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**Agricultural Sector Forced Labor in the  
Xinjiang Uyghur Autonomous Region**

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Professor Laura T. Murphy & Nyrola Elimä  
Sheffield Hallam University  
Helena Kennedy Centre for International Justice

**Sheffield  
Hallam  
University** | Helena Kennedy  
Centre for  
International Justice

## Agricultural Sector Forced Labor in the Xinjiang Uyghur Autonomous Region

### Introduction

State-sponsored forced labor is endemic to the Uyghur Region and is present in all sectors and stages of agricultural production and processing. Through conscripted seasonal labor, prison and internment labor, and state-coerced labor transfers, the PRC has created a massive system of state-sponsored forced labor.

Agricultural forced labor in the Uyghur Region threatens both domestic and global supply chains. The Xinjiang Uyghur Autonomous Region (XUAR or Uyghur Region) grows 85% of China's cotton, more than 70% of its tomatoes (and produces as much as 90% of its export tomato paste), 50% of its walnuts, and 28% of the country's grapes. The region also grows wheat, corn, and other grains. Increasingly, the People's Republic of China (PRC) government has provided incentives and subsidies to companies that relocate to or expand their agricultural processing in the Uyghur Region. XUAR-based facilities produce plant-based extracts, food additives, natural dyes, pigments, and supplements from agricultural products such as marigolds, peppers, tomato skins, cotton seeds, cumin, walnuts, and grape seeds sourced from Uyghur Region and exported globally.

Significant evidence reveals that labor transfers in the Uyghur Region occur within an environment of unprecedented coercion, undergirded by the constant threat of re-education and internment. Many indigenous workers are unable to refuse or voluntarily exit jobs in the agricultural sector, and thus the programs are tantamount to forcible transfer of populations, forced labor, human trafficking, and enslavement. **Current forced labor policies and auditing protocols do not adequately account for or address the mechanisms of state-sponsored forced labor occurring in the Uyghur Region.**

### Forms of Forced Labor in the Uyghur Region

**Prison Labor.** The PRC government requires that all inmates perform compulsory labor. In the XUAR, the majority of prison labor is in agricultural sectors, including cotton planting, harvesting, and ginning. Prisons are attached to farms and factories. Private and state-owned enterprises often locate their factories within the walls of the prisons.

**Internment Camp Labor.** Beginning in 2016, the PRC began a campaign of mass extra-judicial internment in the Uyghur Region, interning upwards of a million indigenous citizens of the region, in contravention of numerous international human rights protocols. The internment camps are touted as an anti-terrorist campaign grounded in "vocational training." Many detainees are required to work. Again, companies often locate factories within the walls of these camps, but others receive internment camp victim workers each day at facilities in proximity to the camps.

**State-Sponsored Labor Transfers.** The PRC has placed millions of indigenous citizens from the Uyghur Region into what the government calls "surplus labor" (富余劳动力) and "labor transfer" (劳动力转移) programs. The XUAR government estimates that it has employed as many as 2.6 million minoritized citizens through state-sponsored labor programs. Through state agency labor recruiters,

the PRC government compels people to be transferred to farms and factories across the Uyghur Region to harvest and process agricultural products, among other labor. Some people have been “transferred” thousands of miles into the interior of China to work in factories.

**State Conscription of Laborers.** The PRC has made labor compulsory in the Uyghur Region for generations through the "hashar system," through which indigenous people are conscripted to hand pick cotton and other agricultural products seasonally. Children as young as elementary school age are subject to the hashar system, which continues to operate in the most impoverished villages of southern XUAR.

### Evidence of Forced Labor

**State Compulsion to Work.** The PRC Government compels indigenous citizens in the Uyghur Region to work through compulsory labor recruitment campaigns, under the premise of alleviating poverty and addressing perceived terrorism. For approximately one million people, the state compels them to work within a massive system of extra-judicial internment camps, where they have absolutely no opportunity to refuse to work. For those outside the camps, the government requires at least one person from every impoverished household to accept a state-mandated labor transfer to a factory or farm. These programs are mandatory. The government has deployed legions of state employed labor recruiters who mandate work assignments, as well as compulsory ideological, vocational, and Chinese language training for millions of people. A widely circulated government-issued document listed refusal to participate in government assistance programs as a sign of terrorism or extremism, indicating that refusal of a labor transfer could be punishable by internment or imprisonment. Government directives require local governments and labor agencies to meet quotas for labor transfers. Hundreds of testimonies from people who have been forced to work in the Uyghur Region reveal the strategies of coercion that the government uses to compel people to work. These include threats of being sent to internment camps for refusing government-sponsored labor transfers, repeated (sometimes daily) visits by agents of the state to pressure people to be transferred for labor, coercive land transfers that leave farmers landless and unemployed, false promises that family members will receive reduced sentences if a person accepts a labor transfer, **misrepresentation** of the labor as otherwise-required ideological training or poverty alleviation.

**Conditions in the Workplace.** Workers transferred to work in factories are not free to come and go from those factories. They are often housed in segregated and locked dorms or are escorted to and from work by an agent of the state. Many of the factories employing supposedly free XUAR citizens are surrounded by razor wire fences, iron gates, and security cameras, and are monitored by police or additional security. Laborers are typically assigned ideological study after work hours and are often not allowed to come and go from the factory premises, unlike their Han colleagues. The transferred employees reportedly receive "militarized discipline" and are punished (sometimes with internment) for airing any grievances. Transferred laborers have their identification documents withheld and are often not paid or paid far under promised wages.

**Land Expropriation.** Labor transfers are often facilitated through or significantly expedited by coercive land transfer and cooperativization programs. XUAR government programs called

"enterprise + cooperative + order farming" (企业+合作社+订单农业) and "Land Transfer + X New Countryside Development Strategy" (土地流转+X新农村发展方略) explicitly connect the expropriation of Uyghur lands with "development," and companies directly benefit. These programs are designed to "establish cooperatives and combine land transfers, livestock care, contract farming, characteristic planting, and surplus labor transfers." This entails an agreement by which companies determine what crops will be planted in an area to meet their manufacturing needs. The companies then set the price for the harvest of those crops. The state in turn organizes small-scale farmers to transfer their land to a larger cooperative run by a small group of the most prominent farmers in the area, or sometimes a Han Chinese person. Often one shareholder holds as much as a 90% stake in the cooperative, as ascertained through a review of Xinjiang-located farming cooperatives' shareholders in SAIC filings.

**For these reasons, experts have determined that the PRC's "surplus labor" and "labor transfer" initiatives are mechanisms of a massive program of compulsory labor, as are the programs of forced labor within internment camps and prisons.**

### The Failure of Auditing in the Uyghur Region

The U.N.'s guiding principles on business and human rights indicate that due diligence standards must ensure that worker rights are protected throughout the supply chain. That requires third-party, worker-centered audits of all tiers of agricultural supply chains that include unscheduled and unmonitored interviews with workers, in their own language and without fear of retribution. This is simply impossible in the Uyghur Region.

Auditors are not allowed free and unfettered access to farms and processing facilities in the region, much less to workers. Uyghurs and other minoritized citizens in the region risk internment if they air grievances to an external auditor; therefore, it would be unethical to put them at risk by conducting an audit. Furthermore, auditors that have identified problems in Uyghur Region companies have been expelled from the country; others have had their workers harassed or detained and their offices ransacked.

In summer 2021, the PRC government made it illegal to assist in the implementation of a foreign sanction in China, which means that no auditor can conduct necessary due diligence or reliably audit supply chains in regard to Xinjiang inputs or worker rights anywhere in China. All auditors and consultants operating in China or working with agents working in China are at risk of deportation, asset seizure, and prohibitions on doing business in China (applicable to the company, its agents, and their families).

### Applicable International Standards and Gaps Therein

The evidence regarding labor transfers for the indigenous people of the XUAR points to clear indicators of human trafficking and compulsory labor as defined by international conventions regarding labor rights. Indeed, these programs deny citizens the human right to free choice of employment afforded by Article 23 of the U.N. Declaration of Human Rights. The U.N. Palermo Protocol prohibits "the threat or use of force or other forms of coercion, of abduction, of fraud, of

deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” These labor transfer strategies clearly suggest the indicators of forced labor identified by the International Labor Organization (ILO), including (at a minimum): abuse of vulnerability, deception, restriction of movement, isolation, intimidation and threats, retention of identify documents, withholding of wages, and debt bondage.

Furthermore, as one Chinese academic report put it, the labor transfer regime “not only reduces the Uyghur population density in Xinjiang but is also an important method to influence, integrate, and assimilate Uyghur minorities” (感化, 融化, 同化). This suggests the possibility of genocidal intent.

For all of the evidence that these programs meet the standards of forced labor under practically any definition, there seems to be little opportunity for redressing these violations because they are state-sponsored. Standard due diligence or supply chain tracing are inadequate for addressing the problem. Remediation is not possible because the state incentivizes forced labor and marks it as corporate social responsibility. We currently do not have sufficient mechanisms that address authoritarian systems of forced labor.

The ILO indicators of forced labor (and others like them) do not adequately capture the characteristics of state-sponsored forced labor. They do not recognize threat of internment or imprisonment as a vulnerability, nor do they recognize government-mandated quotas for labor recruitment, state conscription, state labor agency recruitment, state-required workplace ideological training, or coercive state-facilitated land transfers linked to labor recruitment as indicators of forced labor. This insufficiency in the indicators lists and other similar tools stymies government agencies attempting to identify forced labor in China's agricultural supply chains.

A program of state-sponsored forced labor that is this expansive and that restricts worker voices so repressively requires new mechanisms for holding the state accountable. China has been able to act with impunity because there are not adequate measures to hold a state accountable for such gross violations of human rights. International bodies should create or expand accessible mechanisms through which members of the public can bring claims against organizations and *governments* that they identify as supporting forced labor -- either directly or in their supply chains -- before judicial or administrative authorities. Third parties should be able to hold corporations liable for harm suffered as a result of their complicity in forced labor. International bodies should create clear penalties for states and companies engaging in state-sponsored forced labor.

See Annex: "Laundering Cotton: How Xinjiang Cotton is Obscured in International Supply Chains"