



TEXTS ADOPTED

P9_TA(2020)0375

Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region

European Parliament resolution of 17 December 2020 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 and reports on the situation in China, in particular those of 19 December 2019 on the situation of the Uyghurs in China (China Cables)¹, of 18 April 2019 on China, notably the situation of religious and ethnic minorities², of 4 October 2018 on mass arbitrary detention of Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region³, of 12 September 2018 on the state of EU-China relations⁴, and of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti⁵, of 10 March 2011 on the situation and cultural heritage in Kashgar (Xinjiang Uyghur Autonomous Region, China)⁶, and of 26 November 2009 on China: minority rights and application of the death penalty⁷,
- having regard to its resolution of 26 November 2020 on the EU Trade Policy Review⁸,
- having regard to the Sakharov Prize 2019 awarded to Ilham Tohti, a Uyghur economist fighting peacefully for the rights of China's Uyghur minority,
- having regard to Council Regulation (EU) 2020/1998⁹ and to Council Decision (CFSP) 2020/1999 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses¹⁰,
- having regard to the remarks by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep

¹ Texts adopted, P9_TA(2019)0110.

² Texts adopted, P8_TA(2019)0422.

³ OJ C 11, 13.1.2020, p. 25.

⁴ OJ C 433, 23.12.2019, p. 103.

⁵ OJ C 238, 6.7.2018, p. 108.

⁶ OJ C 199 E, 7.7.2012, p. 185.

⁷ OJ C 285 E, 21.10.2010, p. 80.

⁸ Texts adopted, P9_TA(2020)0337.

⁹ OJ L 410 I, 7.12.2020, p. 1.

¹⁰ OJ L 410 I, 7.12.2020, p. 13.

Borrell following the Foreign Affairs Council of 7 December 2020,

- having regard to the Council conclusions of 1 December 2020 on human rights and decent work in global supply chains
- having regard to the remarks by Council President Charles Michel after the EU-China leaders' meeting of 14 September 2020,
- having regard to the joint statement of President Michel and President von der Leyen on defending EU interests and values in a complex and vital partnership following the 22nd EU-China summit that took place on 22 June 2020,
- having regard to the UN experts' call of 26 June 2020 for decisive measures to protect fundamental freedoms in China,
- 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 Vice-President of the Commission / 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 on the situation in Xinjiang,
- 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 Charter of Fundamental Rights of the European Union, which stipulates that 'no one shall be held in slavery or servitude' and that 'no one shall be required to perform forced or compulsory labour',
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy of 25 June 2012, which puts the protection and promotion of human rights at the heart of all EU policies,
- having regard to the EU Guidelines on the death penalty, on torture and other cruel treatment, on freedom of expression online and offline and on human rights defenders,
- 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 which it has never ratified,
- having regard to the Protocol of 2014 to the International Labour Organization (ILO) Forced Labour Convention of 1930, which has not been signed by China,

- having regard to the UN Guiding Principles on Business and Human Rights of 2011,
 - having regard to the reports of the Australian Strategic Policy Institute (ASPI) entitled ‘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 its ‘Xinjiang Data Project’,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 144(5) and 132(4) 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;
- B. whereas the situation in Xinjiang, where more than 10 million Muslim Uyghurs and Kazakhs live, has rapidly deteriorated, particularly since the launch of the Chinese Government’s ‘Strike Hard against Violent Terrorism’ campaign in 2014, and whereas 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, and a digitalised surveillance system so pervasive that every aspect of daily life is monitored – through facial recognition cameras, mobile phone scans, the large-scale illegal collection, aggregation and processing of personal data, and an extensive and intrusive police presence; whereas there has been a general strengthening of the Chinese regime and a toughening of the treatment of minorities, in particular of Uyghurs, Tibetans and Mongolians, with the aim of assimilating them through the imposition of the Chinese majority lifestyle and communist ideology; whereas predictive policing platforms such as the Integrated Joint Operation Platform have been extensively used by the police to track suspicious individuals based on everyday, lawful and non-violent behaviour;
- C. whereas according to credible reports, more than one million people, are, or have been, detained in what are being called ‘political re-education’ centres, in the largest mass incarceration of an ethnic minority population in the world today; whereas the internment camp system in the Xinjiang Uyghur Autonomous Region is expanding, with more than 380 suspected detention facilities having been newly built or expanded since 2017, and at least 61 detention sites newly constructed or expanded between July 2019 and July 2020;
- D. whereas the suffering of the Uyghurs also extends to the younger generation; whereas according to reports, young children have been sent to state-run orphanages even if only one of their parents has been detained in the internment camps; whereas according to research findings, by the end of 2019, over 880 000 Uyghur children had been placed in boarding facilities; whereas credible research shows that the Chinese authorities have implemented an official scheme of targeted birth prevention measures against Uyghur women in an effort to reduce Uyghur birth rates; whereas, as part of this scheme, the Chinese authorities are systematically subjecting Uyghur women of childbearing age to forced abortions, intrauterine injections and sterilisation, with 80 % of all new intrauterine device (IUD) placements in China in 2018 performed in the Uyghur region,

despite the fact that it makes up only 1.8 % of China's population; whereas such measures to prevent births within the Uyghur population could meet the criteria for belonging to the worst crimes against humanity;

- E. 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; whereas in September 2018, during her first ever speech in the role, the UN High Commissioner for Human Rights Michelle Bachelet noted the 'deeply disturbing allegations of large-scale arbitrary detentions of Uyghurs and other Muslim communities, in so-called re-education camps across Xinjiang';
- F. whereas the new regulations on religious affairs in China that took effect on 1 February 2018 are more restrictive towards religious groups and activities, and force them to fall more closely into line with party policies; whereas freedom of religion and conscience has reached a new low point since the start of the economic reforms and the opening up of China in the late 1970s; whereas China is home to one of the largest populations of religious prisoners; whereas credible reports have revealed the deliberate and systematic destruction of mosques, churches and other places of worship, mostly since 2017, reducing their numbers to the lowest level since the Cultural Revolution;
- G. whereas China has not yet ratified four of the eight ILO Fundamental Conventions, namely Convention n° 87 on Freedom of Association and Protection of the Right to Organise, Convention n° 98 on the Right to Organise and Collective Bargaining, Convention n° 29 on Forced Labour and Convention n° 105 on the Abolition of Forced Labour; whereas China has ratified Convention n° 111 on Discrimination (Employment and Occupation) and Convention n° 100 on Equal Remuneration; whereas WTO agreements allow for the adoption of trade measures relating to the products of prison labour;
- H. 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 as a tool of poverty alleviation in the Xinjiang Uyghur Autonomous Region; whereas there are several credible reports of forced Uyghur labour in production chains in the clothing, technology and automotive sectors, including the March 2020 report of the ASPI, which identified 27 factories in nine Chinese provinces that are using the labour of at least 80 000 Uyghurs transferred from Xinjiang between 2017 and 2019; whereas these factories supply at least 82 global brands, including those owned by many European multinational companies;
- I. whereas China is one of the world's largest cotton producers, with the Xinjiang Uyghur Autonomous Region accounting for over 20 % of global cotton production; whereas China is the largest producer and exporter of yarn, and the largest producer and exporter of textiles and apparel; whereas the Chinese Government plans to double manufacturing capacity in the Uyghur Region by 2025, with apparel and textiles forming a key element of that plan; whereas three Uyghur regions alone mobilised at least 570 000 persons into cotton-picking operations through the government's coercive labour training and transfer scheme in 2018 alone; whereas Xinjiang's total labour transfer of ethnic minorities into cotton picking likely exceeds that figure by several hundred thousand, making forced labour an intrinsic and generalised characteristic of cotton harvesting in the Xinjiang Uyghur Autonomous Region; whereas 84 % of Chinese cotton comes from

the Xinjiang Uyghur Autonomous Region, which means that the yarn, textiles and garments made with Chinese cotton are at extraordinarily high risk of being tainted with forced and prison labour, whether manufactured in China or anywhere else in the world;

- J. whereas more than 80 international brand-name corporations have been reported to allegedly profit directly or indirectly from Uyghur forced labour in their supply chains; whereas the current context of oppression prevents independent investigations and audits from being conducted in the Uyghur region;
- K. 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;
- L. whereas under the current EU legislation (either at EU or national levels), companies have no legal responsibility to take action to prevent themselves from contributing to human rights abuses in their supply chains; whereas the EU Non-Financial Reporting Directive imposes a reporting obligation on companies, but does not require them to take steps to prevent harm in their supply chains or allows for them to be held accountable;
- M. whereas on the occasion of his hearing in its Committee on International Trade, Executive Vice-President Dombrovskis indicated that combating forced labour is a priority for the EU and that, also in the framework of the EU-China Comprehensive Agreement on Investment, EU investment will have to respect the relevant ILO conventions on forced labour;
- N. whereas its Committee on Legal Affairs is currently working on an initiative on ‘corporate due diligence and corporate accountability’; whereas the Council published its conclusions on human rights and decent work in global supply chains on 1 December 2020, which call on the Commission to table a proposal for an EU legal framework on sustainable corporate governance, including cross-sector corporate due diligence obligations along global supply chains; whereas the Commission announced that it will put forward a legislative proposal on ‘Sustainable Corporate Governance’ in the second quarter of 2021, which will address the need for human rights due diligence across value chains;
- O. whereas the Council has adopted a decision and a regulation establishing the EU global human rights sanction regime which enables the EU to impose restrictive measures on targeted individuals, entities and bodies, including states and non-state actors, responsible for, involved in or associated with serious human rights violations and abuses worldwide, including slavery;
- P. whereas the US Congress passed the Uyghur Human Rights Policy Act in 2019; whereas on 22 September 2020, the US House of Representatives adopted the Uyghur Forced Labor Prevention Act that imposes various restrictions related to the Xinjiang Uyghur Autonomous Region, including by prohibiting certain imports from Xinjiang and imposing sanctions on the individuals and entities responsible for human rights violations there;
- Q. whereas China has made progress in the economic and social fields, but is dismally

failing to guarantee basic international standards of human rights and fundamental freedoms;

- R. whereas in its Strategic Framework on Human Rights and Democracy, the EU pledged to step up its efforts to promote human rights, democracy and the rule of law across all aspects of its external action, and to place human rights at the centre of its relations with all third countries, including its strategic partners;
1. Strongly condemns the government-led system of forced labour, in particular the exploitation of 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, and the fact that well-known European brands and companies have been benefiting from the use of forced labour; calls on the relevant actors from the private sector to assess their engagements in Xinjiang, to exercise their corporate responsibility, to conduct independent audits of human rights compliance in their full supply chains, and to terminate business relations where these are found to abet human rights violations or, where it is impossible to ascertain whether there have been violations, either directly or indirectly, through the activity of one of their suppliers or business relationships on their value chain in China;
 2. Is deeply concerned about the increasingly oppressive regime that many religious and ethnic minorities, in particular the Uyghurs and the Kazakhs, are facing, which violate their human dignity, as well as their rights to freedom of cultural expression and religious belief, to freedom of speech and expression, and to peaceful assembly and association; deplores the worsening human rights situation across mainland China and in Hong Kong, and demands that the Chinese authorities respect fundamental freedoms;
 3. Deeply deplores the ongoing persecution and the serious and systematic human rights violations that amount to crimes against humanity; urges the Chinese Government to put an immediate end to the practice of arbitrary detention without charge, trial or conviction for criminal offences of members of the Uyghur and other Muslim minorities, to close all camps and detention centres, and to immediately and unconditionally release those detained; calls on the Chinese authorities to cease government-sponsored programmes of forced labour and mass sterilisation; calls on the Chinese authorities in the Xinjiang Uyghur Autonomous Region to provide information about the location and medical conditions of those detained, and to immediately release them if there is no evidence of actual criminal activity;
 4. Strongly condemns the extensive use of digital surveillance technologies to monitor and control the population in Xinjiang, and the most recently revealed tests of facial recognition software which could send ‘Uyghur alarms’ to government authorities when its camera systems identify members of the Uyghur minority; regrets the fact that China is not complying with its own commitments entered into by adhering to the Organisation for Economic Co-operation and Development principles on human-centred artificial intelligence and by having subscribed to the G20 declaration of June 2019, and calls on the Commission and the Member States to continue calling on China to adhere to its own commitments in this regard;
 5. Calls on the Chinese authorities to allow free, meaningful and unhindered access to Xinjiang province, and unrestricted access to the internment camps for journalists and

international observers, including to EU officials, following President Xi Jinping's invitation during the EU-China Summit of 14 September 2020, to the UN High Commissioner for Human Rights, the EU Special Representative for Human Rights and the mandate holders of the UN Human Rights Council Special Procedures; calls for 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;

6. Requests China to allow a mission from the European Parliament to Xinjiang on the condition that it is given free and unrestricted access, while guaranteeing confidentiality and safety for the local population;
7. Strongly condemns the reported massive campaign by the Chinese Communist Party to suppress Uyghur birth rates in Xinjiang, and calls on the Chinese authorities to put an immediate end to any measures aimed at preventing births in the Uyghur population, including forced sterilisations, abortions or sanctions against birth control violations;
8. Urges the Chinese Government to ratify and implement ILO Convention n°29 on Forced Labour, ILO Convention n°105 on the Abolition of Forced Labour, ILO Convention n°87 on Freedom of Association and Protection of the Right to Organise and ILO Convention n°98 on the Right to Organise and to Collective Bargaining; urges China to ratify the International Covenant on Civil and Political Rights;
9. Expresses deep concern over reports concerning the harassment of Uyghurs abroad by the Chinese authorities in order to force them to act as informants against other Uyghurs, return to Xinjiang or remain silent about the situation there, sometimes by detaining their family members; calls on the Commission and all EU Member States to investigate these reports as a matter of urgency, to ensure the protection of members of the Xinjiang diaspora, and to expedite asylum requests from Uyghurs and other Turkic Muslims; welcomes the decision taken by Germany and Sweden 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;
10. Calls on the Commission and the Member States to start a dialogue with states where Uyghurs are at risk of deportation to China to prevent such deportations from occurring; calls on members of the Council to suspend their extradition treaties with the People's Republic of China, to prevent the extradition of Uyghurs, citizens of Hong Kong, Tibetans, or Chinese dissidents in Europe to stand political trial in the People's Republic of China;
11. Calls on the EU to proactively work towards an independent UN inquiry on China with a view to ensuring accountability for the crimes committed;
12. Express its deep concern at the Chinese state's measures to ensure the 'comprehensive supervision' of Xinjiang through the installation of Skynet electronic surveillance in major urban areas and GPS trackers in all motor vehicles, the use of facial recognition scanners at checkpoints and train and petrol stations, using software based on artificial intelligence camera systems aimed at identifying Uyghurs and other members of ethnic minority groups, and the blood collection campaign by Xinjiang police in order to further expand China's DNA database; expresses deep concern at the latest revelations concerning a list containing details of more than 2 000 Uighur detainees held in Aksu prefecture between 2016 and 2018; expresses further concerns that China is exporting

such technologies to authoritarian regimes around the world; calls for the EU and the Member States to monitor the acquisition and development of these technologies, and the activity of their providers, and to refrain from giving them access to EU and national public funding and public procurement;

13. Criticises the procurement of thermal cameras from Hikivision by Parliament's administration and by the Commission; insists on the introduction of a circumspect procurement policy that takes human rights concerns duly into account; urges Parliament's administration and its President to immediately sever any direct or indirect business relationship with Hikivision, and to improve the transparency of its procurement activities;
14. 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;
15. 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 during the second quarter of 2021 at the latest and as planned, comprising 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 include a prohibition of placing the relevant goods on the EU market; recalls, in this respect, its position in its recent resolution on the Trade Policy Review, calling for complementary measures, such as banning the import of products linked to severe human rights violations such as forced labour or child labour;
16. Calls on the Member States, in accordance with their competences and national circumstances, to step up their efforts to effectively implement the UN Guiding Principles on Business and Human Rights, including through new or updated National Action Plans containing a mix of voluntary and mandatory measures;
17. Is of the opinion that the Comprehensive Agreement on Investment with China must include adequate commitments to respect international conventions against forced labour; considers, in particular, that China should therefore ratify ILO Conventions 29 and 105;
18. 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;
19. Urges the Commission, the Council and the Member States to take all necessary measures to persuade the Chinese Government to close the camps and to end all human rights violations in Xinjiang and in other places, such as Tibet; calls for the EU and its Member States to reiterate this message to the Chinese Government on every occasion and at the highest levels; regrets the fact that the approach taken and the tools used by

the EU so far have not yielded tangible progress in China's human rights record, which has only deteriorated over the last decade; 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;

20. Welcomes the adoption of the EU Global Human Rights Sanctions Regime on 7 December 2020; calls on the Member States and the High Representative of the Union for Foreign Affairs and Security Policy to swiftly evaluate the adoption of sanctions against the Chinese officials and state-led entities, such as Xinjiang Production and Construction Corporation, responsible for devising and implementing the policy of mass detention of Uyghurs and other Turkic Muslims in Xinjiang, for the use of forced labour, and for orchestrating the severe repression of religious freedom, freedom of movement and other basic rights in the region and in other places, such as Tibet;
21. Calls on the Council and Commission to implement the package of measures agreed in July, including the creation of a 'lifeboat scheme' for oppressed people in China, following the further deterioration in human rights and fundamental freedoms;
22. Reiterates its support for the forthcoming EU-US Dialogue on China, and urges that human rights should feature prominently on its agenda; calls for greater coordination among democracies in implementing sanctions and other measures to address human rights violations in mainland China and Hong Kong, as well as the geopolitical challenges posed by the People's Republic of China;
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, and the Government and Parliament of the People's Republic of China.