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1. JESSICA BATKE

Bio. Jessica Batke is a ChinaFile Senior Editor. She researches China's domestic political and social affairs and served as the State Department's Bureau of Intelligence and Research Analyst for approximately eight years prior to joining ChinaFile. In 2016, she was a Visiting Academic Fellow at MERICS in Berlin. She holds a B.A. in Linguistics from Pitzer College and an M.A. in East Asian Studies from Stanford University.

Summary. Ms Batke's report focused on three aspects: 1. The pillars of power in the People's Republic of China (PRC). 2. The role of the Chinese Communist Party (CCP) in decision-making in the PRC including in relation the State-party decisions in Xinjiang. 3. The bodies that make up the judicial, procuratorate, and educational decisions in the Xinjiang and how the officials in charge are appointed. She does not seek to explain who, exactly, formulated or signed off on any specific policy but rather how power flows through the PRC's governance apparatus, highlighting those official positions with oversight of, and responsibility for, the policies allegedly being implemented in Xinjiang today. Ms Batke refers to and utilises two organograms – one abstract organogram and another a de facto organogram of decision-making within the PRC and CCP.

1 **10th September 2021 (8:43:37 – 9:40:00)**

2 **Jessica Batke**

3

4 JESSICA BATKE – Thank you for having me here today. I have been asked to address
5 the role of the CCP in governance and decision making in the PRC generally. I am
6 also trying to identify key decision-making positions... [*technical issues*]. The key ideas
7 that I would like to leave with you today are, number one: that the CCP permeates all
8 levels of governance, ensure key party and state positions are held by the same
9 individuals and that the CCP has an explicit guiding role in setting national and local
10 policy. Secondly, even though the Party-state is notoriously opaque, which means it
11 can be difficult for to trace the provenance and history of any particular policy, we are
12 still able to assess the likelihood of departments' or individuals' involvement in policy
13 formulation or implementation by looking at the Party-state's intertwined bureaucratic
14 structures. Thirdly, there are a number of bureaucratic players that bear responsibility
15 for policy formulation and implementation in the XUAR, and that includes both party
16 and state organisations at the central and local levels, and all major appointments in
17 those organisations are made by the party.

18 First, let us look at the party's relationship to the PRC's governance structure. On
19 paper, China's governance apparatus has a clear separation between the Party and
20 state governance structure, with one exception which we will set aside for now. Even
21 though there is this nominal separation, both the PRC constitution and the CCP
22 constitution mandate a leading or guiding role for the Party with regards to the state.
23 In practice, it is this leading and guiding role that is the defining characteristic of the
24 entire governance system. It is largely party entities that set policy courses and issue

25 directives, while state and government entities enact them. But even this formulation
26 that I have just laid out is somewhat of a false one, and that is because Party cadres
27 have key-roles in every government organ, meaning that the Party is deeply
28 enmeshed in government structure up and down the hierarchy.

29 I would like to turn to illustration A, which is an abstract representation of the underlying
30 architecture of CCP power. We can think of this by looking at party committees for
31 example: there are party committees at every level of government, in the central down
32 to the local level, including the province, the county and the town. These correspond
33 with government bodies at those levels and at each level, the party committee provides
34 guidance to government organs at that level. It also transmits directives and guidance
35 downward to parties at lower level, and it happens at every single point in that
36 hierarchy, which means that anywhere you are, there is always a party body on hand,
37 to ensure compliance and transmit directives. And yet, if anything, this illustrate still
38 understates the degree of fusion between party and state bodies and that is because
39 party institutions and personnel are even further intertwined with state and government
40 institutions. So, in addition to these party committees which I just mentioned, there are
41 also party committees embedded within government organs, so, if for example we are
42 talking about the ministry of education: that means there is a party committee
43 embedded in the ministry of education, and the person that is the head of the ministry
44 of education is usually the party secretary of the ministry of education's party
45 committee. And if you look at local people's governments, there is a similar crossover.
46 So, if we are looking at a province, the governor of a province is almost always the
47 deputy party secretary of that province, and this goes up and down again in the
48 hierarchy.

49 In addition to that, there is a number of party policy advisory bodies, just focused on
50 one issue area. A good example of this, relevant to what is happening in the Uyghur
51 region, is the Politics and Law commission, that is at the central level and also at the
52 local levels. It advises on issues related to law enforcement and the justice system.
53 There is also a system of leading small groups, relevant to us would be the Xinjiang
54 Work Coordination Small Group, that is a party policy advisory body and it brings
55 people together from all sorts of different state and party organs to formulate and
56 advise what people should do with regards to policy in the region. But, in all of these
57 cases, the actual party members are often the exact same individuals that are manning
58 the highest government posts. Now, that does not mean that the party is all-powerful
59 in all cases, that also does not mean that there is perfect coordination, but it does
60 mean that the CCP is the guiding force behind all major policy initiatives and that
61 absolutely includes the current campaign against Turkic ethnic peoples in the Uyghur
62 region. The scale, the scope, the cost, the duration of a campaign like this means that
63 party officials at all levels are necessary implicated. While we are able to explain what
64 the general party-state structure looks like. The Chinese system is really opaque, so
65 we do not have a lot of information about who or when exactly formulated any
66 particular policy. In some cases, we honestly don't even know which individuals are
67 holding really important party posts, but we do not need to know the precise procedural
68 history of each policy in order to identify the officials or the offices that are likely
69 involved in their creation or application. As I said before, intensive and expensive
70 policy programs like the ones that we are currently seeing in the Uyghur region do not
71 happen without a high degree of bureaucratic compliance, and there are many party-
72 state officials up and down the hierarchy that are helping shape and realise the policies
73 that we are seeing implemented in the region.

74 So, very quickly, I would like to turn to the second illustration, just to review some of
75 the entities throughout the party-state bureaucracy that have a hand in determining
76 policy and implementation. I will not go through all of these, and the illustration is
77 necessarily incomplete, but hopefully we can review some of the key ones. At the top
78 is the Politburo Standing Committee... [*Technical issues*] The fact that the illustration
79 is hard to view, it is so complex and large, is part of the point of this diagram. There
80 are large numbers of entities, both of the Party and state, that have a role in this, and
81 a lot of individuals that overlap between institutions. If everybody takes that away from
82 this, then I am happy with that. I will quickly point out a few entities: as I was saying,
83 at the very top in the middle is the Politburo Standing Committee, headed by General
84 Secretary Xi Jinping. It is very important to note that there is no way that this could
85 happen without the approval of the top leader. And similarly, again reinforcing the idea
86 that a lot of structures are echoed at the central and local levels: if you go straight
87 down to the XUAR CCP Standing Committee, the same body at the provincial level
88 and the highest authority in the XUAR, it will have similar oversight and responsibility
89 for policies in the region. I would then just point to the left of the Politburo Standing
90 Committee. There is the Politics and Law Commission, and I mentioned this earlier.
91 This is a body at the central level that oversees and offers policy guidance on a range
92 of issues and includes people representing the ministry of public security, the court
93 system, the procuratorate, the justice department, the People's armed police, so it is
94 a very important Party entity that has influence over a lot of the state organs which are
95 going to be implementing policy. I think it is probably best to leave it there, I look
96 forward to your questions.

97 *COUNSEL – You have stated that the party-state system in the PRC is opaque, and*
98 *it is difficult to assess who exactly makes decisions in respect to alleged repression*

99 *and repressive policies in Xinjiang. With what degree of certainty could you say, if at*
100 *all, that the Politburo or other central bodies would have formulated these specific*
101 *repressive policies?*

102 JB – I would need a specific example of the policies. For example if you take the “re-
103 education” facilities, I cannot say with high confidence that that was formulated at the
104 Politburo level, I can say extremely with high confidence that it was approved of and
105 signed off at that level. I cannot speak to where exactly that was formulated, whether
106 that was at the provincial level or whether that was above.

107 *COUNSEL – To be a bit more precise, could the Politburo have given broad policy*
108 *direction, or provided, for instance, approval, tacit or express, for the commission of*
109 *crimes to fulfil these policy goals?*

110 JB – Absolutely, and the way that policy generally works in China is that higher level
111 party organs will issue broad policy goals, and at the local levels, it is up to leaders to
112 determine the best way to actually formulate, on the ground, policy that will lead to the
113 realisation of these goals. That is exactly how it works in the PRC.

114 *COUNSEL – To what extent, if crimes were being committed in Xinjiang, would*
115 *knowledge and information about those crimes filter back up the bureaucracy to the*
116 *Politburo or other central bodies?*

117 JB – One of the things we don’t understand very well about China is “how much does
118 the leadership know at a very granular level?” There is a lot of incentives all the way
119 up and down the chain to only transmit positive news back up. However, with a
120 campaign of this magnitude and one, again, that is obviously at the behest of central
121 leadership, there is no way that they would not know the contours of what is
122 happening.

123 *COUNSEL – [You wrote?] that the CCP is the guiding force behind all major policy*
124 *initiatives, including the campaign against Uyghurs in Xinjiang, stating that “the scale,*
125 *scope, cost and duration of which necessarily means party officials at all levels are*
126 *necessarily deeply and directly implicated.” I have three questions in respect to that:*
127 *First, how possible is it for people lower down the hierarchy to resist or refuse policy*
128 *direction from above?*

129 JB – I cannot speak to any specific people or level because of the opacity both of the
130 Chinese state and in particular to what is happening in the region. But I think it would
131 be very hard for anybody, for example at the provincial level or below to openly defy
132 orders. I believe that there has been reporting, particularly of individuals in the Uyghur
133 region who try to ameliorate some of the harsher policies, and they were then
134 themselves sent to camps or prison. So, it is not an easy task to openly defy such
135 dictates.

136 *COUNSEL – How possible is it for people lower down the hierarchy to take action on*
137 *their own initiative, such as commission of crimes, in pursuance of broad policy?*

138 JB – Again it depends at what level of specificity. For instance, if we are talking about
139 a prison guard, I am sure that there is some latitude in their day-to-day life to commit
140 abuses against inmates in a prison. But in terms of larger policy campaigns or
141 directives, like with the camp system, it is hard to imagine that that entire system was
142 thought up and executed without higher level approval, so it really depends on how
143 minor or micro we are talking about. But large-scale abuses that require planning and
144 cooperation for execution will not have been completely independently generated, or
145 they won't have occurred without higher level buy-in.

146 *COUNSEL – Is there any evidence of directions being given at any level of hierarchy*
147 *to stop the commission of alleged crimes in Xinjiang?*

148 JB – I am not aware of any, but I also don't have access to all of the policy directives
149 that the centre is giving down to the regional level.

150 *COUNSEL – Finally, can you explain why Han Chinese cadres, rather than Uyghurs,*
151 *serve in the highest-level party positions in Xinjiang? and to what extent do Uyghurs*
152 *themselves have autonomy to shape their own policies in Xinjiang?*

153 JB – As far as I know this is not expressly state anywhere. We just know that this is
154 what happens because people who track Chinese leadership have noticed over time
155 that it is Han officials holding the high party level positions, and Uyghurs or other ethnic
156 minorities depending on the area, hold the highest state or government positions. This
157 is a practice that is long-standing, it is actually a slight reversal on the Russian practice.
158 The Chinese government used the Soviet Union system as its model. So, there is no
159 explicit statement of why this is. My interpretation is that the Chinese government
160 views these individuals as less trustworthy, they don't view them as the same as them,
161 and they feel like they can better ensure compliance and that their directives are being
162 followed when they have "one of their own" in the position. On the second question, I
163 would say they have very little autonomy. While there are Uyghurs in key government
164 posts there, we know that there are individuals in the government who have been sent
165 to prison or camps for trying to ameliorate some of the harsher policies. I think it is
166 very hard, once you are in the government system, particularly higher up like at the
167 top of the regional government, to shape a policy that would be more open and
168 inclusive and allow Uyghurs to have more of a voice in their governance. This may be

169 different at the most local levels, but if we are talking about regional policy, it would be
170 very difficult.

171 *PANEL – In your opinion, have Xi Jinping’s thoughts on socialism with Chinese*
172 *characteristics for a new era and the linked cult of personality impacted policy in*
173 *Xinjiang?*

174 JB – I would not attribute policies currently being enacted in the region directly to Xi
175 Jinping’s thoughts on socialism with Chinese characteristics or any sort of makings of
176 a cult of personality. They are not completely separate, however the issues that the
177 Chinese Communist Party sees in Xinjiang are beyond just this one person, and that
178 is that they are very concerned about any idea, structure, or force, that citizens would
179 view as more authoritative than the CCP. In this case, they are very concerned that
180 Uyghurs’ and other Turkic people’s ethnic identity or their own sense of ethnicity, or
181 their religion constitute something that they believe in and has more authority than the
182 CCP. I believe that is the root of what is happening, and not as much Xi Jinping’s
183 publicity campaign.

184 *PANEL – Can we assume that President Xi has overview and oversight of policy as it*
185 *is developed in the region?*

186 JB – Absolutely.

187 *PANEL – Following from that, could you say a bit about what the specific contribution*
188 *of Chen Quanguo, as first political commissar is in relation to policy?*

189 JB – Chen Quanguo is the Party Secretary of the region, and he is also the First
190 political commissar of the Xinjiang Production and Construction Corps (Bingtuan). He
191 has a lot of leeway, and he is the highest authority in the region. It has been an open
192 question: to what extent he himself formulated any given policy in the region? A lot of

193 what we are seeing implemented mimics what was happening when he was Party
194 Secretary of Tibet from 2011 to 2016. So, it is likely that he has had a large influence
195 in the particular policies here, but I cannot say with certainty exactly what policies he
196 individually formulated or whether he tasked others to do that and he signed off on it.
197 In any case he has a large amount of power in the region.

198 *PANEL – You referred to “dual-hatted” individuals, with both party and governance*
199 *roles, with for example heads of ministries also frequently being heads of party*
200 *committees. Lowering down the scale of hierarchy, is this also the case in Xinjiang?*
201 *For example, leading a school or a boarding school, or a detention centre or other*
202 *facilities, in practice would these roles be overlapping?*

203 JB – That is a good question, but I do not know the answer to whether individuals in
204 charge of a given prison, camp or school would have particular roles in the party.

205 *PANEL – If there were two individuals involved at any stage, does the Party always,*
206 *in practice, take precedence, in your experience?*

207 JB – In general yes. I think it would depend on the individuals... If someone is very
208 high up in the central government, they would probably trump a very low-level party
209 official, but also that person high up in the central government would likely be a party
210 official. So, it is hard to disentangle that question simply because the organisation
211 system is such that if you are important in the government you are also important in
212 the party.

213 *PANEL – Regarding the Xinjiang work coordination group, you referred to multiple*
214 *organisations addressing counter-terrorism and counter-extremism, and your remind*
215 *us in your report that these terms cover every-day activities being labelled as extremist*

216 *or as terrorist. In your judgment, is this the criminalisation of Uyghur ethnicity in*
217 *Xinjiang or wider China?*

218 JB – Yes, it is the attempt to stigmatize and, in some cases to criminalise behaviours
219 which are seen as traditionally associated with the Uyghur ethnicity or other Turkic
220 peoples, and that also includes aspects of religious faith and practice.

221 *PANEL – Looking at the Education Xitong, is this the body that is supplanting the*
222 *Uyghur language with Mandarin?*

223 JB – Yes.

224 *PANEL – And the references that we find in documents to “bilingual education policy,”*
225 *is it always a euphemism for ridding schools of the Uyghur language?*

226 JB – For all the cases that I am aware of, yes.

227 *PANEL – With relation to young people, you talk about boarding schools as designed*
228 *to hold children whose parents both had been sent to re-education camps or prisons.*
229 *Could you tell us how you understand these boarding schools in the region to differ*
230 *from elsewhere in the country? And how they might differ from what are labelled*
231 *“orphanages”?*

232 JB – I’ll first say that this is not my area of expertise so I may not be able to address
233 this to your satisfaction. But from my understanding, these are different inasmuch as,
234 first of all, these boarding schools are for children both of whose parents have been
235 detained in this campaign, and as far as I am aware there are no boarding schools
236 elsewhere in China specifically set up for children both of whose parents have been
237 swept up in this manner. Secondly, from what I know, one of the explicit aims of these
238 boarding schools is to break generational transmission of Uyghur language and

239 culture, and instead inculcate a strong sense of identity with China as opposed to
240 Uyghur ethnicity, to ensure that the children speak Mandarin first and that they have
241 fully understood and enact the behaviours that the CCP believes make you a good
242 citizen.

243 *PANEL – You refer also to the 2017 Xinjiang De-Extremification Leading Small*
244 *Groups. Is this the body with overall responsibility for the observation and monitoring*
245 *of the population in Xinjiang.*

246 JB – I do not believe it is. I am not sure but just based on where it sits in the hierarchy:
247 it is a provincial level body; these small groups are usually policy-advisory bodies.
248 They are not usually “day-to-day implementation” bodies. Perhaps there would be a
249 number of different institutions that would have some hand in surveillance, although I
250 believe a vast majority of the surveillance is undertaken by the Public Security officials.

251 *PANEL – You refer to the mission to keep sufficient Han Chinese in Xinjiang, related*
252 *to Justice, prisons, re-education camps. Do you understand the re-education camps,*
253 *the prisons, the justice system in the region to be part of this mission, to move or*
254 *change the ethnic balance in favour of Han Chinese? To disperse the Uyghur*
255 *population within the region and from the region?*

256 JB – I am confused. Do you mean the running of these institutions? The appointment
257 of individuals to these entities? Or the way that they are being run?

258 *PANEL – You talked about policy: is the principle underpinning the policy, as you*
259 *understand it, more about the ethnic balance in favour of Han Chinese than it is about*
260 *justice in more general terms?*

261 JB – I don't know that I would say that. There are certainly campaigns and institutions
262 which very much try to alter the population make-up. A good example of that is the

263 Xinjiang Production and Construction Corps (*Bingtuan*): they definitely try to
264 encourage Han settlers to move into the region. I would not say that, for example, the
265 justice department in the region is primarily trying to change the ethnic balance of
266 population of the region. It is formulating laws and regulations that effectively
267 criminalise some aspects of Uyghur culture, identity and religious faith.

268 *PANEL – Regarding the focus of policy implementation in the region, you say it is*
269 *obscure to find the origins of certain policies, but do you perceive a colonial*
270 *relationship between the region and Beijing? Or do you see the regional governance*
271 *as having a direct say in that?*

272 JB – I would say it is much closer to a colonial relationship. I do not believe that Turkic
273 people or others living in the region have any effective say in how the government
274 runs, as a group.

275 *PANEL – To what degree would you say there is space for policy interpretation at the*
276 *highest level in the region?*

277 JB – You are talking about for example the Party Secretary for Xinjiang, correct? Well,
278 I think at that level any “interpretation” will likely not be in favour of greater inclusion,
279 tolerance or respect for Turkic peoples. Any sort of innovation happening at that level
280 is likely to make things harsher for most people. There is a number of reasons for that,
281 and one of them is that if you want to continue to move up the chain, you want to be
282 seen as a “voracious” practitioner of the policy guidance you are receiving from above.
283 So, to the extent that there are possibilities for innovation or leeway at the provincial
284 level, it is most likely going to be to make it harsher than perhaps people at the central
285 level might have envisioned.

286 *PANEL – Just to make sure I have understood properly: you have talked about alleged*
287 *crimes taking place at a low level, possibly without reference to Beijing, but could you*
288 *say or estimate at what level alleged crimes can be committed without referencing to*
289 *Beijing? At what level could crimes happen without reference to Beijing?*

290 JB – In terms of overall, large-scale policy, like opening up a camp or sending people
291 to factories, I don't think that sort of high-level policy would happen at any level without
292 reference to Beijing. But again, if you are talking about really specific implementation:
293 for instance, if they say: "in this village we are going to round up 'X' number of people
294 and send them along," they may not be saying "Beijing told us we had to round up that
295 percentage of the township and send them to camp." But they would be saying "we
296 are getting directives from above to make sure that we are locking up everyone who
297 needs to be locked up." So, it is a matter of specificity.

298 *PANEL – Would it be sensible for people assessing how things work in China to avoid*
299 *altogether drawing comparisons with Western democracies?*

300 JB – It is hard to say that you could never draw any comparisons between any
301 governments at all, but generally, in terms of how the Party is embedded in state
302 organs, it does not have a parallel that I am aware of.

303 *PANEL – Western democracies often inherit a sort of state organised and led by*
304 *omnipotent monarchs. The democracies came from that, and they have linear lines of*
305 *control from the President or Prime Minister and the Cabinet and so on. To that extent,*
306 *it is relatively easy to imagine conceptually or visually. And that simply does not apply*
307 *in a Communist state like this?*

308 JB – I am not an expert on the history of Western democracy, but no, I do not believe
309 it applies.

310 *PANEL – So, the diagram suggests there are three pillars: State, Government and*
311 *Party. You accept that there are three distinct pillars of that kind?*

312 *JB – As specified in the PRC constitution, yes, that is de jure how those institutions*
313 *are set up.*

314 *PANEL – The diagram does not show a conical or triangular line of management to*
315 *the top and suggests a diffuse management pattern. Is it in your view an accurate*
316 *representation of reality?*

317 *JB – I would not take the “diffuse pattern,” as you describe it, of this chart, as the “be*
318 *all and end all” for how power flows through the PRC. The real problem here is that,*
319 *as you noted, it is too complicated and if I were to make it readable to anyone at all, I*
320 *could not draw lines between all the different entities in all the ways that they interact*
321 *with each other and between other people that they share. What this was trying to*
322 *represent was the institution and individuals that may have had direct involvement in*
323 *policy making and implementation in the region., This diagram, however, does not*
324 *show how power flows. The de jure document is drawn from the PRC constitution and*
325 *the CCP constitution, whereas this document is created from my best estimates of*
326 *those organs of the party and the state and government I think are most likely to be*
327 *involved in policy, this is not drawn from any formal constitution.*

328 *PANEL – That is the first exhibit, but the second exhibit shows how people have*
329 *multiple functions in different parts of the three columns. We have heard that even if*
330 *there aren't clear lines that can be drawn in a diagram, the reality is that power*
331 *concentrates and centralises in the position of the President. Do you accept that?*

332 JB – In the position of the CCP General Secretary, not in the position of the President.
333 He does not derive his key-power from the fact that he is President, but from being
334 Head of the Party.

335 *PANEL – About the Bingtuan, for which you used the formula of a “state within a state”,*
336 *we heard that since the advent of President Xi, it has actually been more formalised,*
337 *institutionalised and clearly under control of the Party, really enmeshed in the Party-*
338 *state, would you agree with that?*

339 JB – Yes.

340 *PANEL – Could I hear your description of the “fusion” doctrine?*

341 JB – I am not an expert on the fusion doctrine, and I cannot speak to that.

342 *PANEL – Do you have any sense of whether political policy is being subverted to some*
343 *degree to motivations driven by personal gain and enrichment, like with the*
344 *appropriation of land and property, or benefitting from forced labour? Put simply, is*
345 *Chen Quanguo getting rich?*

346 JB – I do not know if Chen Quanguo is personally enriching himself with this. I think it
347 would be less likely than in the case of his predecessor, Wang Lequan who was in
348 power for a very long time and has long been suspected of making a lot of money from
349 what was going on in the region. I think that it is certainly not impossible that he is
350 getting rich from this, but I would assess that his motivations are political by nature.
351 Certainly, there are a number of other people throughout the system that I am sure
352 are getting rich. One thing that the chart does not show and that we have not talked
353 about are state-owned enterprises which function in the region, as well as “poverty
354 alleviation programs” which aim to employ Uyghurs and others and pay them well
355 below market rates. So, those sort of institutions would be well-poised to find monetary

356 gain in what is happening, but I would assess that the goals of higher leaders are
357 political and not personal enrichment.

358 *PANEL – We have heard from various people about their experience in detention.*
359 *Who makes that decision to detain? Would it be the Department of Public Security?*

360 JB – This is difficult to know, and it could change depending on situation. I have heard
361 from RFA reporting that in some areas local leaders were given quotas of people that
362 needed to be sent to camps. Whether that was Public Security officials, whether that
363 was the local Party committee or whether that was someone else, I do not know.
364 Certainly, I do not believe that Public Security is in charge of the camps themselves,
365 they are in charge of initial detention stations, but I believe it is the Justice Department
366 that is running the camp. So in any given individual situation, it could be someone from
367 any of these bureaucracies.

368 *PANEL – So, if someone goes to prison, which body would be immediately*
369 *responsible?*

370 JB – For someone going to prison it would be the procuratorate and the court system
371 because they are the one trying them and making the decision on the jail sentence.
372 For the formal prison system, I believe they would go to court. Now, in the current
373 campaign, there might be instances where perhaps people are being sent directly from
374 camps to prison, but my understanding is that if you are going to a prison, you do have
375 some sort of trial through the formal justice system.

376 *PANEL – Which body would be making decisions regarding labour, whether forced or*
377 *described as voluntary?*

378 JB – I do not have a good answer to that. I think in the case of these poverty alleviation
379 programs, that is a larger government policy and from what I understand work teams

380 go to individual villages and attempt to convince people to go to factories. Another
381 aspect of forced labour is people who were put in camps and then sent to factories, in
382 that case it may be the justice officials. Again, it really depends on what forced labour
383 we are talking about.

384 *PANEL – Would it be the same answer for decisions of death penalty? Meaning*
385 *generally the courts, but occasionally someone else?*

386 JB – No, a formal death sentence would come from a court.

387 *PANEL – We have heard testimonies* where they talked about death sentences, but
388 they did not mention courts, so in the cases we are considering is it the same system?
389 Is it the same system in Xinjiang as in the rest of the PRC?

390 JB – Technically yes. If you are being tried and given a death sentence throughout
391 China, you will be going through the People's Court system. Whether or not there are
392 additional extra-legal sentences handed out in some camps, I am not aware.

393 *PANEL – Faced with these structures, if you hold these institutions stable, how would*
394 *an individual flow? What would an ambitious individual looking at this say to*
395 *themselves about how to climb? What would they need to do? Would they need to be*
396 *zealous in their implementation of the policy? Would they need to show off "X" in*
397 *relation to poverty alleviation? Etc.*

398 JB – There are a number of different ways that you can climb up. As you climb up the
399 ladder there are ceilings on your age. So, if you want to get up to a certain level you
400 have to be younger than a certain age to get that post. There really isn't a good way,
401 if you started at the very bottom of the ladder, to work your way to the top during one's
402 lateral lifespan. So, people who are at very high positions in the central government
403 generally have "leapfrogged." There are two mechanisms by which they do that: put

404 simply, either through the Communist Youth League, or by being associated with other
405 leaders that have moved up and who brought them up with them. The way that you
406 would get in a position to be able to be leapfrogged in such a way is indeed by showing
407 performance on measures that the Party and state have decided are important. For
408 instance, I know that local leaders are judged on economic growth in their area, on
409 poverty measures, and more recently measures have been added like environmental
410 factors. Certainly, leaders are judged on how much unrest occurs in their area, etc.
411 These sorts of things would mark you out as being a “star,” and then after slowly
412 working your way up you would get noticed, and maybe you could leapfrog to another
413 level. But you could almost never make it to the top without some sort of leapfrog
414 mechanism.

415 *PANEL – How far up the hierarchy are there women represented?*

416 JB – There are women on the CCP Central Committee, and I believe there is one
417 woman in the Politburo, which is a 25-member body, but I am not sure. There are no
418 women at the CCP Politburo Standing Committee, which is currently a 7-member
419 body, nor have there ever been.

420 *PANEL – Looking at your first example of the parallel CCP and state government*
421 *entities, if you were hungry for power, would you choose the left-hand or the right-*
422 *hand ladder?*

423 JB – That is somewhat of a false divide because the entire CCP Organisation
424 Department exists solely to put people in positions. Usually, when you are assigned a
425 position, it goes along with a state position. So, if you are Deputy Party Secretary of
426 your province, you are going to be Governor of that province. In many cases, you do
427 not choose, you are given positions on both sides.

428 *PANEL – At the beginning, you said there was something you set aside to which you*
429 *might come back later, would you like to speak on this?*

430 JB – It was just the point that on paper, the Chinese government is set up so that the
431 Party is separate from the state and government structures and the major exception
432 to that is the People’s Liberation Army (PLA). The PLA is overseen by the Party and
433 nominally also by the state, but in practice it is a Party army.