

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Hundred-eighth session
14 November – 2 December 2022

ADVANCE UNEDITED VERSION

**PREVENTION OF RACIAL DISCRIMINATION, INCLUDING
EARLY WARNING AND URGENT ACTION PROCEDURE**

Decision 1 (108)

The Committee on the Elimination of Racial Discrimination, meeting in Geneva at its hundred-eighth session, from 14 November to 2 December 2022,

Acting under its Early Warning and Urgent Action Procedure;

Concerned by the reports of serious human rights violations committed in the Xinjiang Uyghur Autonomous Region of China (XUAR) in the context of what the Government has called to be an application of counter-terrorism and counter-“extremism” strategies;

Concerned by the contents of “Xinjiang Police Files”, which is a collection of documents and images disclosed in June 2022, that include data on the scale and nature of the Government’s policy towards Uyghurs and other ethnic Muslim communities;¹

Concerned by the discriminatory character of severe and undue restrictions on a wide range of human rights, targeting predominantly Uyghur and other ethnic Muslim communities in the XUAR;

Alarmed by the allegations of torture or ill-treatment, forced labour, sexual violence, arbitrary detention and related patterns of abuse targeting the above mentioned communities, in the so-called Vocational Education and Training Centres (VETCs) and other facilities;

Alarmed also by the reported policies and practices leading to forced displacements, separation of families and the severing of human contacts, while causing particular suffering to affected Uyghur and other ethnic Muslim communities;

Further alarmed by alleged patterns of intimidations and threats against members of the diaspora communities and those speaking publicly about human rights abuses in the XUAR;

¹ OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China, dated 31 August 2022, para. 3.

Recalling its concluding observations of 2018 on China (CERD/C/CHN/CO/14-17), in particular paras. 7-8; 15-16; 36-42, as well as its follow-up letter to the State party, of 24 November 2020;

Recalling also the joint letter of special procedure mandate-holders dated 12 March 2021,² as well as the joint statement of special procedure mandate-holders dated 26 June 2020;³

Recalling further the conclusions of the International Labour Conference's Committee on the Application of Standards on China (CAN/China/PV.5), dated 2 June 2022;

Further recalling the OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China, dated 31 August 2022;

Calls upon the State party to immediately investigate all allegations of human rights violations in the XUAR, including those of torture, ill-treatment, sexual violence, forced labour, enforced disappearances and deaths in custody;

Calls upon the State party to immediately release all individuals arbitrarily deprived of their liberty in the XUAR, whether in VETCs or other detention facilities, and to provide relatives of those detained or disappeared with detailed information about their status and well-being;

Recommends that the State party undertake a full review of its legal framework governing national security, counter terrorism and minority rights in the XUAR to ensure their full compliance with the State party's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination;

Urges the State party to immediately cease all intimidation and reprisals against Uyghur and other ethnic Muslim communities, the diaspora and those who speak out in their defence, both domestically and abroad;

Urges the State party to ensure that victims of human rights violations, including Uyghurs and other ethnic Muslim communities, are provided with adequate and effective remedies and reparation;

Also urges the State party to effectively implement the Concluding Observations of the Committee on the Elimination of Racial Discrimination, the Committee against Torture, as well as the recommendations included in the *OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China* (para. 151);

² <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25545>

³ <https://www.ohchr.org/en/press-releases/2020/06/un-experts-call-decisive-measures-protect-fundamental-freedoms-china>

Reminds all States of their responsibility to cooperate to bring to an end through lawful means any serious breach of human rights obligations, in particular serious violations of the peremptory norm of the prohibition of racial discrimination;

Decides to refer this matter to the attention of the Special Advisor of the Secretary-General on the Responsibility to Protect.

*2940th meeting
23 November 2022*