



Testimony by Nury Turkel
Chair, United States Commission on International Religious Freedom
Written Statement
Select Committee on the Chinese Communist Party Hearing
“The Chinese Communist Party’s Ongoing Uyghur Genocide”
March 23, 2023

Good evening. I would like to begin by wishing Happy Ramadan to Muslims around the world, including the Uyghur people in China, who cannot freely observe this significant religious holiday—one of the five pillars of Islam—and are persecuted simply for their faith.

Chairman Gallagher, Ranking Member Krishnamoorthi, and Honorable Members of the Committee: thank you for the opportunity to testify at this important hearing on behalf of the U.S. Commission on International Religious Freedom (“USCIRF”).

USCIRF is statutorily mandated under the International Religious Freedom Act of 1998 to monitor religious freedom conditions in countries, including China, Russia, Iran, Saudi Arabia, and Nicaragua, and make policy recommendations to the President, Secretary of State, and Congress. As recommended by USCIRF, secretaries of state have designated China as a Country of Particular Concern (“CPC”) since 1999 due to egregious religious freedom violations against religious and ethnic groups, including Uyghur Muslims, Tibetan Buddhists, and Chinese Christians.

This is my sixth time testifying for Congress since 2018, when the news regarding the massive camps system and mass detention of the Uyghurs and others was first beginning to be widely reported. I truly appreciate your leadership in prioritizing this issue, but I want to begin by acknowledging a bleak reality.

In spite of the strong bipartisan action and legislation from the United States, we are approaching a sobering milestone: this month, we are entering the seventh year of active genocide. Millions of people are still suffering, and the death count is still unknown. It is a somber indictment of our own failures to prioritize efficient responses to atrocity crimes.

This week marks the 90th anniversary of the establishment of massive prisoner camps by the Nazi regime. It's a time of solemn remembrance. On March 22, 1933, the first prisoner transports arrived at Dachau. By the end of the war, there were 140 subcamps operating across Bavaria to supply war needs and utilize Jewish slave labor. Today, it would be well to recall the satellite imagery documenting 428 mass detention camps for Uyghurs that have been built by the Xinjiang government since 2017.¹

China's tools of genocide are well known. I am very disappointed that the standard definitions of "early warning signs" and "mass atrocity indicators" have barely taken into account China's new tools. The Chinese government has mobilized 21st-century high-tech tools like biometric scanning -- forced collection of DNA, iris scans, facial scans, and voice prints. Combined with mobile-phone tracking apps and a massive network of surveillance cameras, the regime has mobilized machine-learning to build a comprehensive and permanent "total-control" regime.

What I most want to draw to the Committee's attention is that Congress has the power to disrupt this system of "total control." And it has the power to end American private-sector complicity. I urge this committee to champion the bills that are already lined up to disrupt the system and end complicity. I am pointing to bills to automatically ban American investment in the heinous companies that built and continue to maintain the genocide machine.

Congress must also take up and pass the bills to ensure full enforcement of the Uyghur Human Rights Policy Act. This bill requires Global Magnitsky Sanctions on all entities and officials responsible for gross human rights abuses in the Uyghur homeland.

Yet today, nearly three years later, only 12 officials and entities are under Global Magnitsky Sanctions.² This is truly a pitiful response to mass atrocities. We need Global Magnitsky Sanctions on all the Chinese tech giants that are maintaining the "genocide that tech built."

¹ See investigative report on 428 locations bearing the hallmarks of mass detention facilities: "Blacked-Out Spots On China's Maps Helped Us Uncover Xinjiang's Camps," Allison Killing, Megha Rajagopalan, and Christo Buschek, BuzzFeed Investigations, August 7, 2020, at https://www.buzzfeednews.com/article/alison_killing/satellite-images-investigation-xinjiang-detention-camps; "Xinjiang's detention system: The world's most comprehensive database: 380+ facilities," Nathan Ruser, Australian Strategic Policy Institute (ASPI), n.d., at <https://xjdp.aspi.org.au/explainers/exploring-xinjiangs-detention-facilities/>.

² "UHRP Joins Allies Urging US Government to Immediately Impose Magnitsky Sanctions on CCP Officials Implicated by Xinjiang Police Files," Uyghur Human Rights Project, August 10, 2022, at <https://uhrp.org/statement/uhrp-joins-allies-urging-us-government-to-immediately-impose-magnitsky-sanctions/>

Making these companies a “no-go zone” is a critical and long-overdue response to the genocide. The list includes Hikvision, Dahua, BGI’s genetic-data companies and DJI drones. From Silicon Valley to Amazon and Walmart: Congress and the Administration must put a stop to business ties with “genocide tech.” Despite current sanctions, there are still huge loopholes for sales of hardware or software, for investment through shares and private equity, and for research partnerships.

I urge this Committee to ask pension funds, index fund managers, and university endowments: What is your justification for seeking profits by investing in these “genocide-tech” companies? We must understand that a regime that can do this to those people within its borders on the world’s watch is more of a threat than a strategic competitor. American people and policymakers must study the Uyghur genocide to better understand what the Chinese Communist Party (“CCP”) is capable of doing.

Transnational Repression to Silence and Punish Critiques

I have lived in two worlds: Under the CCP’s brutal repression during my early life and in the freedom offered me by the United States. As a young man, after making a home in the U.S. nearly 28 years ago, I never thought I would need to talk about the painful experiences my father, mother, and I went through. I had hoped to have a fresh start in life in my adopted country. But the CCP has resurrected the camp system that I was born into at the height of Mao’s cultural revolution. This was where my father was forced to perform agricultural labor for three years, even as an educator who had graduated from the region’s top university.

I am sometimes in disbelief that my entire life, even having moved away from China and become an American citizen and a congressionally appointed commissioner in a U.S. government agency, I have been unable to entirely escape the long arm of the Chinese State. This is the message I wanted to convey in the title of my book: “No Escape.” I left China, but I could not escape the Chinese government’s persecution of Uyghurs, Kazakhs, Kyrgyz, Uzbeks, and others.

I have not escaped the Chinese government’s retaliation, which is experienced by every Uyghur in exile, not just me. In my own case, I have not seen my mother since graduating from law school almost two decades ago. After that visit to Washington, Chinese officials took my parents’ passports and have refused to allow my parents to leave the country for nearly 20 years. This is the hostage situation that every diaspora member is suffering -- it’s a tool of transnational repression³ to silence and punish everyone who tries to tell the truth about what’s happening in the Uyghur homeland or to advocate for human rights as a fundamental principle.

For these two decades, I have lived with a heavy burden: my advocacy has continued to the pain and suffering of my own family: that my parents have been unable to meet American children and grandchildren. I could not participate in my father’s funeral after he passed away in April last year. China has announced so-called “sanctions,” not only on me, but also on six other USCIRF commissioners. We all serve

³ The Uyghur Human Rights Project’s series of 10 reports on transnational repression can be found at <https://uhrp.org/transnational-repression/>

in our positions as volunteers, nominated by both the Congressional and Executive branches of our government. Russia also sanctioned me, a sign of the ideological alignment of China and Russia, as they ramp up transnational intimidation as part of their agenda to mount a geopolitical challenge to democratic norms.

The case data on China's transnational repression runs to thousands of pages in authoritative reports, including those published by the Uyghur Human Rights Project, Safeguard Defenders, Freedom House, and many others. Today I will speak only to my own case: Chinese officials have continued to prevent my mother from returning to the United States despite high-level involvement and support by senior U.S. government officials, including Secretary Anthony Blinken. It is cruel to refuse a 73-year-old woman a last chance to see her American children and meet her American grandchildren after losing her husband of 53 years.

China's refusal to let my mother go shows they are waiting for her to die as my father did. This allows them to close the case without being pressed to account for their actions. It is hard to explain the anguish and sadness that I have lived through for the past twenty years. I have not seen my mother since 2004, when she and my late father came to Washington, D.C., for my law school graduation. I spent several days with my father in late 2015 in Turkey. I have only been able to spend eleven months with my mother and late father since I left China in August 1995.

My mother often asks an impossible question— 'What's my crime, to be separated from my children for so long? If my crime was to bring you, Nury, to this world and be your mother, then 20 years should have been enough punishment.' I can't give her answers to these powerful and reasonable questions. She has pressed the authorities to answer these questions without much success. The local authorities did not even allow her to travel to Beijing to meet with our US embassy officials last week.

It is extremely painful and sad to say this—it is highly unlikely that I will see my mother in this life again. In fact, my parents and I said our goodbyes several years ago when the CCP started rounding up Uyghur intellectuals and families with foreign contacts. My late father remarked a few years ago that he wished he had passed away already so he could have left this world with good memories. That speaks volumes to the brutal reality that Uyghurs are living.

And my story is not isolated. So many others are less fortunate than I am and cannot even contact their relatives or do not even know if they are alive or where they are. Many of those people, our fellow Americans, are in the room with us today. All are desperately looking to the U.S. government to secure the release of their family members. We need Congressional support to make this a policy priority.

The ongoing genocide and crimes against humanity in the Uyghur region

You have heard the shocking descriptions of brutalities being inflicted by the CCP. This is the most sophisticated genocide in the modern era, supported by technology and facilitated through forced labor programs. It is the largest incarceration of ethnoreligious groups since the Nazi era. Downplaying genocide or making it a

sideline issue is a shocking betrayal of our values and works against our national interests.

It is also true that to ignore this genocide is to neglect the most substantial piece of evidence regarding the true character and intentions of the Chinese Communist Party. The CCP has masked its true face behind a cloak of dubious economic prosperity. The Chinese Communist Party has not suffered enough tangible costs for driving its repression at home and aggression abroad. It is our obligation to address this, especially as our own American corporations and even investments are funding atrocity crimes.

We have a treaty obligation to uphold, as signatories to the genocide convention, to call it out, stop, and punish. Two successive administrations and Congress formally gave the CCP's atrocities their proper name by making a determination that these crimes constitute "genocide" and "crimes against humanity." But this genocide is still underway. We need to stop this genocide and hold the perpetrators to account so that we prevent the next atrocities and crimes before they are committed. Accountability is a deterrence. Failure or unwillingness to hold perpetrators to account, such as in the case of Uyghurs, will set a bad precedent and encourage bad actors to commit similar crimes. We need to ensure fair trade and competition. This has been undermined by cheap forced labor, amounting to slavery, which we cannot compete with.

While it's encouraging to see the International Criminal Court's decision⁴ regarding Putin's war crimes due to the forcible transfer of Ukrainian children to Russia, I would hope the international community would have a similar outraged response to the regime which is carrying out genocide against Uyghur children. As the Uyghur Human Rights Project documented in 2022, the effects of the PRC's genocidal policies on Uyghur children are appalling. There are upwards of 800,000 Uyghur children⁵ who have been forcibly removed from their families to be placed in state-run orphanages. Similar crimes are now being carried out on a massive scale in Tibet as well. Just last month, UN experts issued a report raising the alarm about 1 million Tibetan children taken from their parents into state custody in so-called "boarding schools."⁶

The international community is capable of effective action, as demonstrated by the response to Putin's invasion of Ukraine, when united and with good strong leadership from the United States. We are respected when we lead multilaterally. Yet foreign policy cannot be based on a purely transactional foundation. The U.S. must be coherent and persistent with our messaging that the United States prioritizes human rights and will not back down from our position of strength. The cost of ignoring the

⁴ "Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova, International Criminal Court, March 17, 2023, at <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>

⁵ "In China's Crackdown on Muslims, Children Have Not Been Spared," New York Times, December 28, 2019, at <https://www.nytimes.com/2019/12/28/world/asia/china-xinjiang-children-boarding-schools.html>

⁶ "China: UN experts alarmed by separation of 1 million Tibetan children from families and forced assimilation at residential schools", UN OHCHR Press Release, February 6, 2020, at <https://www.ohchr.org/en/press-releases/2023/02/china-un-experts-alarmed-separation-1-million-tibetan-children-families-and>

warning signs of human rights abuses and atrocity crimes has led to additional war crimes, genocide, and humanitarian crises. Acting early to hold bad actors to account is vital deterrence. A lack of decisive leadership or unwillingness to prioritize these issues encourages and emboldens bad actors.

Many with conflicts of interest—opinion leaders, former officials, and those with consulting or lobbying businesses should not push our country back into an engagement approach that has historically solely benefited the CCP without any payoff for the United States.

The cost of failure to strategically impose costs to end genocide is not just about the loss of the group directly affected. As we see with the CCP's modern genocide, ignoring it has also compromised our own national security.

Chinese Technologies and Complicity

Surveillance technologies and equipment developed in China and tested on the Uyghurs are now metastasizing around the world and threatening freedom, sovereignty, privacy, democratic norms, and our way of life. Technology and economic development should foster freedom and society. They should improve our lives. But under the CCP, these developments are not linked with moral progress.

TikTok and WeChat have not only been actively complicit in the Uyghur genocide and associated acts of transnational repression and censorship, but they have also likewise been found to be data mining. Having seen what data collection has been utilized for in the Uyghur homeland, we should not ignore the further implications of failing to take action to protect our own citizens. The Chinese Communist Party often utilizes information, whether human intelligence or digital data, to blackmail or harass dissidents.

This should raise our concerns regarding the potential for TikTok to use data gathered against American citizens. We must also grapple with the potential for the algorithm to be used to advance propaganda on behalf of the Chinese Communist Party. The company has already come under suspicion of removing and burying videos relating to the Uyghur Genocide, the crackdown in Hong Kong, and even the Black Lives Matter movement.⁷

Chinese technology is enabling and facilitating total control and collective punishment of vulnerable populations. The Commerce Department placed⁸ Beijing's Academy of Military Medical Sciences and 11 other research firms on the entity list for developing brain control weaponry⁹. In light of the Chinese Communist Party's treatment of vulnerable ethnic minorities, this is troubling. This could sound almost fictional, but to the Uyghur people, it is unsurprising.

⁷ "How TikTok Became A Diplomatic Crisis", New York Times, December 20, 2022, at <https://www.nytimes.com/2022/12/20/magazine/tiktok-us-china-diplomacy.html>

⁸ [2021-27406.pdf](https://www.federalregister.gov/documents/2021/12/20/2021-27406) (federalregister.gov)

⁹ "US accuses China of developing 'brain control weaponry'", Financial Times, December 16, 2021, at <https://www.ft.com/content/f9637825-0e9b-45d7-a49a-1eb507d41e68>

Uyghur Forced Labor and Corporate Complicity

American companies are financing the state-sponsored forced labor programs operating in the Uyghur Region. Home Depot's ¹⁰ luxury faux wood flooring that we see in our government buildings and remodeled homes is made with PVC from the Uyghur Region. The Gap, Calvin Klein, Nike, Adidas, Uniqlo¹¹, and Shein¹² – indeed, practically all of the fast fashion industry – are sourcing garments made not only of cotton from the Uyghur Region but also viscose, lyocell, polyester, leather, and linen from the region. All were made with forced labor. Practically every car company in the world¹³, including Ford, GM, and Tesla, is exposed to Uyghur forced labor in their aluminum, steel, copper, glass, interiors, and other parts. Asian grocery stores¹⁴ are selling dates picked by the Xinjiang Production and Construction Corps, which is under Global Magnitsky sanctions and 3 other U.S. human-rights sanctions. Some of our vitamins¹⁵ are made with flowers harvested by Uyghur forced laborers, and even the paprika¹⁶ that we use to spice our food is one of the commodities being made with forced labor in the Uyghur Region.

Even with the strong legislative mandate of the Uyghur Forced Labor Prevention Act, which went into effect in June 2022, and our existing Tariff Act, products made with Uyghur slavery are still coming to the U.S. Take just one sector: solar energy production. According to industry press releases, eliminating goods produced with forced labor would create a supply chain crisis for solar components. This is a horrible indictment: is the green-energy industry still so dependent on Xinjiang production that we cannot produce clean energy without relying on state-imposed forced labor of Uyghurs?

¹⁰ “Built on Repression’: PVC Building Materials’ Reliance on Labor and Environmental Abuses in the Uyghur Region”, Sheffield Hallam University, June 2022, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/built-on-repression>

¹¹ “Laundering Cotton: How Xinjiang Cotton is Obscured in International Supply Chains”, Sheffield Hallam University, November 2021, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/laundered-cotton>

¹² “SheIn Cotton Tied to Chinese Region Accused of Forced Labor”, Bloomberg, November 20, 2022, at <https://www.bloomberg.com/news/features/2022-11-21/shein-s-cotton-clothes-tied-to-xinjiang-china-region-accused-of-forced-labor#xj4y7vzkg>

¹³ “Driving Force’: Automotive Supply Chains and Forced Labor in the Uyghur Region”, Sheffield Hallam University, December 2022, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/driving-force>

¹⁴ “Fruits of Uyghur Forced Labor’: Sanctioned Products on American Grocery Store Shelves”, The Uyghur Human Rights Project, August 2022, at <https://uhrp.org/report/fruits-of-uyghur-forced-labor-1/>

¹⁵ “Financing and Genocide’: Development Finance and the Crisis in the Uyghur Region”, Sheffield Hallam University, February 2022, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/financing-and-genocide>

¹⁶ “Financing and Genocide’: Development Finance and the Crisis in the Uyghur Region”, Sheffield Hallam University, February 2022, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/financing-and-genocide>

Volkswagen¹⁷ and Coca Cola continue to have factories in the Uyghur Region and operate joint ventures with state-owned enterprises that are complicit in the genocide. Volkswagen claimed just last month to have gone to the Uyghur homeland without seeing any sign of forced labor while admitting that the government had taken a “significantly more repressive approach”¹⁸ in the last few years. The willful ignorance it takes for an executive to claim that he can make a clear assessment of working conditions in the midst of genocide is shocking. But they’re not alone. While all responsible auditors have left the region, at least one¹⁹ auditor²⁰ is attempting to provide legitimacy to the major multinational corporations that continue to operate in the region while employing a former employee of Esquel²¹ (a company on the US Entity list) to conduct their forced labor investigations. These tactics should not be allowed to continue; these statements of confidence in manufacturing in the Uyghur Region should not be believed.

All of this is being financed by our major international banks and development finance institutions. Vanguard, BlackRock, HSBC, Fidelity, and many pension funds²² have invested in Uyghur Region companies known to be engaged in surveillance, forced labor, and the building of internment camps. Federal employees invested in the Thrift Savings Plan²³ can now find themselves unknowingly invested in companies using forced labor in the Uyghur Region. The International Finance Corporation²⁴, the development finance arm of the World Bank, has given enormous long-term loans to

¹⁷ “Volkswagen under fire over Xinjiang plant after China chief visit”, Reuters, February 28, 2023, at <https://www.reuters.com/business/autos-transportation/volkswagen-china-chief-visits-xinjiang-plant-sees-no-sign-forced-labour-2023-02-28/#:~:text=China%20has%20denied%20any%20abuses,to%20keep%20producing%20across%20China>

¹⁸ “Volkswagen under fire over Xinjiang plant after China chief visit”, Reuters, February 28, 2023, at <https://www.reuters.com/business/autos-transportation/volkswagen-china-chief-visits-xinjiang-plant-sees-no-sign-forced-labour-2023-02-28/#:~:text=China%20has%20denied%20any%20abuses,to%20keep%20producing%20across%20China>

¹⁹ “Esquel Group, garment supplier to Tommy Hilfiger and Nike, says it’s seeking to overturn US sanction on its Xinjiang plant”, South China Morning Post, July 21, 2020, at <https://www.scmp.com/business/article/3094073/esquel-group-garment-supplier-tommy-hilfiger-and-nike-says-its-seeking>

²⁰ “Statement: PVO & Manufacturers,” PVO International, n.d., at <https://www.pvo-int.com/en/statement-manufacturers/>

²¹ “Associate Director, Sustainability Consulting – Human Rights,” Elevate Limited, n.d., at <https://www.elevatelimited.com/profiles/savitri-restrepo-alvarez/>

²² “‘Passively Funding Crimes Against Humanity’: How Your Savings May Be Financing Internment Camps and Forced Labor in China,” Hong Kong Watch, December 2022, at <https://www.hongkongwatch.org/s/EDITED-REPORT-5-DEC.pdf>

²³ “Federal Retirement Savings Must Not Be Invested in Chinese Corporate Human Rights Abusers,” Uyghur Human Rights Project, May 19, 2022, at <https://uhrp.org/statement/federal-retirement-savings-must-not-be-invested-in-chinese-corporate-human-rights-abusers/>

²⁴ “‘Financing and Genocide’: Development Finance and the Crisis in the Uyghur Region”, Sheffield Hallam University, February 2022, at <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/financing-and-genocide>

companies that have expropriated Uyghur lands, forced them to work, polluted traditional water sources, and poisoned the people.

Numerous publicly traded Chinese tech companies are included in emerging-market indexes held by public pension funds, university endowments, individual retirement plans, and investment portfolios.

The U.S. government can end the financing of atrocities and can use its leverage to influence the lending and spending of development finance banks, but the money continues to flow to the companies in the Uyghur Region that are deployed to inflict crimes against humanity against the Uyghurs on behalf of the Chinese government.

The need for Elevating Human Rights and Religious Freedom Issues in our Foreign Policy Approach to China

Genocide today is unfolding in a new manner. Our existing atrocity prevention frameworks and policies are inadequate. But human nature has been consistent throughout history. We have wished away the warning signs. We cannot imagine reality away in favor of a previously held picture of the Chinese State that has long been an unacknowledged illusion and deception. We need only take up our mandate to confront reality with courage.

It is very clear that Chinese officials view the Uyghur genocide as a high-level interest closely tied to their own national security. If we do not prioritize this to the same level that they do, it will be impossible to have productive dialogue or movement on any issue. The Chinese Communist Party is stealing our technology. They are subsidizing our industries in order to ensure their compliance. They are testing weapons and technologies on human beings and exporting these tools of oppression not only to other authoritarian regimes but right here on US soil.

Inherent, internationally agreed-upon human rights are considered “Western interference” in China’s “internal affairs.” We have an obligation to defend those whose rights are being trampled and to defend ourselves and our own national interests from the CCP’s attack on long-held commitments to uphold democratic values and justice. If we are unable to address atrocity crimes and

Recommendations

We have had the somber benefit of hearing from brave women who have survived the brutal hand of the Chinese Communist Party. When planning its genocide, the Chinese Communist Party failed to take into account the courage of people like Qelbinur Sidik, Gulbahar Haitiwaji, Zumret Dawut, Tursunay Ziyawudun, Mihrigul Tursun, Gulzire Auelkhan, Sairagul Sauytbay and others among the tiny handful of survivors who have lived to bear witness from inside the camps. Many more still must be granted safe haven in the U.S. or other democratic countries, so they can have a modicum of safety, despite ongoing transnational repression, to tell their stories.

The inadequate international response to the genocide is in large part due to our own failure to invest time and resources in countering the PRC and its massive propaganda efforts -- an attempt to “make the world safe for genocide.”

In recognition of these realities, I make the following recommendations:

1. The US government should urge every State Party of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide to fulfill their obligations to hold perpetrators to account.
2. The Secretary of State should organize a summit specifically focused on building support among allies of the United States and signatories to the Genocide Convention. The summit should rally support for stopping the genocide through action in the United Nations General Assembly and push back on Chinese influence and manipulation within the U.N. system and other intergovernmental forums, including the ILO, ASEAN, SCO, OIC, and others. By bringing allies together, the United States can push for policies and legislation to complement the actions by the United States.
3. The Department of State should expand its China Regional Officer program, which is crucial to countering misinformation and propaganda aimed at confusing the issue and denying the atrocity crimes. Ensuring adequate resources are dedicated to public diplomacy and education should be part of a long-term strategy to counter malign activities and influence campaigns both at home and abroad.
4. Secretary of State Antony Blinken should go to Xinjiang and demand access to the relatives of Uyghur American citizens who are missing or detained there.
5. The US should implement a renewed robust bilateral diplomacy with countries hosting Uyghurs who qualify for safe refuge in the US, including Turkey, Malaysia, Thailand, and Central Asian countries. Collaboration with these governments is critical for resettlement processing and securing commitments to refrain from “black renditions” of Uyghurs under pressure from the Chinese government.
6. Diplomatic efforts must be redoubled with member-states of the Organization of Islamic Cooperation to end the near-total silence by the governments of Muslim-majority countries regarding the genocide.
7. In coordination and cooperation with allies and partners, the U.S. should file a complaint against China at the U.N. Committee on Elimination of Racial Discrimination for China’s violation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD Convention). The State Department’s Office of War Crimes and Global Justice should undertake and implement this initiative as part of the efforts to hold the CCP to account for the ongoing genocide and crimes against humanity.

8. Congress should focus on the potential complicity of Silicon Valley and US universities by holding additional hearings on the digital authoritarianism that is enabling the Uyghur genocide. The Department of Justice must investigate the role of US technology firms in the ongoing genocide, as some of the companies subject to the “Entity List” export ban have reportedly changed their names to evade sanctions, and many US firms have continued to work with them.
9. Universities should be required to report all cooperation with Chinese research institutes and companies in artificial intelligence, big data, “smart policing” and “smart cities,” biotech, and other fields responsible for building China’s ethnic-profiling and total-surveillance systems. The Department of Commerce should prohibit American sales to all Xinjiang entities, in addition to the 53 Chinese companies and government departments currently on the Commerce Department’s [“Entity List”](#) for helping to build China’s surveillance state and forced labor scheme for Uyghurs. US companies are still free to export software, hardware, and other inputs to state entities, the education sector, the retail sector, and automotive, agricultural, chemical, pharmaceutical, and extractive industries in Xinjiang that are compliant with Chinese government policies of ethno-religious persecution.
10. The July 2021 Xinjiang Supply Chain Business Advisory, issued jointly by the departments of State, Treasury, Commerce, Homeland Security, Labor, and USTR, needs to be updated. It was issued before the enactment of the Uyghur Forced Labor Prevention Act, and the Administration should be re-issued to clarify the reputational, economic, security, and legal risks of involvement with entities that engage in human rights abuses. It should include a call to action to technology companies, which benefit from the fruits of democracy, to ensure their algorithms and platforms are not empowering the surveillance state, racial profiling, and genocide in China. In addition, a supply chain advisory should draw attention to reliance on critical minerals and other critical supply-chain components which are mined or processed in the Uyghur region, including aluminum.
11. At the United Nations, the United States should bring the issue to the UN Security Council. The Biden administration’s commitment to coordinated international action and engagement with multilateral institutions to address the atrocities should be made clear by engaging U.S. partners to expose and condemn China’s rogue behavior and desperate attempts to undermine the international human rights system and norms and its domestic policies that are in gross violation of the international treaties it has signed and agreed to.
12. The US should leverage its funding of the World Bank, the International Finance Corporation, and other development finance banks to ensure that financing, loans, and contracts are not provided to companies complicit in the atrocities, including forced labor, in the Uyghur Region.
13. The US should provide funding for Uyghur advocacy organizations and human rights-related documentation, as well as for trauma counseling and other psycho-

social support for victims and secondary survivors of the genocide throughout the global Uyghur diaspora.

Congress should:

1. Act to prohibit the federal-retirement Thrift Savings Plan (TSP) from offering investments in foreign companies that are under U.S. human-rights sanctions or prohibited from importing into the U.S. under the Uyghur Forced Labor Prevention Act. This is of direct concern for our American active-duty military officers, veterans, federal employees, federal retirees, and Members of Congress and their staffs. They should not be put at risk of unwittingly investing their savings in Chinese genocide-enabling companies.
2. Pass a joint resolution to condemn the CCP's continued punishment of family members of Uyghur Americans, including imprisonment, retaliation, harassment, and denial of exit permits, and urge the Executive branch to prioritize securing the release of these individuals from the extrajudicial sentencing in prisons and camps and permission for them to reunite with their American families.
3. Pass the Uyghur Policy Act, which mandates the creation of a Special Envoy within the State Department or the National Security Council to focus on Uyghur issues through interagency and intergovernmental coordination, overseeing global engagement, education, and policy implementation.
4. Pass the Uyghur Human Rights Sanctions Review Act, which requires the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, to issue a determination about whether key Chinese surveillance-tech and bio-tech entities meet the requirements for listing on the Commerce Department's Bureau of Industry and Security (BIS) entity list due to responsibility for, or complicity in, the Uyghur Genocide.
5. Pass the Visa Ban Act to prevent members of the Chinese Communist Party from coming to the United States on non-immigrant B visas. While there is an ongoing genocide, members of the responsible entity should not be able to freely vacation or conduct non-official business.
6. Pass the Transnational Repression Policy Act to hold foreign governments and individuals accountable for acts of transnational repression. This must be elevated as a priority in foreign policy and requires a broader strategic approach to address on both the domestic and international levels.
7. Pass the Uyghur Human Rights Protection Act to designate Uyghurs as "P-2" refugees. Congress should press the administration for details on its plan to admit Uyghur refugees to the U.S. as a way to save them from becoming future victims of the ongoing genocide. This is urgently needed to save Uyghurs who are at risk of refoulement in multiple countries. Uyghurs here in the United States have been successful contributing members of society who are civically active and

have been valuable allies in tackling the challenges posed by an increasingly belligerent Chinese regime.

8. The Committee should act, in concert with other Congressional Committees, to ensure full implementation of the Uyghur Human Rights Policy Act. Congress passed the Uyghur Human Rights Policy Act in May 2020 with overwhelming bipartisan support, and it was enacted into law on June 17. This legislation directs the President to impose Magnitsky sanctions on Chinese officials responsible for atrocities against Uyghurs. Only 12 such sanctions have been imposed to date. This number is wholly out of compliance with the law, ignores ample evidence as to the perpetrators, and is completely inadequate to the scale of the atrocities.
 - a. Congress should review the four (4) reports due to Congress under this law to ensure they contain robust analysis and Administration commitments regarding (1) human rights abuses; (2) efforts to protect US citizens and residents from harassment and coercion by the Chinese government; (3) the Chinese government's acquisition and development of technology to facilitate internment and mass surveillance; and (4) A classified DNI report on (a) Chinese government Xinjiang policies that constitute gross violations of human rights, and (b) the scope and scale of China's detention and state-imposed forced labor targeting Turkic Muslims.
 - b. U.S. sanctions should be expanded to include the key architects of China's policy in Xinjiang, as well as those implementing it on the ground. While some of these individuals are unlikely to travel internationally or to hold funds within reach of the U.S. banking system, the act of being sanctioned by the United States sends a powerful message: it names and shames perpetrators so they cannot enjoy the privilege of anonymity, isolates abusers so they cannot fund or profit from their depredations, and expresses solidarity with victims and survivors.
9. Congress should look to disincentivize university endowments from investing in listed entities and corporations that are complicit in the Uyghur Genocide. This could be accomplished by legislating an excise tax on investments at the point of acquisition and a tax on investment gains.
10. Using as a model the U.S. antibribery regime under the Foreign Corrupt Practices Act of 1977 (FCPA), US should pass legislation to criminalize actions taken by business entities that are aiding, abating, facilitating, incentivizing the violation of widely recognized human rights violations such as genocide, forced labor, human trafficking, torture, and war crimes wherever in the world they occur. A new law modeled after the FCPA-based regime would clearly define the prohibited conduct by reference to existing U.S. statutes that criminalize grave human rights violations. It will address jurisdictional issues for both domestic and foreign companies getting access to U.S. securities markets and place the enforcement decisions in the hands of prosecutors instead of government entities such as the US Customs and Border Protection or private parties. The legislative

mandate will also compel companies to conduct an internal investigation and report unethical business practices to the authorities, enhance compliance programs, create business and human rights due diligence programs, speak up for the environment, and ultimately good corporate culture adhering to ethical business practices and respect for human rights.

11. Pass the Countering Atrocities through the Currency Accountability Act, which creates authority for the U.S. Treasury to apply “special measures” regarding transactions of primary humanitarian concern, in line with current authorities regarding transactions of primary money laundering concern.
12. Pass the Countering Corporate Corruption in China Act of 2022. First introduced in February 2022, the legislation seeks to modernize the Foreign Corrupt Practices Act (FCPA) by clarifying that the definition of “corrupt intent” includes actions that excuse the genocide in Xinjiang, advance the Chinese Communist Party’s (CCP) propaganda efforts, or “invest” in core CCP activities, among other actions.
13. Pass the American Financial Markets Integrity and Security Act. First introduced in March 2021, the legislation would prohibit malign Chinese companies — including the parent, subsidiary, affiliate, or a controlling entity — that are listed on the U.S. Department of Commerce Entity List or the U.S. Department of Defense list of Communist Chinese military companies from accessing U.S. capital markets. This bill creates an automatic investment ban on all affiliates and subsidiaries of the 60 companies currently on the Commerce Department BIS export ban list for Uyghur atrocities. It would also apply to subsidiaries and affiliates of the Xinjiang Production and Construction Corps (XPCC), as an SDN under Global Magnitsky.
14. Pass the Turn OFF THE TAP Act. First introduced in July 2022, the legislation would create a central ban on federal funds going to foreign firms explicitly identified through U.S. government blacklists, including all companies under human-rights sanctions.

Conclusion

In closing, I would like to thank this Committee again for undertaking this work at a critical time. This is truly more than a mere competition, it is truly a battle for what type of world our children will inherit, a struggle to preserve the dignity of human life and the rights associated because of each person’s innate worth. Genocide and crimes against humanity cannot be treated as merely an “area of disagreement” or, worse yet, an “irritant” in bilateral relations. Genocide is defined as an international crime for a reason. In spite of our own imperfections, we bear a responsibility to confront it. I look forward to your questions.