Decoding the World's Silence towards the Uyghur Genocide

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Not all moments of silence are warranted, especially in the context of an impending genocide. Yet not all genocides receive the same response from the global community that international law and legal principles demand. This is tragically evident in the case of the Uyghurs in the Autonomous Region of Xinjiang in Central Asia.

The Uyghurs are a distinct group of approximately 11 million people in Xinjiang, China, comprising less than 1% of China's population. They speak Uyghur (a Turkic language) and practice the Islamic faith. In contrast, the Chinese Communist Party (CCP) promotes a secular and atheist platform, which leaves little room for religious practice and expression. Today, the Uyghurs' Islamic identity remains the grounds for their systematic exclusion from political, social, and economic processes by China—aimed at preserving Han Chinese nationalism; a policy that has sparked intense controversy within the United Nations, including at the Security Council and General Assembly. In fact, the United States, the United Kingdom, the Czech Republic, the Netherlands, Taiwan, and Canada have formally declared that China's actions amount to genocide, as Uyghurs are systematically subject to the CCP's state-endorsed indoctrination programs, forced sterilizations, forced abortions, forced labor in global supply chains, organ harvesting, wrongful imprisonments, and even enslavement (Uyghur Human Rights Project, n.d.). Despite labeling China's actions as genocide, these six nations have failed to directly hold China accountable for these violations.

Even international legal institutions including the UN Human Rights Council and the International Criminal Court remain passive towards the Uyghurs. In 2020, the International Criminal Court (ICC) dismissed Uyghur testimony. Furthermore, several Muslim-majority countries rejected a motion in the U.N. Human Rights Council to hold a debate on the situation in Xinjiang, which thwarted an unprecedented opportunity to hold Beijing accountable for such grave crimes, and effectively absolved the CCP from accountability (Wang, 2023). That same year, at least 500,000 or more Uyghurs were imprisoned, and as of August 2024, Uyghurs comprised 34% of China's incarcerations, which is "the world's highest rate of ethnic imprisonment" (Asat, 2024). In practice, this passivity translates to tacit approval of China's actions against the Uyghurs, and complicity in the crisis itself. If the world fails to act, including the U.S., it is not just complicit but responsible for the potential annihilation of an entire people.

Many researchers on the Uyghur genocide attribute the world's passivity—or silence—towards the Uyghurs to political complexities, China's economic stronghold, and the difficulty of proving criminal intent to commit genocide (Waller and Albornoz, 2021; Debata, 2010). This paper builds on those explanations by introducing a new lens: Edward Said's concept of *othering*—the binary division

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between the dominant *us* and marginalized *them*—a concept that resides at the core of the Uyghur genocide. I argue that the erasure of Uyghur identity and the world's passive complicity are shaped by deeper ideological forces, including Islamophobia and postcolonial hierarchies. *Othering* reveals a twofold process in the context of Uyghurs—China's intent to eradicate Islamic identity and Islamophobia-fueled international silence—enabling a modern-day Holocaust and potential annihilation of a people.

My paper addresses the erasure of Uyghur identity by examining China's practices and their legitimization through international silence, especially in the UN Human Rights Council and International Criminal Court. The paper begins with a discussion of the theoretical foundation of the concept of *othering* and applies it to the empirical context of Islamophobia and China's subjugation of Uyghur identity. The second section builds on this conceptual understanding to discuss CCP policies specifically in Xinjiang. The third section applies realist frameworks to interpret the global response and international failure to hold China accountable. The fourth section counters Chinese and international narratives about Uyghurs through digital ethnography that centers the voices of Uyghurs and human rights organizations. The concluding section analyzes the path forward in protecting human rights of Uyghurs through international institutions. My essay advocates for the use of Uyghur narratives to inform international law and policy on genocides and impending genocides, apartheid, and colonialism. Given the urgency for action to hold the CCP accountable and institute international reform, my work resuscitates the world's commitment to the principle of "never again" in the context of a modern-day holocaust.

Methodology

My research method is primarily informed by the need for a bottom-up approach when discussing the Uyghurs, which determined how often I consulted Uyghur testimony to understand the nature of violations. The accounts of the Uyghur people are important in understanding how they frame China's human rights violations, especially when different groups use social media like X (formerly known as Twitter) to raise awareness of the issue. I conducted a digital ethnography to survey the global discourse surrounding China's genocide against the Uyghurs in Xinjiang. I monitored posts from three active X (formerly known as Twitter) pages: (1) the U.S.-based X account called Uyghur Human Rights Project (U.H.R.P.), (2) Voice of Uyghurs (East Turkestan), and (3) China's State Council Information Office (S.C.I.O.). I collected a random sample of 5 posts per X page. The posts primarily consist of tweets, reposts from other accounts, and pictures. Ideally, these posts show the lived experiences of the Uyghurs in Xinjiang in the context of international claims against China's genocide, although in reality some posts may mostly capture the Uyghur narrative from a distance, depending on the account. Given the data's idiosyncratic nature, digital ethnography enabled me to determine the breadth of grassroots-level reactions that shape the social and political context surrounding China's genocide.

While digital ethnography conveniently allows monitoring Uyghur discourse online, it has its limitations. First, the content may be censored by political authorities or subject to algorithmic filters, which likely influenced the immediately available posts. Secondly, I was limited to posts in English only since I do not read Chinese or

Uyghur. Even where translation was available via Google or AI, I was apprehensive about the possibility of poor translation or meanings lost in translation, hence I refrained from translated posts to limit the chance of misrepresenting the Uyghurs' lived experiences in Xinjiang. Despite these deficiencies, digital ethnography was still an effective means for data collection since it allowed me to center the subjects' perspective and reveal China's intentionality in committing genocide against the Uyghurs. More specifically, it showed instances of violence and the nature of the reeducation camps and how they camouflage the decline of Uyghur existence. The Uyghurs' understanding of their lived experiences exposes China's egregious behavior against them and shows the breadth of resilience and resistance of the Uyghur people.

Literature Review

Understanding *Othering*

In the Western canon, philosophical debates have engaged with the concept of the *other*, particularly through the works of Hegel, who explored the relationship between self and *other* in terms of consciousness and recognition. Hegel's dialectical framework posited that the *other* is foundational to the realization of the self; self-consciousness, he argued, emerges through a dialectical process of interactions with and recognition of other consciousnesses. Unlike Hegel, who framed the notion of *other* in relation to the self, postcolonial and poststructural theorists like Gramsci, Foucault, Said, and Spivak use the concept specifically as a tool to analyze how domination, knowledge, and power operate through the production of *othering*. *Othering*, as they argue, is central to the construction of subordinate groups and the domination of subjects, especially in the context of colonialism, racism, and patriarchy.

Knowledge production as a form of power is central to the concept of *othering*. Michel Foucault, for instance, analyzes the contingent nature of power and how it operates through discourse and knowledge production. He argues that knowledge is a manifestation of power, and suggests the need to excavate the relationship between knowledge and the historical context it derives from, as this form of archaeology aids our understanding of what it means to exist as the *other*. He reminds us that power is omnipresent, "diffused and embodied in discourse, knowledge, and 'regimes of truth,'" which allows certain ideologies to prevail at the expense of *others* (Foucault, 1981). Although multiple "regimes of truth" exist, specific discourse and knowledge become dominant while *others* may gradually become recessive and may ultimately become extinct (Foucault, 1981). This is clear in the context of European colonialism and their reducing history to a single linear timeline and projecting it onto colonized groups— as European explorers often did—further objectifies subject populations as the *Other* by erasing their knowledge systems and rendering them marginal within dominant historical narratives (Foucault, 1980).

Drawing from Foucault, power operates through the language and discourse that constructs the *other*. While these dominant discourses contain gaps and contradictions, they continue to shape how *others'* identities are understood and perceived (Foucault, 1980). Edward Said, in his seminal book Orientalism, builds on this understanding of discourse as political and cultural subjugation to examine how

representation and knowledge function as forms of power (1994). Said argues that the East was not simply discovered by the West but constructed through a system of representation that framed it as exotic, backward, and inferior—a process that enabled the West to define itself as rational, modern, and superior. This process of claiming ideological superiority yielded to the power relations that allowed the Occident to gain power and dominance over the Orient's existence (Said, 1994). Sociologist Francesca Polletta et al. (2011) adds that even the language used in these incomplete narratives "casts" the *other* as a "violent onslaught." The framework used to create the narratives of the *other* is a form of power that is determined by those controlling a population (Said, 1994). Said's intervention demonstrates that *Othering* is not merely cultural but deeply political, as it becomes the ideological foundation for empires. Orientalism, then, is a form of *Othering* that transforms difference into a logic of domination.

Often absent from this discussion of how power, knowledge, and domination operate is a deeper consideration of hegemony. For the purposes of this discussion, Foucault's notion of "regimes of truth" can be put into dialogue with Antonio Gramsci's concept of "dominant truths," which derive from the bourgeoisie culture within the state. Gramsci argues that power is maintained not through coercion but through consent. The ruling class embeds its values and worldviews into the cultural fabric of society and hence, the knowledge and stories about the *other* is produced from the vantage of the dominant. The dominant ideology becomes naturalized, marginalizing dissenting or subaltern identities. Like Foucault, Gramsci unpacks the hegemonic structures, especially showing how the ruling class' dominance of "a culturally diverse society [...] becomes the accepted cultural norm" (Gramsci, 1926). In this context, *othering* becomes a tool for preserving racial, ethnic, class, and national hierarchies by making them appear neutral. Cultural hegemony thus is a tactic that relies on *othering* to maintain a homogenous state identity and gradually desensitize the world towards the *other*.

Othering, in this frame, is a business of creating the enemy—a process that reinforced the dominance of European powers over non-European subjects by commodifying the narratives of difference. Benedict Anderson (2006) offers a historical perspective on how this process unfolded with the European "discovery" of previously unknown civilizations during the Age of Exploration. In his pathbreaking book, *Imagined Communities*, Anderson writes that societies in China, Japan, Southeast Asia, and the Indian subcontinent were "dimly rumored" or completely unknown—as were Aztec Mexico and Incan Peru. Most of these civilizations had developed independently of Europe's known history, separate from Christendom and Antiquity. Their genealogies existed outside the Edenic framework and could not be assimilated into it. Only homogeneous, empty time would offer them accommodation.

The discovery of these civilizations revealed what Anderson terms "pluralism"—the coexistence of different cultures, norms, values, traditions, customs, governments, and identities, some that even preceded European formation. This pluralism embodied in these civilizations challenged European norms and values grounded in Christendom and Antiquity. It destabilized the European sense of continuous and universal history, prompting colonial powers to impose a single linear narrative upon non-European populations and commodify their stories. In doing so, Europe not only erased these societies' autonomous histories but also commodified

their differences, circulating distorted representations that reduced these diverse cultures to objects of imperial knowledge. The objectification of cultures and peoples gave rise to the binary of us versus them, the European versus the non-European *other*. As Anderson demonstrates, the invention of the printing press further cemented the Eurocentric nation-building project and legitimized the colonization of non-European territories. Print capitalism reinforced the idea of homogeneous national identity and enabled the formation of what Anderson calls "imagined communities." In the face of deep inequality, the imagined "horizontal comradeship" of nation-states cultivated loyalty to an identity built in part through the exclusion and *othering* of those who lie outside its borders.

In a culturally hegemonic state, the ruling class manipulates the 'subaltern' class, or the *other*, into accepting the dominant worldview as natural and inevitable, asserting that the subaltern is incapable of having its own distinct political existence beyond state borders. Although Gramsci urges the subaltern class to claim its voice by restoring its history and using it to counter that of the bourgeoisie, he underestimates the strength of the dominant narrative and the long discursive lineage that follows from years of bourgeoisie indoctrination within the state. As Gramsci noted, the ruling class' dominance never ceases, requiring the continuous minoritization of the subaltern, whose differences become increasingly marked (1926). Differences in practices, customs, norms, traditions, and history are all points that are subject to the ruling class' *othering* or minoritization of the subaltern class. Eventually, the hegemonic project produces a homogeneous state that eliminates the subaltern's existence due to their original differences. Put differently, the ruling class' identity begins where the subaltern's identity ends. The implication of this state-endorsed hegemonic project is the inevitable eradication of the subaltern's original identity, allowing the ruling class to prevail without retribution or acknowledgment by the world. Especially in times of genocide, the subjectivity of knowledge gives rise to the question of who speaks for non-European subjects like the Uyghurs.

In a similar vein, Gayatri Spivak, in her seminal essay *Can the Subaltern Speak?*, takes the subaltern's position a step further. She argues that subalterns are not simply silenced but are structurally excluded and made invisible in political and meaning-making spaces. Any attempt to "represent" the subaltern runs the risk of reproducing the very systems of power it seeks to critique. Her understanding of *othering* (1999) reflects its colonial nature more vividly (1999). She writes it is "a process by which the empire can define itself against those it colonizes, excludes and marginalizes. […] The business of creating the enemy…in order that the empire might define itself by its geographical and racial *others*" (Spivak 1999). Spivak names the erasure of subaltern agency as epistemic violence. In Spivak's analysis, *Othering* is not only a means of domination but a process of epistemic violence, whereby the subaltern is spoken for, appropriated, or erased by both colonial power and well-meaning intellectuals. *Othering* is in other words a discursive containment, where even narratives of suffering can be co-opted into state or humanitarian logics that strip the subaltern of agency.

This form of epistemic violence, as Spivak warns, is not always imposed from above by colonial authorities alone, but can also emerge through humanitarian narratives that speak on behalf of the subaltern while silencing their agency. Across literature on the Uyghur crisis, many scholars document the lived experiences of

Uyghurs from various age groups, genders, occupations, and physical, and cognitive abilities in Xinjiang's reeducation camps. Upon compiling these narratives, many scholars cite the content in Uyghur testimonies as direct evidence of China's complicity in genocide. For instance, Darren Byler (2020) uses the experiences of a young college student, whereas Rayhan Asat (2023) uses narratives of physically compromised Uyghurs who are largely precluded from global discourse. Byler and Asat's approach demonstrates prosecutorial finesse, but both works employ victim language and risk speaking for the Uyghur subjects rather than letting them share their authentic experiences themselves. Consequently, disseminating this victim language advances a fixed narrative of the Uyghurs as voiceless *others* who are a distant concern for the international community, thus reinforcing the "us versus them" element of *othering*.

Despite being counterintuitive to Byler and Asat's intent, using victim language is one instance when a single incomplete story about the Uyghurs is projected upon them, which constitutes *othering* in itself. There are gaps in these stories that preclude the voices of Uyghur activists, survivors, and the work that they have achieved. Presently, these narratives about Uyghurs create a static representation of them as *other*, in which the world may only view them as eternally suffering, helpless, vulnerable, voiceless victims who are incapable of reclaiming their existence and identity from China. This is not to minimize the pain and suffering that genocide entails, but the language that even human rights activists use can make it difficult for Uyghurs to excavate, restore, and communicate their history in its most authentic form, free from the narratives that China and the world project upon them.

This discursive containment is not limited to scholarship or media; it also shapes the moral and political logics of global response. Samantha Power's *A Problem from Hell* (2002) offers a compelling real world illustration of how *othering* operates not only through language but also through foreign policy decisions and legal inaction in the face of genocide. She draws attention to the U.S.'s indifference to the Rwandan genocide as a prime example to show how *othering* resides at the core of state-sanctioned genocide and that geopolitical value, racialized perceptions, and cultural proximity shape the boundaries of the international community's moral obligation in responding to genocide. Comparing the U.S. response to the Bosnian and Rwandan genocides, Power demonstrates that while the United States elected to provide Bosnia with assistance, financial resources, military intervention, food, and water, it ignored the atrocity in Rwanda. The U.S.'s disparate reaction was driven by more than just economic interests. From a postcolonial lens, Power argues that the U.S. perceived Rwanda as the *other*—a fundamentally inferior and politically insignificant place of perpetual warfare and irrelevance. It was not considered to be part of the 'us' to whom international norms and responsibility applied. Power posits that "*othering* absolves us of responsibility, allowing us to turn a blind eye to the suffering of those who do not fit our narrow definition of 'us'" (2002, 175 & 205).

For Power, the Rwandan Genocide illustrates how *othering* functions as a "project of categorization and dehumanization, of differentiation and discrimination (that) demonize(s) adversaries, spurring one's own group to action, uniting the group and justifying extremism" (2002, 55). This definition captures the tragic consequences that come with *othering*, which include but are not limited to dehumanization, discrimination, and demonization. While Power does not explicitly

account for how *othering* is inherently colonial like Said, her account foregrounds how global hierarchies operate through embedded assumptions about who counts as fully human or politically meaningful, whose voice counts, but more importantly, who decides whose voice counts.

This political *othering* that Power identifies extends into legal institutions as well. Legal scholar Robert Cover (1983) draws attention to legal narratives and how they uphold—or erase—violence. For Cover, law is a "bridge linking a concept of reality to an imagined alternative," shaped by the stories societies tell about themselves. These narratives "are the codes that relate our normative system to our social constructions of reality and to our visions of what the world might be" (Cover, 1983). In the context of law and courts, judicial decisions are projections of the legal imagination of judges. He describes judges as "outsiders looking in at state violence," often deferring to authoritarian power—whether through court orders or administrative systems. This deference mirrors the state's *othering* of minority groups and demonstrates that legal frameworks reinforce, rather than disrupt, structural violence. The judicial acceptance of state violence normalizes the state's *othering* of religious or ethnic groups within the state. Essentially, the significance of Cover's work lies in exposing the subjectivity that often infects judicial institutions that administer decisions about religious and ethnic groups from a distance.

Legal institutions, then, are not neutral arbiters but are shaped by the same hegemonic narratives that define the *Other*. This framework is particularly revealing when examining the international community's legal response to the Uyghur genocide. Despite mounting evidence and formal declarations of genocide by several Western nations, international legal bodies have largely failed to act. In 2020, for instance, the International Criminal Court (ICC) dismissed Uyghur testimony, claiming jurisdictional limitations (Al Jazeera, 2020). That same year, a motion in the U.N. Human Rights Council to debate the situation in Xinjiang was rejected by several Muslim-majority nations, effectively thwarting an unprecedented opportunity to hold Beijing accountable (Wang, 2023). These refusals mirror not just silence but a legal erasure that legitimizes the violence itself.

This erasure is not limited to legal institutions; it also emerges through narrative frameworks that silence subaltern voices under the guise of representation. When we consider Said's argument about the Occident and compare it with China's construction of Uyghur identity on social media, we see how the Uyghurs are repeatedly *othered* by China, the ICC, the U.N. Human Rights Council, and even the nations that formally recognized genocide. This accounts for the frequent judicial "deference to the authoritarian application of violence" that Cover speaks of (1983). The international judicial deference toward authoritarian application of violence normalizes China's *othering* of the Uyghurs, leaving them with virtually no institutional intermediary to intervene and advocate for them. The imposition of Chinese laws that target the Uyghurs destabilizes the Uyghurs' legal and social structures, thus preventing them from forming a truly autonomous region grounded in their traditional Islamic values and culture.

The ICC's response to the Uyghur genocide also exemplifies Cover's point on the indifference in judicial response to state-sanctioned violence. As an "outsider looking in at state violence," the ICC continuously defers to China's "authoritarian application of violence" in its dismissal of Uyghur testimony delivered by Uyghur

nationals, legal representatives, and human rights activists since the first attempt in 2020. This deference effectively turns a blind eye toward the Uyghurs. When the ICC and the U.N. Human Rights Council administers their decisions from a distance, they prolong the Uyghurs' suffering and delay their path to international accountability.

In contrast to China's sanitized narrative of denial, the Uyghurs have voiced a disturbing, chilling reality of state-sanctioned genocide. At one point, nations like China were categorized and represented as the "Orient" or the *Other* while European powers were framed as the "Occident." However, the nations in these positions of power and subjugation are not fixed. The sites of power are nested and dynamic; nations' capacities within the Orient and Occident have mutated throughout history. That said, the concepts of *othering*, Orientalism (as a form of *othering* that targets non-European nations), and cultural hegemony, which fuels a state's quest for homogeneous national identity, are all applicable to the Uyghur crisis. In this case, China reinscribes these hierarchies internally, reproducing Orientalist logics in its treatment of the Uyghurs. China has assumed the role of the Occident, the bourgeoisie, and the dominant "Self," whereas the Uyghurs represent the Orient, the subaltern, and the *Other*.

While scholars agree that China's genocide against the Uyghurs is wrongfully met with international silence, existing explanations remain insufficient. Some scholars point to economic and political factors: Dr. James Waller and Dr. Mariana Albornoz (2021) argue that the international community fears China's economic and political reprisal, while Mahesh Debata (2010) suggests that silence toward Uyghurs represents a strategic choice to maintain trade relations with China. *Others* focus on legal challenges: Caylan Ford (2022) and Dr. Helen Hintjens (2021) agree that China's actions constitute genocide but argue that proving China's intent remains difficult, accounting for international inaction. A few scholars have begun to examine Islamophobia as a factor. Ali Çaksu (2020) identifies how Islamophobia manifests through various forms of internment, including the reeducation camps targeting Uyghurs. However, even this work overlooks the deeper question of why international institutions remain silent about China's internment system. While these economic, legal, and religious explanations offer important insights, they fail to account for the underlying ideological forces that enable both China's internal subjugation of Uyghurs and the international community's passive complicity. This gap in the literature points to the need for a theoretical framework that can explain both the domestic *othering* within China and the international silence that enables it. Said's concept of *othering*, understood as a dynamic rather than fixed process, provides this framework.

Building on Said's Orientalism, the Orient/Occident binary is not geographically fixed but shifts with power dynamics. Functioning as the Occident in this context, China's narrative is more dominant, so information that it reproduces about the Uyghurs (or the Orient) is constructed to defend China's image as an upright state that is wrongfully accused of genocide. However, where China's acts of deception and manipulation of global discourse end, the solidarity of the Uyghur community and its pursuit of truth begins. At its core, *othering* is a mechanism of violence that has been used to legitimize domination and exclusion. Postcolonial scholars like Carol Breckenridge and Arjun Appadurai (1994) argue that colonial powers developed their national identities through *othering* marginalized populations. Breckenridge adds that the violence of *othering* traumatizes future

generations of the *othered*. Similarly, Emmanuel Lévinas and Nidra Poller (2006) argue that *othering* constitutes a form of violence, as it weaponizes the *other's* humanity, narrative, culture, and existence. In a broader context, the violent nature of *othering* has the potential to sponsor cultural obliteration of marginalized populations and provides the ideological foundation for genocide, often enabled by international silence.

The mechanism of *othering* is not strictly confined to Western colonial contexts but represents dynamic, shifting power relations. As demonstrated in the Uyghur case, China functions as the dominant power that *others* the Uyghurs, while international institutions perpetuate this *othering* through legal inaction and narrative erasure. The process becomes particularly visible in the context of international silence toward the Uyghurs. Despite the fact that *othering* is a foundational mechanism that enables ethnic cleansing and genocide, the concept does not receive attention in international criminal law. This silence becomes particularly evident in China's impunity within international institutions. The ICC and U.N. Human Rights Council's dismissal of Uyghur testimonies, along with the inaction of nations that declared genocide, constitutes a form of *othering* that enables China to continue its oppression (Al Jazeera 2022). This systematic *othering* decreases the possibility of meaningful intervention and allows heightened abuses against the Uyghurs to continue without international accountability.

Taken together, these interventions and China's actions against the Uyghurs raise a difficult but essential question: what happens when states that were once themselves *othered* reproduce similar hierarchies within their own borders? It calls for, as I argue, attention to the processes of mutation and the underlying power dynamics that produce internal *othering*.

Legal Impunity and Institutional *Othering* in the ICC's Response to Uyghur Genocide

Today, there is a controversial debate about whether China's actions against the Uyghurs amount to genocide. According to Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, genocide is a crime that contains the following:

> A physical element, which includes the following five acts, enumerated exhaustively:Killing members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting upon the group conditions of life calculated to bring about its physical destruction in whole or in part; Imposing measures intended to prevent births within the group; [or] Forcibly transferring children of the group to another group. A mental element: the intent to destroy, in whole or in part, a national, ethnical, racial or religious group" (United Nations, 2022).

Additionally, the convention not only defines genocide but also outlines international obligation to prevent and act against genocide. It states—any country that is a signatory and either suspects or formally declares genocide is obligated to act immediately and combat the genocide until the point of its termination (United Nations, 2022). Regardless of whether states have ratified the Convention, they are all

bound “as a matter of law by the principle that genocide is a crime prohibited under international law” (United Nations, 2022). As a signatory to the Convention on the Prevention of Genocide, the U.S. formally declared that China is committing genocide against the Uyghurs (U.S. Department of State, 2021). If it continuously fails to act and end the genocide immediately, then the U.S. and any other nation that declared genocide is rendered complicit under international law. While the U.N. alleges that China's actions against the Uyghurs amount to crimes against humanity, the U.S. formally declared that a state-sanctioned genocide was occurring in Xinjiang against the Uyghurs on January 19, 2021 (US Department of State, 2021). While it is critical to refrain from using the label “genocide” loosely, we must also not minimize the underlying acts of killing, the serious bodily and mental harm, and the deplorable conditions that are fueled by China's intention to eliminate the Uyghur population. That said, I will adopt the U.S. stance that China's actions against the Uyghurs amount to genocide, based on groundbreaking Uyghur testimony and evidence from U.N. reports.

Two elements of the genocide convention deem consideration in light of complaints by Uyghurs in the ICC: whether China’s actions can be defined as genocide, and if ICC has jurisdiction over China, since it is not a signatory of the Rome Statute. Unlike other grave crimes, such as crimes against humanity, genocide requires that a nation demonstrate specific intentionality, also known as *dolus specialis*, which is a high burden of proof for the alleging nation (United Nations, 2022). Given this legal framework and the U.S. determination of genocide, the international community's response—particularly through legal institutions like the ICC—becomes crucial for accountability.

On July 6, 2020, Uyghur survivors and legal representatives submitted allegations against China to the ICC Prosecutor's Office. According to the ICC Prosecutor's Report on Preliminary Examination Activities (2020), Chinese officials committed “murder, deportation, imprisonment or other severe deprivation of liberty, torture, enforced sterilisation, persecution, enforced disappearance and other inhuman acts … in the context of (Uyghur) detention in mass internment camps in China.” Despite the seriousness of the complaint, the ICC Prosecutor’s Office refused to take the case to the courts, signifying the first real distancing between international legal institutions and the Uyghurs. Even during the first Pre-Trial Chamber, the ICC determined that it “did not have jurisdiction under article 12(2)(a) of the Rome Statute” (ICC Prosecutor Rejects Uighur Genocide Complaint against China, 2020). The ICC also reasoned that “actus reus or active crime was committed solely by Chinese nationals within the territory of China, a State which is not a party to the Statute” (ICC Prosecutor Rejects Uighur Genocide Complaint against China, 2020). As a non-signatory to the Rome Statute, China is not subject to the ICC’s jurisdiction and cannot be tried in ICC court. The court also determined that territorial jurisdiction “did not appear to be met with respect to the majority of the crimes alleged in the communication (genocide, crimes against humanity of murder, imprisonment or other severe deprivation of liberty, torture, enforced sterilisation and other inhumane acts” (Office of the Prosecutor, 2020).

The prosecutor's office, when addressing China’s deportation (*actus reus*) that occurred in Cambodia and Tajikistan, both of which are signatories to the Rome Statute (2002), acknowledged that China’s actions “appear to raise concerns with

respect to their conformity with national and international law, including international human rights law and international refugee law, (but) it does not appear that such conduct would amount to (even) the crime against humanity of deportation" (Office of the Prosecutor, 2020).

There are exceptions to the ICC's response and rationale, however. According to international attorney Rodney Dixon, the "evidence presented to the (ICC) prosecutor's office uncovers a pervasive plan to round up Uyghurs in neighboring countries, including an ICC member State, and elsewhere, to force them back into China" (Hui, 2021). Dixon also contends that the ICC could act because the deportations occurred in Tajikistan and Cambodian territory, both of which are ICC members. The ICC's argument contradicts "a precedent set when the court's judges ruled that the ICC has jurisdiction to investigate abuses against Myanmar's Rohingya minority, despite Myanmar not being a member of the court, because thousands of Rohingyas were forced to flee to Bangladesh, which is an ICC member" (Office of the Prosecutor, 2020). The ICC's differential treatment becomes particularly evident when contrasted with its handling of the Rohingya case, where similar jurisdictional challenges did not prevent investigation.

Other petitions to the ICC to reconsider have been made, but its initial response demonstrates its lack of expediency and willful blindness toward Muslim Uyghurs in Xinjiang. This selective application of jurisdictional limitations exemplifies Cover's concept of legal institutions deferring to authoritarian power when the victims are *othered* populations—in this case, Muslim minorities. Together, this reflects how the ICC perceives Uyghurs as an exception in its determination of who is worth saving, even in times of genocide. This reveals that Islamophobia extends beyond interactions between Western nations and Muslims to legal institutions that ignore religious persecution amounting to genocide. The ICC's response exemplifies how legal institutions perpetuate *othering* through selective application of jurisdictional rules, effectively enabling China's impunity while reinforcing Islamophobic hierarchies that determine which populations deserve international protection.

China's Systematic *Othering* and Deceptive Narratives

The ICC is not unique; its institutional *othering* of Uyghurs reflects a broader pattern in which China has successfully repositioned itself from the 'Orient' to the 'Occident' in Said's framework. Having once been subjected to Western orientalism, China now deploys similar mechanisms of *othering* against its own Muslim minorities. This transformation reveals that orientalist logics can mutate across different power relations. China has assumed the role of the Occident to construct Uyghur identity as fundamentally threatening to Han Chinese nationalism. This section traces China's campaign against Uyghurs, from demographic engineering to surveillance, revealing intentionality and the systemic nature of this *othering* process.

Today, over 90% of China's population identifies as Han Chinese, which constitutes the ethnic majority. (Central Intelligence Agency, 2024). Like any nation, China's interest in preserving its culture, secular interests, politics, and nationalism are legitimate, but its efforts to further secure its ethnic majority have reached a new impetus. China's end goal of achieving a homogenous state wrongfully justifies its means of eradicating the Uyghurs through the imposition of the dominant Han

culture. In addition, the CCP is known for its traditions of secular statehood, atheist platform, Mandarin language, and CCP ideology. When the state refers to the Han Chinese, this label solidifies those within Han Chinese culture while excluding those in its periphery, particularly the Uyghurs who were incorporated into China (Chaudhuri, 2013). China's interest in maintaining ethnic and cultural homogeneity is evident in its forced renunciation of Islam, which constitutes cultural conversion of the Uyghurs from Uyghur to Han Chinese identity. Consequently, the reinforcement of Han Chinese culture from within the state excludes Uyghurs, who remain in the geographical and cultural periphery (Chaudhuri, 2013).

China's systematic *othering* of Uyghurs began with demographic manipulation. Between the 19th and 20th centuries, Uyghurs constituted the ethnic majority in East Turkestan (also known as Uyghuristan), a region that "fell in and out of China's control" (Kanat, 2017). By 1955, China incorporated East Turkestan "into the People's Republic of China as the 'Xinjiang Uyghur Autonomous Region'" (Kanat, 2017). At this point, Han Chinese comprised approximately 10% of the population, but China initiated state-sponsored Han Chinese migration that significantly reduced the Uyghur majority in their homeland. By 2010, Han Chinese comprised 40% of the population compared with Uyghurs at 46% (Kanat, 2017)

China's forced migration was facilitated by the Xinjiang Production and Construction Corps, "a paramilitary agricultural organization started under Mao Zedong" that organized migration and maintained jurisdiction over Xinjiang, securing China's legal and political dominance (Kanat, 2017). This created a border system that was permeable for Han Chinese immigrants but rigid for Uyghurs, despite the fact that Xinjiang was their homeland. Furthermore, the Chinese government offered Han Chinese "high wages if they move from northern cities to the Uyghur-dominated south to join the police or work as teachers," while Uyghur-dominated cities "continued to have stricter education and income requirements for obtaining residency permits" (Kanat, 2017). The intention behind incentives to Han Chinese to join police forces and education becomes apparent in the context of surveillance and reeducation of Uyghurs. While the creation of a robust police force enabled China to monitor and control the Uyghur population through "police checkpoints, house searches, and arbitrary detainment in reeducation centers", Han Chinese teachers carried out the mission to indoctrinate Uyghurs and force them to renounce their Islamic faith and cultural existence (Kanat, 2017). These policies eliminated "the use of Uyghur language in bilingual schools, which now operate only in Mandarin" (Kanat, 2017).

The War on Terror as Justification

China has consistently justified its persecution of Uyghurs by claiming it is a counterterrorism measure. In a post-9/11 context, China positioned itself within the Global War on Terrorism, arguing that "its actions against the Uyghurs are part of the Global War of Terrorism" and that it would "combat the 'three evils'—separatism, religious extremism, and international terrorism—at all costs" (Maizland, 2022). This framework allowed China to characterize "all Uyghurs as potential terrorists or terrorist sympathizers" due to their Islamic faith (Maizland, 2022). In 2017, for example, Xinjiang province "passed an anti-extremism law prohibiting people from growing long beards and wearing veils in public." (Maizland, 2022). By banning "long

beards and wearing veils in public," China restricted the practice of Islamic faith and identity. China even argued that this expression of Islam is reminiscent of radical "extremism" such as that of the 9/11 terrorists, who were an extremist sect of Islam.

The 2009 Ürümqi riots marked "a turning point in Beijing's attitude towards Uyghurs" (Maizland, 2022). Although these riots were in reality protests by Uyghurs "against state-incentivized Han Chinese migration in the region and widespread economic and cultural discrimination," China used these events to justify a comprehensive crackdown (Maizland, 2022). Rather than addressing individual perpetrators, China subjected all Uyghurs to collective punishment based on their shared religious and ethnic identity.

Within five years after the riots, President Xi Jinping announced that "all religions were to conform to the People's Republic of China atheist party's doctrines and the majority Han-Chinese society's customs" out of fear that other religions would "spur separatism" (Maizland, 2022). Building on this framework, President Xi warned of the "toxicity of religious extremism" and urged the government to utilize "dictatorship" to counter it (Ramzey & Buckley, 2019). Although he "did not explicitly call for arbitrary detention," Xi "laid the groundwork for the crackdown in Xinjiang" (Maizland, 2022). In 2016, former Tibetan leader Chen Quanguo relocated to Xinjiang as Communist Party Secretary, bringing experience from Tibet where he had "increased the number of police and security checkpoints, as well as state control over monasteries" (Maizland, 2022). Within one year of Quanguo's appointment, reeducation camps were officially recognized for eliminating "religious extremism," old centers were "refashioned into high-security checkpoints," and existing facilities drastically expanded (Maizland, 2022).

Technological Surveillance and AI Targeting

Since 2019 China has deployed artificial intelligence, especially AI facial recognition software, as "a racial profiling mechanism for Uyghurs" (Hernandez & Faith, 2023). AI facial recognition software "alerts law enforcement officials if Uyghur numbers increase so police can carry out their goal of managing and controlling sensitive groups" (Mozur, 2019). This technology detects Uyghurs based on "facial and physiological features, including skin pigmentation" (Mozur, 2019), creating an inherently racist surveillance system. The AI system reflects the stereotyping of Uyghurs as "extremists" and their treatment as a "sensitive group" whose population increases are offensive to Han Chinese nationalism (Maizland, 2022). It is noted that within a month of implementation of these technologies, Chinese law enforcement identified over 500,000 Uyghurs and subjected them to arbitrary arrest and detainment (Mozur, 2019).

Detention and Deception:From "Vocational Training" to "Hospitals for Mental Illness"

The increase in surveillance has been marked by budget increases to create detention centers. China's budget for building new security facilities in Xinjiang increased by nearly $3 billion in 2017 alone (Zenz, 2018). However, these centers are deceptively labeled as "job-training centers," "reeducation centers," and "vocational centers" (Maizland, 2022). The deceptive labeling of detention facilities reveals both its

awareness of international scrutiny and its intent to continue operations. When pressed, officials explained that these are "hospitals for ideological illness because they consider Islam a mental disease" (Mozur, 2019). This medicalization of Islamic identity represents perhaps the most explicit expression of China's Islamophobic worldview.

The reality inside these facilities contradicts China's benevolent descriptions. The U.N. Human Rights Office documented "patterns of torture or other forms of cruel, inhuman, or degrading treatment" as well as sexual abuse against Uyghur women (Hill et al., 2021). Detainees are "forcibly medicated with unknown substances" and subjected to forced organ removal (U.S. Department of State, 2024). The facilities operate under" prison-like conditions" where "sleep deprivation" is common, and "failure to quickly learn lessons leads to beatings and food deprivation" (Denyer, 2018; Maizland, 2022).

China's deception also extends to false promises of closure. In 2019, officials claimed they would close reeducation camps, with the Xinjiang governor stating that detainees had "graduated" (Maizland, 2022). However, satellite images revealed an "ongoing system of mass detention," with researchers identifying more than 380 suspected detention facilities (Ruser, 2020). China had simply "refashioned some lower-security reeducation camps into formal detention centers or prisons and constructed new, high-security detention centers throughout Xinjiang."

The Reality of Systematic Oppression

The cumulative effect of these policies creates what journalists describe as an "open-air prison" due to "pervasive surveillance across Xinjiang" (Maizland, 2022). Uyghurs face restrictions on "services at mosques; having more than three children; and sending texts containing Quranic verses" (Maizland, 2022). Chinese officials have demolished "thousands of mosques" and "converted some into Communist propaganda centers," while remaining mosques "are often guarded and monitored, with entry limited via checkpoints with electronic ID scanners" (Maizland, 2022). These restrictions deny Uyghurs the right to live authentically. They cannot openly practice their faith, gather in places of worship, have families of their choosing, or communicate their religious beliefs. The Uyghur existence in Xinjiang has been "modified and manipulated by Han Chinese majority's restrictive policies," forcing compliance to avoid further persecution and fundamentally denying Uyghur humanity and dignity.

As Uyghur Human Rights Activist Omer Kanat observes, "The state cannot simultaneously assimilate and discriminate against Uyghurs" (Kanat, 2017). Yet this contradiction serves China's purposes, allowing it to claim equality while systematically destroying Uyghur identity. China's statements present "a modified version of Uyghur existence that does not invoke skepticism from the international community," exploiting the fact that "access to Uyghur testimony is severely limited due to China's restrictions on freedom of speech." Since 2020, mounting evidence has exposed China's systematic campaign. As Adrian Zenz noted, "we already know all that we really need to know" (2019). Despite this evidence, the ICC dismissed Uyghur complaints, thus enabling China's impunity through selective application of jurisdictional rules.

Realist International Legal Order and China's Impunity

The sovereign equality of all states, which undergirds international law, does not always manifest within the aggressive reality of international politics. In the words of Antonio Cassese, the first President of the International Criminal Tribunal, "In principle, all States are equal" and all states "possess full legal capacity, that is, the ability to be vested with rights, powers, and obligations" (Cassese, 2005, pp. 198–212). However, in reality, "one particular class—a handful of States with strong economic and military systems—holds authority in the international community" (Cassese, 2005, pp. 198–212). This reality reveals how realist power dynamics shape international responses to atrocity crimes, privileging economic and military strength over human rights considerations.

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Hierarchy of International Power

Realism, as an international relations theory that emerged after World War II, defines state survival primarily through three metrics: economic strength, material interests, and military capacity (Slaughter, 2012). It is, as Slaughter claims, defined by its polarity, emerging right after the most horrific genocide in human history that resulted in the deaths of nearly 6,000,000 Jews. Despite the framework's inherent weakness, it precludes consideration of critical variables such as human security, the effects of war, family life, and global class relations and reduces nations to their economy and militaristic existence, it is the prevailing approach to international relations.

According to realist logic, states operate as rational actors whose "principal goal is survival," making them prioritize "sufficient power to defend themselves and advance their material interests" over humanitarian concerns (Slaughter, 2012). This framework inherently marginalizes considerations of human security, family life, and the experiences of minority populations.The realist worldview rests on four critical assumptions: survival as the primary state goal, rationality in pursuing self-interest, uncertainty about neighbors' intentions, and the decisive role of "Great Powers" with superior economic and military capabilities (Slaughter, 2012). Under this logic, "state power is the key—indeed, the only—variable of interest, because only through power can States defend themselves and hope to survive" (Slaughter, 2012). This singular focus on power accumulation creates conditions where human rights violations can be

overlooked when committed by economically and militarily powerful states. "In such an anarchic system, State power is the key— indeed, the only— variable of interest, because only through power can States defend themselves and hope to survive." (Slaughter, 2012). The United States, for example, may be considered Realist in its pursuit of economic and military development. The variables of interest, primarily its economy and military that we typically associate with the U.S., are not accidental. In other words, the U.S. is known for its economic strength and military readiness, which are key to its identity. Powerful states' quest for dominance never ceases, insinuating a Gramscian-style hegemonic approach without restraint, which legitimizes dominance over "culturally diverse society [...] so that the worldview of the dominant ruling class becomes the accepted cultural norm." (Gramsci, 1926).

The UN Security Council as Realist Institution

The UN Security Council exemplifies how realist principles structure international governance. Created after World War II to "address the failings of the League of Nations in maintaining world peace" (Tandon, 1969), the Council grants permanent membership and veto power to five "Great Powers"—the United States, China, France, Russia, and Britain. As the only UN body authorized to issue legally binding resolutions and sanctions, the Security Council concentrates decisive power in the hands of states that achieved their positions through economic and military dominance (United Nations, 1945).

There is legitimacy to the existence of the five U.N. Security Council permanent members, one of the primary reasons being that the permanency prevents terrorist-seeking nations from obtaining more power on the international stage. In the recent past, the U.N. Security Council sanctioned Iran regarding its nuclear program, alleged advocacy for terrorism, and condemned Iraq for invading Kuwait in 1991 (Meisler, 1995, 264-277). This structure creates inherent contradictions. While the Council exists to maintain international peace and security, its composition privileges the very states most likely to commit or enable atrocities through their pursuit of hegemonic power. The permanent members' veto authority means that any one of them can block international action, effectively placing them above international law when their interests are threatened.

China's Exploitation of Realist Structures

China's treatment of Uyghurs and lack of accountability shows the power it wields in the UN. As a permanent member of the Security Council, China has veto power. In addition, China has leveraged its economic and military influence to extend its control and persecution of Uyghur people beyond its borders. As Deputy Assistant Secretary Scott Busby testified to the US Senate, "Fleeing China is not enough to escape the long arm of the Chinese Communist Party. China has routinely pressured other countries to return Uyghurs, ethnic Kazakhs, and members of other Muslim minority groups to China" (United States Senate Foreign Relations Committee, 2018). China's reach extends even to jurisdictions legally obligated to prevent genocide. Busby notes that "in 2015, Thailand returned nearly 100 Uyghurs to China, and roughly 50 remain in detention in Thailand today. In July 2017, Egyptian authorities deported two dozen Uyghurs, who promptly disappeared upon arriving in China" (2018).

Even countries that are signatories to the Rome Statute—and thus legally required to prevent genocide—circumvent their obligations when faced with Chinese economic and political pressure. Busby claims, China persuaded other countries "to arrest Uyghur dissidents on politically motivated charges" through INTERPOL, with "Dolkun Isa, the President of the World Uyghur Congress, repeatedly detained and harassed around the world due to an INTERPOL Red Notice issued based on China's false accusation of terrorism" (2018). Although INTERPOL eventually rescinded the notice, the incident demonstrates how China weaponizes international institutions against Uyghur activists.

The Silencing of Uyghur Voices

China's systematic suppression of Uyghur testimony reveals the deliberate nature of its campaign. As Busby testified, "the government blocks U.S. press and social media websites and imprisons its people for sharing their opinions online" (2018). This information control ensures that Uyghur narratives remain marginalized while Chinese state narratives dominate international discourse.

Even Chinese citizens who advocate for Uyghur rights face severe punishment. Human rights lawyer Wang Quanzhang was "imprisoned for over three years because of his work defending in court those whose human rights were abused" and was "sentenced to four and a half years for subverting state power" (Wu, 2023; Busby, 2018). Similarly, Huang Qi, who founded the Tianwang Human Rights Center to track human rights abuses, has been "in and out of prison since 1998" and was reportedly tortured "to extract a confession to 'leaking state secrets overseas'" (Busby, 2018).

The Limitations of Humanitarian Discourse

Even well-intentioned advocacy can inadvertently perpetuate *othering* through victim language. Human rights activist Rayhan Asat, while documenting the experiences of "invisible victims who often can't comply with authorities' demands," risks reinforcing narratives that cast Uyghurs as permanently helpless (2023). The phrase "invisible victim" implies that Uyghurs are "unseen or incapable of being recognized by the world," potentially advancing "a fixed narrative of the Uyghurs as an essentialized *other* who can never be anyone more than a distant concern for the international community." This victim language, while intended to mobilize support, constitutes "*othering* in disguise" that "weaponizes the *Other's* humanity and existence" (Lévinas, 2006). Such discourse must be carefully examined to ensure it does not inadvertently support the very *othering* processes it seeks to combat.

Realism as Modern Colonialism

The international community's response to the Uyghur crisis demonstrates how realist structures enable modern forms of colonialism. Just as colonial Britain and France defined themselves against Orient nations, China now "exudes the Occident role against the Uyghurs who constitute the Orient" within an international system that continues to privilege dominant powers (Said, 1994). The UN Security Council's realist foundation means that "actions that amount to genocide against minority subjects are overlooked or even tolerated, mainly when they occur within a nation in a

position of power like China"

This analysis reveals that the international community's silence toward Uyghurs is not merely a failure of political will but a structural feature of a system designed to privilege economic and military power over human rights. As long as international institutions operate according to realist logic, powerful states like China will continue to exploit these structures to avoid accountability for atrocity crimes against marginalized populations.

Listening to Uyghur Voices: Digital Ethnography and the Language of Resistance

If we listen closely, we can hear the world's silence towards the Uyghurs. When it dismissed the Uyghur petitions in 2020, the ICC rejected the firsthand account of people's experiences in Xinjiang. The ICC prosecutor reasoned that the ICC does not have jurisdiction to hear the case since China is not an ICC member. However, attorneys and human rights activists arrived at a much different conclusion, showing that the ICC did have jurisdiction since the mass deportations occurred in regions that are ICC members.

At a macro level, the ICC's rejection of petitions and Uyghur testimony mirrors the global dismissal of Uyghur narratives. Besides, even those who attempt to mobilize the issue, do so from a distance, so we rarely ever hear the Uyghur narrative in its distilled authentic form, as told by Uyghurs themselves. It is quite rare for the world to directly engage with the Uyghurs' "histories and struggles" and how they are "relegated to the margins of international legal theory, primarily as a consequence of colonialism and imperialism" (Wong, 2017, p. 4). So often, the language we may use to describe the Uyghurs advances a fixed representation of them as an essentialized *other*. There is an apparent "language of oppression" or "language of trauma," which does not empower the international community to confront China. That said, a bottom-up approach, like TWAIL, that amplifies the lived experiences of the Uyghurs may constitute a more appropriate means for restoring a balance of power between the Uyghurs and China.

The top-down approach to international relations, which state governments and human rights organizations currently use to discuss the Uyghur genocide, does not consult the Uyghur subjects' perspective. Consequently, speaking for the Uyghurs allows for contributions to be made to "the perpetration of neo-colonialism" without retribution under international law (Wong, 2017, p. 4).

In this context, "perpetration of neo-colonialism" refers to China's physical, legal, institutional, and systemic targeting of the Uyghurs, as well as the world's conformity through silence. As established previously, even with the efforts of human rights activists, much of their work incorporates a "language of oppression" and victimization of the Uyghurs, which advances this fixed representation as *other*, despite that this is contrary to their intent to build solidarity. Prior to confronting China, we must shift from using a "language of oppression" to a "language of emancipation," which TWAIL provides for those "[seeking to] re-conceptuali[ze …] international rules and subsequent reformation of institutions in light of the lack of representation of the Third World perspective in existing international law rules"

(Wong, 2017, p. 5).

Digital Ethnography

The following analysis of social media posts reveals three distinct narrative frameworks: China's sanitized propaganda, well-intentioned but distanced human rights discourse, and authentic Uyghur voices of resistance.

China's Sanitized Narratives

After S.C.I.O. joined X in August 2015, China began coercing ICC member nations to detain and return Uyghurs to China. Since then, the S.C.I.O. account has posted only six times about the Uyghurs. The long timespan between China's first post about the Uyghurs in 2017 and its most recent upload in 2024 is even more peculiar. What is particularly disturbing is how the narratives of the U.H.R.P. and the Voice of Uyghurs contrast with those told by China's S.C.I.O. While Uyghur and U.H.R.P. tweets communicate suffering, the Chinese S.C.I.O. depicts sanitized imagery of the Uyghur existence in Xinjiang, as I will demonstrate.

On July 8, 2017, the S.C.I.O. first uploaded an image of a small-business owner named Abdulla and his family. The caption reads "Uyghur businessman in Nanchang: Abdulla's story," and includes a link that further explains the history of his small business (China S.C.I.O, 2017). This seemingly innocuous post, however, must be understood within its broader context of intense crackdown on 'religious extremism,' in Xinjiang and increased state security and detention centers.

China's propaganda efforts continued with more explicit cultural messaging. On January 16, 2024, the S.C.I.O. praises Uyghur culture by saying:

> "Colombian Andres Osorio visited Urumqi with his friend Dilbar Bahtiyar and got a taste of #Xinjiang culture. He was amazed by how the #Uyghur language is spoken everywhere and how it shapes the locals' daily lives. Can you guess the first Uyghur phrase he picked up?' (China S.C.I.O, 2024).

The S.C.I.O.'s tweet portrays Xinjiang as a unique bridge between cultures, thanks to the Chinese state which seemingly endorses racial and ethnic diversity. From this tweet alone, the S.C.I.O. presents a positive impression of the Uyghur culture and how the Uyghur "language is spoken everywhere and [...] shapes the locals' daily lives." However, the S.C.I.O.'s tweet deliberately camouflages China's pro-assimilationist policies that intend to eliminate "the use of Uyghur language in [...] bilingual schools, which now operate only in Mandarin" (Kanat, 2017, p. 5).

The pattern of deceptive representation becomes even more pronounced in subsequent posts. The S.C.I.O.'s post from September 29, 2024, included a video of a young Uyghur child playing the accordion and a caption that read as follows:

> "Tacheng in #Xinjiang, once a bustling Silk Road stop, is a vibrant melting pot of over 20 ethnic groups! From Han to Kazakh, Hui to Uyghur, and more, this city celebrates #diversity. The #accordion, Tacheng's beloved folk instrument, captures its rich cultural tapestry" (China S.C.I.O, 2024).

Once again, the S.C.I.O. advertised an enriched, colorful image of Xinjiang, a diverse and "vibrant melting pot of over 20 ethnic groups!" Interestingly enough, the post implies that Xinjiang is better now than when it was "once a bustling Silk Road stop." According to the S.C.I.O., Xinjiang is thriving as a safe and diverse "melting pot." In other words, the S.C.I.O. implies that this diversity further enriches Xinjiang and is pivotal in its continued development as a thriving region. However, the S.C.I.O. deliberately camouflages how "Chinese security services and their proxies continue to harass and intimidate (Uyghurs, ethnic Kazakhs, and other members of Muslim minority groups)" (Busby, 2018). In contrast to this sanitized narrative, human rights organizations present a markedly different discourse, though one that also remains problematically distant from Uyghur voices themselves.

Human Rights Organizations: Distance and Limitations

More recently, the U.H.R.P. requested that several European Travel Companies "drop East Turkestan Tours" as part of its project to "end (…) organized tourism amid crimes against humanity." In a post from March 21, 2024, the U.H.R.P. tweeted that "travel companies should not be profiting from running tours amidst atrocities" (Uyghur Human Rights Project, 2024). In line with this mission, U.H.R.P. also conducted "research on #GenocideTours (that) scrutinizes travel companies offering tours to the region amidst atrocities (against the Uyghurs)," for "these tours normalize atrocities, amplify state narratives of Uyghurs as lacking modernity, and offer "experiences" like visits to Uyghur homes" (Uyghur Human Rights Project, 2024).

The U.H.R.P."s post is to be recognized for reminding the world of the context that the S.C.I.O. is deliberately masking. In times when the annihilation of a group may not be out of the question, the U.H.R.P. recognizes how the predatory nature of consumerism is allowed to outweigh grave crimes that are "normalized." Tourists do not question the generational indoctrination programs for children and adults, forced sterilizations, forced abortions, forced organ removals, and forced unpaid labor that occur. Tourists do not question the Chinese "state narratives of Uyghurs as lacking modernity," nor the intrusion into "Uyghur homes."

However, despite these important interventions, the U.H.R.P.'s approach reveals significant limitations. While it certainly addresses the implications of tourism on Uyghur soil, the U.H.R.P. falls short in its mission to end the Uyghur genocide. Among the posts that I analyzed through digital ethnography, the U.H.R.P. confronts China's genocide against the Uyghurs from a distance, in that none of the posts directly solicit Uyghur narratives. Only one-fifth of the U.H.R.P.'s posts assert a specific call to action demanding the release of the "three Uyghurs brothers in Kashmir" within the broader context of how "the 11-year confinement of Uyghurs (…) violates UN detention standards and fundamental human rights, while (… China's) treatment (of the Uyghurs) defies international protections against arbitrary imprisonment" (Uyghur Human Rights Project, 2024).

Again, this is the only U.H.R.P. tweet that has an explicit call to action. The other tweets describe various issues that the Uyghurs face, but do so from a distance. While the purpose of the tweet is to inform the world of X users about the wrongful detainment of Uyghurs beyond China's jurisdiction, the U.H.R.P. takes a minimalist approach in the tweet. It broadly sweeps across "the UN detention standards" in place and the "international protections against arbitrary imprisonment," but it fails to

remind the world of its legal duty to confront China under international law. Rather than mobilizing urgent action, the U.H.R.P. primarily functions as an information distributor, circulating the data it collects, as well as various kinds of human rights violations occurring in Xinjiang and beyond. For instance, the U.H.R.P. tweeted on November 12, 2024, that

> "According to a 2023 U.H.R.P. report, the (United Nations High Commissioner for Refugees) is often "unable to provide meaningful protection to Uyghur refugees." As many as 1,000 are waiting for the results of their asylum applications, according to U.H.R.P. "Uyghurs aren't really safe anywhere," U.H.R.P.'s @PeterIrwin_ says" (Uyghur Human Rights Project, 2024).

The U.H.R.P.'s third-person point of view creates distance between the world and the Uyghurs. Its statement that "Uyghurs aren't really safe anywhere," implies that there is no place for the Uyghurs beyond China's power stronghold. While this may contain some truth, however, the U.H.R.P. is speaking for the Uyghurs, rather than letting them speak for themselves. In this post, the U.H.R.P. does not directly consult narratives from the Uyghurs who exist, which would have bridged the distance, in spite of China's border restrictions in Xinjiang. This pattern of speaking for rather than with Uyghurs ultimately reproduces the very *othering* the organization seeks to combat. The dialogue about the Uyghurs that is currently circulating not only lacks a call to action, but it also *others* the Uyghurs.

The U.H.R.P.'s reproduction of information about the Uyghurs from a limited third-person point of view lacks urgency for the international community to confront China collectively, and laxness becomes the standard response of the international community. According to the U.H.R.P. website, only Canada, the Czech Republic, the Netherlands, the United Kingdom, the United States, and Taiwan formally recognize genocide in China against the Uyghurs. Without a call to action, the reproduction of China's genocide and crimes committed against the Uyghurs incidentally creates a cyclical language of oppression that the world often uses to describe and understand them. The reinforcement of this language *others* the Uyghurs to the point at which the world may only see them as victims.

China's Defensive Responses

When confronted with international pressure, China's social media strategy shifts from promotional content to explicit denial and deflection. On December 24, 2021, S.C.I.O. posted a tweet in response to the U.S.' enactment of the Uyghur Forced Labor Prevention Act, which banned imported goods that were produced using Uyghur forced labor. Nearly nine months prior, the U.S. had formally declared that China's actions against the Uyghurs amounted to genocide. Given the looming tension, the S.C.I.O. issued a statement in a tweet that:

"China deplores and firmly rejects the U.S. signing of the so-called "Uyghur Forced Labor Prevention Act" into law, and urges the United States to correct the mistake immediately, a Chinese Foreign Ministry spokesperson said Friday" (China S.C.I.O, 2021).

Based on its language in the tweet, the S.C.I.O. presents the U.S.' signing of the Act as unwarranted. Hence, it urges the U.S. to "correct the mistake immediately." However, the U.S. had good reason to sign the Act. First, there is minimal accountability

for corporations that rely on forced labor for the production of goods. Corporations cannot be sued under international law for forced labor, despite the fact that many companies manufacture products, such as cars and garlic, using Uyghur enslavement (Human Rights Watch, 2024). Secondly, there are multiple companies that rely on forced Uyghur labor for mass production, which include but are not limited to "Esquel Group, Guangdong Esquel Textile Co., Ltd., Turpan Esquel Textile Co., Ltd., (and) Changji Esquel Textile Co., Ltd" (Uyghur Human Rights Project, 2024). In fact, the Uyghur Forced Labor Prevention Act banned the importation of products specifically from these aforementioned companies in China.

China's most direct denial of genocide allegations came in response to mounting international pressure. On March 2, 2022, S.C.I.O. responded to several nations' declarations of genocide by writing:

> "Over the past 60-plus years, the population in China's #Xinjiang region increased fourfold, and the #Uyghur population has grown from 2.2 million to about 12 million. The accusation of "genocide" in Xinjiang is a flat-out lie" (China S.C.I.O, 2022).

From this post, it appears that the S.C.I.O. is praising the significant uptick in the Uyghur population, which casts the claim of genocide as a deliberate distortion of the truth. However, this statement was issued in a direct attempt to deny the accusation of "genocide" in Xinjiang, which diminishes the illusory sincerity in the S.C.I.O.'s tweet.

This demographic argument deliberately obscures the historical context of China's colonization of Xinjiang. As of 2022, the U.S., along with other nations and organizations, had collected dockets of evidence that demonstrated China's actions against the Uyghurs amount to genocide, but China's project against the Uyghurs had deeper historical roots. In 1955, the Han Chinese constituted approximately 10% of the Xinjiang population, but China initiated a state-sponsored Han Chinese migration into the region, which significantly reduced the Uyghur majority in their homeland over the next 55 years (Kanat, 2017, p. 5). By 2010, the Han Chinese comprised 40% of the population compared with Uyghurs at 46% (Kanat, 2017, p. 5). While Xinjiang's borders became more permeable for Han Chinese immigrants, the border became increasingly more rigid for Uyghurs, even though Xinjiang is their homeland. From this evidence, Chinese law encouraged fluctuations in border permeability that actually reduced the Uyghur majority in Xinjiang, which shows that its forced migration was racially motivated, despite its claim that Uyghurs increased "fourfold" from March 2, 2022. China also ignores how Uyghurs are "excluded from high-paying jobs and the most powerful political offices, which are overwhelmingly Han," as a result of the waves of forced Han Chinese migration (Kanat, 2017, p. 5).

Moreover, China's population statistics fail to account for the contemporary reality of detention and abuse. More recently, the X users who viewed the tweet may not be aware that a 2024 report from the U.S. Department of State reported that Uyghur detainees are:

> "forcibly medicated with unknown substances" and subjected to forced organ removal, specifically for [Uyghur] political prisoners. (U.S. Department of State, 2024.) Some released detainees even "contemplated suicide or witnessed others kill themselves" (U.S. Department of State, 2024).

Authentic Uyghur Voices: Resistance and Resilience

Where the S.C.I.O.'s silence ends and the U.H.R.P.'s distant advocacy continues, a third narrative framework emerges that fundamentally challenges both approaches. While the U.H.R.P. also speaks of the Uyghur crisis from a distance, a different model exists for centering authentic voices. To bridge the gap between the Uyghurs and the world, activist efforts may be more effective if we allow the "subaltern," or the Uyghurs, to speak for themselves. This is precisely where the Voice of Uyghurs account offers a transformative alternative. Weaving narratives from an X account that can balance and inform the world about the Uyghur crisis from an up-close perspective—the Uyghurs—is precisely what we need for accountability and international reform. Thankfully, the Voice of Uyghurs achieves just that.

The Voice of Uyghurs account (based in East-Turkestan) deviates from the U.H.R.P. (based in the U.S.) in its reproduction of information concerning the Uyghur crisis in Xinjiang. This account uniquely allows the narratives of Uyghur nationals to be received by the online community without being tainted by *othering*. For the majority of posts, the Voice of Uyghurs reposts tweets directly from Uyghur nationals who are directly affected by the crisis in Xinjiang, which reveals China's intentionality in committing genocide against the Uyghurs. Consider, for example, the powerful testimony of Tahir Iman. On September 24, 2024, the Voice of Uyghurs re-tweeted a post from Tahir Iman, a Uyghur national, who tweeted:

> "I'm Uyghur, and I'm standing. I endured the loss of my mother, two brothers to prison, my wife was forced into divorce, my daughter was taken from me. Friends were imprisoned, I lost my business & finances, my library was shut down. I'm facing relentless CCP troll attacks" (Tahir Imin, 2024).

Tahir's narrative communicates a very different story than the S.C.I.O.'s first post about Abdulla from 2017. Like Abdulla, Tahir owned a business but lost everything to the "relentless" "CCP troll attacks." Unlike the U.H.R.P. posts, Tahir's post conveys a story of resilience since he is "still standing." In spite of the impact of China's brutality on Tahir's life, his narrative brings grief to a whole new level, allowing for a shared sense of empathy across borders. Moreover, Tahir's narrative creates a new language of resilience, in that as a "Uyghur," he is "still standing."

This language of resistance appears consistently across multiple Uyghur testimonies. Recently, Voice of the Uyghurs re-tweeted the narrative of Tumaris Yalqun, daughter of respected Uyghur writer and literary critic Yalqun Rozi, which incorporates the same language of resilience as that of Tahir's story. The tweet contains a brief message that reads as:

> "Eight years have passed since my father, Yalqun Rozi, was taken from us. His courage and love guide me as we continue to seek justice and fight for his freedom" (Tumaris Yalqun, 2024).

Tumaris' story uses language that communicates strength and faith amidst a long span of time filled with uncertainty. For nearly eight years, Tumaris has not seen nor heard from her father. In spite of this hardship and the trying circumstances, there is also a glimmer of solidarity in Tumaris' story and in how she recognizes that she is not alone in the continued quest for her father by using the phrase "we continue to seek justice and

fight for his freedom." These narratives also reveal the extensive reach of China's intimidation tactics beyond its borders.

Voice of Uyghurs also retweeted a post from Uyghur national Abdurehim Gheni who wrote that:

> "A day before testifying at @CourtTribunal against China's treatment of Uyghurs, Chinese police threatened me by having my family back in #EastTurkestan [...] send [me] a video telling me not to testify while my father lies ill in bed" (Abdurehim Gheni, 2024).

There is a serious risk when it comes to Uyghurs speaking out against the CCP, which leverages Abdurehim's silence by means of intimidation. Unfortunately, this is just one example of how Chinese law enforcement will go to extreme lengths to silence testimonies such as that of Abdurehim that could potentially compromise the state in front of the world. The way in which the police capitalize upon Abdurehim and his family's vulnerability highlights the predatory nature of the Chinese state towards the Uyghurs, thus reinforcing its intentionality of committing genocide against the Uyghurs.

The personal cost of China's systematic campaign emerges clearly in family testimonies. On June 15, 2024, Voice of Uyghurs re-tweeted Uyghur national Mamutjan Abdurehim's tweet:

> "I wish I could spend the #Eid with family. So many of us #Uyghurs haven't been able to do so in more than 7 years due to China's mass incarceration of our loved ones for their identity" (Mamutjan Abdurehim, 2024).

Mamutjan's story reflects the longing and sorrow for family that is universal among the Uyghur experience of China's brutality and genocide. It is clear that the CCP's political actions, including mass incarceration and reeducation camps, directly impacted the lives of Uyghur individuals, causing the separation of families, prolonged disruption of religious practices, and displacement of their Uyghur community. From his story, the fact that Mamutjan expresses how China imposes mass incarceration of his "loved ones for their identity" indicates China's intentionality in targeting the Uyghurs for their identity, since they deviate from the fixed Han Chinese atheist national identity. Perhaps most significantly, Uyghur voices themselves explicitly frame their experience within historical context.

Additionally, the Voice of Uyghurs also re-tweeted that Uyghur nationals expressed that

> "We now have overwhelming proof that we are witnessing the largest mass-internment of an ethnic group since the atrocities of the 1940s. #Uyghurs are being killed, tortured and imprisoned. We cannot stay silent" (Abdugheni Sabit, 2024).

This shows that Uyghur nationals understand China's actions amount to a modern-day Holocaust. The reference to the World War II Holocaust is telling; China's political acts of "mass-internment," killings, torture, and imprisonment of the Uyghurs are appropriately likened to the Jewish Holocaust. In the same way that Nazi Germany exterminated the Jewish population through religious persecution, internment camps, and *othering*, China employed similar tactics that targeted the Uyghurs (Ellis, 2022). In other words, China's actions against the Uyghurs are tantamount to the national

socialism that Nazi Germany sponsored in the 1940s. Given that the tweet also uses the phrase "the largest mass-internment of an ethnic group," Uyghur narratives once again prove China's intentionality of committing genocide against the Uyghurs.

From Silence to Authentic Voice

One of the most popular explanations for the international community's silence towards China's genocide against the Uyghurs is the difficulty in proving China's intent. To overcome this difficulty, we can use the tweets and narratives from X to show China's intentionality. As Gayatri Spivak would put it, in the context of the Uyghur genocide, true activism is letting the subalterns (the Uyghur nationals) speak for themselves, rather than letting non-Uyghur journalists and activists speak for them. The authentic narratives of Uyghur nationals not only reveal China's intentionality of committing genocide against the Uyghurs, but they also can be used to inform accountability for genocide and international reform in the U.N. Security Council, thus adhering to the TWAIL approach.

Finding a Way Forward: International Reform for the Uyghurs

Despite overwhelming evidence of genocide—from authentic Uyghur testimonies to documented patterns of systematic oppression—the international community, including Muslim-majority nations, remains largely silent toward China's persecution of Uyghurs. This contradiction demands examination of the structural forces that enable such inaction.

The world's silence derives, at least in part, from economic concerns, self-interest, and the difficulty in proving genocide, but the evidence presented in the previous chapters also indicates the world's tendency to *other* Orient populations like the Uyghurs. From the age of colonialism, *othering* has been used to justify the portrayal of a group as fundamentally inferior and the systematic exclusion of that group from political, social, and economic processes. In the same way that colonial Britain and France defined themselves against Eastern nations through *othering*, China assumes this colonial "Occident" role against the Uyghurs who constitute the figurative "Orient," enabled by an international system grounded in realist traditions that continues to permit *othering* today.

On a broader scale, the international community, as demonstrated by the ICC and U.N. Human Rights Council, has repeatedly dismissed the Uyghurs' narratives of suffering, which constitutes a systematic form of *othering*. As a result, the international community's failure to hold China accountable after learning of the atrocities in Xinjiang signals tacit approval of the People's Republic of China's state-sanctioned genocide against the Uyghurs. While China's actions against the Uyghurs may not be a priority, even for nations that recognize genocide, the Uyghur genocide affects us all at a fundamental human level.

The stakes could not be higher. An entire group of the human race is at risk of being exterminated as part of a modern-day Holocaust. Given the broad knowledge base of the impending genocide, nations that formally recognize China's genocide, including the U.S., risk complicity in this crime through their failure to immediately confront China. Moreover, there is insufficient pressure from the international community to act upon its legal obligations. As of now, there appears to be no straightforward solution to

the Uyghur genocide that would not incur the risk of China's economic, political, or military reprisal. However, not all hope is lost.

Toward Institutional Reform and Uyghur-Centered Solutions

Given that the ICC dismissed Uyghur testimony, there is a pressing need to amplify Uyghur voices and confront the perpetrating Chinese government using their narratives while minimizing subjecting themselves or the international community to China's political, economic, and military reprisal. Building on the TWAIL framework and the authentic voices demonstrated in this analysis, I propose several interconnected strategies:

1. Strengthening International Legal Mechanisms

Reform ICC jurisdiction to address cases where crimes cross borders of member states, preventing powerful non-member states from exploiting jurisdictional gaps. Establish alternative legal venues that can hear testimony from marginalized populations when traditional institutions fail. Create binding international standards for corporate accountability in supply chains involving forced labor

2. Amplifying Authentic Uyghur Voices

Support platforms like Voice of Uyghurs that center authentic Uyghur narratives rather than speaking for them. Provide resources and protection for Uyghur activists and testimony-givers facing transnational intimidation. Integrate Uyghur perspectives into international policy discussions rather than relying solely on third-party advocacy

3. Multilateral Diplomatic Pressure

Coordinate among the six nations that have recognized genocide (U.S., U.K., Czech Republic, Netherlands, Taiwan, and Canada) to develop consistent diplomatic responses. Work within existing UN mechanisms to document violations and maintain international attention. Support civil society organizations that can operate with greater flexibility than state actors

4. Economic and Corporate Accountability

Expand enforcement of forced labor prevention acts beyond individual nations. Increase transparency requirements for companies operating in or sourcing from Xinjiang. Develop alternative economic partnerships that reduce dependence on Chinese markets for countries willing to take principled stands

Limitations and Realistic Expectations

While peacekeeping forces in Xinjiang represent an ideal outcome, they require Chinese consent under current international law, making them unlikely in the near term. Instead, the focus must be on sustained pressure through multiple channels, documentation of violations, and support for Uyghur communities both within China

and in diaspora. The goal is not immediate resolution but persistent accountability that makes the costs of continued persecution increasingly untenable for China.

Uyghur narratives demonstrate a relentless fight for survival and dignity. Their struggles provide strength not just for potential U.N. initiatives but also for human rights movements globally. Their stories present new possibilities for human rights within the larger Uyghur movement and provide an opportunity to reimagine freedom for the Uyghurs. The framework developed in this analysis should be prioritized to restore our promise to the world: "Never again." The path forward requires acknowledging that the international system itself enables the very *othering* it claims to prevent. Only by fundamentally reimagining how marginalized voices are heard—and ensuring they speak for themselves rather than being spoken for—can we begin to address not just the Uyghur genocide, but the structural conditions that make such atrocities possible.

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