POLICY MEMO

Genocide in Xinjiang: Centering Uyghur Human Rights in US Policies Toward China

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Acts of genocide are currently underway against the Uyghur people in the Xinjiang Uyghur Autonomous Region of northwestern China, also known as East Turkistan. As part of a campaign of persecution and cultural eradication, Chinese authorities have, according to former detainees and prisoners, subjected millions of Uyghurs and other minorities to rape, torture, forced labor, arbitrary detention, involuntary abortion and sterilization in state-run facilities, and the separation of around half a million Uyghur children from their families.

Although both Republicans and Democrats in the United States have acknowledged these horrifying acts as genocide, the rest of the world has been slow to follow, whether because they find the evidence to be inconclusive or because they are reluctant to antagonize China. Regardless, now that the Biden administration is on record declaring the actions of the Chinese government to be genocide, the United States has a legal and moral obligation to do what it can to end the mass atrocities that the Chinese Communist Party (CCP) is committing against the Uyghur people.

While both the Trump and Biden administrations and Congress have already taken steps to address this human rights disaster, more can and should be done to defend the Uyghur people, address their humanitarian needs, promote accountability, and ensure that individuals and entities within the United States—including private businesses—are not complicit in the abuses underway. A strong response to the ongoing genocidal campaign would send a powerful message to Beijing that America will not tolerate efforts to destroy ethno-religious groups, either as a whole or in part. Conversely, failure to act would render the Convention on the Prevention and Punishment of the Crime of Genocide...
(which the United States ratified in 1988) and its implementing legislation null and void. Through the three Cs—competition, confrontation, and cooperation—the Biden administration can act in coordination with US friends and allies abroad to end these atrocities.

The Unfolding of the Genocide

The People’s Republic of China (PRC), aided by Stalin’s Soviet Union, has been committing human rights abuses against the Uyghur people since Mao first occupied the Uyghur homeland in 1949. Political repression, racial discrimination, enforced social inequalities, cultural erasure, and economic exploitation have all characterized the Chinese central authorities’ policies in the region, assuming an “us against them” mentality that denigrates the Uyghurs’ Eurasian way of life, religion, language, physical appearance, diet, and traditions and attacks their cultural, historical, and linguistic ties within the region’s post-Soviet Turkic states.

Although horrific, the CCP’s treatment of the Uyghurs is unsurprising, as it perceives any deviation from doctrine or any distortion of its vision of uniformity as a direct threat to its chokehold on Chinese society. The Uyghurs’ vibrant religious practices, unique culture, and ethnic pride are therefore viewed as disloyalty to state and party and thus as potential sources of future unrest and threats to national unity. Because being different is inherently hostile to the CCP’s singular, authoritarian rule, Beijing has exploited every opportunity and used every excuse—including the US “war on terror”—to intensify its suffocating policies against the Uyghurs. Indeed, the CCP justifies the genocide currently underway by asserting that Xinjiang is a breeding ground for the “Three Evil Forces”—separatism, terrorism, and extremism.

China’s Uyghur population has been the subject of ethno-religious persecution for decades, but it did not enter the American public’s consciousness until after the September 11th attacks, at which time China exploited policy openings created by the United States-led war on terror to ramp up oppression against Muslim minority groups in its Western flanks. Thus, it successfully convinced the Bush administration to designate the East Turkistan Islamic Movement, an obscure Uyghur group with no links to or visibility in the West, as a terrorist organization, a move that may have bolstered China’s quid pro quo acquiescence to the US invasion of Iraq. Experts, activists, and members of Congress, including former Representative Barney Frank, criticized the decision as a strategic blunder because the group posed no real terrorist threat and exhibited no anti-American sentiment. Former Secretary of State Mike Pompeo revoked this designation in November 2020, a significant blow to China’s global disinformation campaign that falsely labels its repressive policies as fighting terrorism.

Uyghurs were also imprisoned in the Guantánamo Bay Naval Base after twenty-two Uyghur men were captured in Afghanistan—likely by bounty hunters—and transferred to US custody. After being detained for years, by 2012, US authorities and/or courts had either cleared them of any involvement in terrorism or determined that they were no longer enemy combatants. Because they would have certainly faced persecution if returned to China, they were offloaded to various states, including Bermuda and Albania, and many are still separated from their families.

Although largely invisible to the West, the situation in Xinjiang remained unsettled thereafter, marked by endemic repression and violent crackdowns following protests. In 2014, the same year as several high-profile attacks allegedly perpetrated by Uyghurs in the Xinjiang region, the CCP launched the “Strike Hard Campaign against Violent Terrorism,” whose aim was to further systematize restrictions on Uyghurs’ civil liberties. In August 2016, it appointed Chen Quanguo, who had gained both favor and notoriety for his repressive policies in Tibet, as Xinjiang Communist Party secretary, marking a dramatic escalation of its Uyghur repression.
Under Quanguo’s leadership, the Xinjiang regional government launched a brutal set of “De-extremification Measures” in April 2017.13 The leaked “China Cables,”14 government procurement documents, satellite imagery,15 and harrowing stories told by survivors have since revealed the mass detention of Uyghurs in industrial-scale, fortified camps.16 Since that time, the Chinese government has detained in concentration camps tens of thousands of Uyghur, Kazakh, and other Turkic Muslim minority-group members. Individuals who engage in such Islamic religious practices as growing a beard or wearing a headscarf or who are accused of committing “family planning violations” face possible arrest and imprisonment.17

Former detainees have reported suffering torture, rape, forced abortion and sterilization,18 political indoctrination, forced labor, and other abuses while detained. Nearly half a million Muslim children have been separated from their parents and placed in state-run boarding schools, which indoctrinate them with pro-CCP propaganda and force them to speak Mandarin.19 As part of the “Becoming Families” program launched in 2016, ethnic Han officials are sent to live in Uyghur homes to promote “ethnic harmony.”20

After initially denying these camps’ existence, China later claimed that they were created for re-education and vocational training to combat separatism, terrorism, and extremism. Chinese officials also claim that the government, through these camps, has enabled Uyghurs to “transform” into “normal human beings,” that Uyghurs are the happiest Muslims in the world, and that Uyghur women have been liberated from being mere “baby-making machines.”21 According to a report by Radio Free Asia, 1.3 million Uyghurs and others have been subjected to “re-education” since 2015.22 Moreover, many arrests and detentions can be characterized as enforced disappearances since, in a staggering number of cases, relatives of detained Uyghurs are not notified as to the whereabouts of their loved ones and the reasons for their detention.

Beijing continues to use “combating extremism” as a cover for its efforts to subdue and control its Uyghur population. In November 2020, Pompeo’s removal of the Eastern Turkistan Islamic Movement (ETIM) from the State Department’s list of terrorist organizations prompted enraged CCP officials to condemn the United States for employing a “two-faced approach” to combating terror.23 However, these accusations of duplicity by Chinese officials obscure China’s own troubling relationship with extremist organizations in the region. Most recently, although publicly bludgeoning the United States for its abandonment of Afghanistan, top Chinese officials have been developing relationships with Taliban leadership in order to extend China’s influence through its Belt and Road Initiative.24 Soon after the Taliban inaugurated its new government, China pledged $31 million in aid to Afghanistan,25 a concerted effort to forge a new relationship with the Taliban government. Since Xinjiang shares a short border with Afghanistan, which is also home to a Uyghur population, news of the budding Taliban-CCP relationship has left Uyghurs in Afghanistan terrified of the impact that China’s presence will have on their future.26

Technology has played a crucial role in the process of rendering Xinjiang a panopticon27 capable of awing even Jeremy Bentham. The authorities have used Uyghur lives as a laboratory for testing some of the most intrusive surveillance and digital-monitoring technology ever employed in human history.28 The systematic collection of Uyghurs’ biometric data through medical examinations, passport applications, and police checkpoints undergirds an automated system capable of flagging individuals who deviate in any way from government-established standards and so subjecting them to possible investigation and detention. As of late last year, China had commercialized and exported this digital authoritarianism to over eighty other countries, with terrifying implications for human freedom.

The camps have also provided China with a captive source of labor that has fueled the Chinese economy and affected
the global supply chain. As of March 2020, the Australian Strategic Policy Institute (ASPI) reported that more than eighty-three global brands were believed to be relying on Uyghur forced labor, many of which have poured millions of dollars into lobbying against legislation that would prohibit such practices. Many of these companies claim to have used third-party auditors to verify that their supply chains do not contain forced labor and adamantly deny ASPI’s report. However, several independent auditors have refused to work in Xinjiang, speaking to both the horrendous conditions in which the Uyghurs live and the emptiness of such corporations’ public claims.

Holding Beijing Accountable

Despite incontrovertible evidence of Chinese crimes against humanity and calls to action by non-governmental organizations and civil society activists, the international community’s response to the Uyghur’s situation has been tepid and unfocused. Although the United States has assumed the mantle of leadership in combating China’s human rights abuses, it delayed doing so, and the response of Congress and policymakers to recent evidence of Uyghur abuse remains to be seen.

Towards the end of the Trump administration, the plight of the Uyghurs gained new visibility as the administration sought to burnish its “tough-on-China” credentials. Vice President Mike Pence’s speech at the Hudson Institute in October 2018 sounded the alarm on China’s attempts to stamp out the Uyghur identity; however, this call to action went largely unheeded until the following year, when the US Commerce Department blacklisted twenty-eight Chinese entities for their use of Uyghur forced labor. Included was a ban on procurement of surveillance cameras from two Chinese companies deeply enmeshed in the Xinjiang surveillance network; accompanying the ban was a side event held at the U.N. General Assembly whose focus was Chinese human rights abuses.

The US Congress has passed legislation intended to apply pressure to Chinese officials and companies complicit in crimes against the Uyghur people. As one example, the 2020 Uyghur Human Rights Policy Act provides a government-wide framework for a coordinated US government response to Chinese actions against the Uyghur. In addition, Global Magnitsky Act sanctions have been imposed on Quanguo and the Xinjiang Production and Construction Corps (XPCC) for their connection to severe human rights abuses in Xinjiang. Since then, Congress has remained engaged. In July, the Senate unanimously passed the Uyghur Forced Labor Prevention Act, which is currently making its way through the House. The Act would establish the presumption, absent certifications by US Customs and Border Protection, that all goods produced in Xinjiang are made with forced labor. Much of this work to publicize China’s abuses and pressure the CCP to modify its behavior has been met with silence or listless support from the international community, however. The Biden Administration should urge Congress to pass this important legislation that would provide additional legal and enforcement tools in addressing the forced labor practices in China.

In one of his final days in office, Secretary of State Mike Pompeo declared the campaign of violence and repression being committed against the Uyghurs to be genocide. Given that his State Department declined to devote similar attention to the situation of the Rohingya Muslims in Myanmar, some commentators wondered whether this concern for the Uyghurs was genuine or if it was merely intended as a “poison pill” for the incoming Biden administration. However, in his confirmation hearing, incoming Secretary of State Tony Blinken endorsed his predecessor’s determination and vowed to hold China responsible for its abusive practices, pledging two-way trade measures: barring US entry of goods produced with forced labor and preventing exportation to China of US technology capable of being deployed for repressive purposes. Observers were left confused, however, when Ambassador Linda Thomas-Greenfield equivocated on this commitment.
during her confirmation hearings,41 and President Biden suggested subsequently that a possible genocide against the Uyghurs reflected “cultural differences.”42

Since inauguration, the Biden administration has upheld Secretary Blinken’s commitment. For instance, the administration secured a commitment from the EU to sanction Chinese officials involved in human rights abuses for the first time since the 1989 Tiananmen Square massacre. On March 22nd, Blinken announced that the US, Canada, Great Britain, and the EU would coordinate sanctions against several officials who had perpetrated genocidal acts against the Uyghur people. In apparent retaliation, China then sanctioned some European, Canadian, and US officials and entities, including Gayle Manchin and Tony Perkins—then-chair and then-vice chair, respectively, of the US Commission on International Religious Freedom. In the meantime, other states—among them the Netherlands, Canada, the United Kingdom, and Belgium—have labeled events in Xinjiang as acts of genocide.44

Although China’s ire should be viewed as a positive sign, indicating that international pressure is being noticed, the United States and the international community must follow this demonstration of solidarity with further pressure so as to offer the CCP no choice but to stop the genocide. Countries worldwide mask their inaction with the excuse that evidence of genocidal intent is lacking, and so invoking the hallowed label of genocide, as defined by the Genocide Convention,45 is therefore not warranted or premature. Despite independent confirmation by several reputable sources46 of the State Department’s conclusion that Chinese acts against the Uyghurs legally constitute genocide, there is no question that the Uyghurs and other Turkic Muslims in the region are victims of crimes against humanity.47 The systematic and widespread attacks on Uyghurs perpetrated by the CCP are more than sufficient to justify—and indeed demand—a robust and coordinated international response.

Policy Options
The Biden administration is now on record as recognizing this repressive campaign as genocide, a move that must trigger a response toward Beijing that departs from business as usual. Although China’s significant global influence supports the assumption that effective levers to influence its behavior with respect to human rights issues are lacking, international attention and pressure have already caused Beijing to backpedal to a certain degree. This attention and pressure resulted from US-led efforts to rally international support coupled with US legislative and executive responses, including sanctions, visa restrictions, and trade restrictions.

The National Security Council inherited an interagency infrastructure—first erected by President Obama and then maintained by President Trump—aimed at preventing and responding to atrocities worldwide. The interlocking components of this infrastructure provide the US with distinct and cumulative actions that, performed in coordination with complementary actions of partners and allies, could alleviate the Uyghur human rights crisis, pressure China to reverse course, and ensure that the West and corporate America are not complicit in genocide. These are discussed below.

Diplomacy
On the diplomatic front, Secretary Blinken should request an immediate visit to Xinjiang, a move having symbolic and strategic importance. The Biden administration’s welcome decision to re-engage with the Human Rights Council as a newly elected member is critical to providing a platform from which to organize a multilateral response. Although China has become increasingly adept at manipulating multilateral institutions and stifling criticism of its human rights record, the United States should nonetheless endeavor to make use of this institution. One way to do so would be to assemble a sufficiently large coalition of like-minded allies to request a special session to address China’s human rights violations. Secretary Blinken has already joined previous calls by fifty UN
special-mandate holders and human rights organizations for a special procedure or investigative mission to further evaluate China’s repression of the Uyghurs, as has been done with respect to Syria and other places where systemic abuses are underway. The UN high commissioner for human rights, former Chilean President Michelle Bachelet, apparently having given up on efforts dating from 2018 to gain unfettered access to the region, has signaled that she may be ready to organize a formal investigation without China’s consent. She can only do so much, however, without the backing of the Council.

Separate and apart from the United Nations, Secretary Blinken could also organize a “Friends of the Uyghurs Summit” to rally support from US allies and partners in liberal democratic nations and among signatories of the Genocide Convention, which obliges them to take all possible actions and to employ all available to them to prevent the crime of genocide. Although China can distribute unconditional development aid for the purpose of amassing sovereign supporters, it cannot buy off every state. In particular, the United States should encourage Muslim-majority states—which have been conspicuously silent about, and even defensive of, China’s persecution of Uyghurs—to speak out against China’s human rights abuses, including its severe infringements upon their religious freedom. The goal should be establishment of a broad coalition of states standing in solidarity with the Uyghurs in condemnation of China’s persecutory policies.

Humanitarian Assistance
US policy toward China must also include humanitarian actions aimed at alleviating the plight of the Uyghur people, including placement of independent observers in Xinjiang to monitor detention conditions and confirm the identities and well-being of the detainees located there. As part of Biden’s revitalized refugee-resettlement program, the United States should work to resettle Uyghurs here by easing visa restrictions and expediting asylum processes and should grant Uyghurs already located here Temporary Protective Status. It should also provide humanitarian assistance to other states, including Turkey, that have accepted Uyghur refugees and migrants. This assistance is particularly important given China’s penchant for pressuring such states to forcibly deport Uyghurs back to China in violation of the principle of non-refoulement.

In keeping with the Uyghur Human Rights Policy Act, the Biden administration could take a number of actions needed to aid and rehabilitate Uyghurs:

- insist that Uyghur-American family members currently held in Chinese re-education camps be released,
- fund the psycho-social rehabilitation of Uyghurs who have experienced the trauma of enforced disappearances, detention, or persecution or who have witnessed such attacks on loved ones, and
- support the establishment and development of Uyghur cultural and religious institutions in the diaspora to counteract China’s efforts at cultural erasure.

Documentation
As it has done in Darfur, Myanmar, and elsewhere, the United States could commission rigorous documentation of Uyghur abuses by trusted implementation partners in order to accomplish the following:

- undergird its genocide determination of China’s treatment of the Uyghurs,
- develop a more granular understanding of the facts,
- sway potential allies against conventional cooperation with China,
- rally other states to condemn China’s conduct through sanctions and other accountability measures, and
- compile dossiers on Chinese perpetrators, including regional and CCP leadership.
In this way, the United States will be able to determine to what extent the most egregious decisions to persecute Uyghurs are being made in Beijing or at the regional or local level. This information can then be used to inform a range of targeted responses, ranging from sanctions to accountability to trade restrictions.

**Sanctions**

Following the passage of the Uyghur Human Rights Policy Act, the Trump administration deployed a number of robust sanction authorities; these should be expanded to include all key architects of China’s Uyghur policy and those implementing it at the local or regional level. To be sure, some of the latter are unlikely to travel internationally or to hold funds in the international market in reach of US banks. Nonetheless, the symbolic and substantive value of being sanctioned by the United States would send a powerful message of condemnation and responsibility to those complicit in Uyghur persecution. Precise identification of those most involved with a genocidal policy serves a range of critical functions, including the following:

- naming, blaming, and shaming perpetrators so that they cannot enjoy the privilege of anonymity;
- isolating and containing abusers so that they cannot travel or profit from their depredations;
- restricting access to resources for self-enrichment or to organize abuses;
- preventing domestic investment of tainted funds;
- signaling certain conduct to be worthy of censure;
- and expressing solidarity with victims and survivors.

Existing sanctions could be further strengthened by imposing secondary sanctions via executive order, thereby prohibiting US entities not only from dealing directly with sanctioned Chinese entities but also from doing business with third parties that engage in prohibited dealings with such entities. As revealed by the case of Huafu, such sanctions do have an impact; one of the largest yarn suppliers worldwide, Huafu reported in its Shenzhen stock exchange filing that it had suffered significant economic loss due to American companies’ canceling orders.

**Accountability**

Although we in the US view sanctions as a behavioral modification tool, the work that goes into a sanctions designation could be repurposed to support accountability efforts in foreign or US courts or international tribunals. Inevitably, certain individuals will be beyond the reach of any national or international criminal jurisdiction, making the institution of a sanction regime the most robust response available. For others, however, options to invoke criminal sanctions may be available should they fall within the jurisdictional reach of states having international crimes legislation. The US Genocide Act, for example, grants US courts extraterritorial jurisdiction over genocide if the perpetrator is within the United States. US law enforcement agencies should therefore launch criminal investigations against individuals and entities who have facilitated the Uyghur genocide, particularly those willfully and knowingly importing forced-labor products into the United States. This would also validate the State Department’s bipartisan determination that the atrocities committed in Xinjiang constitute genocide and crimes against humanity.

At the moment, the International Criminal Court (ICC) is not a likely option. In December 2020, the ICC’s Office of the Prosecutor declined to open an investigation into China’s violations of international law with regard to the Uyghurs, as the prosecutor concluded that the ICC lacked jurisdiction because the abuses had been committed primarily by Chinese nationals within the PRC, which is not a state party to the Rome Statute of the International Criminal Court. Although
evidence of kidnappings and forced deportations supplied by ICC signatory states is mounting, the new prosecutor would no doubt view this basis of jurisdiction as too insufficient to warrant proceeding. Nonetheless, China has ratified some human-rights treaty bodies having the authority to determine state responsibility for breaches of human rights treaties:

- International Convention on Economic, Social, and Cultural Rights
- Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- Convention Against Torture
- Convention on the Elimination of Discrimination Against Women

Although they lack jurisdiction to entertain individual complaints against China, the expert bodies associated with these treaties are empowered to comment on China’s human rights violations as part of their periodic reviews of China’s compliance with its treaty obligations. The United States could also initiate a state complaint against China before the CERD Committee, an action available to any state party to the Convention under Article 11, or could request that the CERD Committee activate its early-warning and urgent-action procedure in aid of the Uyghurs, a procedure that empowers the Committee to conduct field visits and perform follow-up actions in order to prevent or limit the scale of a treaty violation—provided China would allow experts into the region to conduct investigations, of course.

Still another option is invoking the venerable tradition of peoples’ tribunals, and civil society actors have convened a Uyghur Tribunal to allow survivors to bear witness, to preserve evidence of the commission of international crimes, and to undertake expert legal analyses of the events in Xinjiang. The Tribunal, which China has denounced, has already held a series of hearings in 2021 that included insider, survivor, and expert testimony, and is expected to issue a “verdict” in December 2021. Although the results of such efforts are not legally binding, they can galvanize international action and so merit continued international support.

Anti-Trafficking and Trade Measures
The United States boasts a powerful anti-trafficking legal architecture that enjoys broad bipartisan support and that includes export controls, withhold release orders (WROs), and supply chain curtailment for private and parastatal entities implicated in forced labor or human trafficking. It is time that China feels the full force of this apparatus, whose purpose is to deter atrocities such as those being perpetrated on the Uyghur people. With this tool at its disposal, the Biden administration should adopt a proactive stance by preventing the import and export of Chinese products and materials made by Uyghurs held in labor camps. Iconic brands synonymous with America’s global commercial influence, including Nike and Coca-Cola, have been implicated in the inclusion of Uyghur forced labor in their supply chains, which should constitute a national embarrassment to a country that prides itself on its free markets. Hence, the Biden administration must enact policies to ensure that neither the US government nor American corporations are directly funding or capitalizing on the Uyghur genocide; the enterprises we treasure as bastions of our freedom and economic innovation should not be purveyors of enslavement and tyranny abroad.

A key step in establishing such safeguards would be final passage of the proposed Uyghur Forced Labor Prevention Act, which recently passed the Senate and is awaiting vote in the House. The Act requires companies to provide evidence that their supply chains do not include forced labor; placing this burden of proof on companies significantly increases their difficulty in importing forced-labor products. The Act would also require companies to disclose their operations in Xinjiang and establish a list of Chinese companies that have exploited Uyghur forced labor.
In addition, US tech companies should be barred from helping China refine the Xinjiang surveillance network, including enhancement of China’s artificial intelligence capabilities and facial recognition software. Short of complete divestment from Xinjiang, US firms should, at a minimum, be subjected to rigorous and binding due diligence obligations.

Because the CCP’s legitimacy and influence hinge on its economic power, trade restrictions are one of the most pointed ways that US policy can affect Chinese behavior in Xinjiang and with respect to the various offenses it commits when trading with the United States. As US Trade Representative Katherine Tai stated during her confirmation hearing, “The use of forced labor is probably the crudest example of the ‘race to the bottom’ in global trade.” In order for the United States to be able to engage in any meaningful economic cooperation with China in the foreseeable future, Chinese behavior must change dramatically. What better place to start than with its most egregious offenses? Because trade restrictions and the legislation being proposed speak to the CCP’s legitimacy and set the tone for US engagements with China in the global market moving forward, the United States can employ them to meaningfully alter Chinese treatment of the Uyghur population.

Green Technology and Forced Labor
As the United States moves eagerly towards achieving energy independence and addressing the global climate crisis, some have overlooked troubling connections between US solar panel supply chains and forced labor in China. Senators Marco Rubio and Jeff Merkley have called for an evaluation of America’s trade with Chinese firms in the Xinjiang region that are developing solar panels, in particular highlighting Chinese firms Daqo New Energy, Xinte, East Hope, and GCL Poly, all of which are suspected of using Uyghur forced labor. In essence, China has strangled innovation within this vital industry through its labor practices. Given that fifty percent of the world’s polysilicon, a component of solar panels, is produced in regions where state-sanctioned forced labor is prevalent, the US government should be much more rigorous in verifying the clean energy sources it uses. Thus, given China’s history of unacceptable labor practices, the United States must proceed with extreme caution when engaging with China in the production of resources vital to US interests. That all measures of verification were not thoroughly explored when determining the sourcing of American solar panels is a cause of concern. As the US looks for partners in green development moving forward, it must assess whether it can (and should) collaborate with China in this shared global pursuit.

To discuss climate issues with China, US Special Presidential Envoy for Climate John Kerry would have to sit across the table from Sun Jinlong, the new Communist Party secretary of the ministry of ecology and environment. Prior to holding this post, Sun served as the party secretary of the XPCQ paramilitary organization overseeing the forced internment, labor, and sterilization of the Uyghur and is currently being sanctioned by the US government pursuant to the Global Magnitsky Human Rights Accountability Act executive order. However, Special Envoy Kerry should not engage with a man complicit in some of the worst human rights violations of our generation, as doing so would allow the CCP to make a mockery of US sanctions. And Sun will be no partner in global cooperation or the preservation of our planet. The United States has no business negotiating such matters with a man, never mind a country, who would commit such atrocities against his own people.

Protecting the environment is an urgent moral and national security issue, but the United States, as a state party to the Genocide Convention, has a treaty obligation to stop the ongoing genocide and punish the perpetrators. It is shortsighted to think Beijing will cooperate on the climate crisis if the US tones down its human rights criticism. China does what it wants based on what is good for the Party and top leaders, not what is good for the United States or the common good of the international community. No business or government
should turn a blind eye to the ongoing Uyghur genocide and the enslavement of vulnerable religious and ethnic populations to maintain access to cheap consumer goods or even to conserve energy through slave-produced solar panels.

High-Level Interagency Attention
To coordinate interagency and multilateral engagements regarding the Uyghur genocide, the administration should appoint a high-level envoy within the National Security Council or the State Department so as to ensure that all pistons within the United States foreign policy engine are firing in coordination with our allies and partners. In addition to leading on foreign policy measures, this office could engage with the business community at home and abroad in overseeing supply-chain cleanup, an initiative that would inspire US manufacturers to find US sources for these goods and so support the Biden administration’s desire to empower the US working class. Working bilaterally, the envoy could also offer China suggestions for material changes to its policies so as to de-escalate the situation and reverse the delisting of those sanctioned, if appropriate.

The Olympics
The impending 2022 Winter Olympics—scheduled to begin in Beijing in February 2022—should be on the global agenda as a unique and potent point of leverage, including with the International Olympic Committee. The 2008 Summer Beijing Olympics generated worrisome human rights abuses, such as forced evictions and violations of the right to free speech and to free assembly. Just as the 1936 Olympics glorified Germany as the Nazis were ramping up the Final Solution, allowing Beijing to host the games again will embolden and legitimize Xi Jinping, an action potentially impacting Taiwan, Hong Kong, and the South China Sea. Former President George W. Bush’s presence at the opening ceremony of the 2008 Summer Olympics in Beijing was a strategic mistake even without a genocide in the background. A diplomatic boycott would constitute a tremendous foreign policy humiliation for China. Many states participating in the Winter Olympics are powerful economic actors and so beyond the reach of Beijing’s Belt and Road Initiative; presenting a united front, they could condition their participation—and the corporate sponsorships of their national brands—upon certain human rights achievements. The world’s athletes should not be expected to compete against the backdrop of concentration camps, and it is not too late to relocate the Games should the situation not improve, as urged by a resolution introduced by Florida Senator Rick Scott and fellow Republicans at the beginning of this year.

The Way Forward
If this administration is committed to its designation of Chinese treatment of the Uyghurs as genocide, tangible measures supporting it must follow. Some of the levers available to the administration for this purpose are more effective than others in compelling concrete changes in Chinese policy and, if properly coordinated, could palpably impact China’s bottom line. Use of these would contribute significantly to alleviate the profound suffering of the global Uyghur community and would ensure that the United States and its allies are not inadvertently underwriting the CCP’s campaign of ethno-religious persecution. Although addressing the coronavirus pandemic, reorienting the United States’ position on climate change, and healing deep national divides are certainly urgent priorities for the administration, President Biden must not forget the plight of millions of Uyghurs worldwide, including some Uyghur-Americans, who have suffered unimaginably under China’s repressive and persecutory policies for far too long. This approach would, moreover, form a crucial, and necessary, part of the Biden administration’s human rights-centered US foreign policy and would also communicate that the world is not turning a blind eye to genocide.

Excerpts of this policy memo were originally published in the Foreign Affairs article “What America Owes the Uyghurs: A Plan for Stopping China’s Genocide” by Nury Turkel and Beth Van Schaack.
Endnotes


13 “China,” Global Centre for the Responsibility to Protect, September 1, 2021, https://www.globalr2p.org/counties/china/#:~:text=In%20March%202017%20China%20designated%20the%20Eastern%20Turkistan%20Islamic%20Movement%20under%20UNSC%20Resolutions%201267%20and%201390%2C%20authorities%2C%20officials%2C%20including%20President%20Xi%20Jinping


42 Jimmy Quinn, “Biden’s Confusion on How to Talk about Genocide,” Life, Yahoo, February 17, 2021, https://www.yahoo.com/lifestyle/biden-confusion-about-genocide-212650519.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAALF0Z0Wol8c_wP2U-Kczpy_zL_164DK6KMyCJvRZluPPh4aFbSGuE2DDhubmlz8js332o8gkx2B30omkx1-UCFrEwxOmlLdDdhhvB6irZMmD0mmCyggX8pSrfwBYFLKRst91c9NnvKvOoYCwOJSxPERGPzdGjw6kAh-brAD.


See the Uyghur Tribunal’s YouTube channel at https://www.youtube.com/channel/UCt4uc8LsQeSTDK_OdChZm5A/featured.


About the Authors

**Nury Turkel** is Senior Fellow at Hudson Institute specializing in national security, foreign policy, digital authoritarianism, and issues of forced labor and supply chain risk. As an attorney, Turkel specializes in international corporate compliance, internal investigation, US government enforcement relating to the Foreign Corrupt Practices Act (FCPA), and other anti-corruption and human rights standards. He was appointed by Congress as a Commissioner to the US Commission on International Religious Freedom (USCIRF) in 2020 and has testified before Congress, including most recently before the Congressional-Executive Commission on China in October 2019, speaking about Uyghur internment camps, and advocating a legislative response to China’s atrocities. Turkel was born in a re-education camp at the height of China’s tumultuous Cultural Revolution and spent the first several months of his life in detention with his mother. He received an M.A. in International Relations and a J.D. from the American University in Washington, D.C.

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