



Plenary sitting

B9-0310/2022

7.6.2022

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 the human rights situation in Xinjiang, including the Xinjiang police files

(2022/2700(RSP))

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B9-0310/2022

European Parliament resolution on the human rights situation in Xinjiang, including the Xinjiang police files

(2022/2700(RSP))

The European Parliament,

- Having regard to its previous resolutions and reports on the situation in China, in particular those of 5 May 2022 on the continued organ harvesting in China, of 16 September 2021 on a new EU-China Strategy, of 17 December 2020 on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region in China, of 19 December 2019 on the situation of the Uyghurs 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, and of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti³;
- Having regard to the Sakharov Prize 2019 awarded to Ilham Tohti, an Uyghur economist fighting for the rights of China's Uyghur minority;
- Having regard to Council Regulation (EU) 2020/1998 and to Council Decision (CFSP 2020/199 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses;
- Having regard to the remarks by Council President Charles Michel and Commission President Ursula von Der Leyen after the EU-China Summit of 1 April 2022;
- 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 Communique from the G7 foreign ministers' meeting in Germany of 14 May 2022;
- Having regard to the statement of the UN High Commissioner for Human Rights Michelle Bachelet after her official visit to China, including in the Xinjiang, in May 2022;
- Having regard to the leaked Xinjiang Police Files⁴ and the research article from Adrian Zenz, from the Victims of Communism memorial Foundation, USA;
- Having regard to the International Labour Organisation Report of the Committee of Experts on the Application of Conventions and Recommendations (Report III (A)) for the 110th Session of the International Labour Conference, taking place between 27 May and 11 June

¹ Texts adopted, P8_TA(2019)0422.

² Texts adopted, P8_TA(2018)0377.

³ OJ C 238, 6.7.2018, p. 108.

⁴ <https://www.xinjiangpolicefiles.org/>

2022;

- 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, which upholds the rights of minority ethnicities;
 - Having regard to the International Covenant on Civil and Political Rights of 16 December 1966, which China signed in 1998 but never ratified;
 - Having regard to the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, to which the PRC is a State Party;
 - Having regard to the Universal Declaration of Human Rights of 1948;
 - 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 centre of the long-standing relationship between the EU and China, in line with the EU’s commitment to upholding these values in its external action and China’s expressed interest in adhering to them in its own development and international cooperation;
- A. Whereas despite this expression of interest, the Chinese authorities have shown a blatant disregard for human rights, democracy and the rule of law in many parts of its territory, such as Xinjiang, Tibet, Hong Kong, Macao and others;
- B. Whereas China has been pursuing the systemic persecution of the Uyghur people, Tibetans, Mongols and other ethnic minorities, human rights defenders, social activists, religious groups, journalists, and petitioners and protesters against injustices, as well as increasingly repressing all dissenting and pro-democracy voices, especially in Xinjiang, Tibet, Hong Kong and Macao; whereas goodwill measures and non-binding commitments have not been sufficient to increase China’s commitment to values that are fundamental for the EU;
- C. Whereas evidence accumulates indicating that the situation in Xinjiang, where more than 10 million Muslim Uyghurs and Kazakhs live, has rapidly and severely deteriorated since 2017 and Uyghurs and other primarily Muslim ethnic minorities in the Xinjiang Uyghur Autonomous Region have been subjected to arbitrary detention, torture, egregious restrictions on religious practice and culture;
- D. Whereas there are credible reports that more than 1 million people, are or have been detained in the reeducation camps, in the largest mass incarceration of an ethnic minority population in the world today and sentenced hundreds of thousands to prison terms;
- E. Whereas reports from international non-governmental organisations provide clear evidence about the ceaseless forced indoctrination, physical and psychological torture and other ill-treatment endured by the Uyghurs detainees; whereas these NGOs gathered conclusive evidence that the Chinese government had committed crimes against humanity such as imprisonment or other severe deprivation of physical liberty, torture, persecution, and sexual violence;
- F. Whereas reports indicate a mass migration of Han Chinese (China's ethnic majority) into Xinjiang, allegedly orchestrated by the state to dilute the minority population; whereas

China has also been accused of targeting Muslim religious figures and banning religious practices in the region, as well as destroying mosques and tombs;

- G. Whereas the *Xinjiang Police Files* constitute a new collection of government documents, transcripts, internal spreadsheets and images significantly adding to the evidence on the PRC's mass coercive internment campaign of between one and two million Uyghurs and other ethnic minority individuals; whereas this material demonstrates the informed role, active support and direct involvement of the Central Government in Beijing and the leading Xinjiang Uyghur Autonomous Region officials in directing the mass internment policy in Xinjiang; whereas the "Xinjiang Police Files" provides new evidence for the vast scale of the state-led mass internments;
- H. Whereas the Xinjiang Police Files provide crucial evidence for the prison-like nature of this internment camp system, demonstrating the arbitrary nature by which Uyghurs are labelled as "terrorist" or "extremist", and thereby made into a target for detention, internment, and imprisonment;
- I. Whereas the Chinese government denies all allegations of human rights abuses in Xinjiang and stresses that the peace and prosperity brought to Xinjiang as a result of its anti-terrorism measures were the best response to "all sorts of lies";
- J. Whereas eight national Parliaments, including five in the European Union (France, the Netherlands, Lithuania, Czech Republic and Belgium), and other credible, independent investigative bodies and research organisations have recognised that crimes and human rights violations being committed against the Uyghur population in Xinjiang constitute crimes against humanity and genocide;
- K. Whereas in August 2018 the UN Committee on the Elimination of Racial Discrimination challenged the Government of the People's Republic of China over abuses in Xinjiang, including the establishment of mass arbitrary detention camps;
- L. Whereas credible sources report the use of systematic rape, sexual abuse and torture of female Uighurs held in the detention camps⁵; whereas reports suggest that children are being systematically separated from their families as an effort to separate them from their Muslim communities and Uighur women are subjected to coerced sterilisation⁶;
- M. Whereas in May 2022, for the first time in 17 years, an UN High Commissioner for Human Rights has been able to travel to China and in the Xinjiang Uyghur Autonomous Region; whereas the UN High Commissioner for Human Rights spent two days in Kashgar and Urumqi in the Xinjiang Uyghur Autonomous Region and visited the Kashgar prison and the Kashgar Experimental School, a former Vocational Education and Training Centre (VETC);
- N. Whereas, alike the German Foreign Ministry, the EU foreign affairs spokesperson expressed "regret" for lack of full access of Ms Bachelet to the persecuted groups, individuals and detention centres during her visit to Xinjiang detention camps;
- O. Whereas the Chinese factories using Uyghur forced workers in and outside Xinjiang through abusive labour transfer programs are manufacturing products for and supplying many

⁵ <https://www.bbc.com/news/world-asia-china-55794071>

⁶ <https://www.bbc.com/news/world-asia-china-53220713>

European multinational companies and global brands; whereas the German Government is already refusing to provide guarantees to cover new investments in China to national companies planning to continue their operations at their plant in the Xinjiang region despite the numerous and credible reports of human rights violations;;

- P. Whereas no reliable means are available to companies to verify that any workplace in the Xinjiang Uyghur Autonomous Region is free of forced labour or to prevent the use of forced labour in these workplaces in line with the UN Guiding Principles on Business and Human Rights and human rights due diligence standards;
- Q. Whereas, as part of its priorities on business and human rights, the EU promotes respect for human rights worldwide, including combating forced labour and promoting due diligence standards, in compliance with the EU Charter of Fundamental Rights;
- R. Whereas the legislative proposal for a Directive of the Parliament and the Council on Corporate Sustainability Due Diligence, amending Directive (EU) 2019/1937, or the forthcoming legislative initiative effectively banning products produced, extracted or harvested with forced labour aim at including due diligence obligations and at addressing forced labour; whereas the Commission and the EEAS have published Guidance on due diligence to help EU companies address the risk of forced labour in their operations and supply chains, based on international standards;
- S. Whereas China has made progress in the last few decades in the realisation of economic and social rights, by taking 700 million people out of poverty, but is substantially failing to guarantee basic international standards of human rights and fundamental freedoms; whereas China recently approved the ratification of the two International Labour Organization conventions prohibiting the use of forced labour; whereas the Committee of Experts on the Application of Conventions of the International Labour Organisation expressed its deep concern regarding the PRC's non-compliance with the Discrimination (Employment and Occupation) Convention (ILO Convention No. 111);
- T. Whereas in its EU Action Plan on Human Rights and Democracy 2020-24, the EU pledged to step up its efforts to promote human rights across all aspects of its external action notably by stepping up its action regarding the protection of human right defenders, freedom of expression online and offline, the eradication of torture, the abolition of the death penalty, the prevention of sexual and gender-based violence;
1. Strongly condemns the ongoing persecution of Uyghurs and other Turkic and Muslim minorities in the Xinjiang Uyghur Autonomous Region and the serious and systematic human rights violations that, in light of the credible evidence reported by credible investigative reports, including the leaked Xinjiang Police Files, amount to crimes against humanity and provide serious indications of a possible genocide;
 2. Recalls that China has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which provides for the absolute and non-derogable prohibition of torture and other cruel, inhuman and degrading treatment or punishment;
 3. Urges the Chinese Government to put an immediate end to the practice of arbitrary detention without charge, trial or conviction for criminal offences of Uyghurs and other ethnic Turkic peoples, to close all internment camps and detention centres, and to immediately and unconditionally release those detained;

4. Requests the Chinese authorities in the Xinjiang Uyghur Autonomous Region to provide information about the location and medical conditions of all those detained and provide for means of contact with their families and access to adequate healthcare; urges the Chinese Government to immediately publish a list of all those in detention and all those who have been released, and to release the full details of persons disappeared in Xinjiang to their families;
5. Calls on Chinese authorities to cease all government-sponsored programmes of mass forced sterilisation; calls on Chinese authorities to put an immediate end to any measures aimed at preventing births in the Uyghur population, including forced abortions or sanctions against birth control violations;
6. Emphasises that any kind of detention, when applied in violation of fundamental international laws, that persecution against specific persons or groups on ethnic, cultural or religious grounds, and that other inhumane acts causing great suffering or serious injury, when committed as part of a widespread or systematic attack on any civilian population, are unacceptable in the light of the international legal framework;
7. Calls for an UN investigation to look into the specific reports of systematic rape, sexual abuse and torture of female Uyghurs held in the detention camps⁷; firmly condemns the reported separation of children from their families and alleged forced sterilisation of female Uyghurs; calls on the international community to swiftly investigate these accusations;
8. Recalls the importance of the EU continuing to raise the issue of human rights violations in China, in particular the case of minorities in Xinjiang but also in Tibet, Hong Kong, Macao and others, at every political and human rights dialogue with the Chinese authorities, in line with the EU's commitment to project a strong, clear and unified voice in its approach to the country;
9. Denounces the Chinese government's efforts to harass, intimidate, and threaten members of the Uyghur diaspora around the world, in an attempt to compel them to return to China, or provide information regarding family members who remain in China; calls upon the EU and its Member States to further intensify the cooperation with the Uyghur communities in the EU to monitor and determine the extent of China's repression within the EU and the types of protection these Uyghurs require;
10. Welcomes the decision of some Member States to suspend the return of all ethnic Uyghurs, Kazakhs or other Turkic Muslims to China in view of the risk of arbitrary detention, torture or other ill-treatment; reiterates its call to the other EU Member States to suspend active extradition treaties with China, to encourage partner countries of the EU to do the same and, in the meantime, to stop the deportation of targeted diaspora members;
11. Calls on the Chinese authorities to immediately and unconditionally release the Uyghur scholar and Sakharov Prize 2019 winner Ilham Tohti, and to ensure, in the meantime, that he has regular and unrestricted access to his family and the lawyers of his choice, and that he is not subjected to torture or other ill-treatment; calls for an immediate, effective and impartial investigation into the alleged torture of Ilham Tohti and for those responsible to be brought to justice;

⁷ <https://www.bbc.com/news/world-asia-china-55794071>

12. Welcomes the adoption of the EU Global Human Rights Sanctions Regime on 7 December 2020 and the adoption of the coordinated sanctions by the EU Council, in March 2021, on four Chinese officials and one entity over their complicity in the systematic human rights violations in the Xinjiang region; calls upon the Member States and the High Representative of the Union for Foreign Affairs and Security Policy to swiftly adopt additional sanctions against the Chinese officials responsible or involved in the systematic human rights violations, notably by devising and implementing the policy of mass detention of Uyghurs and other Turkic Muslims in Xinjiang as evidenced in the leaked Xinjiang Police Files;
13. Reiterates its call on the Chinese authorities to allow free, meaningful and unhindered access to the Xinjiang Uyghur Autonomous Region and unrestricted access to the internment camps for independent journalists, international observers and investigative bodies, including the mandate holders of the UN Human Rights Council Special Procedures and the EU Special Representative for Human Rights in particular to the detention centres to assess the Chinese allegations that these are no longer operational; reiterates its call on the EU and the Member States to consolidate international support for an independent UN-led investigation with full and unfettered access to Xinjiang;
14. Expresses its concerns over the proceedings and outcomes of the visit of Ms Bachelet, the UN High Commissioner for human rights, to China, including to the Xinjiang Uyghur Autonomous Region; deplores the absence of unfettered access and the tight State control to internment facilities during Ms Bachelet's visits; denounces therefore the biased perception and picture of the Human Rights situation in China and in the Xinjiang; kindly invites Ms Bachelet to come to the European Parliament to report on her visit;
15. Urges for the immediate release of the UN High Commissioner's independent and long awaited report on the human rights situation in Xinjiang; calls on the EU to raise this concern directly with the OHCHR;
16. Strongly condemns the use of any forced labour, in particular by Uyghur, ethnic Kazakh and Kyrgyz, and other Muslim minority groups, in factories both within and outside of internment camps in Xinjiang, as well as the transfer of forced labourers to other Chinese administrative divisions; calls on actors from the private sector to assess their engagements in Xinjiang; welcomes the decision of the German Government refusing to provide companies with guarantees to cover new investments in China, and more particularly for plants in the Xinjiang Uyghur Autonomous Region, because of the human rights violations;
17. Calls on the EU impose an import ban on all products produced by forced labour and on products produced by all Chinese companies listed as exploiting forced labour; recalls that the EU ratification of the EU-China Comprehensive Agreement on Investment is currently frozen; recalls in that regard that Chinese countersanctions are still affecting EU entities, Members of the European Parliament and Members of National Parliaments;
18. Recalls the proposals to hold a United Nations Human Rights Council special session or urgent debate on the deteriorating human rights situation in China and the adoption of a resolution to create a monitoring and reporting mechanism in line with a global call by hundreds of civil society organisations from all regions;
19. Welcomes the Chinese government's decision to sign the International Labour Organisation (ILO) Convention n°29 on Forced Labour Convention and the ILO Convention n°105 on abolition of Forced labour; urges it to swiftly ratify and verifiably implement these

Conventions; and to ensure its full, timely and meaningful implementation of the recommendations of the Committee of Experts regarding ILO Convention No. 111; calls on the ILO, during its 2022 International Labour Conference, to establish a high-level tripartite mission to the Xinjiang Uyghur Autonomous Region to probe alleged non-compliance with ILO Convention No. 111 prior to the 2023 sitting of the International Labour Conference;

20. Reiterates its position for an ambitious Corporate Sustainability Due Diligence Directive accompanied by a robust trade instrument to ban forced labour products from entering the EU market; is of the view that the proposed Due Diligence Directive must require companies to publicly disclose all entities throughout the entire value chains; urges the Commission to ensure that its forthcoming proposal on a forced labour instrument is effectively designed to address instances of systemic state-imposed forced labour like in the Xinjiang Uyghur Autonomous Region;
21. Condemns the use of counter-terrorism measures to criminalise dissent and dissident individuals by applying a broad definition of ‘terrorism’; strongly condemns the extensive use of digital surveillance technologies to monitor and control the population in Xinjiang and the use of tests of facial recognition software which could send “Uighur alarms” to government authorities when its camera systems identify members of the Uighur minority; regrets that China does not comply with its own commitments by adhering to the OECD principles on a human-centred artificial intelligence and calls on the European Commission and the Member States to continue calling on China to adhere to its own commitments in this regard;
22. Reiterates its call on EU and Member States to check whether entities operating on the EU internal market are directly or indirectly involved in creating mass surveillance systems in Xinjiang, in running or building detention facilities for minority groups in Xinjiang or conducting transactions with any person sanctioned for abuse of Uyghurs and other minority groups in Xinjiang; stresses that the determination of these facts should trigger trade related measures, exclusion from public procurement and sanctions;
23. 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, the Government and Parliament of the People’s Republic of China and the UN High Commissioner for Human Rights.