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The Human Rights Council's Failure to Protect Uyghurs in China—for Now

By Michiel Hoornick, Open Global Rights, 2022.12.22

On October 6, 2022, the Human Rights Council rejected a draft resolution on holding a debate on the situation of human rights in Xinjiang, China. The rejection fits within a broader trend according to which Beijing translates its economic power into political influence at the Human Rights Council. Looking forward, it is now essential to look for other venues to discuss the human rights of the Uyghurs, both within the Council and beyond.

The draft resolution was introduced by a coalition of mostly Western countries and effectively consisted of two paragraphs: one to take note with interest of the most recent OHCHR report on the Xinjiang Uyghur Autonomous Region, and a second to propose a debate on the situation of the Uyghurs at the Council's session in March 2023.

The report itself follows a highly politicized

drafting process that started in 2018 and raised concern for human rights violations related to Xinjiang's 'anti-terrorism law system' and discrimination against the Uyghur communities. Importantly, it stressed that "the extent of arbitrary and discriminatory detention of members of Uyghur and other predominantly Muslim groups, [...] may constitute international crimes, in particular crimes against humanity." It was published in the wake of the highly scrutinized visit by former UN High Commissioner of Human Rights Michelle Bachelet, as earlier discussed on this platform.

A brief analysis of the vote itself demonstrates the politics behind the Human Rights Council. After the publication of the OHCHR report, China gathered 28 signatures to join its statement condemning the document. During

the vote, states including Eritrea, Cuba, and Venezuela joined China in voting no, citing sovereignty, non-interference, and double standards as justification.

The Uyghurs are a Turkic ethnic group and are predominantly Muslim. However, members of the Organisation of Islamic Cooperation (OIC), which normally promotes the rights of Muslim populations abroad, also voted against the debate. For instance, while the Indonesian delegate said that his country does not want to look away from the suffering of fellow Muslims, it voted no on the basis of impartiality. Pakistan, which in July 2022 introduced the latest resolution on the human rights of Rohingya Muslims in Myanmar and has been a strong supporter of any investigation into the rights of Palestinians, equally referred to the importance of non-interference.

Within the African Group, only Somalia supported the vote. Benin, Gambia, and Libya abstained, while a further eight countries voted no. None of these states elaborated per statement. However, Chinese lobbying and pressure in the preceding weeks proved key in swinging the vote.

Finally, democracies including India, Brazil, Mexico, Argentina, and even Ukraine abstained from the vote. With similar economic concerns in the background, Mexico invited China to open dialogue and cooperation as an alternative to this particular HRC debate.

Looking at the bigger picture, the vote reflects a wider trend within the UN. China is translating its economic power into political influence by, for instance, increasing its portion of the UN budget and ensuring key positions within the different UN organizations. The effects can be felt within the human rights sphere.

In 2017, Human Rights Watch reported on grave reprisals by Beijing against groups and activists working on China-related issues. In 2018, China introduced an HRC resolution, “promoting mutually beneficial cooperation” in an effort to replace notions of accountability with language such as cooperation, ‘win-win,’ and dialogue.

The effects go beyond forced labor in Xinjiang, or indeed other human rights issues related to the Chinese government, but fit into wider challenges to human rights. If the hesitation of the Council to address grave human rights violations in China reflects a shift away from liability, it may legitimize the refusal of other states to cooperate with human rights procedures. For governments in Caracas, Naypyitaw, or Minsk, it could be a symbolic victory too—and evidence that power may trump justice.

At the same time, there is reason to be cautiously optimistic. In June, the Netherlands read out a joint statement on behalf of 47 countries in the UN Human Rights Council on the human rights situation in Xinjiang. Moreover, despite its rejection, it was the first time since the Council’s founding that there was an attempt for formal action to address the human rights situation in China. The vote was narrow (17 Y, 19 N, 11 ABS), and a possible future vote might just swing the other way once new countries take their seats in January or when the hesitant members can be persuaded otherwise. Importantly, we need to address valid concerns that they may have, including fear of economic repercussions and possible claims of double standards.

At the same time, it is important to look for alternative venues to discuss the plight of

the Uyghurs, as the Special Rapporteur on Torture, Alice Edwards, called for. The existing Geneva-based human rights framework allows for investigations by its UN Special Mandate Holders, reviews by its UN Treaty Bodies, and interventions by civil society. Similarly, a group of 50 countries condemned China's persecution of the Uyghurs at the Third Committee of the UN General Assembly in New York. Outside of the UN framework, organizations such as the World Uyghur Congress should be supported and empowered.

In conclusion, the lengths that Beijing is willing to go to frustrate the process is an indication that it is not unaffected by criticisms. At the same time, it stresses the importance of renewed efforts to discuss the Uyghur situation on the highest level. The vote on October 6, 2022 may not have led to a formal debate, but the momentum that the OHCHR report generated can be used in fora within and beyond the United Nations.

An Ummah-Centric Perspective on China–Saudi Co-Operation

By Suraina Pasha, Islam21c, 2022.12.20



Chinese President Xi Jinping's recent visit to Saudi Arabia reportedly culminated in the signing of 35 co-operation agreements worth over \$30 billion, covering various sectors and areas of mutual interest, including trade, energy infrastructure, security, education, and

foreign policy. The two countries also made a commitment to "domestic non-interference", meaning that neither country will criticise the other's human rights record.

Uyghur activists understandably reacted to the news with concern and disappointment.

Millions of Uyghurs are detained in camps, tortured, raped, and killed for practicing Islam while many mosques have been demolished. Uyghurs expect Saudi Arabia – where Makkah and Madina are located – and other Muslim countries to show solidarity. They see the agreement as the latest ‘slap in the face’ following strong diplomatic support of China by Muslim governments at the United Nations.

The Arab media and prominent commentators generally applauded the China-Saudi agreement without referencing Uyghur concerns. They note that China does business without imposing its morality, whereas the US and other Western countries link economic co-operation to human rights reforms. Some point to Western and particularly US double-standards in criticising Saudi Arabia’s rights record while legitimising and enabling Israeli violence against Palestinians.

In contrast to the US, President Xi knows what to say to placate Muslim public sentiments around Palestine. His approach to Palestine resembles the Saudi approach: maintain close covert relations with ‘Israel’ while publicly voicing support for Palestinians.

Is China truly an ally of the Palestinians?

After the Saudi meetings, Xi issued a statement affirming China’s support of an independent Palestinian state based on 1967 borders, with East Jerusalem as its capital. This occurs at a time when China’s free trade negotiations with ‘Israel’ are reportedly stalling due to US pressure. But let there be no mistake: China remains one of ‘Israel’’s main trading partners, irrespective of current tensions.

It is worth thinking about the recent Saudi-China agreements, and more broadly the

question of Muslim strategic partnerships, through an Ummah-centric lens.

Critical thinking

Rasulullah Muhammad (ﷺ) likened the Muslim Ummah to the human body. When one limb is injured, the whole body feels the pain. The oppression of Palestinians and Uyghurs should be of equal concern to every Muslim. We should not celebrate Xi’s words of support for Palestine while he continues to kill Muslims in East Turkestan. Likewise, we should think critically about the Biden Administration’s human rights sanctions regime while the US continues to enable Israeli settler-colonial violence against Palestinians.

The Ummah ultimately loses when a Muslim country accepts terms dictated by a non-Muslim power. The three global powers today – the US, China and Russia – all have the blood of Muslims on their hands. Millions of Muslims have died, without accountability or justice, due to US imperial ‘War on Terror’ violence and economic sanctions in Iraq, Afghanistan, and other countries. Russia has the blood of millions of Muslims on its hands through its support of the Assad dictatorship in Syria, while China’s hands are tainted with Uyghur blood.

The Muslim world could be a global superpower

Allah (subhānahu wa ta’āla) blessed the Muslim world with natural resources. Our Ummah could be a global superpower if we worked together. Trade with non-Muslim powers – be it China, Russia, or the US – should be on our terms, and in line with the Qur’ān and the Prophetic example in the Sunnah. We should be exporting our morality



and rights priorities to an increasingly godless world that needs our oil and gas. Instead, we remain weak and weightless, like ocean foam, dependent on non-Muslim powers and unable to protect the oppressed amongst us.

Rasūlullāh Muhammad (ﷺ) and the Khulafā' Rāshidūn achieved incredible success without the oil wealth we have today. They built a strong and unified Ummah composed

of peoples from different tribes, nations, skin colours, and cultures, stretching across the Arabian Peninsula into Persia, Africa, and Asia, by overcoming the Jāhilliyya sickness of tribalism. Muslim nations of today should try harder to rediscover and resurrect this spirit of pan-Muslim co-operation.

China's Political Biometric ID Surveillance Grows in Scope and Tech

By Jim Nash, Biometric Update, 2022.12.19



A surveillance systems company unfamiliar outside its native China is coming into view as Beijing pushes biometrics recognition into more areas of the country.

Mass DNA collections are also underway, targeting oppressed Uyghur and Tibetan minorities in China.

Researchers at the University of Toronto have published a lengthy report about compulsory biometric identifiers being increasingly used for identification and surveillance of Uyghurs in China's remote and sparsely populated

northwest region.

Super Red, also known as the Beijing Wanlihong Technology, makes iris scanning and data-protection software. It claims total assets of 13.5 billion yuan and revenue over 10 billion (US\$1.43 billion), and connections to the Chinese Academy of Sciences, which is part of the central government and Communist Party.

Public records indicate that Super Red has been contracted by 19 Qinghai municipalities for biometrics programs. It reportedly also has

built at least 20 province-level iris databases.

According to the report, 1.2 million to 1.5 million eye scans were completed in Qinghai Province between March 2019 and July 2022.

The university researchers have based their conclusions in part on 53 public documents that they say provide insight into the scale of an iris biometrics project that has received little attention.

They claim that 21 percent to 26 percent of Qinghai's 5.9 million residents have submitted to iris scanning.

It is unlikely that many of those scans will be used to unlock a phone.

Qinghai abuts Xinjiang, an autonomous region that has been an enormous testbed for AI surveillance systems and has received global news coverage. Both are dominated by Uyghurs.

Beijing identifies Muslims as categorically dangerous to the political stability that China's core Han ethnic group tenaciously tries to impose nationwide. In the last decade, the government has funded advancements in

facial recognition software and camera and network hardware.

The result is an international market for Chinese biometric surveillance systems, but also a density of equipment in Xinjiang that is likely second to none around the world. It is used to identify and imprison Uyghurs and others who worry the state in re-education camps.

A large group of legislators from around the global are advocating for a halt to commercial activities among companies that are participating in the deployment, use and management of DNA biometric screening systems in "the Uyghur region, Tibet and elsewhere" in China.

Some groups, looking at the biometric identification and surveillance as well as the re-education camps, and see a genocide.

The Uyghur Human Rights Project has called on United States and Canadian executives working for China-based biometric surveillance firm Dahua to resign. Dahua is one of the better-known companies that have profited by Uyghur surveillance policies.

China Left out Xinjiang Export Data From a Monthly Trade Report

By Aurora Almendral, Quartz, 2022.12.22

On Monday (Dec. 19) Nikkei Asia, a Tokyo-based news outlet, reported that export data was not included in the monthly economic report for Xinjiang, the region where China is accused of using forced labor in the fields and factories, and in the wake of a US ban on Xinjiang exports that went into effect in

June. While the data did not appear in the local Xinjiang government website, according to Nikkei Asia, it was still available on China's national customs portal.

The US's Uyghur Forced Labor Prevention Act (UFLPA) assumes that all products made in Xinjiang uses forced labor and says they



cannot be brought into the US unless the company importing the goods can prove otherwise. The ban also applies to goods produced elsewhere in China using products sourced from Xinjiang, like cotton.

When the ban took effect, China responded angrily, denying the use of forced labor and accusing the US of attacking its economy as well as its “dignity.”

Information from Xinjiang can be difficult to interpret. Researchers have noted that corporate reports, websites and other sources often disappear, and there have been mistakes in aggregated data.

US ramps up border enforcement

An August 2022 report by the UN says abuses by Chinese authorities against the Uyghur minority in Xinjiang could amount to crimes against humanity.

The US ban on products from the region, along with an EU version proposed in September, has the potential to transform trade from Xinjiang and beyond—and reshape how China produces its goods.

The US Customs and Border Patrol has begun enforcing the ban on a narrow set of high priority products, including cotton, tomatoes, and polysilicon, used to make solar panels.

China's data is disappearing as its economic indicators worsen

During China's economic boom years, the government published some 80,000 time series creating a highly detailed picture in data of the country's decades-long economic miracle.

In recent hard times, China has developed a pattern of hiding data to obscure bad news. According to the Wall Street Journal, in October, China's customs agency did not

release monthly trade data. A few days later, China canceled the release its quarterly GDP, though analysis of available indicators

suggested a number as little as half the government's target.

TikTok Executive Refuses Jake Tapper's Multiple Requests to Acknowledge China's Treatment of Uyghurs

By David Goldman, CNN, 2022.12.21



In an interview with CNN's Jake Tapper Tuesday, a TikTok executive refused multiple times to acknowledge China's treatment of Uyghurs and other Muslim minorities, which the US State Department has labeled a genocide and a United Nations report said may constitute "crimes against humanity."

In response to Tapper's question, "Do you acknowledge that the Chinese government has Uyghurs and others in concentration camps?" Michael Beckerman, TikTok's head of public policy for the Americas, said, "That's not what I focus on."

TikTok is a Chinese-owned platform that has come under intense scrutiny by US lawmakers and security experts as the social media app has grown exponentially more popular over the past several years. Critics argue China's

national security laws could force TikTok — or its parent, ByteDance — to hand over the personal data of customers in the United States.

Security experts have said that the data could allow China to identify intelligence opportunities or to seek to influence Americans through disinformation campaigns.

The company has also been accused of censoring content that is politically sensitive to the Chinese government, including banning some accounts that posted about China's mass detention camps in its western region of Xinjiang. The US State Department estimates that up to 2 million Uyghurs and other Muslim minorities have been detained in these camps.

In August, the UN High Commissioner for



Human Rights said in a report that China has committed “serious human rights violations” against Uyghurs, which may amount to “crimes against humanity.”

Given a second opportunity to acknowledge China’s alleged human rights abuses in Xinjiang, Beckerman again deferred.

“I’m just not an expert on what’s happening in China,” Beckerman said. “So it’s not an area that I’m focusing on.”

Beckerman denied censoring posts about the internment camps in Xinjiang, saying moderation decisions are made in the United States — not China — and people can search in the TikTok app to find “plenty of content about that.”

“We do not censor content on behalf of any government,” Beckerman said. “That does not violate our content guidelines.”

Tapper pressed Beckerman a third time, asking if the TikTok executive was afraid he would get fired if he discussed China’s treatment of Uyghurs. He again refused to acknowledge it, saying only that China is among many bad actors around the world.

“Look, I think there are many human rights violations that are happening in China and around the world,” Beckerman said. “I think these are very important. I’m not here to be the expert on human rights violations around the world.”

TikTok called the suggestion that Beckerman refused to acknowledge China’s treatment of Uyghurs, “outrageous.”

“Michael absolutely did acknowledge that there are human rights violations happening in China,” said Brooke Oberwetter, spokeswoman for TikTok, in a statement. “But he stipulated that that determination is outside his area of expertise as the head of public policy for TikTok. As head of public policy for TikTok, his role is to explain TikTok’s approach to the content that Jake asked about, which he did several times.”

In addition to security and privacy concerns, TikTok has also been criticized for surfacing potentially harmful content related to suicide and eating disorders to teenagers.

In a report published last week, the nonprofit Center for Countering Digital Hate found that it can take less than three minutes after signing up for a TikTok account to see content related to suicide and about five more minutes to find a community promoting eating disorder content.

Beckerman dismissed concerns raised by Tapper that some American parents may see that study and believe “the Chinese government may be trying to destroy our kids from within.” Beckerman nodded to the app’s parental controls, but he called Tapper’s argument hypocritical.

“The same people that are complaining about employees in China and acts from China, and all these things ... they are also suggesting that here in the US, we should apply Chinese-style media rules,” Beckerman said. “We have freedom of speech, among other things here in the United States.”



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