

End Uyghur Forced Labour

Submission to the UN Committee on Economic, Social and Cultural Rights by the Coalition to End Uyghur Forced Labour in the Uyghur Region

January 2023

On behalf of the Coalition to End Forced Labour in the Uyghur Region (hereafter “Coalition”),¹ we write in advance of the review of the People’s Republic of China by the UN Committee on Economic, Social and Cultural Rights (hereafter “The Committee”) on its compliance with the International Covenant on Economic, Social and Cultural Rights (hereafter “The Covenant”).

This submission presents evidence of extensive and systematic forced labour for agriculture and industry in or around internment camps, prisons, and workplaces across the Uyghur Region and China, perpetrated by the Chinese government. We provide evidence in relation to violations of **Articles 2(2), 6, and 7** of the Covenant, and include suggested questions and recommendations for Committee members to consider during the periodic review of China.

Our call is for the Government of China to swiftly bring about the end of the systematic forced labour of Uyghur workers, and for all victims of human rights violations, including Uyghurs and other Turkic and Muslim-majority peoples, to be provided with adequate and effective remedies and reparation. We ask that the Committee’s recommendations to the State party support this call.

Non-discrimination (art. 2 (2))

CESCR List of Issues (LOI): *“Please also provide information on the measures taken, and their effectiveness, to combat the widespread social stigma and discrimination against disadvantaged and marginalized individuals and groups, including ethnic and religious minority groups...”*

¹ See <https://enduyghurforcedlabour.org>. The Coalition to End Forced Labour in the Uyghur Region is a coalition of civil society organisations and trade unions united to end state-sponsored forced labour and other egregious human rights abuses against people from the Uyghur Region in China, known to local people as East Turkistan. It is represented in this submission by a Steering Committee of AFL-CIO, Anti-Slavery International, Clean Clothes Campaign, Cotton Campaign, Freedom United, Global Labor Justice – International Labor Rights Forum, Interfaith Center on Corporate Responsibility, Uyghur American Association, Uyghur Human Rights Project, Worker Rights Consortium, and World Uyghur Congress.

Government response to LOI: *“The Regulations on Religious Affairs have been revised to strengthen the protection of citizens’ freedom of religious belief and the lawful rights and interests of those in religious circles...The Law on Regional Ethnic Autonomy stipulates that the chairman of an autonomous region, the governor of an autonomous prefecture, and the head of an autonomous county shall be a citizen of the ethnic group exercising autonomy in that region.”*

Coalition submission response to Government of China claims

As this submission evidences below, the Government of the People’s Republic of China (hereafter “China”) is perpetrating human rights abuses, including systematic forced labour, on a massive scale in the Xinjiang Uyghur Autonomous Region (the Uyghur Region) and other regions of China targeting the Uyghur population and other Turkic and Muslim-majority peoples on the basis of their religion and ethnicity. Uyghur and other Turkic workers are often subject to invasive surveillance, monitoring, restrictions on freedom of movement, and other measures on the basis of their ethnicity in the workplace.²

In June 2022, the ILO Committee on the Application of Standards stated that it “...deplored the use of all repressive measures against the Uyghur people, which has a discriminatory effect on their employment opportunities and treatment as a religious and ethnic minority in China, in addition to other violations of their fundamental rights.”³ The Committee of Experts recommended that China “...accept an ILO Technical Advisory Mission to allow the ILO to assess the situation together with the support of ITUC and IOE.” The Coalition supports this recommendation and requests that the Committee include such a recommendation during its review of the State Party.

We also strongly support the recommendation made by the Committee during the second periodic report of China, that:

... the State party strengthen its efforts to combat all forms of discrimination against ethnic minorities, particularly in the western provinces and regions, and to ensure their enjoyment of all economic, social and cultural rights, including legal work, social security, adequate housing, public health care, and education. In this regard, the Committee draws the State party’s attention to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.

Right to work, and just and favourable conditions of work (art. 6 and 7)

CESCR List of Issues (LOI): *“...please provide information on the steps taken to address reports about forced labour and physical and mental abuse allegedly involved in vocational*

² Committee on the Application of Standards, 9 June 2022. Conclusions on individual cases 12 to 22 - 10 June 2022, CAN/PV.CCL, p.14, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_848055.pdf.

³ Ibid.

training programmes provided by the State party, including through vocational training centres, for surplus rural workforce, particularly Uyghurs, Tibetans and other ethnic minority groups...”

Government response to LOI: *“Workers of all ethnic groups in Xinjiang choose occupations completely according to their own wishes, and their personal freedom has never been restricted in any way.”*

Suggested questions for state-party review:

- 1. The ILO Committee on the Application of Standards stated in 2022 that it “deplored the use of all repressive measures against the Uyghur people, which has a discriminatory effect on their employment opportunities.” What steps has the government taken to work with the ILO to eliminate discriminatory treatment of Uyghur and other Turkic workers, both formally and substantively?**
- 2. Will the government of China provide access to factories by independent experts, as recommended by the ILO Committee on the Application of Standards? How will the government ensure labour audits and inspections are free of intimidation of workers, as several experienced auditing firms have asserted?⁴**
- 3. If the regional government in the Uyghur Region considers workers to be free of coercion, why do vocational training facility buildings include such strong security features like barbed wire, watch towers, and armed guards?**
- 4. Why do regional and local government directives indicate that when a worker refuses to “improve their vocational skills, [and] economic conditions” that they should be considered a religious extremist or terrorist?⁵**
- 5. In the eight years since the Committee made the recommendation cited on page 2, discrimination on the basis of ethnicity has deteriorated substantially in the Uyghur Region. How is the government committed to eliminating discrimination in employment?**

We also strongly support the recommendation made by the Committee during the second periodic report of China, that the State Party:

... take all necessary measures to ensure the effective implementation of the decision of the National People’s Congress on the abolishment of the Re-education through Labour

⁴ Human Rights Watch, October 7, 2020. “Social Audit Reforms and the Labor Rights Ruse.” Online: <https://www.hrw.org/news/2020/10/07/social-audit-reforms-and-labor-rights-ruse>.

⁵ State Council Information Office (September 2020). “Employment and Labor Rights in Xinjiang,” online: http://english.scio.gov.cn/whitepapers/2020-09/17/content_76712251_3.htm. See also: “新疆局地组织民众识别75种宗教极端活动” [Local people in Xinjiang organize people to identify 75 religious extremist activities], Observer Network, December 24, 2014, Online: <https://web.archive.org/web/20141229192351/http://news.sina.com.cn/c/2014-12-24/093231321497.shtml>.

system throughout the State party, as well as to ensure that no alternative or parallel system of forced labour is put in place, particularly at the local level.

Coalition submission response to Government of China claims

There is a substantive body of evidence that the Government of China is subjecting the Uyghur population and other Turkic and Muslim-majority peoples to state imposed forced labour as part of a programme including so-called ‘poverty alleviation’, ‘vocational training’, ‘re-education through labour’ and ‘de-extremification’ focused on eliminating Uyghur culture and religious practices.⁶

Forced labour transfers: According to reports, at least 80,000 Uyghurs and other ethnic minorities were forcibly transferred from the Uyghur Region to factories in eastern and central China between 2017 and 2019⁷—a practice that has continued until at least 2022.⁸ This is part of a state-sponsored transfer-of-labour scheme that goes beyond just the cotton and garment manufacturing sector, marketed as ‘Xinjiang Aid.’ This ‘Xinjiang Aid’ scheme allows companies to participate in two ways: (1) opening satellite factories inside the Uyghur Region or (2) hiring Uyghur workers for their factories located outside the Uyghur Region.

The vast majority of workers forced into these “labour transfer” schemes, however, have been transferred within the Uyghur Region itself—either to another prefecture or county.⁹ Research indicates that extractive and manufacturing industries in particular have made use of workers through these programs, including for solar energy,¹⁰ PVC plastics,¹¹ and automotive parts.¹²

⁶ Research organisations, including the Center for Strategic and International Studies, the Worker Rights Consortium, the Helena Kennedy Centre for International Justice at Sheffield Hallam University, and the Australian Strategic Policy Institute, and investigative journalists from The Wall Street Journal, the BBC Associated Press, The New York Times, The Globe and Mail, ABC Australia, Radio Free Asia, Reuters and other outlets have documented specific cases of forced labour in the apparel and textile industry, including in gloves and shoe manufacturing, in PPE production, in the solar industries, in the automotive industry, in electronics, in hair products and in tomato processing in the Uyghur Region and wider China.

⁷ Fergus Ryan, Danielle Cave, and Nathan Ruser, Mapping Xinjiang’s ‘re-education’ camps (Barton, Australia: Australian Strategic Policy Institute, 2018), <https://www.aspi.org.au/report/mapping-xinjiangs-re-educationcamps>.

⁸ Adrian Zenz, (June 2022). “Unemployment Monitoring and Early Warning: New Trends in Xinjiang’s Coercive Labor Placement Systems,” Jamestown Foundation. Online: <https://jamestown.org/program/unemployment-monitoring-and-early-warning-new-trends-in-xinjiangs-coercive-labor-placement-systems/>.

⁹ Adrian Zenz (March 2021). “Coercive Labor and Forced Displacement in Xinjiang’s Cross-Regional Labor Transfer Program,” Jamestown Foundation, p.17. Online: <https://jamestown.org/product/coercive-labor-and-forced-displacement-in-xinjiangs-cross-regional-labor-transfer-program/>.

¹⁰ Laura Murphy and Nyrola Elimä (May 2021). “In Broad Daylight: Uyghur Forced Labour and Global Solar Supply Chains,” Helena Kennedy Centre for International Justice. Online: <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/in-broad-daylight>.

¹¹ Laura Murphy, Nyrola Elimä, Jim Vallette (June 2022). “Built on Repression: PVC Building Materials’ Reliance on Labor and Environmental Abuses in the Uyghur Region,” Helena Kennedy Centre for International Justice and Material Research. Online: <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/built-on-repression>.

¹² Laura Murphy, Kendyl Salcito, Yalkun Uluyol, and Mia Rabkin (December 2022). “Driving Force Automotive Supply Chains and Forced Labour in the Uyghur Region,”(Helena Kennedy Centre for International Justice and NomoGaia. Online: <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/driving-force>.

Coerced labour of the rural poor in the ‘poverty alleviation programme’: The Government plans to have at least one million workers in the textile and garment sectors, with at least 650,000 coming from the Uyghur Region by 2023.¹³ To ensure that these individuals have the ‘skills’ required for the factory jobs, they are mandated to go through training in so-called ‘centralised training centres.’ Regional and local government directives indicate that refusal to participate in poverty alleviation in the Uyghur Region is considered a sign of the “three evils”—terrorism, separatism, and religious extremism—which are punishable by internment or imprisonment.¹⁴

Forced labour of current and ex-detainees, including in internment camps: In a separate but parallel policy to China’s public poverty alleviation plan, the government has also enacted a public re-education policy that involves internment in centres with high fences, police watchtowers, and barbed wire. Internees are then released to factories in nearby industrial parks or camp factories. The exact number of former detainees who have been coerced into working in a factory is not known, but estimates based on interviews and government statements are that at least 100,000 former detainees have been forced to work in garment and textile factories.¹⁵

Prison labour: Some Uyghurs and other Turkic and Muslim-majority peoples are within the traditional prison population rather than in the internment system discussed above. The Xinjiang Production and Construction Corps (XPCC), for example, administers its own prison system and factories.¹⁶ XPCC—a quasi-governmental paramilitary organisation—is reported to force its own prison population to conduct commercial activities, mainly in cotton harvesting and production.¹⁷ In addition to harvesting cotton, the Citizen Power Initiative (CPI)’s evidence suggests that prisoners are responsible for the manufacture of textiles, apparel and footwear.¹⁸

State-owned enterprises and private companies accepting subsidies to use forced labourers from the Uyghur Region: The government offers incentives to Chinese-owned companies to incorporate the Uyghur population into their operations.¹⁹ The Xinjiang government has offered subsidies and inducements to encourage Chinese-owned companies to invest and build factories

¹³ Adrian Zenz (July 2019). “Beyond the Camps: Beijing’s Grand Scheme of Forced Labor, Poverty Alleviation and Social Control in Xinjiang,” at 13-14, hereinafter “Zenz, Beyond the Camps.” Online at <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/Beyond%20the%20Camps%20CECC%20testimony%20version%20%28Zenz%20Oct%202019%29.pdf>.

¹⁴ The State Council Information Office of the People’s Republic of China, “Employment and labor rights.” Section I, para. 1, Employment in Xinjiang. Online: <http://www.scio.gov.cn/zfbps/ndhf/42312/Document/1687707/1687707.htm>.

¹⁵ Amy Lehr and Mariefaye Bechrakis (October 16, 2019). “Connecting the Dots in Xinjiang: Forced Labor, Forced Assimilation, and Western Supply Chains,” Center for Strategic & International Studies.

¹⁶ Laura T. Murphy, Nyrola Elimā, and David Tobin (July 2022). “‘Until nothing is left’: China’s Settler Corporation and its Human Rights Violations in the Uyghur Region,” Helena Kennedy Centre for International Justice. Online: <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/until-nothing-is-left>.

¹⁷ Ibid.

¹⁸ Lianchao Han, Cotton: The Fabric Full of Lies: A report on forced and prison labor in Xinjiang, China, and the nexus to global supply chains (CPIFC Monograph Series Book 2), p. 4, Citizen Press.

¹⁹ Lehr, Connecting the Dots, op.cit

within the ‘vocational training compounds,’ right next to such compounds.²⁰ Additionally, according to CSIS, companies have been encouraged to build ‘satellite’ factories in villages to ensure that they are able to control and coerce every member to work.²¹

United Nations reporting

There is now a strong record of reporting and communication from independent UN human rights bodies, establishing the gravity of these concerns and the need for urgent action. These include:

In March and April 2021, the **Working Group on business and human rights**, in a Joint Allegation Letter, noted that “We are concerned that these workers who are allegedly forcefully relocated across the country, are subjected to forced labour as part of what the Government describes as development and poverty alleviation policy...”²²

In its 2022 report, the **ILO Committee of Experts on the Application of Conventions and Recommendations** stated it was “...bound to observe...that the employment situation of Uyghurs and other Muslim minorities in China provides numerous indications of coercive measures many of which arise from regulatory and policy documents.”²³

In July 2022, an annual report by the **Special Rapporteur on contemporary forms of slavery** found that “...forced labour among Uighur, [*sic*] Kazakh and other ethnic minorities in sectors such as agriculture and manufacturing has been occurring in the Xinjiang Uighur Autonomous Region of China.”²⁴ The report concludes that “...given the nature and extent of powers exercised over affected workers during forced labour...some instances may amount to enslavement as a crime against humanity.”

A report from the **Office of the UN High Commissioner for Human Rights**, on 31 August 2022, found that “arbitrary and discriminatory detention” of Uyghurs and other Turkic peoples, taking place within the context of other restrictions, “may constitute international crimes, in particular crimes against humanity.” Human rights organizations, including Amnesty

²⁰ Adrian Zenz, *Beyond the Camps*, op.cit

²¹ Ibid.

²² Working Group on the issue of human rights and transnational corporations and other business enterprises, March–April 2021, see letters here: <https://spcommreports.ohchr.org/TmSearch/RelCom?code=CAN%206/2020>.

²³ 2022 Report of the Committee of Experts on the Application of Conventions and Recommendations, Employment Policy Convention, 1964 (No. 122) – China (ratification: 1997), https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_836653.pdf.

²⁴ Office of the High Commissioner for Human Rights, 19 July 2022. Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minority communities, Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Tomoya Obokata, <http://undocs.org/en/A/HRC/51/26>.

International²⁵ and Human Rights Watch²⁶ have determined the repressive policies in the Uyghur Region amount to crimes against humanity, and an independent legal tribunal,²⁷ the United States government, and multiple national parliaments have recognised the abuses as amounting to genocide and/or crimes against humanity.²⁸

²⁵ See Amnesty International. ‘Like We Were Enemies in a War’: China’s Mass Internment, Torture, and Persecution of Muslims in Xinjiang, June 2021, [ASA 17 4137-2021 Full report ENG.pdf \(amnesty.org\)](#).

²⁶ Human Rights Watch, “Break Their Lineage, Break Their Roots’: China’s Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims”, April 2021, <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting>.

²⁷ Patrick Wintour, 9 December 2021. “Uyghurs subjected to genocide by China, unofficial UK tribunal finds”, *The Guardian*, <https://www.theguardian.com/world/2021/dec/09/uyghurs-subjected-to-genocide-by-china-unofficial-uk-tribunal-finds>.

²⁸ The Uyghur Human Rights Project has compiled resolutions by national governments and parliaments <https://uhrp.org/responses/>.