities.⁸⁷ As a result, these eastern companies provided material

support to the government’s efforts to “reeducate” ethnic minorities through these factories, potentially including through forced labor.⁸⁸

We identified an example of a pairing program, the types of assistance provided, and the companies involved. The Hundred Villages and Thousand Factories program, between Zhejiang Province and the Aksu area of Xinjiang, aims to reach 100 villages in the Aksu area and build a total of about 1,000 standard factory buildings over 1 million square meters by 2020. As of 2017, a total of 129 projects have been built in 105 villages with total investments of 2.353 billion RMB, 389 factories, and the creation of more than 17,000 jobs. Among these companies, Zhejiang’s established textile enterprises, including Huafu and Youngor, constructed Aksu Industrial Park and developed factories within the park. We identified a map that depicts the eastern cities (and thus their companies) that were paired with particular regions of Xinjiang.⁸⁹ An English translation of the paired cities and regions is available in Annex 2.

As of 2019, Huafu has invested 5 billion RMB in Aksu Industrial Park, resettling more than 6,000 local employees in the process.⁹⁰ As noted earlier, Huafu has also set up a vocational college in the industrial park and a factory that has been accused of employing workers who had been reeducated. Other large textile companies with factories in the Aksu Industrial Park also were historic participants in poverty alleviation programs in Xinjiang, but their degree of involvement since mass numbers of minorities started to be detained is unclear.⁹¹ Annex 3 contains a list of the Shanghai-based companies that were paired with the Aksu region of Xinjiang as an example of a specific pairing program. The potential involvement, if any, of these companies in constructing factories used for forced labor in Xinjiang requires further attention.

Identifying Forced Labor in Xinjiang: Patterns and Indicators

IDENTIFYING FORCED LABOR IN XINJIANG is challenging. Many of the traditional tools that companies

use, such as labor audits, are not effective in this context. Nor can non-governmental organizations (NGOs) or journalists conduct research there that might shed light on the situation due to government controls on their movements. Nevertheless, there are a number of red flags that emerged from our analysis that can assist in this process.

We identified almost 30 factories and industrial parks that fell into two categories of concern. The first are those facilities for which we have ex-detainee statements accusing them of employing forced labor. These allegations are small in number because so few ex-detainees have escaped Xinjiang, and even fewer of those have felt safe sharing their stories

“Identifying forced labor in Xinjiang is challenging. Many of the traditional tools that companies use, such as labor audits, are not effective in this context.”

due to harassment by Chinese agents overseas. A second and larger category comprises those facilities that are using ex-detainee labor, are known to be supporting the government’s “reeducation” and “vocational training” efforts, or are mentioned as assisting with the state’s “rural poverty alleviation” for ethnic minorities.⁹² While forced labor does not necessarily exist in some of these situations, there is a significant risk that in many cases the detainees and rural poor are not participating by choice. For example, our interviews indicate that the ex-detainees working in factories are threatened with being returned to detention facilities.

To better understand the types of facilities allegedly involved in forced labor in Xinjiang, we examined satellite imagery and reviewed English and Mandarin documents from the government, companies, and Chinese media, including examining corporate structures and whether companies received certain government subsidies.

We reviewed satellite imagery for over a dozen factories and industrial parks suspected of connections to forced labor and/or “reeducation” based on detainee interviews, reporting, and other publicly available documents. These facilities are in 9 of Xinjiang’s 18 administrative regions, indicating that the use of forced labor is geographically widespread rather than limited to only certain regions of Xinjiang.⁹³

The physical patterns are complex. It will be extremely difficult to identify the majority of the factories employing forced labor simply by reviewing their structure through satellite imagery. Some of the factories are located inside detention facilities. Others are in separate factories located at various distances from the detention facilities, and the ex-detainees may live in secure dormitories. Often, the factories were built in roughly the same time frame as a nearby detention facility, but some factories predated the detention facilities in the area. Moreover, the factories vary widely in size, color, structure, and the extent and height of secure perimeter fencing.

Satellite imagery nevertheless can be useful, particularly when combined with other resources. For example, government documents clarify that certain industrial parks were recently built to incorporate “reeducated” religious minorities and rural poor ethnic minorities. Any factory in these industrial parks demands particular scrutiny. Satellite imagery of factories in certain industrial parks reveals abnormally high fences (approximately 16 feet) for a Chinese industrial complex.⁹⁴ It is not known whether this is a clear indicator of a coerced workforce but features such as these deserve more examination. Yet a lack of more secure fencing does not indicate a lack of forced labor. We have confirmed the existence of forced labor in industrial complexes that have entirely normal industrial park fencing.⁹⁵

The workforce in these facilities is also complex. Interviews with ex-detainees and government documents indicate that the workforce may contain only a small percentage of ex-detainees, with local ethnic minorities or possibly Han Chinese composing the majority.

According to interviews conducted with victims of forced labor and their families, detainees were paid well below the minimum wage. Some were not paid at all.⁹⁶ In one case, a detainee working in a factory had to borrow money from her family to pay for toilet paper. Others were paid around 300/400 RMB (\$41.99) per month, or 1,300 RMB (\$181) for an entire year.⁹⁷ This means that over the course of a year, they were paid less than the *monthly* minimum wage.⁹⁸ Further, they may be subjected to forced labor either during their “reeducation term” or shortly thereafter. The victims to whom we spoke spent an average of three to six months in factories before being released.

These data points have important implications for the traditional ways in which companies seek to identify forced labor at supplier sites.

There is not likely to often be an easily identifiable “smoking gun” for forced labor in Xinjiang. The example of Hetian Taida, which reportedly provided apparel to a U.S. company from a factory located within a detention facility, appears to be the exception, not the rule. In that case, a U.S. company allegedly imported directly from the Hetian Taida factory in Xinjiang, which used the detention facility’s address in its shipping information. Moreover, the factory had appeared in a Chinese news feature on the benefits of vocational training for ethnic minorities,⁹⁹ and Chinese news media showed an image of an employee from the U.S. company at the factory.¹⁰⁰ Based on this data, journalists asserted that the U.S. company was sourcing from a Hetian Taida factory in the detention facility.¹⁰¹ In October 2019, U.S. Customs and Border Protection issued a withhold release order for Hetian Taida’s products on the belief that they are produced with forced labor.¹⁰² Typically, it is likely that more due diligence will be needed, and the results will not be as clear.

Adding to the challenges, traditional third-party audits are highly unlikely to be effective in identifying forced labor in Xinjiang for several reasons. First, these audits rely on interviews with workers, but the ex-detainee population is terrified, heavily surveilled,

The following images help demonstrate the wide variety of factories allegedly employing forced or ex-detainee labor.

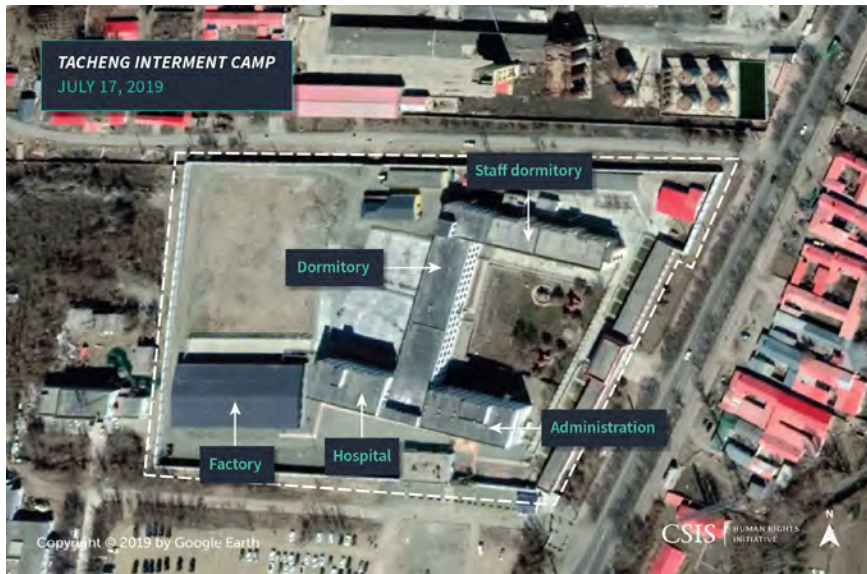


FIGURE 1
Tacheng Internment Camp
A single building factory identified by an ex-Detainee inside a detention facility in Tacheng.



FIGURE 2
Aksu Industrial Park
This image captures the Aksu Industrial Park, where the Huaifu factory and Huaifu Vocational Center are located, 20 km from the nearest known detention center, with 16-foot fencing.



FIGURE 3
Factory in Korla
This image shows a factory in Korla, 6 km from the Korla Vocational Skills Education Training Center.

and also in some instances has been coached to not reveal the truth. They are unlikely to indicate they are in conditions of forced labor. Second, because audits are time-constrained, auditors often sample the workforce. If only 10 percent of the workforce are ex-detainees, the audit sample could simply miss them. And lastly, the Chinese government has reacted to news stories about forced labor in Xinjiang by preventing third-party auditors from even trying to conduct their work. In some instances, the authorities stopped independent auditors at the airport and sent them back.¹⁰³ In other cases, the government forced the auditors to use a government translator, which makes it even riskier for workers to speak freely.

Due to the inefficacy of audits in this context, companies should use other information sources to conduct due diligence on their suppliers. This will require them to go well beyond the due diligence they ordinarily undertake. For example, they should use Mandarin language resources online to better understand the corporate structure of their suppliers, their involvement in government subsidy or “vocational training” programs, and their workforce. They should combine this with satellite imagery and other research techniques.

The presence of any one of these is an indicator of a risk of forced labor, although some should not be considered conclusive. Companies should look not

just at a specific factory, but also at the corporate group for these indicators.

This approach will present a number of practical problems. Company due diligence is likely to identify these red flags in a number of instances, and it will be difficult or impossible to definitively ascertain whether there is in fact forced labor, given that companies cannot rely on third-party audits.

Suppliers may deny their involvement in these programs if asked. Also, public documents related to some companies with Western customers are contradictory as to whether the companies are part of these programs. We identified one large company in the textile supply chain that states it has no involvement in poverty alleviation programs in its annual reports, yet other online documents indicate it played a significant role in poverty alleviation programs.¹⁰⁹

Companies should assume that the existence of a red flag implies forced labor unless the supplier can prove otherwise. Because Xinjiang is under a constant system of control and surveillance, it is not possible to definitively prove the existence of forced labor due to lack of free access to the facilities. However, many of the indicators above suggest supplier companies are, at a minimum, working with the government in support of its efforts to transition

RED FLAGS CURRENTLY SUGGESTING A RISK OF FORCED LABOR IN XINJIANG INCLUDE:

- A factory in a detention facility,¹⁰⁴
- A factory in an industrial park that is connected to the government’s “reeducation” efforts,
- A company that is hiring workers through government recruiters,¹⁰⁵
- Language mentioning employing ethnic minority “graduates” or ex-detainees; those who were trained and cleansed of extremist thoughts; or involvement in “reskilling”
- A new factory built near a detention facility around the same time,¹⁰⁶
- A company that is receiving incentives/subsidies from the government for items such as “training supplements” for particular factories in Xinjiang; “vocational training”; or “aid to Xinjiang.”
- Participation in the government’s poverty alleviation and/or pairing
- programs in Xinjiang,¹⁰⁷
- A company with ownership linkages to a company known to be part of the system of prison labor in Xinjiang, and
- Significant company profits and manufacturing productivity despite a small number of workers enrolled in the government’s social security program.¹⁰⁸

minority populations from their traditional roles into the workplace in an effort to dilute their culture and religion, and might use forced labor.

Moreover, efforts to identify these facilities through government and company documents may become increasingly difficult. The government has taken down some documents suggesting the “reeducated” ethnic minorities will be funneled into factories, and companies that once touted their involvement in such programs will likely become more cautious as they face increasing questions from Western customers. The government also may change the euphemisms that it employs to describe the detention facilities and its reeducation efforts after Western researchers identify them. Those conducting due diligence will need to work closely with academics and others tracking this information.

Company Due Diligence for Broader China Supply Chains

COMPANIES SHOULD REEXAMINE their existing suppliers in China outside of Xinjiang to better understand their relationship to reeducation efforts and forced labor.

Companies sourcing Chinese apparel, textile, or cotton should trace their supply chains to origin so that the chain of custody is clear. Many Western brands already have made efforts to trace their cotton supply chains due to an industry ban on knowingly sourcing Uzbek cotton, and they can build on this. Tracing may nevertheless prove challenging in practice. In particular, suppliers may not be willing to share information about their own suppliers. Companies could complement this traditional chain of custody due diligence with the use of DNA markers for Xinjiang cotton (or other raw materials) to determine whether the products came from Xinjiang when that technology is fully developed.

They should also examine whether their existing eastern Chinese suppliers have built, run, or provided funding for new factories and industrial parks in Xinjiang. They can then conduct the due diligence

outlined above to identify any red flags suggesting their suppliers are linked to forced labor.

If companies identify red flags among their first-tier suppliers, companies should end the relationship. Normally, good practice is to work with suppliers to remediate forced labor and ensure workers are not placed in worse conditions than before. However, Western brands are unlikely to have sufficient free access to Xinjiang to enable them to support meaningful remediation. Moreover, remediation would be counter to the government’s policies, rendering it extremely difficult. Ending the relationship is likely to lead to the best human rights outcome.¹¹⁰

If companies find red flags several steps removed from them in their supply chains, they should insist that their direct suppliers change their sourcing programs so the sub-suppliers raising red flags are no longer in the supply chain. If their direct suppliers are unable to accomplish this in a time-bound manner, companies should end those relationships.

Some red flags will be raised with regard to the corporate parent, particularly regarding involvement in pairing, while other red flags will arise specifically in the context of their factories and subsidiaries in Xinjiang. There is a risk of commingling of products, or that products made in Xinjiang will be shipped from a company’s address in another part of China to hide their origin. It will likely be simplest and most effective to assume the whole corporate group is affected by forced labor, rather than trying to end sourcing from just one factory.

Because of the unique difficulties in identifying forced labor in Xinjiang, companies should consider instituting a ban on products from Xinjiang in their supply chains, whether or not red flags have been raised with regard to a particular direct or indirect supplier.

Conclusions and Recommendations

EVIDENCE SUGGESTS THAT LARGE NUMBERS of minorities in Xinjiang are being subjected to forced labor. This occurs in three ways. First, increasing numbers of minorities are being placed in the prison system, where forced labor is a long-standing practice. Second, current and ex-detainees are also forced to work in factories that are heavily subsidized to incorporate ex-detainees in their operations. Last, there is growing evidence that rural minorities are being coerced to work as part of the government's "poverty alleviation" program. Forced labor occurs as part of the government's systematic and widespread attack on minorities in Xinjiang, and the entities employing forced labor may be complicit in crimes against humanity.

The situation in Xinjiang is novel, and the closest precedents represent some of the darkest moments in modern history. The apartheid era in South Africa, while not a precise analogy, also was defined by efforts to completely control one segment of the population, including by exploiting their cheap labor in the workplace. The U.S. Congress responded aggressively to this abhorrent treatment of black South Africans, imposing a ban on new U.S. investment in South Africa, requiring that U.S. companies already operating in South Africa follow a code of conduct that undermined the apartheid system, and banning the import of products made by parastatal organizations, including not only those owned by the government, but also those subsidized by it.^{114,115,116} The policy response to apartheid cannot simply be mapped onto Xinjiang because there are important differences in the scope of the Chinese government's policies and the role and leverage of U.S. companies. Rather, the apartheid example serves as a reminder that the United States has responded strongly and effectively to the systematic subjugation of a group by a central government and should do so again.

The goal of U.S. policy on Xinjiang should be to end the mass detention, repression, and surveillance of

Crimes Against Humanity?

THERE IS A SIGNIFICANT PROBABILITY that the abuses in Xinjiang, including forced labor, rise to the level of crimes against humanity. International jurisprudence defines several key elements of crimes against humanity: a) [the underlying act] must be perpetrated as part of a widespread or systematic attack; b) the attack must be against the civilian population; c) the attack must be launched on discriminatory grounds, namely: national, ethnic, racial, religious and political grounds."¹¹¹ Such attacks in many instances are violent, but are not necessarily so.¹¹² Forced labor is enumerated as a potential crime against humanity when carried out as part of such an attack. The attack must be either widespread or systematic.¹¹³ The systematic government policy to detain and abuse large numbers of religious minorities in Xinjiang and put them to work likely meets both criteria. It is based on discriminatory grounds, as it is aimed at civilian ethnic minority groups that are also religious minorities.

Some have claimed that the attack on minorities in Xinjiang is a form of genocide. The strength of this statement requires more legal evaluation.

minorities using a variety of policy tools. Forced labor is merely one aspect of this repressive system. Simply imposing sourcing requirements on Western companies cannot solve the problem in Xinjiang. It should form one element of a much broader and robust policy on abuses in Xinjiang, working closely with allies. Other diplomatic steps can also help address the situation in Xinjiang, such as engaging more effectively with the Organization of Islamic Cooperation so that they at a minimum cease publicly voicing support for China's treatment of its Muslim minorities. Those additional steps are beyond the scope of this report but are an important complement to economic pressure.

Nevertheless, identifying, shaming, and economically damaging Chinese companies implicated in these abuses is an important source of leverage. This is particularly the case if those companies then pressure the Chinese government to end at least some of its most abhorrent practices or cease their involvement in government projects in Xinjiang.

The U.S. government should work vigorously to encourage its allies to adopt the same measures so that the costs of such requirements are borne more equally among competitors and so that the measures collectively have a meaningful impact on the situation in Xinjiang.

Executive and Congressional Action

SEVERAL U.S. LAWS ALREADY EXIST that can be deployed in this effort.

The Trump administration should impose Global Magnitsky sanctions on companies working with the government to employ ex-detainee forced labor in Xinjiang. The Global Magnitsky regulations enable the deployment of sanctions against entities and individuals deemed to be responsible for or complicit in, or to have directly or indirectly engaged in, serious human rights abuse.¹¹⁷ It may be challenging to compile sufficient evidence for such sanctions to be imposed, so use of this policy op-

tion may in practice be limited. The compilation of a company watch list, as recommended below, would help facilitate this process.

Section 307 of the Tariff Act of 1930 enables Customs and Border Protection (CBP) to seize any shipment of goods that enters the United States that is affected by forced labor anywhere in the supply chain.¹¹⁸ This would apply to goods imported directly from Xinjiang or that include forced labor-affected components from there. Most of CBP's seizures have involved goods made with prison labor in China and exported directly to the United States.¹¹⁹ CBP will face particular enforcement challenges with regard to Xinjiang because there are so few escapees able and willing to provide first-hand accounts of forced labor there. Congress and CBP can take a number of steps to facilitate enforcement of the Tariff Act with regard to Xinjiang.

- CBP should determine that certain red flags identified in this report in fact indicate forced labor (unless companies prove otherwise), enabling a seizure. Such assumptions are necessary due to a lack of meaningful access to Xinjiang and the level of surveillance and repression there that render audits and other traditional fact-finding impossible. In some instances, a single red flag could be deemed sufficient for a seizure, while in other cases, seizures might be based on several being triggered, depending on the type of red flag.
- Congress should allocate funding to the Department of Labor or another appropriate agency to carry out due diligence to create a publicly available watch list of companies of concern. This would consist of China-based companies using forced labor or that display red flags suggesting a risk of forced labor, as well as companies funding the building of factories using forced labor in Xinjiang. The watch list would assist (although not replace) due diligence by U.S. importers and put them on notice of risks. The research could also support the Office of Foreign Assets Control's sanctions enforcement efforts. Government agencies should not have to rely on

NGOs for this research, which do not have the capacity to conduct this research in Mandarin on an ongoing basis. However, NGOs and other concerned actors should be empowered to contribute information to the list and be informed of its status and how it is formulated.

CBP enforcement actions should first target companies that are importing products directly from Xinjiang that are connected to forced labor, as the importers should already be on notice of these risks. This prioritization, combined with the aforementioned watch list, would provide time for companies sourcing indirectly from Xinjiang to change their sourcing practices as needed.

The United States should also consider measures that address the business actors more directly involved in abuses in Xinjiang, including not only companies employing forced labor, but also those building and running detention facilities or knowingly contributing technology that supports the surveillance system in Xinjiang. A potential point of leverage could include new disclosure requirements for companies listed on U.S. stock exchanges if they are directly involved in China's Xinjiang forced labor programs and other potential crimes against humanity in Xinjiang. Such involvement arguably is of material interest to investors, as those companies might be subjected to sanctions or boycotts. Such a measure would help target companies directly involved in the Chinese government's efforts if they are listed in the United States and would subject them to legal action if they lie about their involvement. This could be linked to a threat of delisting if they do not end their involvement in a time-bound manner. This would more directly place pressure on the entities intimately involved in Xinjiang's abuses, versus the efforts outlined above to place pressure on practices in Xinjiang through extended supply chains. New reporting requirements and potential delisting probably will be most effective to target companies involved in Xinjiang's surveillance state and those building and running detention facilities because those companies are believed to be more likely to be listed on U.S. ex-

changes. Our research to date suggests that few of the companies involved directly in forced labor in Xinjiang are listed on U.S. exchanges. The likely impact of this approach requires more research.

Industry Action

COMPANIES CLAIMING TO BE responsible actors must take action. Many U.S. and U.S.-listed apparel brands have made public commitments to respecting human rights, not only in their own operations but also in their supply chains, as laid out in the UN Guiding Principles on Business and Human Rights and the Organization for Economic Cooperation and Development's (OECD) Guidelines for Multination-

“Companies should consider individual and collective actions consistent with and in some cases potentially beyond the baseline called for in the UN Guiding Principles on Business and Human Rights.”

al Enterprises. Companies have also made specific public commitments to eradicate forced labor. In the decades since the corporate social responsibility movement began, companies have developed sophisticated systems to understand and manage their human rights risks. Today, their capacity to respond to grave abuses in their supply chains is heightened.

Because of the gravity of the situation in Xinjiang and the challenges in mitigating the situation, companies should consider individual and collective actions consistent with and in some cases potentially beyond the baseline called for in the UN Guiding Principles on Business and Human Rights. Options include:

- Ending the sourcing of cotton-containing products known to come from Xinjiang. This would be similar to the existing voluntary industry ban on sourcing Uzbek cotton. More than 300

companies have committed to banning Uzbek cotton in their supply chains.¹²⁰ This has proven effective over time at substantially reducing the Uzbek government's use of forced labor in its cotton fields. A similar step for Xinjiang cotton would undoubtedly prove challenging for the industry, given the importance of China as a source country, but the scale of forced labor in Xinjiang, and the role it plays in the wider repression of minorities, demands meaningful action.¹²¹ Moreover, traditional, factory-by-factory remediation is likely to be impossible, given challenges in access to the region, and the role of the state in encouraging forced labor.

- Public reporting by companies on their sourcing relationship with Xinjiang until a collective industry ban is in place. Companies sourcing cotton and textile products from China should make all reasonable efforts to determine their chain of custody to the place of origin and identify forced labor red flags,¹²² including those specific to Xinjiang where relevant. They should also report publicly on their efforts to identify the chain of custody and red flags and the limitations they encountered. They should also report on whether they source directly from Xinjiang. Although this report has focused on cotton and textiles, companies whose products contain tomato products and other goods implicated in forced labor in Xinjiang should also conduct due diligence on their supply chain links to Xinjiang and report on them. To support this work, companies should:
 - Collectively fund research on red flags in Xinjiang: Because research to identify red flags of forced labor in Xinjiang is resource intensive, businesses should consider pooling resources to support pre-competitive research focused on the red flags in this report that can underpin their due diligence.
 - Support the development of new methods for supply chain verification: This could include new technologies such as identi-

fication of DNA traits that could indicate whether a cotton-containing product contains Xinjiang cotton and thus test the veracity of supplier sourcing claims.

- Evaluate the risk of legal complicity in forced labor and other potential crimes against humanity occurring in Xinjiang and considering the implications for their sourcing. To support this work, companies should:
 - Evaluate whether companies from which they source are involved in forced labor in Xinjiang, or otherwise complicit in the system of abuses there. For example, they should consider their sourcing from companies that contribute funding to the government's "vocational training" for ethnic minorities, help fund or build industrial parks intended to absorb the ethnic minority populations, or contribute to surveillance or the building and running of detention facilities there. If a company has business dealings with a different part of the corporate group, it should nevertheless consider ending that relationship given the severity of the abuses involved and the fact that the corporate group is involved in sustaining a system of widespread abuse and attack on a civilian population.
 - Consider ending the relationship if a company sources from a supplier with a factory implicated in forced labor in Xinjiang. This is the case even if the company itself sources from the supplier's factory outside Xinjiang that is not the factory implicated in forced labor. This is for two reasons: first, as noted above, that supplier is still part of a broader system of repression and abuse; and second, there is a risk that the supplier will sub-contract internally to its own factories involved in forced labor.¹²³ Before ending the relationship, companies could, in principle, first seek to use leverage to convince the supplier to shut down its factory in Xinjiang.

Investors and the financial sector also may be able to play a role in combatting abuses in Xinjiang. Banks could expand their existing focus on combatting human trafficking to consider the indicators of forced labor in Xinjiang and whether they could diminish access of companies involved in Xinjiang's forced labor to the banking sector. Institutional investors should more proactively examine their investment portfolios to identify Chinese companies involved in forced labor in Xinjiang or other abuses there.

About the Authors

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Annex 1: A Journey through Xinjiang’s “Reeducation” System

PUBLIC DOCUMENTS AND SATELLITE IMAGERY REVEAL a vast network of extrajudicial detention facilities¹²⁴ spread across Xinjiang Province in which over one million Turkic Muslim minorities are incarcerated. Our knowledge about this shadowy system is primarily drawn from government documents and reports from family members. Very few ex-detainees are willing and able to speak about their experiences for a variety of reasons. Few succeed in escaping Xinjiang. If they do find refuge abroad, Chinese government operatives threaten retribution against their family members in Xinjiang if they speak out about their experiences. A handful of ethnic Kazakhs who the Chinese government released—probably because they possess dual citizenship or green cards from Kazakhstan—have added firsthand knowledge to our understanding of the abuses in Xinjiang. Almost no firsthand accounts are available from the Uyghurs, the largest group being detained, reportedly because they rarely escape and often are refugees if they manage to do so, leaving them in vulnerable positions more easily manipulated by Chinese operatives.

We carried out a series of interviews with one of the few detainees who is willing to speak about her experience in the detention facilities and in forced labor. Her experience is generally consis-

tent with what we have been able to learn from publicly available documents and statements from family members of detainees. Like other detainees, she appears to have been targeted for detention for having ties to a foreign, Muslim country. She was held in four different detention facilities, several of which were repurposed public buildings.

Her time in the forced labor system adds additional depth to our understanding and builds on existing public information. The factories that journalists initially identified were mostly located inside of detention facilities, but the detainee's narrative and our own research identifying these factories indicate that the pattern is more complex. She was forced to work in a factory several miles from any detention facility and live in a secure dormitory as a final step in her "reeducation."

We were able to confirm the locations of most of the facilities the detainee was held in. We also located the factory where she worked. These facilities were all less than five miles apart, so her experience demonstrates how the detention and forced labor systems are being implemented in one particular prefecture and town.

Entering the Detention System

The detainee was asked to make an appearance at the local police station for a 15-day educational training. When she arrived, the police accused her of having visited 1 of 26 countries considered "sensitive" by the Chinese government and having been exposed to "foreign thought." Other ethnic Kazakhs also report being interned due to foreign contacts or travel, particularly in Muslim states. The 15 days of education turned into one year and three months of detention and forced labor. Like many detainees in these facilities, she was taken away from her husband and young children and put into prolonged detention without ever being accused of any crime.

Daily Routine

The daily routines in the four facilities in which she was held were generally the same. Each day, the de-

tainees would wake when the electricity came on, sing Communist songs, and, in the words of the detainee, "say prayers to the Communist party." They would eat breakfast in seven minutes and then study Mandarin for 45 minutes. Then they would interview their classmates in Chinese and examine themselves to ensure they were not too ideological or religious. They would break for a lunch of white rice, which was eaten in the same room where they studied. They then were permitted to rest their eyes for 30 minutes. After the break, the teacher asked a series of questions to identify whether they had thoughts critical of the Chinese Communist Party (CCP), whether they prayed, whether they felt remorse for their pasts, and whether they were religious. They ate again in the room where they studied and then returned to the dormitory, where they studied more. Then they went to bed. Two women had to stand watch throughout the night to ensure that no one prayed.

They were given two minutes to use the bathroom in the detention facilities. If they exceeded that time period, they were hit over the head with wooden sticks. The detainee was hit on the head with sticks multiple times.

Ethnic groups were divided up, so her class included Uyghurs, Kazakhs, Kyrgyz, and Uzbeks.

Detention Facilities One and Two

In detention facility one, the women were all required to have blood and urine samples taken for unknown reasons. They also were given a shot, reportedly for the flu. We were unable to obtain the GPS coordinates for the first facility.

Detention facility two was a former women's hospital:

The repurposing of facilities early in the detention surge is indicative of the sheer volume of individuals suddenly being interned in this period.

Detention Facility Three



We believe this image is of the facility in which she was interred, based on the information that she provided. She was briefly detained in this school, which was turned into a detention facility while the students were on vacation. Because she was not allowed to go outside at this facility, she is not able to definitively identify the building.

Detention Facility Four

Detention facility four was the first one in which she was held that was built to purpose. Google Earth shows that in March 2016, small agricultural plots covered the area. By November 2017, the facility was





fully built, stretching one-third of a mile in length (approximately half a kilometer), which would be almost seven city blocks in Manhattan. Her daily routine was similar to that described above. She shared a room with 18 women. Video cameras were ubiquitous, even in the bathrooms. The dormitories and classrooms were connected, so the detainees rarely went outside. The detainee was able to identify the area in which she slept, ate, and studied based on her view from her window. The detainees were forced to eat pork while they were in this facility, which was against their religion.

At the end of her time in detention facility four, the detainee was informed that she would be released from detention but required to go work in a factory. If she refused, she would be forced to return to a detention facility.

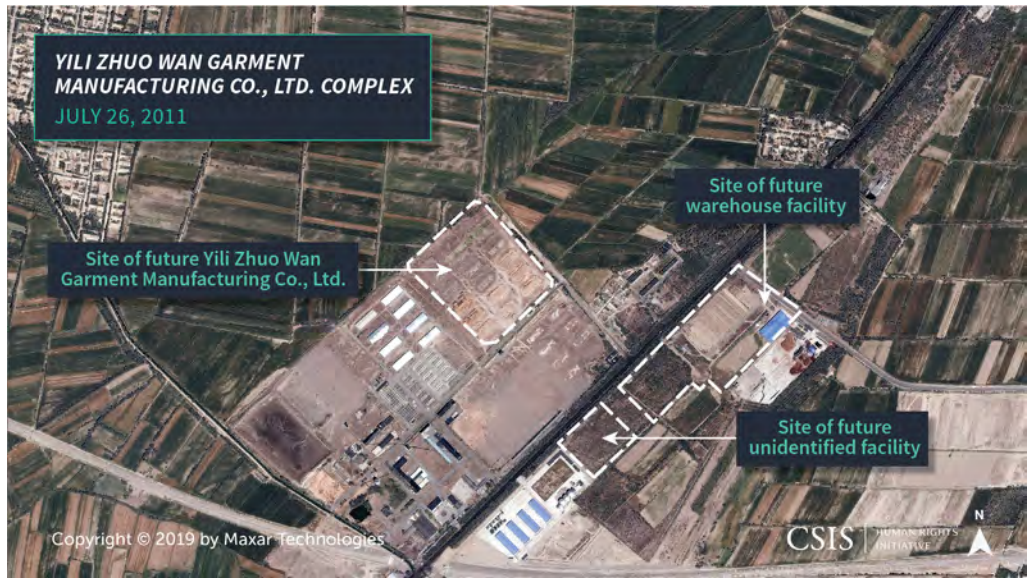
The Factory

The detainee was released from detention facility four and lived briefly at her mother-in-law's house in the same village. After a week, she was told to report to work at a factory in the vicinity.

She worked at a facility within a larger apparel-making complex. The complex was built at the same time as detention facility four and appears to have been completed in the late summer of 2017.

The facility at which she worked, called Yili Zhuo Wan Garment Manufacturing Co. Ltd., produces gloves. It is inside a larger industrial park called Home Textile Park, No. 5, in Yining County, which our research indicates plays a significant role in the county government's "poverty alleviation" efforts aimed at bringing minority workers into the formal workforce. The detainee heard that the gloves were being distributed to Europe and the United States, and the company's website makes the same claim. We have not been able to trace the goods from the factory to the United States, possibly because they pass through a middleman supplier.

While subjected to forced labor, the detainee continued to be "reeducated" and her movements tightly controlled. She lived in a dormitory three kilometers from the factory. She and the other ex-detainees were bused to the factory every day. On Google Earth, she identified the buses waiting



outside the factory which took her and the other ex-detainees from her dormitory to work each day.

Armed guards accompanied them during the daily bus ride, wearing light blue official uniforms with an insignia that she associated with the military or police. Publicly available images suggest these were likely police uniforms. In a number of instances, the detainee recognized the guards at the factory from other detention facilities in which she had been held. The guards complained that they were being deployed from other regions of Xinjiang for six to eight months, indicating that they were part of China's armed services rather than guards that the factory hired privately. Guards in the same uniform provided armed security at the glove-making facility. Further underscoring the overlap of personnel between the detention facilities and the factory, one of the detainee's supervisors at the factory had been her teacher at the fourth detention facility. This indicates significant coordination between the factory and the state security apparatus running the detention facilities in this particular area of Xinjiang.

The ex-detainees were not allowed to leave the factory facility during the day, and they were required to say a prayer to the CCP and thank President Xi Jinping for their jobs at the end of every day. They ate lunch in a canteen. After dinner in their dormitories, they were forced to study Chinese for several hours. Their phones were checked by the police to surveil their communications as they entered the dormitories.

The glove-making facility held around 300 workers, around 30 of which she believes were ex-detainees living in dormitories. Others were workers from the local area. 4 or so of the 30 ex-detainees had been held with her in other detention facilities.

She worked from 8:00 a.m. to 6:00 p.m. for three months in total and was paid around 260 yuan (\$37) for her first 1.5 months of work. She was never paid for the rest of her work. This does not appear to be a typical rate of payment for such a role. The detainee was a seamstress before she was detained.

In that previous role, she was paid around 3,000 yuan (\$425) per month or 100 yuan per day.

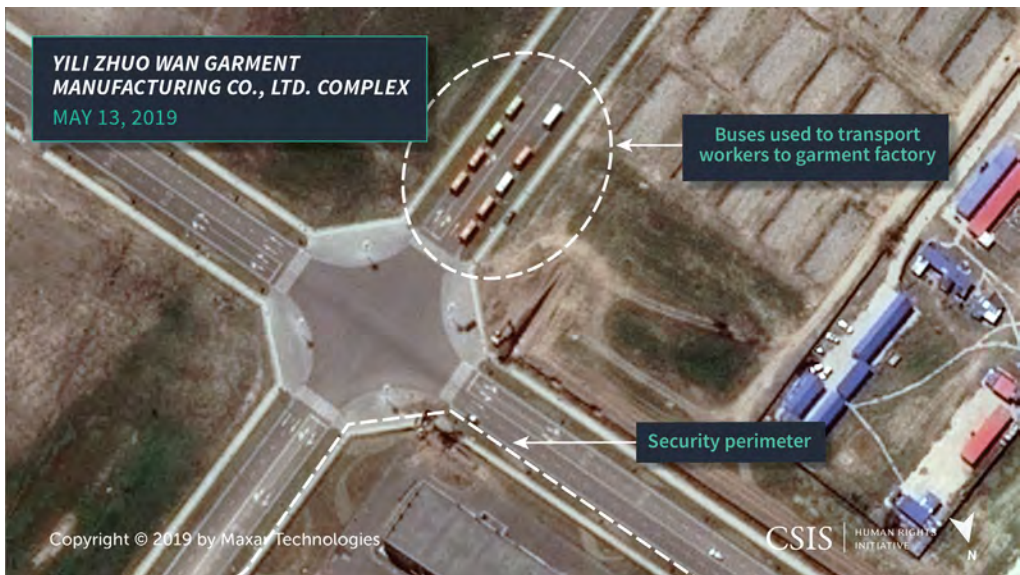
Release

A supervisor at the factory asked the detainee to sign a contract to stay another year. The supervisor noted that the government had set quotas for those successfully "reeducated," which was signified by detainees signing contracts, and that the supervisor would receive money for obtaining the detainee's signature. The detainee considered this to be a "forced contract" and was afraid that she would be required to extend it indefinitely against her will. She sent a text to her husband, asking what she should do and begging him to find a way for her to be released. Her husband had already been advocating publicly from Kazakhstan for her release, working in close coordination with a human rights organization there. The guards checked her phone according to the usual routine and saw the text messages. She was taken away in a police car to a police station and spent a night in its basement. She was interrogated for a day and told the police she would rather die than sign the contract. When she cried, they handcuffed her and put her head in cold water. The female guard accompanying her to the bathroom wore a black mask, suggesting she did not wish to be identified.

She was finally released and allowed to travel to Kazakhstan. She believes her husband's outcry was embarrassing for the Chinese government and led to her freedom. The police required her to promise to remain silent about her experiences in the detention facilities and factories and demanded that her husband stop speaking publicly about her experience. The authorities reminded her that Chinese operators in Kazakhstan could still harm her there and she should also consider the safety of her family in Xinjiang.

Forced Labor

As the International Labor Organization notes, forced labor includes "all work or service that is exacted from any person under the threat of a penalty and for which the person has not offered himself



or herself voluntarily.” The mere fact that a worker is compensated for his or her work does not mean that the labor is not forced.¹²⁵ The detainee worked—for illegally low levels of pay—because the government threatened her with a return to incarceration, with no opportunity to see her husband or small children. Her story helps us start to understand the forms of forced labor being employed in Xinjiang at scale.

Annex 2: List of Pairing Program Participants with Counterparts

Mainland	Xinjiang Counterpart
Beijing	Hetian City, Hotan County, Moyu County, Luopu County, and Xinjiang Production and Construction Corps
Shanghai	Bachu County, Shache County, Zepu County, and Yecheng County in Kashgar
Guangdong Province	Shukang County, Jiashi County, and the Corps of Agriculture
Shenzhen	Kashgar City, Tashkurgan County
Tianjin	Minfeng, Cele, and Yutian counties in Hetian
Liaoning Province	Tacheng area
Zhejiang Province	Supporting the 1 city and 8 counties of the Aksu area and the Alar City of the Xinjiang Production and Construction Corps
Jilin Province	Altay City, Habahe County, Burqin County, and Jimunai County in Altay Region
Jiangxi Province	Akto County, Kyzyl Sukhorke Autonomous Prefecture
Heilongjiang Province	Fuhai County, Fuyun County, Qinghe County, and Xinjiang Corps Division 10 in Altay Prefecture
Anhui Province	Pisan County, Wada area
Henan Province	Counterpart support for the Hami area, the 13th Division of the Corps
Jiangsu Province	Atushi City, Wuqia County, Ishiha Kazakh Autonomous Prefecture Huocheng County, Agricultural Four Division 66 Group, Yining County, Chabuchaer Xibo Autonomous County
Fujian Province	The six counties of Changji City, Manas County, Hutubi County, Qitai County, Jimsar County, and Mulei County in Changji Hui Autonomous Prefecture
Shandong Province	Shule County, Yingjisha County, Megiti County, Yuepuhu County in Kashi Prefecture
Hubei Province	Bole City, Bolita Mongolian Autonomous Prefecture Bole City, Jinghe County, Hot Spring County, and Bingtuan Agricultural Division
Hunan Province	Turpan area

Source: <https://zhuanlan.zhihu.com/p/28856559>

Annex 3: Participants in the Hundred Villages Thousand Factories Pairing Program

Xinjiang Tianshan Hengrui Sweater Project

新疆天山恆瑞毛衫項目暨

Zhongpu Satellite Factory

中普衛星工廠

Zhejiang Zhongpu Group

中普集團全資子公司

Awati Textile and Garment Satellite Industrial Park

阿瓦提紡織服裝衛星產業

Xinjiang Tianshan Hengrui Textile Co. Ltd.

新疆天山恆瑞紡織有限公司

NOTE: MAJOR PARTICIPANT

Aksu Industrial Park

阿克苏纺织工业城

Xinjiang Ruyi Textile and Garment Co. Ltd.

新疆如意紡織服裝有限公司

Xinjiang Qianhai Cotton Textile Company

新疆前海棉纺织公司

Huafu Group

华孚

List of Paired Zhejiang Cities and Factories

Hangzhou: Aksu Zhejiang Fruit Industry Co. Ltd.

杭州市:阿克苏浙疆果业有限公司

Ningbo City: Kuche Siqu Garment Co. Ltd.

宁波市:库车思琪制衣有限公司

Wenzhou City: Xinjiang Grain Yijia Agricultural Co. Ltd.

温州市:新疆粮益佳农业有限公司

Jiaxing City: Xinjiang Keliwei Clothing Co. Ltd. Nurbach Township Satellite Factory

嘉兴市:新疆科力威被服装具有限公司努尔巴克乡卫星厂

Huzhou City: Xinjiang Norton Garment Co. Ltd.

湖州市:新疆诺顿服装有限公司

Shaoxing City: Xinjiang Tianshan Hengrui Textile Co. Ltd.

绍兴市:新疆天山恒瑞纺织有限公司

Jinhua City: Xinjiang Tianxiafu Biotechnology Co. Ltd.

金华市:新疆天下福生物科技有限公司

Zhangzhou City: Wushi County Silk Road Technology Socks Co. Ltd.

衢州市:乌什县丝路科技袜业有限公司

Taizhou City: Alar City Xingmeida Printing and Dyeing Co. Ltd.

台州市:阿拉尔市兴美达印染有限公司

Lishui City: Xinhe County Dupai Clothing Co. Ltd.

丽水市:新和县都派服饰有限公司

Source: "List of Recommended '100 Villages and Thousand Plants' Project Factory," Zhejiang Online, November 8, 2018, http://yj.zjol.com.cn/yjyw/201811/t20181109_8704224.shtml.

Endnotes

- 1 The largest group is the Uyghurs, although ethnic Muslim Kazakhs, Kyrgyz, and other Muslim minorities are also detained in smaller numbers.
- 2 Various interviews with former detainees.
- 3 Emily Rauhala, “China Now Says Almost 100 Were Killed in Xinjiang Violence,” *Time*, August 4, 2014, <https://time.com/3078381/china-xinjiang-violence-shache-yarkand/>.
- 4 Simon Denyer, “Former inmates of China’s Muslim ‘reeducation’ camps tell of brainwashing, torture,” *Washington Post*, May 17, 2018, https://www.washingtonpost.com/world/asia_pacific/former-inmates-of-chinasmuslim-re-education-camps-tell-of-brainwashing-torture/2018/05/16/32b330e8-5850-11e8-8b92-45fdd7aaef3c_story.html?utm_term=.c95ac4da492e.
- 5 Rob Schmitz, “Ex- detainee describes torture in China’s Xinjiang Re-education Camp,” NPR, November 13, 2018, <https://www.npr.org/2018/11/13/666287509/ex-detainee-describes-torture-in-chinas-xinjiang-re-education-camp>.
- 6 Various interviews with former detainees.
- 7 Human Rights Watch, *China’s Algorithms of Repression: Reverse Engineering a Xinjiang Police Mass Surveillance App* (New York, NY: Human Rights Watch, 2019), <https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass-surveillance>.
- 8 The Chinese government claimed to have ended its “reeducation through labor” program in 2013, but it appears to be employed in Xinjiang. Fergus Ryan, Danielle Cave, and Nathan Ruser, *Mapping Xinjiang’s ‘re-education’ camps* (Barton, Australia: Australian Strategic Policy Institute, 2018), <https://www.aspi.org.au/report/mapping-xinjiangs-re-education-camps>.
- 9 This means that it is a non-derogable norm from that states cannot deviate, even if they have not signed the relevant international conventions *Ferrini v Republica Federale di Germania*, Italian Corte di Cassazione (2004). The court accepted that deportation and forced labor are international crimes rising to the level of *jus cogens*. See: https://documents.law.yale.edu/sites/default/files/ferrini_v_germany_-_italy_-_2004.pdf. Other *jus cogens* norms include prohibitions on some of the most severe international crimes, such as genocide, crimes against humanity, torture, and apartheid. Dire Tladi, *First report on jus cogens* (Geneva, Switzerland: UN International Law Commission, 2016), <http://legal.un.org/docs/?symbol=A/CN.4/693>
- 10 Enslavement is a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack. The treatment of the Uyghurs may also constitute a crime against humanity on several other fronts, including, at a minimum, deportation or forcible transfer of population; imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; torture; persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other protected grounds; and enforced disappearances. See Rome Statute of the International Criminal Court, Article 7. Whether the treatment of minorities in Xinjiang constitutes genocide is beyond the scope of this briefing.
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- 12 “Xinjiang: Market Profile: Major economic indicators,” HKTDC Research, May 20, 2019, <http://china-trade-research.hktdc.com/business-news/article/Facts-and-Figures/Xinjiang-Market-Profile/ff/en/1/1X000000/1X06BVVK.htm>.
- 13 U.S. companies are likely implicated in Chinese abuses in other ways that deserve future attention. For example, U.S. companies and investors may be connected to companies constructing the detention facilities, providing surveillance equipment for them, or otherwise helping create the detention and surveillance system in Xinjiang. These additional opportunities to avoid complicity and exert economic leverage require further research.
- 14 Key resources include the work of Adrian Zenz, (particularly “Beyond the Camps: Beijing’s Grand Scheme of Forced Labor, Poverty Alleviation and Social Control in Xinjiang”), reporting by the CPIFC on prison labor in Xinjiang (*Cotton: The Fabric Full of Lies: A report on forced labor and prison labor in Xinjiang, China, and the nexus to global supply chains*), the work of the Worker Rights Consortium (*Factory Assessment - Hetian Taida Apparel Co., Ltd: Findings, and Status*), and the excellent reporting by the many journalists who have helped shed light on the situation in Xinjiang.
- 15 It is also a major producer of lavender and hops, but whether and how those connect to U.S. supply chains is beyond

- the scope of this research. “Xinjiang: Market Profile: Major economic indicators,” HKTDC Research.
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 - 17 “China: Cotton and Products Annual,” USDA Foreign Agricultural Service, April 16, 2019, <https://www.fas.usda.gov/data/china-cotton-and-products-annual-3>.
 - 18 Numbers derived from Ibid. China imported a limited quantity of cotton in 2018/19, equaling 20 percent of the total cotton it both produced and imported.
 - 19 “World’s largest textile mill for coloured yarns in Xinjiang,” Xinhua, August 25, 2018, http://www.xinhuanet.com/english/2018-08/25/c_137418336.htm or <https://perma.cc/SV96-V2B4> Huafu’s alleged links to “reeducated” workers are discussed in detail later in this report.
 - 20 Xinjiang’s major foreign exports in 2017 were tomato paste, shoes, and textiles. “Xinjiang: Market Profile: Major economic indicators,” HKTDC Research.
 - 21 China’s cotton output continues growth in 2018, China Daily, December 30, 2018, <https://www.chinadaily.com.cn/a/201812/30/WS5c28c4a4a310d91214051ccb.html>.
 - 22 Interview with an industry source. A smaller but still meaningful percentage of Chinese textiles are sold to other apparel-manufacturing countries such as Vietnam.
 - 23 Sheng Lu, “China’s Changing Role in the World Textile and Apparel Supply Chain,” FASH455, November 2, 2018, <https://shenglufashion.com/2018/11/02/chinas-changing-role-in-the-world-textile-and-apparel-supply-chain/>.
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 - 25 Li Xiaoxia, “Study on the Development and Status of Xinjiang Minority Industrial Workers,” National Sociology Research Newsletter, <http://www.sachina.edu.cn/library/journal.php?journal=1>. Please contact the author for the source, as the website has been taken down.
 - 26 Ibid.
 - 27 Javier C. Hernández, “Xi Jinping Vows No Poverty in China by 2020. That Could Be Hard,” *New York Times*, October 31, 2017, <https://www.nytimes.com/2017/10/31/world/asia/xi-jinping-poverty-china.html>.
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 - 29 The Xinjiang Textile and Apparel Industry Development Plan 2018-2023 aims to reach 20 million spindles of cotton spinning, more than 50,000 looms, 250,000 tons of knitted fabrics, and 800 million garments. Lianchao Han, David Wong, and Amelia Dewell, *Cotton: The Fabric Full of Lies: A report on forced labor and prison labor in Xinjiang, China, and the nexus to global supply chains* (Washington, D.C.: CPIFC, 2019),
 - 30 “Xinjiang: Complying Companies for the Responsibility of Minority Labor Force Recruitment Will Be Rewarded,” Asia Heart News Network, June 28, 2014, <http://news.hexun.com/2014-06-28/166133260.html> or <https://perma.cc/7VJ7-J4TU>
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- 37 Eva Dou and Chao Deng, “Western Companies Get Tangled in China’s Muslim Clampdown,” *Wall Street Journal*, May 16, 2019, <https://www.wsj.com/articles/western-companies-get-tangled-in-chinas-muslim-clampdown-11558017472>.
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- 39 Yuhui Li, *China’s Assistance Program in Xinjiang: A Sociological Analysis* (Lexington: Lexington Books, 2018),: https://books.google.com/books?id=OSVnDwAAQBAJ&pg=PA136&lpg=PA136&dq=xinjiang+productivity+factories&source=bl&ots=ilPiDpQJzm&sig=ACfU3U2EYib0doXDBROyYuDJcJWsTUGKJQ&hl=en&sa=X&ved=2ahUKewiFwqaO_unkAhUjheAKHfFGC5Q4ChDoATAJegQICRAB#v=onepage&q=less%20efficient&f=false.
- 40 “Notice on the Implementation Rules,” Administrative Office of Hami District.
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- 45 Longwan District of Wenzhou City Chunhui High School, “Release: The Opening of Aksu Vocational and Technical College Textile Engineering Department, Aksu Textile and Apparel Industry Training Center,” http://www.697537.com/a/dang_gong_wei/gonghuihuodong/2019/0612/1854.html or <https://perma.cc/EN6C-SZBQ>. In addition, please reference: Li Zhenfeng, “The Convergence of Production and Education: Aksu Vocational Education Ushers in a New Era,” KKNNews, <https://kknews.cc/education/vlnov54.html> (Document on file with authors).
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- 47 HuaFu Fashion Co., Ltd., 2017 Annual Report (HuaFu Fashion Co., Ltd., 2018), http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESZ_STOCK/2018/2018-4/2018-04-26/4345963.PDF or <https://perma.cc/D6LR-9XE6>.
- 48 Dou and Deng, “Western Companies Get Tangled.”
- 49 Ibid. In some instances, coercion may not be explicit on the part of the companies. COFCO Tunhe Co., China’s largest tomato processor, stated that they visited a village in Aksu to recruit villagers, but they were not eager to work, and most of them ran away within days. Cofco has since stated that these events never happened. The company’s annual report indicates it also made donations to Aksu’s Wushi County government for vocational skills training, low-income housing, tomato industry development and a security patrol car.
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- 51 “What is forced labour, modern slavery and human trafficking,” International Labor Organization, <https://www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm>. (“Forced labour can be understood as work that is performed **involuntarily** and **under the menace of any penalty**. It refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities.”)
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- 83 Ibid., 19. The Xinjiang Huitong Tiancheng Industrial Group Corporation and Huaxin Rui’an Group Co. are prison-linked conglomerates that include multiple subsidiaries listed in the report.
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- 87 Zenz, “Beyond the Camps.”
- 88 Companies operating in Xinjiang such as COFCO reportedly also make donations to government vocational skills training programs and security programs, thus providing material support for the detention system. Dou and Deng, “Western Companies Get Tangled.”
- 89 The map can be found at <https://zhuanlan.zhihu.com/p/28856559> or <https://perma.cc/T8NL-6DV4>.
- 90 See “Zhejiang Industry Aids ‘Hundred Villages and Thousand Plants’ Project Flourishes, Allowing Residents to Work Near Site,” Zhejiang Daily, November 11, 2019, http://www.agri.cn/V20/zsy/201811/t20181119_6286681.htm or <https://perma.cc/K33M-EY4M>; “Zhejiang Provides Industrial Aid to Xinjiang,” Zhejiang Daily, August 5, 2019, http://zj.ifeng.com/a/20190805/7639319_0.shtml or <https://perma.cc/9KY9-3AKD>; and Yu Liudong, “11 Million Yuan Investment in Hangzhou to Support the Construction of Aksu Industrial Park in Xinjiang,” Zhejiang Online, March 29, 2019, https://k.sina.com.cn/article_6448690335_1805f349f00100in9f.html or <https://perma.cc/TGQ2-AKKN>.
- 91 China’s “Rain Project” Implementation Research Summary, International Poverty Reduction Center in China (Document on file with author) details the involvement of a number of companies in poverty reduction programs, including incorporating workers who had been at vocational training centers prior to the surge in detention of minorities in 2017. China’s “Rural Poverty Alleviation and Development Program (2011-2020),” aims to eliminate poverty by 2020. This gave rise to the Rain Project in 2013, which proposes to eliminate poverty by focusing efforts on minority groups, namely Xinjiang’s minority groups. This proposal highlights cultural reeducation and vocational training of Muslim minorities. Moreover, the proposal suggests how the government transfers “units” of minority laborers from reeducation centers to factories. The language describing these reeducational and vocational training centers mirrors the language Adrian Zenz states are indicative of detention centers. This suggests that the current situation arose from a long-term government plan.
- 92 We focused particularly on factories involved in poverty alleviation programs that appear in the same news and propaganda articles as facilities known to use forced labor.
- 93 They include: Urumqi, Qitai, Aksu, Ili/Yili, Turpan, Changji, Karamay, Shawan, and Tacheng/Qoqek.
- 94 Aksu Industrial Park can be found on Google Earth at 41.138242,80.346274. The fences are visible on Google Earth.
- 95 See Annex 1 for an example of an industrial park with normal fencing accused of using forced labor.
- 96 Multiple ex-detainees and ex-detainee family members claimed this. Others sources confirm this (e.g., Chris Buckley and Austin Ramzy, “China’s Detention Camps”).
- 97 The Xinjiang Victims Database (<https://shahit.biz/eng/>). Interview with a former detainee who was forced to work in a factory.

- 98 As noted previously, the monthly minimum wage in Xinjiang varies from 1460 to 1820 RMB per month. “Xinjiang hikes minimum wage by 10 pct,” Xinhua.
- 99 Worker Rights Consortium, *Factory Assessment - Hetian Taida Apparel Co., Ltd: Findings, and Status* (Washington, DC: Worker Rights Consortium, 2019), <https://www.workersrights.org/wp-content/uploads/2019/06/WRC-Report-on-Hetian-Taida-China-June-2019.pdf>. See also: Kang, Mendoza, and Wang, “US Sportswear traced.”
- 100 Ibid.
- 101 Kang, Mendoza, and Wang, “US Sportswear traced.” The U.S. company has argued that it did not source from this factory after it began to receive detainee workers despite shipping records that suggest it did. See Worker Rights Consortium, *Factory Assessment*.
- 102 U.S. Customs and Border Protection “CBP Issues Detention Orders against Companies Suspected of Using Forced Labor,” Press Release, October 1, 2019, <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-detention-orders-against-companies-suspected-using-forced>.
- 103 Information based on an industry source.
- 104 The Fair Labor Association, in an alert to its corporate members, also identified this as a risk factor. Fair Labor Association, *Forced Labor Risk in Xinjiang, China* (Washington, DC: Fair Labor Association, 2019), https://www.fairlabor.org/sites/default/files/documents/reports/china-forced-labor_april-2019.pdf.
- 105 The Fair Labor Association instructed its corporate members to “presume that any sourcing in which the supplier may have been provided workers through government labor agencies to be forced labor.” *Fair Labor Association, Forced Labor Risk in Xinjiang, China*.
- 106 A new factory near a detention center is a red flag, but factories distant from known detention centers are also using forced labor.
- 107 Multiple terms in Chinese can be translated into English to mean “vocational training centers.” Adrian Zenz identifies the Chinese characters that are indicative of links to the detention centers or what the Chinese government calls “vocational training” centers and “reeducation.” Zenz, “Beyond the Camps.”
- 108 Han, Wong, and Dewell, *Cotton: The Fabric Full of Lies: A report on forced labor and prison labor in Xinjiang, China, and the nexus to global supply chains*, 30. This is one of the criteria the CPIFC considers an indicator of forced prison labor, noting, for example, a large company with 100 million RMB in profits, multiple subsidiaries involved in manufacturing, but only 15 employees. However, experts on forced labor in China note that in some instances, prison enterprises pay social security for their workers.
- 109 Jiangsu Lianfa’s annual report for 2018 states, “The company has not carried out specific poverty alleviation work in the report year, and there is no follow-up specific poverty alleviation plan.” Jiangsu Lianfa Textile Co., Ltd. *2018 Annual Report*. http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESZ_STO_CK/2019/2019-4/2019-04-23/5232475.PDF or <https://perma.cc/6SEL-LHBC>. However, Jiangsu Lianfa received an award for its work on poverty alleviation in 2017-2018, although it is not yet known whether that work occurred in Xinjiang. “Thirty One Companies Including Ningxia Hengfeng were awarded as National Advanced Units for Poverty Alleviation in the Textile Industry,” Ningxia News Net, August 1, 2018, website: <http://nx.people.com.cn/n2/2018/0801/c192482-31881889.html> or <https://perma.cc/RU4Y-R29W>.
- 110 According to the UN Guiding Principles on Business and Human Rights, “the enterprise should consider ending the relationship, taking into account credible assessments of potential adverse human rights impacts of doing so.” Office of the High Commissioner, *Guiding Principles on Business and Human Rights* (Geneva, Switzerland: UN Human Rights, 2011), https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.
- 111 *Akayesu*, (Trial Chamber), September 2, 1998, para. 595.
- 112 “An attack may also be nonviolent in nature, like imposing a system of apartheid . . . or exerting pressure on the population to act in a particular manner.” *Akayesu*, (Trial Chamber), September 2, 1998, para. 581. See also Rutaganda (Trial Chamber), December 6, 1999. Para 70, and Musema, (Trial Chamber), January 27, 2000, para 205.
- 113 The concept of ‘systematic’ may be defined as thoroughly organized and following a regular pattern on the basis of a common policy involving substantial public or private resources. There is no requirement that this policy must be adopted formally as the policy of a state. There must however be some kind of preconceived plan or policy. *Akayesu*, (Trial Chamber), September 2, 1998, para. 580. See also Semanza, (Trial Chamber) May 15, 2003, para 326

- 114 U.S. Congress, House, *Comprehensive Anti-Apartheid Act of 1986*, HR 4868, 99th Cong., 2nd sess., introduced in House May 21, 1986, Section 310, <https://www.congress.gov/bill/99th-congress/house-bill/4868>.
- 115 Ibid. Section 208.
- 116 Ibid., Section 303 (b).
- 117 Executive Order 13818 of December 20, 2017, Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption,” *Code of Federal Regulations*, title 3 (2017), <https://www.ecfr.gov/cgi-bin/text-idx?SID=5f6cf3faa-f653e73e33789e4de2eca15&mc=true&node=pt31.3.583&rgn=div5#sp31.3.583.b>
- 118 *Tariff Act of 1930*, U.S. Code 19 1307, Section 307, <https://www.govinfo.gov/content/pkg/USCODE-2011-title19/pdf/USCODE-2011-title19-chap4-subtitleII-partI-sec1307.pdf>.
- 119 CBP’s website lists its historic seizures: <https://www.cbp.gov/trade/trade-community/programs-outreach/convict-importations/detention-orders>.
- 120 Uzbek Cotton Pledge,” Responsible Sourcing Network, <https://www.sourcingnetwork.org/uzbek-cotton-pledge>.
- 121 According to the UN Guiding Principles on Business and Human Rights, if a company is directly linked through its business relationships to severe human rights impacts, and it cannot mitigate those impacts, it should consider ending the relationship. Mitigation is likely to be extremely challenging in the Xinjiang context. “UN Guiding Principles on Business and Human Rights” Principle 19, Commentary, in United Nations Human Rights Office of the High Commissioner, *Guiding Principles on Business and Human Rights: Implementing the United Nations “Project, Respect and Remedy” Framework* (New York/Geneva: United Nations, 2011), https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.
- 122 Forced labor red flags differ in Xinjiang from other contexts because of the role of the state in forced labor and the nexus of forced labor to mass detention and repression.
- 123 According to the OECD, “In such circumstances, there may also be a heightened expectation of transparency and reporting, so companies ‘know and show’ that the adverse impacts in the separate production line are not directly linked to its own products by its business relationship with the Asian supplier.”
- Due diligence in the financial sector: adverse impacts directly linked to financial sector operations, products or services by a business relationship*, OECD, 2014, <https://mneguidelines.oecd.org/global-forum/GFRBC-2014-financial-sector-document-1.pdf>.
- 124 As Adrian Zenz has noted, the Chinese state is incarcerating ethnic and religious minorities in a number of different types of facilities, ranging from high-security prisons to what the government calls “vocational training centers.” Zenz, « Beyond the Camps.” The detainee was held in what are believed to typically be the lowest security and least abusive facilities, where vocational training purportedly occurs. Although some call these “reeducation facilities” or “vocational training centers,” little genuine education or vocational training occurs in them. They are used to heavily guard and detain mass numbers of ethnic and religious minorities, so we call them detention facilities, which is more consistent with their true nature and purpose.
- 125 “What is forced labour, modern slavery and human trafficking,” International Labor Organization, <https://www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm>.

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