

117TH CONGRESS
2^D SESSION

H. RES. 1393

Calling for the Secretary of State to direct that the United States Permanent Representative to the United Nations and other International Organizations in Geneva and the United States Permanent Representative to the Human Rights Council sponsor the strongest possible resolution by September 28, 2022, to ensure that the United Nations Human Rights Council takes up the findings of United Nations Office of the High Commissioner for Human Rights in its “Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” and for other actions.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2022

Mr. SMITH of New Jersey (for himself and Mr. SUOZZI) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Calling for the Secretary of State to direct that the United States Permanent Representative to the United Nations and other International Organizations in Geneva and the United States Permanent Representative to the Human Rights Council sponsor the strongest possible resolution by September 28, 2022, to ensure that the United Nations Human Rights Council takes up the findings of United Nations Office of the High Commissioner for Human Rights in its “Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” and for other actions.

Whereas, on August 31, 2022, the United Nations Office of the High Commissioner for Human Rights published an “Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China,” also known informally as the “Bachelet Report” (“OHCHR Report”);

Whereas the OHCHR Report concluded that the Government of the People’s Republic of China (“PRC”), had committed serious human rights violations, including likely “crimes against humanity,” directed against Uyghurs, Kazaks and other predominantly Muslim Central Asian people in the Xinjiang Uyghur Autonomous Region (“XUAR”);

Whereas the OHCHR Report further concluded that the PRC’s implementation of counter-terrorism and counter-extremism strategies “has led to interlocking patterns of severe and undue restrictions on a wide range of human rights,” that there has been “large-scale arbitrary deprivation of liberty of members of Uyghur and other predominantly Muslim communities in XUAR,” that there have been “credible” allegations of “patterns of torture or ill-treatment, including forced medical treatment and adverse conditions of detention” and “undue restrictions of religious identity and expression,” as well as “coercive and discriminatory enforcement of family planning and birth control policies,” and that “the extent of arbitrary and discriminatory detention of members of Uyghur and other predominantly Muslim groups, pursuant to law and policy . . . may constitute international crimes, in particular crimes against humanity”;

Whereas the OHCHR Report recommends that the PRC Government “ensure that all laws and policies are

brought into compliance with international human rights law and to promptly investigate any allegations of human rights violations, to ensure accountability for perpetrators and to provide redress to victims,” including the release of individuals “who are arbitrarily deprived of their liberty”;

Whereas the OHCHR Report further concludes that the “human rights situation in XUAR also requires urgent attention by the Government, the United Nations inter-governmental bodies and human rights system, as well as the international community more broadly”;

Whereas the Government of the PRC has engaged in an extensive campaign to first shape and then, subsequent to publication, minimize the impact of the OHCHR Report, including issuing demarches to Human Rights Council (“HRC”) Member States not to support the creation of a Commission of Inquiry to investigate the issues contained in the OHCHR Report and to recommend accountability measures;

Whereas when the United States rejoined the HRC in October 2021, President Joseph R. Biden pledged that the United States would be a “constructive voice” at the Council and Secretary of State Antony Blinken promised to “work hard to ensure that the Council better supports those fighting against injustice and tyranny”;

Whereas U.S. leadership is needed to place the OHCHR Report on the HRC agenda, and to rally other countries to vote in favor of the creation of a Commission of Inquiry;

Whereas likeminded countries such as Finland, France, Germany, the Netherlands and the United Kingdom have already denounced the PRC in response to previous report-

ing of atrocities in the XUAR contained in the Xinjiang Police Files compiled by the Victims of Communism Memorial Foundation, and thus would likely support a U.S. resolution, and Germany in particular has committed to placing stronger emphasis on human rights with regard to the PRC;

Whereas the deadline to file a resolution to ensure that the HRC takes up the findings of OHCHR Report on human rights violations in XUAR during the current HRC session is September 28, 2022: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) Secretary of State Antony Blinken should
4 direct U.S. Permanent Representative to the UN
5 and other International Organizations in Geneva
6 Bathsheba Nell Crocker and U.S. Permanent Rep-
7 resentative to the Human Rights Council Michele
8 Taylor to sponsor the strongest possible resolution to
9 ensure that the United Nations Human Rights
10 Council takes up the findings of OHCHR Report on
11 human rights violations in XUAR, including the
12 finding that there is evidence that the PRC has like-
13 ly committed crimes against humanity;

14 (2) the United States shall deploy the necessary
15 diplomatic resources to ensure the success of the
16 resolution; and

1 (3) the Human Rights Council should establish
2 a Commission of Inquiry to investigate the issues
3 raised by the OHCHR Report and recommend ac-
4 countability measures.

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