



Plenary sitting

B9-0325/2022

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))

Helmut Scholz,
on behalf of The Left Group

B9-0325/2022

European Parliament resolution on the human rights situation in Xinjiang, including the Xinjiang police files (2022/2700(RSP))

The European Parliament,

- having regard to the Universal Declaration of Human Rights of 1948;
 - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 16 December 1966;
 - having regard to the Universal Declaration of Human Rights, the UN International Covenant on Civil and Political Rights, the UN International Covenant on Economic, Social and Cultural Rights, the Geneva Convention of 1951 and its Additional Protocol;
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 - having regard to the ILO Convention 29 and 105 on Abolition of Forced Labour Convention,
 - having regard to the United Nations Declaration on Human Rights Defenders of 1998;
 - having regard to the UN Guiding Principles on Business and Human Rights of 2011;
 - having regard to OHCHR Committee on the Elimination of Racial Discrimination reviews the report of China of 13 August 2018;
 - having regard to the UN Committee on the Elimination of Racial Discrimination (UN CERD) follow up letter on China, which focuses on the four Concluding Observations identified as critical during the 2018 review from the 24th of November 2020
 - having regard Statement by UN High Commissioner for Human Rights Michelle Bachelet after official visit to China of the 28 of May 2022
 - having regard to the draft resolution of the European Parliament on a new trade instrument to ban products made by forced labour which will be voted in plenary the 9 of June 2022
 - having regard to its previous resolutions on this topic notably the one of the 17th of December 2020 on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region,
 - having regard to Rule 144 of its Rules of Procedure;
- A. Whereas the EU is of great concern that worldwide all types of forced labour are still a terrible existing practice in the real economies and that the ILO continues to estimate that 24.9 million people are put into forced labour conditions (2016 in the

world out of which 16 million people are exploited in the private sector such as domestic work, construction or agriculture, 4.8 million persons in forced sexual exploitation, and 4 million people in forced labour imposed by state authorities;

- B. Whereas Xinjiang Uyghur Autonomous Region in northwest of China is home to 23 million people from several ethnic groups, including around 11 million Uyghurs and around 1,5 million ethnic Kazakhs.
- C. Whereas Xinjiang as all other provinces and autonomous regions in China are subject of an historically unseen rapid economic growth over the last 35 years having brought more than 800 million of people out of poverty, whereas Xinjiang region in particular has been brought with infrastructure projects much closer to the Central and Eastern regions of China being since four decades the engine for the overall socio-economic development of the country; whereas the Belt and Road Initiative, aimed at building a trade and infrastructure network connecting Asia with Europe and Africa along the ancient trade routes of Silk Road, has injected new impetus to Xinjiang's development;
- D. Whereas the government's ongoing effort to economically develop the region and the regional authorities' policy has conflicted with the Uyghurs' right to preserve their culture, religion and language; whereas as result Xinjiang Uyghur Autonomous Region has been a central point of ethnic and other tensions for decades, including the emergence of separatist political movements; whereas the opposition to central and local government policies has been often expressed in non-parliamentarian forms, peaceful protests and demonstrations, but also through destabilising activities challenging constitutional order of PRC;
- E. whereas the long standing issue of "radicalization", characterized as separatist, and terrorist activities, is deeply linked to the developments in the whole Central Asian region since late 70's; whereas the situation in Afghanistan since the invasions, of then Soviet-Union, later the US and a coalition of like-minded countries, the NATO, Australia, the EU has contributed to the dissemination of terrorism and violence in the all region including by pressing central Asia and the Chinese border (Xinjiang);
- F. Whereas Xinjiang Uyghur Autonomous Region has come to be known as one of the most heavily policed regions in China as well as in international comparison; whereas responsible Chinese authorities in Xinjiang Uyghur Autonomous Region but also in Beijing justify their policies by countering "terrorism and separatist violence", including combating violent religious extremism of some ethnic minority groups;
- G. Whereas since 2017 different NGOs have repeatedly reported that China pursue mass detention of Uyghurs, Kazakhs and other predominantly Muslim ethnic groups in Xinjiang;
- H. whereas in December 2020, the ICC has asked for evidence before they would open an investigation into the claims of genocide of the Uyghurs by China; whereas in May 2021 the ICC declared that they would not, for the moment, investigate allegations that China had committed genocide and crimes against humanity regarding the Uyghurs, because the alleged crimes took place in China, which is not a party to the court;

whereas in February 2022 several groups and NGO's repeated their appeal to the International Criminal Court to launch investigation into alleged crimes Chinese authorities commit against Uyghurs;

- I. whereas the 24th of May 2022, a cache of leaked documents detailing draconian surveillance and re-education practices in Xinjiang were published by both the "Washington-based Victims of Communism Memorial Foundation" and a well-known international consortium of investigative media; whereas "the files" included thousands of mug shots of detainees held in a network of camps in Xinjiang dated back to 2018, and includes policy notices and meeting notes that detail growing paranoia among Xinjiang officials over the ethnic Muslim Uyghur population and the formation of plans to carry out the mass detention program;
- J. whereas responsible Chinese authorities deny the allegations of massive and structural human rights violations in Xinjiang; whereas in response to the Xinjiang police files, China's foreign ministry spokesperson told the BBC that the documents were "*the latest example of anti-Chinese voices trying to smear China.*"
- K. whereas in May 2022 for the first time in 17 years, a UN High Commissioner for Human Rights has been able to travel six days in China including two days in the Xinjiang Uyghur Autonomous Region and to speak directly with the most senior Government officials in the country, and other interlocutors on key human rights issues, in China and globally;
- L. whereas during her visit UN High Commissioner for Human Rights Michelle Bachelet, raised questions and concerns about the Xinjiang Uyghur Autonomous Region "on the application of counter-terrorism and de-radicalisation measures and their broad application – particularly their impact on the rights of Uyghurs and other predominantly Muslim minorities"; whereas while she was unable to assess the full scale of the VETCs, she raised with the Government the lack of independent judicial oversight of the operation of the program, the reliance by law enforcement officials on 15 indicators to determine tendencies towards violent extremism, allegations of the use of force and ill treatment in institutions, and reports of unduly severe restrictions on legitimate religious practices; whereas during the visit, the Government assured "that the VETC system has been dismantled"; whereas on her report the high commissioner for Human rights "called the Government to undertake a review of all counter terrorism and de-radicalization policies to ensure they fully comply with international human rights standards, and in particular that they are not applied in an arbitrary and discriminatory way";
- M. whereas some NGO's deplored that this visit wasn't part of a broader "investigation" and denounced "Failure to release a report that sufficiently addresses crimes against humanity";
- N. Whereas the Uyghur Region is accounting for over 20% of global production of cotton making China one of the two largest cotton producers () in the world, the largest producer and exporter of yarn, and the largest producer and exporter of textiles and apparel; whereas the Chinese government plans on doubling manufacturing capacity in the Uyghur Region by 2025, with apparel and textiles forming a key

element of that plan; whereas 84% percent of Chinese cotton comes from the Uyghur Region;

- O. Whereas 83 major brands have been identified and implicated in report on forced labour of ethnic minorities from Xinjiang assigned to factories across provinces;
 - P. whereas these economic plans call for a revised organisation of these production facilities in accordance with all social and ecological sustainability principles in accordance with the UN Agenda 2030 and its 17 SDGs, which China has committed to, call for the implementation of a Responsible Business Conduct alongside the value and supply chains;
 - Q. whereas both China and the EU Member States have agreed in the UN Human Rights Council to work and negotiate towards an internationally binding instrument to regulate the activities of transnational corporations and other business enterprises, which should cover the obligations of all economic and politic stakeholders to guarantee the internationally agreed social and political human rights accordingly in the entire value and supply chains; whereas also the 7th session of the IGWG (25-29 October 2021) have not yet brought a break-through on the 3rd revised draft; whereas to conclude these negotiations could ease also the specific situation of economic and social development in Xinjiang;
 - R. whereas the 20th of April 2022, China ratified the two International Labour Organization Conventions (29 and 105) on forced labour;
1. Expresses its deep concerns about the latest allegations of mass detention in the Xinjiang Uighur Autonomous Region and other breaches of human rights such as forced labour and crackdown outlawing both public and private displays of Uighur culture or identity;
 2. Calls to stop immediately the practice of all arbitrary detentions without lawful charges, trials or convictions and for the immediate release of all individuals currently detained under these circumstances;
 3. Stresses that any detention of ethnic Uyghurs, Kazakhs and other Muslim minorities at the political education detention centres would be contrary to fundamental rights enshrined in the Chinese Constitution and violate international law on human rights;
 4. welcomes the work down and visit of Michelle Bachelet in China; urges the OHCHR to publish its report on human rights violations in Xinjiang which was “finalised” last year according to the declaration of the High Commissioner and to further investigate the situation in the country in light with the new elements published in May 2022;

5. Regrets that the United States State department published a statement describing the trip of Ms Bachelet as a “mistake”; considers that comments such as this weaken the role of the Human Rights Commissioner and undermine the important work being done; Expresses its support with the UN processes.
6. Welcomes that the U.N. and China agreed to set up a working group to hold follow-up discussions on a range of issues, including the rights of minorities, counterterrorism and human rights, and legal protection
7. Recognises that China has undertaken new policies for creating extraordinary prosperity and lifting hundreds of millions of people out of poverty, including in the eight multi-ethnic provinces and regions, but remains concerned over the in parallel also growing inequalities and social tensions, particularly for ethnic minorities who continues to disproportionately experience poverty;
8. welcomes the ratification by China of the two International Labour Organization Conventions (29 and 105) on forced labour, highlights the fact that beyond the ratification, it will now be important to build a broad-based system, encompassing not only on labour inspection and enforcement, but prevention and due diligence; urges therefore China to engage constructively with ILO and with Civil society actors – including business, trade unions, NGOs and the media – to monitor compliance with the international standards; calls China and the EU to use the Geneva UNCHR negotiations on the “Binding Treaty” process to establish internationally agreed principles which stimulate any possibility to overcome forced labour in practice and economic reality;
9. Calls in the same way the Chinese authorities to develop measures to identify possible racial profiling through proper analysis of the statistics on individuals stopped by law enforcement, the reasons for and outcome of those stops, report publicly on the information collected at regular intervals;
10. Strongly condemns the use of all types of forced labour ; notes with great concern that ILO estimates that 25 million people worldwide are currently in a situation of forced labour and, of these, 20.8 million are in privately imposed forced labour and 4.1 million in state-imposed forced labour; highlights the fact that women and girls comprise 61 % of those in forced labour and that migrant workers are especially vulnerable to forced labour; is alarmed by the fact that the COVID-19 pandemic has exacerbated the situation;
11. Condemns the 83 major brands implicated in report on alleged forced labour of ethnic minorities from Xinjiang assigned to factories across provinces; supports the obligation for the Companies to have the mandatory obligation across all their supply chains in order to fulfil their corporate responsibility to respect human rights as defined in international principles such as the UN Guiding Principles on Business and

Human Rights;

12. Reiterates that the activities of European companies present in third countries must be entirely consistent with international human rights standards; calls, therefore, on the Member States to ensure that companies which come under their national law respect human rights or the social, health and environmental standards which apply to them when moving to, or doing business in, a third country; calls on the Commission and Member States to take the requisite action against European companies which do not comply with those standards or which do not adequately compensate victims of human rights violations for which they are directly or indirectly responsible;
13. Calls on the introduction of mandatory human rights due diligence legislation, with supply chain mapping disclosure and civil liability attached, to ensure EU companies take action.
14. Calls on the Commission to implement without delay an import and export ban of products manufactured or transported by forced labour as proposed by INTA Committee in its draft resolution on this issue;
15. Calls more specifically, with regard to the Xinjiang Uighur Autonomous Region, for an independent investigation under the auspices of UN into compliance by European companies with labour standards, in particular in the cotton and automotive sectors with specific reference to forced labour;
16. Urges that the relations of the European Union and its Member States with the People's Republic of China should be based on the respect for the principles of the Charter of the United Nations and International Law
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.