

# Aussie analyst Jaq James nails shut the coffin on ‘Uyghur forced labour’ lie

Perhaps the most pervasive of the Anglo-American empire’s lies to demonise China, is that the government there has committed genocide against and/or enslaved *en masse* the predominantly Muslim Uyghur people of the country’s northwestern Xinjiang region. No real evidence has ever been presented to support either charge; but such is the influence of those who have proffered them, that they have coopted a series of nominally neutral non-government organisations (NGOs) and intergovernmental bodies to their side of the argument. The last and most prestigious was the United Nations’ Office of the High Commissioner for Human Rights (OHCHR), whose August 2022 “Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China” was written by persons unknown so as to give the false impression—while avoiding actually stating outright—that former High Commissioner Michelle Bachelet and her staff had found evidence to support at least the lesser charges of “forced labour” and arbitrary detention when they visited China three months earlier.

The *Australian Alert Service* reported at the time that the OHCHR’s Assessment suffered from several serious deficiencies, among them that it omitted countervailing opinions from other UN experts and international envoys who had visited Xinjiang, including diplomats from dozens of Muslim-majority nations; incorporated no input from any local organisation representing the supposedly persecuted communities; deliberately misrepresented Chinese laws, law enforcement procedures and government policy statements to make them seem far more draconian than they actually are; and in the place of any actual evidence of wrongdoing, had relied largely upon recycling *allegations* by US government-funded Western think tanks and “human rights” pseudo-NGOs, despite most of those allegations having long since been debunked and their proponents thoroughly discredited.<sup>1</sup>

The person who did much of that debunking, Canberra-based legal scholar and propaganda analyst Jacqueline “Jaq” James, has now [published](#) her own analysis of the Xinjiang “Assessment”, showing unequivocally that in addition to those shortcomings just mentioned, the OHCHR also failed to follow sound research methods or its own prescribed evidentiary standards, and that its report therefore cannot be taken seriously or at face value—and nor, perhaps, can the institution itself.

## Some background

Anglo-American-aligned (“Western”) governments and mainstream media began accusing China of detaining “up to one million” Uyghurs in detention centres across Xinjiang in August 2018. The first mainstream report, by British press agency Reuters, falsely claimed that the UN had announced it had “credible evidence” that China was holding a million Uyghurs in “secret camps”.<sup>2</sup> As independent investigative journalism website The Grayzone reported at the time, however, in fact the allegation had been made by one Gay McDougall, an American lawyer “with no background of scholarship or research on China”, the US representative on the UN Committee on the Elimination of Racial Discrimination (UNCERD), an independent advisory committee with no authority to speak on behalf of the UN anyway. McDougall’s apparent source was a report by the so-called Network of Chinese Human Rights Defenders (CHRD), a Chinese dissident-in-exile group housed within the Washington, DC-based NGO Human Rights Watch (HRW) and funded by the US government’s infamous National Endowment for Democracy.

The CHRD’s report in turn was sourced mainly to reports by official US State Department propaganda organ Radio Free Asia; and to interviews it claimed to have conducted with a mere eight (!) unnamed people in one small prefecture in Xinjiang, whose claims as to how many townspeople had been detained during a counter-terrorism operation the CHRD then extrapolated across the region’s entire population. The other “original” source for the “up to one million” claim is German researcher Adrian Zenz, a fundamentalist Christian zealot who has publicly declared himself “led by God” on a “mission” against the Communist Party of China (CPC), and whose employer is US government-funded quasi-



autonomous NGO the Victims of Communism Memorial Foundation (VCMF). To provide further backup to these invented “findings”, the US government then commissioned a series of reports on Xinjiang by warmongering Canberra think tank the Australian Strategic Policy Institute (ASPI). The most influential, titled *Uyghurs for Sale*—released in February 2020, and which Jaq James thoroughly demolished in a paper published in January 2022—purported to prove the existence of a government-run program whereby Uyghurs were exploited as “forced labour” throughout China.<sup>3</sup> Later ASPI also claimed to have identified over 380 detention facilities in Xinjiang, by analysing satellite images. Many of the buildings, however, turned out to be easily identifiable via public sources (including Google Maps’ “street view” function) as schools, hospitals, shopping centres, factories, government offices, and housing complexes.<sup>4</sup> The OHCHR Assessment drew heavily upon both reports.

## Standards trashed

The first fundamental flaw James identifies in the OHCHR Assessment is that its authors have assumed *prima facie* that the CHRD’s estimate was accurate, despite its farcical methodology being by then well known. “The OHCHR accepted the estimate”, she writes, “that, as of 2018, between ‘tens of thousands to over a million’ individuals in Xinjiang had gone through the Vocational Education and Training Centre (VETCs)” which the central government had established the previous year as part of its de-radicalisation and poverty-alleviation schemes in the region. “It is noted that this is an incredibly wide and imprecise estimate range.... Moreover, the OHCHR’s cited source for the range [McDougall, via the UNCERD] does not explain how these numbers were reached, thereby adding to the unreliability of the estimates.”

As should be obvious, a sample of eight people (presuming they even existed in the first place) from one isolated area is not a sound basis upon which to make assumptions about a Uyghur population numbering between 12 and 13 million. “Establishing a population size is an important factor in sample size”, writes James. “It is particularly important in quantitative research, which emphasises sample sizes must be ... [sufficient] that research findings are generalisable to the whole population group studied. This is especially so in the case of the OHCHR’s report, given that the OHCHR conjectured that crimes against humanity ‘may’ have been committed.... A key legal element of ‘crimes against humanity’ is that such crimes are committed on a ‘widespread or systematic’ scale. The term ‘widespread’ generally connotes the ‘large-scale nature’ of the crimes, whilst the term ‘systematic’ generally connotes the ‘organised nature’ of the crimes and the ‘improbability of their random occurrence’. Thus, the OHCHR’s conjecture that crimes against humanity ‘may’ have been committed required evidence of its widespread or systematic scale.”

The OHCHR claims that the estimate was supported by those based on its own interviews with 40 people, but that is nowhere near enough either—especially since, as James notes, according to the Assessment “only 26 interviewees ‘stated they had either been detained or had worked in various facilities’ in Xinjiang. It is unclear what first-hand experiences the remaining 14 individuals had in Xinjiang. ... Given how small this sample size is, it brings into great doubt the generalisability of the OHCHR’s findings, as there is an incredibly high margin for error.” Based on accepted academic standards, James notes, “it is submitted that the OHCHR should have interviewed, at minimum, 1,067 individuals of the population group, based on a 3 per cent margin of error.”

A final issue James identifies with the OHCHR’s sampling technique is that whereas “an unbiased selection would have been random sampling from either the population of Xinjiang as a whole or the population of individuals who had gone through the VETCs”, the OHCHR report “did not explain how the interviewees were selected”, thereby contravening its own public statement that “[d]ata collectors should provide clear, openly accessible information about their operations, including research design and data collection methodology”. The likely reason for this lack of disclosure, she suggests, is that the selection was not random at all, since as the report’s authors admit in a footnote, “nearly two-thirds of its interviewees had previously been interviewed by ‘researchers, civil society or journalists’”. Thus, it is likely the interviewees were recruited through these parties.” Nor does the OHCHR disclose what questions the interviewees were asked, or how they answered them, such as by appending a transcript (with identifying details redacted) to the report; or by what means it assessed their credibility and reliability, including by “test[ing] the internal consistency and coherence of [their] testimony”, as demanded by its own *Manual on Human Rights Monitoring*. Writes James, “Readers of the OHCHR report should not be expected to implicitly trust human rights advocates and have them be the gatekeepers of information, especially when the human rights framework can be misappropriated for disinformation purposes to serve political agendas.”

## Junk research

The OHCHR claim that its conjecture was not based *solely* on its interviews, but refuses to explain the methods by which it authenticated or analysed its other sources, or even to identify them in some cases. Nor does it provide proper references to many of those materials it does cite by name. “In ordinary practice, when referencing online materials, the URL or a web-link must be included in order to allow readers to independently verify quotations and interpretations of those sources”, James notes. “This is even more important when sources in another language other than English are cited, as there are risks of mistranslation.” The failure to do so she brands “unacceptable”, as it denies

readers the ability independently to verify the source material; once again, we are supposed simply to take the anonymous authors' word for it. This includes the Chinese government's policy statements about, and the laws and regulations governing, its system of VETCs and post-graduation work-placement programs which the OHCHR misrepresents as proof of "forced labour", in what James derides as "some of the most egregious examples of junk research" in its report. As she explains, the OHCHR "conflated government statements that **diagnose** the problems of unemployment with government statements about the **solution** (namely incentivising employment and disincentivising unemployment, as well as setting employment quotas). The OHCHR went on to interpret the disincentivising parts of the policy and the employment quotas as evidence of coercion." (Bold emphasis in original.) In reality, she reports, no verifiable source points to even the most supposedly draconian such scheme, in Xinjiang's Chabuchar County, being any more so than Australia's "Work for the Dole" scheme, "which places an obligation on those receiving welfare benefits to engage in some form of training or work", and which after examination the UN Human Rights Committee has concluded does not constitute unlawful coercion.

Meanwhile, whereas Commissioner Bachelet—who had left office by the time the report was published—had stated in a May 2022 press conference that she and/or her team had met with "civil society organisations, academics, and community and religious leaders and others" in Xinjiang, *none of their input is incorporated or even acknowledged in the report*. Nor, as James notes, does it cite any statements of the numerous individuals, governments or NGOs from the so-called Global South a.k.a. "developing" nations—including from Muslim countries and organisations—who have visited and/or made comment upon the situation in Xinjiang. The report does however cite as secondary and tertiary sources such outfits as ASPI and VCMF; human rights NGOs Amnesty International and HRW; and numerous Western mainstream media outlets. In so doing, James points out, the OHCHR violates its own operating principle, mandated by resolution of the UN General Assembly, that it must be guided by "the principles of impartiality, objectivity and non-selectivity, in the spirit of constructive international dialogue and cooperation".

In all, as Ms James puts it, "the OHCHR report is of substandard quality and is therefore not a reliable source for popular claims made in the West about the Xinjiang situation that are presented in a conclusive or definitive manner." And if, as it appears, the OHCHR has "allowed itself to become a politicised instrument, it will continue diminishing its credibility, which will ultimately weaken the international human rights regime."

#### **Footnotes:**

- [1.](#) "OHCHR Xinjiang report: a propaganda set-piece with more holes than substance", AAS, 14 Sept. 2022.
- [2.](#) "Uighur 'mass detention' reports fabricated by US, British propagandists", AAS, 23 Sept. 2018.
- [3.](#) "[Independent legal analyst shreds ASPI's Uyghur 'forced labour' claims](#)", AAS, 12 Jan. 2022.
- [4.](#) "ASPI doubles down on Xinjiang 'detention centre' fakery", AAS, 30 Sept. 2020.

By Richard Bardon, Australian Alert Service, 2 August 2023