

On June 17, US President Donald Trump signed into law on sanctions against China. The document imposes sanctions on those who are responsible for human rights violations in the Xinjiang Uyghur Autonomous Region of China. Dr Sean R. Roberts, an American anthropologist, researcher on Central Asia and Uyghurs, director of the International Development Studies Program at George Washington University's Elliott School of International Relations in an interview with CABAR.asia explains what does the new law mean.

Follow us on [LinkedIn](#)

Recently, the US Senate passed a law [then it was signed by President Trump] to protect the Uyghurs in the Xinjiang Uyghur Autonomous Region of China (XUAR). What does the new law mean? Against whom and what will be the new sanctions?



Dr Sean R Roberts.
Photo: Sean R. Roberts' website

The Uyghur Human Rights Protection Act is primarily an effort on the behalf of the US Congress to ensure that the executive branch of the US government pressures China to end its mass internment, racially profiled surveillance, and general repression of the indigenous peoples of the Xinjiang Uyghur Autonomous Region (XUAR), who are mostly Turkic speaking Muslims, the majority of whom are Uyghurs.

On the surface, the legislation almost exclusively calls on the US government to use existing legislation to address this problem. It requests that the government do the following:

- 1) use the Global Magnitsky Act to sanction those Chinese officials and business people who are directly involved in the mass human rights abuses in the XUAR;
- 2) employ existing labor laws to prevent US businesses from including products made by coerced Uyghur labor in their supply chains; and
- 3) have the FBI use existing laws to prevent surveillance and harassment of Uyghur

Americans by Chinese government actors.

Additionally, it calls on the US State Department to lobby other governments and international organizations to condemn China's actions in the XUAR and to prevent the extradition of Uyghurs and other indigenous peoples of the XUAR to China from third countries. Finally, it calls for the government to provide more resources to the Radio Free Asia Uyghur Service, which has been a major source of information on events inside the XUAR.

While these are all things that the government could do without new legislation, the real power of the new bill is that it holds the executive branch to account for such actions through reporting requirements to Congress. These requirements include the following annual reports:

- 1) one from the office of the president on individuals directly implicated in mass human rights abuses in the XUAR who should be sanctioned;
- 2) one from the State Department on human rights abuses in the XUAR and on the Department's response to these abuses;
- 3) one from the FBI on its efforts to protect Uyghur Americans from surveillance and harassment by the Chinese government; and
- 4) one from the Director of National Security outlining intelligence findings regarding what Chinese companies are directly involved in the building of mass internment camps and the surveillance of the indigenous peoples of the XUAR. In effect, all of these reporting requirements are accountability measures to ensure that US government agencies and departments are working on this issue.

How can a new law help Uyghurs and other Muslim minorities? How effective are the sanctions against the Chinese officials? Are stricter sanctions possible that will cover, for example, trade with China?

I view the primary impact of the law to be its assurances that the XUAR will remain a focus of US foreign policy interactions with the PRC for the foreseeable future. Unlike with Tibet, the fate of the Uyghurs and other indigenous peoples in the XUAR has always been a tangential issue in US-PRC relations. Under this law, the State Department, the FBI, and the offices of the President and National Security Director will need to have sections dedicated to following events in the XUAR and responding to them. A similar law on Tibet passed in

2002 mandated the creation of a 'Special Coordinator for Tibetan Issues' within the State Department, who has ensured that questions related to Tibet remain highlighted in US-PRC bilateral relations. While the Uyghur act does not have such a stipulation, I would not be surprised to see it result in a similar position within the State Department to coordinate the reporting requirements of different agencies and departments on issues related to Uyghurs.

Despite its potential to have long-term impact on US advocacy for the rights of Uyghurs and other indigenous peoples of the XUAR, the bill is limited in what it can accomplish on its own in the short-term. It does send a message to the international community that China should be condemned for its actions in the XUAR. However, the US' moral authority on international human rights issues is arguably at an all-time low since at least the 1940s. The Trump administration has withdrawn the US from the UN Committee on Human Rights. Additionally, the administration is subject to criticism for its disregard of systemic racism in the United States and has mostly responded to domestic protests regarding police brutality against African-Americans with attempts to violently suppress them rather than to hear their demands. Furthermore, John Bolton, a former National Security Advisor to Trump, has recently asserted that Trump had suggested to Xi Jinping that the PRC's 're-education' for Uyghurs in the XUAR was a good idea. In this context, as long as Trump remains president, many will question the sincerity of the law.

In terms of immediate impact of the law's stipulations on the PRC, the sanctions it proposes involve travel restrictions and asset blockages for individuals involved in the human rights abuses in the XUAR. This may have limited utility. Unlike in Russia, most of the PRC's elite do not hide their money off-shore, especially in the context of Xi Jinping's anti-corruption campaign, and given China's power elsewhere in the world, they have lots of other travel options outside the US. In fact, given the present geopolitical tension between the US and the PRC, some of those sanctioned could benefit from the action as the state could view it as a badge of honor and a sign of loyalty to the Communist Party. I believe that more effective sanctions would target those companies entangled with the many coerced labor programs in the region. Recent reports show that these coercive labor programs have spread throughout the PRC and have become intertwined with the supply chains of large multinational corporations. There is a new bill that has been introduced to the US Congress, [The Uyghur Forced Labor Protection Act](#), which would begin to apply such sanctions, but coming from the US government alone, it will also have limited impact.

The larger problem with the legislation is that the US on its own has little leverage over the PRC at the present moment. While the legislation may pique the interest of liberal democracies in taking similar actions, it is unlikely to foster substantial action from a broad coalition of states that could truly pressure China on this issue. As I argue in a [forthcoming](#)

[book about the Uyghur cultural genocide](#), only a broad, international, and grassroots movement to boycott and divest from companies benefiting from this tragedy is likely to change Beijing's behavior. In this sense, this legislation, if adopted, does an important service by mandating unclassified and publicly available information about these companies. However, it will take a well-organized international grassroots movement to use that information to truly inflict the sort of economic pain on commercial interests in China that could bring about change.

There is an opinion that the US uses the Uyghur issue as a lever of pressure on China. Why and how important is this issue for the USA? Will the nations turn out to be a bargaining chip in big politics?

Indeed, Chinese media has already frequently made the case that the US is inaccurately portraying the situation in the XUAR as a means to attack China in a geopolitical competition for world dominance. However, I think the reality is much more complex. One must remember that this bill passed both chambers of Congress almost unanimously. Its supporters include those from both the right and the left of the US political spectrum. It is likely that within Congress there are some lawmakers who find this to be a convenient issue to use against the PRC in what is increasingly being portrayed as an emergent 'Cold War' between China and the US. However, most of the adamant supporters of this bill have been foreign policy idealists rather than geopolitical realists or combative neoconservatives. Among conservatives, the most ardent supporters of the bill are those who are dedicated to religious freedom and view the blatant attempts to eradicate Islam in the XUAR as a threat to their foundational beliefs. At the same time, the left wing of the Democratic Party has also been strongly in favor of the bill, viewing it as a response to racially profiled repression and the internationalization of Islamophobia. Finally, among supporters of human rights in both parties, responding to this issue is viewed as a necessity if the United States is to continue to project an image as a global protector of human rights and civil liberties. I believe that for most of the bill's most ardent supporters, their interest in this bill is more propelled by a desire to revive America's image as a global protector of rights and liberal values than by geopolitical maneuvers against China.

However, that does not mean that the fate of Uyghurs and other indigenous peoples of the XUAR will not turn into a bargaining chip in US-China relations. Indeed, this has happened before. In 2002, the Bush administration disingenuously recognized an unknown and inconsequential group of Uyghur would-be militants in Afghanistan as a terrorist group with links to Al-Qaeda, most likely in order to prevent China from opposing the US invasion of Iraq. Furthermore, many in Washington suggested that it was the trade deal with the PRC that delayed this bill's adoption. In many ways, this bill makes such bargaining harder to do

given the prominent position it gives issues related to the XUAR in US foreign policy over the long-term, but it cannot prevent such a sell-out of Uyghur rights outright.

How do China respond to sanctions, accusations of infringement of the rights of national minorities in the XUAR? Will China make any concessions?

As I have already suggested, this bill is unlikely to change Beijing's behavior on its own. The PRC has already reacted negatively to the bill and has tried to portray it as merely an attempt to hurt China based in untrue accusations. This will likely continue to be the case, and the PRC may even step-up its propaganda to suggest that its policies in the XUAR do not violate human rights. While the PRC will not likely make concessions due to this bill, it may accelerate the PRC's attempts to normalize the situation in the XUAR by consolidating what it has accomplished already in terms of identity destruction, population transfers, social control, and the transformation of the region's landscape and demographics. I believe that the PRC is already doing this during the COVID-19 pandemic in an attempt to erase evidence of its actions in the region over the last three years. If it can normalize what it has already done to the indigenous peoples of the XUAR while maintaining their marginalization, the PRC may be able to divert international attention from this issue while still achieving what it set out to do in the first place.

What is the position of the authorities of Central Asian countries on the Uyghur issue? How much does it differ with the position of the public in these countries?

The Central Asian states have generally sought to ignore what is happening to many of the co-ethnics of their own citizens across the border in China in an attempt to not anger Beijing. This is predictably more difficult for Kazakhstan and Kyrgyzstan where many citizens have relatives in the XUAR or are themselves former residents of that region in China. Kazakhstan is in the most difficult position in this regard given that it is both heavily reliant on Chinese investment and trade and has a large population of people with relatives in the XUAR. Not only does Kazakhstan have the largest Uyghur population in Central Asia, but it also has a large citizenry of ethnic Kazakhs who were born in China. Furthermore, the acceptance of ethnic Kazakhs from China as citizens of Kazakhstan was part of an early signature project of Nursultan Nazarbayev to 'Kazakhify' the country. Many of these Kazakhs from China in Kazakhstan have been very active in protesting the actions of the PRC in the XUAR, and they have been at the forefront of collecting testimonials of those who have spent time in mass internment camps. Furthermore, there are numerous Kazakhs and Uyghurs in Kazakhstan who have spent time in these camps and have spoken out about their experiences in international media. The authorities in Kazakhstan have sought to limit these people's ability to speak-out, but they have stopped short of fully silencing them

While there are definitely signs that many people in Central Asia are deeply troubled by what is happening to their co-ethnics and others in the XUAR, there has yet to be any substantial popular resistance to state policies attempting to ignore the crisis. While this is surprising to many outsiders, it is not entirely so to analysts who have been studying the region for some time. Central Asia is not known as a region of political activism, and Central Asians are generally not swayed to act politically around issues that do not directly impact them. These attitudes were instilled in the region during the Soviet period, and they have been reinforced by the generally authoritarian nature of the regimes in the region since independence. That said, there is evidence that the situation in the XUAR is swaying public opinion about China more generally, especially as it relates to China's economic and political engagement with the region. As such, the situation in the XUAR appears to mostly feed into existing anti-Chinese attitudes and worries about the PRC's intentions in Central Asia more broadly.

There is information that most of the re-education camps are already closed. What do you think will happen next with national minorities in the Xinjiang? What processes await them?

To answer those questions, it is first important to explain the PRC's motivations for what it is doing in the XUAR, and to do so requires a brief discussion of this region's history as part of China.

In my forthcoming book, I suggest that the actions of the PRC in the XUAR are first and foremost an attempt to better incorporate the region into a more monocultural China. While this region has been within China's domain since the mid-18th century, until the last thirty years, it had tenuous connections with the central power of the Chinese state. Until the revolution of 1949, the region was largely a buffer zone for China and akin to a frontier colony. During the first 40 years of PRC rule, the demographics of the region were significantly changed through the in-migration of Han Chinese, but this was mostly in the XUAR's north, which was linked to inner China through rail. The southern oases of the region remained overwhelmingly Uyghur in population and remained a frontier of state power in many ways. I would suggest that it was only in the late 1980s and early 1990s that the PRC really had the capacity and motivation to fully incorporate this region into state culture. What we are witnessing today is the logical conclusion of this effort. In this sense, the actions of the PRC in the XUAR over the last three years represent a violent and aggressive acceleration of attempts to transform this region into a constituent part of a unified China.

The PRC suggests that everything it has done in the XUAR since 2017 is part of an effort to

mitigate an existential terrorist threat, but this is a completely disingenuous assertion. Since the early 1990s when the PRC began in earnest its attempts to develop the XUAR as an integral part of China, it has encountered resistance from Uyghurs to assimilation and attempts to further settle the region with ethnic Han. Throughout the 1990s, the Chinese state characterized this resistance as ‘separatism’ and sought to brutally suppress it. However, when the Global War on Terror (GWOT) began in late 2001, the PRC shifted its characterization of Uyghur resistance to that of a terrorist threat, claiming that it was connected to global ‘Jihadist’ groups. As such, it allowed for the repression of resistance to become more aggressive and violent. These measures by the state only served to amplify Uyghur forms of resistance and make them more violent in return, which also intensified state violence against Uyghurs. By 2014, this cycle of repression-violence-repression had reached a peak, and a few of the acts of violence carried out by Uyghurs looked increasingly like terrorism. I would suggest that everything that has happened to Uyghurs and other indigenous peoples in the XUAR since 2017 can be traced back to 2014, which was also the first full year of Xi Jinping’s leadership of the PRC.

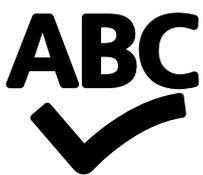
Starting in 2014, the PRC began putting in place the infrastructure for what it has been doing over the last three years. It established the early stages of its massive system of electronic surveillance, it began testing different models of ‘re-education’ as a means of political indoctrination, and it established laws that allowed the state to punish expressions of religiosity and many local cultural practices as manifestations of ‘extremism.’ In other words, the PRC began setting the stage for the complete pacification of the indigenous peoples of the region in 2014, but it would not be until 2017 that it was set in motion in an effort to completely neutralize all resistance to what essentially amounts to a full-out transformation of the XUAR that makes it safe for mass Han settlement.

In this context, the gradual closing, or re-purposing, of the mass internment camps can be viewed as part of the PRC’s overall plan. As it appears that many camps are being closed, there is evidence that many of its internees are being transferred to regular prisons and convicted of crimes in expedited trials. Others are being transferred into residential labor programs where they are subjected to continued indoctrination through ‘re-education’ classes and are limited in their movements. Some of these labor programs are housed in factories in the XUAR, but many others are sending local workers to factories in inner China. In both cases, it is opening up an opportunity for the state to depopulate former indigenously occupied villages and ‘develop’ them into potential new settlements. Finally, while adults are being relegated to these residential labor programs in remote factories, children are being put in boarding schools, and the landscape of the XUAR is being stripped of indigenous cultural markers, except when useful as tourist attractions.

In short, these actions seem to be attempts to consolidate the processes that have taken place over the last three years to pacify the local population and ready the region for full-scale Han colonization. In this sense, if the international community continues to ignore what is happening, the indigenous population of the XUAR awaits a fate similar to other populations whose homelands were subjected to settler colonialism in the past, such as native Americans or Aborigines in Australia and New Zealand. Their population will be seriously decreased, and those remaining will be marginalized, if not quarantined in reservation-like settlements, within their own homeland. The Uyghur Human Rights Protection Act raises a warning flag about the gravity of this human rights crisis, but, as I have said, it is unlikely to deter the PRC on its own. I only hope that it triggers more responses internationally that together could help to pressure Beijing to pull back on the wholesale decimation of the unique cultural identities of the vibrant indigenous people of the XUAR before it is too late.

This material has been prepared as part of the Giving Voice, Driving Change - from the Borderland to the Steppes Project. The opinions expressed in the interview do not reflect the position of the editorial board or donor.

Cover photo: AFP



If you have found a spelling error, please, notify us by selecting that text and pressing *Ctrl+Enter*.