



AN INTERNATIONAL PEOPLE'S TRIBUNAL

Witness Name: Sean Roberts		
Witness category:	fact <input type="checkbox"/>	expert <input checked="" type="checkbox"/>
Date of testimony: 4 June 2021		
Link to recording*: https://www.youtube.com/watch?v=7aLUj1sQDgQ&t=34128s		
Time stamp (start/end): 07:40:50 – 08:43:30		
Report included:	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>
Statement included:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Transcript included:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Presentation included:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>

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As I argue in my recently published book, *The War on the Uyghurs* (Princeton/Manchester 2020), I believe that what the Chinese state is doing to its Uyghur population and other indigenous Turkic Muslims in the Xinjiang Uyghur Autonomous Region (XUAR) fits the description laid out by Raphael Lemkin in his original articulation of the term “genocide,” which he described as “the destruction of a nation or ethnic group.”¹ Lemkin viewed genocide as a process that usually does not entail the “immediate destruction” of the group through mass murder, but that aims to systematically destroy its cultural distinctiveness, collective identity, and way of life, which Lemkin calls the “essential foundations of the life of national groups.”² It is noteworthy that such a process of destruction is both more gradual and more commonplace in history than the attempted mass physical extermination of a people such as was seen in the Holocaust. In my own work, I refer to this gradual, yet intentional, destruction of a nation or ethnic group as “cultural genocide” to highlight its similarities to the pacification and removal of indigenous peoples during processes of colonization elsewhere.³ However, I also emphasize that my use of this term is not intended to suggest one way or another whether such actions qualify as “genocide” by international law. I will leave it to legal experts to make that determination.

My characterization of what is happening to Uyghurs and other related Turkic Muslim peoples in the Xinjiang Uyghur Autonomous Region (XUAR) as ‘cultural genocide’ emerges from my analysis of both the actions taken by the state against these peoples since 2017 and the context in which they are taking place. The actions themselves are more than the implementation of a random collection of repressive policies. Rather, they form a complex of policies, which are destroying Uyghurs’ sense of nationhood. The context in which they are being carried out is that of China’s settler colonization of the territory Uyghurs and other Turkic Muslims peoples view as their homeland. The People’s Republic of China (PRC) wishes to transform this region into a generic part of modern China with a Han majority population and views the indigenous population of the territory as, at best, superfluous to this process and, at worst, as an obstacle that must be removed.

Unfortunately, settler colonizing states do not usually publicly articulate goals of cultural genocide. Rather, they speak in euphemisms that suggest actual intentions while presenting them in a manner that is more palatable to others. In European colonialism during the nineteenth century, cultural genocide was often justified as a “civilizing mission” that was bringing a superior culture to “savages” or as justified in the name of settlers’ security due to the “savage” nature of the native peoples. In China’s case, the state justifies its actions against the indigenous peoples of the XUAR using eerily similar discourse adapted for the twenty-first century – poverty alleviation and counterterrorism. However, it is clear given the states’ intentions for the region’s development and settlement that the actual goal is to remove the native peoples of the XUAR to make way for development that is not actually intended for them, but for others in the PRC.

¹ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (New York: Columbia University Press, 1944) p. 79

² Ibid.

³ Leora Bilsky and Rachel Klagburn, ‘The return of cultural genocide?’, *European Journal of International Law*, 29:2 (2018), 373-396; Robert Van Krieken (2004) ‘Rethinking cultural genocide: Aboriginal child removal and settler-colonial state formation’, *Oceania*, 75:2 (2004), 125-151; Damien Short, ‘Cultural genocide and indigenous peoples: A sociological approach’, *International Journal of Human Rights*, 14:6 (2010), 833-848; Lindsey Kingston, ‘The Destruction of Identity: Cultural Genocide and Indigenous Peoples’, *Journal of Human Rights*, 14:1 (2015), 63-83.

852

4 June 2021 (07:40:50 – 08:43:30)853 **Sean Roberts**

854

855 *Counsel – Can you please provide us with an overview of your statement?*

856 SR – I am aware that the panel has been provided with a copy of my latest book and I
857 will make some comments that particular remain from my research that went into my book
858 today. I wanted to start by citing Raphael Lemkin's original articulation of the term
859 'genocide' from his book *Axis Rule in Occupied Europe* published in 1944. He writes: "By
860 genocide we mean the destruction of a nation or of an ethnic group...Generally speaking
861 'genocide' does not mean the immediate destruction of a nation, except when
862 accomplished by mass killings of all members of a nation. It is intended rather to signify
863 a coordinated plan of actions aiming at the destruction of essential foundations of the life
864 of national groups with the aim of annihilating the groups themselves...Genocide is
865 directed against a national group as an entity, and the actions involved are directed
866 against individuals, not in their individual capacity, but as members of the national group."
867 I cite Raphael Lemkin's definition because I think it is fairly germane of what is happening
868 to the Uyghurs and other related peoples in the Uyghur region of China today.

869 In my book, I refer to what is happening as 'cultural genocide.' This is an academic term.
870 It is not a legal term and it is not meant to take any stance on whether what is happening
871 should be determined as genocide by international law. I adopted this term primarily to
872 highlight the similarities between the situation of Uyghurs and the faith of indigenous
873 peoples elsewhere in the face of settler colonialism historically because that is pure
874 cultural genocide is often used in that context and I think that context is the most
875 appropriate to understand the Uyghur situation. In senses of cultural genocide around
876 settler colonialization and removal of indigenous peoples, the aim is to neutralise the
877 indigenous peoples by breaking their solidarity, severing their connection to the land,
878 destroying their culture and replacing it with culture of the dominant people, and reducing
879 their demographic footprint on the territory of their homeland to make way for
880 development in settlement.

881 The reasons for my interpretation are that there is a gradual historical process of settler
882 colonisation of the Uyghur homeland by modern China. We have to understand this as
883 taking place over time, accelerating with the founding of the PRC but lacking urgency for
884 quite some time for as long as the state saw the region as a frontier and buffer zone,
885 gaining intensity since the 1990s as the zone become viewed as a zone for opportunity
886 in China's export-oriented economy. I would suggest it becomes imminent with the
887 declaration of the Belt and Road initiative in 2013 given that this region is particularly
888 important to the Belt and Road initiative.

889 The other aspect of my interpretation relates to the policies that have been employed
890 against Uyghurs and other indigenous peoples since 2017 in the Uyghur region. I see
891 these policies as mutually reinforcing and intent on accomplishing what Raphael Lemkin
892 characterises as the two stages of genocide. The first stage destroying the national
893 pattern of the oppressed and secondly imposing the national pattern of the oppressors.
894 So, we see the mass internment and the imprisonment accompanied by mass
895 surveillance basically serving silencing local people and ensure their compliance with
896 other policies that are aimed at both, transforming their identities as peoples and territory
897 of their homeland. This includes policies of development aimed at transforming the region,
898 assimilation policies erasing local culture and replacing it with Han culture and I think most
899 importantly policies aimed at reducing their population density and demographic footprint
900 in the region to allow for unfettered development and settlement.

901 Let me start with the historical gradual settler colonialism that we witness. You can see
902 the region, that is the Uyghur homeland, is very much on the periphery of the PRC and
903 has been of the periphery of all modern states in China but is also connected to a lot of
904 other countries to the West and South-West that would have been influential and so a key
905 to the kind of colonisation of this area has been the colonial metropolises understanding
906 of the region as a frontier either to keep other influences out or as a bridge to protect
907 China's influence externally.

908 To briefly characterise the initiation of this region's relationship with modern China, we
909 can go back to the mid-18th century, the Qing Empire, the last empire based in China
910 conquered this area controlled it as a dependency rather than a colony for around 100

911 years. After a century, local revolts evolved in the 1860s that expelled Qing rule from the
912 region but a decade later the Qing Empire returned and establishes control and makes it
913 a region of the empire in 1884, calling it “Xinjiang” or new territory. At the same time, it
914 institutes a colonial regime with Han settlement and assimilating local people. However,
915 this endeavour largely fails and falls apart in 1911. Republican China controls through
916 Han governors, little oversight from the central government and in fact the Soviet Union
917 has as much if not more influence on the region than does the Chinese state. That’s
918 particularly true of the 1930s and 1940s.

919 The last point I want to make here is that in the 1930s and 1940s, we see the
920 establishment of two regional independent proto states, the Eastern Turkestan Republic,
921 the second one is supported by the Soviet Union. The leadership of the two different
922 republics, the first leadership was more of Islamic character and the second republic is
923 more influenced by Soviet socialism but it is important to note that both of these republics
924 were based very much on anti-colonialism ideology. The idea that this was a region where
925 the Uyghurs and other indigenous Turkic Muslims, that it was their homeland and that it
926 was occupied by China.

927 Talking about the first 40 years of PRC rule, I believe there was a missed opportunity for
928 de-colonialization between China and this region. At the same time, there are failed
929 attempts at assimilating the region and integrating it. Initially PRC showed some promise
930 in de-colonialising this relationship. Of course, they create the Xinjiang Uyghurs
931 Autonomous Region although they stopped short of giving it any allowance for cessation
932 or any real political autonomy based on the majority ethnic group. At the same time, by
933 the late 1950s and in the 1960s and 1970s, you see a lot of attempts of assimilation,
934 especially during the cultural revolution; that includes settlement development, and
935 assimilation attempts and there are some successes in some sense in relation to
936 demographic changes, by 1980s nearly 40% of the population is Han but they are mostly
937 isolated in the Northern region and do not penetrate the Uyghur majority South and I think
938 that the persistent view of this region is as a frontier buffer zone limiting the impact of
939 assimilation measures.

940 Thus, in the 1980s once the cultural revolution ends there is a second opportunity for
941 decolonisation and we see increased religious and cultural freedoms, even discussions
942 of political autonomy but this is cut short by two tendencies becoming important in
943 subsequent years and that is the importance of developing the region and by increased
944 fears of ethnic autonomy. That brings us to the reform period which really is the precursor
945 to where we are today. Economic reforms in China changes the utility of the region from
946 a frontier and buffer zone to a location for economic growth and international trade
947 bringing an impetus for settlement and development but that happens at the same time
948 in the 1990s when the Soviet Union fell and that China could go a similar way dissolving
949 into independent separate nation states.

950 Particularly in the Uyghur region, we see in the 1990s and early 2000 accelerated effort
951 at development, in settlements and exerting control over the Uyghur population by
952 suppressing any expression that hinted at a desire for more self-determination. First
953 branded as separatism, then terrorism. In short, this situation initiated increased settler
954 colonialism of the Uyghur homeland that intensified throughout 1990s and first decade of
955 2000s. I think there is a major turning point in 2009, when ethnic riots break out in the
956 capital of the region Urumqi. I view these riots as emerging from the tensions of state-led
957 development and migration of Han to the region. With Xi Jinping in power and the
958 announcement of the Belt and Road initiative there is simultaneously less tolerance for
959 resistance and more urgency for development and settlement.

960 This process finally intensifies in the declaration of the “People’s War on Terror” through
961 extensive suppression of religion and securitisation and that really serves the precursor
962 to the period we see since 2017, which I view as aiming to destroy the Uyghur and related
963 indigenous nations of the region. Since 2017, we have seen mutually reinforcing policies
964 in place that appear aimed at facilitating the regions development and settlement by side
965 lining the indigenous peoples of the region, ensuring they cannot resist the developments,
966 pacifying them, displaying them and essentially marginalising them. The intent, I believe
967 is to destroy their identity and solidarity and to reduce their demographic footprint to allow
968 for the unfettered transformation and settler colonization of the region.

969 While I think the motivations have more to do with state plans for the region, the result is
970 destruction of indigenous nations and cultures. That brings me to the complex of policies.
971 It is important to understand what happened since 2017. It can look like a lot of separate
972 atrocities but in fact they are very much mutually reinforcing and have very targeted
973 results. The first part is, that most people are aware of is the mass internment coupled
974 with mass surveillance. I see this more than anything as an attempt to completely
975 immobilise the indigenous population of this region. It creates an atmosphere of fear
976 that essentially ensures that all residents that are not in such institutions are compliant
977 with whatever other policies the state undertakes. So, the state at the same time while
978 having this mass internment and the immobilisation of resistance, we see the state
979 transforming the landscape, destroying mosques and holy shrines, turning historical
980 monuments into tourist sights and essentially creating urban spaces that are more like
981 the generic open spaces of China than have any connection to the local culture or history.
982 This serves to sever the connection between the indigenous peoples and this region
983 and essentially erases their legacy.

984 There is also, what I term, cultural replacement, what Lemkin talks about in terms of the
985 two stages of genocide, destroying the cultural pattern of the oppressed and replacing it
986 with that of the oppressor. There are lots of different ways in which this is happening. It
987 happens in the internment centres, it happens in the residential labour programmes but it
988 also happens in villages, creating flag raising ceremonies and loyalty services and
989 political education courses in the evenings. It happens through projects like a programme
990 encouraging inter-ethnic marriage, which essentially encourages Han men to come to the
991 region and marry Uyghur or other indigenous women. By the regulations of the region, it
992 is criminalised to turn down a hand in marriage of someone from a different ethnic group
993 or religion.

994 The other phenomena I like to mention is the boarding schools that have proliferated in
995 the region in recent years and this is particularly affecting families and children that are
996 separated from their parents because their parents are either in internment or in prison
997 or residential labour programmes. This provides the opportunity to socialise these
998 children in a completely state dictated Han cultural milieu and Chinese linguistic milieu.

999 The last point is reducing Uyghur population density and the population density of other
1000 indigenous peoples in this region really points to the motivations of the state. We think of
1001 this as in terms of the native Americans, the removal of the native Americans, we see a
1002 removal of this indigenous population part through coercive birth control programmes that
1003 have come to light recently but also through these residential labour programmes that
1004 have come to light over the last year and where we see both, former internees and rural
1005 residents being send to factories framed as a poverty alleviation programme, this
1006 programme moves local peoples either to residential factories in the region or more
1007 importantly to residential factories throughout China where they have limited movement
1008 and can be controlled.

1009 The impact of these policies when we look at them together as mutually reinforcing their
1010 intent appears very clear. It is to dismantle the collective identity and actions of indigenous
1011 peoples, to transform their homeland and erase their historical connection to it, to destroy
1012 core elements of their social capital and cultural expression while replacing them with
1013 those of the dominant Han and to reduce their demographic footprint in the region through
1014 large-scale labour transfers to residential factories and forced sterilisation and birth
1015 control.

1016 *Counsel – I have two questions, interrelated so I will ask them together. In your opinion*
1017 *what triggered the massive reaction of the PRC towards the Uyghurs in and around 2017*
1018 *bearing in mind that by that time, the general population had become more timid and, to*
1019 *a large extend, compliant. There was no further resistance as such and very little incidents*
1020 *reported. Another related question is that why in your opinion, the PRC takes on the heavy*
1021 *cost of building massive detention camps, monitoring them constantly, creating*
1022 *international outrage and resentment fore seemingly little gain in relation to a small*
1023 *proportion of its population.*

1024 SR – I think my answer is also interrelated in some ways. I think one problem and that's
1025 often very difficult to define is the actions of states in a singular way. I think the turn that
1026 happens is a perfect storm effect. We do have a history of violent resistance happening
1027 in 2014/15. Then we also have the urgency of the Belt and Road initiative. We also have
1028 Xi Jinping's authoritarian term and its influence on the party, which includes a policy of

1029 trying to change the concept of ethnic minority and ethnic identity in China and push an
1030 idea of a unified Chinese nation. I think these things all come together at once. Now why
1031 the Chinese government would do this to great cost is another question and I think that
1032 in my mind it is like reading tea leaves to understand the actions of a state. I think the
1033 Chinese Communist Party in its present configuration believes that it can get away with
1034 it. It felt that it was strong enough globally that it would not have much push back from
1035 the international community and I think the jury is still out as to whether they were right or
1036 not.

1037 *Panel – Can you elaborate for those who might not be familiar with the literature on settler*
1038 *colonialism by what you mean with that analogy. If you could specify for example because*
1039 *it is that a place that is already a part of modern China might still be a target of settler*
1040 *colonialism.*

1041 SR – This is something that I make reference to in my book actually. It was a question
1042 that arised for me as well. As I started to look at other examples, I think it is not very
1043 unique because we see in the case of the Americans for example. We don't start to see
1044 a removal of native Americans until the colonists need more land. What drives the push
1045 to remove indigenous peoples from the equation is economic growth. It is something that
1046 we saw in the nineteenth century and maybe the early twentieth century and I think it's a
1047 question that faces the international community now is that kind of behaviour still
1048 acceptable in the twenty-first century? If we look at the native Americans, it is not until the
1049 1820s or 1830s that we really start to see a push to remove them partially from the East
1050 and the push goes on into the 1930s. It is not usually an immediate transition. It is also
1051 important to understand this distinction between frontier and zone of settlement. For a
1052 long time the Chinese state viewed this area as a buffer zone; an area to keep out external
1053 forces and it really only is int the 1990s where we see the Chinese government thinking
1054 about making this a forepart of its state and a forepart of its national engagement.

1055 *Panel – Is there a material difference between settler colonialism and what happened in*
1056 *the region, for example in the 1990s because you elaborate on how in the 1990s there*
1057 *was a liberalisation and a flourishing of culture. That is not true is it with settler colonialism*

1058 *where we stand? It is either marginalisation or attack? How do you explain this period of*
 1059 *liberalisation and cultural flourishing?*

1060 *SR* – I think this information should not be seen as zero sum. This region could be
 1061 integrated into China, even today, in a way that would be considerate of the populations.
 1062 The issue gets down to a degree of where the Chinese government has given up on trying
 1063 to integrate the indigenous on their own terms. Most of the 1990s, up to almost 2017,
 1064 state strategy in the region was, what I call “carrot and stick” - there were incentives to
 1065 assimilate like going to China to study and work. At the same time, there was a massive
 1066 clamp down and suppression of religion and any kind of political voices in the region.
 1067 Somewhat successful, some of the people who got caught outside of China after 2017
 1068 were actually from the Uyghur and Kazakh elite. They were studying abroad and their
 1069 parents and themselves had really bought into the Chinese system, learned the Chinese
 1070 language, went to Chinese schools, parents were party members and there is almost a
 1071 switch then happens. I would say starting in late 2016 where the state starts to target
 1072 these ethnic groups at large and it begins very much like to look like a situation of settler
 1073 colonialism.

1074 *Panel* – *Do you discern that there is a bifurcated policy in relation to assimilation? My*
 1075 *reading of your report seems to suggest, to some extent that there has been a dual policy*
 1076 *in which there is an urban assimilation process, almost like an assimilated class, and a*
 1077 *rural underclass – is this true in the present day? And if so how does that inform our*
 1078 *analysis as a Tribunal. Should we be alert to urban rural policies and practices, which are*
 1079 *quite different from another?*

1080 *SR* – I think this was the shocking part of the change that happened late 2016/ 2017. Up
 1081 to that time that was pretty much the case. I mentioned earlier a lot of the inroads that the
 1082 Chinese Communist Party has built in the North and there was a lot of development in
 1083 the North and that region was connected by rail to Beijing and those occasions where
 1084 there was more assimilation, more Uyghurs, Kazakhs and other ethnic groups were
 1085 becoming part of China, speaking the Chinese language on a regular basis maybe better
 1086 than their own language. In the South, which really was from the Chinese perspective an
 1087 area that they had not penetrated and they also saw it as an area where the rural

1088 population was particularly religious. I think that a lot of what the state is trying to do now
 1089 is to colonise that area, that never really has been colonised to a large extent. It began
 1090 by developing the city of Kashgar in the earlier 2000 but it has also gone on to develop
 1091 cities alongside. I think they want to urbanise the entire region to a certain degree and
 1092 get rid of villages and rural population that they felt were an obstacle to state aim.

1093 *Panel – What implications are of the region being a frontier since 1949 – how does its*
 1094 *distance from Beijing impact state capacity and reach, and how does it impact*
 1095 *governance? What I want us to understand is to what extent is there tolerated impunity,*
 1096 *and to what extent is there a direct strong government line which can be shown and*
 1097 *demonstrated?*

1098 SR – It probably depends on the time period we are talking about. The early PRC period,
 1099 though cultural revolution, most of the research suggests head of communist party in the
 1100 region was trying to shield them from egregious cultural revolution to assure there were
 1101 not revolts in the area. Part of acknowledging the state didn't have strong reach beyond
 1102 the northern areas of Urumqi in particular. By the 1990s that changes – when I first
 1103 entered there I came from soviet Uzbekistan - I was shocked at how much more cultural
 1104 revolution existed on other side of the border – they have similar culture and languages
 1105 but there had been much less development than the soviets. That continues even to early
 1106 2000s – attempt in 1990s where Chinese state begins to capitalize on sports and pushing
 1107 development everywhere. Studies show development in the west lagged behind what
 1108 happens in the east. In 2000 they announced master development program to open up
 1109 the west, focused on developing this area. Back to Xi Jinping, who really has anything
 1110 can be accomplished by state led efforts, want to make that link urgently and that there
 1111 is no impunity.

1112 *Panel – Given your expertise in international development, what is your assessment of*
 1113 *how development in that region is approached? Can you elaborate on the economic*
 1114 *proposition?*

1115 SR – The labour programs in many ways are more about population transfer and there is
 1116 sense that the state does not to a limiting these people, and want to make sure they are
 1117 useful citizens. We see deliberate attempt, really from 2016/7 this kicks in, in terms of

1118 great factory workers bringing them in from rural parts. This has not spread throughout
 1119 China. The other question is whether the Chinese model... important to know the Chinese
 1120 models of development are stuck in retro ideal of modernization - it's about top-down
 1121 infrastructure and industrialisation and all of that will lead to development. Thinking in
 1122 development today is much more human centric. In places you have indigenous
 1123 population, to make sure development doesn't become disruptive, is to ensure that
 1124 population plays a major role. That has been the key lacking from what the Chinese state
 1125 has been doing from the early 2000s.

1126 *Panel – You describe how since 2014 there has been concerted attempt to break*
 1127 *solidarity and break people’s sense of collective identity, from point of view of institutions,*
 1128 *is this attempt being played out through the institution of the family, and does that account*
 1129 *for how much we are seeing in particular reports allegations of violence, including sexual*
 1130 *violence towards women?*

1131 SR – Is played out through family, also through other institutions such as religion, and
 1132 also through village informed structures. Must understand about Uyghur culture is that it
 1133 very much community becomes the location where you uphold life cycle where everybody
 1134 is invited. It becomes almost a sub governmental level of orientation which will work
 1135 together to solve community problems. Those are the things that are being targeted. In
 1136 my opinion I think the sexual violence in the camps is more related to humiliation. There
 1137 is a certain effect where a lot of view reproduction through a gendered lens, humiliation
 1138 for instance becomes seen as a violation. I think the goal with that is humiliation and the
 1139 narrative of terrorism, talk more about this in my book, really serves a humanise the
 1140 people of the region which allowed this atrocity to be carried out.

1141 *Panel – Can I offer you an alternative, if we say violence has an end of humiliation, then*
 1142 *we might miss what its material basis is, which is target women because they do certain*
 1143 *sorts of labour, if you attack that point in social solidarity, you attack the material basis on*
 1144 *which the solidarity is formed?*

1145 SR – One of the labour programs which takes people to residential factories, are meant
 1146 for stay-at-home mothers and are essentially half day care. Effort to separate from parent
 1147 to children so children can be institutionalized in state institutions rather than reproducing

1148 Uyghur cultural norms. There is a potentially part of why they are targeted in different
1149 ways.

1150 *Panel – What do you see as relationship between inside penal institutions and outside?*
1151 *Reason to understand the way in which our witnesses express the view ‘we are*
1152 *imprisoned even when we are free’.*

1153 SR – Person in region not been in penal institutions and told me what it was like to be
1154 outside. It was an immobilising experience. Sense that become knocking on your door –
1155 break down of trust – person said they didn’t feel comfortable speaking to anybody about
1156 their fear. It's an inevitable thing that happens in this situation. We don’t have many stories
1157 yet – but if dust ever settles and things change, we will hear stories about how people
1158 had to sexually sell out their selves. We have seen people forced to do testimonies
1159 against children abroad. Your neighbour can report you to think they may be kept out of
1160 an institution but may put you in it. Nobody wants to talk about it. One of my colleagues
1161 who went to the region in 2016, she would meet with friends and informants and would
1162 be terrified to talk about anything about the weather and sports for example. They had to
1163 leave the city to have a discussion about anything else. There is an incredible fear which
1164 is immobilising and silencing and pacifies everybody in this ethnic group and in this nation.

1165 *Panel – Policies don't have intentions; people have them. Who are the people or bodies*
1166 *behind these policies which merged in 2017?*

1167 SR – Difficult thing to pin down completely. My feeling is to large degree it comes out of
1168 the sector of the communist party in Beijing. We can see already Beijing calls Xinjiang
1169 committee meeting which began in 2014 – they seem to be in attempt to bring in central
1170 party members to map out a strategy for the region. We see already yin 2014 the state
1171 starting to put a place on a lot of things – such as the integrated database which compiles
1172 information about all people in the region such as where they have been, reports from
1173 workplace, neighbourhood, etc. People's war on terror in 2014 we see the implementation
1174 of programs in re-education. They don’t look like the centres we see in 2017 – first they
1175 are more limited number of people and there are several different types, experimenting
1176 with residential or not, day re-education done in different regions. Determining who made
1177 out the plan for these policies can be very complicated but that said, it's clear that the

1178 communist party brought in the party secretary of the region in 2016 Chen to implement
1179 this. I don't know if he is the architect, but he is certainly the manager.

1180 *Panel – Can you discern policies that are similar to those in acted in Tibet when Chen*
1181 *was party secretary in Tibet before he moved to this region?*

1182 SR – The main one, is he implements this 'convenience police stations' - ensures the
1183 state has the ability to manage society at every level and geography of the place. He
1184 replicates this immediately after he finishes in Tibet. I assume that is the main reason why
1185 he is brought to Xinjiang.

1186 *Panel – Do you discern a subtlety of these policies in recent years because of the*
1187 *international attention on the region or successful colonization of indigenous population*
1188 *in the region?*

1189 SR – I do see a certain softening. It's more in response to the success or perceived
1190 success than to international pressure. There has been spy government officials saying
1191 everyone has left them, there are other reports saying they are very much being used, or
1192 used in slightly different ways. The residential labour programs have ramped up. We see
1193 an attempt to move people who have been in extra-legal internment centres moved them
1194 into prisons and moved them into actual prison sentences. Shouldn't be seen as softening
1195 or just moving in a different stage or direction. At the same time being able to cover up
1196 the traces of what took place.

1197 *Panel – Your observation the PRC does not want to 'eliminate the Uyghurs forever',*
1198 *means that any legal genocide based on that must fail, correct?*

1199 SR – I meant it on a physical level ... I'll leave that to the lawyers.

1200 *Panel – Genocide in your version is a process that continues over time, not instantly, your*
1201 *account of the reforms in 1980s and 1990s means there can be no continuing intent*
1202 *starting before those reforms and continuing after?*

1203 SR – There has only been drive to eliminate them as a collective since 2016. Prior to that
1204 I think the approach I mentioned was a carrot and stick of trying to separate out Uyghurs

1205 and Kazakhs, etc however I think that the intent is to destroy the collective identity and
1206 ideally over time to dilute it.

UYGHUR TRIBUNAL TESTIMONY

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JUNE 4, 2021

RAPHAEL LEMKIN'S ARTICULATION OF GENOCIDE

By “genocide” we mean the destruction of a nation or of an ethnic group... Generally speaking genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves... Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group.

- Raphael Lemkin, *Axis Rule in Occupied Europe* (1944), p. 79

CULTURAL GENOCIDE

- Academic term, not taking a stance on legal definitions of genocide
- Adopted to highlight the similarities between the situation of Uyghurs and the fate of indigenous peoples elsewhere in the face of settler colonialism
- Aim is to neutralize the indigenous people by breaking their solidarity, severing their connection to the land, destroying their culture and replacing it with the culture of the dominant people, and reducing their demographic footprint on the territory of their homeland to make way for development and settlement

REASONS FOR MY INTERPRETATION

- The gradual historical process of settler colonization of the Uyghur homeland by modern China
 - Accelerated with founding of the PRC, but lacking urgency as long as the state viewed the region as a frontier
 - Gaining intensity since the 1990s as the region became viewed as a zone of opportunity in China's export-oriented economy
 - And becoming imminent with the declaration of the Belt & Road Initiative in 2013
- The policies being employed since 2017 against Uyghurs and related peoples are mutually reinforcing and intent on accomplishing what Lemkin characterizes as the two stages of genocide – "destroying the national pattern of the oppressed" and "imposing the national pattern of the oppressors."
 - Internment/imprisonment accompanied with mass surveillance silence local peoples and ensure their compliance with policies aimed at transforming both their identity as peoples and the territory of their homeland
 - Policies of development aimed at transforming the region
 - Erasing local culture and replacing with Han culture
 - Reducing their population density and demographic footprint in the region

FROM FRONTIER TO SETTLEMENT – THE GRADUAL SETTLER COLONIZATION OF THE UYGHUR HOMELAND



A HISTORY OF CONQUEST AND OCCUPATION OF THE UYGHUR REGION PRIOR TO COMMUNIST RULE

- Conquered by Qing Empire in mid-18th century – controlled as a dependency
- After a century, local revolts in the 1860s expel Qing from region
- A decade later, Qing re-establishes control, making it province of the Empire in 1884 called Xinjiang or “new territory”; institutes a colonial regime with Han settlement and attempts at assimilating local peoples, but this effort largely fails
- Republican China controls region through Han governors with little oversight from central government; Soviet Union frequently plays more a role than the Chinese state in region (especially in the 1930s and early 1940s)
- Local revolts in the 1930s and 1940s respectively establish regional independent proto-states, both named the Eastern Turkistan Republic (the 2nd one is assisted by the U.S.S.R.)

THE EASTERN TURKISTAN REPUBLICS – 1933-34 & 1944-49



First Eastern Turkistan Republic – 1933-34 in South
(Kashgar, Khotan)



Second Eastern Turkistan Republic, 1944-49 in north
(3 counties around Kuldja)

FIRST FORTY YEARS OF PRC RULE – MISSED OPPORTUNITY FOR DE-COLONIZATION & FAILED ASSIMILATION ON THE FRONTIER

- The PRC initially showed promise for decolonizing relationship with people and region – adopted some ethnic federalism, but incomplete
- At same time, it failed to integrate region through settlement, development, and assimilation; major demographic changes by 1980 – almost 40% Han, but isolated in northern region; persistent view as frontier and buffer zone limited impact of assimilation attempts
- 1980s provide second opportunity for decolonization – increased religious and cultural freedoms, discussion of increased ethnic political autonomy, but cut short by increasing importance of developing the region and by increased fears of ethnic autonomy

THE REFORM PERIOD – FROM FRONTIER TO SETTLEMENT

- Economic reforms change the utility of the region from a frontier and buffer zone to a location for economic growth and international trade – impetus for development
- By the early 1990s when the Soviet Union fell, the government also became increasingly concerned that China could face a similar fate and dissolve into separate independent nation-states (particularly concerning the Uyghur region and Tibet)
- This accelerated efforts at development, settlement, and at exerting control over the Uyghur population by suppressing any expression that hinted at a desire for more self-determination (first branded as separatism, then as terrorism)
- In short, the situation initiated increased settler colonization of the Uyghur homeland that intensifies throughout 1990s and first decade of 2000s

2009-2017 – LOCAL RESISTANCE AND INTENSIFICATION OF SETTLER COLONIZATION

- The pressures of increased development and settlement lead to increased resistance and civil disturbances in the region – most notably with the 2009 Urumqi riots
- With Xi Jinping's rise to power and the announcement of the Belt & Road Initiative, there is simultaneously less tolerance for resistance and more urgency for development and settlement
- This process intensifies in the declaration of the “People's War on Terror” through extensive suppression of religion and increased securitization, serving as a precursor to the draconian policies since 2017 aimed at destroying the Uyghur and related indigenous nations of the region.

2017-PRESENT

- The mutually reinforcing policies put in place in 2017 appear aimed at facilitating the region's development and settlement by sidelining the indigenous peoples of the region, ensuring they cannot resist these developments, pacifying them, displacing them, and essentially marginalizing them.
- The intent is to destroy their collective identity and solidarity and reduce their demographic footprint to allow for the unfettered transformation and settler colonization of the region.
- While the motivation has more to do with state plans for the region, the result is the destruction of indigenous nations and cultures.

THE COMPLEX OF POLICIES TO DESTROY THE UYGHUR NATION



(Bridge 2020)

CREATING ATMOSPHERE OF FEAR AND COMPLIANCE



(AP Photo, 2019)

TRANSFORMING THE LANDSCAPE



(NY Times, 2020)



(Patrick Wack, Wired 2020)



(Xinuanet, 2019)

CULTURAL REPLACEMENT



REDUCING UYGHUR POPULATION DENSITY



IMPACT OF COMPLEX OF POLICIES

- Taken together, these policies' intents appear clear – to dismantle the collective identity and action of indigenous peoples:
 - Transform their homeland to erase their historical connection to it
 - Destroy core elements of their social capital and cultural expressions while replacing them with those of the dominant Han
 - Reduce their demographic footprint in region through large-scale labor transfers to residential factories and forced sterilization and birth control