

**Testimony by Jewher Ilham
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I would like to thank the Senate Foreign Relations Committee and its members for inviting me to testify today. My name is Jewher Ilham. I am a Uyghur rights advocate. Many of you know me as the daughter of jailed Uyghur economist Ilham Tohti. Nine and a half years ago, as a teenager, I came to the United States all alone without knowing anyone, without knowing English, without money – after my father was arrested in front of my eyes. He is now serving a life sentence on trumped up charges of separatism as part of a crackdown by the Chinese government on Uyghur dissent.¹ Becoming a human rights advocate was not part of my plan when I was eighteen, but I had to learn to be strong so I could speak out for my family and my community.

Now, many more Uyghur families have been torn apart. Over the past few years, the Chinese government has been implementing extremely repressive policies in the Uyghur Region (also known as Xinjiang Uyghur Autonomous Region) in the name of countering terrorism and poverty alleviation.²

The theme today is women leaders countering authoritarianism. As a woman, I am proud to stand with women everywhere who are combating rights violations in any society. In many places we are seeing increasing crackdowns on civil society and on human rights defenders who speak up. I want to speak today about women’s rights violations in China; namely: gender-based violence, coerced marriage, forced sterilization, and forced labor.

Did you know that for the Chinese government’s so-called ethnic bonding and family pairing programs, Han Chinese officials have been sent to sleep over at Uyghur women’s homes while their husbands are locked up in a camp? I do not call that ethnic bonding, which sounds like building crosscultural connections, I call that sexual harassment! Or worse: rape. This has been

¹ See, for example: “Ilham Tohti,” Tom Lantos Human Rights Commission, United States Congress, Accessed September 19, 2022, <https://humanrightscommission.house.gov/defending-freedom-project/prisoners-by-country/China/Ilham%20Tohti>, and “Ilham Tohti,” Accessed September 19, 2022, PEN America, <https://pen.org/advocacy-case/ilham-tohti/>.

² Office of International Religious Freedom, “2021 Report on International Religious Freedom: China—Xinjiang,” June 2, 2022, <https://www.state.gov/reports/2021-report-on-international-religious-freedom/china/xinjiang/>.

publicly reported since 2019 and continues today.³

I have spoken with women who were released from the Chinese government's state-imposed forced labor camps telling horrifying stories of sexual abuse and violence – electronic sticks in their private parts and rape. There have even been reports of gang rape. One woman who had worked in a so-called “re-education” camp told me that she was required to bring women in chains to a room where they were raped by male guards. She says she had to do this many times.

Outside of the camps, some Uyghur women are forcibly wedded to Han Chinese men. Each Han Chinese man is reportedly paid up to 50,000 yuan as a reward for this inter-racial marriage. There are even ads on the internet advertising how beautiful and exotic Uyghur women are, promising that they are ready to marry Han Chinese men. This kind of exploitative advertising attempts to encourage Han Chinese men to populate the Uyghur Region with the promise of a beautiful bride and the satisfaction of serving the national interest of sinicizing the next generation, thereby advancing the government's project to dilute the Uyghur identity in every possible way.

Many Uyghur women who are already married are enduring forced sterilization. The birth rate in the Uyghur Region dropped 24% in 2019, according to official Chinese government population statistics.⁴ At this same time birth rates were increasing among Han Chinese women as China had lifted its one-child policy. Uyghur women are reporting forced placement of IUDs. Women released from the camps report having been forced to consume medication that stopped their menstrual cycles. I believe this is an attempt to reduce the Uyghur population through reproductive coercion. The brave women who come forward to share these stories are doing so at great risk to themselves.

In another effort to exercise control in the region, and to also reap financial benefit from its repressive policies, the Chinese government has expanded on a long tradition of forced labor in the Uyghur Region. Today, we are seeing systematic, government-sponsored forced labor. The Chinese government has arbitrarily detained an estimated 1 million to 1.8 million people and implemented a program to “cleanse” ethnic groups of their “extremist” thoughts through re-education and forced labor.⁵ This involves both detainee labor inside internment camps and

³ Alexandra Ma, “China is reportedly sending men to sleep in the same beds as Uighur Muslim women while their husbands are in prison camps,” *Business Insider*, November 4, 2019, <https://www.businessinsider.com/china-uighur-monitor-home-shared-bed-report-2019-11>.

⁴ “China cuts Uighur births with IUDs, abortion, sterilization,” *Associated Press*, June 29, 2020, <https://apnews.com/article/ap-top-news-international-news-weekend-reads-china-health-269b3de1af34e17c1941a514f78d764c>.

⁵ Amnesty International, “‘Like We Were Enemies in a War’: China’s Mass Internment, Torture, and Persecution of Muslims in Xinjiang,” June 2021, <https://www.amnesty.org/en/latest/news/2021/06/china-draconian-repression-of-muslims-in-xinjiang-amou-nts-to-crimes-against-humanity/>; Human Rights Watch, “*Break Their Lineage, Break Their Roots’: China’s Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims*, April 2021,

multiple forms of involuntary labor at workplaces across the Uyghur Region and even in other parts of China, through a forced labor transfer program. All of these abuses are bolstered by a pervasive, technology-enabled system of mass surveillance.

The past complicity of global corporations in forced labor in the Uyghur Region is well-documented, in the apparel industry, in agriculture, and in the solar sector, among others.⁶ This complicity dates back years, and it has only been curtailed recently through a combination of mounting public pressure on corporations and increasingly strong regulatory action by the US government. Virtually all leading global companies have made public commitments to maintain high labor standards in their supply chains, yet most were content to keep sourcing cotton, polysilicon, and other inputs from the Uyghur Region even as the evidence of widespread forced labor became impossible to ignore. That is why strong legislative action by Congress to prohibit corporate complicity became essential.

Given the scale of the state-sponsored forced labor, it has become necessary to assume that all products produced in part or in whole in the Uyghur Region are at high risk of being tainted by forced labor. This is exactly what the Uyghur Forced Labor Prevention Act (UFLPA) does: the law's rebuttable presumption bans any product with any amount of content from the Uyghur Region from being imported into the United States unless the importer proves with "clear and convincing evidence" that it was made without forced labor.⁷ This law is an important beginning: now, it is crucial that any company that has not yet fully mapped its supply chain to the raw material level does so to make sure it is in compliance. If a company does not know all its subcontractors, then how can it know if it is, or is not, breaking the law – when so many products, from apparel to solar panels to electronics to PVC building materials, are at high risk of being tainted with Uyghur forced labor?

<https://www.hrw.org/news/2021/04/19/china-crimesagainst-humanity-xinjiang>; Congressional-Executive Commission on China, *Staff Research Report: Global Supply Chains, Forced Labor, and the Xinjiang Uyghur Autonomous Region*, March 2020, <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/CECC%20Staff%20Report%20March%202020%20-%20Global%20Supply%20Chains%2C%20Forced%20Labor%2C%20and%20the%20Xinjiang%20Uyghur%20Autonomous%20Region.pdf>; and Australian Strategic Policy Institute, "Mapping Xinjiang's 'ReEducation' Camps," November 1, 2018, <https://www.aspi.org.au/report/mapping-xinjiangs-re-education-camps>.

⁶ Helena Kennedy Centre for International Justice at Sheffield Hallam University, *"Until Nothing is Left": China's Settler Corporation and its Human Rights Violations in the Uyghur Region*, July 2022, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/until-nothing-is-left>; *Built on Repression: PVC Building Materials' Reliance on Labor and Environmental Abuses in the Uyghur Region*, June 2022, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/laundered-cotton>; and *In Broad Daylight: Uyghur Forced Labour and Global Solar Supply Chains*, May 2021, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/in-broad-daylight>.

⁷ Public Law 117-78, 117th Congress, December 23, 2021, <https://www.congress.gov/117/plaws/publ78/PLAW-117publ78.pdf>.

The Worker Rights Consortium is part of the Coalition to End Forced Labour in the Uyghur Region. Now that the UFLPA is in effect, the coalition is focused on the risk that corporations prevented from importing goods with inputs from the Uyghur Region into the US will move to dump these goods in other markets. For obvious reasons, if corporations engage in this practice, and if governments tolerate it, this will substantially reduce the economic pressure that the US import ban places on the system of state-sponsored forced labor. This is why the coalition is asking corporations to commit to a single global sourcing standard that excludes inputs from the Uyghur Region from any of the goods they sell in any market where they do business. But some companies will not end their reliance on forced labor unless they are required to do so, which is why it is vital for the US government to coordinate with the governments in other major consumer markets and why it is incumbent upon those governments, including the EU and UK governments, to shoulder their responsibilities.

The Worker Rights Consortium is committed to challenging forced labor and other labor rights abuses everywhere they occur. The gravity of the systematic forced labor in the Uyghur Region, and the context in which it is occurring, are unique. However, large-scale abuse of fundamental worker rights is a global problem. We have identified egregious violations of worker rights in the supply chains of dozens of leading brands and retailers, from Indonesia, to Bangladesh, to Guatemala. The Uyghur Forced Labor Prevention Act is a vital step toward ending forced labor in the Uyghur Region. After decades of US trade policies and trade agreements that gave short shrift to worker rights, it is also a vital precedent for an approach to global trade that privileges the rights and worth of human beings over the narrow interests of globe-trotting corporate giants.

Recommendations

International community:

1. Promote the adoption of legislation in other jurisdictions that bans the importation of products made in the Uyghur Region, with a similar rebuttable presumption as that in the UFLPA.
2. Encourage companies to adopt a single global sourcing standard, aligned with the legal requirements set forth in the UFLPA, that ensures that none of their supply chains rely on Uyghur forced labor.⁸

Biden Administration:

1. Fully implement and enforce the UFLPA, applying all necessary resources and expertise. This must include:

⁸ Coalition to End Forced Labour in the Uyghur Region, "An Open Letter to Businesses," June 21, 2022, <https://enduyghurforcedlabour.org/coalition-statements-releases/an-open-letter-to-businesses/>.

- a. ensuring that the UFLPA Entity List⁹ is appropriately built out, with additional entities added on an ongoing basis whenever evidence warrants;
 - b. ensuring that its implementation focuses on products entering the United States that are at high risk of containing raw material or components that were produced or processed in the Uyghur Region;
 - c. ensuring that goods exported from all countries are scrutinized, not just those exported from the Uyghur Region and from other parts of China; and
 - d. engaging in ongoing consultations with Uyghur civil society organizations and labor rights organizations and providing meaningful public transparency.
2. Ensure expedited refugee status for Uyghurs seeking asylum, especially for those who have faced political persecution or who can testify to forced labor or gender-based violence.
 3. Call for the immediate release of Uyghur human rights defenders who have been unjustly imprisoned, raising their individual names.

Congress:

1. In its oversight role, ensure that the executive is fully implementing and enforcing the UFLPA, bearing in mind the inevitable corporate pressure to the contrary.
2. Use its investigative powers and the public hearing process to expose the complicity of US-based corporations in forced labor, in the Uyghur Region and around the world.

⁹ "UFLPA Entity List," Department of Homeland Security, Accessed September 19, 2022, <https://www.dhs.gov/uflpa-entity-list>.