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Modern Genocide in China

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Abstract

Over the past decade, the Chinese government has oppressed and imprisoned the Uyghur Muslim minority across the Xinjiang Autonomous Region. This research analysis discusses this pressing issue of genocide taking place in modern-day China, and the precedent of international law being violated by the Chinese government through their treatment of the Uyghurs. The main research question for this analysis asks whether the Chinese government meets the UN standard for genocide by committing crimes against humanity, a crime that was introduced and defined by the International Criminal Tribunal at Nuremberg following WWII. This paper hypothesizes that if the violations of the Chinese government are considered and measured against the standard of UN Convention on Genocide and past precedent such as the Nuremberg Trials, then they will be found guilty. To conduct a thorough analysis of the specific laws being violated in China, different forms of sources were examined. Secondary sources such as news articles, books, and journal articles were used to determine all that the government has discovered thus far. In addition, primary sources such as treaties, specific legal proceedings, photos, and video interviews were used to provide further evidence. Following an in-depth analysis of the violations taking place in the re-education camps as well as in the Xinjiang province as a whole, the hypothesis was supported by overwhelming evidence of abuse against the Uyghur ethnic minority.

Keywords: Uyghur, Genocide, Xinjiang, Re-education Camps, Forced Labor, China, Nuremberg

Introduction

In the Xinjiang province of northwest China, there lives a culturally rich people group known as the Uyghurs. While they have historically populated this region, the Uyghurs are a minority in the overall nation of China. Although the Uyghurs once constituted 75 percent of the Xinjiang Autonomous Region, as of 2016 they have become the minority in their homeland. The industry has moved into Xinjiang following the implementation of President Xi Jinping's Belt and Road Initiative, and with it has followed the Han Chinese, who now make up over half the region. The Uyghurs are much different from the Han Chinese, who are the majority ethnicity in China.¹ These fundamental differences have historically caused some issues between the groups. As a result tension between the two has continued to rise. The Chinese government has taken the increased conflict and used it as an excuse to suppress the Uyghur culture and population. Evidence has surfaced that the Chinese have developed hundreds of prison camps in the past few years, intending to imprison Uyghurs and destroy their culture. Prisoners are arrested with no cause and no trial. They are forced to live in inhumane conditions and are subjected to abuse, forced physical labor, and brainwashing. China has been called out by other nations who have demanded that they cease their mistreatment of the Uyghurs, however, no such actions have been taken. Using past precedent of former genocide cases, along with applicable international law, other members of the United Nations can develop grounds for legal action against China for charges of genocide.

Literature Review

According to the Encyclopedia Britannica, beginning in 2017, reports surfaced that the Chinese government was cracking down on security against the Uyghur population in Xinjiang Autonomous Region. Unlike the Han Chinese, who are mostly Buddhist, the Uyghurs have historically practiced Islam, and their Turkic language draws more similarities with the languages neighboring countries than Mandarin Chinese. Their language and culture are much different than that of the Han Chinese, as well as their physical features. These differences have led to serious issues between the two groups.² China defended their actions, stating that they were putting more safety protocols in place to better manage the risk of "radical ideology". They felt that it was due to this "radical Islamic" thought that violence between the Uyghurs and the Han Chinese had intensified in the past decade. The Xi Jinping administration decided to control and suppress the Uyghurs by developing a heavy police presence along with constant video monitoring and endless security checkpoints. The authorities are constantly watching the Uyghur people, looking for any reason to punish them. For example, China is using facial recognition technology, an industry in which they have led global innovation, as well as DNA databanks to

¹ Ali Çaksu. "Islamophobia, Chinese Style: Total Internment of Uyghur Muslims by the People's Republic of China." *Islamophobia Studies Journal* 5, no. 2 (Fall, 2020): <http://ezproxy.liberty.edu/login?url=https%3A%2F%2Fwww.proquest.com%2Fscholarly-journals%2Fislamophobia-chinese-style-total-internment%2Fdocview%2F2477274184%2Fse-2%3Faccountid%3D12085>.

²Editors of Encyclopedia Britannica, "Uyghur", July 6 2021 <https://www.britannica.com/topic/Uyghur>

further track every move the Uyghurs make.³ Police monitoring, however, is only the beginning of the problem. Not only is the Chinese government turning the streets of Xinjiang into a prison-like state, but they have also developed large-scale prison camps under the guise of job training schools.⁴

Initially, the Chinese government denied the existence of the camps, but other nations did not believe in this facade. The United States along with other national governments and human rights organizations used the internet and satellite data to gather undeniable proof that over 300 facilities have been rapidly built. Now that the evidence is clear, the Chinese have been forced to change their strategy from complete denial to warping the truth. Instead of confirming the allegations that forced labor camps have been built in Xinjiang, the Chinese insist that the facilities are “re-education” schools. They claim the Uyghurs are supposedly sent there to learn vocational skills and unlearn radical Islamic and anti-Chinese ideology that the government believes will result in violence and unrest if left unchecked. The Chinese respond to pushback by saying that the camps are their way of combating “the war on terror”, a term that was coined by the United States following the 9/11 terrorist attacks.⁵ As the US and other nations have dug deeper in the investigation by uncovering official documents as well and interviewing survivors, they have found that nothing could be further from the truth.

Instead of attempting to teach the Uyghurs new skills that will benefit both them and society as a whole, the camps are more there to brainwash the Uyghurs into unlearning their identity. The Chinese government has waged an all-out war against Uyghur culture. Outside of the camps, the Uyghurs are treated much differently than their Han Chinese neighbors, often being singled out by their differences in appearance. One documentarian who was secretly filming the Uyghur experience in a major city in Xinjiang was constantly stopped upon entering buildings and passing through security checkpoints based on her appearance. Police officers rudely asked her for her passport, which is not something that was required of her partner, who did not look Uyghur. It was only after she assured the authorities that she was British, that they allowed her to pass.⁶ Within the walls of the camps, the treatment is unfortunately far worse. The Uyghurs are not allowed to pray or practice Islam in any way shape or form. As Sunni Muslims, time of prayer is a very structured and important part of everyday life, so much so that it is distressing for such a fundamental practice to be stripped away. Additionally, they are discouraged from speaking their Turkic Uyghur language. Instead, they are forced to memorize

³Michael R. Auslin 2019. “The Empire Strikes Back.” *Hoover Digest: Research & Opinion on Public Policy*, no. 2 (Spring): 109–13.
<https://search.ebscohost.com/login.aspx?direct=true&db=asn&AN=136232394&site=ehost-live&scope=site>.

⁴ Michael Dillon, “A Uighurs’ History of China”, *History Today* 70, no. 1 (Jan 2020)
<https://www.historytoday.com/archive/behind-times/uighurs%E2%80%99-history-china>

⁵Austin Ramzy and Chris Buckley. “‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims.” *The New York Times*, November 16, 2019.
<https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>.

⁶ Vice News. “China’s Vanishing Muslims: Undercover in the Most Dystopian Place in the World”. *Vice News Tonight*. June 29, 2019. Documentary, 31:47. <https://www.youtube.com/watch?v=v7AYyUqrMuQ&t=774s>

communist propaganda praising Xi Jinping in Mandarin Chinese. If they do not complete their assigned tasks, the prisoners are met with severe punishment and beating.⁷

The living quarters are no better than the education quarters. One survivor reported living in a cell with 30 other women, with only a bucket to use as a toilet. It is here, in the living quarters, that the worst, most unspeakable atrocities have been committed. Many survivors, most of whom being women, have reported brutal sexual assault at the hands of the prison guards at the camps, the details of which are almost too gruesome even to repeat. It is said that the male guards will take their pick of any woman in the camp and violate her in whatever way he chooses. Oftentimes a woman is selected by a group of guards and is overtaken by gang rape with no hope of fighting back against her assailants.⁸ Enduring such brutality will surely affect these women for the rest of their lives. In addition to sexual violence, the Chinese government is also imposing forced sterilization on Uyghur women.⁹

The main job of the Uyghurs is hard agricultural labor, picking cotton oftentimes for American clothing brands. If an individual refuses to work, or worse, if they expose the terrible conditions to the outside, they run the risk of being subject to severe punishment. They are forced to pick cotton in terrible conditions with no option to leave. Clothing brands, nonetheless, still use the cotton supplied by the Uyghurs. Reporter Annie Kelly for *The Guardian* states in the article “Virtually Entire Fashion Industry Complicit in Uighur Forced Labour, Say Rights Group” that over 1.8 million Uyghur people are forced into the labor system in Xinjiang. 84 percent of Chinese cotton is sourced from this region, where it is then used by major brands such as Calvin Klein, Adidas, and Gap. We are taught that concentration camps are a thing of the past, but the truth is, approximately 1 in 5 cotton products owned by Americans are made by Uyghur prisoners.¹⁰ Some brands, such as H&M and Ikea, have responded to the situation by boycotting cotton that is sourced from Xinjiang.¹¹ This is an effective tactic, however, more brands will need to follow suit for the boycott to be effective.

Analysis

The current situation occurring in Xinjiang draws chilling similarities to perhaps the most well-known genocide in recent history; World War II. In the past year, more and more evidence has emerged proving suspicions that the camps are not job training facilities, but prisons.

⁷Anna Schecter “New Details of Torture, Cover-Ups in China's Internment Camps Revealed in Amnesty International Report.” NBC News. NBC Universal News Group, June 10, 2021. <https://www.nbcnews.com/news/world/new-details-torture-cover-ups-china-s-internment-camps-revealed-n1270014>.

⁸Ibid. 6.

⁹BBC News. “China’s Uighur camp detainees allege systematic rape” BBC World News. February 3, 2021. News Broadcast. <https://www.youtube.com/watch?v=e6bPG110Cts>

¹⁰Annie Kelly, “Virtually Entire Fashion Industry Complicit in Uighur Forced Labour, Say Rights Groups” July 23, 2020 <https://www.theguardian.com/global-development/2020/jul/23/virtually-entire-fashion-industry-complicit-in-uighur-forced-labour-say-rights-groups-china>.

¹¹Ibid. 9.

Historians and politicians alike have begun to vocally compare the atrocities committed by the Chinese government with those committed during the Holocaust. Similar to the Nazis, the Chinese authorities rounded up the Uyghurs in the dark of night, committing them into the camps against their will. Unlike conventional prisons, the Uyghur prisoners have not committed any crime nor are they given a trial. Instead, they are imprisoned with no explanation, their only crime being simply their existence.

The Chinese rhetoric regarding the Uyghurs is alarmingly similar to that of the Nazis regarding the Jews. The Chinese government has referred to the Uyghurs as a “virus” on many occasions, describing them as needing to be isolated and contained so that their ideology does not further infect and spread across the population. Likewise, the Germans viewed the Jews as a “parasite” to society, slowly leeching off and killing the nation.¹² The Germans used this analogy to excuse their violence, and although they may not admit it, this is something the Chinese are beginning to do as well. Similar to the Chinese, Nazi Germany denied the existence of their concentration camps. It was not until the allies began liberating the camps that the true nature of the atrocities was fully understood. Even to this day, some refuse to acknowledge that the Holocaust happened.

While the Chinese re-education camps are not extermination camps like those the Germans operated during WWII, there are still many similarities between the operation of the camps that should cause serious alarm to the international community. In both instances, a singled out people group was forced from their homes and separated from their families to be placed into overcrowded prisons without trial or conviction. Prisoners were worked in inhumane conditions without proper living quarters or nutrition. In Nazi Germany, the authorities lied to the Jews, saying that they were being transported to a new place to live. In reality, they were to board a cattle car that would carry them to their imminent death.¹³ Similarly, the Chinese officials told the Uyghurs they were going to a re-education school when they were really going



¹² Aidan Forth, “The Ominous Metaphors of China’s Uighur Concentration Camps” June 24, 2020 <https://theconversation.com/the-ominous-metaphors-of-chinas-uighur-concentration-camps-129665>.

¹³“Deportation to the Death Camps.” Yadvashem. The World Holocaust Remembrance Center. Accessed December 6, 2021. <https://www.yadvashem.org/holocaust/about/final-solution/deportation.html>.

to prison.¹⁴ Even the design of the camps is starkly similar. Below are two photos comparing Auschwitz with a Chinese camp.

Photo: Satellite Xinjiang Internment Camp

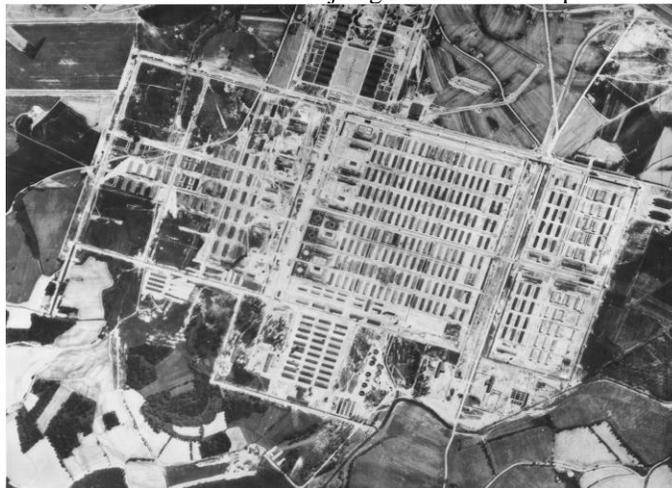


Photo: Auschwitz Ariel View

The similarities between the two photos are enough to bring chills. While the atrocities committed by the Chinese may not have reached the scale of Nazi Germany, they are only planning to further expand. More information has surfaced in recent months, yet there is so much that the US government does not know. The Chinese are going down a dangerous path, a path that has been trodden many times before, with only death and destruction waiting for them at the end. Just as the crimes are comparable to those of the Holocaust, the international community can likewise draw upon the international legal precedent set following WWII to gather a case against the Chinese government. China is not unfamiliar with the atrocities of forced labor camps. Not even a century ago, the Han Chinese were on the other side of the prison bars. At the time of the UN Convention on Genocide, the Chinese had just emerged from the struggle with the Japanese, who had taken over 10 percent of China during the War in the Pacific. The Japanese had oppressed the Chinese and put them in labor camps, such as Taiyan Concentration Camp, which survivors refer to as “China’s Auschwitz”.¹⁵ Many people suffered and died at the hand of the Japanese during the operation of the camp. The tables have now turned. The Chinese government is now taking a page out of the book of the Japanese, using the weapon that had once been used against them against the Uyghurs. History is already repeating itself even before the survivors of the Japanese camps have passed away.

The two main sources of international law that were born out of the genocide of WWII were the Nuremberg Trials and the UN Convention on Genocide. It is through this precedent that the international community can display hard proof that China is guilty of committing genocide against the Uyghur population. The International Military Tribunal at Nuremberg was developed by the Allied powers (England, France, United States, Soviet Union) to prosecute former Nazis

¹⁴Austin Ramzy and Chris Buckley, “Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims.”

¹⁵Tom Phillips, “China rebuilds its forgotten ‘Auschwitz’ to remember Japan’s brutality”, September 1, 2015 <https://www.theguardian.com/world/2015/sep/01/china-rebuilds-its-forgotten-auschwitz-to-remember-japans-brutality>

for their war crimes during WWII. The legal proceedings were outlined in the London Charter, which specifically defined the crimes being prosecuted. This definition of crimes against peace, war crimes, and crimes against humanity found in Article 6 of the Charter set an important legal precedent for the future prosecution of genocide. It was the Nuremberg Trials that famously coined the definition of crimes against humanity, which is described as “murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population”.¹⁶ Never before used in the realm of international law, some opponents to the trials pushed against the prosecution of crimes against humanity, saying that since the term was not a defined crime at the time the atrocities were committed, using it is an *ex post facto* law.¹⁷ Nonetheless, the trials moved forward in their prosecution of crimes against humanity, since the specific crimes described in the definition were widely accepted as criminal on the international scale long before the London Charter. The Nuremberg Trials have been used as sound precedent on which to prosecute crimes against humanity in multiple cases of genocide that have arisen since WWII, such as the Rwandan genocide in 1994 and the crimes committed in the former Yugoslavia in 1993.¹⁸

Nuremberg laid the foundation for the UN Convention on Genocide, which would take place one year later in 1946. This convention, which China was a part of, sought to establish a secure definition of genocide that could be widely accepted on the international scale during a future conflict. The UN Convention defines genocide as follows:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group.¹⁹

This definition is applicable during a time of war, but it was revolutionary in that it also extends to times of peace. Not only does the charter outline the crimes, but it also outlines the punishment for member states who violate the terms of the agreement. If a member state is found to be committing genocide after specifically agreeing to combat it, are accountable to be tried for their crimes in the International Court of Justice. China is not only a member state of the United Nations, but it was also a major actor in the convention. Strictly looking at the definition of genocide and the precedent set for crimes against humanity set in the Nuremberg Trials, China is clearly violating international law on multiple accounts.

Conclusion

After reviewing the crimes that the Chinese government is currently committing against the Uyghur population in Xinjiang, there is a high level of evidence that overwhelmingly supports a genocide allegation. Compared to past precedent and sources of international law, the Chinese are actively committing genocide against the Uyghurs. There is a chance since many

¹⁶International Conference on Military Trials : London, 1945 Agreement and Charter, August 8, 1945

¹⁷Hans Kelsen, “The Rule Against Ex Post Facto Laws and the Prosecution of the Axis War Criminals”, n.d., <http://lawcollections.library.cornell.edu/nuremberg/catalog/nur:02047>

¹⁸Michael Dilton, “A Uyghurs’ History of China”

¹⁹United Nations, “UN Convention on Genocide Prevention and Punishment”

sources contained information gathered from the Chinese government that some of the figures may have been incorrect. Additionally, there is probably more information out there that's being hidden by the Chinese. Nonetheless, it is unlikely that the exposure of any further information would change the support of the hypothesis since anything the government has hidden is likely to be even more incriminating than that which we already have obtained. Despite the clear evidence against China, it is difficult to hold them accountable legally due to their economic and political power. It is still important to do all we can to apply pressure and condemn the Chinese government for its actions. The US government has nonetheless begun to diplomatically take a stand against the actions of China. The Biden Administration announced on December 6th, 2021, that the US will be engaged in a diplomatic boycott against the 2022 Winter Olympics hosted in Beijing. This comes as a direct response to the allegations of genocide against the Uyghurs. White House press secretary Jen Psaki stated in an interview that "US diplomatic or official representation would treat these games as business as usual in the face of the PRC's [People's Republic of China] egregious human rights abuses and atrocities in Xinjiang".²⁰ The Chinese government has responded condemning the actions of the US, saying that President Biden is not honoring the spirit of the Olympic Charter and that the only ones that will suffer from the boycott are US athletes. Although this response may be diplomatic, the Chinese government has received the US' message of intolerance.²¹ The US and other nations must continue to take a hard and vocal stance against the atrocities in Xinjiang if there is any hope for change in the future.

²⁰Robin Brant, "US Diplomats to Boycott 2022 Beijing Winter Olympics", December 7, 2021 <https://www.bbc.com/news/world-us-canada-59556613>.

²¹Ibid. 18.

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