



Submission to the Foreign Affairs Select Committee Inquiry into the Xinjiang detention camps



A) Introduction

- i. The Muslim Council of Britain (MCB) is the UK's largest and most diverse Muslim representative umbrella body with over 500 affiliated national, regional and local organisations, including mosques, charities and professional networks.
- ii. Founded in 1997, it is independent (core funding comes from membership fees), cross-sectarian (members belong to Islam's diverse religious traditions) and democratic (leadership is elected for 2-year terms and is accountable to members).
- iii. In a report¹ produced in November 2019 ahead of the last General Election, based on a survey of a cross-section of its affiliate base and wider British Muslims, the MCB found that an overwhelming majority (89%) of respondents felt addressing human rights abuses abroad should be a priority for the next UK Government.
- iv. Since early 2018 the MCB has issued statements² and participated in events and campaigns with partners and supporters to raise awareness of the ongoing detention of Uighur Muslims in so-called "counter-extremism centres" in Xinjiang province.

B) Responses to Inquiry Questions

1. How can the UK use organisations and agreements such as the UN Human Rights Council and the Genocide Convention to influence China towards better human rights practices?
 - i. Despite wide-ranging evidence of human rights abuses, China has yet to grant international observers independent access to Xinjiang to independently assess China's claims that persecution of Uighur Muslims in Xinjiang is a "false proposition"³. The UK must continue to advocate for a UN fact-finding mission to be sent to Xinjiang as soon as possible, in order to independently collect evidence and report back to the UN Human Rights Council.
 - ii. The UN Elimination of Racial Discrimination Committee's report⁴ in August 2018 was damning of the scale of the extra-legal detention camps and contained eight recommendations to China, none of which have been implemented. The UK should advocate for the international community to hold China to account and to invoke China's international responsibility through focused and measurable actions such as these recommendations.
 - iii. China is a signatory to the Genocide Convention which puts an obligation on states to take measures to prevent and to punish the crime of genocide. Given the increasing evidence over several years of genocide activities taking place in Xinjiang by human rights groups, and more recent interventions by Jewish groups drawing parallels

¹ <https://mcb.org.uk/report/british-muslim-perspectives-at-the-2019-general-election/>

² <https://mcb.org.uk/?s=Uighur>

³ <http://www.chinese-embassy.org.uk/eng/zywl/t1812070.htm>

⁴ <https://www.ishr.ch/news/china-un-discrimination-experts-alarmed-reports-xinjiang-urge-prompt-action>

- between the Xinjiang detention camps and the Nazi concentration camps, the UK should advocate for the immediate greater involvement of the UN Office on Genocide Prevention and the Responsibility to Protect in launching an independent inquiry.
- iv. On freedom of belief, China's own constitution, Article 36, expressly states that "no state organ, public organisation, or individual may compel citizens to believe in, or not believe in, any religion" and China should be reminded of the importance of compliance with its own constitution.
2. Where these mechanisms prove ineffective, what other international laws and agreements can be used effectively for atrocity prevention?
- i. Global incidence of mass atrocity crimes has been rising in recent years, with the genocide of Uighur Muslims in China being just one example. With the UK being a permanent member of the UN Security Council (UNSC), the UK can and should exercise its influence via the UNSC more frequently and more effectively.
 - ii. Dr Kate Ferguson, Director of Research and Policy at Protection Approaches which convenes the UK Atrocity Prevention Working Group, argues that "the UK still lacks any kind of coordinating mechanism or national strategy of atrocity prevention" and recommends the UK adopt a national strategy for atrocity prevention.⁵ This could, for example, be similar to the interdepartmental US Atrocities Prevention Board established in 2012. The Foreign Affairs Committee previously made this recommendation in 2018 but the Government rejected the recommendation⁶ and instead continued to take an ad hoc approach to atrocity prevention which is simply insufficient for a nation with significant responsibility as a permanent member of the UNSC.
 - iii. The UK Government should consider reintroducing the Genocide Determination Bill which was first introduced in 2017 and is designed to provide for the High Court of England and Wales to make a preliminary finding on cases of alleged genocide or crimes against humanity and for the subsequent referral of such findings to the International Criminal Court.⁷

⁵ <https://ecr2p.leeds.ac.uk/what-can-the-uk-do-to-help-protect-the-uyghurs-adopt-a-national-strategy-of-atrocity-prevention/>

⁶ <https://www.una.org.uk/news/una-uk-disappointed-uk%E2%80%99s-response-foreign-affairs-committee-inquiry-humanitarian-intervention>

⁷ <https://services.parliament.uk/bills/2017-19/genocidedetermination.html>

3. How can the UK use its influence on countries other than China who are complicit in the persecution of Uyghurs?
 - i. The UK could engage in greater dialogue with those nations with which it has a strong relationship, including members of the Commonwealth, to explore ways to tackle this crisis and present a united front.
 - ii. The 2022 Winter Olympics will be hosted in Beijing. The UK must show leadership in the international community by defining a threshold of evidence and independent access for international observers to the Xinjiang detention camps, for which participation could be conditional on, and by urging other nations to do the same.
4. What mechanisms can the Government use to discourage private sector companies from contributing to human rights abuses?
 - i. The End Uyghur Forced Labor (EUFL) coalition believes that “1 in 5 cotton garments on the global market has involved Uighur forced labour in its supply chain” and that “virtually the entire apparel industry is tainted by forced Uyghur and Turkic Muslim labor.”⁸ It is thus almost certain that UK-linked businesses are sourcing products that have been manufactured with this forced labour. A campaign targeted at relevant UK business sectors and consumers could be launched to raise awareness of the fact that many clothing products could be tainted with forced labour.
 - ii. The Global Legal Action Network’s (GLAN) 2020⁹ report identified that large brands such as H&M, Uniqlo, Muji and Ikea were sourcing cotton from Xinjiang. The report’s recommendation for HMRC to suspend imports of cotton goods produced with forced labour in China should be seriously considered.
 - iii. The Government could publicly promote and celebrate proactive steps by international supply chain organisations such as the Better Cotton Initiative (BCI) who recently suspended its licensing and assurance activities in Western China in “recognition that the operating environment prevents credible assurance and licensing from being executed”.¹⁰
5. How can UK-linked businesses with operations in Xinjiang be made accountable for any involvement in human rights abuses?
 - i. The Foreign Prison-Made Goods Act 1897 prohibits the importation of goods produced in foreign prisons. Prosecution of UK companies importing goods produced with the help of forced labour in China could be seriously considered. The imposition of

⁸ <https://enduyghurforcedlabour.org/news/402-2/>

⁹ <https://www.glanlaw.org/uyghur-forced-labour>

¹⁰ <https://bettercotton.org/where-is-better-cotton-grown/china/announcement-bci-suspends-licensing-in-western-china/>

- significant fines and naming of prosecuted companies would act as deterrents for other companies who fail to critically assess their supply chains.
- ii. The February 2020 report “Uyghurs for Sale” by the Australian Strategic Policy Institute¹¹ estimated that, between 2017 and 2019, approximately 80,000 Uyghurs were transferred from detention centres in Xinjiang to factories throughout the whole of China. A national blacklist of manufacturers/suppliers operating not only in Xinjiang but across the whole of China, where there is credible evidence of the use of forced labour, should be developed to help UK companies critically assess their supply chains.
 - iii. Given the globalised nature of product supply chains, consideration could be given to how the Modern Slavery Act 2015, which is currently limited to forced labour in the UK, could be broadened to include increased transparency around what business are doing to tackle the use of forced labour by their international suppliers.
6. What is the best form of support to offer to members of the Uyghur diaspora (and others) who are experiencing persecution and harassment abroad?
- i. Members of the Uyghur diaspora including those in the UK must feel they have the backing of their host nation when faced with persecution and harassment.
 - ii. Where there are reports of the Uyghur diaspora members in other nations facing persecution and harassment, UK embassies should strongly raise concerns with the host nation for action to be taken.
 - iii. Support the establishment of an independent, culturally- and religiously-sensitive reporting mechanism for Uyghurs facing persecution and harassment abroad e.g. by building an evidence base on persecution and harassment campaigns and providing a platform for their victims to speak and be heard.
 - iv. Where there is evidence that threats and intimidation are being carried out by Chinese embassy or consulate staff under the protection of diplomatic immunity, a strong signal must be sent to the Chinese Ambassador to the UK, Liu Xiaoming, that such activities cannot be allowed to continue.
7. How can the UK support the promotion of knowledge and transparency about this issue, both within China and internationally?
- i. UK political and trade representatives could publicly raise questions about the Xinjiang re-education camps wherever possible such as at press releases, trade meetings and other opportunities.
 - ii. Within China, UK representatives could also consider using every opportunity available to affirm to their Chinese counterparts that we understand that the Constitution of the

¹¹ <https://www.aspi.org.au/report/uyghurs-sale>

- People's Republic of China to be clear that discrimination on the grounds of ethnicity or religious belief is forbidden, and ask what is being done to challenge the continued existence of these political re-education camps which have no basis in Chinese domestic law.
- iii. MPs should avoid silo working by increasing collaborative efforts between relevant All-Party Parliamentary Groups including the APPG on Uyghurs, the APPG for International Freedom of Religion or Belief, the APPG on Human Right, the APPG on British Muslims and the APPG for the Prevention of Genocide and Crimes Against Humanity.
 - iv. The UK should ensure that human rights are a focus of its free trade agreements¹² with China by ensuring that there is a strong enforcement mechanism in the event of breaches of human rights. Such an enforcement mechanism could include a levy on goods and services from China that do not meet human rights standards as set out in the agreement.
8. How effective is the FCDO's current approach to atrocity prevention, and how can it be restructured to maximise the UK's impact in this area?
- i. The FCDO's approach to date on the Xinjiang situation been slow and lethargic with little tangible action despite the years of mounting evidence that atrocities are taking place.
 - ii. The Muslim Council of Britain wrote to the now FCDO in December 2018¹³ outlining our deep concerns on the Xinjiang situation and calling for stronger action against the Chinese Government but received no response.
 - iii. The FCDO must have a clear and ethical foreign policy that applies a consistent approach to human rights abuses in all countries. For example, with the ongoing war in Yemen being described by the UN as the world's worst humanitarian disaster, the UK's resumption of arms sales to Saudi Arabia in July 2020 despite numerous reports by human rights groups¹⁴ that these UK-manufactured weapons are likely being used to carry out war crimes, creates perceptions that may compromise the UK's ability to challenge atrocities taking place elsewhere in the world such as in Xinjiang.

¹² <https://lordslibrary.parliament.uk/research-briefings/lln-2019-0117/>

¹³ <https://mcb.org.uk/general/uyghur-muslims-mcb-calls-on-foreign-secretary-to-take-strong-action-against-chinese-government/>

¹⁴ <https://www.hrw.org/news/2020/07/15/uk-greenlighting-arms-sales-saudi-arabia-again-thats-travesty>