

## Testimony of Naomi Kikoler

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United States Holocaust Memorial Museum

House Select Committee on the Chinese Communist Party

“The Chinese Communist Party’s Ongoing Uyghur Genocide”

Thursday, March 23, 2023

### Introduction

Thank you Mr. Chairman. My name is Naomi Kikoler, and I am the director of the Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum. As you know, the Museum was chartered by Congress and receives Congressional appropriations, but the Center as part of the Museum is funded exclusively through private donations.

I would like to thank you, Chairman Gallagher and Ranking Member Krishnamoorthi, as well as the other Members of the Select Committee for inviting me to this important and timely hearing today.

I would like to ask that my full statement and the Museum’s 2021 Report: [“To Make us Slowly Disappear:” The Chinese Government’s Assault on the Uyghurs](#) be ordered part of the record. In addition, I would like to submit to the Committee the pictures and stories of Uyghurs speaking in interviews with the Museum about the often unknown fate and whereabouts of their family members, and ask that they will also be made part of the record.

The Museum seeks to do for victims of genocide today what was not done for the Jews of Europe. The failures that led to the Holocaust and the conviction that the Holocaust was preventable—as are future genocides—are the foundation for the Center’s work. The Center therefore seeks to shine a light on modern day genocide and related crimes against humanity.

It is very hard to add to the extremely compelling testimonies of the two brave women, Gulbahar Haitiwaji and Qelbinur Sidik, who so movingly and eloquently shared their deeply personal and painful experiences in the camps in Xinjiang.

Mr Chairman, the ongoing genocide in Xinjiang is unique in many aspects. In particular, Americans are closer than they realize to these crimes. Though we may never have met someone who is Uyghur or we may never have been to China, each of us owns a t-shirt that might have been made with cotton from Xinjiang, which was likely made by forced labor. The crimes against Uyghurs are woven into the lives of everyday Americans.

Also notable is the lengths to which the CCP is going to conceal the crimes from the world. We know what we do about the genocide of the Uyghurs because of survivors like those here today, and because of leaked information from within the CCP.

Finally, the way in which the CCP is conducting this genocide is unprecedented. Most situations of genocide rely on mass killing, but the perpetrators in this case are using mass detention and forced labor—both of which result in long-term separation of the sexes; restrictions on the reproductive capacity of Uyghur women; and crimes against children (including their transfer to the custody of the State) to achieve their aims—all supported by systems of intrusive mass surveillance.

The United States has consistently affirmed that “preventing mass atrocities and genocide is a core national security interest and a core moral responsibility.”<sup>1</sup> Now that the United States has determined that the CCP is committing genocide, there needs to be a focused, coordinated strategy that seeks to end the crimes against Uyghurs, support victims, and pursue a path to accountability.

## Background<sup>2</sup>

The Uyghurs are an ethno-religious minority group in China. The harsh treatment of Uyghurs by the CCP is not new. For decades, the Chinese government has sought to forcibly assimilate

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<sup>1</sup> See Presidential Study Directive on Mass Atrocities (2011), Executive Order 13729, A Comprehensive Approach to Atrocity Prevention and Response (2016), and United States Strategy to Anticipate, Prevent, and Respond to Atrocities (2022).

<sup>2</sup> This testimony draws from the Simon-Skjodt Center’s report, “*To Make Us Slowly Disappear*”: *The Chinese Government’s Assault on the Uyghurs* from November 2021, available at <https://www.ushmm.org/genocide-prevention/reports-and-resources/the-chinese-governments-assault-on-the-uyghurs>.

Xinjiang’s Uyghur Muslim community, most visibly through prohibitions on the expression of Uyghur religion and culture and the destruction of sites of religious and cultural heritage. Furthermore, since the early 1950s, Chinese government policy has sought to change the demographics of Xinjiang. To this end, the government has provided significant economic incentives to attract Han Chinese to resettle in Xinjiang, including land and jobs, subsidized housing, free medical care and education, and lump sum payments.<sup>3</sup>

The Chinese government’s decades-long repression of the Uyghurs of Xinjiang is underpinned by multiple, linked, and often mutually reinforcing beliefs. The first is that the Uyghurs as a group are perceived to pose a threat to the security of the Chinese nation. Second, given the critical importance of Xinjiang to the Belt Road Initiative, the Chinese government views any perceived threat posed by the Uyghurs as having significant economic ramifications.<sup>4</sup> Yet, while the Chinese government leverages the language of the “War on Terror” with its undercurrents of Islamophobia, it has not sought to identify threats, but rather has targeted the entirety of the Uyghur population. What is seemingly most threatening to the CCP is a fact of a community with a non-Han sense of identity.

A network of detention centers, referred to by the state as “re-education centers,” expanded dramatically after the fall of 2016 when Chen Quanguo, previously the Communist Party Secretary in Tibet and responsible for developing and implementing repressive policies there, was appointed Party Secretary in Xinjiang.<sup>5</sup> Building on tactics used in Tibet, Chen placed police and paramilitary troops every few hundred feet in Xinjiang’s main towns, deployed teams to monitor Uyghur families in person, and expanded the number of detention centers and prisons in the region.

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<sup>3</sup> Nathan Ruser and James Leibold, “Family de-planning: The coercive campaign to drive down indigenous birth-rates in Xinjiang,” Australian Strategic Policy Institute, May 12, 2021, 18, [https://s3-ap-southeast-2.amazonaws.com/ad-aspi/2021-05/Family%20deplanning%20v2.pdf?IO4rxtbW\\_U p5C6usSJ4EpMFHm6khL7uF](https://s3-ap-southeast-2.amazonaws.com/ad-aspi/2021-05/Family%20deplanning%20v2.pdf?IO4rxtbW_U p5C6usSJ4EpMFHm6khL7uF).

<sup>4</sup> “Xinjiang: A Gateway to China’s Belt and Road Initiative,” National Development and Reform Commission (NDRC), People’s Republic of China, [https://en.ndrc.gov.cn/news/mediar/sources/202108/t20210819\\_1294082.html](https://en.ndrc.gov.cn/news/mediar/sources/202108/t20210819_1294082.html); James McBride, Noah Berman, Andrew Chatzky, “China’s Massive Belt and Road Initiative”, Council on Foreign Relations, February 2, 2023, <https://www.cfr.org/backgrounder/chinas-massive-belt-and-road-initiative>

<sup>5</sup> “Exploring Xinjiang’s Detention System,” Australian Strategic Policy Institute, September 2020, <https://xjdp.aspi.org.au/explainers/exploring-xinjiangs-detention-facilities/>; Megha Rajagopalan, “This Is What A 21st-Century Police State Really Looks Like,” Buzzfeed News, October 17, 2017, <https://www.buzzfeednews.com/article/meghara/the-police-state-of-the-future-is-already-here>; Chun Han Wong, “China’s Hard Edge: The Leader of Beijing’s Muslim Crackdown Gains Influence,” Wall Street Journal, April 7, 2019, <https://www.wsj.com/articles/chinas-hard-edge-the-leader-of-beijings-muslim-crackdown-gains-influence-11554655886>.

These new CCP policies ushered in an entirely new level of abuses—including forced sterilization, torture, sexual violence, arbitrary arrests and disappearances, and forced labor—against the Uyghur Muslim community. Between one million and three million people, mainly Uyghurs,<sup>6</sup> have been arbitrarily detained in a far reaching camp system, which the CCP has euphemistically described as “vocational training centers.”

There is an increasing entrenchment of Han supremacist values in the Chinese government’s treatment of the Uyghurs, which has further dehumanized this minority group and nurtured an environment where genocidal ideologies can take root. While some violations have been documented against other minority groups in China, the scale and severity of the Chinese government’s coordinated assault on the Uyghur community is unprecedented.

## **Nature of the Crimes**

There are many unsettling details regarding the nature of the CCP’s crimes against the Uyghurs. Unlike perpetrators of mass atrocity that use mass killings as their mode of destroying a particular group, the CCP has embarked on a secretive campaign to disappear and detain Uyghurs, separate Uyghur men and women, target the reproductive capacity of Uyghur women, separate children from their families, and erase the visible elements of Uyghur culture. They are doing all this behind closed doors, as the CCP not only rejects independent investigators but harasses and threatens Uyghurs who dare to tell the truth about these crimes—including those Uyghurs that have fled China. The CCP’s crimes against Uyghurs and its efforts to shield the truth are bolstered by multiple systems of surveillance.

### **Mass Detention**

Beginning at least in 2017, the Chinese government began expanding a network of detention centers where an estimated one million to three million people, mostly Uyghurs, have been imprisoned. Chinese authorities have separated children from families, and many Uyghur people living outside China have no contact with or information about detained relatives. Uyghur people face arrest and detention for practicing their religion, for family ties to other detainees, or even

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<sup>6</sup> “Assistant Secretary of Defense for Indo-Pacific Security Affairs Schriver Press Briefing on the 2019 Report on Military and Security Developments in China,” US Department of Defense, May 3, 2019, <https://www.defense.gov/Newsroom/Transcripts/Transcript/Article/1837011/assistant-secretary-of-defensefor-indo-pacific-security-affairs-schrivers-press/>.

for attending a foreign university. Within detention centers, inmates report torture, forced labor, and mandatory teaching to renounce Uyghur culture and the Muslim faith.<sup>7</sup>

### Targeting Uyghur Women's Reproductive Capacity

Chinese policy appears to be largely directed toward destroying, in substantial part, the Uyghur community's ability to regenerate, primarily through attacking the reproductive capacity of Uyghur women. In recent years we have seen a deepening assault on Uyghur female reproductive capacity through forced sterilization and forced intrauterine device (IUD) placement as well as the separation of the sexes through mass detention and forcible transfer. The attack on Uyghur reproductive capacity is specifically directed toward Uyghur women, who—it is important to emphasize—are persecuted not only by reason of their ethnic, religious, and cultural identity, but also because of their gender.

### Targeting Uyghur Children

Of particular concern has been the transfer of Uyghur children into the care of the state. Since early 2018, state authorities have mandated special treatment for Uyghur children of “couples where both partners are detained in re-education ... [or] in vocational training center[s].”<sup>8</sup> Such children are classified as constituting a “special needs category” who are entitled to be placed in “centralised care.”<sup>9</sup> Uyghur infants as young as a few months old have been removed from their families.<sup>10</sup>

Uyghur children who cannot be classified as “orphans” have been forcibly transferred to full-time boarding schools, without the consent of their parents and where their parents have limited visiting rights.<sup>11</sup> Parents and other family members serving as children's guardians indicated that they were threatened with being sent to detention camps if they resisted the removal of their children and their transfer to these schools.<sup>12</sup> While held there, the children are prevented from practicing their Muslim faith, and are forbidden to use their own language, forcing them to learn

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<sup>7</sup> “The Uyghurs in China,” USHMM, [https://www.ushmm.org/m/pdfs/China\\_Alert\\_Sheet.pdf](https://www.ushmm.org/m/pdfs/China_Alert_Sheet.pdf).

<sup>8</sup> Adrian Zenz, “Break Their Roots: Evidence for China's Parent-Child Separation Campaign in Xinjiang,” *Journal of Political Risk* 7, no. 7 (July 2019), <http://www.jpolrisk.com/break-their-roots-evidence-for-chinas-parent-child-separation-campaign-in-xinjian-g/>.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> “China: Xinjiang Children Separated from Families,” Human Rights Watch, September 15, 2019, <https://www.hrw.org/news/2019/09/15/china-xinjiang-children-separated-families>.

<sup>12</sup> Emily Feng, “Uighur children fall victim to China anti-terror drive,” *Financial Times*, July 9, 2018, <https://www.ft.com/content/f0d3223a-7f4d-11e8-bc55-50daf11b720d>.

Mandarin, thereby erasing the practice of Uyghur culture and religions in the community's younger generations.<sup>13</sup> In a 2020 resolution, the European Parliament referred to the findings of research suggesting that, by the end of 2019, over 880,000 Uyghur children had been placed in boarding facilities.<sup>14</sup>

## Cultural Restrictions and Destruction

Since 2017, the Chinese government has instituted more restrictive policies and laws limiting Uyghurs in Xinjiang from speaking the Uyghur language, wearing traditional clothing, having beards, wearing headscarves in public places, using traditional Islamic greetings, and performing a number of Uyghur religious and cultural practices.<sup>15</sup> Engaging in regular prayer or fasting for Ramadan are considered by the Chinese authorities as “signs of extremism.”<sup>16</sup> In 2019, a Uyghur woman, reportedly charged with promoting the wearing of headscarves, received a ten-year prison sentence.<sup>17</sup> These policies have had the effect of criminalizing the Uyghurs' culture and their practice of Islam. Even ordinary acts such as going to a mosque may be a basis for arrest or detention.<sup>18</sup>

The Chinese government has destroyed Uyghur cultural and religious sites, including the razing

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<sup>13</sup> Human Rights Watch, “China: Xinjiang Children Separated”; “China is putting Uighur children in ‘orphanages’ even if their parents are alive,” Independent, September 21, 2018, <https://www.independent.co.uk/news/world/asia/china-uyghurs-human-rights-muslims-orphanages-xinjiang - province-reeducation-a8548341.html>.

<sup>14</sup> European Parliament, *Resolution on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*, 2020/2913 (RSP), Strasbourg: Legislative Observatory, 2020. para D, <https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2020/2913> (RSP).

<sup>15</sup> Darren Byler, “The ‘Patriotism’ of Not Speaking Uyghur,” SupChina, January 2, 2019, <https://supchina.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/>; Dake Kang, “Correction: China-Xinjiang-Banished Textbooks story,” Associated Press News, September 3, 2019, <https://apnews.com/4f5f57213e3546ab9bd1be01dfb510d3>; Qiao Long and Yang Fan, “China Bans Use of Uyghur, Kazakh Textbooks, Materials in Xinjiang Schools,” Radio Free Asia, October 13, 2017, <https://www.rfa.org/english/news/uyghur/ethnic-textbooks-10132017135316.html>; Sophie Richardson, “China Bans Many Muslim Baby Names in Xinjiang: Absurd Edict Part of Growing Restrictions on Uyghurs,” Human Rights Watch, April 24, 2017, <https://www.hrw.org/news/2017/04/25/china-bans-many-muslim-baby-names-xinjiang>; “China: Draconian repression of Muslims in Xinjiang amounts to crimes against humanity,” Amnesty International, June 10, 2021, <https://www.amnesty.org/en/latest/press-release/2021/06/china-draconian-repression-of-muslims-in-xinjiang-g-amounts-to-crimes-against-humanity/>.

<sup>16</sup> “‘Forgive my children for not fasting’ – Ramadan in Xinjiang,” Amnesty International, May 3, 2019, <https://www.amnesty.org/en/latest/campaigns/2019/05/forgive-my-children-ramadan-in-xinjiang/>.

<sup>17</sup> Shohret Hoshur, “Uyghur Woman Handed 10-Year Prison Term Over Headscarf Claim,” trans. Richard Finney, Radio Free Asia, September 19, 2019, <https://www.rfa.org/english/news/uyghur/headscarf-09192017174307.html>.

<sup>18</sup> Linday Maizland, “China’s Repression of Uyghurs in Xinjiang,” Council on Foreign Relations, March 1, 2021, <https://www.cfr.org/backgrounder/chinas-repression-uyghurs-xinjiang>.

of mosques in an effort to remove signs of the regional Islamic identity.<sup>19</sup> Satellite imagery and on-the-ground reporting shed light on the extensive and continuing destruction of cultural and religious sites in northwestern Xinjiang.<sup>20</sup>

Around 8,500 mosques across Xinjiang, constituting approximately one third of the region's mosques, have been destroyed since 2017.<sup>21</sup> Another 30 percent were "damaged in some way, including the removal of architectural features such as minarets or domes."<sup>22</sup> About 50 percent of protected cultural sites have been damaged or destroyed, including the total destruction of Ordam mazar (shrine), an ancient site of pilgrimage dating back to the tenth century. Satellite imagery suggests that the majority of sites remained as vacant lots while others were turned into roads and car parks or converted for agricultural use. Despite this widespread and deliberate destruction, the Chinese authorities officially claimed that the demolition was due to building-code violations and for the protection of Muslims and their religious activities.<sup>23</sup>

## Legal Obligations

The Chinese government is failing in its legal obligation to prevent genocide. The seriousness of the assault on the Uyghur population demands the immediate response of the international community to protect the victims.

The United States Holocaust Memorial Museum has also concluded there is a reasonable basis to believe that the CCP is perpetrating the crimes against humanity of persecution, imprisonment or other severe deprivation of physical liberty, forced sterilization, sexual violence, enslavement, torture, and forcible transfer of children.

This information triggers the legal obligation, binding on all states, to take appropriate action to prevent or halt genocide, as well as the international community's responsibility to protect

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<sup>19</sup> Bahram Sintash, "Demolishing Faith: The Destruction and Desecration of Uyghur Mosques and Shrines," Uyghur Human Rights Project, October 28, 2019, [https://docs.uhrp.org/pdf/UHRP\\_report\\_Demolishing\\_Faith.pdf](https://docs.uhrp.org/pdf/UHRP_report_Demolishing_Faith.pdf).

<sup>20</sup> Nathan Ruser et al., "Cultural erasure: Tracing the destruction of Uyghur and Islamic spaces in Xinjiang," Australian Strategic Policy Institute, September 2020, <https://www.aspi.org.au/report/cultural-erasure>.

<sup>21</sup> Chris Buckley and Austin Ramzy, "China Is Erasing Mosques and Precious Shrines in Xinjiang," New York Times, September 25, 2020, <https://www.nytimes.com/interactive/2020/09/25/world/asia/xinjiang-china-religious-site.html>.

<sup>22</sup> Helen Davidson, "Thousands of Xinjiang mosques destroyed or damaged, report finds," The Guardian, September 25, 2020, <https://www.theguardian.com/world/2020/sep/25/thousands-of-xinjiang-mosques-destroyed-damaged-china-report-finds>.

<sup>23</sup> "Xinjiang govt denies foreign media reports of 'tearing down mosques,' says it is reconstructing them for safety of Muslims," Global Times, April 19, 2021, <https://www.globaltimes.cn/page/202104/1221463.shtml>.



victims of genocide and crimes against humanity.

The legal obligation to prevent genocide is binding on every state, not just the state committing the crimes, and is recognized as an obligation under customary international law.<sup>24</sup> The duty to prevent a genocide also imposes on States an obligation to employ all means reasonably available to them, so as to prevent genocide so far as possible. The duty to prevent genocide is not simply about a moral commitment to the idea of “Never Again.” Rather it is a binding legal commitment on States to take all measures to prevent genocide that are reasonably available to them. It is essential that discussions take place within and among States as to how they can and should meet their legal obligations.

## **A Unique and Pressing Policy Challenge**

The atrocity crimes against the Uyghurs pose an unusual set of challenges to policy makers. Three factors stand out: competing US interests and diverse national interests among like-minded countries, the strategic difficulty of convincing China to change its behavior, and the nature of the atrocities.

First, competing interests in relation to China complicate the development of an atrocity-prevention strategy. Interests vis-à-vis China range from trade to east Asian security to addressing global climate change. Policy makers determine how to balance these interests—although US officials have long cited human rights concerns among other interests in China, none has explained how interests in preventing mass atrocities relate to other US interests. Thus far there is no coordinated atrocity-prevention strategy among like-minded states, and addressing crimes against Uyghurs has not been prioritized in any nation’s national security policy.

Second, China’s growing economic, military, and political strength makes it easier for Chinese leaders to rebuff external calls for change, dismissing them as interference in Chinese internal affairs, and more difficult for external actors to build broad coalitions and find effective points of leverage. China’s permanent seat on the UN Security Council effectively shields it from scrutiny at the world’s main venue for collective action on international peace and security.

Third, the nature of China’s atrocities against the Uyghurs, and specifically its assault on the

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<sup>24</sup> The US government has adopted a more limited understanding of the obligation to prevent genocide. Todd F. Buchwald and Adam Keith, *By Any Other Name: How, When, and Why the US Government Has Made Genocide Determinations* (Washington, DC: USHMM) March 2019, 19, [https://www.ushmm.org/m/pdfs/Todd\\_Buchwald\\_Report\\_031819.pdf](https://www.ushmm.org/m/pdfs/Todd_Buchwald_Report_031819.pdf).



regenerative capacity of the group, challenge standard policy responses. The Chinese government's multi-faceted attack on Uyghurs does not rely on large-scale killings, as commonly occur in recognized genocides. Rather, China has relied on a combination of high-tech surveillance, intimidation, mass detention, forced labor, forced transfer, and coercive birth control practices to commit atrocity crimes.

## The Way Forward

### The Chinese government's responsibility

What is most clearly and urgently needed is for the Chinese government to immediately halt the commission of mass atrocity crimes against Uyghurs in Xinjiang. Specific next steps would include:

- Halting arbitrary detention and releasing all those who are being held arbitrarily or without due process
- Ending forced sterilization and forced abortion
- Stopping the forcible transfer of Uyghur children from their families
- Ending the use of forced labor in Xinjiang and elsewhere in China
- Halting actions that infringe on the rights of Uyghurs to live freely in accordance with their customs, culture, and religious practice
- Granting full, unimpeded access to journalists and representatives of international investigative bodies, including those mandated to collect, preserve, and store information regarding international crimes, including crimes against humanity and genocide.

### Range of options for the US government

Having publicly declared that China is committing genocide and crimes against humanity, the United States and like-minded governments must be at the center of the effort to press China to end its atrocities against the Uyghurs.

Thankfully, the foundation in law and policy for action to prevent or respond to genocide and mass atrocities is very strong.

In 2019, the Elie Wiesel Genocide and Atrocities Prevention Act became law. The Act states, "It shall be the policy of the United States to...regard the prevention of atrocities as in its national interest" and to "pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities."

Multiple administrations have affirmed and extended these commitments. Most recently, President Biden stated on behalf of the United States on Holocaust Remembrance Day in 2021, “I recommit to the simple truth that preventing future genocides remains both our moral duty and a matter of national and global importance.”

In 2022, the administration released the first-ever *US Strategy to Anticipate, Prevent, and Respond to Atrocities*. The new strategy reaffirmed an important statement from a 2016 Executive Order: “Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.”

Of course, translating these commitments into effective action is no simple feat—especially in the case of China’s mass atrocities against Uyghurs. Nevertheless, making it clear that US commitments to prevent and respond to mass atrocities apply in China no less than anywhere else in the world would provide an important premise for the development of specific US strategies.

### Three complementary strategies might help stop the ongoing atrocity crimes against Uyghurs:

1. **Degrade the capacity of perpetrators to commit further atrocities.** If external actors can increase the cost or decrease the operational efficiency of China’s atrocities against Uyghurs, it could reduce future atrocities, even if China’s overall policy does not change fundamentally. Examples of specific actions with potential to degrade perpetrator capacity include financial sanctions targeting commercial entities that are supporting China’s repressive policies and export controls on advanced technologies. As noted, the US government has already taken some actions of this type, but they could be expanded.
2. **Persuade perpetrators to stop committing atrocities.** The United States and other external actors can try to affect the decision making of Chinese government leaders directly and indirectly. For example, restrictions on Chinese imports to the United States exact costs on the Chinese economy that the government may wish to avoid. Publicizing the atrocities and enacting financial sanctions and visa bans on Chinese officials responsible for them impose political and reputational costs.
3. **Protect Uyghurs outside China.** Even outside of China, Uyghurs are being threatened and harassed, and some Uyghurs who have fled China have been forcibly returned.<sup>25</sup> Expediting

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<sup>25</sup> For a description of transnational repression by the Chinese government against Uyghurs outside China, see “Uyghur Human Rights Project, No Space Left to Run: China’s Transnational Repression of Uyghurs,” Uyghur Human Rights Project, June 24, 2021, <https://uhrp.org/report/no-space-left-to-run-chinas-transnational-repression-of-uyghurs/>.

refugee protections for Uyghurs who have fled China and providing assistance to vulnerable Uyghur populations residing outside of China can help mitigate the consequences of atrocities.

Congress has already done important work to address the suffering of the Uyghur people. By enacting the Uyghur Human Rights Policy Act and the Uyghur Forced Labor Prevention Act, Congress has appropriately created mechanisms which will have an impact on the way China can economically benefit from the atrocities in Xinjiang, including the landmark principle of a rebuttable assumption that all products made in Xinjiang were produced with forced labor. We encourage Congress to pursue the full implementation of these acts, fund efforts to support documentation of mass atrocities, and press the Administration for a strategy to halt mass atrocities against the Uyghur people.

We would also like to thank the current and previous Administration for swiftly adding individuals who enabled or committed atrocity crimes in Xinjiang on our sanction lists. To counteract China's potential efforts to export products made with forced labor through the Belt and Road system, we urge the Administration to release clear guidance that the United States will carefully scrutinize imports from those countries which have signed investment contracts with the Chinese government to ensure that they do not in any violate the Uyghur Forced Labor Prevention Act.

It is difficult to assess the effectiveness of the actions that the US government has already taken. To aid that type of assessment, the Director of National Intelligence could ensure that the intelligence community regularly collects and analyzes information related to ongoing atrocity crimes and the risk of future atrocities in Xinjiang. As long as Uyghurs continue to suffer atrocities, we should strive to expand and refine our efforts.

Because the United States has found the CCP to be committing crimes against humanity as well as genocide, we urge Congress to codify the definition of and punishment for Crimes Against Humanity in U.S. law, and urge the US government to vote in the United Nations to create a binding international convention on Crimes Against Humanity.

## Pathways for Accountability

Many of the Uyghur survivors and family members we have interviewed have called for ending the impunity enjoyed by the CCP. Pursuing accountability for mass atrocities can play a role in deterring future crimes, formally recognizing the harm inflicted on victims, and reinforcing the global norm that genocide and crimes against humanity will not stand.

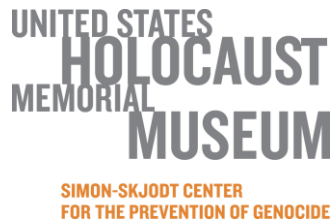
China's status as a veto-wielding, permanent member of the United Nations Security Council defacto eliminates the possibility of any action on the atrocities against Uyghurs by the world's main forum for international peace and security. This includes referral to the International Criminal Court –which would be the only path for the ICC to have jurisdiction given that China is not a State Party to the Court's Rome Statute.

Prosecutions in national courts of other states are possible, under active, passive or universal jurisdiction, but there is little to suggest that states are investing resources in this, given the likely absence of suspects on their territory, the documentation challenges, and the need to focus attention on more fruitful areas of inquiry including Syrian and ISIL cases.

Out of the dearth of viable justice options sprang the Uyghur Tribunal, an independent "people's tribunal" based in the United Kingdom. The Uyghur Tribunal concluded that the government of the People's Republic of China had committed genocide against the Uyghurs via birth control and sterilization measures; and found evidence of crimes against humanity, torture and sexual abuse. This judgment is not binding but the organizers hoped that the tribunal's hearings and reports may spur on international action and help to hold China to account for its abuse of the Uyghurs.

Mr. Chairman, Ranking Member, distinguished Members of this Committee – Given the testimonies you have heard today, and despite all the legal challenges to hold a permanent member of the UN Security Council accountable that I and others have outlined, we have to undertake the incredibly difficult work of preserving the evidence and memory of each of the victims of the Chinese government, to preserve their individual stories, to keep their memory alive, and to ensure that justice can prevail in the end.

Whatever combination of strategies is pursued, we must demonstrate that the official determination that the Chinese government is committing genocide and crimes against humanity against Uyghurs and other minorities is more than symbolic.



## Conclusion

Chairman Gallagher, Ranking Member Krishnamoorthi, let me thank you again on behalf of the Museum for being invited to this important hearing on the ongoing genocide against the Uyghurs. The impunity with which the CCP has been able to commit these crimes thus far cannot persist. The future of a people may depend on swift, coordinated global action.

In closing, we would like to underscore that protecting the Uyghur community is not a partisan issue. This is about the values that the American people hold dear, and it is also about advancing US strategic interests.

Many people ask themselves when visiting our Museum, “What would I have done if I had been alive during the Holocaust?” Today, we want people to ask: “Now that I know, “What will I do?”

This is our Never Again moment.

Thank you, Mr. Chairman.