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U.S.- China Policy: How Mistreatment of the Uighurs Affects Foreign Policy

An honors thesis presented to the
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Abstract

The United States and China have a complex relationship that is influenced by security issues, climate change, combatting terrorism, strategic stability, and human rights violations. The United States has held the position that China is a crucial trading partner due to the vast level of economic interdependence between the two nations. However, the United States is a protector of human rights and has not shied away from intervening to protect persecuted religious groups from human rights violations. This paper seeks to distinguish the plight of the Uighur Muslim population in the Xinjiang province in China. It discusses how United States foreign policy statutes with China should be amended to alleviate the suffering of the Uighurs including diplomacy and sanctions.

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Table of Contents

| | |
|---|-----|
| Abstract | ii |
| Acknowledgements | iii |
| The Uighurs | 1 |
| Overview Statement | 4 |
| Human Rights in China and U.S. Response | 5 |
| Current Political Atmosphere | 10 |
| The Camps | 11 |
| How Extremist Groups Benefit | 13 |
| Major Actors | 15 |
| Extremist Groups | 15 |
| China | 16 |
| The United States | 17 |
| The United Nations | 19 |
| Policy Measures | 20 |
| Re-Establishing Diplomacy | 20 |
| Legislative Action | 21 |
| Executive Action | 23 |
| Conclusion | 25 |
| References | 26 |

The Uighurs

The Uighur Muslim population has lived in Eastern Turkestan and the former Soviet Union since the Turkish people expanded from the Mongolian lands starting in the 6th century. The early story of the Uighurs begins with the Islamic city states, Kashgar and Khotan. They were ruled by Caliphs, who were temporal rulers and spiritual leaders. The last of these rulers was overthrown in 1759 by the Qing dynasty as it expanded in Central Asia. This new government established many organizations but did not bring peace to the region. One successful revolt was led by Yakub Beg, who established an independent government in Kashgar in 1867. It was eventually overthrown by Qing armies in 1878 under Zuo Zongtang, who had already quelled a Hui Muslim uprising in China. The Qing Dynasty fell in 1911 and since the newly ratified Republic of China was weak, the leadership in Xinjiang was effectively independent. There were intermittent attempts to create independent Muslim states, the two Eastern Turkestan Republics, ones based in Kashgar (in the 1930s), and Ghulja, north of Xinjiang, between 1944 and 1949. Mao Zedong and the Chinese Communist Party (CCP) declared victory in the Civil War in 1949 and proclaimed the People's Republic of China (PRC). Regions were exploited for economic collectivization and "national minorities" were handled with policies that attempted to control, rather than integrate them (Beller-Hann 2002, 57-60). The Uighurs countered with protests and attempted independence movements that were short-lived and unsuccessful.

Resistance continued into the 1950s and in 1955 the PRC created the northwestern Xinjiang Uighur Autonomous Region (XUAR) as a concession to the non-Han population and the region had similar political arrangements as Tibet and Inner Mongolia. The Mandarin name, Xinjiang means "new frontier" and the region is almost three times the size of France- although its level of autonomy is minimal. The Uighurs have deep roots in the Xinjiang region as they

descended from the Sogdian traders of Marco Polo's time (Tharoor 2009). The XUAR is the largest "administrative unit" of the PRC and has thirteen recognized nationalities. Six are Muslim and speak Turkic languages. The Uighurs are the largest group and have been in the majority in the region since the founding of the region (Beller-Hann 2002, 58-59). The Uighurs are not ethnically or culturally Chinese and they refer to their homeland as Eastern Turkestan. There are approximately eleven million Uighurs in Xinjiang and there has been ethnic tension in the area resulting in conflict and violence. Official ideology recognizes the Uighurs as equal citizens of the communist state of the PRC, but they have always had an uneasy relationship with Beijing. The region tried to declare themselves the Republic of East Turkestan, but Xinjiang was consolidated into China when Beijing tightened its grip on the oil rich region. The Han Chinese have settled in the region, leaving the Uighurs to comprise a little less than half of the region's population. The Han make up over 90% of China's population. Most Uighurs believe that their economic and social mobility is limited within the dominant Han society. The colonial nature of Han rule in Xinjiang has led to conflict (Tharoor 2009).

The majority of Uighurs today consider themselves to be Sunni Muslims and they practice a strand of Islam that is peaceful and tolerant. Their Arabic script has been a major factor in maintaining their sense of national identity. The majority of the Uighur population resents the fact that they need to learn to speak Mandarin in order to succeed in a Han dominated society. They believe they are discriminated against for not speaking Mandarin well and that their job opportunities are limited. Han-Uighur relations are prompted by racist attitudes. The Han have traditionally viewed themselves as being superior and have looked down upon minority groups. Many Han people believe that the Uighur are a "fierce" and "unreasonable" people. They allegedly have a "primitive mentality" and the Han associate them with thievery.

The Uighurs' serious demands for independence began in 1966 after the Cultural Revolution weakened the central authority within China.

When the Soviet power bloc collapsed in 1991, Turkic populations in Central Asia established the independent states of Uzbekistan, Kazakhstan and Kyrgyzstan. There were demonstrations in 1995 in Yining (in the Xinjiang region) that compelled Beijing to issue *Document Number 7* in 1996. The document determined that the earlier conflict was the most “serious threat to the Chinese state” and a “Strike Hard” campaign against resisters was put in place. Under this new ideology, repression was permanent. Anyone who was suspected of being sympathetic toward the separatist movement, or involved in “illegal religious activities” could be detained without a trial (Dillon 2020). Another conflict in 1997 was violently suppressed under the authority of the new document. There were further clashes between the Uighurs and Han Chinese in the region's capital, Urumqi, in July 2009. In the southern Chinese province of Guangdong, male Uighur factory workers were accused of sexually assaulting female Han workers. Two Uighurs were left dead in the resulting struggle. Later in July, Uighurs began demanding an investigation into the incident. What started as peaceful protests between the Uighurs and the Han turned violent and the Chinese paramilitary was called in. Protests spread to other parts of the region and while the full scale of the protests were never reported, it is estimated that the death toll rose to at least 197. Around 1,600 people were wounded and 1,000 were arrested. The true scope of the demonstrations are unlikely to ever be known due to the lack of oversight (Beauchamp-Mustafaga 2019). Weeks later, the Chinese government ended up detaining an estimated 1.5 million Uighur people and imprisoning them in internment camps. The secrecy surrounding the right to judicial processes and the oppression aroused widespread international concerns about human rights.

The Chinese constitution contains a guarantee of freedom of religion for ethnic minorities. However, the CCP has been weary of organized religious activity since its founding in 1949; Mao Zedong emulated Stalin's attempts to hinder religious freedom in the Soviet Union. Despite the Constitution stating that all ethnic groups are equal, China does not have a policy for multiculturalism, which would allow many cultures to coexist equally, or at least more peaceably, in society while being able to maintain their individual cultural and ethnic identities. China balances the desire to maintain the Uighur population in order to show the world that China does in fact have national minorities with their own language and culture with the eagerness to solve the "problem" of ethnic minorities by having the Uighurs accept the goals of the dominant Han society and play a role in the future development of the country, even if these two goals are not compatible (Kaltman 2014, 126-130). China's contempt for religious minorities is also exemplified by their invasion of Tibet in 1950. Beijing argued that Tibet needed China to "liberate" it, but in reality, China was interested in the resources and the strategically important border with India. They exercise control over Tibet's religious freedom by attempting to discredit the Dalai Lama and they assert that they have the right to pick the next one, much to the displeasure of the Tibetans (BBC News 2014). History shows that the Chinese government has not been receptive of religious minorities.

Overview Statement

The objective of this administration in addressing the issue of the Uighur detention is to raise awareness of this issue globally and encourage the world to unite in concentrating efforts towards this crisis. It is undoubtedly one of the greatest human rights catastrophes of this time period and needs to be focused on. The arbitrary detention of thousands of Muslims based on their religious practices in sprawling camps warrants attention. The atrocities may occur far

away, but what's happening in China is not staying in China. The United States cannot single handedly solve this issue, and the policy objectives offered recognize that, but the United States must step up and take the lead. It is imperative that national interests such as trade, security and technology advances remain a priority, but we must not forget our democratic ideals and intolerance of religious persecution. Western diplomats and U.N. human rights officials have denounced China's actions in Xinjiang. Former Vice President Mike Pence is the most senior Trump administration figure to condemn the actions. Given Trump's fixation on tariffs, it is likely that he did not speak out against the atrocities in order to push trade negotiations with President Jinping. However, the administration's intense focus on tariffs to punish Chinese trade misconduct did not include targeted sanctions to punish human rights violations. It is understandable that the previous Congress shifted policy tools and resources to the Covid-19 pandemic, but I urge the 117th Congress to re-introduce the multiple pieces of bipartisan legislation that pertain to the Uighurs. The current administration should subsequently seek to enact that legislation and should invoke the Global Magnitsky Act, that was written for times like these. Furthermore, the government should protect Uighur Muslims in the United States. In the next four years of this administration, it is reasonable to expect that the numerous Congressional bills will be passed. In terms of invoking the Global Magnitsky Act, it will take time to properly enforce it and ensure that it achieves its goal to hold Chinese officials accountable for their unspeakable actions.

Human Rights in China and U.S. Response

China has been criticized for their record on human rights for decades. Since 1990, there have been more than ten attempts to censure China before the United Nations Commission on

Human Rights in Geneva, although each attempt has failed. Every year the United States Department of State claims serious abuses, and describes the situation in China as deteriorating. Starting right after the Chinese Communist Party took power, their promotion of human rights has been questioned. After the CCP's Hundred Flowers Campaign in 1957, when the government encouraged citizens to give their honest opinion, there were many critics of the government and Mao Zedong initiated the Anti-Rightist Campaign. Intellectuals, academics, and legal personnel were sentenced to re-education through labor (similar to what is happening to the Uighurs). In 1966, the Great Proletarian Cultural revolution led to the death of millions more (Cohen 2019). LGBTQ+ people still face widespread discrimination and stigma in Chinese society. Transgender people seek unregulated gender-affirming treatments in hopes of living true to themselves, but these treatments pose a risk to their health and they still face mistreatment in the form of conversion therapy. Transgender people are classified as having a mental illness. In February 2019, the justice system, which is largely under control of the CCP, increased the powers of law enforcement and security agencies by exempting police officers from legal responsibility for any damage they might cause to individuals or organizations.

Furthermore, it is no secret that the government censors all media forms, from print to online games. Officials use facial recognition and name registration systems to keep people under surveillance control. They also run malware to prevent citizens from using servers, websites and phone applications that are deemed problematic (Amnesty International 2019). The government overhaul also permits the newly created body, the National Supervisory Commission to detain people for up to six months without fair trial procedures, in a system called "liuzhi". In light of the #MeToo movements, a number of women in China came forward and lodged sexual harassment claims, but the government dampened public outrage by censoring the allegations.

China also has a history of punishing human rights defenders for their work. In August 2015, Beijing police detained human rights lawyer Wang Quanzhang and reportedly tortured him using electric shocks and force-fed him medications to keep him awake. He was not allowed to meet with his lawyer for almost a year. In January 2018, police detained Yu Wensheng and he was arbitrarily charged with “obstructing public duties” and “inciting subversion of state power”. The judicial system handed down prison terms for human rights activists and disbarred lawyers. Democracy advocate Qin Yongmin spent over twenty years in prison for speaking out against state power. These are a few of the many examples of activists and lawyers being indicted on injudicious charges of undermining the state’s central authority (Human Rights Watch 2018).

The modern day discourse on human rights in China was sparked by the Tiananmen Square incident in 1989 when the world suddenly increased pressure on the regime to change their ways. Student led protesters were met with martial law in Beijing; troops and tanks moved in on the crowds. The Chinese government said that two hundred civilians died, but other estimates put the death toll in the thousands. To this day, online posts pertaining to the massacre are removed from the internet and awareness is tightly controlled by the government. This human rights violation and others have sparked responses from the United States government. Following Tiananmen Square, the U.S. froze military sales to Beijing. Congressional attitude toward China changed a couple of days after the incident. Liberal members of Congress were disturbed because they had believed that China’s economic opening would lead to positive changes within the nation; meanwhile, conservative members claimed not to be surprised by the barbaric acts. Congress felt the need for an effective response but they were hampered by lack of control over the executive branch and conflicting national interests. Congresswoman Nancy Pelosi, a new representative, took the lead on creating legislation that would allow Chinese

university students to stay in the United States once their visas expired. President Bush vetoed the bill, but signed an executive order that accomplished the same thing. As a result of Tiananmen Square, the House of Representatives proposed legislation that designated sanctions, such as restricting the sales of arms, crime control equipment and technology. Representatives also sought to restrict loans China was receiving from international institutions. The Senate passed a similar version of the bill in 1990 and the bill became law (Bush 2019).

One crucial sanction that did not pass was conditioning the President's annual extension of China's most-favored-nation (MFN) trading status with the U.S. This status affords partner nations to benefit from advantages such as high import quotas. The MFN status enabled China to circumvent the high protectionist tariffs placed on imported goods to the U.S. that were implemented during the Smoot-Hawley era. Nations that are members of the World Trade Organization agree to MFN status with each other. Representative Pelosi and Senator George Mitchell drafted a bill that would link China's human rights and economic policies to the annual extension of its MFN status, but was not enacted into law. When President Clinton took office, he extended the status, but issued an executive order that would set conditions for the following year. The campaign to ensure that Beijing accepted the U.S.'s terms was high-stakes and time-sensitive. Beijing held out and played to the fears of many American business corporations that their competitive position in China would end and in 1994, Clinton abandoned his linkage policy. The United States-China economic interdependence was deepening (Bush 2019).

Any attempts to sanction China with shifts in policy, have been thwarted by the need to keep national interests a priority. The federal government is cognizant of the fact that China is one of the country's top-ranked trade partners. The economies of the two countries have been intertwined for decades. In 1979, President Carter granted China diplomatic recognition with the

“One China” principle which takes the position that there is only one sovereign Chinese government. In April of that same year, Congress approved the Taiwan Relations Act. This stipulates that Washington, D.C. would provide Taiwan with defensive equipment, but does not violate the One China policy.

Following Carter, President Reagan visited China in 1984 and in the following months, the government permitted Beijing to purchase military equipment from the United States once again. President Clinton signed the U.S.-China Relations Act of 2000 and granted normal trade relations with the United States. This paved the way for China to join the World Trade Organization in 2001. Between 1980 and 2004, trade between the two nations increased from \$5 billion to \$231 billion. In the wake of the Great Recession in the U.S. in 2008, China surpassed Japan to become the largest holder of U.S. debt, valued at around \$600 billion at the time. The economic imbalances during the tumultuous time fueled concerns regarding the level of reliance between the two countries. Tensions rose between China and the U.S. in 2012 when the trade deficits rose to \$295 billion. China restricted the exportation of rare earth metals and the U.S., the European Union, and Japan requested “consultations” with China through the World Trade Organization. The nations argued that China was violating international trade norms and forcing companies that require the metals to relocate to China. In March 2018, the Trump administration announced tariffs on Chinese imports, worth at least \$50 billion in response to what the White House alleged was a “theft of U.S. property”. The tariffs targeted clothing, shoes and electronics. The Chinese government retaliated by imposing tariffs on some U.S. products and concerns of a trade war were raised. Following this, in July 2018, each country imposed more tariffs, valued at about \$34 billion for each country. Trump accused China of “ripping off” the United States and taking advantage of free trade rules, while Beijing criticized the Trump administration for “trade

bullying”. There were talks between President Trump and President Jinping, but the trade war intensified further in 2019. Trump raised tariffs on certain goods from 10% to 25% and China responded with plans to do the same. In January 2020, Trump and Chinese Vice Premier Liu He signed a ‘phase one’ agreement, which was a breakthrough in the trade war (Council on Foreign Relations 2020). The future of U.S.-China trade policies remain to be determined due to the rivalries between the nations.

The complexity of the bilateral trade relations between the two nations make the U.S. reluctant to intervene in China’s human rights abuses. However, this should not scare the administration into taking the necessary policy measures needed to end the violations against the Uighurs. While amicable trade relations are a top priority, the U.S. should not overemphasize this at the expense of vulnerable groups.

Current Political Atmosphere

Xi Jinping came to power in 2012 as the General Secretary of the CCP, and was appointed as President in March 2013. He has made efforts to eliminate presidential term limits in an attempt to consolidate his power. President Jinping emphasizes conformity and uniformity and he established Chen Quanguo as General Secretary in 2016. Quanguo installed “counter-terrorism” into vocabulary and used the threat of terrorism and extremism as reasoning behind the infamous camps and surveillance technology. Many mosques and shrines have been destroyed as well under the guise of protecting China’s national security (Dillon 2020).

Widespread Uighur alienation has prompted some to resort to violence. Following the 9/11 attacks in the United States, Beijing convinced Washington to list the East Turkestan Islamic Movement (ETIM) as a terrorist organization. ETIM is an Islamic extremist group

founded by Uighurs. The threat of Uighur terrorism loomed over Xinjiang after a series of attacks and bombings hit the province during the build-up to the 2008 Beijing Olympics. The extent of the ETIM's tactical capabilities alarms Beijing (Tharoor 2009).

The Chinese government is imprisoning Muslims based on a number of criteria. The first is their religious activity, such as going to a mosque, praying, or growing the long beard associated with their religious identity. They are also detaining people based solely on family ties. A database, obtained by the Associated Press, indicates that the imprisonment of at least 311 people was based on their family ties which indicate a shared Muslim faith. Because every entry in the database included the prisoner's address, name, detention date, location, national identification number and the reason the person was detained, it was possible to determine that people with relatives who are detained are much more likely to be detained themselves and that the length of each detention period was predetermined. The systematic targeting of families based on religion pulls them apart and makes them vulnerable to retraining and re-education (Olohan 2020).

The Camps

Video cameras and police checkpoints keep citizens under constant watch in Xinjiang. China says that the crackdown is necessary to prevent terrorism and root out Islamic extremism. This action is part of a larger campaign by President Jinping to promote Han nationalism as a unifying force and to suppress any ethnic, cultural or religious identities that might compete for popular loyalty with the Chinese Communist Party. Detention in camps is seen as the key to that strategy. The government calls the numerous camps, "Vocational Educational and Training Centers" (Shiel & Chavkin 2019).

Leaked documents, called the China Cables, show that there are watch towers, double-locked doors and video surveillance at each camp in order to prevent escapes. Detainees are forced to learn Mandarin, renounce “extremist” thoughts and undergo daily indoctrination under CCP propaganda. Physical and psychological torture is not uncommon and detainees are used to help the propaganda cause. They are scored on how well they speak Mandarin and must follow strict rules. Exams are given each week to the detainees to measure their “progress of learning”. In addition to formal lessons, lessons are given in manners. The detainees are scored on their health, daily life, obedience and unity. The camps are directly linked to technology used for mass surveillance. The system is used to identify thousands of people to target for questioning and potential detention. The government is using advances in social control and artificial intelligence to their advantage. The minimum stay in a detention center is a year. After the “training” is deemed complete, detainees are assigned to factories to work under what is widely considered forced labor conditions.

The China Cables revealed that plans for the detention centers had a key signature on them, Zhu Hailun, who at the time was the head of Xinjiang’s Political and Legal Commission. It was stipulated in the documents that within the camps, it was imperative that disturbances and escapes be prevented at all costs. Personnel are privy to security guard rooms, high guard posts, patrol routes and are permitted to instill internal isolation, protective defenses and safe passageways. They are instructed to be aware of potential escapes during “student activities, eating periods, bathroom breaks, medical treatment” and more. Finally, the personnel are sworn to strict secrecy (Alecci 2019). The government recognizes that the camps are highly sensitive and the staff are held to high expectations regarding discipline and confidentiality.

China is detaining an astronomical number of ethnic minorities, the majority of whom are a part of the Uighur population, in indoctrination camps. They are being targeted for surveillance and detention. The campaign against them is notable for its size, severity and the fact that it is a cultural genocide. It is not a mass extermination of people, but of beliefs and ideas. Despite this, China faces inadequate pressure from other nations to cease the campaign that violates the human rights of its ethnic minorities.

How Extremist Groups Benefit

The efforts China is putting in to persecute the Uighur minority is handing Islamic extremist jihads a free pass to recruitment. The Uighurs have become a part of the active jihadist terror groups. They have joined under the banner group the Eastern Turkestan Islamic Movement and have spread throughout the Middle East and Southeast Asia. Some members have joined Al-Qaeda in Syria and some have joined ISIS. A 2017 meeting with Syria's ambassador to China revealed that he believes that at least 5,000 Uighurs were fighting for Syria in various jihadist groups. This was much higher than the three hundred that the Chinese expected to hear. It is entirely possible that the number estimated by Syria was overstated in order to encourage support of the Assad regime, nevertheless, they are voluntary members. The Uighurs have led several attacks in China in hopes of gaining their own state of East Turkestan, including an attack at Tiananmen Square in 2013 and numerous suicide bombers and knife attacks in 2014 (Wolf 2016, 2-5). Turkey has historically been sympathetic to the Uighur cause because they share an ethnic link. The Uighurs see extremism as a way to further their struggle against the Chinese government. The EITM is believed to have started as a separatist group, but have been drawn to radical Islam due to the close presence of Al-Qaeda and the Taliban. The Turkestan Islamic Party

(TIP) released propaganda videos that highlighted the Uighurs in Syria. As foreign fighters flock to join extremist groups, it is unclear the number that come from China, but there is little doubt that the Uighurs have joined the jihadist movements in the Middle East. It is interesting to note that Uighur fighters have an atypical profile amongst these ranks. They are older, poorer and more likely to join the extremist groups with their families. This signals that they do not wish to return to China, given the high cost of relocating in the first place. The recruits are routinely unskilled and uneducated. They are being recruited under the promises of camaraderie and educational opportunities. Uighur militants are unafraid to antagonize the Chinese government once affiliated with these groups. A March 2017 video shows the foreign fighters threatening the Chinese government by showing an image of President Jinping before switching to burning the Chinese flag. The presence of Uighur foreign fighters on the international jihadist scene is expected to grow as their plight is being recognized by Islamic militant groups and their connections widen with other jihad groups. The increasing number of crackdowns in China will create new pools of recruits and new surges in radicalization. The future of the foreign fighters is unknown, which strikes fear into Beijing. Violent and lethal insurgencies within China threaten the nation's prized "Belt and Road" initiative which is the centerpiece of the country's foreign and economic policy. Whether militants return to China to wage jihad, stay in the Middle East, or join private military contractors, their actions could greatly impact the security of China. With little attempts to alleviate the deep-seated grievances of this ethnic minority, the government is effectively handing over recruits to the extremist groups in the Middle East.

The heavy-handed policies of the Chinese Communist Party have done the government a great disservice. Brief glances at the history of insurgencies in the modern era shows that what often begins as mundane grievances can manifest over time and develop into more heated issues

between minority groups and the ruling party. Authorities maintain tight control over the agitated Uighur population in Xinjiang, and will continue to do so through repressive measures. If the conflict becomes global, as has occurred in places like Afghanistan, Chechnya, the Balkans and now Syria, Beijing could soon find itself in the crosshairs of a religiously motivated faction of returning fighters, an undesirable position for any nation (Clarke & Kan 2017, 3-7).

Major Actors

Extremist Groups

The numerous extremist groups have a lot to gain from the ethnic conflict within China. The Islamic State and Al-Qaeda have both waged war against Beijing and describe China as an “enemy of all Muslims”. Inroads into these extremist groups were created for the Uighurs as they fled China into Turkey and Syria. The groups have the means and motive to recruit Uighur fighters out of China. The motivation for the Uighurs to join extremist groups are the promises of educational opportunities and a shared struggle for recognition and legitimization from the rest of the world. The extremist groups give recruited members a sense of ‘belonging’ which is critical for the Uighurs, who do not feel that they should be a part of mainland China. The extremist groups deliver job opportunities and skills training to the Uighurs, who feel that they are alienated from these opportunities within China. ISIS sees it as their duty to “liberate” the Uighurs from the communist regime. In 2015, ISIS released a four minute propaganda song, called a ‘nasheed’ in Mandarin, to attract the disenfranchised Chinese Muslims to the so-called holy war, or jihad (Wong & Wu 2015). As the repression of the Uighurs increases, so does the competition amongst the jihadist groups to recruit pliable members. Uighur fighters are attractive to militant groups for a number of reasons. They are geographically, demographically and

socioeconomically diverse in terms of composition. They are able and willing to completely relocate with their families and they are dependent on the radial groups for opportunities outside of China. It is the mission of this administration to lessen the suffering of the Uighurs and decrease the sentiment amongst the Uighurs that they need to turn to extremist movements in order to be heard. Therefore, the radical groups are not going to support the U.S.'s attempts to interfere in foreign relations, as they see any Western involvement as a threat to their existence. Logically, they would hope that the United States stays out of this ethnic conflict in order to increase membership. Regardless of this attitude amongst extremist groups, it is imperative that the international community legitimize the agonizing experience of the Uighurs not only as a humanitarian and fundamental rights issue, but also as a factor of a dreaded increase in the world order of Global Jihad.

China

China denied any accusations of detaining Uighur Muslims in re-education camps in 2018. At a United Nations hearing in Geneva, members of the CCP contradicted officials who questioned them about the existence of such camps. They insisted that ethnic minorities live in peace in China and enjoy religious freedom (Cumming-Bruce 2018). However, in 2019, China went on the offensive in light of indisputable evidence that proves they are detaining Muslims. Chinese officials have accused lawmakers and the press of stirring up ethnic tensions in Xinjiang and undermining the government's policies. Congressional bills that had received overwhelming support in Congress were dismissed by Shorat Zakir, chairman of the Xinjiang government, as being an asinine attempt to meddle in China's internal affairs. Beijing still holds the stance that the camps are vocational training centers. They also say that people have "graduated" from the

camps and that those still in the camps are there by their own will. Researchers at Human Rights Watch believe that the government's claims lack credibility. The government's attempts to paint the camps as efforts to combat extremism are unwavering, but doubtful (Buckley & Ramzy 2019). The Chinese Communist Party would be acrimonious to any United States involvement, or any foreign engagement in what they view as internal affairs. The United States and China have diverging concepts of security and China would resent any efforts to curb their attempts to "maintain security" within the country. Objections to international interventions will not be overcome, but the threat of sanctions or attempts to reach out with diplomatic measures have the possibility of urging China to reduce their human rights violations.

The United States

Multiple branches of government have responded to the human rights abuses. Former Secretary of State, Mike Pompeo, has spoken out about the treatment of the Uighurs. He has called it the "stain of the century" and said that it is one of the worst human rights crises of this time period (Gunia 2019). He stated that he is "deeply troubled" by the reports coming out of China. Other members of the State Department have spoken out as well. David Ranz, the former acting Deputy Assistant Secretary for the Bureau of South and Central Asian Affairs, denounced the unconscionable acts committed by the CCP. He called on China to end the repression and urged other governments to join the U.S. in asking China to release those still detained in camps (Ranz 2019). The Trump administration quietly named a Uighur American as the Director for China on the National Security Council in 2019 (Ma 2019). Elnigar Iltebir is the Harvard educated daughter of a Uighur journalist and her role was to help determine policy with China. In a powerful move, Iltebir was positioned to negotiate against the Chinese government. While

this was a bold maneuver, it could rile Beijing and threaten the potential for civil conversation between the two nations. The legislative branch has also taken steps to condemn the Chinese government. In January 2019, Senator Marco Rubio introduced S. 178- the Uyghur Human Rights Policy Act of 2019. It is bipartisan and currently has 50 co-sponsors in the Senate. The bill directs the President to impose sanctions and export restrictions on China. It also calls on the President to impose visa-blocking sanctions on Chinese officials who are engaged in human rights violations. It passed the Senate in September 2019 and passed the House with changes in December. If the Senate approves the changes, which is likely, it will go to the President for his signature. A companion bill, H.R. 649, was introduced in the House by Representative Christopher Smith. Finally, Representative Brad Sherman introduced H.R. 1025- the UIGHUR Act, which combines elements of these bills (Congress 2019). The proposed bills in Congress are confirmation that the legislative branch would like to see the same approaches taken in mitigating this conflict as the executive branch and would likely be responsive to efforts to collaborate on policy measures that focus on this ethnic tension. Furthermore, this issue is of special concern to the United States in that it is not only an issue of human rights, but of religious freedom as well. In 1998 Congress enacted the International Religious Freedom Act. This Act requires both Congress and the executive branch to consider issues of religious freedom and persecution when shaping foreign policy. It also established an Office of International Religious Freedom at the State Department, which annually provides the President a list of “countries of particular concern” that are on a Special Watch List for severe violations of religious freedom (Graver 2018). In December 2019, the State Department re-designated China as one of the countries of particular concern under the 1998 act (Department of State 2019). In the light of a

new administration, it is imperative that the executive office work in conjunction with Congress to ensure that the ideals of the International Religious Freedom Act are being upheld.

The United Nations

The United Nations has a noteworthy role in this conflict. At the United Nations General Assembly in October 2018, more than two dozen countries voiced outrage at the treatment of the Uighurs. The UN Commission on the Elimination of Racial Discrimination has credible reports of mass detention, which sparked the outrage. A rebuttal was issued by Belarus with the support of Russia and Egypt, who along with China, are prominent human rights abusers. The fact that there are dissenting opinions within the member nations has caused the UN Secretary-General, Antonio Guterres to be reluctant in publicly criticizing Beijing (Westcott & Roth 2019). The unique situation of the UN Security Council makes it difficult for them to impose sanctions. The Security Council is tasked with implementing binding obligations for the 193 UN members in an attempt to maintain peace. The five permanent members: China, France, Russia, the United Kingdom and the United States have the privilege of vetoing a resolution. China has the power to defeat resolutions proposed concerning their human rights violations, so it is next-to-impossible for the United Nations to impose any binding resolutions on the country in question. Reform to the Security Council is unlikely as it would require all of the Permanent members to approve it, which they are unlikely to do because it would curb their global influence (Council on Foreign Relations 2018). The United Nations will not come to a consensus concerning the administration's objectives due to the vast number of countries that will side with the U.S. or China. Nevertheless, the administration should continue to reassure the allied countries within

the United Nations that efforts to alleviate the human rights crisis in China are worthy of attention.

The Uighurs have many incentives to join with extremist groups. China, the United States and the United Nations have strong incentives to limit the expansion and terrorist activities of extremist groups, but are not acting together. Their interests, their disputes, and the limits of the tools foreign nations have at their disposal for protecting China's minority groups prevent an effective multi-national approach to preventing the militarization of the Uighurs.

Policy Measures

The complexities of U.S.-China relations make this issue difficult to resolve. The factors including bilateral trade deals, violations of human rights and fear of foreign involvement all have considerable weight when thinking about how to best go about attempting to change the current situation. There are three viable policy options to deal with the on-going situation:

1. Re-establish Multilateral Diplomacy

The U.S. has a history of using diplomacy to advance human rights conditions in China. Starting in 1979 when President Carter recognized the One China policy, to now, diplomatic measures have been a tool used by the U.S. government. The Trump Administration decided to withdraw the U.S. from the United Nations Human Rights Council in June 2018. This move placed much less emphasis on multilateral diplomacy. The United States did not sign a joint letter created by fifteen foreign ambassadors in Beijing that would request a meeting with XUAR Secretary Chen Quanguo in order to discuss concerns about human rights. The State Department, under the Trump administration, assembled a *Ministerial to Advance Religious*

Freedom in July 2018 and 2019, with the goal of increasing participation from foreign delegations and civil leaders to address the religious conflict (Lum & Weber 2019, 24-25). My immediate recommendation is to resume multilateral diplomatic efforts. In light of a new administration, this is the most cost-effective in terms of short-term goals. By resuming diplomatic efforts, the United States will show the world that the country stands in support of democratic principles and freedom. Even as we seek to cooperate on issues where our interests are aligned, we must not shy away from using our diplomatic resources as a tool for intervention. By rejoining the United Nations Human Rights Council, we will send a message to China, that these human rights violations will not be tolerated. Furthermore, the weight of the U.S.'s signature on the letter to Beijing will have an impact on the progress of the requested meeting. While China has veto power within the Security Council, the increasing pressure and attention on the nation will hopefully sway foreign nations into realizing that we must stand united against the gross violations of human rights.

2. Legislative Action

Congress should revive the multiple pieces of bipartisan legislation that are sitting in the House and Senate that would incentivize China to end the detainment of the Uighurs by punishing them for ignoring pressure any longer. The 116th Congress, justifiably, had to pool resources to focus on the Covid-19 pandemic, but that does not mean that the other legislative issues should be forgotten about. I advise the 117th Congress to revive these bills. Since they were bipartisan in the preceding Congress, I do not foresee much difficulty in garnering support. Once passed in the House and Senate, the administration should support these bills and the President should enact them into law swiftly. The legislation not only holds senior

Chinese officials accountable for their actions, but it restricts the purchase of goods made in Xinjiang, such as textiles, cotton and garments. The Tariff Act of 1930 already bans the importation of goods that were produced with forced labor, but the statutes on this can be strengthened to apply to this crisis. The United States has enough reliable evidence to presume that goods produced in Xinjiang are a result of forced labor, therefore they can prevent China from benefiting by abstaining from purchasing the goods. As of right now, U.S. Customs and Border Protections (CBP) must have credible claims that link certain goods to forced labor before they prohibit their entry. Chinese companies keep reporters and nonprofits out of Xinjiang and the CBP is ill-equipped to identify which products came from forced labor camps. Despite the reports of widespread internment and forced labor in the Xinjiang province, CBP has not taken the appropriate action. If Congress and the administration passes this legislation quickly, it will give the CBP the credible evidence they need and shift the burden onto U.S. importers to prove that foreign imports conform with the law. This policy measure does have a longer timeline, in that the legislation needs to be passed through both houses of Congress and signed into law by the President, but it is doable in the next four years. The Uyghur Human Rights Policy Act, introduced by Senator Rubio has the viability to pass Congress quickly, as it was sent back to the Senate by the House with changes and is expected to reach the President. Congress has used burden-shifting legislation in the past with North Korea. The 2017 Countering America's Adversaries Through Sanctions Act (CAATSA) stipulated that imports produced either entirely or partly in North Korea could advance only if the CBP found clear evidence that their production did not involve forced labor (Altieri & Rocca 2019). One concern with this situation is that products are assembled in other regions (Kazakhstan, Kyrgyzstan and Tajikistan), but made with components from Xinjiang. If lawmakers work with supply-chain

specialists and industry experts, effective legislation can be passed. I recommend that Congress consider using exceptions only when absolutely necessary to reduce harm to businesses.

Additionally, these sanctions do not have to be permanent. If China grants U.N. inspectors access to the Xinjiang camps or even closes them, the sanctions can be limited or removed.

3. Executive Action

The current administration should impose financial sanctions on those responsible for constructing and maintaining the internment camps. The United States should hold the individuals and companies who are complicit in this unspeakable oppression. The Global Magnitsky Act, as implemented by Executive Order 13818 gives the President the authority to require that U.S. financial institutions freeze assets of foreign individuals responsible for “serious human rights abuses”. The Act was signed into law in 2016 by President Obama and has been used to combat human rights violations in multiple countries, and should be invoked in this case. Sanctions issued under this act would deny individuals entry into the U.S., allow the confiscation of their property held in the U.S. and essentially prevent them from entering into contracts and transactions with banks and companies (Altieri & Rocca 2019). The UIGHUR Act recommends these sanctions against Chen Quanguo, the former Secretary for the communist party in Xinjiang. However, I recommend that the sanctions impact Zhu Hailun, who personally signed the orders to build the camps. Those who were employed in the camps, members of the CCP who had knowledge of the camps, and other government entities in Xinjiang that profited from forced human labor should all be sanctioned as well. The Administration could also apply the Magnitsky Act to the Chinese companies—such as Dahua Technology, China Electronics Technology Group Corporation, and Huawei—that supply the

Chinese government with tools that aid in the oppression. Working in conjunction with the legislative branch, Congress can pressure U.S. businesses, such as Intel, that have enabled Chinese repression in Xinjiang by investing in or providing technology to these Chinese companies. Companies that have exported the tools of mass surveillance to China, or those that do business in Xinjiang should be asked to appear before Congress and explain why they continue to sell such technology to China (Altieri & Rocca 2019). Furthermore, while these sanctions punish those that attributed to this human rights atrocity, we need to help the Uighurs most in need. Uighurs living abroad currently fear detainment upon their return to China. An executive order should be issued that defers deporting Uighurs in the United States as long as the crisis continues. A similar order was issued for Chinese nationals in the U.S. by President Bush in 1990 after Tiananmen Square. An executive order in the near future would likely pave the way for congressional action to protect Uighur migrants. Finally, the administration should gather and publicize intelligence about the camps and other extrajudicial abuse of Uighurs in order to share credible information with the rest of the world. U.S. diplomats can ensure that this kind of information is circulated widely—especially in Muslim-majority countries in Asia, where it would put public pressure on governments in Pakistan, Malaysia, and Indonesia to at least approach the issue with China, raising the diplomatic price of repression (Dittmer 2001, 431-34). While these countries may see the costs of criticizing China as too great, public pressure could change their point of view. The more that countries that are not normally critical of China raise the issue, the more Beijing may register this as a genuine problem. This policy measure is a lofty goal for the administration, but a worthwhile one to proceed with. It will undoubtedly involve a great deal of reassuring on the part of the administration, but once other countries join the United States in the fight for human rights, China will see that they are

losing public support and hopefully change their ways.

Conclusion

U.S. action on Xinjiang would carry significant weight. The predominant worry with economic and individual sanctions are that they would threaten trade negotiations with China. However, the real roadblocks to negotiations are disputes over Chinese policies and practices in regards to economics. In the wake of the devastating economic effects of Covid-19 on the already negative GDP growth rate China is facing, the threat of further economic sanctions may put President Xi Jinping under pressure to remain at the negotiating table. The United States has many options in proceeding with policy measures, but it is important that the administration balances diplomacy, the threat of sanctions, and the hope for future cooperation with this powerful nation in order to advance human rights not only in China, but across the world.

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