



Plenary sitting

B9-0432/2020

15.12.2020

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region
(2020/2913(RSP))

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on behalf of the Verts/ALE Group

European Parliament resolution on Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region (2020/2913(RSP))

The European Parliament,

- having regard to its previous resolutions on the situation in China, in particular those of 19 December 2019 on the situation of the Uyghur in China (China-cables), of 18 April 2019 on China, notably the situation of religious and ethnic minorities¹, of 4 October 2018 on mass arbitrary detention of Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region², of 12 September 2018 on the state of EU-China relations³, of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti⁴, of 10 March 2011 on the situation and cultural heritage in Kashgar (Xinjiang Uyghur Autonomous Region)⁵, and of 26 November 2009 on China: minority rights and application of the death penalty⁶,
- having regard to its decision to award the 2019 Sakharov Prize to Ilham Tohti, an Uyghur economist fighting peacefully for the rights of China's Uyghur minority,
- having regard to its resolution of 26 November 2020 on the EU Trade Policy Review,
- having regard to the joint statement of the 21st EU-China summit of 9 April 2019,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 12 March 2019 entitled 'EU-China – A strategic outlook' (JOIN(2019)0005),
- having regard to the EU guidelines on the promotion and protection of freedom of religion or belief, adopted by the Foreign Affairs Council on 24 June 2013,
- having regard to the statement of 26 October 2018 by the spokesperson of the European External Action Service (EEAS) on the situation in Xinjiang,
- having regard to the Council Decision and a Regulation establishing a global human rights sanctions regime of 7 December 2020,
- having regard to the Council Conclusions on Human Rights and Decent Work on Global Supply Chains of 1 December 2020,
- having regard to Article 36 of the Constitution of the People's Republic of China, which guarantees all citizens the right to freedom of religious belief, and to Article 4 thereof,

¹ Texts adopted, P8_TA(2019)0422.

² Texts adopted, P8_TA(2018)0377.

³ Texts adopted, P8_TA(2018)0343.

⁴ OJ C 238, 6.7.2018, p. 108.

⁵ OJ C 199 E, 7.7.2012, p. 185.

⁶ OJ C 285 E, 21.10.2010, p. 80.

- which upholds the rights of minority nationalities,
- having regard to the International Covenant on Civil and Political Rights of 16 December 1966, which China signed in 1998 but has never ratified,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the UN Guiding Principles on Business and Human Rights of 2011,
 - having regard to the OECD Diligence Guidance for Responsible Business Conduct,
 - having regard to the China Cables revelations, which were released in November 2019,
 - having regard to the reports of the Australian Strategic Policy Institute (ASPI) ‘Uyghurs for sale - “re-education”, forced labour and surveillance beyond Xinjiang’ and ‘Cultural erasure - Tracing the destruction of Uyghur and Islamic spaces in Xinjiang’ published in 2020, as well as their “Xinjiang Data Project”,
 - having regard to Rule 144 of its Rules of Procedure,
- A. whereas the promotion of and respect for human rights, democracy and the rule of law should remain at the core of the EU’s policy towards China, in line with the EU’s commitment to uphold these very same values in its external action and China’s commitment to adhere to them in its own development and international cooperation;
- B. whereas the situation in the Xinjiang Uyghur Autonomous Region (XUAR), where more than 10 million Muslim Uyghurs and ethnic Kazakhs live, has continued to substantially deteriorate since the launch of the Chinese government’s ‘Strike Hard against Violent Terrorism’ campaign in 2014; whereas Chinese authorities have been conducting an increasingly intense campaign of mass internment in “political re-education” centres, intrusive digital surveillance, political indoctrination and cultural assimilation; whereas predictive policing platforms like the Integrated Joint Operation Platform (IJOP) have extensively been used by the police to track suspicious individuals based on everyday, lawful and non-violent behaviour;
- C. whereas credible reports have revealed that 65 percent of Xinjiang’s 16,000 mosques have been destroyed or damaged as a result of government policies, mostly since 2017, putting their numbers down at lowest number since the cultural revolution; whereas in June 2020 revelations were made on Chinese Communist Party’s massive campaign to suppress Uyghurs birth rates in Xinjiang, implying forced sterilisation and abortions as well as severe sanctions against birth control violations;
- D. whereas credible research suggests that the interment camp system in XUAR is expanding or being upgraded, with more than 380 suspected detention facilities newly built or expanded since 2017, and at least 61 between July 2019 and July 2020; whereas research found that by the end of 2019, over 880,000 Uyghur children had been placed in boarding facilities, which represents an increase of nearly 383,000 since 2017;
- E. whereas several trustworthy and authoritative reports have indicated that forced labour increasingly forms an integral part of the government’s effort to “re-educate” Muslim

minorities and erase their culture and religion; whereas the Chinese government has for long considered the incorporation of ethnic minorities into manufacturing as a method to ‘sinicise’ them;

- F. whereas ASPI has estimated that, under the central government policy known as “Xinjiang Aid”, at least 80,000 Uyghurs were transferred out of Xinjiang and assigned to factories in other Chinese provinces between 2017 and 2019; whereas, in parallel to the “Strike Hard Campaign against Violent Terrorism”, labour transfer programmes have increased since 2014 suggesting they have become a political priority for the Chinese government;
- G. whereas evidence shows that the use of forced labour would be generalised, by involving not only people in detention or ex-detainees, but also poor and rural minorities as a means for poverty alleviation; whereas it is reported that people refusing to work in factories could be put in detention; whereas Chinese authorities provide different form of subsidisation to companies hiring minority workers; whereas the situation of Uyghur work force in the Chinese manufacturing sector meets the relevant ILO indicators of forced labour,
- H. whereas the Xinjiang Production and Construction Corps (XPCC), a unique paramilitary organisation also administering its own prison system with associated factories, has helped create Xinjiang’s cotton industry developing most of its cotton fields using forced labour; whereas the US issued a Withhold Release Order to ban XPCC cotton imports;
- I. whereas more than 80 percent of the overall Chinese cotton is produced in Xinjiang and further expanding due to government subsidies and pushed by ambitious future production targets for textiles; whereas China is the largest world cotton producer representing around 22 percent of the global market in the period 2018-19; whereas only less than 1% of overall Chinese cotton is exported and most of the Xinjiang cotton is processed in other parts of China into what is the world largest producer and exporter of yarn, textiles and apparel, including for the numerous European and global apparel brands; whereas textiles and garments made with Chinese cotton are at a very high risk of being tainted with forced and prison labour;
- L. whereas China has not yet ratified four of the eight ILO Fundamental Conventions, namely Convention No. 87 on Freedom of Association and Protection of the Right to Organise, Convention No. 98 on the Right to Organise and Collective Bargaining, Convention No. 29 on Forced Labour, Convention No. 105 on the Abolition of Forced Labour; whereas China has ratified Convention No. 111 on Discrimination (Employment and Occupation) and Convention No. 100 on Equal Remuneration; whereas WTO agreements allow for adopting trade measures on the ground of prison labour;
- M. whereas Section 307 of the US Tariff Act of 1930 prohibits the importation of any product produced or manufactured by forced labour; whereas, in the course of 2020, the US has on several occasions adopted measures to block the importation of a range of products from Xinjiang based on forced labour considerations; whereas on 10 July 2020, the US imposed sanctions on three senior officials of the Chinese Communist Party, namely Chen Quanguo, Zhu Hailun and Wang Mingshan;

- N. whereas on the occasion of his hearing in the International Trade Committee (INTA) of the European Parliament, Executive Vice President Dombrovkis indicated that combatting forced labour is a priority for the EU and that, also in the framework of the Comprehensive Agreement on Investment with China, EU investment will have to respect ILO conventions on forced labour; whereas he also indicated that in the context of the forthcoming legislation on supply chain due diligence the EU can definitely prohibit goods on the EU market which originate from forced labour;
- O. Whereas with the adoption of the Council Decision and Regulation establishing a global human rights sanction regime, for the first time, the EU is equipping itself with a framework that will allow it to target individuals, entities and bodies – including state and non-state actors – responsible for, provide financial, technical, or material support for or are otherwise involved in, or associated with serious human rights violations and abuses worldwide, no matter where they occurred;
- P. whereas Uyghur economics professor Ilham Tohti, who was sentenced to life imprisonment on 23 September 2014 for alleged separatism, was awarded the Sakharov Prize for Freedom of Thought in 2019; whereas seven of his former students were also detained and sentenced to imprisonment of between three and eight years for alleged collaboration with Mr Tohti; whereas Ilham Tohti has always rejected separatism and violence, and has sought reconciliation based on respect for Uyghur culture;
1. Deeply deplores the ongoing persecutions and serious and systematic human rights violations that amount to crime against humanity; strongly condemns the sending of hundreds of over a million of Uyghurs and ethnic Kazakhs to political ‘re-education camps’ on the basis of a system of predictive policing; expresses deep concern at the latest revelations on a list containing details of more than 2,000 Uighur detainees held in Aksu prefecture between 2016 and 2018;
 2. Urges the Chinese Government to put an immediate end to the practice of arbitrary detention without charge, trial or conviction for a criminal offence of members of the Uyghur and other Muslim minorities, to close all camps and detention centres, and to immediately and unconditionally release those detained;
 3. Expresses the deepest concern that a government-led system of forced labour has been set up in Xinjiang; condemns the labour-transfer scheme whereby Uyghur workers and ex-detainees are transferred to manufacturing factories in other parts of China and that well-known - including European - companies and brands have been involved, directly or indirectly, in these forced labour practices;
 4. Is of the view that, given the magnitude and the systemic use of forced labour as a government policy, there should be a presumption of use of forced labour by Chinese manufacturers that supply European and other global companies, in particular in the textile sector; is concerned therefore that any company sourcing from Chinese suppliers is at serious risk of using forced labour and therefore of being complicit in human rights violations; further considers that, for those companies established and operating in Xinjiang, it has become practically impossible to be compliant with the UN Guiding Principles on Business and Human Rights;

5. Calls on the Commission to elaborate a supply chain business advisory guiding companies on the exposure to risk of using Uyghur forced labour and providing support in urgently identifying alternative sources of supply, taking into account the relevant Xinjiang business advisory elaborated by US authorities;
6. Welcomes the inclusion in the Commission's Work Programme for 2021 of a legislative initiative on mandatory human rights supply chain due diligence legislation; calls on the Commission to adopt relevant legislative proposals latest during the second quarter of 2021 as planned, namely three distinct, yet mutually reinforcing proposals on Directors' duties and Sustainable Corporate Governance, on Corporate Human Rights and environmental due diligence and on the reform of the Non-Financial Reporting Directive; is of the view that, in order to effectively address the issue of forced labour and other human rights violations in companies' supply chains, such legislation should also provide a prohibition to place relevant goods on the EU market; recalls, in this respect, the position of the Parliament in its recent Resolution on the Trade Policy Review calling for complementary measures such as banning the importation of products linked to severe human rights violations such as forced labour or child labour;
7. Is of the opinion that the Comprehensive Agreement on Investment with China must include adequate commitments to respect international conventions against forced labour; considers that China should therefore ratify in particular ILO Conventions 29 and 105;
8. Reiterates its call on the Chinese authorities to allow free, meaningful and unhindered access to the XUAR for journalists and international observers, including the UN High Commissioner for Human Rights and the mandate holders of the UN Human Rights Council Special Procedures and calls on the UN Secretary General to publicly press China in this respect; calls on all EU MS to support international statements expressing grave concern on the situation in Xinjiang ; calls on the EU and the Member States to continue insisting on the establishment of a UN fact-finding mission to Xinjiang and the appointment of a Special Envoy;
9. Calls on the HR/VP to speak out for an UN investigation into the scale and nature of the internment camp system, the oppression of Uyghur culture and religious traditions and the numerous allegations of other serious and systematic human rights violations; requests China to allow a mission from the European Parliament to Xinjiang on the condition of free and unrestricted access while guaranteeing confidentiality and safety for the local population;
10. Believes that China should be held accountable before the international justice system; calls on the Chief Prosecutor of the International Criminal Court to consider accepting a complaint for the crimes committed by China against its Uyghur and other Muslim minorities; calls on the EEAS and the Member States to also consider actions under the UN Convention on the Elimination of Racial Discrimination; urges the Commission and the Member States to propose sanctions for those responsible for human rights violations in XUAR; in this regard calls for targeted sanctions against, Chen Quanguo, Shohret Zakir and the Xinjiang Production and Construction Corps
11. Expresses deep concern over reports on the harassment of Uyghurs abroad by Chinese authorities; reiterates its request to the Commission and all Member States to investigate

these allegations, and to take specific measures for members of the Xinjiang diaspora; encourages the Member States to continue to suspend the return of all ethnic Uyghurs, Kazakhs or other Turkic Muslims to China;

12. Urges the Commission to devise and implement a holistic EU strategy with a view to securing genuine progress on human rights in China; urges the Chinese authorities to continue to implement the national reforms required to ratify the 1966 International Covenant on Civil and Political Rights, which was signed by China in 1998, and to implement the recommendations of UN human rights bodies;
13. Believes that, in view of the next Winter Olympic Games to be held in Beijing in 2022, China must commit to the same level of guarantees it had announced for the Olympic Games in 2008, for instance regarding the free movement of journalists;
14. Welcomes the recent agreement reached by the co-legislators on the reform of the EU Dual Use Regulation on the grounds of national security and human rights considerations, but is of the view that in order to effectively tackle the system of mass surveillance set up by China it is necessary to include a strict export control regime for listed and non-listed cyber-surveillance technology; calls on the Commission to start working on a legislative proposal in this respect without delay;
15. Criticises the procurement of thermal cameras from Hikivision by the Parliament and the Commission; insists on the introduction of a circumspect procurement policy that duly takes into account human rights concerns; urges the Parliament administration and the President of the Parliament to immediately sever any direct or indirect business relationship with Hikivision and to improve the transparency around its procuring activities;
16. Reiterates its calls on the Chinese authorities to immediately and unconditionally release the Uyghur academics Ilham Tohti and Rahile Dawut and all other human rights defenders, activists, lawyers, journalists and petitioners, and to end the ongoing crackdown involving detention, judicial harassment and intimidation; insists that the conditions of all those in detention must meet the standards laid down in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by UN General Assembly resolution 43/173 of 9 December 1988, including access to medical care;
17. Instructs its President to forward this resolution to the Council, the Commission, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, and the Government and Parliament of the People's Republic of China.