

Punish China for the Genocide of the Uyghur People

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There is perhaps no better case study to illustrate China's pervasive lack of human rights protection than the atrocities being committed in its most northwestern province of Xinjiang against the Uyghurs. This mostly Muslim, Turkic ethnic minority group has faced persecution that some experts believe now constitutes genocide. This paper explores the history of this human rights situation, including how Islamophobic discrimination and counterterrorism measures led to the surveillance and control of Uyghurs in China. The current situation includes mass detention and relocation, including the widespread use of "re-education" concentration camps and abuse that likely constitute a mass atrocity. Existing policy proposals center on individual sanctions, technology sanctions, and stopping China's access to resources in Africa. These approaches ultimately suffer from core weaknesses, however, and it is ultimately up to the international community to hold China accountable. While action through the United Nations is limited by China's permanent membership to the UN Security Council, the UN nevertheless offers an opportunity for the world to take a stand against genocide in Xinjiang.

Despite being a major economic superpower that contains more than 18 percent of the entire world population (Whelan, 2020), China frequently does not live up to its human rights obligations. According to the Human Freedom Index, a comprehensive measure of both personal and economic freedom, China ranks as the sixteenth worst nation in the world with a Human Freedom Score of 5.57 – a tie with the African nation of Chad (World Population Review, 2023). There is perhaps no better case study to illustrate this pervasive lack of human rights protection in China than the atrocities being committed in its most northwestern province of Xinjiang against the Uyghurs. This mostly Muslim, Turkic ethnic minority group has faced persecution including arbitrary detention, forced relocation, and other discriminatory policies.

This human rights situation is of the utmost urgency because violations are increasing to the point where many argue China is committing mass atrocity crimes, including genocide (Baillie & Parkes, 2023). The United Nations' Convention on the Prevention and Punishment of the Crime of Genocide (the

UN Genocide Convention) defines genocide as killing, harm, or other physical destruction done with the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group” (United Nations 1948, Article II). Furthermore, according to the United Nations’ 1966 International Covenant on Civil and Political Rights, everyone has the right to liberty and security of person – including protection against arbitrary arrest or detention (United Nations 1966, Article 9.1). However, this basic freedom has routinely been violated due to the incarceration of minority groups such as the Uyghurs, which includes the use of extrajudicial concentration camps and prison systems. Criminal arrests in Xinjiang accounted for 21 percent of all arrests in China, even though the region holds only 1.5 percent of the country’s total population (Abdulla & Shamseden, 2021, p. 961). Many Uyghur prisoners are sent to massive reeducation camps for unknown periods of time and are often funneled into the prison system, forced labor camps, or put under house arrest (Abdulla & Shamseden, 2021, p. 962).

I argue that China must be held accountable for human rights violations committed against the Uyghur people and that the international community must act to stop genocide. This paper explores the history of this human rights situation, including how Islamophobic discrimination and counterterrorism measures led to the surveillance and control of Uyghurs in China. The current situation includes mass detention and relocation, including the widespread use of “re-education” concentration camps and abuse that likely constitute a mass atrocity. Existing policy proposals center on individual sanctions, technology sanctions, and stopping China’s access to resources in Africa. These approaches ultimately suffer from core weaknesses, however, and it is ultimately up to the international community to hold China accountable. While action through the United Nations is limited by China’s permanent membership to the UN Security Council, the UN nevertheless offers an opportunity for the world to take a stand against genocide in Xinjiang.

History of Rights Abuses Against the Uyghurs

History reveals that the Uyghurs have been oppressed by the Chinese government for decades. Various policies between 1950 and 1976 aimed to consolidate power for the Chinese Community Party and repress certain groups; these included the Land Reform Campaign, the Anti-Rightist Campaign, the Great Leap Forward, and the Cultural Revolution. Millions of people from various ethnic minority groups were sent to forced labor camps, subjected to hate campaigns, forcibly relocated, imprisoned, tortured, starved, and/or killed (Abdulla & Shamseden, 2021, p. 955). These policies in the twentieth century set a precedent of arbitrary arrest and detention, which led to today’s so-called “re-education camps” that the Chinese government uses to control minorities. Additionally, long before the most recent iterations

of imprisonment were imposed upon the Muslim minority group, Uyghurs were often treated as “second-class citizens who needed to be civilized or persecuted to eliminate any separatist ideas” (Abdulla & Shamseden, 2021, p. 955-956; see also BBC, 2022). Indeed, since 1949 China has used discrimination against the Uyghurs in the context of so-called “national security” (Uluyol, 2021).

There have been periods of hope for the Uyghurs, but they have been short-lived. There was a Uyghur period of religious and cultural revival in the 1980s after Communist dictator Mao Zedong died, but by the 1990s differences between ethnic groups intensified. In Xinjiang, these tensions were primarily between the Uyghurs and Han settlers who were incentivized by the Chinese government to move to border regions like Xinjiang to crowd out Uyghurs and erase Muslim culture through assimilation (Abdulla & Shamseden, 2021). The Chinese government ultimately ordered severe crackdowns in the region, which led to the imprisonment and death of thousands of Uyghurs accused of being separatists and/or jihadists. Indeed, “the seed of Islamophobia has been embedded in the Chinese Communist Party for decades before this modern-day human rights issue came to the forefront of conversation” (Abdulla & Shamseden, 2021, p. 956).

Tensions between the Uyghurs and the Chinese government worsened after the 9/11 terror attacks in the United States and the subsequent rise in Islamophobia worldwide. Even though Islam is not new to China – of China’s 56 ethnicities, ten are considered adherents of Islam – the Uyghur ethnic minority has “borne the brunt of China’s counterterrorism policies, which overwhelmingly linked the entire Uyghur population with terrorism” (Abdulla & Shamseden, 2021, p. 957). The Global War on Terror has been used to justify violent crackdowns against the entire Uyghur population. In response to 9/11, China expanded its counterterrorism laws that raised serious concerns about human rights implications for this minority group (Uluyol, 2021). (It should be noted that this approach was like how the United States used national security to target and destabilize Middle Eastern countries after the 9/11 attacks; Uluyol, 2021.) Experts argued that anti-terror provisions might be expanded to criminalize a wide range of activities, including peaceful protest, and to justify extreme punishments such as the death penalty (Clark, 2010, p. 18). Meanwhile, the Chinese Communist Party does not approve of Uyghur culture because the Uyghurs have not assimilated into the mainstream Han culture like other groups have. The Uyghur people are singled out and scapegoated as Muslim terrorists while other, more assimilated Muslim minorities enjoy greater human rights freedoms (Abdulla & Shamseden, 2021).

Human Rights in Xinjiang Today

The human rights situation confronting Uyghurs in Xinjiang today is the direct result of this history. Intensifying state-sponsored Islamophobia has facilitated the “comprehensive will to control religious observance in Xinjiang” and to curtail various freedoms, including freedom of religious expression (Clarke, 2010, p. 22). Basic civil and political rights have been stripped, due in part to the ambiguous and broad language of counterterrorism laws. For example, Chinese law states that “inciting the masses to illegally rally and demonstrate” is punishable, but researchers point out that this language “is arguably aimed at controlling the freedom of assembly” (Clarke, 2010, p. 22). Additionally, laws declare that “using religion to meddle in administration, justice and education, weddings, family planning or cultural activities” as well as “going abroad to study religion” are punishable, which violates freedoms of expression and movement (Clarke, 2010, p. 22). On the ground, the consequences of this legislation include the mass arrests of suspected terrorists and their sympathizers, with regular sweeps of homes in pursuit of suspected militants (Clarke, 2015). Thousands of government agents are sent to the countryside to “educate” people about the threats of Islam, which includes enforcing policies that restrict religious observance (Clarke 2015, p. 141; see also United States Holocaust Memorial Museum n.d.). In short, the broadening of what China considers to be terrorism has resulted in the “erosion of individual human rights of the [Xinjiang] ethnic minorities but particularly the Uyghur[s]” (Clarke 2010, p. 27).

While much attention centers on the situation’s two clear stakeholders – the Chinese Communist Party and the Uyghur people – it is notable that regional and global actors also play a role and might, therefore, be involved in solution-seeking. The Chinese government’s interest for the region of Xinjiang has been to open Xinjiang to Central Asia to achieve economic growth and to stabilize its Central Asian frontier (Clarke, 2015). Through the opening of Xinjiang, Central Asian nations can re-establish links with the Uyghurs. Uyghur organizations in countries such as Kazakhstan and Kyrgyzstan, for instance, now work to establish “widespread advocacy of greater autonomy for the Uyghurs of Xinjiang” (Clarke, 2015, p. 136). While the Chinese Communist Party wants the Uyghur minority to assimilate and quell threats of separatism, many Uyghurs seek to preserve their cultural autonomy. Mass incarceration and forced resettlement have become common occurrences in the name of deterring further terrorism, but such violence has led to growing resentment against the Chinese government. So, the Chinese government’s methods of supposedly preventing terrorism in the Xinjiang region will ultimately cause more resentment towards the government and cause more potential for

actual terrorism as the Uyghur people grow angrier with their human rights being violated (Clarke, 2015).

Other state and intergovernmental actors could act to prevent further human rights violations in Xinjiang – but their options are limited, especially since many countries are economically interdependent with China. The Chinese government uses its economic power to heavily invest in other countries' infrastructure and development. For example, China's overseas investments have increased remarkably in recent years, providing much needed resources for developing regions of the world, including Africa and Latin America (Zhou & Leung, 2015). As a result, China is playing an ever more important role in international relations. With China's financial power, Beijing can leverage influence over the countries it invests in. If countries receiving development aid from China protested Beijing's mistreatment of the Uyghur people, for instance, it is very likely that their aid would drastically decrease or stop all together. The Chinese government knows this likelihood, which is why Beijing “politicizes its foreign investments” to coerce its economic partners into being complacent towards the genocide of the Uyghur people (Uluyol, 2021). This is also true for some Muslim countries and even the United States; China has essentially “bought the silence” of many countries because it puts its economic interests above human rights (Uluyol, 2021). Notably, China is a permanent member of the UN Security Council; it can veto any UN intervention to prevent or stop mass atrocities.

Options for Protecting Human Rights in Xinjiang

Even though options are limited when it comes to keeping China accountable, there are numerous human rights organizations and activists that are advocating for solutions to this genocide. The following policy options presented are ideally to be implemented in combination, since the current course of action by the international community has been inadequate. Matt Wicks, Samantha Hitchcock, and Josè Flores (2021) write that there have been several multi-pronged plans seeking to pressure China to relent on its mistreatment of the Uyghurs. One policy proposal was to expand the use of the U.S. Magnitsky Act, which imposes bank and asset freezes on sanctioned individuals and bars U.S. businesses from interacting with them – thereby drying up economic opportunities for human rights violators (Wicks et al., 2021). There has been international support for the idea of imposing sanctions on individual people deemed responsible for the human rights violations against the Uyghurs; in March 2021, the European Union announced sanctions on perpetrators of gross human rights violations. These sanctions included visa bans and financial asset freezes on four Chinese officials and members of the Xinjiang police department (Uyghur Human Rights Project, 2023). The sanctions target heads of Chinese

Communist Party agencies who are responsible for Beijing's government-sponsored surveillance on the Uyghurs through technology such as facial recognition software (Wicks et al., 2021). Sanctions targeted at specific individuals are a great strategy to blacklist perpetrators and prevent them from making international business deals, as well as to galvanize international support against these violators. But the caveat to individual sanctions is that these sanctions become very limited if these officials are simply replaced. This sanction strategy would have to be repeated to keep up with new hiring and would ultimately dilute the power of the sanction strategy, since there will always be someone else to assume command and continue human rights violations unhindered.

Another policy option proposed to address the genocide of the Uyghurs is implementation of "technology-centered sanctions," which would replace out-of-date sanctions to include modern technologies such as the facial recognition (Wicks et al., 2021). The idea is that the United States and the European Union could collaboratively cut off China's access to new technologies, which are used to surveil the Uyghurs, and "slow the rate of human injustice" (Wicks et al., 2021, p. 625). However, this policy option would not change the fundamental relationship between the Chinese government and the Uyghur people. Sanctions that specifically target China's surveillance technology could indeed serve as a setback to China's ability to persecute the Uyghurs, but it would not stop completely. Ultimately, China does not need high-tech surveillance to commit human rights atrocities – and technology comes from outside the U.S. and Europe, as well.

Lastly, another proposal is to undermine China's efforts to partner with various African states to obtain mineral resources in exchange for infrastructure development (Wicks et al., 2021). China is making these deals with African countries such as Nigeria, Angola, Ethiopia, and Kenya because of China's huge energy needs; its energy efficiency is four times less than Europe, and its coal reserves may be exhausted in only a few decades. China is therefore looking towards other countries for their "expanding industrial needs" (Wicks et al., 2021, p. 626). This situation offers leverage to combat human rights abuse against the Uyghurs, if cooperation between the E.U. and the U.S. could fund infrastructure development loans in Africa at lower interest rates than those offered by China. This would mean withholding minerals that China desperately wants until verifiable improvements are made in Xinjiang (Wicks et al., 2021). The problem with this policy option is that it will not starve China of its resources within a reasonable enough timeframe to save the Uyghur people currently imprisoned and detained in re-education camps. There are other policy options that can be implemented that will immediately start negatively affecting China's reputation and power, so that they are politically forced to improve human rights for the Uyghurs in Xinjiang.

Policy Recommendations

There are two recommendations that will decrease the effectiveness of China's exploitation of the Uyghurs and will force more nations to pick a side in this international debate. The first recommendation is to pass a UN resolution echoing the Uyghur Forced Labor Prevention Act, which is a U.S. law that "prohibit[s] the import of all goods, wares, articles, or merchandise mined, produced, or manufactured, wholly or in part, by forced labor...and particularly any such goods, wares, articles, or merchandise produced in the Xinjiang Uyghur Autonomous Region of China" (United States Congress, 2022). The second recommendation is to expand the U.S. Magnitsky Act, which imposes individual sanctions on human rights violators, into another UN resolution that specifically targets Chinese President Xi Jinping.

Both recommendations aim to make the human rights violations occurring in Xinjiang into an international debate, since they would press the issue to the forefront of global conversation. Currently, many countries have stayed silent on this issue; only 39 states signed a letter expressing concern over "gross human rights violations" and calling for "immediate access" for independent observers to Xinjiang, while 65 countries have not come out against Chinese abuses (Zarpli & Zengin, 2022, p. 2). In their research, Omer Zarpli and Huseyin Zengin (2022) found that "countries that have closer political and economic relations with the norm-violating states are less likely to name and shame human rights abuses" (p. 3). It is therefore important that the political reputation and economic strength of China be targeted by these policy recommendations. The first recommendation of proposing an international ban of all products created by forced Uyghur labor will limit the amount of products China can sell to other countries, overall weakening China's economic strength and leverage on the international market. The second recommendation of imposing international sanctions on China's sole leader, Xi Jinping, will weaken his political power and will bring China's respectability into question. There should not be debate over whether Xi Jinping is involved in these human rights violations against the Uyghur people either, as his call for a "people's war" to make terrorists "like rats scurrying across the street" has resulted in an increased security presence in Xinjiang (Clarke, 2015, p. 141). Notably, previous actions by the U.S. and E.U. have set a precedent for international cooperation when it comes to sanctions (see Gaouette & Frater, 2021).

There is a potential obstacle to making these resolutions a reality, however: the UN Security Council. For resolutions to pass in the UN Security Council, which have more legal and political power than those passed in the UN General Assembly, all five permanent members of the UN Security Council must agree with it – or at least, not veto it. Since China is one of those permanent members and would

certainly veto the resolution, it is unrealistic to think that the Security Council could adopt a resolution punishing China for human rights abuses of the Uyghurs. Still, there is plenty of opportunity for a resolution to pass in the UN General Assembly. Most of Europe and North America, as well as parts of South America and Asia, have publicly denounced China for their rights abuses. Proposing a UN resolution would force the silent nations of the world to vote on this human rights issue. There is a chance they would abstain from the vote, but that response would make their avoidance very apparent – and perhaps make their citizens aware of this often-ignored situation.

Admittedly, there is no way to force the Chinese government to change its discriminatory views of the Uyghurs. What these recommendations do is push these realities – this pervasive Islamophobia and these human rights atrocities – to the forefront of global conversations. Even if these UN resolutions were to fail, the negative attention the proposed sanctions would create would succeed in bringing more awareness to this issue and hopefully exert pressure on other state governments to take meaningful action.

Conclusion

There has already been work done to address Chinese human rights violations against the Uyghurs in the form of sanctions against high-ranking individuals and bans on the imports of forced labor businesses using forced Uyghur labor. That work has only been done on a national scale in places like the United States and the European Union, but those policies can inspire international cooperation in the future. Recommendations to pass UN resolutions to sanction China's president and ban products of forced Uyghur labor can bring this issue to the international stage and hopefully garner global support for human rights protections in Xinjiang. More awareness is necessary to solve the crisis facing China's Uyghur minority, and these recommendations can help bring this issue to the forefront of global debate.

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