



THE UYGHUR TRIBUNAL

An independent people's tribunal established to investigate 'ongoing atrocities and possible genocide' against the Uyghur people.

www.uyghurtribunal.com

INTRODUCTION

It is alleged that the People's Republic of China (PRC) has and continues to perpetrate the most serious of international crimes against the Uyghurs and other Turkic Muslims in the Uyghur Region in North West China.

In June 2020 Dolkun Isa, President of the World Uyghur Congress formally requested that Sir Geoffrey Nice QC establish and chair an independent people's tribunal to investigate 'ongoing atrocities and possible Genocide' against the Uyghur people. The tribunal was launched on the 3rd of September with assistance from Coalition for Genocide Response.

The Tribunal will act wholly independently although it will continue to benefit from evidence provided by a range of organisations.

Since launch the Tribunal has attracted significant press and other interest reflective of the gravity of the issue.

BACKGROUND

The Uyghurs are a predominantly Muslim, Turkic group and in the region are estimated to number upwards of twelve million.

It has been widely reported that the PRC has constructed a network of 're education facilities' which it is alleged are in fact concentration camps- incarcerating more than two million Uyghurs.

There have been allegations of detention of a significant proportion of the Uyghur population and of the PRC subjecting the Uyghurs to torture and inhuman treatment of detainees, rape and other sexual violence, the forced separation of children from their parents, forced sterilisation, forced labour, forced organ harvesting, enforced disappearances, killings in detention, forced marriages and the imposition of Han Chinese men into Uyghur households.

If proved, those allegations could lead to the conclusion that the PRC has embarked on a campaign intended to destroy, in whole or in part, the Uyghur people and their existence as a religious, racial, national and ethnic group. These acts if proved, could also raise the question of whether the PRC has committed Genocide as defined in Article 2 of the Convention of 1948 to which China was a signatory and the PRC is a ratifying state together with other crimes including Crimes against Humanity.

THE TRIBUNAL

Tribunal Members will number not less than seven members who will act as roughly the equivalent of a jury and membership will be of citizens with no specialist interest in the matters to be decided.

The Secretariat to the Tribunal will administer the Tribunal's work and provide advice to Tribunal members.

A large body of witness and expert evidence has already been provided to the Tribunal and further evidence from various sources will be sought including from the PRC itself.

At least two 'in person' hearings will be held in London, in addition to virtual hearings, all of which will be open to the Public. Witnesses and connected parties including family members who are considered to be vulnerable will be afforded anonymity.

Up to three senior lawyers expert in the field of international criminal law will provide Opinions for, and be available to give evidence to, the Tribunal.

Timing of the final judgment will depend on the volume of evidence that becomes available but is forecast, albeit not guaranteed, to be delivered by the end of 2021.

OBJECTIVES

If it were realistically possible to bring the PRC to any formal international court – in particular to the International Court of Justice (ICJ) - there would be no need for the establishment of a people’s tribunal.

There is no such possibility not least because China/the PRC, although a signatory to and ratifier of the Genocide Convention, has entered a reservation against ICJ jurisdiction. There is no known route to any other court that can deal with the issues before the tribunal.

The Uyghur Tribunal, which has no powers of sanction or enforcement, will confine itself to reviewing evidence in order to reach an impartial and considered judgment on whether international crimes are proved to have been committed by the PRC.

It will be for States, international institutions, commercial companies, art, medical and educational establishments and individuals to determine how to apply the Tribunal’s Judgment, whatever it may be, in their dealings with the PRC. This could include, but is not limited to, trade and other sanctions including against individuals, proscribing the sale of technologies, surveillance and medical equipment and the declaration of ineligibility for visas. All the evidence considered by the Tribunal will form a permanent record, which may, depending on the judgment delivered, serve as a deterrent to impunity.

No present or future members of the Tribunal or the Secretariat are activists in any Uyghur cause.

FUNDING OF THE TRIBUNAL

International courts have sometimes been effective but they have come at very considerable cost, often running to tens of millions of dollars and up to a billion dollars in two cases; and justice has been slow.

A people's tribunal can through efficiency and the motivation of its participants deliver an evidence-based judgement relatively rapidly and at a fraction of the cost.

Members of the Tribunal, Lead Counsel and the Head of research, amongst others, will provide their services pro bono but due to the scale of the endeavour it is considered appropriate that other participants may be remunerated albeit at a fraction of commercial rates, reflecting the commitment of all those who have agreed to participate in this important endeavour.

A detailed budget is attached to this document covering fees to researchers, legal experts, legal opinions, administration and hearing costs in all totalling approximately £285,000.

Of the total - approximately £220,000 has been raised leaving approximately £65,000 to raise.

The Uyghur Tribunal will be constituted as a UK Private Company Limited by Guarantee – under the name 'Uyghur Administration Ltd' - and will provide on a regular basis management accounts itemising sources and applications of funds. It will file statutory accounts.

Sir Geoffrey Nice QC explains: "The commission of Genocide against the Uyghurs by the People's Republic of China has been alleged but never properly explored on evidence. The Uyghur Tribunal will start without assumption or presumption of any kind, review evidence, consider all available arguments and reach a judgment".

CONTRIBUTIONS

IF YOU WOULD LIKE TO CONTRIBUTE TO THIS IMPORTANT ENDEAVOUR OR REQUEST FURTHER INFORMATION PLEASE CONTACT: NICK VETCH, VICE CHAIR TO THE TRIBUNAL.

nick.vetch@uyghurtribunal.com

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UYGHUR TRIBUNAL DECEMBER 2020			
SCHEDULE/CATEGORY		SUBTOTAL	TOTAL
SCHEDULE ONE			
Budget Summary			£ 286,590
SCHEDULE REFERENCE	DIRECT COSTS	SUBTOTAL	TOTAL
2	Stage 1	£ 52,520	
3	Stage 2 -Hearings	£ 112,000	
4	Stage 2-Fees	£ 48,070	
5	Stage 2-Admin	£ 14,000	
6	Contingency and post hearing	£ 25,000	
	<i>TOTAL ex. VAT</i>	£ 251,590	
	Irrecoverable VAT	£ 35,000	
	<i>TOTAL in. VAT</i>	£ 286,590	£ 286,590
SCHEDULE TWO-STAGE 1			
	DESCRIPTION	SUBTOTAL	
	Legal adviser for 10 days @ £432/day	£ 4,320	
	10 researchers for 2 days a week for 18 weeks @ £100/day	£ 36,000	
	Assistant 3 days a week for 20 weeks @ £120/day	£ 7,200	
	Document storage	£ 2,000	
	Company set up, admin, web site etc	£ 3,000	
			SCHEDULE 2 TOTAL: £ 52,520
SCHEDULE THREE-STAGE 2 HEARINGS			
	DESCRIPTION	SUBTOTAL	
	Room hire for 8 days @ £5000/day	£ 40,000	
	Tech for 8 days @ £5000/ day	£ 40,000	
	Cameraman for hearings and documentary	£ 10,000	
	Interpreters	£ 10,000	
	Misc costs for Tribunal members inc meals etc	£ 2,000	
	Accommodation and transport for Tribunal members	£ 10,000	
			SCHEDULE 3 TOTAL: £ 112,000
SCHEDULE FOUR-STAGE 2 FEES			
	DESCRIPTION	SUBTOTAL	
	Legal adviser 10 days @ £432/day	£ 4,320	
	Additional research/investigator	£ 10,000	
	Assistant legal counsel 10 days @ £175/day	£ 1,750	
	2x QCs opinions	£ 20,000	
	Assistant for 2 days a week for 50 weeks @ £120/day	£ 12,000	
			SCHEDULE 4 TOTAL: £ 48,070
SCHEDULE FIVE-STAGE 2 ADMINISTRATION			
	DESCRIPTION	SUBTOTAL	
	PR/Web site-ongoing	£ 6,000	
	Editor	£ 6,000	
	Secretarial	£ 2,000	
			SCHEDULE 5 TOTAL: £ 14,000
SCHEDULE SIX-CONTINGENCY			
	DESCRIPTION	SUBTOTAL	
	Contingency and post hearing	£ 25,000	
			SCHEDULE 7 TOTAL: £ 25,000
SCHEDULE SEVEN-IRRECOVERABLE VAT			
	DESCRIPTION	SUBTOTAL	
	Irrecoverable VAT	£ 35,000	
			SCHEDULE 8 TOTAL: £ 35,000

LEAD PARTICIPANTS IN THE UYGHUR TRIBUNAL

SIR GEOFFREY NICE QC, Chair of the Tribunal; has been a barrister since 1971, and served as a part time judge in England between 1984 and 2018. Between 1998 and 2006 he led the prosecution of Slobodan Milošević, former President of Serbia, at the UN's International Criminal Tribunal for the former Yugoslavia. He was Gresham College Professor of law from 2012-16 and was Chair of the China Tribunal.

HAMID SABI, Counsel to the Tribunal; is a London based lawyer with an international practice in human rights, arbitration and litigation. He acted as Counsel and Rapporteur to the Iran Tribunal, a people's tribunal which investigated mass killings of political prisoners by the Islamic Republic of Iran in the 1980s. He served as Counsel to the China Tribunal.

NICK VETCH, Vice Chair of the Tribunal; A London based businessman. He is engaged in a range of NGOs particularly in the field of human rights and was a member of the China Tribunal.

AARIF ABRAHAM, Legal Adviser; is an international human rights barrister at Garden Court North Chambers in the UK. He qualified as a solicitor at Slaughter and May. He is currently a consultant and on the roster of candidates at the UN.

ALDO ZAMMIT BORDA, Lead Researcher; is Director of the Centre for Access and Justice at Anglia Ruskin University and prior to that served in the legal division of the Commonwealth Secretariat. He is an advocate of the Courts of Malta and a solicitor in England and Wales (non practising).

COALITION FOR GENOCIDE RESPONSE; a human rights coalition-building organisation that works towards a comprehensive response to genocide and other international crimes, engaging the UK, regional and international actors, founded by Luke de Pulford and Ewelina Ochab.