

Evidence to the Uyghur Tribunal

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Background of the author

I spent 22 of my 37 years as a diplomat working in or on China, first for the British and later for the EU. My last posting in Beijing at the EU delegation, where I was in charge of informing Brussels about Chinese internal political developments which affected European interests, ended in 2016. Since leaving diplomacy I have continued to study, write, speak about, and advise on the Chinese Communist Party (CCP), the nature of its governance and the effects on its foreign relations. I cover a broad waterfront, rather than concentrate on one or two specific areas: CCP policy decisions in one area are often interlinked with, and based on the same considerations as, those in other areas.

Scope of this paper

Others are far better qualified than I to dissect the measures being taken on the ground in Xinjiang or against Uyghurs abroad, their effects, the techniques and technologies involved, the development of policy towards ethnic minorities.

I should like to cover the question of who is responsible for policy making and therefore upon whom ultimately blame should be placed.

How high up the chain?

There has been a reluctance in free and open countries to acknowledge openly who is responsible for the CCP policy in Xinjiang. The most senior official sanctioned by the US is Chen Quanguo, the Party Secretary of the autonomous (a cynical misnomer) region and its highest ranking official. Others on the American list include:¹

Zhu Hailun, a former Deputy Party Secretary of the autonomous region

Wang Mingshan, the current Director and Party Secretary of the Xinjiang Public Security Bureau (PSB)

Huo Liujun, the former Party Secretary of the PSB.

Chen Mingguo, director of Xinjiang's public security bureau;²

Wang Junzheng, the head of the Xinjiang Production and Construction Corps

The Xinjiang PSB itself was also designated

The EU and the UK have been less bold, omitting Chen Quanguo from their lists.³ Chen is the only national level official sanctioned. (Chinese officialdom is divided into national – provincial – prefectural – county – township levels). While Chen, as a member of the Politburo of the Central Committee, is one of China's 25 most senior officials and has undoubtedly played an important part in Xinjiang policy, he is not ultimately responsible.

How policy and decisions are made

¹ <https://home.treasury.gov/news/press-releases/sm1055>

² <https://www.reuters.com/world/china/us-sanctions-two-more-chinese-officials-over-alleged-xinjiang-abuses-2021-03-22/>

³ <https://www.theguardian.com/world/2021/mar/22/china-responds-to-eu-uk-sanctions-over-uyghurs-human-rights>

An important element of the CCP's decision making process lies in the system of 'leading small groups', 'co-ordination small groups', and Party commissions. They bring together officials from different sectors in order to make, co-ordinate and oversee implementation of Party policies. In a Leninist system, state policy is Party policy. Some 'small groups' are temporary, established to deal with a particular problem; others are permanent (the most important, for example the 'Central Financial and Economic Commission' are labelled 'commissions'). The bigger units have a permanent staff, and call in senior cadres from relevant Party and state organisations as needed.

In 2000 the CCP set up the Central Xinjiang Work Coordination Small Group (中央新疆工作协调小组). Reporting Xi Jinping's September 2020 speech at the 3rd Xinjiang Work Forum, Xinhua quoted Xi as saying of the work of the group:

Under the leadership of the Party Central Committee, the Central Xinjiang Work Coordination Group must strengthen its research and judgment of the situation, policy research, lead in coordination, supervision and inspection of Xinjiang work, and must put forward timely work opinions on major issues.⁴

This body will have been instrumental in putting up policy suggestions for discussion and ratification by the Politburo and Politburo Standing Committee (PBSC). Policy may be confirmed by the Central Committee. It is disseminated at an important Work Forum or other top level meetings.

Where does responsibility at the highest levels lie?

The State (now **National**) **Ethnic Affairs Commission**, as its name suggests, is in charge of policy towards ethnic minorities in China. In 2018 the SEAC was put under the **United Front Work Department (UFWD)**. The head of the UFWD is You Quan(尤权).

The head of the **Central Xinjiang Work Coordination Small Group** is PBSC member Wang Yang, the fourth most senior cadre in the CCP. Before Wang's promotion to the PBSC, his predecessor Yu Zhengsheng was in charge of the Xinjiang co-ordination group. Wang is regularly reported in the Chinese press as visiting Xinjiang in his capacity as head of the Chinese People's Political Consultative Conference and the united front system. You Quan usually accompanies him.

Yu Zhengsheng and Wang Yang therefore bear much responsibility for what is happening in Xinjiang.

However the Chinese system is one of collective responsibility. The biggest decisions are made in the seven member PBSC. In theory, where there is disagreement, the seven vote. In practice, the will of Xi Jinping is likely to prevail, although there is no evidence that in the case of ethnic minority policy there is a significant – or any – degree of different opinions.

The importance of policy and the decisions surrounding it can be gauged by the method of its dissemination. In the case of Xinjiang major changes have emerged at the three Central Xinjiang Work Forums. The first was held in 2010 under Xi's predecessor Hu Jintao; the second, which laid down the basis of policies whose effects are now evident, in 2014; and the third, which has consolidated their direction, in 2020. It may not be a coincidence that the first came in the year after the 2009 riots in Xinjiang's capital Urumqi in which Uyghurs and Han attacked each other and left several hundred dead, and the second happened in the year following a terrorist attack in

⁴ 中央新疆工作协调小组要在党中央领导下，加强对新疆工作的形势研判、政策研究、协调指导、督促检查，对重大问题及时提出工作意见。 http://www.xinhuanet.com/politics/leaders/2020-09/26/c_1126544371.htm

Tiananmen square in which three Uyghurs and two bystanders died, and which greatly shocked the leadership.

That these work forums were important occasions can be judged by the attendance of PBSC and Politburo level officials. All PBSC members attended all three work forums. In September 2020 all members of the Politburo attended, except the five members who head up the municipalities of Beijing, Shanghai, Tianjin, Guangzhou and Chongqing.⁵ This signifies that the policy and decisions are sufficiently important to have been made at the highest level, by the PBSC.

The responsibility of Xi Jinping

In the political culture of the CCP the concept of ‘the number one boss’ (一把手) looms large (indeed the Party has recently promulgated a document on strengthening oversight of such leaders⁶ – Xi is of course to be excepted). In almost all CCP documents the injunction to uphold the ‘two maintenances’ (or ‘protects’) appears, that is to protect the core status of General Secretary Xi Jinping and to protect the Party Central Committee’s unified leadership. Of the two the former is the more important.

It is therefore inconceivable that the policies and decisions adopted in Xinjiang have not at the least been signed off by Xi Jinping. But Xi has been a leader who has put his personal imprint on policy in many sectors. It is not unreasonable to suggest that the changes in Xinjiang policy from those of the era of Hu Jintao can be laid at Xi’s door.

Indeed this is the point made in 2017 by a professor from the Xinjiang Party school (there are around 2,800 Party schools throughout China. They hold training courses for Party cadres, particularly those in line for promotion and act as Party think tanks. They are, in effect, guardians of ideology and policy).⁷

Beginning on December 19, 2013, Xi Jinping has put forward clear requirements for the work in Xinjiang under the New Situation and drawn up a major strategic plan. From April 27 to 30, 2014, he engaged in a high-level inspection of Xinjiang and made plans for its future from a strategic and comprehensive perspective.

There is no doubt in the mind of the Xinjiang Party School that credit(?) for policy lies with Xi Jinping.

General Secretary Xi Jinping’s continuous attention to Xinjiang led to the formation of his thoughts on governing Xinjiang. These thoughts not only contain the traditional wisdom of previous central governments in governing Xinjiang, but also embody the new thoughts, views, and strategies of modern governance.

While some allowance might be made for a degree of flattery of the top leader, the explanation of the situation in Xinjiang by a professor of the regional Party School was made four years ago, when the personal power of Xi was not as pervasive as it might be now.

The view that responsibility for tightening policy towards Xinjiang lies at the feet of Xi is further strengthened by a comparison of reports of the speeches at the three Central Xinjiang Work Forums of 2010, 2014 and 2020. That of Hu Jintao in 2010 concentrates mainly on economic development,

⁵ <https://www.youtube.com/watch?v=FGo7qRFKumM>

⁶ http://www.xinhuanet.com/politics/zywj/2021-06/01/c_1127518712.htm

⁷ http://mzw.hunan.gov.cn/mzw/tslm_71320/lltt/mzyj/201710/t20171009_4592051.html

For a translation see: public/publication/200930_Blanchette_XiJinping_Vision_Xinjiang.pdf

levelling up with other provinces, and indicates continuity in the policy towards ethnic minorities.⁸ Xi, by contrast, puts far more emphasis on “combating violent and terrorist activities as the focus of the current struggle”; “We must continue to consolidate the great unity of all ethnic groups based on forging the consciousness of the Chinese nation's community as the main line”, for which he prescribes in-depth education; “sinicising religion”; “strengthening ideological and political work”.⁹

Where does the logic of sanctions meet the reality of international relations?

If we are to rank responsibility in descending order and serving from the 2nd Central Xinjiang Work Forum, we might come up with the minimum of:

- Xi Jinping
- Yu Zhengsheng, Wang Yang
- Other Politburo Standing Committee members
- Leaders of the United Front Work Department, its subordinate National Ethnic Affairs Commission and National Administration of Religious Affairs
- The members of the standing committee of the Xinjiang Autonomous region
- Leaders of the Xinjiang Production and Construction Corporation¹⁰
- Members of the Central Xinjiang Work Coordination Small Group (see appendix A)
- Ministers and leading officials from the ministries of Public Security, State Security, Justice
- Commander of the People's Armed Police Wang Chunming; commander of the Xinjiang provincial PAP Internal Security Force.

Given the committing in Xinjiang of crimes against humanity and of genocide under the definition in the UN convention, consideration should perhaps be given to the responsibility of lower level officials. China has a very top down system of governance and most lower level officials have little say in policy making. Nevertheless at the least they cannot be excused responsibility for implementing policy. A case could be made for sanctioning all officials working in the organisations listed above who are of director level (juzhang 局长) or above. With sufficient resources, large numbers of such cadres could be identified from open source material.

The reality of sanctions however leads to the conclusion that none of the PBSC is likely to face sanctions, and that the number of other officials held responsible for the crimes against humanity being perpetrated in Xinjiang will remain small.

It is likely to be left to history to record their guilt more fully.

⁸ The full speeches are not available, only lengthy summaries. For Hu Jintao in 2010 see <https://baike.baidu.com/item/中央新疆工作座谈会/8695541>

⁹ Summaries of the three speeches can be found at: <http://www.xjkunlun.cn/dswx/dszl/90810.htm> A summary of Xi Jinping's speech at the 3rd Central Xinjiang Work Forum is also at http://www.xinhuanet.com/politics/leaders/2020-09/26/c_1126544371.htm

¹⁰ Both an economic and military organisation, which plays a substantial part in the imposition of CCP policy in Xinjiang. It plays an important role in internal security. Its many and large companies also control swathes of the Xinjiang economy, commerce and resources.

Appendix A - Who are the members of the Central Xinjiang Co-ordination Small Group?

The membership of the group is not disclosed. Nevertheless Chinese media reports sometimes append to individuals the fact of their membership.¹¹ In an analysis from 2018 the American scholar Jessica Batke identifies a number of posts and individuals, although she acknowledges that she cannot be certain in all cases.¹² In an interesting section, she notes:

One report from 2012 states that Zhou Yongkang led 15 members of the Xinjiang LSG to the region.¹³ The number of officials listed as going on the trip is larger than 15, so it is difficult to know which of these individuals were definitively on the LSG at the time, but it is an instructive list nonetheless (individuals' concurrent job titles in 2012 are shown in parentheses):

- Zhu Weiqun 朱维群 (UFWD executive deputy director)
- Zhou Benshun 周本顺 (PLC [Politics and Legal Commission] secretary-general)*
- Yang Huanning 杨焕宁 (MPS executive vice minister and Central Committee Stability Preservation Work Leading Small Group office director)*
- Jiang Weixin 姜伟新 (minister of Housing and Urban-Rural Development)
- Wang Yong 王勇 (head of the State-owned Assets Supervision and Administration)
- Wang Qinfeng 王秦丰 (deputy head of the Central Committee Organization Department)
- Cai Mingzhao 蔡名照 (deputy head of the Propaganda Department)
- Bao Shaokun 鲍绍坤 (PLC deputy secretary-general?)
- Du Ying 杜鹰 (National Development and Reform Commission Deputy head)*
- Li Weihong 李卫红 (vice minister of Education)
- Su Bo 苏波 (vice minister of Industry and Information Technology)
- Wang Zuo'an 王宝安 (head of SARA [State Administration of Religious Affairs])
- Xin Changxing 信长星 (vice minister of Human Resources and Social Security)
- Qi Ji 齐骥 (vice minister of Housing and Urban-Rural Development)
- Li Jinzao 李金早 (vice minister of Commerce)
- Wu Yin 吴吟 (deputy head of the National Energy Administration)

*Confirmed Xinjiang LSG membership at some point between 2002 and 2017

¹¹ See for example the Global Times report of 27 March 2019 , which talks of Shi Jun, vice minister of the UFWD accompanying Wang Yang during a visit to Xinjiang and identifies Shi as "head of the office of the Central Coordinating Group for Work on Xinjiang". <https://www.globaltimes.cn/content/1143562.shtml>

¹² Central and Regional Leadership for Xinjiang Policy in Xi's Second Term <https://www.hoover.org/sites/default/files/research/docs/clm56jb.pdf>

¹³ “周永康:坚持不懈推进新疆跨越式发展和长治久安” (Zhou Yongkang: Unremittingly promote Xinjiang's leapfrog development and long-term peace and stability), *Xinjiang Xingnong Wang*, May 21, 2012, <http://www.xjxmw.gov.cn/c/2012-05-21/920751.shtml>.

Using opensource material, it should not be impossible to map out both the posts which give membership of the Xinjiang co-ordination group and those individuals who have served and are serving on it.