

DE JURE NEXUS LAW JOURNAL

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**A CRITICAL ANALYSIS ON THE INHUMANE CONDITIONS OF THE
UYGHUR MUSLIMS IN XINJIAN, CHINA**

De Jure Nexus

Abstract:

Raphael Lemkin, who was the founder of the term 'Genocide' has recognized mass murder as an international crime. He not only wanted to protect the people from mass extinction but also wanted to protect their culture. After the World War II, cultural genocide was omitted from the 1948 Genocide Convention, henceforth it is not considered to be equivalent to an international crime anymore. This particular omission has left an unfilled space or so-called cavity in the international law, which is deliberately threatening the minority groups of the world. There are no such steps taken against the powerful countries, in consideration of their attitude towards following the international obligations. As a secularist state, China is one of the countries which is very sensitive about religion and culture, especially when it comes to Islam. The Uyghur's admittance to Islamic knowledge and practicing it is getting curbed day by day. China claims that the Uyghur's are a violent community of separatist, more recently after the incident of 9/11 terrorist events took place, they are considered extremists and terrorists. The author(s) highlights the historical background of the Uyghur Muslims and also the historical significance of the exploitation suffered by the Uyghur community. The current situation of the

Uyghur Muslims has also been depicted in this study, while highlighting the Chinese policies and their practices imposed on the Uyghurs; which led to the division or contrast which is being made between the majority Han population and the Uyghur Muslims. It also analyses whether any laws will be formulated against the States, who are sceptical about following the Human Right Transgressions or whether the other parts of the world will be keeping silent to this inhumane set of affairs.

Introduction:

“The minority must bow to the majority.”

- Jair Bolsonaro

This famous quote by Bolsonaro depicts how culture and knowledge anchors in distinguishing a minority group from that of a majority population, due to their ethnic, linguistic or religious characteristics. This research is based on the Largest Concentration Camp based on religion and culture since the Holocaust. It aims to signify the current international legal structure which is falling short of protecting minority populations from the possible circumstances of cultural genocide. In China's Xinjiang province, Uyghur Muslims are being dragged into concentration camps, where they're put through human rights exploitation like forced sterilization, brainwashing, forced labour. They are being forced into abortion in order to stop having children.

From the year 2015 to 2018, the statistics of the Chinese government shows that birth rates among the Uyghurs have dropped by more than 60%. The birth rate of the whole country has decreased by 9.69% during the same time. Chinese authorities denied the facts of this plummet of birth rates in Xinjiang even in the year 2019 and refused to accept the reports of forced sterilization and genocide.

Different Human Rights Organisation, UN officials and many other foreign governments wants China to stop the abuses, which are considered as Cultural Genocide. For the past 3 years, The Communist Party of China has been denying it all until in the year 2019, images of camp construction with watch towers and barbed wire fences got leaked which later provided few details about how these camps are being maintained. Chinese Officials, on the other hand denied abuses occurring at the thus termed, Re-Education Camps. They claim that the Uyghurs receive 'vocational training' to learn about Chinese culture and

there is no such breach of the Uyghur's human rights. The Government does not allow journalist or foreign investigators to examine these detention camps.

Historical Background of the Uyghur Muslims:

Xinjiang is an autonomous region in the north – west portion of China, although the amount of autonomy is quite minimal. If the historical backgrounds of the Uyghur's are to be traced, it can be said that the Uyghurs are not traditionally and anthropologically Chinese. They are considered to be Turkic people, with a language which is more or less similar to Uzbekistan and remotely related to the Turkish in Turkey. For long the Uyghurs were considered to be the minority section in China. The Uyghurs consider Xinjiang as their homeland and cite it as Eastern Turkestan (Sharqi Turkestan). On the other hand, it is interesting to note that 11 million Uyghurs who constitute almost half the total population of Xinjiang, are both traditionally as well as anthropologically Chinese, as is well evident from the way they dress, their food habits and most importantly the environment which they have built in.

Uyghurs have always lived in Eastern Turkestan and not in Western Turkestan which constitutes the Turkic speaking states, since the Turkish people migrated from Mongolia in the sixth century. If the historical timeline has to be traced, then it can be inferred that by the 11th century, Islam in its Sufi form became the supreme and governing religion, after the ruling class (who were loyal to Buddhism) got defeated in the battle. The history of the Uyghurs can be interpreted as the story of Islamic city states, particularly those based in Kashgar and Khotan, governed by Caliphs. The Caliphs had a characteristic being both temporal rulers as well as spiritual leaders of Naqshbandi Sufi orders. The apex of Sufi supremacy began in the late 16th century when the Saidiya khanate collapsed and the region fell under the sway of the Khojas, who along with being powerful political figures, were also spiritual leaders of the Naqshbandi order. In 1679 the legendary Appaq Khoja, a descendant of the sheikhs of Samarkand, assumed power in Kashgar. ¹

¹ Michael Dillon, 'A Uighur's History of China' (History Today, 1 January 2020)

< <https://www.historytoday.com/archive/behind-times/uighurs%E2%80%99-history-china> > accessed 14 March 2021

The Khoja dynasty was defeated by the forces of Qing dynasty which stretched into Inner and Central Asia. The Qing Regime ruled China between the periods 1644 -1911. Qing dynasty was never a Chinese dynasty, instead the rulers of this particular dynasty were Manchus from the steppes and forests located in the North – East Asia. Their rule in China was aided by Han Chinese officials and Mongolian allies. Qing regime successfully entrenched military, authoritative and administrative organisations and started calling the region in Chinese as *Xin Jiang* (which basically means the ‘new frontier’). They extended their ruling through the medium of the native Turkic speaking Muslim nobility, but interestingly there was an element of unwillingness to accept by the public from the very beginning. One of such successful revolts was led by Yakub Beg, who built a self – reliant and self – standing government in Kashgar during the period of 1867. Yakub Beg’s reign was thrusted by the armed forces but it depended for its authority on the tradition of the Naqshbandi Sheikhs. Yakub Beg was dealt as an enemy and agitator by the Qing dynasty elites and his reign was toppled in 1878 by the Qing armed forces under Zuo Zongtang, who had already subdued a widespread rising of Hui Muslims in China. The formal incorporation of Eastern Turkestan was constituted into the Chinese Empire as the province of Xinjiang in the month of November in 1884.

After the Qing regime subsided in 1911, Xinjiang continued to exist theoretically as a province within the newly demonstrated Republic of China (although it was weak at that time). The Chinese military commanders were effectually sovereign. It is important to mention that there were occasional strives to establish sovereign Muslim states, most remarkably the two Eastern Turkestan Republics based especially in Kashgar in the 1930s and in Ghulja (Yining in Chinese) in the north of Xinjiang between the period of 1944 and 1949.

During the period of 1949, after the Nationalist Kuomintang under the authority of Chiang Kai – Shek being trounced in the Civil War, the People’s Republic of China was manifested by Mao Zedong representing the Chinese Communist Party. The Ghulja Republic was ‘peacefully released’ and merged into the new state. Armed opposition continued in the 1950s chiefly in Southern Xinjiang. In the period of 1955, the People’s Republic of China established the Xinjiang Uyghur Autonomous Region as a compromise to the non-Han population and analogously with similar arrangements for Tibet and Inner Mongolia. As the Cultural Revolution was launched in the period of 1966, Central authority slowly became weak and outward forces emerged, which also included Uyghur’s demands for independence by groups such as the East Turkestan People’s Party.

After the falling of Soviet power in 1991, sovereign states were created in Kazakhstan, Uzbekistan and last Kyrgyzstan. With the emergence of China from the fears of the Cultural Revolution, the power of the Chinese Communist Party recovered. It has to be taken into frustration emerged which ultimately led to a sudden flow of resistance by surreptitious aggressive and agonistic groups inside Xinjiang and others in Kazakhstan, Kyrgyzstan and simultaneously Pakistan.²

It was the demonstrations in Yining during the period of 1995, which is regarded as the base of the 1940s' independent republic, which acted as an arousing element for Beijing to issue *Document No. 7 (a major internal policy, which basically consists of China's plan to deal with the civil conflict in Xinjiang)* the following year.³ Document No. 7 envelops ten major issues stretching from deep and sharp control over religious activity in the entire region, to the need for complete augmentation of military and security preparedness. It was a clear signal that Beijing was preparing itself for the disclosure of enormous social and ethnic unrest in Xinjiang, a fear which ultimately became a reality when the Yining riots flared up after almost a year, in which the document was issued.

The dispute in Xinjiang was recognized as the most serious danger to China and a 'Strike Hard' campaign was instituted against the obstructers. In the year 1997, another major Yining demonstration in the north-eastern part of the state was forcibly and furiously subdued.

The suppression under the 'Strike Hard' campaign became durable and lasting. If any person was presumed of having pity and solace for 'separatism' which basically meant upholding an independent and sovereign Uyghur state or it also meant some sort of participation in 'unlawful religious activities', most importantly with the Sufi fellowships, then those persons were eligible to be detained without trial. It was also observed that any attempts by the family members to withdraw their relatives from police stations or other detention facilities have mostly and quite frequently led to clashes with the officials, which mostly in many times turned hostile. Occasional attacks against the police or other signs of Chinese command and mandate,

² Ishan Tharoor, 'A Brief History of the Uighurs' (Time, July 09, 2009)

<<http://content.time.com/time/world/article/0,8599,1909416,00.html>> accessed 14 March 2021

³ Xinjiang, China's Restive Northwest

<https://www.hrw.org/legacy/campaigns/china-98/sj_xnj2.htm> accessed 14 March 2021

either by natives or by the armed aggressive class, were accompanied by government counterattacks. Most of the conflicts took place in the old Sufi bulwark in the southern part of Xinjiang. But in July 2009, confrontations between Uyghurs and Han Chinese in Urumqi, which is the regional capital, caused damage to humanity in general. It also resulted in the detention of thousands of Uyghurs, some of whom were nevertheless executed, and the subsequent replacement in of the Xinjiang Communist Party Secretary, Wang Lequan, in the month of April in the year 2010, who originally held the post since the year 1994. The level of suppression and confidentiality of judicial operations and procedure triggered extensive international concerns about human rights abuses.⁴

The Xi Jinping authority and management assumed the office in November 2012, when he was appointed General Secretary of the Chinese Communist Party. He was appointed to the not so powerful office which is that of the President in the month of March in the year 2013. The aspirations and desires of the people of China that he might be a growing and reformist leader were soon dashed as his significance on conformity and consistency became understandable. On August 2016, Xi Jinping designated Chen Quanguo as the Party Secretary of Xinjiang. Soon Xi Jinping expeditiously established severe and drastic measures of repression which can be referred as 'counter-terrorism' in the official phraseology, which also included the present ill-famed concentration camps and advanced monitoring and scrutiny technology. The suppression on religious activities has strengthened and increased in the recent years and satellite images indicate that many mosques and Sufi shrines have been knocked down, which also included the Imam Asim shrine outside Khotan, which is the site of an annual festival which is ensued by thousands of pious Uyghurs. This intensification of suppression shows no indication of stopping.

Current Situation of the Uyghur Muslims in China:

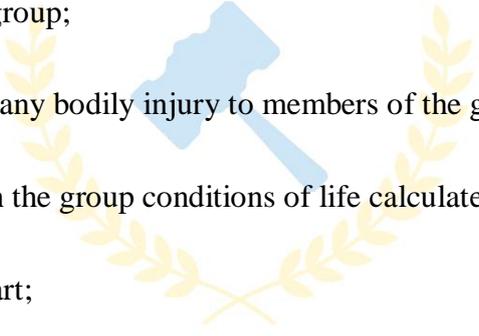
The condition of the Uyghur Muslims has deteriorated with increasing years. As per records, China apart from forcing Uyghur Muslims in detention camps, has also been accused of violently and compulsorily sterilising Uyghur women to repress the population and also

⁴ Dr Eric Schluessel, 'Xinjiang Documentation Project' (The University of British Columbia)

<https://xinjiang.sppga.ubc.ca/timelines/historical-overview/> > accessed 14 March 2021

isolating the Uyghur children from their parents and families. China has been charged with the offence of committing genocide of the Uyghur Muslim community from a very long time.⁵

Now, the accepted definition of genocide, as enshrined in international law in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide 1948, includes: “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

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- (a) Killing members of the group;
- (b) Causing mental harm or any bodily injury to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Prevent births within the group by imposing some measures;
- (e) Forcibly transferring children from one group to another.

Talking about the conditions of the Uyghur Muslims in Xinjiang, it can be said that the police power in Xinjiang is all powerful and pervasive. Xinjiang is enveloped by a strict and continuous network of surveillance, including police, checkpoints, and cameras that basically scans everything, from number plates to faces of the individuals. The Chinese authorities often hold large scale rallies and gatherings in order to strengthen their support in the struggle against the Islamic fundamentalists. The Islamic fundamentalists are often blamed to have launched a sequence of assaults and attacks on Chinese authorities and Chinese private citizens.

According to Human Rights Watch, Chinese Police Personnel are also using a mobile app to keep a check on how the people are behaving, the amount of electricity consumed by the Uyghur Muslims and the frequency of the Uyghur's in using their front door.⁶

⁵ China forcing birth control on Uighurs to suppress population, report says *BBC News* (London, 29 June 2020) < <https://www.bbc.com/news/world-asia-china-53220713> > accessed 14 March 2021

⁶ Who are the Uighurs and why is the US accusing China of genocide? *BBC News* (London, 9 February) < <https://www.bbc.com/news/world-asia-china-22278037> > accessed 14 March 2021

The Uyghur Muslims are often required to give their DNA samples to the Chinese authorities as they use these DNA databases to trace out any Uyghur Muslim who oppose conforming to the campaigns led by China. China very intelligently has been collecting DNA samples, biometrics as well as fingerprints from the Uyghur Muslims by organising manipulated free medical camps. The very act of compulsorily recording and storing biometrics and DNA samples of the entire population of Xinjiang is itself a grave contravention of the international human right standards. Even the mobile phones of the people in Xinjiang are often searched for sensitive religious content using hand – held plug in devices.⁷

The most important thing which acts as the most vital evidence of the fact that the Uyghurs are being exploited by the Chinese officials, are the detention camps built by the state of China. In the detention camps, the Uyghur Muslims are detained and locked without even having any trial. The Chinese officials often provide the excuse that these camps were built with the motive of conducting vocational and re – education programmes so that the issue of poverty and counter terrorism attacks can be controlled. But the truth is something else. Uyghurs are tortured, exploited as well as abused in these detention camps. Women have been victims to sexual offences like gang rape and mostly all the Uyghurs have been subjected to tremendous physical, mental torture and exploitation. People in the camps have been charged with trivial matters such as “owning a Quran” or “resisting from consumption of pork”. The Uyghur Muslims were also prohibited from keeping beard and they had to compulsorily shave their head. According to many sources, it was revealed that the detention camps were maintained as high security prisons, accompanied with harsh punishments and stern and severe discipline. It can be said that the Detention camps are being utilized as an ideological and behavioural re – education camps. Some leaked documents of the Chinese government reveal, that the Uyghur Muslims are being detained intentionally with the aim of replacing their previous beliefs, values and ideals and completely transforming them in accordance with the norms of Chinese culture and traditions.⁸

⁷ Chinese authorities collecting DNA from all residents of Xinjiang *The Guardian* (London, 13 December 2017) < <https://www.theguardian.com/world/2017/dec/13/chinese-authorities-collecting-dna-residents-xinjiang>> accessed 14 March 2021

⁸ Bryan Wood, ‘What is happening with the Uighurs in China’ *PBS News Hour* < <https://www.pbs.org/newshour/features/uighurs/>> accessed 14 March 2021

Chinese government has also been carrying out the gruesome act of organ harvesting from the Uyghur Muslim minority community. It has been reported, that the Chinese officials have been tearing apart a person's body while he or she is still alive, in order to extract the kidneys, lungs, heart, cornea, skin etc. Thereafter, these organs are sold as commodities for sale. This in itself is a gross violation of Human rights, particularly human dignity. ⁹On the other hand, Uyghur Muslims have been made forced labours by China. Since Xinjiang produces the majority quantity of cotton in entire China, the Uyghur Muslims who are kept as prisoners in the detention camps, are forced to deliver their labour in the cotton industries. In this way, China has been exploiting Uyghur Muslims all these years.

In a span of just three years, thousands of mosques have been damaged, destroyed, demolished in Xinjiang, except some regions which are few in number. The extensive and all-embracing data project conducted by the Australian Strategic Policy Institute (ASPI) with the help of satellite imagery and on-ground reporting pointed out the large scale and sustained construction of detention camps and consequent destruction and demolition of mosques and cultural sites in the north-western region of Xinjiang. According to some sources it is believed that there were about 24000 mosques earlier in Xinjiang, but now less than 3000 mosques remain. Thus, clearly it is observed that China instead of protecting, respecting and upholding religious beliefs, was on the contrary demolishing, destructing and damaging the cultural and religious sites of the Uyghur Muslims in Xinjiang.¹⁰

What the Media never reports as per the Chinese Officials?

Chinese Government officials first denied the existence of those camps. Inaugurated in October 2018, they claim that these camps help the Uyghur's in "vocational education and training programs." Official name of these camps became "vocational training centres, in March 2019. Shohrat Zakir, Xinjiang's Governor stated that the camps provide benefits to

⁹ Ayjaz Wani, 'China is illegally harvesting Uyghur's organs but the Muslim world is still silent' *The Print* (15 November 2019)

< <https://theprint.in/opinion/muslim-world-is-silent-on-chinas-persecution-and-illegal-harvesting-of-uyghurs-organs-in-xinjiang/321245/>> accessed 14 March 2021

¹⁰AFP, 'China demolished thousands of mosques in Xinjiang in recent years: Report' *Times Of India* (India, September 25 2020) < <https://timesofindia.indiatimes.com/world/china/thousands-of-mosques-in-xinjiang-demolished-in-recent-years-report/articleshow/78312956.cms>> accessed 14 March 2021

the Uyghurs in the way a boarding school does so, where they learn how to possess different job skills and is also necessary to **combat terrorism** and **alleviate poverty**; later they are allowed to leave the camps voluntarily.¹¹ But those leaked documents and videos in the year 2019, showed the whole world that how the Uyghurs are being subdued by force, how they are compulsorily locked in those camps and how they are prevented from leaving these camps.

According to some government reports, the camps have two purposes: to teach Mandarin, Chinese laws, and vocational skills, and to prevent them from getting influenced by such kind of extremist ideas. They also declare that after 2016, there has been no sign of terror attacks in the country and these vocational trainings have prevented the violence, to be more specific.

The Chinese Communist Party never allows international pressure from outside the country, claiming that whatever is happening inside these camps are internal matters. It denies the fact that people are forced to denounce Islam, that they are facing abuses in the camps and are prevented against their will. Chinese Foreign Minister Wang Yi said that “The so-called concentration camps with 1 million people are 100% rumours”; countered media personnel saying that they are providing fake news. He also states that people are lying despite the fact that they have certain verities in their hands but are still deeply prejudiced against China, as reported to an CNN journalist.¹²

In 2019, there were 453,800 full-time students studying in colleges of Xinjiang, and there are 1.84 million students at secondary schools of Xinjiang, which has increased massively from 2014’s statistics. From the year 2014 to 2019, Xinjiang provided training sessions to an average of 1.29 million workers across the state.¹³ It states that these workers move out of the camps

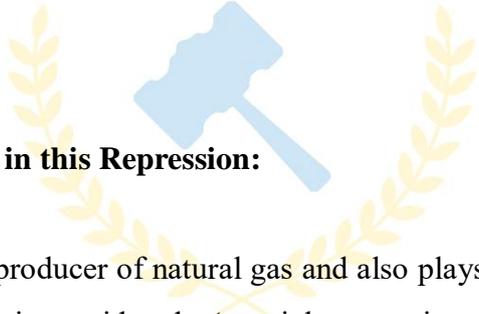
¹¹ Lindsey Maizland, ‘China’s Repression of Uyghurs in Xinjiang’, *Council on Foreign Relations* (March 1,2021) <<https://www.cfr.org/background/chinas-repression-uyghurs-xinjiang>> accessed 12 March 2021

¹² Ivan Watson and Ben Westcott, ‘China’s Xinjiang Camps: Leaked reports exposed’, *CNN* <<https://edition.cnn.com/interactive/2020/02/asia/xinjiang-china-karakax-document-intl-hnk/>> accessed 13 March 2021

¹³Huaxia, ‘Education enrolments in Xinjiang reach highest level in history: white paper’, *Xinhuanet* (September 17,2020)

with the potential of getting employment opportunities and also get vocational qualification, specialization certificates, and skill level certificates.

China arranged a lot of tours for foreign diplomats and journalists to visit Xinjiang and examine what exactly is going inside the camps, which is criticized by the US officials and stated as 'Highly Choreographed'.



Economic Factor involved in this Repression:

Xinjiang is China's largest producer of natural gas and also plays a vital role in the country's Belt and Road Initiative as it is considered a 'special economic zone' because of large mineral and oil supplies, turning the region into a **National Powerhouse**.¹⁴

The region is at the heart of an infrastructural development and investments scheme which is around \$1 trillion, Belt and Road Initiative (BRI), introduced in the year 2013 by China's President Xi Jinping to connect China with over 150 countries throughout the World. In a way, it is an attempt to prevent the Uyghurs from giving their dissent towards to Chinese policies and also to eliminate the entire community from their homeland.¹⁵

According to some researchers, there are evidences of forced labour, whereby the Uyghurs are pushed to work at the low-wage factories like cotton industries and cloth making industries. In 2009, a riot took place in Urumqi, Xinjiang's Capital, where the Uyghurs protested against the state policies, related to Han Chinese migration which resulted in both economic and cultural discrimination. As per reports, many Uyghurs who are arbitrarily detained and being forced to work in these factories, close to the detention camps are linked heavily to eighty-three global brands.

<http://www.xinhuanet.com/english/2020-09/17/c_139375168.htm> accessed 13 March 2021

¹⁴ Bryan Wood, 'What is Happening with the Uighurs in China?', *PBSO News Hour*
<<https://www.pbs.org/newshour/features/uighurs/>> accessed 12 March 2021

¹⁵Asim Kashgarian, Rikar Hussein, 'China's Plan in Xinjiang Seen as Key Factor in Uighur Crackdown', *VOA News* (December 19,2019) <<https://www.voanews.com/extremism-watch/chinas-plan-xinjiang-seen-key-factor-uighur-crackdown>> accessed 13 March 2021

Former detainees said in an interview, they were never given a choice to work and talking about getting paid is too much to think even. At times they would get pittance or otherwise they were not paid at all. It was noted by them that within the year 2018, fourteen million square feet of factories were being newly made. In December 2020, new reports revealed that “**forced labour**” inside these detention camps are taking place on a huge scale. 135 factory facilities were identified within the camps, where anyone who was unable to complete their given task are beaten. Forced Labour has been an important component of the government’s plan for its overall economic development.¹⁶

In United States, big multinational brands such as Nike and Coca Cola are getting huge benefits out of these labours, working in the region of Xinjiang. Now these business groups are lobbying Congress to weaken the bill that says to ban imported goods made out of forced labour. The supply chain of these brands touches far western region of Xinjiang and these lobbyists strongly disapproves any act of forced labour and other obscenity in that particular place. The Uyghur Forced Labour Prevention Act can perpetrate huge loss to these companies whose supply chains are implanted deeply in China. China describes these policies as ‘**Poverty Alleviation**’.¹⁷

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How has been the Global Response to this issue?

International response to the affair has been mixed; 54 Countries who are the United Nations (UN) members initially started supporting China's policies in Xinjiang, what in recent times decreased to 45 in October 2020. On the other hand, 39 countries have urged China to stop these human rights abuses and condemned their detention of Uyghurs in Xinjiang.¹⁸ In July and August 2020, International Criminal Court (ICC) and United Nations Human Rights Council (UNHRC) were being called by some human rights groups to investigate Chinese officials over allegations of genocide and crimes against humanity.

¹⁶Megha Rajagopalan, ‘We Found The Factories in China’s Internment Camps’, *BuzzFeed News* (January 4,2021) <https://www.buzzfeednews.com/article/alison_killing/xinjiang-camps-china-factories-forced-labor> accessed 12 March 2021

¹⁷Ana Swanson, ‘Nike and Coca-Cola Lobby Against Xinjiang Forced Labor Bill’, *The New York Times* (January 20,2021) <<https://www.nytimes.com/2020/11/29/business/economy/nike-coca-cola-xinjiang-forced-labor-bill.html>> accessed 14 March 2021

¹⁸ Zachary Basu, ‘More Countries join condemnation of China over Xinjiang abuses’, *AXIOS* (October 8,2020) <<https://www.axios.com/un-statement-china-uyghurs-xinjiang-6b29dbf5-b93c-4c70-bd4c-333e1c23471f.html>> accessed 14 March 2021

In December 2020, the International Criminal Court (ICC) declined to make investigations against China, on the basis that it is not having the jurisdiction over China with respect to the alleged crimes lodged against them. The ICC also ruled to not open an investigation, saying that whatever has happened is an internal matter within the territory of China and commitment of actus reus has been found solely done by the Nationals of China, who is not a member of the International Criminal Court.¹⁹

Many countries defended China and supported their policies in Xinjiang bringing in light the **“remarkable achievements in the field of human rights.”** They said that because of these policies there has been positive results of counter-terrorism and de-radicalization measures in Xinjiang and which ultimately protects the country from separatist tendencies and religious extremism.²⁰ Countries like Saudi Arabia, Qatar and Egypt who are Muslim-majority countries, supported China.

These countries didn't open their mouth and remained silent, prioritizing their economic ties with China and ultimately looked forward to build a strategic relationship with them in the future too.

In January 2021, United States became the first country to pass a bill; proclaiming that China is committing genocide against the Uyghurs.²¹ In February, the Canadian and Dutch parliaments passed nonbinding motions to use the genocide label as well. Canada's House of Commons approved the nonbinding motion on 22 February, 2021 by a vote of 266 to 0 with full support from the opposition parties, making Canada the second country to raise their voice and give the label of Genocide to China's operations.²² The Dutch Parliament on 25 February, 2021 passed the nonbinding motion recognising China's human right

¹⁹ James Griffiths, 'China avoids ICC prosecution over Xinjiang for now, but pressure is growing', *CNN* (December 15,2020)

<<https://edition.cnn.com/2020/12/14/china/china-xinjiang-icc-biden-intl-hnk/index.html>> accessed 15 March 2021

²⁰ Ben Westcott and Richard Roth, 'UN members issue duelling statements over China's treatment of Uyghurs in Xinjiang', *CNN* (October 30,2019)

<<https://edition.cnn.com/2019/10/29/asia/china-xinjiang-united-nations-intl-hnk/index.html>> accessed 15 March 2021

²¹US recognizes China's treatment of Uyghurs as 'genocide', *Catholic News Agency* (January 19,2020)

<<https://www.catholicnewsagency.com/news/us-recognizes-chinas-treatment-of-uyghurs-as-genocide-22832>> accessed 15 March 2021

²² Eleanor Albert, 'Is International Pressure Coalescing on China's Xinjiang Policy?', *The Diplomat* (February 25,2021)

<<https://thediplomat.com/2021/02/is-international-pressure-coalescing-on-chinas-xinjiang-policy/>> accessed 15 March 2021

abuses as Genocide making them the third country to do so.²³The UN High Commissioner has been negotiating with China for the access to Xinjiang in order to ‘examine the policies of human rights and its impact on the people residing in that place’ in September 2020, but still couldn’t make it yet. In February 2021, the Foreign Minister of China said that Xinjiang is always open for the High Commissioner of Human Rights.²⁴

Conclusion:

The mask we wear, the shoes that we run in, the cloths that we put on suddenly, the tag ‘Made in China’ has got a different meaning. During Hitler’s reign, there were many signs and gestures that were violating human rights, which should have raised International Red Flags, but Nations did nothing because they were afraid and thought that taking a stance against China could lead to another war. As it is evident that it did not prevent the world war and it ultimately ended up being a tragedy! Now the United Nations see the same thing with China and the cultural genocide of Uyghurs is just a part of all the Red Flags. It seems that, if we don’t act, we as a world are about to make the same gigantic mistake, we made less than a hundred years ago. It is true that the past likes to repeat itself. The similarities to the very ideology Hitler invented himself where millions of Jews and over 3 million Polish people died. Auschwitz to Xinjiang, Jews to Uyghurs, the torture, and unification of one ethnic race, camps and finally the forced labour is what we’re still seeing today. Through this research paper we would like to make this issue go global and people to realize that how much helpless the Uyghurs are, the sort of condition they are living or rather existing in, the physical, mental and cultural exploitation which the Uyghurs are facing each and every day. Thus, this issue of cultural genocide committed by China against Uyghur community has become a serious concern in the recent years. Throughout

²³ Eline Schaart, ‘Dutch Parliament declares Chinese treatment of Uighurs a ‘genocide’, *POLITICO* (February 25,2021)

<<https://www.politico.eu/article/dutch-parliament-declares-chinese-treatment-of-uighurs-as-genocide/>>
accessed 15 March 2021

²⁴‘China rejects Uighurs genocide charge, invites UN’s rights chief’, *Aljazeera* (February 22,2021)

<<https://www.aljazeera.com/news/2021/2/22/china-rejects-uighurs-genocide-charge-invites-uns-rights-chief>>
accessed 16 March 2021

this extensive research it has been observed that there is a noteworthy gap in the international legal framework with respect to protection of minorities. The incorporation of cultural genocide into the international legal framework would be of little aid and support to the Uyghur minority, because China's powerful position and status in the overall international arena and also its restricted interaction with international law means that an international criminal prosecution against Chinese heads of State is highly unpromising. Thus, it can be said that the fate of the survival of the Uyghur culture rests on the political will and creative legislation of trading partners of China, such as the United States.

Just because, legislatively and politically the international legal framework, has not been successful in providing a better position to the Uyghur minority, but that does not mean that inaction or inactivity will continue forever with respect to the issue of cultural genocide; because if this continues then other minority groups will automatically approach their ends at the hands of dominant states. The main conclusion which can be drawn from the analysis of this extensive research is that the condition of the Uyghur minorities should not remain an admonishing tale of the inefficiency and insufficiency of the international framework with respect to protection of minorities. Instead, it should become a movement that will ultimately incite appropriate legislative change which addresses the gap which past victims of cultural genocide have been waiting to be filled.

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