

116TH CONGRESS
1ST SESSION

S. _____

To condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Uyghur Human Rights
5 Policy Act of 2019”.

6 **SEC. 2. STATEMENT OF PURPOSE.**

7 The purpose of this Act is to direct United States
8 resources to address gross violations of universally recog-

1 nized human rights, including the mass internment of over
2 1,000,000 Uyghurs and other predominately Muslim eth-
3 nic minorities in China and the intimidation and threats
4 faced by United States citizens and legal permanent resi-
5 dents.

6 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES.**

7 In this section, the term “appropriate congressional
8 committees” means—

9 (1) the Committee on Foreign Relations, the
10 Committee on Armed Services, the Select Committee
11 on Intelligence, the Committee on Banking, Hous-
12 ing, and Urban Affairs, the Committee on the Judi-
13 ciary, and the Committee on Appropriations of the
14 Senate; and

15 (2) the Committee on Foreign Affairs, the
16 Committee on Armed Services, the Permanent Select
17 Committee on Intelligence, the Committee on Finan-
18 cial Services, the Committee on the Judiciary, and
19 the Committee on Appropriations of the House of
20 Representatives.

21 **SEC. 4. FINDINGS.**

22 Congress makes the following findings:

23 (1) The Government of the People’s Republic of
24 China (PRC) has a long history of repressing ap-
25 proximately 13,000,000 Turkic, moderate Sunni

1 Muslims, particularly Uyghurs, in the nominally au-
2 tonomous Xinjiang region. These actions are in con-
3 travention of international human rights standards,
4 including the Universal Declaration of Human
5 Rights and the International Covenant on Civil and
6 Political Rights.

7 (2) In recent decades, central and regional Chi-
8 nese government policies have systematically dis-
9 criminated against Uyghurs, ethnic Kazakhs, and
10 other Muslims in Xinjiang by denying them a range
11 of civil and political rights, including the freedoms of
12 expression, religion, movement, and a fair trial,
13 among others.

14 (3) Increased unrest in the Xinjiang region as
15 a result of the central government's severe repres-
16 sion is used in Orwellian fashion by the Government
17 of the People's Republic of China as evidence of
18 "terrorism" and "separatism" and as an excuse for
19 further disproportionate response.

20 (4) In 2014, Chinese authorities launched their
21 latest "Strike Hard against Violent Extremism"
22 campaign, in which the pretext of wide-scale, inter-
23 nationally linked threats of terrorism were used to
24 justify pervasive restrictions on, and gross human

1 rights violations of, the ethnic minority communities
2 of Xinjiang.

3 (5) Those policies included—

4 (A) pervasive, high-tech surveillance across
5 the region, including the arbitrary collection of
6 biodata, including DNA samples from children,
7 without their knowledge or consent;

8 (B) the use of QR codes outside homes to
9 gather information on how frequently individ-
10 uals pray;

11 (C) facial and voice recognition software
12 and “predictive policing” databases; and

13 (D) severe restrictions on the freedom of
14 movement across the region.

15 (6) Chinese security forces have never been held
16 accountable for credible reports of mass shootings in
17 Alaqagha (2014), Hanerik (2013), and Siriqbuya
18 (2013), as well as the extrajudicial killings of
19 Abdulbasit Ablimit (2013) and Rozi Osman (2014).

20 (7)(A) The August 2016 transfer of former
21 Tibet Autonomous Region Party Secretary Chen
22 Quanguo to become the Xinjiang Party Secretary
23 prompted an acceleration in the crackdown across
24 the region.

1 (B) Local officials in Xinjiang have used
2 chilling political rhetoric to describe the purpose of
3 government policy including “eradicating tumors”
4 and “spray[ing] chemicals” on crops to kill the
5 “weeds”.

6 (C) Uyghurs are forced to celebrate Chinese
7 cultural traditions, such as Chinese New Year, and
8 unique Uyghur culture is facing eradication due to
9 state control over Uyghur cultural heritage, such as
10 muqam (a musical tradition) and meshrep (tradi-
11 tional cultural gatherings), and due to elimination of
12 the Uyghur language as a medium of instruction in
13 Xinjiang schools and universities.

14 (8) In 2017, credible reports found that family
15 members of Uyghurs living outside of China had
16 gone missing inside China, that Chinese authorities
17 were pressuring those outside the country to return,
18 and that individuals were being arbitrarily detained
19 in large numbers.

20 (9) There is ample credible evidence provided
21 by scholars, human rights organizations, journalists,
22 and think tanks substantiating the establishment by
23 Chinese authorities of “political reeducation” camps.

24 (10) Independent organizations conducted
25 interviews, including testimonies from Kayrat

1 Samarkan, Omir Bekali, and Mihrigul Tursun, along
2 with others who had been detained in such facilities,
3 who described forced political indoctrination, torture,
4 beatings, food deprivation, and solitary confinement,
5 as well as uncertainty as to the length of detention,
6 humiliation, and denial of religious, cultural, and lin-
7 guistic freedoms, and confirmed that they were told
8 by guards that the only way to secure release was
9 to demonstrate sufficient political loyalty. Poor con-
10 ditions and lack of medical treatment at such facili-
11 ties appear to have contributed to the deaths of
12 some detainees, including the elderly and infirm.
13 Uyghurs Muhammed Salih Hajim (2018), Yaqupjan
14 Naman (2018), Abdughappar Abdujappar (2018),
15 Ayhan Memet (2018), Abdulreshit Seley Hajim
16 (2018), Nurimangul Memet (2018), Adalet Teyip
17 (2018), Abdulehed Mehsum (2017), Hesén Imin
18 (2017), and Sawut Raxman (2017) reportedly died
19 while in the custody of the Chinese authorities in
20 “political reeducation” camps, without proper inves-
21 tigation of the circumstances.

22 (11) Uyghurs and Kazakhs, who have now ob-
23 tained permanent residence or citizenship in other
24 countries, attest to receiving threats and harassment
25 from Chinese officials.

1 (12) Under pressure from the Government of
2 the People’s Republic of China, countries have fore-
3 ibly returned Uyghurs to China in violation of the
4 non-refoulement principle and their well-founded
5 fear of persecution. States returning Uyghurs in-
6 clude Egypt (2017), the United Arab Emirates
7 (2017), Malaysia (2011, 2013), Thailand (2011,
8 2015), Laos (2010), Burma (2010), Cambodia
9 (2009), Vietnam (2014), Kazakhstan (1999, 2001,
10 2003, 2006), Uzbekistan (2007), Tajikistan (2011),
11 Pakistan (2003, 2009, 2011), Nepal (2002), and
12 India (2016).

13 (13) Six journalists for Radio Free Asia’s
14 Uyghur service have publicly detailed abuses their
15 family members in Xinjiang have endured in re-
16 sponse to their work exposing abusive policies across
17 the region.

18 (14) Several United States-based companies are
19 conducting business with Xinjiang authorities with-
20 out sufficient due diligence or safeguards to ensure
21 their business operations do not create or contribute
22 to human rights violations.

23 (15) The Government of the People’s Republic
24 of China is increasingly investing in the “Belt and
25 Road Initiative” across Xinjiang and throughout

1 Central Asia, extending its influence through organi-
2 zations such as the Shanghai Cooperation Organiza-
3 tion without regard to the political, cultural, or lin-
4 guistic rights of ethnic minorities.

5 (16) The Secretary of State, Congressional-Ex-
6 ecutive Commission on China, Tom Lantos Human
7 Rights Commission, and individual members of the
8 executive branch and Congress have all expressed
9 growing concern regarding the pervasive human
10 rights abuses across Xinjiang and the “political re-
11 education” camps.

12 (17) In August 2018, the United Nations Com-
13 mittee to Eliminate Racial Discrimination challenged
14 the Government of the People’s Republic of China
15 over abuses in Xinjiang, including the establishment
16 of mass arbitrary detention camps.

17 (18) Between August and September 2018,
18 Chinese authorities responded to these allegations by
19 either flatly denying them or insisting that the facili-
20 ties are “vocational training centers”.

21 (19) In September 2018, newly appointed
22 United Nations High Commissioner for Human
23 Rights Michele Bachelet noted in her first speech as
24 High Commissioner the “deeply disturbing allega-
25 tions of large-scale arbitrary detentions of Uighurs

1 and other Muslim communities, in so-called re-education camps across Xinjiang”.

3 (20) On September 18, 2018, the Washington
4 Post editorial board wrote, “At stake is not just the
5 welfare of the Uighurs, but also whether the tech-
6 nologies of the 21st century will be employed to
7 smother human freedom.”

8 (21) In December 2018 testimony before the
9 Subcommittee on East Asia, the Pacific, and Inter-
10 national Cybersecurity Policy of the Committee on
11 Foreign Relations of the Senate, Deputy Assistant
12 Secretary for Democracy, Human Rights and Labor
13 Scott Busby testified that the number of those de-
14 tained in camps since April 2017 was “at least
15 800,000 and possibly more than 2 million”.

16 (22) In December 2018, independent media re-
17 ports pointed to growing evidence of forced labor in
18 the camps, as well as reports of individuals who have
19 been released from camps being forced to labor in
20 nearby factories for low wages under threat of being
21 sent back to “political reeducation” camps.

22 (23) In December 2018 and January 2019,
23 Chinese officials organized visits to “political reedu-
24 cation” camps in Xinjiang for a small group of for-
25 eign journalists and diplomats from 12 non-Western

1 countries. In the months preceding the visits, inter-
2 national media reported that officials worked to re-
3 move security features from some “political reeduca-
4 tion” facilities, and coached detainees and area resi-
5 dents not to make negative comments about the
6 camps. Reports also indicated that officials had
7 transferred large numbers of detainees to detention
8 facilities in other parts of China.

9 (24) Experts have described the Xinjiang region
10 as “a police state to rival North Korea, with a for-
11 malized racism on the order of South African apart-
12 heid” and the repression in the Xinjiang region as
13 a “slow motion Tiananmen”.

14 **SEC. 5. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) the President should condemn abuses
17 against Turkic Muslims by Chinese authorities in
18 Xinjiang and call on Chinese President Xi Jinping
19 to recognize the profound abuse and likely lasting
20 damage of China’s current policies, and immediately
21 close the “political reeducation” camps, lift all re-
22 strictions on and ensure respect for internationally
23 guaranteed human rights across the region, and
24 allow for reestablishment of contact between those
25 inside and outside China;

1 (2) the United States Government should de-
2 velop a strategy to support the United Nations High
3 Commissioner for Human Rights and numerous
4 United Nations Special Rapporteurs' urgent calls for
5 immediate and unfettered access to Xinjiang, includ-
6 ing the "political reeducation" camps and instruct
7 representatives of the United States at the United
8 Nations to use the voice and vote of the United
9 States to condemn the mass arbitrary detainment,
10 torture, and forced labor of Turkic Muslims in the
11 People's Republic of China;

12 (3) the Secretary of State should consider the
13 applicability of existing authorities, including the
14 Global Magnitsky Act (subtitle F of Public Law
15 114–328), to impose targeted sanctions on members
16 of the Government of the People's Republic of
17 China, the Chinese Communist Party, and state se-
18 curity apparatus, including Xinjiang Party Secretary
19 Chen Quanguo and other officials credibly alleged to
20 be responsible for human rights abuses in Xinjiang
21 and elsewhere;

22 (4) the Secretary of State should fully imple-
23 ment the provisions of the Frank Wolf International
24 Religious Freedom Act (Public Law 114–281) and
25 consider strategically employing sanctions and other

1 tools under the International Religious Freedom Act
2 (22 U.S.C. 6401 et seq.) and to employ measures re-
3 quired as part of the “Country of Particular Con-
4 cern” (CPC) designation for the Government of the
5 People’s Republic of China that directly address par-
6 ticularly severe violations of religious freedom;

7 (5) the Secretary of Commerce should review
8 and consider the prohibition on the sale or provision
9 of any United States-made goods or services to any
10 state agent in Xinjiang, and add the Xinjiang
11 branch of the Chinese Communist Party, the
12 Xinjiang Public Security Bureau, and the Xinjiang
13 Office of the United Front Work Department, or
14 any entity acting on their behalf to facilitate the
15 mass internment or forced labor of Turkic Muslims,
16 to the “Entity List” administered by the Depart-
17 ment of Commerce;

18 (6) the Secretary of State should explore appro-
19 priate mechanisms to establish a voluntary database
20 to which United States citizens or permanent resi-
21 dent family members of the Uyghur diaspora can
22 provide details about missing family members, with
23 a view towards pressing for information and ac-
24 countability from the Government of the People’s
25 Republic of China, and take appropriate measures to

1 expedite the asylum claims of Uyghurs, Kazakhs,
2 and other Turkic Muslim minorities;

3 (7) United States companies and individuals
4 selling goods or services or otherwise operating in
5 Xinjiang should take steps, including in any public
6 or financial filings, to publicly assert that their com-
7 mercial activities are not contributing to human
8 rights violations in Xinjiang or elsewhere in China
9 and that their supply chains are not compromised by
10 forced labor;

11 (8) the Federal Bureau of Investigation and ap-
12 propriate United States law enforcement entities
13 should track and take steps to hold accountable offi-
14 cials from China who harass, threaten, or intimidate
15 United States citizens and legal permanent resi-
16 dents, including Turkic Muslims, Uyghur-Americans,
17 Chinese-Americans, and Chinese nationals legally
18 studying or working in the United States;

19 (9) the Secretary of State should work with tra-
20 ditional United States allies and partners to take
21 similar steps and coordinate closely on targeted
22 sanctions and visa restrictions; and

23 (10) the work of Radio Free Asia's Uyghur lan-
24 guage service should be commended for providing a
25 detailed and accurate account of current events fac-

1 ing Uyghurs and other ethnic minorities in China
2 despite efforts by the Government of the People’s
3 Republic of China to intimidate their reporting
4 through threats and detention of family members
5 living in China.

6 **SEC. 6. NATIONAL SECURITY REPORT.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence, in coordination with the Secretary of State,
10 shall provide to the appropriate congressional committees
11 a classified and unclassified report to assess national and
12 regional security threats posed by the crackdown across
13 Xinjiang, the frequency with which Central and Southeast
14 Asian governments are forcibly returning Turkic Muslim
15 refugees and asylum seekers, and the transfer or develop-
16 ment of technology used by the Government of the Peo-
17 ple’s Republic of China that facilitates the mass intern-
18 ment and surveillance of Turkic Muslims, including tech-
19 nology relating to predictive policing and large-scale data
20 collection and analysis.

21 (b) ANNEX.—The report required under subsection
22 (a) shall include an annex with a list of all Chinese compa-
23 nies involved in the construction or operation of the “polit-
24 ical education” camps, and the provision or operation of
25 surveillance technology or operations, across Xinjiang.

1 **SEC. 7. PROTECTING CITIZENS AND RESIDENTS OF THE**
2 **UNITED STATES FROM INTIMIDATION AND**
3 **COERCION.**

4 (a) **IN GENERAL.**—Not later than 90 days after the
5 date of the enactment of this Act, the Director of the Fed-
6 eral Bureau of Investigation, in consultation with the Sec-
7 retary of State, shall provide a report to the appropriate
8 congressional committees that outlines any and all efforts
9 to provide information to and protect United States citi-
10 zens and residents, including ethnic Uyghurs and Chinese
11 nationals legally studying or working temporarily in the
12 United States who have experienced harassment or intimi-
13 dation by officials or agents of the Government of the Peo-
14 ple’s Republic of China and the Communist Party within
15 the United States and those whose families in China have
16 experienced threats or detention because of their work or
17 advocacy.

18 (b) **DATABASE OF DETAINED FAMILY MEMBERS OF**
19 **UNITED STATES CITIZENS AND RESIDENTS.**—The Sec-
20 retary of State should explore appropriate mechanisms to
21 establish a voluntary database to which United States citi-
22 zens or permanent resident family members of the Uyghur
23 diaspora can provide details about missing family mem-
24 bers, with a view towards pressing for information and ac-
25 countability from the Government of the People’s Republic
26 of China and to take appropriate measures to expedite the

1 asylum claims of Uyghurs, Kazakhs, and other Turkic
2 Muslim minorities.

3 **SEC. 8. REPORT ON PUBLIC DIPLOMACY.**

4 (a) REPORT.—Not later than 120 days after the date
5 of the enactment of this Act, the CEO of the United
6 States Agency for Global Media shall submit to the appro-
7 priate congressional committees a report that—

8 (1) describes the current status and reach of
9 United States broadcasting to the Xinjiang region
10 and Uyghur speaking communities globally, barriers
11 to the free flow of news and information to these
12 communities, and, if appropriate, detailed technical
13 and fiscal requirements necessary to increase broad-
14 casting and other media to these communities glob-
15 ally;

16 (2) describes efforts to intimidate Radio Free
17 Asia and Voice of America reporters reporting on
18 human rights issues in the People's Republic of
19 China; and

20 (3) in consultation with the Global Engagement
21 Center at the Department of State, describes and
22 assesses disinformation and propaganda by the Gov-
23 ernment of the People's Republic of China or other
24 members of the Shanghai Cooperation Organization
25 targeting Uyghur communities globally and efforts

1 to downplay gross violations of universally recog-
2 nized human rights occurring in the Xinjiang region
3 and any activities or programs that address these ef-
4 forts.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the journalists of the Uyghur language service
7 of Radio Free Asia should be highly commended for their
8 reporting on the human rights and political situation in
9 Xinjiang despite efforts to silence or intimidate their re-
10 porting through the detention of family members and rel-
11 atives by the Government of the People’s Republic of
12 China.

13 **SEC. 9. ANNUAL REPORT.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, and annually thereafter,
16 the Secretary of State, after consulting relevant Federal
17 agencies and civil society organizations, shall submit to the
18 appropriate congressional committees and make available
19 on the website of Department of State an interagency re-
20 port that includes—

21 (1) an assessment of the number of individuals
22 detained in political “reeducation camps” and condi-
23 tions in the camps for detainees in the Xinjiang re-
24 gion, including whether detainees endure torture,
25 forced renunciation of faith, or other mistreatment;

1 (2) a description, as possible, of the geographic
2 location of the camps and estimates of the number
3 of people detained in such facilities;

4 (3) a description, as possible, of the methods
5 used by People’s Republic of China authorities to
6 “reeducate” Uyghur detainees as well as the Peo-
7 ple’s Republic of China agencies in charge of reedu-
8 cation;

9 (4) an assessment of the number of individuals
10 being arbitrarily detained, including in pretrial de-
11 tention centers and prisons;

12 (5) an assessment of forced labor in the camps
13 and in regional factories for low wages under threat
14 of being sent back to “political reeducation” camps;

15 (6) a list of Chinese companies and industries
16 benefiting from such labor, and a description of ac-
17 tions taken to address forced labor in Xinjiang con-
18 current with the People’s Republic of China’s Tier
19 3 designation under the 2018 Trafficking in Persons
20 Report;

21 (7) an assessment of the level of access People’s
22 Republic of China authorities grant to diplomats,
23 journalists, and others to the Xinjiang region and a
24 description of measures used to impede efforts to

1 monitor human rights conditions in the Xinjiang re-
2 gion;

3 (8) an assessment of the repressive surveillance,
4 detection, and control methods used by People's Re-
5 public of China authorities in the Xinjiang region,
6 and a list of individuals who hold senior leadership
7 positions and are responsible for "high-tech" polic-
8 ing, mass incarceration, and reeducation efforts tar-
9 geting Uyghur and other predominately Muslim eth-
10 nic minorities in the Xinjiang region; and

11 (9) a description of United States diplomatic ef-
12 forts to address the gross violations of universally
13 recognized rights in the Xinjiang region and to pro-
14 tect asylum seekers from the region, including in
15 multilateral institutions and through bilateral rela-
16 tions with the People's Republic of China, the na-
17 tions of the Organization of Islamic Cooperation
18 (OIC), and other countries.

19 (b) TERMINATION.—The Secretary of State may ter-
20 minate the report required under subsection (a) if the Sec-
21 retary certifies to the appropriate congressional commit-
22 tees that the gross violations of universally recognized
23 human rights and mass detention of Uyghurs and other
24 predominately Muslim ethnic minorities have ended in the
25 Xinjiang region.

1 **SEC. 10. SPECIAL COORDINATOR AT THE DEPARTMENT OF**
2 **STATE.**

3 (a) **IN GENERAL.**—The Secretary of State should
4 consider the establishment of a new position within the
5 Department of State, the United States Special Coordi-
6 nator for Xinjiang, who will coordinate diplomatic, polit-
7 ical, public diplomacy, financial assistance, sanctions,
8 counterterrorism, security resources, and congressional re-
9 porting requirements within the United States Govern-
10 ment to respond to the gross violations of universally rec-
11 ognized human rights occurring in the Xinjiang region,
12 including by addressing the mass detentions of Uyghurs
13 and other predominantly Muslim ethnic minorities, the de-
14 ployment of technologically advanced surveillance and po-
15 lice detection methods, and the counterterrorism and
16 counter-radicalism claims used to justify the policies of the
17 Government of the People’s Republic of China in Xinjiang.

18 (b) **APPOINTMENT.**—If the Secretary determines that
19 establishment of the position described in subsection (a)
20 is appropriate, the Secretary may appoint the Special Co-
21 ordinator from among officers and employees of the De-
22 partment of State. The Secretary may allow such officer
23 or employee to retain the position (and the responsibilities
24 associated with such position) held by such officer or em-
25 ployee prior to the appointment of such officer or employee
26 to the position of Special Coordinator.

1 (c) TERMINATION.—The Secretary of State may ter-
2 minate the Special Coordinator position 45 days after cer-
3 tifying to the appropriate congressional committees that
4 the gross violations of universally recognized human rights
5 and mass detention of Uyghurs and other predominately
6 Muslim ethnic minorities have ended in the Xinjiang re-
7 gion.

8 (d) CONSULTATION.—The Secretary shall consult
9 with the chairman and ranking minority members of the
10 appropriate congressional committees prior to the designa-
11 tion of the Special Coordinator under this section.