



AN INTERNATIONAL PEOPLE'S TRIBUNAL

Witness Name: Rodney Dixon		
Witness category:	fact <input type="checkbox"/>	expert <input checked="" type="checkbox"/>
Date of testimony: 13 September 2021		
Link to recording*: https://www.youtube.com/watch?v=7537rLd8OA0&t=34222s		
Time stamp (start/end): 05:03:50 – 06:06:20		
Report included:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Statement included:	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>
Transcript included:	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Presentation included:	yes <input type="checkbox"/>	no <input checked="" type="checkbox"/>

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Submission to the Uyghur Tribunal, London, United Kingdom

Overview of evidence submitted to the International Criminal Court establishing jurisdiction over international crimes committed against Uyghurs by Chinese officials

1. We the undersigned lawyers act on behalf of the East Turkistan Government in Exile, the East Turkistan National Awakening Movement and Uyghur victims in proceedings before the International Criminal Court (ICC) in The Hague in respect of the international crimes committed against Uyghurs over which the Court has jurisdiction. We are providing this overview of the case and evidence before the ICC on behalf of our clients for the proceedings before the Uyghur Tribunal in London.

Complaint being considered by the ICC Prosecutor

2. The background to the proceedings at the ICC is that on 6 July 2020 we filed a Complaint to the ICC Prosecutor pursuant to Article 15 of the Rome Statute requesting that an investigation be opened into the alleged international crimes committed by Chinese officials against Uyghur and other Turkic nationals. The Complaint set out that the ICC was able to exercise jurisdiction over these crimes, even though China is not an ICC State Party, due to the fact that key elements of the crimes had occurred on the territories of ICC States Parties, namely Tajikistan and Cambodia. Evidence was provided to the ICC Prosecutor on a confidential basis in support of the Complaint. The evidence showed that Uyghurs were being deported from ICC States Parties back to East Turkistan/Xinjiang, as well as being forced to flee from there into ICC States Parties.
3. The Office of the Prosecutor (OTP) provided us with an initial response in December 2020, indicating that an investigation would not be opened in the absence of further specific evidence to establish jurisdiction. It made clear that the OTP would consider such evidence if submitted in order to reassess whether to open an investigation. In response, we explained to the OTP that an extensive investigation on the ground was

underway to gather exactly this evidence. The reason it had not been provided at that stage was due to delays owing to COVID-19 and the difficulties of gaining access to certain evidence. We indicated that such evidence would be submitted shortly. The investigation has now been undertaken in several countries including Tajikistan, an ICC State Party.

4. Following this investigation, a new dossier of evidence, establishing that the ICC has jurisdiction to investigate the allegations of genocide and crimes against humanity, was submitted to the Office of the Prosecutor on 10 June 2021. Our investigation is ongoing and further evidence will be filed with the OTP.
5. The evidence now gathered clearly shows that Uyghurs have been targeted, rounded up, forcibly disappeared and deported from Tajikistan back into East Turkistan by Chinese operatives. Chinese authorities have directly intervened in Tajikistan. This gives the ICC jurisdiction over these actions which start in Tajikistan, an ICC State Party, and continue into China. Those taken back to East Turkistan are never heard from again. The first acts of genocide and crimes against humanity are thus committed on territory under the Court's jurisdiction hereby providing the ICC with jurisdiction over the whole of the crimes. These actions form part of a wider pattern to target and round up Uyghurs around the world to force them back into China.
6. This is the first complaint concerning the Uyghurs submitted before the ICC. It is the only way that Chinese officials can be criminally investigated and prosecuted at the international level for the widespread and systematic abuses committed against Uyghur people. Although China is not a signatory to the Rome Statute, the decisions of ICC Pre-Trial Chambers I and III of 6 September 2018 and 14 November 2019 respectively (decisions related to Bangladesh and Myanmar in respect of the Rohingya people), confirmed that the Court can exercise jurisdiction over international crimes under Article 12(2)(a) of the Statute when part of the criminal conduct takes place on the territory of a State Party to the Rome Statute. Continuing crimes that take place in part on the territory of an ICC State Party can come within the jurisdiction of the Court and can be

investigated. Hence, we have submitted that the ICC has jurisdiction in the Uyghur case because Uyghurs have been targeted and arrested in ICC States Parties, namely Tajikistan and Cambodia, and forcibly taken into China and persecuted or have disappeared. Furthermore, Uyghurs being forced to flee China to seek refuge in ICC States Parties as a direct result of the atrocities committed against them also gives the ICC jurisdiction in the case.

The evidence that has been gathered on the ground

7. We are presently unable to make public the evidence we have gathered owing to very real security concerns. This evidence has been submitted to the OTP on a strictly confidential basis and is presently being considered by the OTP. We are able to provide an overview of the evidence to the Uyghur Tribunal, as set out below, so that it can be taken into account as part of the Tribunal's deliberations.
8. The evidence gathered to date shows that over the past 10-15 years the number of Uyghurs living in Tajikistan has been reduced from an estimated 3,000 to approximately 100. This reduction largely occurred from 2016 to 2018. This constitutes an 85-90% reduction of the Uyghur population in Tajikistan over this time.
9. It has been discovered that two main methods are used to bring Uyghurs back into China. The first is through the exploitation of family ties, with Uyghurs in Tajikistan receiving increasingly urgent phone calls from family members in China saying that they must return. In some cases they were threatened that their family will be arrested if they did not return.
10. The same pattern of coercive conduct is also demonstrated by the publicly available evidence of China's actions in relation to Uyghurs living in numerous other ICC Member States and non-Member States.

11. The second method used to bring Uyghurs back into East Turkistan is through Chinese operatives working directly in Tajikistan. The Chinese Consulate controls all Uyghurs' paperwork in Tajikistan. They delay the granting of visas, work permits and other necessary documentation on purpose. Following this, members of the Chinese Public Security Bureau who are present in Tajikistan direct local Tajik police to carry out raids on the areas where Uyghurs live and work. There is evidence, for example, that an entire bazaar was raided and blocked off until all the Uyghurs working there were seized. Those without the 'correct paperwork' were detained and then deported back into China by Chinese authorities. They were transferred into China in small groups of up to 10 to avoid international attention.
12. The remaining Uyghurs are completely controlled by the Consulate. They must participate in weekly meetings with informers who report back to the Consulate. There is evidence that Uyghurs have disappeared randomly and have not been heard from again. This has created a toxic environment amongst the few Uyghurs who have been able to remain. This is because there is significant mistrust amongst them. They could disappear at any time. The Chinese Consulate uses a system of punishment and rewards to keep the few remaining Uyghurs under their control. For example, they will deny paperwork but provide free COVID-19 medication and testing.
13. The evidence gathered shows that the China-Tajik border is heavily controlled by Chinese authorities. There is a newly constructed Chinese border fence made up of three layers of barbed wire in the area of the Kulma pass, which is the main entry point into, and out of, China. It has cameras, Chinese flags and patrols along it. Furthermore, there is evidence of a newly-built Chinese military base around the Rangkul area of Tajikistan, in addition to the already existing base in Badakshan.
14. Based on the new evidence and all previously submitted evidence we have requested that the ICC Prosecutor should investigate Chinese officials for committing unlawful acts including arrests, enforced disappearances, abductions and deportations in Tajikistan. Moreover, they should be investigated as these actions form the first step of a continuum

of alleged criminal conduct amounting to genocide and crimes against humanity which continue within China. As noted above, where there is such continuity between the first element of the crime of genocide and crimes against humanity, and what happens upon return to China, the ICC can exercise jurisdiction over the whole of the crime.

15. The Prosecutor is currently reviewing the evidence and our submissions in order to reach a decision about opening an investigation. We expect to submit further evidence to the OTP in the coming weeks.

Conclusion

16. We ask that the body of evidence that we have assembled from our investigations is taken into consideration by the Uyghur Tribunal and reflected in its findings. The evidence reveals the extent of China's reach beyond its borders in rounding up Uyghurs to force them back into China where they can be targeted. It highlights that not only are Uyghurs besieged in China but in neighbouring countries and further afield as well in order that the Chinese authorities can exert total control over the Uyghur population as a whole. It is most recently reported that there are growing concerns that Uyghurs in Afghanistan will now be deported to China in light of recent developments there. This body of evidence thus exposes a core component of China's overall plan and policy for persecuting and specifically targeting Uyghurs as a group.

17. We also ask that the Uyghur Tribunal should highlight the need for the ICC to investigate the crimes that come within its jurisdiction. This would permit all of the relevant evidence - including that unearthed by the Uyghur Tribunal - to be assembled and assessed by the OTP so that the perpetrators can be charged and prosecuted where there is sufficient evidence. An ICC investigation would underscore that the perpetrators are being scrutinised and would be at risk of arrest if they travelled outside of China. It would provide the countless victims with a path to justice.

18. We are grateful to the Uyghur Tribunal for providing this opportunity to hear our evidence and for it to be taken into consideration in the Tribunal's deliberations.

Respectfully submitted,

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Anne Coulon

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London and The Hague

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**on behalf of the East Turkistan Government in Exile,
the East Turkistan National Awakening Movement and Uyghur victims**

8 September 2021

1 **13th September 2021 (5:03:50 – 6:06:20)**

2 **Rodney Dixon**

3

4 RODNEY DIXON – We have a significant and important body of evidence we have
5 gathered regarding Uyghurs being targeted in ICC members states by the Chinese
6 authorities in order to arrest them and bring them back to China where they disappear.
7 We have gathered this body of evidence from various witness interviews and other
8 sources in a number of countries including Tajikistan, an ICC state party. There are
9 others including Cambodia. This evidence has been gathered by our investigation
10 team to be available to the ICC prosecutor after Article 15 to open a full investigation.
11 We are not able to make the evidence available to the tribunal as the grave security
12 concerns for the witnesses and because it is confidentially before the ICC. We wanted
13 to make you aware of it. I can go into it in more detail as far as we are able to given
14 the confidentiality agreements. Once you have considered all the evidence to take it
15 into the findings, as we find it is a core component as part of the genocidal plan, yes
16 Uyghurs are targeted outside China but also abroad. Chinese authorities have total
17 control over all group. No dissenting voices abroad no possible to criticise abroad.
18 They can then be controlled and targeted as a group within China. We have seen this
19 practice in other genocides such as Nazis bringing Jews back from elsewhere. It is a
20 core feature we see unfolding as well. It is important to reflect it in your findings based
21 on the evidence. Als owe would ask there may be remedies you are looking at. It is
22 vital that the ICC uses its jurisdiction, as these acts are taking place in ICC member
23 state parties, to investigate and prosecute. The ICC can prosecute persons for these
24 crimes. As far as remedies are concerned, we would recommend that they use article

25 15 is to investigate as the crimes start in other state parties but go into China. This is
26 the basis for jurisdiction, it is not a novel concept, we do it every day. If a crime starts
27 in one country and goes into another then both have jurisdiction, that is what is
28 happening here. An element is taking place in one state party and moving into another.
29 Thus, the ICC has jurisdiction in the original state party but over the whole crime
30 continuing into China. we have a significant body of evidence to consider in
31 deliberations and also ask ICC apply ICC to prosecute.

32 *COUNSEL – Can you give an indication of when prosecutor will give a preliminary*
33 *report and open the file and start the investigation?*

34 RD – There is no particular timeframe for the ICC prosecutor to act under article 15.
35 In December last year further evidence was required. We have subsequently
36 submitted the further material in June this year following our investigation. Hopefully
37 they will consider this in the coming months and decide whether to open an
38 investigation. It was stated the initial evidence a meeting with the prosecutor will be
39 done before final decisions. The decision remains with the prosecutor to make on
40 whether to open. At least a preliminary examination should be made before decision
41 to open investigation. It is hard to say precisely but hopefully in the coming months.

42 *COUNSEL – Relates to responding states, Tajikistan and Cambodia, have they*
43 *responded?*

44 RD – They have not responded yet, some outreach going on. Hope they will respond
45 and ICC state parties support this. If an investigation goes forward, it will be dependent
46 on them and likely occur on the coming months.

47 *COUNSEL – Will it possible to produce redacted copy so the tribunal has the benefit*
48 *of the full report?*

49 RD – We have distilled what we have been able to make public to submit. We are not
50 able to provide more of that also because the office of prosecutor is seized of the full
51 report. Particularly because of kind of material and also the next evidence as well. This
52 stage is as far as we can go. In the future we will do that if we can. We can answer
53 further questions or in writing if the tribunal would benefit from further information.

54 *COUNSEL – Regarding Uyghurs in Tajikistan, 3000 Uyghurs there, 100 left, does the*
55 *report say what has happened to those missing? In China, or left, or just disappeared?*

56 RD – Our report does break it down to the evidence. In some places it is an estimate
57 only. That would be for a full ICC investigation. There is more evidence out there.
58 Would need detailed investigation. The evidence so far shows that number is what is
59 left, left having been moved out to China or in limited circumstances have moved
60 elsewhere. That also gives the ICC jurisdiction if people have been forced elsewhere.
61 Some people have escaped China into ICC state parties. India would also give them
62 jurisdiction as it starts in an ICC state party and continues into another.

63 *PANEL – You and I have known each other since 1998, we have been in same*
64 *chambers, we have worked on many cases. On this matter we have spoken not at all*
65 *or the previous China tribunal save to extent when the possibility of inviting you to be*
66 *a witness I may have been involved in the first email then handed to Hamid Sabi, is*
67 *that correct?*

68 RD – Yes.

69 *PANEL – As a starting point, could you assist the tribunal by just rehearsing again the*
70 *reasoning that you give for the ICC being able to exercise jurisdiction of crimes have*
71 *occurred on ICC states. Could you set it out the different rounds?*

72 RD – Yes, they are differing grounds which all stem from the Myanmar-Bangladesh
73 decision the crime found if essential crime takes place on territory the ICC has
74 jurisdiction starting in the territory of Myanmar (Rohingyas deported to Bangladesh),
75 have jurisdiction over entire crime in Bangladesh. The precedent is that we use to
76 argue in this case they are essential elements of international crimes taking place on
77 ICC territory, Tajikistan and Cambodia – arrested and deported into China (the
78 opposite of the Myanmar case), or forcibly removed from China as through coercion
79 escaped into Tajikistan and then flee. This also gives court jurisdiction. We are saying
80 this precedent applies in this case. An investigation has been open for the Rohingya,
81 should be here in this campaign targeting people abroad to bring them back. The court
82 can take this into account as part of overall policy. It is an important aspect we have
83 highlighted not come through in earlier case. As we are looking genocide, what we are
84 submitting is the first act of the genocide, the targeting and arresting persons is taking
85 place on ICC territory. Afghanistan is also a big concern as the Uyghur population
86 targeted there in collaboration with the Taliban. The first act starts there, of course
87 going abroad to bring back, much like the second world war to look at the underlying
88 principle. They bring them back to China where they are never heard of again which
89 is essentially forcibly disappearance. As this continues into China. There might be acts
90 which take place in China but that can also be taken into account by the court.
91 Disputing the fundamental claim made by China that they have not interfered with
92 other countries, that it is just an internal matter. We have evidence operators have
93 been working in Tajikistan, it is not an internal matter, intimidating and arresting them
94 and bringing them back into China which is part of the overall campaign.

95 *PANEL – Could you elaborate for the tribunal on the paragraph 14 because you will*
96 *appreciate the concerns of this tribunal are with affairs taking place in China. Can you*

97 *provide your assessment of what is happening in China itself, as far as you are able*
98 *to?*

99 RD – It is a very pertinent question and hard to get information about it. People taken
100 there are often in small groups to avoid international attention are never heard from
101 again. We have no feedback whatsoever; they have effectively disappeared. It is hard
102 from our investigations to add to this. With the ICC we may get more evidence that
103 you have been able to gather maybe cross reference names, at this stage they are
104 disappearing, and not heard from again. Where people are coming out the other way.
105 China has become heavily controlled with a new military base in right on the border.
106 Even though we do not have evidence of inside China we may have evidence of
107 increased military presence on the border and in Tajikistan. We have to ask why that
108 is happening. Some people have been able to get out. This has made that incredibly
109 difficult. It also allows people to be monitored and stopped from leaving. The circle is
110 complete. They are cognisant of the control on the border. We would like this as part
111 of our body of evidence which should be reflected. There have been reports of another
112 military base but no evidence of another one. There may be more of other bases along
113 the border. One has to ask the question why now and what is the purpose of it? The
114 answer has to lie in the need to control the Uyghur population and people are not able
115 to get out.

116 *PANEL – Can you explain your reasoning behind your interpretation of the PRC?*

117 RD – We are looking at it from the point of view from evidence gathered. We are at
118 the early stages of investigation. If there are any indicators where talk about that
119 number of people, in the thousand essentially disappearing. If they were being brought
120 back in order to work within the Chinese system, they would not be silenced in the way

121 the evidence shows. If China has a response to this of course they should be. The
122 alleged plan to bring alleged persons back and target them as a group. They are
123 allegations made of terrorism which pops up in these kinds of circumstances, but no
124 evidence these persons have been involved in terrorist activities, just bandied this way
125 to cover up what is going on. We have no evidence of persons being involved in violent
126 activities. In addition to that we have seen limited to a few countries but it is also
127 happening in European countries, in Australia there is intimidation and threatened that
128 families in China will be harmed if they do not come back.

129 *PANEL – To take that point further, could you elaborate on paragraph 9-11 in which*
130 *you set out the methods used to bring Uyghur people back into China – you set out*
131 *two methods, including deception, what looks like high level organisations.*

132 RD – Evidence we have gathered shows these two methods are the primary ones
133 used, there is some evidence of a Uyghur person disappeared completely randomly
134 in Tajikistan and main two strands are either because they have families being
135 constantly harassed to so they do not go back their families threatened with arrest if
136 those in Tajikistan. We are talking about those who have worked there all their lives,
137 in markets and trading. It is not as though they have gone there for a short work trip.
138 They have roots there; some are intermarried and told they have to go back or their
139 families will be arrested. The other form of coercive conduct, a harder form. Because
140 persons living there their papers are from the Chinese consulate in Tajikistan which
141 controls their right to be there. Once that is gone, now 'lawful' right to remain, persons
142 are deported back as they are 'not allowed' to be there. Taking place with members of
143 Chinese public security bureau present to carry out raid. An entire bazaar was raided
144 with all Uyghurs being seized which is being carried out with Chinese operatives. They
145 are taking them over the border in small groups to avoid attention, emptying out the

146 country of the Uyghur population even though they are part of it there. This all shows
147 a degree of sophistication – which requires detailed planning so it is below the radar
148 and does not attract attention. It is cunning to make sure it occurs without being
149 obviously noticed.

150 *PANEL – In broad terms on theme of trust. We have heard repeatedly come up the*
151 *corrosive effects of loss of trust and effect of this on a community, the breaking of*
152 *bonds of social solidarity. Can you reflect for us on what we might describe as*
153 *transnational erosion of trust?*

154 RD – Very much, we have addressed this in our report. Those who remain do not trust
155 each other as they believe they are informers. They feel controlled and not able to
156 speak out and in addition to that they have the conserve and authorities monitoring
157 them. We have evidence as to how they are concerned that they could disappear at
158 any time. There is a system of punishment and reward if keep their head down. If they
159 show in any way rebellious that will be punished. It is an extremely difficult environment
160 to survive in. It forces people to leave and go elsewhere. That is very common in
161 evidence gathered. We will see this in other countries, they cannot bear these
162 pressures.

163 *PANEL – What is the whole crime? Forced in or forced back?*

164 RD – For those forced back there is the classic Myanmar case – deportation back.
165 There is also persecution if taking place on discriminatory grounds. These are all
166 crimes against humanity I should underline: the crime against humanity of deportation,
167 persecution, not able to come back to where they want to be, in jeopardy where they
168 want to be maybe. Clear crimes against humanity that the court can investigate. In
169 respect of those forced into China they are the same crimes against humanity

170 deported constitutes a crime in Tajikistan and persecution as discriminatory grounds,
171 and inhumane acts faced on other sides. Enforced disappearance is a crimes against
172 humanity. On top of that, saying that there is an alleged planned genocide, what
173 happens in these countries could be part of that plan. It is not the complete picture.
174 Rounding up people outside and bringing people back in who can then be targeted
175 can be part of the overall genocide. The court can take account of what taking place
176 in China to decide if it is a genocide. Even if the ICC cannot prosecute what is inside
177 China as China is not signed up. But if it starts inside and continues outside they can
178 look at what the plan and look at all the evidence. All the various crimes should be
179 investigated. But that is further down the line. at least what should happen is an
180 investigation to see if there is evidence and then there can be legal arguments as to
181 what can make up. the defence will have opportunity to put case forward.

182 *PANEL – What about Tajikistan? Are you asking for its role in these actions and in the*
183 *possible, not preventing criminal acts made against these individuals? Are you asking*
184 *for them also to be investigated for these crimes?*

185 RD – Our focus is on China given the overwhelming evidence. Evidence of China's
186 evidence and bringing people back should be investigated. What evidence has
187 revealed, Chinese operatives are part of this and overseeing it and taking it forward in
188 orchestrated way. We are asking the prosecutor to investigate. As always, the
189 prosecutor has to look at all parties involved. It may be other states have to be looked
190 at. So far we have chosen the priority is pushing an investigation in respect to China
191 itself. It is the difficult question prosecutor has to grapple with. As a result of that others
192 must be looked at. Because the ICC has state parties' part of it, it will have to work
193 with those parties to get corroboration from them. Often prosecutor will look at those
194 most responsible using support from other countries where possible. Nothing can be

195 excluded but the focus is on China. The prosecution needs to decide that issue. We
196 will see where that leads but must rely on state parties to assist.

197 *PANEL – You know this is a people's tribunal which happens to have been requested*
198 *by an interested party which is itself completely neutral and in no way activist. You on*
199 *the other hand represent a rather different type of interested party – the East Turkestan*
200 *government in exile. I mention that as the PRC is not represented here and if they*
201 *were, they would probably argue that it is in the interests of your clients that we should*
202 *make findings adverse to the PRC as that would constitute material valid to your case.*
203 *As we have to try and present arguments the PRC would bring. How would you deal*
204 *with that?*

205 RD – We are representing our clients, the East Turkestan government in exile and
206 Uyghur victims who want an investigation open. We have come before you saying this
207 evidence can be taken into account and if you have recommendations as to remedies
208 the ICC should be one of the main ones. I cannot see any problems with the evidence
209 presented today. It depends whether or not all the evidence based on all the evidence
210 the tribunal has heard. You do not have the underlying material itself and so it is hard
211 to assess it. It is coming through me for reasons I have explained. In relation to what
212 the Chinese authorities might say. Of course, findings from your tribunal could be
213 relevant to the ICC but the ICC is an independent body as are you. You will have to
214 assess the evidence on the basis of what you find. Then do it openly and publicly. I
215 don't think there can be any criticisms of the process.

216 *PANEL – Might you be able to persuade the prosecutor of the ICC to provide us with*
217 *a redacted version of your report, at present confidential. If so, the prosecutor will have*

218 *to understand that any such report would have to be publicly available. The tribunal*
219 *does not accept evidence in camera in any way.*

220 RD – Yes. I have enquired if there is a possibility of confidential evidence and was
221 informed that is not the case. The redacted version may be the solution. The difficulty
222 is the sources of the material and whether they would be happy with that at this stage.
223 We have done the best job so far and can ask with the necessary caveats. Even an
224 indication of evidence out there and taken into consideration is important.

225 *PANEL – As to the evidence you rely, is it all oral or are they primary document*
226 *sources?*

227 RD – It is the former, but other materials as well together with witness testimony.

228 *PANEL – Other material with which we are familiar, aerial imagery, is that the sort of*
229 *material?*

230 RD – Yes material like that, and also some from the witnesses and other to ensuring
231 their accounts of investigated and has been provided to the investigators.

232 *PANEL – I'm sure you will understand the sensitivities the tribunal must consider to*
233 *assess the credibility of material. I hope this will encourage you to be as persuasive*
234 *as possible to the prosecutor.*

235 *The last point is, as you will appreciate, we are dealing with the law and not open*
236 *tribunal. It happens you in combination with Mr Khan (present prosecutor of the ICC)*
237 *and Lord Justice Fulford (president of the UK court of appeal) are co-authors of the*
238 *authoritative of the international criminal court textbooks. Would you consider if you*
239 *think it might help us, providing an electronic form the passage of your textbook on*
240 *intent, and part and destruction?*

241 RD – The textbook is just a legal database – not a commentary.

242 *PANEL – If the case goes forward in the ICC, what would you expect the involvement*
243 *of the PRC to be, in the sense we as a tribunal have asked the PRC on numerous*
244 *occasions including yesterday to provide exculpatory evidence they have not done so.*
245 *What might you expect?*

246 RD – If the prosecutor did decide to open an investigation, he would have to make an
247 application to the judges of the court. The Chinese authorities would be notified that
248 would be happening. They would be free to intervene. If authority would be given to
249 go ahead, the prosecutor would have to be notified as well as all states in these crimes.
250 They would have the opportunity to apply and defer to the authorities in that state.
251 They may seek to take over the case. The ICC works on complementarity, if doing a
252 genuine investigation, they would say the ICC can stand back. It would be open for
253 them to participate .in an international body as in the UN and bother bodies and should
254 not be shunned as a process as all states has the opportunity to do.

255 *COUNSEL – Has there been any form of request from Tajikistan or Cambodia for the*
256 *extradition of Uyghurs?*

257 RD – No formal requests were properly considered in a court of law according to the
258 rule of law. China often asserts it is bringing back persons through a proper lawful
259 process, but evidence does not show such a process.

260 *COUNSEL – The bulk of evidence we have heard was within the state of China where*
261 *sovereignty where rights, control - your allegation relates to international crimes – this*
262 *opens up an entire new dimension to the allegations, an internationalised dimension*
263 *my question is if proven true it would reflect a certain state acting in a certain impunity*
264 *disregarding law on an international level. How would you explain such behaviour?*

265 RD - On the evidence it shows precisely that. That it is a façade that persons are a
266 threat and papers have expired. But actually, what is going on people are rounded up
267 because of who they are and persecuted as a group. declarations made that they are
268 acting lawfully this is not happening in practice. A very powerful state is acting with
269 impunity. They can have huge influence over the relevant states. Where they are
270 blocked from doing that, they used other methods by surveilling the Uyghur
271 populations there – hacking phones and checking what they do and intimidating them.
272 Crossing the borders in other unlawful ways, this is widespread. This is the body of
273 evidence – much of this is public not just from our investigation. To us the permanent
274 questions to what that shows even if it requires further investigation.