



THE VOICE OF EAST TURKISTAN

THE OFFICIAL JOURNAL OF THE EAST TURKISTAN GOVERNMENT-IN-EXILE

VOLUME 1, ISSUE 5

JULY - AUGUST 2020



The East Turkistan Government in Exile and the East Turkistan National Awakening Movement file formal complaint calling on the ICC to investigate and prosecute Chinese officials for genocide. See page 4 to read more.

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THE VOICE OF EAST TURKISTAN

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Contributions are welcome and may be addressed to the editor of the *Voice of East Turkistan*. The publisher regrets that only contributions that fit standards set by the editor will be selected for publication.

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ETGE's Eid Al-Adha Greeting

WASHINGTON | July 30, 2020

On behalf of the people of East Turkistan, we wish all the Muslims across the world a blessed Eid Al Adha. We would like to remind everyone about East Turkistan which has been occupied by China since 1949. For over 70 years, the Uyghur, Kazakh, Kyrgyz, Uzbek and other Turkic people of East Turkistan have been facing colonization and genocide. Muslims all over the world are in a joyful mood on the occasion of Eid-al Adha, while the oppressed people of East Turkistan can't be joyful because East Turkistan is occupied and Islam along with Eid has been effectively banned.

Over 3 million people in East Turkistan are currently being held in concentration camps. Mosques and other religious sites have been destroyed. Qurans, and other Islamic texts have been burned. Over 500,000 East Turkistan children have been forcibly separated from their families and sent to state run orphanages to be raised as atheist Chinese citizens.

East Turkistan women are being sterilized, Muslims are being forced to eat pork and drink alcohol. The organs of East Turkistani Muslims are being harvested and sold to Muslims across the world as "halal organs." Earlier this month, we filed a formal complaint urging the International Criminal Court to investigate and prosecute Chinese officials for genocide and other crimes against humanity in Occupied East Turkistan.

What we expect from the Muslim world is solidarity and support be it politically, financially, diplomatically or any other means to help us seek justice and an end to China's decades of occupation and genocide in East Turkistan. We again call on the entire Muslim world to break their silence and do everything in their power to help liberate East Turkistan and its people from Chinese occupation and oppression.

ETGE's Statement on India's Independence Day

WASHINGTON | August 15, 2020

On behalf of the people of Occupied East Turkistan, India's northern neighbor, we wish India and its people a Happy Independence Day.



*Flag of East Turkistan and the Flag of India
Photo credit: ETGE*

Many people might ask why Independence is so important. Independence means freedom from the control, influence and oppression of others. An independent nation has the power to elect, govern, and make its own laws and decisions freely. Having independence is the most essential thing for a country and its people to develop and prosper.

Independence is the only thing that can truly ensure the freedom and survival of a nation. In the case of East Turkistan, we lost our independence on December 22, 1949 as a result of Chinese invasion. For the past 70 years, our country and our people have been subject to colonization, Chinese occupation, and genocide.

The decades of prolonged Chinese occupation and genocide in East Turkistan has taught us that without independence there is no way to guarantee or ensure even our most basic human rights, freedoms, and our very survival. Thus, like the great Indian Independence Leader Gandhi stated, "the attainment of national independence is for us a search for truth" and it is the fundamental to ensuring our very survival.

Like Gandhi stated, "the future depends on what you do today." Thus, I urge all Indians to cherish, defend, and honor the independence of India at all costs. For as mentioned before, the loss of independence will result in calamities that will lead to the very destruction of a nation. There is no better example of this today, than the genocide faced by the Uyghur and other Turkic peoples of Occupied East Turkistan.

Once again, on behalf of the people of Occupied East Turkistan, we wish India and its people a Happy Independence Day! May your Independence be ever lasting!

Uyghur Genocide and Crimes Against Humanity: Credible Evidence submitted to ICC for the first time asking for investigation of Chinese officials



International Criminal Court (ICC) building
Photo credit: Wikipedia

THE HAGUE | July 6, 2020

- Lawyers have submitted a Complaint to the Office of the Prosecutor (OTP) at the ICC asking for an investigation to be opened **against senior Chinese leaders for Genocide and Crimes against Humanity** allegedly committed against the Uyghur and other Turkic peoples.
- The Complaint is filed on behalf of the [East Turkistan Government in Exile \(ETGE\)](#) and the [East Turkistan National Awakening Movement \(ETNAM\)](#).
- China is not a signatory to the Rome Statute but the Court can exercise jurisdiction over these crimes because part of the criminal conduct has occurred within the territory of two signatories to the Rome Statute – Tajikistan and Cambodia.
- **Uyghur victims have been unlawfully deported into occupied East Turkistan from Tajikistan and Cambodia.** Upon return to China they have been **subjected to crimes** together with many other detained Uyghurs including **murder, unlawful imprisonment, torture, forced birth control and sterilization, and forced marriages.**
- **This has been a concerted and widespread campaign by the Chinese government to round up tens of thousands of Uyghurs abroad and those who have fled persecution, to**

force them back into occupied East Turkistan.

- The submission identifies the roles played by **senior Chinese officials (including President Xi Jinping)**, requesting the Prosecutor to investigate them for planning and directing the campaign in which these widespread crimes are being perpetrated.
- The Complaint has been prepared by a legal team led by British Barrister, Rodney Dixon QC, Temple Garden Chambers, London and The Hague.

THE HAGUE – Today, lawyers representing the East Turkistan Government in Exile (ETGE) and the East Turkistan National Awakening Movement (ETNAM) have submitted a lengthy Complaint to the ICC asking the OTP to open an investigation into Genocide and other Crimes Against Humanity allegedly committed against the Uyghur and other Turkic peoples of East Turkistan by senior Chinese Leaders including President Xi Jinping.

The ETGE considers East Turkistan (the region known as Xinjiang) to be a colony or occupied territory which as an independent state would be known as East Turkistan as it had been prior to Chinese Communist occupation in 1949. As set out in the Complaint to the ICC, crimes have historically been committed in East Turkistan by Chinese forces since 1884. The bulk of the Complaint focuses on the marked increase in crimes following the Urumqi massacre on 5th-7th July 2009, eleven years ago today.

The crimes committed against the Uyghurs, Kazakhs, Kyrgyz, and other Turkic peoples which should be investigated include:

- *massacres;*
- *mass internment camps;*
- *torture;*
- *disappearances;*
- *forced birth control and sterilization;*
- *forcible transfer of children from their families to Chinese state orphanages and boarding schools;*
- *measures aimed at eliminating the use of the Uyghur and other Turkic language in schools;*
- *enhanced surveillance of Uyghurs and other Turkic peoples significantly beyond that experienced by Han Chinese;*
- *repressive measures against Islam; and,*
- *organ harvesting.*

The evidence of the crimes provided in the Complaint is detailed and shocking. It includes descriptions of brutal torture through electrocution, humiliation in the form of being forced to eat pork and drink alcohol, mandatory insertion of IUD birth control for Uyghur women of child-bearing age – of which there is recent evidence of a major increase, and an estimated 500,000 Uyghur children being separated from their families and sent to “orphanage camps” where there have been credible reports of attempted suicide by the children.

LEGAL BASIS:

The Chinese Government has conducted a campaign to round up Uyghurs abroad and who have fled East Turkistan as a result of the crimes committed against them in China. They have been forced back into occupied East Turkistan including from Tajikistan and Cambodia. **This has been carried out by Chinese officials and police.** After being arrested and forcefully deported back into China, **they have been subjected to human rights abuses and serious crimes. This is a breach of international law.**

The Complaint has been submitted in light of, and relies on, the decisions of ICC Pre-Trial Chambers I and III of 6 September 2018 and 14 November 2019 respectively (decisions related to Bangladesh and Myanmar in reference to Rohingya people), which clarified that **the Court may exercise jurisdiction over international crimes under Article 12(2)(a) of the Statute when part of the criminal conduct takes place on the territory of a signatory. In this case, Tajikistan and Cambodia.**

The Crimes committed against the Uyghur people have been widespread and systematic. They have taken place on a mass scale and should therefore all be investigated in order to ascertain whether the alleged perpetrators can be charged and tried. As the Court held in the Rohingya cases, continuing crimes that commence on the territory of an ICC State Party come within the jurisdiction of the Court and can be investigated. These crimes include Genocide and Crimes Against Humanity.

STATEMENTS:

The Government of East Turkistan in Exile: *“Today is a historic day. Not only is it the eleventh anniversary of the Urumchi Massacre, it marks the*

first step in what we hope will be the ultimate liberation of our people. For too long we have been oppressed by China and its Chinese Communist Party and we have suffered so much that the Genocide of our people can no longer be ignored. We are hopeful that the Prosecutor will see that our claim has merit, that she will do the right thing and open an investigation into the crimes. The Uyghur and the other Turkic peoples of East Turkistan deserve justice for the atrocities that are being committed against them by the Chinese Government every day. We are hopeful that Justice will prevail.”

Rodney Dixon QC: *“The filing on behalf of the East Turkistan Government in exile confirms that the ICC has jurisdiction over international crimes allegedly committed against the Uyghur and other Turkic peoples. For too long it was assumed that nothing could be done by the world’s criminal court. There is now a clear legal pathway to justice for the millions of Uyghurs who are allegedly being persecuted on mass by the Chinese authorities. It is a breakthrough and momentous opportunity which we urge the ICC Prosecutor to pursue without delay. This chance should not be squandered.”*

ALLEGED PERPETRATORS:

Whilst victims have been able to identify specific individuals to be investigated for crimes which they are alleged to have committed, the Complaint urges that those at the highest levels and most responsible for the military, armed forces and police forces of the Chinese Government should be investigated and held accountable for the actions and crimes committed on a mass scale against the Uyghur, Kazakh, Kyrgyz, and other Turkic peoples of East Turkistan. This investigation must necessarily extend to the Chinese President himself, Mr. Xi Jinping. The full list of suspects is annexed to the Complaint.

HISTORY OF EAST TURKISTAN:

East Turkistan has been an independent nation at various points in history. The last time it was independent was from 1944 – 1949 when it was known as the East Turkistan Republic. Communist China invaded East Turkistan in late 1949 with the support of Stalin and the Soviet Union. It is a resource-rich region and has in recent years formed a key part of the new Chinese Belt and Road trade route. The Chinese Government has explicitly stated that one of their key National Defence aims is to prevent “the creation of East Turkistan”.^[1]

60 MPs urge sanctions against Chinese officials



Police officers detain protesters during a rally against a new national security law in Hong Kong on July 1, 2020 (EPA/MIGUEL CANDELA)

MACLEANS | July 14, 2020

Quoting Canada's foreign minister as part of their justification, 63 MPs, four senators, a former House of Commons speaker and more than 20 community groups have signed a letter urging the government impose Magnitsky sanctions against Chinese officials.

Organized by the Alliance Canada Hong Kong (ACHK), the letter made public on Tuesday morning asks Prime Minister Justin Trudeau, his deputy Chrystia Freeland and Global Affairs Minister François-Philippe Champagne to sanction Chinese and Hong Kong officials "directly responsible for the human rights atrocities happening in Tibet, occupied East Turkestan (Xinjiang), and Hong Kong." The letter quotes Champagne, who said in a tweet earlier this month: "Sanctions are an important tool to hold perpetrators of gross human rights violations to account."

Nearly half the Conservative Party caucus signed the letter, including Leona Alleslev, who stepped down as deputy leader of the party on Monday to endorse Peter MacKay in its upcoming leadership election. Current leader Andrew Scheer did not sign it. MacKay and fellow frontrunner Erin O'Toole, a current MP, both endorse the use of Magnitsky sanctions against Chinese officials—MacKay is not a signatory, but O'Toole added his signature to the letter on Tuesday, a spokesperson said.

Joining the Tory MPs are all three Green Party MPs, two Bloc Québécois MPs, two Liberals—Judy Sgro, who was immigration minister under Paul Martin, and John McKay—and a lone NDPer, immigration critic Jenny Kwan. Former House of Commons

speaker Peter Milliken; Conservative senators Leo Housakos and Linda Frum; Independent senator Marilou McPhedran and Progressive (formerly Liberal) senator Pierre Dalphond also signed. A single mayor is on the list: Brad West of Port Coquitlam, B.C.

Community signatories include Abdulhat Nur, the vice president of the East Turkistan Government in Exile; Sherap Therchin, the executive director of the Canada Tibet Community; professor David Welch of the University of Waterloo and a list of other national and local associations supporting Hong Kong, Tibet and Uyghur Muslims.

The world has watched in horror as details trickle out of the Xinjiang province, where some two million Uyghur Muslims are being held by Chinese authorities in detention camps for "re-education," or the alleged erasure of their religion, language and culture. Meanwhile, China has recently imposed a new national security law on Hong Kong that erodes the city's long-held autonomy.

The United States has imposed economic sanctions on Hong Kong and, over the treatment of Uyghurs, slapped its own set of Magnitsky sanctions on Chinese government actors. (Magnitsky laws, named after a late Russian whistleblower, have been passed in many democratic countries, most recently in the United Kingdom this month, to enable governments to levy economic penalties on specific foreign officials accused of abusing human rights.)

In late June, 13 senators signed a letter co-written by Housakos that described China's government as the "biggest threat to mankind." Tuesday's letter from ACHK, which has already handed the government a list of officials that it wants to see sanctioned, adds political weight to calls for Canada to join the U.S. Trudeau's government has been cagey in its response to any and all concerns about China. The arbitrary imprisonment of Canadians Michael Kovrig and Michael Spavor, a quid pro quo after Canada arrested Huawei CFO Meng Wanzhou in December 2018 for possible extradition to the U.S., has loomed large in Canada-China relations.

Fears over further Chinese retaliation have seemingly prevented Trudeau, Freeland, Champagne and their colleagues from uttering strong words over the regime's conduct, let alone sanctioning its officials. Still, asked about possible Magnitsky sanctions during a House question period last week, Champagne said Canada is "considering all the options when it comes to human rights."

On Sanctioning the XPCC for its role in China's Colonization, Genocide, and Occupation in East Turkistan

WASHINGTON | July 31, 2020

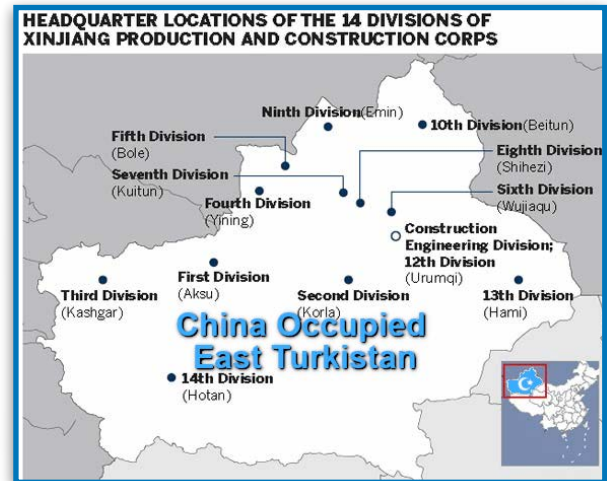
PRESS STATEMENT – ETGE

The East Turkistan Government in Exile (ETGE) applauds the [US Treasury Department](#) for sanctioning the Xinjiang Production and Construction Corps (XPCC), also known as the Bingtuan, for its role in China's brutal campaign of colonization and genocide. The [US also sanctioned](#) Sun Jinlong, former Party Secretary of the XPCC, and Peng Jiarui, Deputy Party Secretary and Commander of the XPCC.

On July 6, 2020, the East Turkistan Government in Exile and the East Turkistan National Awakening Movement submitted a [formal complaint urging the International Criminal Court \(ICC\)](#) to investigate and prosecute over 30 senior Chinese officials including Xi Jinping, Chen Quanguo, Sun Jinlong, and Peng Jiarui for genocide and other crimes against humanity.

Since its creation, the XPCC has played the most direct role in China's colonization and occupation of East Turkistan and has for decades facilitated the genocide of East Turkistan's people. In 1954, Chinese leader Mao Zedong directed PLA General Wang Zheng, who had led Communist China's invasion of East Turkistan in 1949, to establish the XPCC as a paramilitary force that would colonize East Turkistan and assist the PLA in maintaining China's control of East Turkistan. Since 1954, the XPCC evolved from a 175,000 strong paramilitary force to a 3.5 million strong paramilitary force as of 2020.

Over the decades, numerous Chinese leaders have praised the XPCC for its role in maintaining China's illegal occupation of East Turkistan. Former Chinese leader Deng Xiaoping had described the XPCC as "the key force of maintaining stability in Xinjiang." Former Chinese President Hu Jintao had praised the XPCC as a "mighty construction army" for brutally suppressing thousands of peaceful demonstrations in what later became known as the 2009 Urumchi Massacre. In early 2017, current Chinese President Xi Jinping praised the XPCC and urged it to play a more prominent role in ensuring China's tight control of East Turkistan while also advocating the central role played by the XPCC in colonizing East Turkistan.



Since 2017, the XPCC has played a crucial role in China's mass internment of over 3 million Uyghurs, Kazakhs, Kyrgyz and other Turkic peoples in concentration camps, forced labor, forced bio-metric collection, forced population control and sterilization, and extensive surveillance across East Turkistan. The XPCC runs at least 74 labor camps across Occupied East Turkistan, where Uyghurs and other Turkic peoples are used as slave labor.

Earlier this year, the [Australian Strategic Policy Institute \(ASPI\)](#) identified 83 companies including Amazon, Apple, BMW, Dell, FILA, General Motors, Google, Hitachi, H&M, Huawei, Mercedes, Microsoft, Nike, Samsung, Sony, Volkswagen, Zara, and ZTE as having directly or indirectly benefited from the use of Uyghur slave labor. The US Government's sanctioning of the XPCC is of great importance as it directly seeks to hold accountable the Chinese entity which has not only played the most direct role in China's colonization and occupation of East Turkistan but also has for decades facilitated the genocide of East Turkistan's people.

We thank the US Government and the Trump Administration for actively working to hold China accountable for its mass atrocities against East Turkistan and its peoples. We again urge the US Government and all countries across the world to formally recognize China's atrocities in East Turkistan as a genocide and recognize East Turkistan as an Occupied Country. We call on all countries across the world to [support our case at the ICC](#) and take action against China's brutal genocide and occupation in East Turkistan.

FOCUS

We urge all companies, especially western companies, to cease its operations in Occupied East Turkistan and take a stand against China's brutal campaign of colonization, genocide, and slave labor. We urge companies to seek alternative supply chains and relocate their factories to countries that respect basic human rights and are not complicit in slave labor in the 21st century.

East Turkistan is crying for freedom from China and the world must come forward to help it



Photo credit TFI

TFI POST | August 17, 2020

For the past several decades, Chinese occupation has become synonymous with Tibet. But outside the public glare, China has been occupying an independent country- East Turkistan, which is almost half the size of India since 1949. China administers the region as Xinjiang province and has been quelling all forms of dissent and separatist movements to re-establish an independent East Turkistan.

But now the region is crying for freedom and reaching out to the world, including India. Prime Minister Salih Hudayar of the East Turkistan government in exile in the US even greeted India on her 74th Independence Day. Hudayar urged Indians to cherish, defend and honour independence while elaborating how the people of East Turkistan have understood the significance of independence in all these years of occupation.

According to ANI, Salih said that decades of Chinese occupation and genocide has taught East Turkistan that “without independence there is no way to

guarantee or ensure even our most basic human rights.”

The Prime Minister of the Turkistan government in exile added, “Many people might ask why Independence is so important. Independence means freedom from the control, influence and oppression of others. An independent nation has the power to elect, govern, and make its own laws and decisions freely. Having independence is the most essential thing for a country and its people to develop and prosper.”

Meanwhile, the East Turkistan National Awakening Movement (ETNAM) has also issued a statement noting how Chinese authorities have incarcerated 3 million Uyghurs, Kazakhs, Kyrgyz, Uzbeks, Tatars and other Turkic people in East Turkistan. In a bid to reach out to the democratic world, ETNAM also stated, “We call on governments across the world to support this effort. We call on member states of the International Court of Justice (ICJ) like Australia, Canada, France, India, Japan, US, UK and others to file a parallel complaint to the ICJ and work to hold China accountable.”

Salih's remarks underscore the seriousness with which East Turkistan is fighting for its independence from China. The fact remains that Xinjiang (or East Turkistan) is an Uyghur-majority region. Uyghurs themselves are ethnically, linguistically and culturally Turkic Muslims and therefore diverse from the Han Chinese- the dominant race in the rest of China.

East Turkistan fell into Chinese occupation only in the 18th century when the Qing dynasty of the Manchu empire annexed it.

However, East Turkistan was never fully subdued by the Qing dynasty either. In fact, Xinjiang was briefly declared as an Independent East Turkistan State but was invaded by Communist China in 1949. The Chinese people themselves regard the Manchus as outsiders and barbarians but still stake claim on Xinjiang only because the Qing dynasty had once invaded it.

Today, China rules the territory with an iron hand, administering the policy of using a sledgehammer to crack a nut. China interprets the legitimate Uyghurs' demand of an independent East Turkistan as 'terrorism', and has destroyed all Mosques and religious sites in the region.

Chinese excesses have picked up after the July 2009 Ürümqi riots following the murder of two Uyghurs in Southern China and police brutalities within Xinjiang that cracked down on peaceful demonstrators. As the confrontation escalated between the Uyghurs and the Han Chinese, Beijing decided to convert the entire Xinjiang province into an open-air jail with “re-education” camps and the highest level of surveillance.

Today, the region is the most surveilled part of the world with the Chinese Communist Party (CCP) officials entering the Uyghur houses in Xinjiang. While the husbands of Uyghur women are lodged at internment camps, they are ‘forced to share beds’ with Chinese officials.

Moreover, Chinese authorities are forcing a demographic genocide of the Uyghur population with reports of forced sterilisation and abortions amongst Uyghur women. Then there are also reports of Uyghurs being used as commodities to power China’s booming organ-sales industry and the use of most modern tech equipment to ensure cent percent surveillance of the Uyghur population.

The rising militancy and separatism in East Turkestan has been successfully quelled by China because the Central Asian Republics that are ethnically close to East Turkestan have failed to back it. Countries like Kazakhstan, Kyrgyzstan and Uzbekistan have deep economic ties with China, and are somewhat dependent on Beijing, which is why they shy away from supporting the Uyghur cause.

Moreover, Turkmenistan, that was supposed to play a major role in East Turkestan struggle due to its Turkic demographics, is itself a Communist authoritarian regime and therefore closer to Beijing in spite of being a former Soviet Republic. However, East Turkestan has now started looking out for new allies like the US and India. East Turkestan is trying to rope in India in its struggle because China claims Aksai Chin as a part of Xinjiang, and therefore militant struggle in the far western Chinese province can create a significant military advantage for India in Eastern Ladakh.

With all its diplomatic efforts to reach out to the leading democratic powers, East Turkestan is making a strong case for its independence. It is about time that the world relates to the Uyghurs’ movement for an independent state and come forward to help it.

Uyghurs and other Turkic peoples across the globe Protest China and call on International Community to recognize the Genocide

WASHINGTON | August 28, 2020

Press Release - East Turkistan Government in Exile

Uyghurs and other Turkic peoples led by the East Turkistan Government in Exile (ETGE) held demonstrations across the world to protest China’s brutal campaign of colonization, genocide, and occupation in East Turkistan ahead of the 4 year Anniversary of Chinese butcher Chen Quanguo’s appointment as the Chinese Communist Party Secretary of the so-called “Xinjiang Uyghur Autonomous Region.” “Xinjiang” is the Chinese colonial term meaning the “New Territory” which is used by China to refer to East Turkistan.

Protests organized by the East Turkistan Government in Exile were across the world on August 28, 2020 in the cities of Adelaide, Tokyo, Dhaka, Istanbul, Frankfurt, The Hauge, Paris, New York City, Washington DC, and Edmonton, Canada.

Prime Minister Salih Hudayar, of the the East Turkistan Government in Exile, delivered a statement in front United Nations headquarters in New York City on Friday August 28, 2019. He urged the international community to officially recognize the China’s genocide against Uyghurs and other Turkic peoples and take action to stop it.

He stated, “For over 70 years, since the occupation of East Turkistan in late 1949, China has been engaging in a brutal campaign of colonization and genocide in East Turkistan. In recent years, since the arrival of Chinese tyrant Chen Quango to Occupied East Turkistan from Occupied Tibet, at least 3 million Uyghurs, Kazakhs, Kyrgyz, Uzbeks, Tatars, and other Turkic peoples in East Turkistan have been sent to concentration camps, prisons, and labor camps.”

Prime Minister Hudayar further stated that, “the UN and all governments across the world must uphold its commitments to ‘NEVER AGAIN’ and oppose the evil Chinese regime that is holding over 3 million people in concentration camps and engaging in genocide in the 21st century. We urge the UN and all governments across the world to officially recognize China’s atrocities and crimes against humanity as a genocide while also recognizing East Turkistan as an Occupied Country. The UN and all countries across the world must take action, through all means

EAST-TURKISTAN.NET

FOCUS

necessary, to stop China's genocide in Occupied East Turkistan."

Zumrat Dawut, a survivor of China's concentration camp in East Turkistan, also spoke in front of the UN and spoke about forced sterilization, rape, forced abortions of Uyghur and other Turkic women in East Turkistan.

The East Turkistan Government in Exile submitted a letter to the UN urging UN General Secretary Antonio Guterres to formally recognize the China's Genocide of Uyghurs and other Turkic peoples in East Turkistan and invoke the UN General Assembly and the Security Council to take action to stop the genocide immediately. A similar letter urging US Secretary of State Mike Pompeo to do the same was received in person by US State Department officials on Friday, August 28, 2020.

The East Turkistan Government in Exile calls on all people across the world to engage in a peaceful campaign against China's atrocities by informing others about the genocide and other crimes against humanity being perpetrated against Occupied East Turkistan's oppressed people. We urge all countries to Boycott, Divest, and Sanction China and help East Turkistan and its people to regain their stolen freedom and independence.

We again reiterate that restoring East Turkistan's independence is the only way to safeguard and ensure the freedoms, human rights, and very existence of the Uyghurs and other Turkic peoples of East Turkistan. We ask all countries, organizations, and individuals to join us and help us to bring justice and peace by ending China's prolonged campaign of colonization, genocide, and occupation in East Turkistan.

ADELAIDE, AUSTRALIA



The ETGE's Ambassador to Australia, Mr. Adam Turan, led the demonstration in front of the Parliament House in Adelaide.

DHAKA, BANGLADESH



Supporters of the East Turkistan government in exile protest in front of the Dhaka Press club.

THE HAUGE, NETHERLANDS



Supporters of the East Turkistan Government in Exile demonstrate outside of the International Criminal Court

FRANKFURT, GERMANY



Supporters of the East Turkistan Government in Exile demonstrate in front of the Chinese Consulate in Frankfurt, Germany.

ISTANBUL, TURKEY



The ETGE's Representative in Istanbul, Mr. Abdulmennan Cakan, led the demonstration in Istanbul.

PARIS, FRANCE



The ETGE's Deputy Prime Minister, Mr. Mirqedir Mirzat, led the demonstration in front of the French National Assembly in Paris.

NEW YORK CITY, USA



The ETGE's Prime Minister, Mr. Salih Hudayar, led the demonstration in front of the UN headquarters in New York City.

WASHINGTON DC, USA



The demonstrations in front of the US State Department was led by members of the ETGE's Parliament.

EDMONTON, CANADA



The ETGE's President, Mr. Ghulam Osman Yaghma, and Vice President, Mr. Abdulahat Nur, led the demonstration in front of the Alberta Legislature Building in Edmonton.

An Interview with Salih Hudayar - The Prime Minister of the East Turkistan Government in Exile



Prime Minister Salih Hudayar of the East Turkistan Government in Exile | Photo credit: ETGE

THE KOOTNEETI | August 11, 2020

Since the communist takeover of mainland China under the leadership of Mao Zedong, holding territorial stretch together have been a Himalayan task for China but the authoritative nature of their political structure has enabled them to manage the affairs often with repressive tactics. The so-called Xinjiang Autonomous Region in Northwest China constitute one-sixth of Chinese landmass, originally inhabited by Turkic speaking minority ethnic group, Uyghurs got acquainted with Islam in 10th century AD and by 16th century AD, most Uyghurs identified themselves as Muslims.

Culturally distinct, ethnically alien and religiously ostracized, Uyghurs identifies themselves as more aligned to Central Asian nations. Once a part of the famous ancient Silk Road with a thriving trading post and strategically important, Kashgar city, Xinjiang is now a restive place, an epitome of Chinese state repression. At the heart of the problem lies economic, cultural and ethnic complexities. Although the Chinese constitution officially recognizes five religions, the members of the communist party of China must accept atheism to be in government. With the economic growth of China, Xinjiang also flourished attracting dominant and qualified Han Chinese from eastern provinces. This cast a shadow on Uyghurs cultural existence as over the period of time demographic transition has taken place and

almost 40% of Xinjiang's population constitutes Han Chinese.

The Kootneeti's Consulting Editor – Amit Sinha in a conversation with Salih Hudayar– The Prime Minister of East Turkistan Government in Exile and Founder & President at East Turkistan National Awakening Movement discuss various aspects of the East Turkistan Movement, the government and the Chinese repression in the 'so-called Xinjiang Province'

Question: What is the East Turkistan Government in Exile and National Awakening Movement?

Salih Hudayar: The East Turkistan Government in Exile (ETGE) is a democratically elected exile government that was set up by Uyghurs, Kazakhs, and other people from East Turkistan. Its predecessor was the East Turkistan National Congress (ETNC) which acted as a de-facto exile government up until the ETGE was formed on September 14, 2004, with its headquarters in Washington, DC. The East Turkistan Government in Exile represents all the people of East Turkistan including Uyghurs, Kazakhs, Kyrgyz, and others and seeks to restore East Turkistan's independence. The East Turkistan National Awakening Movement (ETNAM) is a nonviolent international political and human rights organization that seeks to restore the independence of East Turkistan in order to safeguard the freedoms and human rights of East Turkistan's people. We promote and protect their fundamental rights and freedoms, and we strive to uphold the national interests of the Uyghur nation, and all other peoples of East Turkistan (Uyghurs, Kazakhs, Kyrgyz, Uzbeks, Tatars, & others), both within East Turkistan and abroad.

Question: What is the difference between East Turkistan and Xinjiang? Why should one call it the former?

Salih Hudayar: East Turkistan is the true name of our country and has been documented as such since the 5th century. The term "Xinjiang" is a Chinese colonial term which literally translates as "the new territory" and was first imposed on East Turkistan following the Manchu Qing conquest of East Turkistan in 1884. Since then the people of East Turkistan have declared independence twice as the East Turkistan Republic. The first East Turkistan Republic existed from November 12, 1933, and it was overthrown by Soviet and Chinese forces on April 16,

1934. The people of East Turkistan declared independence for the second time as the East Turkistan Republic on November 12, 1944, and maintained our independence until the Chinese Communists invaded and occupied East Turkistan and overthrew our state on December 22, 1949. East Turkistan is the correct name whereas the “Xinjiang” is a colonial name imposed by China just like “Xizang” was imposed on Tibet. Nobody except for China refers to Tibet as “Xizang” and likewise, nobody should refer to East Turkistan as “Xinjiang.”

Question: What are the core values of the ET Government in exile? We noticed you quote Mahatma Gandhi

Salih Hudayar: The core values of the East Turkistan Government in Exile are Commitment, Cooperation, Freedom, Independence, Justice, Peace, and Service. Like the honourable Mahatma Gandhi, we are committed to serving our people, restoring our people’s freedom and our country’s independence by cooperating with the likeminded individuals, organizations, and countries across the world so that we can ultimately uphold justice and peace for all.

Question: What is your vision for East Turkistan, what type of state do you think it will be if it becomes independent?

Salih Hudayar: Our goal is to restore East Turkistan’s independence as a democratic, pluralistic, secular Republic that grants human rights and freedom for all, without restoring our independence, there is no way that we can truly safeguard the basic human rights, freedoms, and very existence of our people. We envision a stable and prosperous state that gets along with not only its neighbours but also promotes peace and mutual cooperation at both the regional and international level.

Question: Why is China committing genocide there?

Salih Hudayar: Since China occupied East Turkistan, it has been colonizing East Turkistan and waging a long campaign of genocide against our people. The reason for this is because China wants to control East Turkistan and its resources, as its geopolitically of great strategic importance for China’s development and security. East Turkistan is the cornerstone of China’s trillion-dollar Belt and Road Initiative, which is essentially China’s masterplan to achieve its “Chinese Dream” of global economic, military, and political domination. China’s

biggest fear is that the people of East Turkistan, especially the Uyghurs, will push to regain East Turkistan’s independence and this the real reason behind the genocide of the Uyghurs and other Turkic people’s of East Turkistan.

Question: Tell us more about the genocide, what are the nuances of it?

Salih Hudayar: For decades, China has been engaging in colonization and genocide, though it’s only recently that international community began to actually take notice as a result of the mass internment of over 3 million Uyghurs, Kazakhs, Kyrgyz and other Turkic people in over 1400 Concentration Camps across East Turkistan. Since 1949, hundreds of thousands if not millions of East Turkistanis were massacred by Chinese occupation forces. In fact, during the first 5 years of Chinese occupation (1949-1954) over 150,000, East Turkistanis were labelled as “enemies of China” and were killed by Chinese forces. Between 1964-1993 China conducted 46 nuclear tests in East Turkistan which directly killed anywhere from 190,000 to 750,000 Uyghurs and other Turkic people while leaving millions with cancerous diseases as a result of radiation. According to the Chinese government, between 1979-2009, the Chinese government murdered 3.7 million East Turkistani babies as part of its so-called “birth control policies.”

Even today, the Chinese government is forcibly sterilizing hundreds of thousands of Uyghur and other Turkic women. Tens of thousands of Uyghur and other Turkic women have been forcibly married to Chinese men while 500,000 Uyghur and other Turkic children have been forcibly separated from their families and sent to state-run orphanages and boarding schools to be raised as “loyal Chinese citizens.” There are countless demonstrations which have resulted in massacres perpetrated by Chinese forces. The Chinese government is using part of our population as slave labour while tens of thousands every year, especially since 2017 to harvest their organs and sell them to people across the world.

We may never know how many of our people were truly killed by the Chinese occupation forces in the past 70 years, but it is no doubt in the millions. Unfortunately, the international community has largely been silent and only recently they are starting to talk about the genocide but there has to be action. The world must act now and try to prevent the deaths of even 1 innocent life in East Turkistan.

The CCP Before the International Criminal Court for the Uyghur Genocide



Mr. Rodney Dixon, QC, speaking from the Hague during the submission of evidence against the CCP for genocide and crimes against humanity. Far right is Omer Bekali, a key witness as a camp survivor.

BITTER WINTER | July 8, 2020

Below is an article published by [Bitter Winter Magazine](#)

Although China did not sign the treaty establishing the court in The Hague, London attorney Rodney Dixon believe jurisdiction against Beijing can be asserted there.

by Ruth Ingram

The Chinese Government is being forced to face up to its “breathhtaking” genocide against the Uyghur people at the International Criminal Court in the Hague.

Credible evidence of genocide and crimes against humanity meted out to millions of Turkic people in China’s north western region was presented to the ICC this week, by Uyghur groups demanding accountability for CCP officials implicated in the atrocities.

The East Turkestan Government in Exile (ETGE) and the East Turkestan National Awakening Movement, (ETNAM) are citing a catalogue of human rights abuses in their bid to see justice for their people. Not all in the Uyghur diaspora agree with the political positions of ETGE and ETNAM, which have long championed an independent state in the region now known as Xinjiang province, but their action against China is gathering widespread support.

Represented by UK barrister Rodney Dixon QC, an expert in international law, the groups are invoking a litany of crimes such as murder, unlawful imprisonment, torture, forced birth control, and sterilization, to accuse senior Chinese officials, including President Xi Jinping, of planning a vicious campaign to crush the Turkic people within their homeland.

Hailing as a “historic day” the first ever attempt to use international law to hold Beijing to account for its crimes, Mr. Dixon said the occasion was bitter-sweet in the light of the eleventh anniversary of [the Urumqi riots in July 2009](#). The retaliatory massacres of Uyghurs that followed heralded oppression that has continued to this day, he warned, adding that the case still has a long way to go.

He explained that despite Beijing’s refusal to be party to the Rome Statute, which established the ICC, a ruling by the court in 2018 allowed for jurisdiction when crimes start or end in a member state, “and that is the case here,” he pointed out. In the same way as Myanmar, which is not an ICC signatory, was prosecuted because Rohingya Muslims were deported and fled to member state Bangladesh, Mr. Dixon said that the same principle could apply to China.

“It has been assumed for too long that China is beyond the reach of ICC. But it is no longer the case,” he said. Citing the forced extradition of Uyghurs from two member states, Tajikistan and Cambodia, back to China to face persecution, he said, “We are in a position where there is a very clear legal pathway to allow for the ICC to commence its investigations.” “It’s not a way round the law, it is very much the law,” he added.

[Speaking to the New York Times](#) before the documents were submitted at the Hague, Mr. Dixon stressed the obligation on the prosecutor to investigate genocide. “If you capture people, and you have a campaign to suppress them and you sterilize them, it is a campaign which intends to dilute and destroy their identity as a group.”

Speaking at a press conference at the Hague this week, Mr. Dixon hoped this would be a turning point. He said that no one has yet been held accountable for abuses against millions of Turkic people in north west China. “These are breathtaking facts when you consider the severity of the crimes,” he said. Speaking briefly via online link from Washington DC to support their case, officials of the ETGE, Ghulam

Osman Yaghma, Salih Hidayar and Abdulahad Nur, begged the ICC to “step in and save us.”

Adding to the crimes committed since Chen Quanguo in 2016 started tightening the noose around Uyghur culture, language, religion and basic freedoms of more than 11 million people in Xinjiang, the officials flagged up historic abuses which have largely remained unexposed to the world, including 46 above-ground nuclear tests carried out between 1964-1996, which killed thousands of people and whose fallout destroyed generations of citizens through birth defects and deaths from cancer. The groups allege hundreds of thousands of killings of Uyghurs during what they describe the “invasion” of their land by the Communists in 1949, and more recently over the years the compilation of biodata from 15 million Uyghurs has contributed to the considerable body of evidence implicating the CCP in the harvest of Uyghur organs.

“For too long we have been oppressed by China and the Communist Party,” said Mr. Abdulahad Nur. “We have suffered so long that the genocide of our people can be no longer ignored.”

Having submitted vast numbers of files and firsthand witness statements from survivors of the so-called transformation through education camps, they are hopeful that their case will warrant serious and urgent consideration. “We are hopeful that the prosecutor will see our claim has merit, and that she will do the right thing and open an investigation into these crimes,” said Mr. Nur.

Mr. Dixon warned that submitting the documents was the first small step towards seeing the case accepted by the ICC. The time frame was vague, but he urged the prosecutor not to squander this opportunity to set the record straight in the matter of the Uyghur people.

“There is no immunity as the ICC has said, for anyone, for crimes committed at the international level over which the ICC has jurisdiction,” he urged. “One of the touchstone principles of the Rome Statute is to end impunity,” he stressed. “This is spelt out and runs all the way through, and is involved in the jurisprudence of the courts,” adding that the ICC was established to ensure that these kinds of “solemn cases” were taken seriously.

The manner in which this case will be handled, he said, will “define the ICC’s legacy.” It may “breathe life into the principle that those who cause harm and suffering to fellow human beings must bear the

consequences of their actions namely justice and accountability,” he concluded.

East Turkistan - A New Bangladesh?



Uyghur women in Urumchi, East Turkistan protest against the arrests of their husbands, fathers, sons, etc in July 2009 | Photo Credit: RFE/RFL

THE KOOTNEETI | July 24, 2020

Below is an article published by The Kootneeti
By Lily Harding

The name Turkistan is of Persian origin. This region, dating back to the 5th century encompasses what is now Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, and East Turkistan (also known as Xinjiang). Numerous Turkic states have had control of the East Turkistan region prior to 1877. In 1876 the Manchu-controlled Qing Empire conquered East Turkistan and renamed the region Xinjiang which means “new territory” in Chinese. In 1933, Uyghur and other Turkic people declared independence and established the East Turkistan Republic. Next year, on April 16 1934, KMT overthrew the Republic and controlled it until November 12 1944, when Uyghurs and other Turkic people again declared independence, creating a state lasting till 1949. That year, the PLA invaded East Turkistan and occupied it, pushing it back into “Xinjiang”, as part of the People’s Republic of China with the help of the Soviet Union.

Uyghurs throughout Chinese occupation have been difficult colonial subjects for the Chinese Communist Party to control. The CCP has maintained control over the Han Chinese people by associating their identity with the Chinese Communist Party. They convinced the Chinese people that any criticism of the party was a criticism of their nationality and by extension themselves personally. Uyghurs did not associate themselves with Chinese identity and

thereby felt no personal connection to the party. China sees this as a threat to their control of the region.

Uyghur people from 1949 on have had whole villages slaughtered by the Chinese. Their children have been taken and trafficked into inner China. As the Uyghur people became less and less satisfied by their treatment under Chinese rule, demonstrations and violence intensified. Uyghurs took part in the Tiananmen Square protests and have been integral in the fight for democracy in China.

Beginning Autumn 2017, many changes were made to the landscape of East Turkistan. Freedom of movement had become highly restricted after the Urumqi riots in 2009, but eight years later and three years with no news of civil unrest, what came next was extremely brutal and heavy-handed. The CCP turned the entire region into a highly controlled, open-air prison. Facial recognition cameras were put up every six to ten meters pointing in multiple directions. There was nowhere you could go in East Turkistan that was not monitored and recorded. Groups of police officers stood on the sidewalks and demanded that passersby give them their cell phones to scan.

In the beginning, it was obvious they were targeting Uyghur males with this treatment. They almost never asked Han people to do this, and I managed to avoid it. I kept my head down and tried to avoid attracting attention. The police were everywhere. People were very frightened. If the police found something they didn't like on your phones such as religious apps or foreign apps or a VPN, they would go to your house a week or two later, and you would disappear. There was nowhere to hide. They spied using every form of technology they had. China used your phone's GPS to track you, all your apps, and they have thousands of employees that keep track of this information.

I first found out about people disappearing in January 2018 when my friend was taken. She was Uyghur and openly a Christian. I have not seen or heard from her since, but I did receive word that she was released last fall, I now assume that she is in forced labour.

East Turkistan was covered in barbed wire for a year and a half until the UN was granted permission to visit the camps. I was naively hopeful at the time that the UN would do something about this. Over time, I managed to gather information by talking with Uyghur, Kazakh and Kyrgyz friends. I began to get a sense of just how many people were missing. I was

living in Urumchi, Xinjiang's capital where everyone was missing someone in their family. People whose families were not from Urumchi were missing at least half of their adult family members. Whole families had their homes demolished and then disappeared. Large sections of the city where Turkic people lived were torn down, some were relocated, but many just went straight to the camps. In their place modern, lifeless buildings replaced the beautiful Turkic architecture.

I spoke with a close Uyghur friend and let him read an article from RFA (Radio Free Asia) that stated that up to 3 million people were in camps. He shook his head. He knew so many people that were gone. He looked at me with a deep sadness in his eyes and said, "That's not true. They don't take this seriously." He believes it is far worse. I have no idea how many people have been swept away, or how many have died. I don't suppose we'll ever know if China remains in power.

In this atmosphere of extreme fear, everyone tried very hard to stay out of the camps. They went to indoctrination meetings, flag-raising ceremonies, and posted things on WeChat praising Xi Jinping. None of it did any good. If they wanted to take you, they took you. They told people they were being arrested for having Muslim things in their house, or because of the one time they went to the mosque when they were eight. It was all random and insane. Nothing was going to stop them from destroying your life if they wanted to.

Since leaving, I discovered just how strategically important East Turkistan is to China's economic developmental goals, and by comparison just how useless the people of East Turkistan are to those goals. Like, true colonialists, China views this land and these people in economic terms only. Government officials targeted the most wealthy Uyghurs, putting them in camps, then appropriated their property and bank accounts. They even sought to make money off of the very bodies of these people by sex trafficking them, selling their hair to Americans, and marketing their organs to rich Saudis and organ tourists.

After leaving East Turkistan I was privileged to be able to meet the East Turkistan Government in Exile and learn about their hopes to set up an independent democratic government in East Turkistan. They have currently patterned the set up of their exile government after Tibet's government. It is my hope that the world will recognize their struggle for autonomy, human rights, equality, and

independence, and will help establish democracy in East Turkistan by diplomatically recognizing their in-exile government. The people of East Turkistan wish to be able to live their lives in peace. Most of the world has turned their backs on them for the promise of Chinese money. We need to help them build a better future. East Turkistan is likely another Bangladesh waiting to happen, with a population that dreads CCP control, and yearns for a stable, democratic republic. This would also give India a better neighbour than China.

East Turkistan govt-in-exile urges Muslim world to break silence on Chinese oppression in East Turkistan

ANI | July 31, 2020

The below article was published originally by ANI

Washington [US], July 31 (ANI): East Turkistan Government-in-exile has called on Muslims countries to break their silence on Chinese oppression and support people of Xinjiang in their fight against decades of occupation and genocide by Chinese Communist Party.

East Turkistan, also known as Xinjiang, Prime Minister Salih Hudayar made these remarks while extending greetings on an Eid-al-Adha. He urged Muslims across the world to oppose China’s Genocide and Occupation in East Turkistan.

“On behalf of the people of East Turkistan, we wish all the Muslims across the world a blessed Eid Al Adha. What we expect from the Muslim world is solidarity and support be it politically, financially, diplomatically or any other means to help us seek justice and an end to China’s decades of occupation and genocide in East Turkistan,” Hudayar said in a video message.

“We again call on the entire Muslim world to break their silence and do everything in their power to help liberate East Turkistan and its people from Chinese occupation and oppression,” he added. Elaborating on oppression by the Chinese government, Hudayar said over 3 million people in East Turkistan are currently being held in concentration camps. Mosques and other religious sites have been destroyed.

“Qurans and other Islamic texts have been burned. Over 500,000 East Turkistan children have been forcibly separated from their families and sent to state-run orphanages to be raised as atheist Chinese citizens,” said Hudayar.

“East Turkistan women are being sterilised, Muslims are being forced to eat pork and drink alcohol. The organs of East Turkistani Muslims are being harvested and sold to Muslims across the world as halal organs,” he added.

The Uyghurs, a Turkic-speaking minority from Central Asia, are a distinct ethnic group from Han Chinese, with Urumqi being closer to Kabul than Beijing.

In 2009, the most infamous riots broke out in the streets of Urumqi, Xinjiang which pitted Uyghur Muslims against Han Chinese.

The CCP government has turned the entire region into a highly controlled, open-air prison after the Urumqi riots in 2009. (ANI)

Adam Turan appointed as the ETGE’s Ambassador to Australia



Ambassador Adam Turan

ETGE | August 6, 2020

Today, Prime Minister Salih Hudayar has appointed, with the approval of the East Turkistan Government in Exile’s Executive Council, Mr. Adam Turan as the East Turkistan Government in Exile’s Ambassador to Australia. Mr. Turan will assume his new role on Monday, August 10, 2020.

Adam Turan’s Biography and Credentials

Adam Turan was born to a Uyghur family in Kashgar, East Turkistan. He finished high school in Kashgar and continued his higher education in Urumchi. He came to Australia in 2011 and studied International Relations and Diplomacy at the University of Adelaide and holds a Bachelors Degree. Mr. Turan is currently pursuing a Masters/Honours in Government and International Relations at the Flinders University in Adelaide, Australia.

Mr. Turan has played an active role in the East Turkistan cause since his arrival to Australia in 2011. In 2016, he was elected as the General Secretary of the East Turkistan Australian Association (ETAA). He recently resigned from his position at the ETAA in May 2020. In 2018, Mr. Turan founded the People of East Turkistan (POET), a youth social group dedicated to spreading awareness about East Turkistan. He is currently serving as the Chairman of POET.

Mr. Turan speaks Uyghur, English, Turkish and Chinese. He is married and lives with his family in Australia.

Trump Administration weighs accusing China of ‘Genocide’ over Uighurs



Demonstrators led by ETNAM calling on US to Recognize East Turkistan and the Genocide -Aug. 14, 2020 | Chip Somodevilla | Getty Images

POLITICO | August 25, 2020

The United States is weighing formally labeling China’s brutal repression of ethnic Muslim minority

Uighurs a “genocide,” two Trump administration officials said.

Activists and lawmakers have been pushing for the genocide designation in recent months, but mere consideration of the possibility by the U.S. government could further damage badly frayed ties between Beijing and Washington. It also comes in the heat of the 2020 presidential campaign, in which the two sides have jostled over which candidate would be tougher on China. A spokesperson for Joe Biden noted that the former vice president supports the label — a factor that could influence President Donald Trump’s calculations.

The internal administration discussions are still at the early stages, involving working level officials at the State Department, the National Security Council and the Department of Homeland Security, according to the administration officials who spoke to POLITICO on condition of anonymity. If there’s not enough consensus to use the term genocide, the administration could instead accuse the Chinese leadership of other atrocities, such as “crimes against humanity” or “ethnic cleansing.”

White House national security adviser Robert O’Brien has accused China’s communist leaders of running “concentration camps” for Uighurs in Xinjiang, a northwestern province home to millions of Uighurs. A member of a United Nations human rights panel said in 2018 that China had “turned the Uighur autonomous region into something that resembles a massive internment camp,” where people are held without charge and little recourse to get legal representation to be released. More than a million Uighurs are believed to be held in such facilities.

Uighur rights groups have accused the Chinese government of torturing many Uighurs, forcing Uighur women to get abortions and be sterilized, feeding some detainees poorly and trying to wipe away their distinct ethnic culture, including forcing many to denounce Islam and chant Communist Party slogans. Beijing also uses extensive surveillance technology to track Uighurs.

Genocide declarations are rare, legally tricky and highly politically sensitive. U.S. officials have at times tried to avoid such declarations in the past, not least because, in theory, international law would compel some sort of American intervention — though not necessarily the military kind.

China is a rising power with a veto on the United Nations Security Council, so U.S. advocates of the genocide label may face higher than usual political hurdles. But Trump has grown increasingly frustrated with China on trade and the coronavirus pandemic. He may be willing to go with the genocide label, despite allegations by former national security adviser John Bolton — which Trump denies — that the president told Chinese President Xi Jinping he approves of the treatment of the Uighurs.

State Department spokespeople would neither confirm nor deny that a genocide label is under discussion. “We are working hard to encourage the People’s Republic of China to cease its human rights abuses in Xinjiang and are constantly evaluating various measures,” a spokesperson said. “We do not comment on potential actions.”

NSC spokesman John Ulyot also didn’t address the genocide discussion but did say in a statement: “The Chinese Communist Party’s atrocities also include the largest incarceration of an ethnic minority since World War II. Where the previous administration and many other world leaders delivered speeches and empty rhetoric, President Trump has taken bold action.”

A DHS spokesman declined to comment. The term “ethnic cleansing” carries little weight in international law, but U.S. officials have used it at times instead of genocide. For instance, the Trump administration called Myanmar’s mass killing and large-scale expulsion of Rohingya Muslims — which began three years ago this week — an “ethnic cleansing,” imposing sanctions on some of the alleged perpetrators.

The State Department, through its Office of Global Criminal Justice, has traditionally taken the lead on investigating and designating genocides. Under the Obama administration, it declared that the Islamic State terrorist group committed genocide against Christians, Yazidis and other groups in Iraq and Syria. But despite intense pressure from scholars and activists, Secretary of State Mike Pompeo has been unwilling to declare the Rohingyas’ case a genocide.

State Department officials said that, among other things, Pompeo worries that leveling a genocide accusation against Myanmar could lead its government to tighten its embrace of China, undermining America’s influence in Asia. The administration’s support for a Muslim community like the Uighurs would seem to be at odds with Trump’s past anti-Islam comments and his

executive orders that bar the citizens of several Muslim-majority countries from the United States.

But the case of the Uighurs is useful in two political contexts. One is to rally international support for Trump’s attempts to beat back growing Chinese global power. The other is as part of the Trump administration’s campaign to promote global religious freedom, an initiative designed to appeal to Trump’s evangelical Christian supporters who fear for their religious brethren in China and beyond. The Trump administration has already imposed economic and visa sanctions on Chinese officials who have been implicated in the repression and blacklisted Chinese entities that have helped China with its persecution of the Uighurs.

Earlier this summer, U.S. lawmakers passed, and Trump signed, a bill that paved the way for many of those sanctions. A genocide or crimes against humanity declaration could make it easier to refer those Chinese officials to international tribunals tasked with investigating and punishing perpetrators of genocide.

At the very least, the genocide label would be part of a “name and shame” strategy to hold China accountable and urge it to change its behavior toward the Uighurs, according to a senior administration official.

The crime of genocide is generally interpreted to cover acts committed with the intent of destroying a group “in whole or in part,” according to the United Nations. One element can include “measures intended to prevent births” within a group.

It’s unclear what sort of data, metrics and sources U.S. officials are presently turning to as they determine whether to use the genocide label. Even if they were to use the label, it’s not clear what the U.S. can do to fulfill any international obligation to try to stop the genocide, beyond imposing sanctions. The situation “would highlight the limits of what any government can do, especially when dealing with a superpower that can block collective action at the United Nations,” a former Obama administration official said.

Earlier this year, to rebut the charges, the Chinese Embassy in Washington mounted an exhibition in its lobby with more than 40 panels giving Beijing’s side of the story. The camps, Chinese officials say, are meant to teach Uighurs vocational skills and Mandarin, so they can get jobs.

A Chinese Embassy spokesman referred POLITICO to Ministry of Foreign Affairs spokesman Wang Wenbin's comments on the issue a month ago. "The issue concerning Xinjiang is by no means about human rights, religion or ethnicity, but about combating violent terrorism and separatism," he said. The embassy spokesman also included a link to a new documentary from a Chinese state-controlled international TV channel titled: "Lies and truth: Vocational education and training in Xinjiang," which carries a warning that the film "contains scenes that some viewers may find disturbing. Viewer discretion is advised."

Trump has made his tough stance on China one of the central planks of his reelection campaign; in recent months, senior administration officials, including Pompeo, O'Brien and Attorney General William Barr have given hawkish speeches laying out the administration's views on China and its strategy to combat the Chinese Communist Party's growing power.

Trump has also pursued executive actions to check China's power, such as signing executive orders to crack down on TikTok and WeChat, social media networks that are owned by Chinese companies. But he has said little about human rights in China — notably the Communist Party's crackdown in Hong Kong, where the Beijing government has gradually encroached on political freedom and rammed through draconian laws in the name of national security.

Lawmakers in both parties have grown increasingly critical of China on human rights issues, including the treatment of the Uighurs. More than 75 senators and congressmen, including the top members of several key committees, wrote a letter to Pompeo and Treasury Secretary Steven Mnuchin in early July calling on the administration to "make an official determination as to whether the Chinese government is responsible for perpetrating atrocity crimes, including genocide, against Uighurs, Kazakhs, and other Muslim ethnic minorities."

Sen. Marco Rubio (R-Fla.), who helped lead the letter, told POLITICO in a statement that it is "critical for accountability and justice that the United States make a formal determination of whether the atrocities being committed constitute crimes against humanity and genocide."

If Biden wins the presidency in November, China will also be one of his main foreign policy challenges. The former vice president has slammed Beijing over its

treatment of the Uighurs, while criticizing Trump for not doing more to help them. "China's internment of nearly one million Uighur Muslims is among the worst abuses of human rights in the world today," Biden tweeted last November. "The U.S. cannot be silent — we must speak out against this oppression and relentlessly defend human rights around the world."

"The unspeakable oppression that Uighurs and other ethnic minorities have suffered at the hands of China's authoritarian government is genocide and Joe Biden stands against it in the strongest terms," Biden campaign spokesman Andrew Bates said in an statement. "If the Trump administration does indeed choose to call this out for what it is, as Joe Biden already did, the pressing question is what will Donald Trump do to take action. He must also apologize for condoning this horrifying treatment of Uighurs."

Gregory Stanton, founding president of the nonprofit Genocide Watch, praised the Trump administration for considering the "genocide" label. He said China's attempts to prevent births among Uighurs can amount to "legal genocide."

"It is time," he said. "Genocide is not a partisan issue. It is an issue of universal human rights."

Uighur Exiles Push For Court Case Accusing China of Genocide



Muslims at eid prayer at a mosque in Kashgar, East Turkistan, in 2017. Photo Credit: Johannes Eisele / Agence France-Presse - Getty Images

NEW YORK TIMES | July 6, 2020

By Marlise Simons

Uighur exiles urged the International Criminal Court on Monday to investigate Beijing for genocide and crimes against humanity, the first-ever attempt to use international law to hold China's ruling Communist Party accountable for its draconian crackdown on the Muslim minority.

A team of London-based lawyers representing two Uighur activist groups has filed a complaint against Beijing for pursuing the repatriation of thousands of Uighurs through unlawful arrests in or deportation from Cambodia and Tajikistan. The case could bring greater international scrutiny of the Chinese state's power to impose its will beyond its borders. The lawyers' 80-page filing includes a list of more than 30 Chinese officials they said were responsible for the campaign, including Xi Jinping, the Communist Party leader.

Mr. Xi's policies over recent years have put Muslim minorities in China's western region of Xinjiang under a pervasive net of surveillance, detention and social re-engineering. As many as one million ethnic Uighurs and members of other Muslim minorities have been held in internment camps in the region, drawing growing global condemnation.

The court's mandate is to seek justice for victims of genocide, war crimes and other atrocities. But China

does not recognize its jurisdiction, raising the question of how far the case will go.

Rodney Dixon, a British lawyer leading the case, said it circumvented the issue of jurisdiction over Beijing by focusing on claims of unlawful acts by China in Cambodia and Tajikistan, two countries that are members of the court.

"This can become a critical case because for so long it has been assumed that nothing could be done to hold China accountable at an international court," Mr. Dixon said by telephone from London before traveling to The Hague.

Citing a 2018 ruling by the court, Mr. Dixon said, "The court has said it has jurisdiction when crimes start or end in a member state, and that is the case here." The 2018 ruling was applied to Myanmar, which has also not signed on to the court's treaty. The court ruled that it could prosecute Myanmar for "deportation" and associated crimes against Rohingya Muslims who fled to Bangladesh, which is a member.

The two Uighur groups that filed the complaint against China are the East Turkistan Government in Exile and the East Turkistan National Awakening Movement. The groups advocate independence for Xinjiang, a region they refer to not by its official Chinese name but as East Turkestan, the name of two short-lived Uighur republics.

Their complaint also broadly takes aim at China's policies in Xinjiang over the past decade and the imposition of increasingly harsh security measures following a spate of violent unrest. The Uighurs have long resented the tight controls imposed by the authorities on their religion and culture and the influx of Han Chinese, the majority ethnic group in China, into Xinjiang.

Under Mr. Xi, the Xinjiang government expanded efforts to cajole, pressure or force Uighurs to return from abroad, and also established the internment camps intended to indoctrinate Uighurs to turn away from religion and embrace Chinese rule. It has imposed programs pushing minorities into jobs as factory workers and street cleaners.

The authorities are also pursuing an expansive and troubling campaign to drastically reduce the birthrate among minority groups in Xinjiang using forced sterilization and abortions, according to an investigation by The Associated Press and Adrian Zenz, a German researcher.

Mr. Dixon, the British lawyer, said the complaint against Beijing included evidence of forced deportations and extraterritorial arrests by Chinese agents, gathered from witnesses and victims, reports from the United Nations and organizations such as Amnesty International and exile groups.

“The prosecutor needs to investigate genocide,” Mr. Dixon said. “If you capture people, and you have a campaign to suppress them and you sterilize them, it is a campaign which intends to dilute and destroy their identity as a group.”

It may take months before the international court’s chief prosecutor, Fatou Bensouda of Gambia, issues a formal response to the lawyers’ filing.

China’s foreign ministry had no immediate comment on the complaint. But the Chinese government has repeatedly rejected the evidence of widespread repression of minorities in Xinjiang. “Xinjiang fully implements the policy of freedom of religious belief,” the ministry said last week in a long rebuttal to recent criticism of China’s human rights record. “Xinjiang has never curtailed the freedom of travel of Uighur people or people of any other ethnic groups.”

China’s response to the filing may mirror that of the Trump administration in cases that have involved Americans. The administration has fiercely attacked the international court for initiating an investigation of possible war crimes by American and Afghan forces in Afghanistan.

Last month, Secretary of State Mike Pompeo described it as “a kangaroo court,” and President Trump called for economic penalties and travel restrictions to be imposed on court employees participating in investigations of Americans.

Chris Buckley contributed reporting.

Exiled Uighurs call on ICC to investigate China’s ‘genocide’ in East Turkistan

THE GUARDIAN | July 7, 2020

A group of Uighurs in exile has submitted evidence to the international criminal court, calling for an investigation into senior Chinese officials, including Xi Jinping, for genocide and crimes against humanity.

The submission made on Monday by lawyers based in London on behalf of two activists groups marks the first time advocates have attempted to use international law against China over allegations of widespread human rights violations in Xinjiang, the far north-western territory of China where Uighur and other minority groups are detained and surveilled en masse.

The filing, submitted on behalf of the “east Turkistan government in exile and the East Turkistan national awakening movement”, claims that Uighurs were unlawfully deported from Tajikistan and Cambodia to Xinjiang where they were subjected to imprisonment, torture as well as forced birth control, sterilisations and marriages among other crimes. The lawyers argue that because part of these crimes took place in Cambodia and Tajikistan, signatories to the Rome statute that established the ICC, the court has jurisdiction over these cases even though China is not a member of the court.

The argument is based on ICC decisions in 2018 and 2019 that it had jurisdiction to investigate crimes committed against the Rohingya by officials in Myanmar, which is not a party to the court, because some of the alleged violations took place in Bangladesh, a signatory to the court.

Rodney Dixon QC, one of the lawyers who made the submission said: “For too long it was assumed that nothing could be done by the world’s criminal court. There is now a clear legal pathway to justice for the millions of Uighurs who are allegedly being persecuted by the Chinese authorities... This chance should not be squandered.”

A growing body of evidence including witness accounts, satellite imagery and leaked government orders documenting the large-scale detention and control over Uighurs in Xinjiang, has caused condemnation of Beijing’s policies. But the international community has not been able to sanction China, which claims its programmes in Xinjiang are its own “internal affairs” and carried out in the name of security.

The filing urges the court to investigate crimes committed against Uighurs, Kazakhs, Kyrgyz, and other Turkic peoples including disappearances, mass internment, forced transfer of children from their families to state orphanages, measures to eliminate Turkic languages, mass surveillance and other crimes.

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The submission includes the names of senior Chinese officials, including president Xi Jinping, who should be charged for planning and directing the campaign. “The Chinese government has conducted a campaign to round up Uighurs abroad and who have fled east Turkistan as a result of the crimes committed against them in China,” the groups said in a statement, referring to the traditional name of the region and its title as an independent state between 1944 and 1949.

“The Uyghur and the other Turkic peoples of east Turkistan deserve justice for the atrocities that are being committed against them by the Chinese government every day. We are hopeful that Justice will prevail,” it said.

Exiled Uighurs bring first-ever claim against China

THE NEW ARAB | July 7, 2020

Two exiled Uighur activist groups have joined forces to submit evidence to the International Criminal Court (ICC) accusing Chinese leaders of genocide and crimes against humanity, in the first ever attempt to use international law instruments against Beijing.

The claims were submitted by UK-based lawyers and the East Turkistan Government in Exile and the East Turkistan National Awakening Movement, outlining how Uighurs were forcibly deported from their homes in Tajikistan and Cambodia to the Chinese province of Xinjiang.

“Upon return to China they [Uighurs] have been subjected to crimes together with many other detained Uyghurs including murder, unlawful imprisonment, torture, forced birth control and sterilization, and forced marriages,” the East Turkistan Government in Exile claims said in a statement.

It demanded an investigation into the culpability of Chinese leaders including President Xi Jinping. The evidence submitted includes “descriptions of brutal torture through electrocution, humiliation in the form of being forced to eat pork and drink alcohol, mandatory insertion of IUD birth control for Uyghur women of child-bearing age”, the group claims.

As China is not a signatory of the Rome Statute, the ICC does not normally have jurisdiction over cases brought against Beijing.

However, due to a successful case from 2018 regarding crimes committed by Myanmar officials against the Rohingya Muslim group in Bangladesh – a signatory state – the lawyers representing the Uighur groups argue that the case should stand as the crimes took place Cambodia and Tajikistan, both of which signed up to the statute.

“For too long it was assumed that nothing could be done by the world’s criminal court,” said Rodney Dixon QC, leader of the British legal team.

“There is now a clear legal pathway to justice for the millions of Uyghurs who are allegedly being persecuted on mass by the Chinese authorities. It is a breakthrough and momentous opportunity which we urge the ICC Prosecutor to pursue without delay. This chance should not be squandered.”

Beijing has been subject to a growing number of similar allegations of gross human rights abuses. China’s embassy in Washington dismissed these allegations as “disinformation”.

Experts say that a forced birth control campaign by Beijing is part of a state-orchestrated assault on the Uighurs to purge them of their faith and identity and force them to assimilate into the dominant Han Chinese culture.

Hundreds thousands of Uighur have been subjected to political and religious “re-education” in camps and forced labour at factories, monitors say.

Could the International Criminal Court Investigate Atrocities Against the Uighur Muslims in China?

FORBES | July 7, 2020

Over the recent years, several news outlets reported on the dire situation of the Uighur Muslims in China who were being detained for re-education purposes. This was followed by in-depth research suggesting that the religious minority communities are subjected to modern day slavery and women are subjected to forced sterilization. Despite these severe

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allegations that point towards mass atrocities, as genocide or crimes against humanity, the international community has done little to ensure that the alleged atrocities are investigated and the perpetrators brought to justice. International bodies, such as the United Nations, have been greatly silent, with a few meaningless statements that do not follow with decisive actions to change the fate of the targeted communities.

Because of this inaction, the Inter-Parliamentary Alliance on China (IPAC), a group of senior legislators from several countries, called upon the United Nations to act. Among others, IPAC calls for:

“a resolution to be tabled at the United Nations General Assembly establishing an investigation into the situation in the Xinjiang Region;

for governments to ensure that the appropriate legal determinations are made regarding the nature of alleged atrocities. Including the claims that the People’s Republic of China is pursuing and enforcing a coordinated policy to reduce the population of minority groups in the region;

and for rapid and decisive political action to be taken to prevent the further suffering of the Uyghur people and other minorities in China. The international community must show its determination to defend human rights globally.”

Such investigations of the atrocities are a must. However, equally, steps need to be taken to consider how best to prosecute the perpetrators. In response to the question of prosecutions, on July 6, 2020, lawyers for the East Turkistan Government in Exile (ETGE) and the East Turkistan National Awakening Movement (ETNAM), have submitted a communication to the Office of the Prosecutor (OTP) at the International Criminal Court (ICC) asking for an investigation to be opened against senior Chinese leaders for genocide and crimes against humanity allegedly committed against the Uighur and other communities.

As China is not a party to the Rome Statute, and hence, the ICC does not have the territorial jurisdiction over the crimes allegedly perpetrated there, the communication advances the argument, earlier used in the case of Myanmar/Bangladesh, that part of the criminal conduct occurred within the territory of a state party to the Rome Statute. In the case of Myanmar/Bangladesh, the argument enabled the ICC to engage and investigate the atrocities. Here, the communication argues that part of the

criminal conduct occurred in Tajikistan and Cambodia what could open the door for the ICC to engage on the situation. The communication incorporates evidence of “brutal torture through electrocution, humiliation in the form of being forced to eat pork and drink alcohol, mandatory insertion of IUD birth control for Uighur women of child-bearing age—of which there is recent evidence of a major increase, and an estimated 500,000 Uighur children being separated from their families and sent to “orphanage camps” where there have been credible reports of attempted suicide by the children.”

The communication makes an important argument in an attempt to ensure that the ICC engages on the situation of the Uighur Muslims in China. The question of jurisdiction would, highly likely, have to go before the Pre-Trial Chamber (as it has in the case of Myanmar/Bangladesh) before the ICC can take next steps.

Now, the world will be looking at the ICC awaiting the decision whether the only permanent international tribunal will look into the atrocities against the persecuted Uighur Muslims communities in China.

Politburo members face U.S. sanctions as ICC considers East Turkistan genocide case

CHINA DIGITAL TIMES | July 10, 2020

Since 2017, as many as two million Uyghurs have been held in a mass detention campaign as part of a broader crackdown on local Uyghur culture and religiosity. While Chinese authorities continually deny claims made in a growing chorus of censure from foreign lawmakers, rights groups, academics, editorial boards, and celebrities, evidence of forced labor, political indoctrination, abuse, and death inside the camps has emerged through former detainees and staff.

[This week, the United States announced new Global Magnitsky Act sanctions against high-ranking Chinese officials responsible for rights violations in Xinjiang. BBC News reports:](#)

The sanctions target the US-connected financial interests of regional Communist Party boss Chen

EAST-TURKISTAN.NET

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Quanguo and three other officials. China denies any mistreatment of Muslims in far-western Xinjiang. [...] Mr Chen, who sits on the Chinese Communist Party's powerful Politburo, is the highest-ranking Chinese official ever to be hit by US sanctions, the Trump administration says. He is seen as the architect of Beijing's policies against minorities, and was previously in charge in Tibet.

The other officials targeted are Wang Mingshan, director of the Xinjiang Public Security Bureau; Zhu Hailun, a senior party member in Xinjiang, and former security official Huo Liujun.

It is now a crime in the US to conduct financial transactions with all of them, and they will have their US-based assets frozen.

[...] Sanctions have also been placed on the Xinjiang Public Security Bureau as a whole. [...]



U.S. Secretary of State Mike Pompeo | Photo credit: Wikimedia commons

From U.S. Secretary of State Pompeo's July 9 press statement:

The United States will not stand idly by as the CCP carries out human rights abuses targeting Uyghurs, ethnic Kazakhs, and members of other minority groups in Xinjiang, to include forced labor, arbitrary mass detention, and forced population control, and attempts to erase their culture and Muslim faith.

I am designating three senior CCP officials under Section 7031(c) of the FY 2020 Department of State, Foreign Operations, and Related Programs Appropriations Act, for their involvement in gross violations of human rights: Chen Quanguo, the Party Secretary of the XUAR; Zhu Hailun, Party Secretary of the Xinjiang Political and Legal Committee (XPLC); and Wang Mingshan, the current Party Secretary of the Xinjiang Public Security Bureau (XPSB). As a result, they and their immediate family members are ineligible for entry into the United States.

I am also placing additional visa restrictions on other CCP officials believed to be responsible for, or complicit in, the unjust detention or abuse of Uyghurs, ethnic Kazakhs, and members of other minority groups in Xinjiang pursuant to the policy announced in October 2019 under Section 212(a)(3)(C) of the Immigration and Nationality Act. Their family members may also be subject to these restrictions.

[...] The United States is taking action today against the horrific and systematic abuses in Xinjiang and calls on all nations who share our concerns about the CCP's attacks on human rights and fundamental freedoms to join us in condemning this behavior.

In a related and similarly unprecedented diplomatic episode this week, two Uyghur activist groups filed a complaint with the International Criminal Court over Beijing's global campaign to repatriate overseas Uyghurs. If accepted, the complaint would launch an ICC investigation into Beijing for genocide and crimes against humanity. *The New York Times'* Marlise Simons reports, noting that the potential investigation would also highlight the wider trend of the CCP's increasing global assertion:

A team of London-based lawyers representing two Uighur activist groups has filed a complaint against Beijing for pursuing the repatriation of thousands of Uighurs through unlawful arrests in or deportation from Cambodia and Tajikistan. The case could bring greater international scrutiny of the Chinese state's power to impose its will beyond its borders. The lawyers' 80-page filing includes a list of more than 30 Chinese officials they said were responsible for the campaign, including Xi Jinping, the Communist Party leader.

[...] The court's mandate is to seek justice for victims of genocide, war crimes and other atrocities. But China does not recognize its jurisdiction, raising the question of how far the case will go.

Rodney Dixon, a British lawyer leading the case, said it circumvented the issue of jurisdiction over Beijing by focusing on claims of unlawful acts by China in Cambodia and Tajikistan, two countries that are members of the court.

"This can become a critical case because for so long it has been assumed that nothing could be done to hold China accountable at an international court," Mr. Dixon said by telephone from London before traveling to The Hague.

Uighur Crisis Highlights Flawed Structure of UN Security Council

THE JURIST | July 10, 2020

Alina Rizvi, a rising 3L at Vermont Law School and an Associate Editor for JURIST, discusses the need to reform the UN Security Council in light of the suffering of the Uighur People in China...

One crucial aspect of international law is failing the Uighurs and it is the structure of the United Nations Security Council (UNSC). The persecution of the Uighurs is just one example of a State-committed human rights abuse that led to little prevention or relief for victims because of the structure of the UNSC. The UNSC is an essential part of international law, but it needs reform.

History of the Uighurs and China's Human Rights Abuses

Since around 2017, China's government has [detained](#) at least 1 million Uighurs in internment camps in the northwest province of Xinjiang. According to satellite images, there are at least 85 camps in the province. Uighurs are an ethnic and religious minority in China [native](#) to Xinjiang, which used to be known as East Turkestan. Uighurs are Muslims, members of the Turkic people, and speak the Turkic language. China annexed East Turkestan and renamed it Xinjiang ("New Territory") in 1884 following the end of a war. Xinjiang is home to other affected ethnic Muslim minorities such as the Kazaks, Kyrgyz, Tatars, Uzbeks, and Tajiks. China's government, ruled by the Communist Party of China (CCP), [claims](#) the camps are "re-education camps" to deliver "a curriculum that includes standard spoken and written Chinese, understanding of the law, vocational skills, and deradicalization." The CCP claims that the camps are an effort to battle terrorism and enhance national security and point to attacks [committed](#) by Uighur militants in 2013 and 2014.

Reports [indicate](#) that Chinese authorities forcibly removed Uighurs from their homes and put them in arbitrary detention without criminal charges in internment camps. There are reports of torture, sexual harassment, and forced labor at the camps, in an effort to coerce Uighurs to denounce their culture and religion. In addition, Chinese authorities are imposing [forced](#) birth control on Uighur women, such as inserting IUDs, forced abortions, and

sterilizations, which is a genocidal attempt to suppress the population. It is also [reported](#) that the CCP used software hidden in apps as well as websites to stalk and gather data on the Uighur population as early as 2013.

China's Violations of International Human Rights Law

According to this mounting evidence, China is violating international human rights law. China has [ratified](#) several human rights treaties including the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). China's ratification of these treaties means it is legally bound to their general purpose as well as their provisions, excluding any reservations. Moreover, China's abuses against the Uighurs are rising to the level of genocide and crimes against humanity, both of which violate *jus cogens*. *Jus cogens* are peremptory norms under international law and no State can derogate from these norms. China is violating its obligations under international law with little avenues of accountability.

Limited Legal Remedies Are Available

Decisions of the International Criminal Court (ICC), as well as UNSC resolutions, are legally binding under international law. The ICC prosecutes 4 crimes: genocide, crimes against humanity, war crimes, and crimes of aggression. In order for the ICC to bring charges of genocide, war crimes, and crimes against humanity against a State or a State national, that State must consent to the jurisdiction of the ICC. However, the ICC may exercise [jurisdiction](#) over these crimes if the crimes were referred to the ICC prosecutor by the UNSC pursuant to a resolution adopted under Chapter VII of the UN Charter.

There are two main avenues under international law that would hold China accountable for its crimes against the Uighurs but both avenues are blocked because of the structure of the UNSC. China has not consented to the jurisdiction of the ICC, but Chinese authorities can still be put on trial if the UNSC adopts a resolution and refers the resolution to the ICC prosecutor. A UNSC resolution should be adopted that halts the operation of the camps and that resolution should also be referred to the ICC prosecutor to prosecute the Chinese authorities involved. These pathways of legal accountability

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would be open if China was not a permanent member of the UNSC.

Recently, two Uighur groups have [filed](#) a complaint against Chinese officials at the ICC and urged the prosecutor to investigate genocide and crimes against humanity. The groups argue that since China pursued unlawful arrests in or deportation from Cambodia and Tajikistan, that the court has jurisdiction. Cambodia and Tajikistan are members of the ICC. In an interview with JURIST, Rodney Dixon, the lead lawyer on the case, believes jurisdiction “shouldn’t be a barrier at all.” In 2018, the ICC [ruled](#) it had jurisdiction on Myanmar’s criminal activity against the Rohingya because part of that activity occurred in Bangladesh, an ICC member state. Dixon mentioned that the 2018 ruling is in the “early stages of the ICC developing and setting the precedent, but this (Uighur case) would reinforce it.” The ICC has, so far, acknowledged receipt of the complaint.

Flawed Structure of the UNSC and Its Implications

Chapter V of the UN Charter created the UNSC. The UNSC has 15 members: 5 permanent members (“P5”) and 10 non-permanent members. The P5 includes China, France, the US, the UK, and Russia. The 10 non-permanent members are elected for a term of 2 years by the UN General Assembly. To pass a UNSC resolution, at least 9 members must vote in the affirmative including all permanent members. If even 1 permanent member vetoes a resolution, the resolution does not pass. Moreover, Taiwan, not China was one of the original members of the P5 from 1946 to 1971. In 1971, China raised the argument that it should represent the government of China at the UNSC, not Taiwan. The UN subsequently [expelled](#) Taiwan from the UNSC and replaced it with China. Taiwan is currently not a member of the UN because the UN does not recognize it as a sovereign state.

Permanent members’ veto power has become a mechanism to feed political and economic interests, rather than protect human rights. In addition, it is questionable whether the rotation of the 10 non-permanent members provides a proper global representation. The reason why the UNSC, compared to other organs of the UN, is important is because its resolutions are binding (for example, UN General Assembly resolutions are not binding). China has [stopped](#) all talks of drafting a resolution on the Uighurs, saying it is an “internal matter.” Even if a resolution was drafted, China would veto it.

Therefore, getting international justice for the Uighurs poses a challenge. To be clear, China is not the only P5 member that protects its own interests. In the past, this is why the US has [vetoed](#) resolutions on the Israel-Palestine conflict and why Russia has [vetoed](#) resolutions on the Syrian war. The list can go on. While it is impossible to expect political and economic interests to be absent among inter-governmental relations, these interests should not play this big a role at an institution that was founded to promote human rights.

Reform of the UNSC Is Essential

The UNSC needs to be reformed and should not exist to serve the interests of the P5. It should serve the interests of the most vulnerable it intended to protect, such as the Uighurs. To reform the structure of the UNSC, the UN Charter needs to be amended. [Article 108](#) provides the general rule to amend the charter; an amendment is adopted by a vote of 2/3 of the members of the General Assembly and has to include the vote of all permanent members of the UNSC. Thus, amending the UN Charter to re-structure the UNSC is difficult. However, recently, UN delegates have [argued](#) that the UNSC “must expand, adapt to current realities or risk losing legitimacy.” Inter-governmental negotiations on reforming the council have [begun](#); the issues include enlarging the size of the council to include more representation, abolition or extension of veto power, and expansion of both permanent and non-permanent members. The most necessary reforms include abolishing the veto power and adding more permanent members to allow for greater representation. It is unclear how long these negotiations will go on, but it could be years. In the meantime, the only international legal remedy available to the Uighurs is a hopeful yet uncertain pathway to the ICC. While the US has [imposed](#) sanctions on China and the overall international community has [expressed](#) concern, it will not be enough to stop the irreparable harm to the Uighurs. It is imperative that the UNSC is reformed and the negotiations to do so aren’t unnecessarily prolonged. It is also imperative that P5 members are willing to negotiate. Reform is vital not only to protect the Uighurs but to protect other vulnerable populations, and to fulfill the UN’s mission to protect international peace and security.

Alina Rizvi is a rising 3L at Vermont Law School and Associate Editor at JURIST, interested in international human rights law.

Legal expert: forced birth control of Uighur women is a genocide - can China be put on trial?

THE CONVERSATION | July 14, 2020

Uighur women in East Turkistan, also known as Xinjiang, have more than the approved number of children are being forcibly sterilised, forced to have abortions or having intra-uterine contraceptive devices (IUDs) inserted without their consent, according to reports that have emerged in recent weeks. The birth rate for Uighurs, a predominantly Muslim minority, has decreased significantly, according to a recent research report.

These alleged practices are egregious violations of the human rights of Uighur women, and in my opinion, constitute genocide of the Uighur people. Human rights concerns have been raised for the past few years over China's detention of Muslims in reeducation camps in Xinjiang. Now a number of attempts are being made to hold China accountable on the international stage, including at the International Criminal Court (ICC).

Under China's one-child policy, which was relaxed in 2015, the country enacted a highly intrusive campaign of social engineering for decades, in an attempt to keep down the population growth. However, minority groups, including the Uighurs, were often permitted to have more than one child, while Han Chinese – the majority ethnic group in China – were not.

But the policy allegedly now being enforced upon Uighur women reverses this. By reportedly forcing them to have their pregnancies terminated, to be sterilised or fitted with IUDs, China is taking deliberate, active and invasive steps to reduce the number of births to Uighur women. These policies violate China's duty not to subject its population to inhuman and degrading treatment. Any medical intervention performed without informed consent is already unlawful, and may even be criminal.

What is reportedly going on in Xinjiang province is extreme, state-sponsored abuse, with permanent consequences for women in many cases. Interventions such as these, with no legitimate medical justification, forced upon these women by the state, are a serious violation of their human rights.

What constitutes genocide

Victims of human rights violations in China cannot enforce their rights. The country has no human rights legislation. There is no regional court for aggrieved citizens to turn to. But China's policies not only violate human rights, they are also arguably a genocidal attack on the Uighur people as a whole. The 1948 Convention on the Prevention and Punishment of Genocide was adopted in the aftermath of the second world war. Its Article II sets out which acts, committed with "intent to destroy, in whole or in part, national, ethnical racial or religious groups" constitute genocide. One of them is "imposing measures intended to prevent births within the group." This is precisely what is reportedly happening to Uighur women in China.

Article III of the Genocide Convention spreads the responsibility for genocide around. It is not just the person who performs the sterilisation or abortion or inserts the IUD. Also accountable are those who conspire to commit genocide, those who incite it directly and in public, those who attempt to commit it, and those who are complicit in the practice. In other words, responsibility goes right to the top, and all those who knowingly contributed to the genocide or tolerated it may be criminally responsible.

Routes to accountability

There are legal routes, albeit unlikely, for those responsible for China's policies against the Uighurs to be brought to account. First, if there is sufficient evidence against particular individuals, and they were to travel to other countries, these countries could assume jurisdiction to try them. France, for example, has created a genocide unit precisely to investigate and prosecute such offences. In May, France arrested Félicien Kabuga, wanted in connection with the genocidal massacres of Tutsis in Rwanda in 1994.

Another option, which has gained traction in recent weeks, is the idea of bringing a prosecution against certain Chinese officials at the ICC at The Hague. The ICC has jurisdiction to try genocide as well as crimes against humanity – widespread or systematic attacks on a civilian population – and there is little doubt that China should also be in the dock for this. China does not accept the jurisdiction of the ICC, which means that, ordinarily, the court could not try Chinese citizens. However, lawyers acting on behalf of a group of exiled Uighurs claim some of the

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victims were kidnapped from Cambodia and Tajikistan, which do recognise the ICC. This would give the ICC jurisdiction.

It remains to be seen whether the court will agree and open an investigation, but it has used the same reasoning to assume jurisdiction regarding the treatment by Myanmar – which is not an ICC signatory – of Rohingya people who fled to Bangladesh.

The legal arguments are real and they are important. A light should be shone on the criminal acts of the Chinese authorities, but the law is never the whole answer.

Perhaps increasing diplomatic pressure – such as new sanctions announced in early July on Chinese officials by Washington – and public scrutiny over what’s happening in Xinjiang may in the end have more influence on China. However, China’s recent imposition of a new security law in Hong Kong amid international condemnation suggest that it is not too bothered about what the rest of the world thinks.

Uyghur Exile Groups Seek International Criminal Court Probe of Chinese Officials for ‘Genocide’

RADIO FREE ASIA | July 15, 2020

Two Uyghur exile groups have filed a dossier of evidence to the International Criminal Court (ICC) in The Hague, accusing top Chinese officials—including President Xi Jinping—of “genocide” and “crimes against humanity” related to a crackdown on the Muslim ethnic minority group in northwestern China.

The East Turkistan Government-in-Exile (ETGE) and the East Turkistan National Awakening Movement (ETNAM) rights group presented evidence to the ICC last week and called on the court to investigate Chinese officials under its mandate to prosecute cases of genocide and crimes against humanity. East Turkistan is the preferred traditional name Uyghurs use for their homeland.

The ICC, which also hears cases of war crimes, can exercise jurisdiction over crimes referred to it by a state party or by the United Nations Security Council,

or can begin a preliminary examination *proprio motu* (“on one’s own initiative”) into alleged crimes—such as in the case of the ETGE and ETNAM filing. ICC Prosecutor Fatou Bensouda, of The Gambia, must receive approval from judges to open a formal investigation after completing her preliminary examination of the evidence and it could take months before she issues a response. Salih Hudayar, the prime minister of the Washington-based ETGE and founder of the ETNAM, submitted the groups’ filing days after German researcher Adrian Zenz published a report documenting a dramatic increase in recent years in the number of forced sterilizations and abortions targeting Uyghurs in the Xinjiang Uyghur Autonomous Region (XUAR). The report concludes that such measures may amount to a government-led campaign of genocide under United Nations definitions.

“For too long we have been oppressed by Chinese Communist Party (CCP) and we have suffered so much that the genocide of our people can be no longer ignored,” Hudayar told RFA’s Mandarin Service.

“We are hopeful that the prosecutor will see our claim and she will open an investigation,” he said. In addition to including documentation of forced sterilization practices in the XUAR, the London-based legal team representing ETGE and ETNAM submitted evidence of Beijing’s policy of mass internment in the region, where up to 1.8 million Uyghurs and other Muslim minorities are believed to have been held in a vast network of internment camps since April 2017. Rights groups and U.S. officials say the campaign, which increasingly appears to be shifting to a forced labor scheme, constitutes crimes against humanity. The dossier of evidence and documents includes a list of more than 30 high-ranking Chinese officials who the groups say should be held accountable for abuses in the XUAR, including Xi, Xi’s predecessor Hu Jintao, and other top officials in charge of policies in the region, as well as military commanders.

If the ICC decides to move ahead with an investigation, it would mark the first time the court would serve as a venue for a case seeking to hold China accountable for its rights abuses in the XUAR. Omer Kanat, executive director of the Washington-based Uyghur Human Rights Project (UHRP), called the filing a worthwhile effort.

“It’s a positive thing to try,” he told RFA. “The Chinese leaders should be held accountable for their crimes against humanity.”

Court jurisdiction

Zenz, a senior fellow in China Studies at the Washington-based Victims of Communism Memorial Foundation, also welcomed the move as a new approach, but acknowledged that the court would have difficulty enforcing any decision against Beijing. “It’s just a different strategy,” he said. “China will not recognize any ruling by the ICC, but it raises additional international attention and that would mostly have a symbolic effect.”

While China accepts that the creation of the ICC was a positive addition to the legal structure of global governance, it has refused to join the court and does not recognize its jurisdiction. Beijing maintains that its policies in the XUAR are preventative in nature, citing the pretext of terrorism and religious extremism, and believes that its policies in the region are purely internal affairs.

Rodney Dixon, the British lawyer who leads the legal team representing the two Uyghur groups, has said that the filing focuses on illegal actions that China has conducted in Cambodia and in Tajikistan—both of which are member states of the ICC. The Chinese government has allegedly dispatched agents to drive Uyghurs out of the two countries through forced deportations and extra-territorial arrests.

“China is not a signed-up member of the ICC ... [and believes it] cannot be investigated for what is happening [in the XUAR],” Dixon said at a recent press conference. “This is a misbelief.”

“The fact is that we are now in a position where there is a very clear legal pathway to allow for the ICC to commence its investigations,” he said.

Dixon cited the November decision by the ICC to launch a full investigation into allegations of crimes against humanity and persecution over Myanmar’s 2017 military crackdown against the majority-Muslim Rohingya ethnic group.

More than 740,000 Rohingya were forced to flee over the border into sprawling camps in Bangladesh during the violence that U.N. investigators have said amounted to genocide and, while Myanmar is not a member of the ICC, the court decided it has jurisdiction over the case because Bangladesh is a member.

Challenging China’s narrative

As evidence of abuses in the XUAR continues to mount, Western governments have increasingly called out China for its policies in the region. Last week, U.S. President Donald Trump’s administration leveled sanctions against several top Chinese officials deemed responsible for rights violations in Xinjiang, including regional party secretary Chen Quanguo, under the Global Magnitsky Human Rights Accountability Act. The move, which marked the first time Washington had sanctioned a member of China’s powerful Politburo, followed Trump’s enactment last month of the Uyghur Human Rights Policy Act of 2020 (UHRPA), which passed nearly unanimously through both houses of Congress at the end of May. The legislation highlights arbitrary incarceration, forced labor, and other abuses in the XUAR and provides for sanctions against the Chinese officials who enforce them.

Beijing describes the three-year-old network of camps as voluntary “vocational centers,” but reporting by RFA’s Uyghur Service and other media outlets shows that detainees are mostly held against their will in cramped and unsanitary conditions, where they are forced to endure inhumane treatment and political indoctrination.

Earlier this month, China’s Foreign Ministry issued a long rebuttal to accusations against China’s human rights records, dismissing reports of the detention of Uyghurs and other Muslim minorities as a rumor. Adrian Zenz told RFA that Beijing has repeatedly “twisted the facts” about the situation in the XUAR, which he said further shows the need for the international community to work together to address what is happening in the region.

Dixon said the case is now in the hands of ICC Prosecutor Bensouda.

“We are hopeful that the prosecutor will prioritize this case, given the fact that persons are, as we speak, subject to the alleged crimes and torture,” he said.

Reported by Jane Tang for RFA’s Mandarin Service. Translated by Eu Min. Written in English by Joshua Lipes.

Mounting evidence that China is perpetrating crimes against humanity and genocide against the Uyghurs

GLOBAL CENTER FOR THE RESPONSIBILITY TO PROTECT | July 21, 2020

There is growing evidence that the government of the People's Republic of China is committing crimes against humanity and genocide in the Xinjiang Uighur Autonomous Region (XUAR). Under the guise of combatting religious extremism and terrorism, in recent years China has intensified its persecution of the ethnic Uighur community. These crimes, which are now widely documented, are in violation of customary international law and the Convention on the Prevention and Punishment of the Crime of Genocide, of which China is a signatory.

Approximately 1 million Uighurs and other Muslim minorities – including Kazakhs, Kyrgyz and Hui – are currently being detained in so-called “re-education” or “de-extremification” facilities, without formal charges, due process, or an ability to communicate with the outside world. Detainees have reportedly been subjected to abuse and possibly torture. At least 80,000 detainees have also been subjected to conditions that strongly suggest forced or coerced labor.

Under customary international law and the Rome Statute of the International Criminal Court, the widespread or systematic persecution of the Uighurs and other Muslim minorities on religious, cultural, ethnic and gender grounds; the large-scale detention program; abuse of detainees; and denial of information regarding the fate of persons in state custody in XUAR, could constitute crimes against humanity.

Recent reports have also documented a government campaign to drastically reduce birth rates among Uighurs in XUAR. The practice of forced birth control has been systematic in Xinjiang over the past four years and has included involuntary abortions and sterilizations. The government has also reportedly separated nearly half a million Uighur children from their families, often denying access to information on their location.

Such measures, if proven to be true, could violate Article II of the 1948 Genocide Convention, which prohibits “imposing measures intended to prevent births” amongst a targeted ethnic or religious group. The Chinese government also appears to be

perpetrating three other acts prohibited under Article II of the Genocide Convention: “causing serious bodily or mental harm to members of the group;” “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;” and “forcibly transferring children of the group to another group.”

Chinese authorities have also engaged in the systematic destruction of Uighur cultural sites, including partially demolishing or completely destroying more than 100 historic Uighur cemeteries, shrines and mosques across XUAR. The destruction of places of cultural significance may also represent intent to destroy the Uighur presence in China.

Genocide is a process that includes more than its popular conception of mass graves and gas chambers, but is aimed at the intentional destruction of a targeted group, as a group. China's policies towards the Uighurs appears to constitute a prima facie case of genocide. These acts and other widespread and systematic violations and abuses of their human rights may also amount to crimes against humanity.

Dr. Simon Adams, Executive Director of the Global Centre for the Responsibility to Protect, said, “What is happening in Xinjiang to the Uighurs is not ‘cultural genocide’ or ‘demographic genocide,’ it is genocide. It is not too late for Beijing to change course, but it needs to close the concentration camps and immediately end its persecution of the Uighurs.”

Ms. Nadira Kourt, Program Manager at the Global Centre, said that, “China is a superpower with the second largest economy in the world and veto power at the UN Security Council. It has already used its considerable resources to intimidate those who have exposed its policies against the Uighurs and other Muslim minorities. But the world cannot remain silent. These crimes against humanity and genocide must end.”

The UN Human Rights Council should establish an independent mechanism to monitor and report on the treatment of the Uighurs and other Muslim minorities in China. All UN member states and regional organizations should immediately impose targeted sanctions against senior Chinese officials directly implicated in the possible commission of genocide and crimes against humanity.

China accused of coercive population control over Uyghur Muslims

BIO EDGE | July 26, 2020

A searing report from an American think tank has accused China of genocidal population control over Uyghur Muslims in the Xinjiang region.

An outraged US Secretary of State Mike Pompeo said that allegations that the Chinese Communist Party is using forced sterilisation, forced abortion and coercive family planning against the Uyghurs is “shocking” and “disturbing”.

Information gathered by German researcher Adrian Zenz and published by the Washington-based Jamestown Foundation outlines this human rights tragedy.

Zenz’s findings are set out in [“Sterilizations, IUDs, and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrates in Xinjiang”](#). He claims that the CCP is enforcing population control on the Uyghurs long after it was shown to be economically counter-productive amongst the majority Han people. The most plausible explanation for this behaviour is that it is trying to eliminate the Uyghur culture, religion and people. In short – genocide.

Admittedly, some Uyghurs have joined Islamic terrorist groups like al-Qaeda and the Islamic State. There have been some terrorist attacks within China, as well. However, a security risk posed by a tiny number of fanatics is no excuse for the CCP’s treatment of a whole people.

Up until now the world was only aware that an estimated 1 million Uyghur men are being detained in re-education camps. Now it appears clear that the government is attacking women as well. According to the report, which is based on original Chinese-language source materials, natural population growth in Xinjiang has declined dramatically. Growth rates fell by 84% in the two largest Uyghur prefectures between 2015 and 2018, and declined further in 2019.

Government documents state bluntly that birth control violations are punishable by extrajudicial internment in “training” camps.

Documents from 2019 reveal plans for a campaign of mass female sterilization in rural Uyghur regions,

targeting 14 and 34% of all married women of childbearing age in two Uyghur counties that year. This project targeted all of southern Xinjiang, and continued in 2020 with increased funding. This campaign likely aims to sterilize rural minority women with three or more children, as well as some with two children—equivalent to at least 20% of all childbearing-age women.

In 2018, 80% of all new IUD placements in China were performed in Xinjiang, despite the fact that the region only makes up 1.8% of the nation’s population.

By 2019, Xinjiang planned to subject at least 80% of women of childbearing age in the rural southern four minority prefectures to intrusive birth prevention surgeries (IUDs or sterilizations), with actual shares likely being much higher.

Between 2015 and 2018, about 860,000 ethnic Han residents left Xinjiang, while up to 2 million new residents were added to Xinjiang’s Han majority regions. Also, population growth rates in a Uyghur region where Han constitute the majority were nearly 8 times higher than in the surrounding rural Uyghur regions (in 2018). These figures raise concerns that Beijing is doubling down on a policy of Han settler colonialism.

Xinjiang’s Han Chinese academic and government circles have consistently described minority population growth as “excessive”. According to a paper published in April 2017 by Director of the Institute of Sociology at the Xinjiang Academy of Social Sciences, Li Xiaoxia, argued in an article published in 2017 that the rapid growth of the Uyghur population is clearly a security threat. Li contended that “excessive population growth” leads to poverty and unmet material desires lead to “religious extremism and splittism.” Li charges Uyghurs with ignoring “economic benefits,” instead giving in to “religious hopes” and the “psychological needs of nationalism.”

Another publication cited by Zenz states that high birth rates in southern Xinjiang are connected with religious beliefs, such as that “the foetus is a gift from Allah, and you cannot control birth and abortion at will”. Yet another notes that “it is undeniable that the wave of extremist religious thinking has fuelled a resurgence in birth rates in Xinjiang’s southern regions with concentrated Uyghur populations”. Taken as a whole, these findings, Zenz writes, provide the strongest evidence yet that Beijing’s policies in Xinjiang are genocidal. One of the

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genocide criteria cited in the [UN Convention on the Prevention and Punishment of the Crime of Genocide](#) is “imposing measures intended to prevent births within the [targeted] group”.

Unsurprisingly, China has indignantly denied the allegations in Zenz’s report and Pompeo’s “lies”. The official government outlet [China Daily](#) has accused Zenz of being “far-right” and a [spokesman for the Chinese Foreign Ministry](#) reminded the US of its abominable treatment of Native Americans since Columbus.

“We urge the US politicians such as Pompeo to take off their coloured spectacles, and to abandon double standards, take their own racial discrimination problems seriously... and stop smearing China’s domestic affairs,” he said.

Activists push for investigation over claims China is forcibly harvesting organs of Uighur population

FOX NEWS | July 28, 2020

For decades, the [Chinese](#) Communist Party depended on executed prisoners to bolster its organ transplant trade.

Then it emerged that government leaders were relying on persecuted minorities to boost their bank. But despite claims that all harvested body parts now stem strictly from “voluntary” donors after death, human rights activists and international leaders are collecting evidence that the beleaguered Uighur Muslim community in Xinjiang province, also known as East Turkistan, could be the latest in a long line of state-sanctioned “victims” being killed for their hearts, lungs, liver, kidneys and other vital body parts – sometimes extracted from their bodies while still alive.

Earlier this month, two Uighur activist organizations – the East Turkistan National Awakening Movement and the East Turkistan Government in Exile – filed a [complaint](#) to the International Criminal Court (ICC) against the Beijing leadership, alleging that the top brass had committed genocide and crimes against humanity against the Uighurs, including the stealing of organs from the mostly Muslim Turkic ethnic group and urging an inquiry.

The move comes on the heels of a damning report finalized earlier this year by the seven-person, London-based [China Tribunal](#), chaired by Sir Geoffrey Nice QC, the renowned international criminal tribunal prosecutor responsible for ensuring that disgraced Serbian leader Slobodan Milošević was charged the International Criminal Tribunal for the former Yugoslavia (ICTY) with [war crimes](#). *Uighur province. (Associated Press)*

The Tribunal determined with “certainty beyond a reasonable doubt” that “in China, forced organ harvesting from prisoners of conscience has been practiced for a substantial period of time.” While the bulk of the victims are said to have been the Falun Gong, a Buddhist-centric religious and ethnic minority, there is a growing cause [for concern](#) that Uighurs are becoming an even greater target.

“By focusing on a single captive population, the CCP has essentially evolved from what I call ‘harvesting 1.0’ – a system as geographically diffuse as Falun Gong practitioners – to ‘harvesting 2.0,’” Ethan Gutmann, co-founder of the International Coalition to End Transplant Abuse in China (ETAC) and a 2017 Nobel Prize nominee, told Fox News. “The current system – the systematic selection of healthy young people for live organ extraction, transport of organs to industrial-scale hospitals, and transplant to foreign and domestic recipients – is faster, more efficient, and better hidden from the eyes of the world.”

According to multiple survivors and family members seeking refuge abroad, Chinese officials started exhaustive medical examinations – involving ultrasound and blood samples – of those in [Xinjiang](#) around four years ago. But immediately, suspicions were raised that the data was being used to ascertain who had the healthiest organs for “donation.”

“This selection was purely racial: over half of the population of Xinjiang, the Han Chinese, were exempt from the medical tests,” Gutmann said. In a testimony provided to Fox News via the London-based World Uyghur Congress, Uighur gulag survivor Omer Bakari said he underwent his first round of forced blood and urine sample, along with an eye and full-body exam, at a Pichan police station in late March 2017. He said the following month he was made to undergo a second exam at a hospital before “being thrown” into a Karmay prison where he was beaten with a whip and surrounded by others in the community who were left “hanging like meat” in

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cells. He suspects he was being tested as a potential candidate to be organ-plucked.

Classified documents, leaked to a consortium of news organizations, lay out the Chinese government's deliberate strategy to lock up ethnic minorities to rewire their thoughts and even the language they speak.

Similarly, Gulbahar Jelilova, 46, stated that she was seized by Chinese authorities in May 2017 after traveling to Urumqi, the capital of the Xinjiang Uyghur Autonomous Region, to pick up a shipment of goods for her exporting business.

She alleged that she was then coerced into making a false confession that she had transferred money to a Turkish company she had never even heard of, and pledged that throughout her 15-month incarceration the women were all given tablets that stopped their menstrual cycle, and that she at one point early on was stripped naked for a medical examination. Canadian human rights lawyer David Matas, who has extensively studied the illicit organ harvesting issue, highlighted that at Kashgar airport in Xinjiang, there are even signs in various languages signifying the route for transporting organs to the aircraft for exportation abroad. Photographs [published](#) in September 2018 show "priority lanes" for this very purpose.

Adding to the obscurity surrounding the possible targeting of the Uighur Muslims is the emergence of reports indicating that many who go to China for life-saving organs come from the wealthy Gulf States; thus the demand for "halal" organs – from bodies untouched by dietary choices such as pork and from those who have followed a diet in keeping with the tenants of Islam – are in demand.

Gutmann asserted that while there are no known advertisements for "halal organs," the phrase has become a useful shorthand for several pieces of evidence," which includes documentation of "gulf state organ tourists in Tianjin Central Hospital, the worlds largest transplant center."

"Go back a few years, and the foreign entrance to the hospital website politely asked if you preferred to continue in English or Arabic," he continued. "More recently, at least one Chinese hospital openly advertises to the world that it has a very nice Muslim prayer room and a halal restaurant."

While experts say the most significant market is domestic, organ shoppers hail from far and wide.

"The biggest customers are wealthy or politically connected local Chinese," Matas said. "The biggest foreign customers are now Japanese, South Koreans, and Saudis."

Salih Hudayar, prime minister of the East Turkistan Government in Exile, pointed out that "Uighur prisoners have also been transferred to Heilongjiang Province near the Korean border; it is known that Korea is a big market for organs."

But getting to the bottom of the matter is profoundly challenging for outside investigators, given the widespread suppression in Xianjing.

More than one million Uighurs are estimated to be "disappeared" into concentration camps – what Beijing refers to as "re-education camps" and a necessary national security tool against Islamic extremism. Moreover, victims' bodies are quickly disposed of – family members are typically told that their otherwise healthy loved one died suddenly and are under close supervision by authorities when they view and bury the body.

Nonetheless, China has repeatedly denied the use of unethical organ transplant practices, maintaining that it stopped using the organs from executed prisoners in 2015

Officials have accused the China Tribunal of perpetuating "rumors."

Yet a probe published in the [BMC Medical Ethics](#) journal in November accused China of "systematic falsification and manipulation of official organ transplant datasets" to obscure just how few voluntary donors had registered, compared to how many transplant surgeries occurred.

Sometimes referred to as "medical genocide" by activists, the fast and furious transplant trade is estimated to make some \$1 billion a year for the Beijing back pocket.

"One or two of China's hospitals could have matched the average of about 6,000 liver transplants performed annually in the entire United States since 2000," stated the U.S.-based [China Organ Harvest Research Center](#), which claims to have combed through hundreds of transplant hospitals in China and their revenue, bed counts, bed utilization rates, surgical expertise, training programs, state funding and more, for its findings. "While Chinese officials claim that the country performs about 10,000 transplants a year, this annual figure is easily surpassed by just a few hospitals. Based on

government-imposed minimum capacity requirements, the 164 approved transplant hospitals could have conducted more than 70,000 transplants per year.”

Underground footage pertaining to alleged illegal organ harvesting in China (Footage pertaining to alleged illegal organ harvesting in China (Yu Ming)) Chinese medical authorities boast that the country performs the most transplants in the world – surpassing the 40,000 that happen annually in the U.S. – but the circumstance of its “voluntary” nature remains murky.

“Most Chinese are reluctant to donate their organs given their traditions, so we believe that forced organ harvesting is still continuing. We highly suspect that it is happening in East Turkistan due to the fact that many of the bodies of victims who died in the concentration camps and prisons haven’t been returned to their families,” noted Hudayar. “In the instances that the bodies were returned their families, there were visible stitches on parts of the bodies like the kidneys.”

He also emphasized that thousands of Uighurs “were secretly transferred to prisons inside Chinese provinces like Henan, where there are five known Chinese hospitals that have been implicated by researchers for being involved in organ harvesting.”

Illicit organ harvesting in China has come under intense international scrutiny (Footage pertaining to alleged illegal organ harvesting in China (Yu Ming)) “Given its record on religious freedom, we have no reason to trust Communist China’s denials,” contended Gary Bauer, commissioner for the U.S. Commission on International Religious Freedom (USCIRF). “The government’s lack of transparency is in itself very revealing. Unfortunately, most victims of this outrageous practice die as a result, so they are not able to speak about their suffering.”

But despite grave concerns being voiced by the international community as it pertains to possible organ harvesting and the Uighurs, no country nor international agency is yet to actually take on a formal investigation and prosecutorial process.

The U.S. State Department and the Chinese Embassy in Washington did not respond to further requests from Fox News for comment.

Filing of a petition with ICC: Beginning of Uighurs’ legal battle against China

MODERN DIPLOMACY | August 10, 2020

Uighur Muslims, a “minority community” in East Turkistan also known as the Xinjiang province of the People’s Republic of China (hereinafter China), has been subjected to state sponsored persecution by China for over past six years (It first began in 2014).

Since 2017, when the reports of Chinese crackdown on Uighurs first became public; China has been attracting widespread global denunciation for subjecting this minority group to ‘arbitrary detentions, sexual abuse, forced abortions and sterilizations’. In July 2019, a group of 22 countries wrote a letter to the United Nations Human Rights Council (UNHRC) condemning the persecution of Uighurs. In June 2020, USA imposed various sanctions on Chinese officials over Uighur abuses by enacting the Uighur Human Rights Policy Act, 2020.

The most recent attempt to hold China accountable for human rights violations entailed filing of a petition against China with the International Criminal Court (hereinafter ICC). In July 2020, Uighur exile groups ‘The East Turkistan Government in-exile’ and the ‘East Turkistan National Awakening Movement’ filed a petition against China seeking an investigation against around 30 Chinese officials for alleged repression of Uighurs. The country has been accused of committing the crimes of ‘genocide’ and ‘crimes against humanity’. The filing of petition is a first step towards tangible justice for Uighurs. At the same time however, it opens up a Pandora’s box of questions: How will ICC assume jurisdiction over China, which is not a member to its Statute? Will China cooperate in the investigation? Why wasn’t the International Court of Justice (hereinafter ICJ) approached?

Building a case for the International Criminal Court to take Jurisdiction:

China is not a signatory to the Rome Statute which governs the functioning of ICC. ICC therefore, does not have a direct Jurisdiction over China and its nationals. However, as alleged by the petitioners, China has been deporting these Muslims from Tajikistan and Cambodia – State parties to the Statute. The petitioners have thus argued that since a part of the crime has been committed on the territory

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of member states of ICC, it can assume jurisdiction over the case.

Interestingly, a similar set of facts and arguments have faced ICC earlier as well. In 2018, the court was approached to rule upon its jurisdiction over alleged mistreatment of Rohingya Muslims by Myanmar – a non-member state. In the said case too, it was claimed that the Court has Jurisdiction over those who committed crimes against the Rohingyas under article 12(2)(a) of the Statute “because an essential legal element of the crime- crossing an international border- occurred on the territory of a State which is a party to the Rome Statute (Bangladesh)”. ICC’s pre-trial Chamber I ruled that it “has jurisdiction over the alleged deportation of members of the Rohingya people from Myanmar to Bangladesh”. It further added that “If it were established that at least an element of another crime within the jurisdiction of the Court or part of such a crime is committed on the territory of a State Party, the Court might assert jurisdiction pursuant to article 12(2)(a) of the Statute”. Expecting a similar ruling in the Uighurs’ case is thus not an unrealistic dream.

In fact, from the juxtaposition of the facts, crimes and parties involved in the two cases, it can be safely deduced that there exists a high probability of ICC assuming jurisdiction and initiating investigations into alleged criminal acts concerning Uighurs. On humanitarian grounds, it perhaps will be a step in the right direction. Indubitably, grave crimes like these cannot be avoided or deferred based on mere technicalities. However, it certainly would go against certain long-established principles of International Law.

Roadblocks

ICC’s assumption of jurisdiction would, at the very least, be in circumvention of the very spirit of Article 34 of Vienna Convention on the Law of Treaties which states that “A treaty does not create either obligations or rights for a third state without its consent.” Since China is not a signatory to the Rome Statute, it must not be obligatory for it to submit to the jurisdiction of ICC. Another principle of law, which ICC would be going against is ‘Ubi lex voluit, dicit; ubi noluit, tacit’. It means ‘if the law means something, it says; if it does not mean something, it does not say it’. Now, under the Rome Statute, ICC can exercise jurisdiction only under three circumstances– where the alleged perpetrator is a national of a State Party or where the crime was committed in the territory of a State Part (1) , or a State not party to the may decide to accept the

jurisdiction of the ICC(2), or the Security Council, acting under Chapter VII of the United Nations Charter, can refer a situation to the Office of the Prosecutor (3). The intention of the draftsmen with regards to Jurisdiction of ICC is thus very clear – ICC shall not exercise jurisdiction over non-member states. The written law does not provide for a jurisdiction over non-member states except by a referral from the UNSC.

It not only would reinforce wrongful persuasion but might also turn out be completely ineffective because International Tribunals do not succeed when the necessary state parties do not submit to their jurisdiction itself. In this regard, ICC itself has noted that, “as a judicial institution, the ICC does not have its own police force or enforcement body; thus, it relies on cooperation with countries worldwide for support.” Non-States parties are not obligated to cooperate with ICC for making arrests, freezing suspects’ assets etc.

It is very unlikely that China will even appear before the International Court. If it does, it surely will contest ICC’s jurisdiction. ICC would thus have to negate each of the above arguments. Given the low probability of China cooperating in an investigation initiated by ICC, Justice to Uighurs will not come easily even after the jurisdiction is taken by ICC.

A Case at the ICJ in the alternative

Chinese atrocities against Uighurs in Xinjiang are also in violation of various provisions of the Convention on the Prevention and Punishment of the Crime of Genocide (“the Genocide Convention”), to which China is a party. ‘Genocide’, under Article II of the Convention, among others includes ‘Causing serious bodily or mental harm to members of the group’ and ‘imposing measures intended to prevent births within the group’. A study undertaken by Human Rights Watch on Chinese repression of Uighurs has reported ‘political indoctrination’, ‘deaths in custody’, ‘torture’ and ‘mistreatment’ of Uighurs. Another report gives a detailed account of forced sterilization and employment of other birth control techniques on Uighur Women to suppress Uighur birth rates in the Country. These fiendish acts fall under the crime of ‘Genocide’, punishable under Article IX of the Convention. Article IX prescribes that the disputes “relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.”

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Now, for a dispute to be adjudicated by ICJ, any of three conditions under Article 36 have to be satisfied: (1) If the state has made a declaration under Article 36, paragraph 2 of the ICJ's statute granting the court compulsory jurisdiction over disputes under international law; or, (2) where a particular treaty provides the ICJ as its dispute resolution mechanism; or, (3) by entering into a special agreement to submit the dispute to the Court. Since China had withdrawn its declaration under Article 36(2) of the ICJ Statute, it is not under compulsory jurisdiction of the ICJ. But China has ratified the Genocide Convention which prescribes ICJ as the dispute resolution body. Therefore, any Contracting Party to the Convention may bring a case against China. It thus follows that ICJ's jurisdiction in the matter at hand can be founded under Article 36, Paragraph 1 of the ICJ Statute read with Article IX of the Genocide Convention.

Bringing China under the radar of ICJ would have been easier yet less effective. ICJ, under its statute, is not empowered to prosecute individuals. It could, at the most, order China to cease ongoing genocide and to prevent genocide from occurring in the future. Additionally, it can also order equitable remedies like ordering China to enact legislation to criminalize genocide in line with the requirements of the Genocide Convention. On the other hand, ICC's purpose of establishment itself was prosecution of individuals. It can impose lengthy terms of imprisonment of up to 30 years, order a fine, forfeiture of proceeds, property or assets derived from the committed crime. ICC's mechanism thus suits the best in the current scenario.

Concluding thoughts

Past precedent on China's response to international adjudication is not very encouraging. Traditionally it has shunned all international adjudication, preferring to settle all disputes through direct negotiation. The past experiences of Chinese response to international adjudication invited remarks like "Putting 'China' and 'international law' in the same sentence is an oxymoron." When China lost to Philippines in the South China Sea Case, a former Chinese diplomat openly said that this judgment was "nothing more than a piece of paper". Even if China accede to international adjudication of any sorts, neither ICC nor ICJ has the mandate to enforce their judgments. Adding onto the misery, China being a permanent member of UNSC can veto any resolution pertaining to enforcement of a ruling against itself. Nevertheless, filing of a petition at ICC is itself a step towards justice. It sends an indication

to China's government that the international community will no longer condone its actions. In the long run, attaining justice for Uighurs might take filing of cases at multiple judicial institutions as in the case of 'mistreatment of Rohingyas'. There is even a possibility that a parallel case may be filed at the ICJ. This is only a first step in the Uighurs' battle against China.

East Turkistan body urges US to end trade deal with China

OUTLOOK INDIA | August 15, 2020

A US based international organisation striving for the restoration of East Turkistan's independence has urged the Trump administration to end its trade deal with China and take action to stop genocide of the Uyghur and other Turkic people in the communist nation.

In a statement, East Turkistan National Awakening Movement (ETNAM) has alleged that for decades China has been engaging in a brutal campaign of colonisation and genocide in the occupied East Turkistan.

The statement came as members of ETNAM held a peaceful protest demonstration in front of the White House on Thursday.

Last month, the ETNAM and the East Turkistan Government in Exile filed a formal complaint urging the International Criminal Court to investigate and prosecute Chinese officials for genocide and other crimes against humanity.

"We call on governments across the world to support this effort. We call on member states of the International Court of Justice (ICJ) like Australia, Canada, France, India, Japan, US, UK and others to file a parallel complaint to the ICJ and work to hold China accountable," the ETNAM said.

Over a million Uyghurs and other Turkic Muslim ethnic minorities in the region have been interned in "political reeducation" camps and the entire families of Uyghur advocates for human rights in China have disappeared, including many US citizens. However, China has denied the allegations of human rights violations and persecution of Muslim minority groups.

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“We urge the US government to officially recognise the atrocities as a genocide while also recognising East Turkistan as an occupied country. The US and other countries in the free world must take action through sanctions and other means, to stop China’s genocide in occupied East Turkistan and we ask you to join our call,” it said.

The US and China in the beginning of the year signed Phase-1 of a trade deal, ending a bitter two-year tariff war that had rattled the global economy.

Uyghurs Protest China’s ‘21st Century Holocaust’ Against Their People

BREITBART NEWS | August 29, 2020

WASHINGTON, DC – Uyghur Muslims wearing masks decorated with the flag of their native East Turkistan protested on Friday outside of the Department of State against their persecution and that of other religious minorities in China.

The peaceful protesters also carried flags representing East Turkistan – a once-independent nation state that was taken over by China in a 1949 invasion – and signs with photographs of missing relatives and others that said “Uyghur Lives Matter.” China refers to East Turkistan as Xinjiang. The Xinjiang Uyghur Autonomous Region is China’s largest province.

The protest – which occurred in tandem with similar events around the world – was organized by the Uyghur-led government in exile of East Turkistan. China bars that government from operating, instead granting power to the ethnic Han regional leadership of the Communist Party.

Uyghur activist Haidr Jan spoke at the protest calling on support for Uyghurs exiled around the world, including in the United States, for their effort to hold China responsible for the placement of Uyghurs, Kazakhs, and other Muslim ethnic minorities in concentration camps, where they have endured indoctrination, torture, slavery, and murder. “We call for the international community to take action against the 21st Century Holocaust,” Jan said. “China has been engaging in a brutal campaign of colonization and genocide in East Turkistan.” Jan said that China has put as many as 3 million religious minorities in “concentration camps,

prisons, and labor camps,” a number verified by the Pentagon.

Jan said the East Turkistan’s government in exile – a parallel structure run by Uyghurs, as opposed to the Xinjiang government dominated by Han members of the Communist Party – is calling on the International Criminal Court to investigate China’s human rights abuses.

Aziz Suleyman, who also attended the protest, escaped East Turkistan in 2009 and has lived in Virginia for ten years. His mother, five brothers, and sister are still in China – he hopes.

His nephew was sentenced to ten years in prison for selling Uyghur language books. The Uyghur language is of Turkic origin and his little linguistic ties to Mandarin, the dominant language of the Communist Party. Communist officials have largely banned Uyghur language in Xinjiang, forcing those in concentration camps to learn Mandarin and imposing Mandarin in schools.

Jan said at the protest that his community wants the “East Turkistan people to regain their freedom and independence.”

China has built at least 1,200 concentration camps in East Turkistan, according to a Reuters exposé published in December 2018. Human rights experts believe that the camps are currently holding at least one million people, as thousands have departed the camps to engage in slave labor in factories affected by the Chinese coronavirus pandemic. Evidence has surfaced that dozens of large multinational companies like Nike, Apple, BMW, and Nintendo are benefitting from this slave labor, as they manufacture products in factories that took in Uyghur slaves. Many of these companies, after being exposed in an extensive report published in March, insisted they had no idea the factories they had contracted with were using Uyghur labor, as many were located far from Xinjiang, and that they would immediately sever any ties to implicated companies.

Survivors of the camps say that they are forced to abandon their Islamic faith, eat pork, sing songs of worship for dictator Xi Jinping and the Communist Party, and learn Mandarin. Some say they have been forcibly sterilized, had their infants killed, and endured rape and other torture. Evidence exists that Communist doctors profile the camp prisoners for live organ harvesting.



The East Turkistan Government-in-Exile (ETGE) is the democratically elected body which represents the interests of East Turkistan and its people. Therefore, it is the voice of East Turkistan and its people.

The *Voice of East Turkistan* is the official bi-monthly journal of the East Turkistan Government-in- Exile, which seeks to inform governments across the globe world along with organizations, think tanks, researchers, and the public masses about the truth regarding the situation in East Turkistan. The *Voice of East Turkistan* seeks to provide the best information regarding East Turkistan, the activities of the East Turkistan Government-in-Exile, and the East Turkistani diaspora.

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