

PRESS RELEASE

First of kind legal challenge tackles importation of forced labour goods from China into UK

London, Monday 1st November 2021, For Immediate Release

The World Uyghur Congress (WUC), with the support of the Global Legal Action Network (GLAN), has filed an unprecedented case against UK authorities at the High Court of England and Wales challenging the importation of cotton goods produced with forced labour in China. Such goods freely enter the UK despite well documented and widespread use of forced labour involving Uyghur people in China's cotton industry. If successful, the Court will declare the authorities' approach unlawful and will likely set a world-first precedent by confirming that it is not permissible under the Proceeds of Crime Act for companies to purchase the proceeds of atrocity crimes. Another novel argument advanced in the claim is that such imports violate an untested 19th century law prohibiting the importation of prison-made goods.*

Beginning in around 2017, Chinese authorities have systematically detained over one million Uyghur and other Turkic people in East Turkistan - which China calls the Xinjiang Uyghur Autonomous Region - using a network of high-security 'de-extremification' and prison camps. Forced labour in the cotton industry is a core part of this persecution.

According to GLAN and WUC, there is an abundance of evidence indicating that imports containing cotton from the Uyghur region have been produced in whole or in part by forced labourers, and the UK authorities should thus suspend the importation of these products and consider prosecuting those who import them. The case is supported by a wide range of evidence, including witness statements, leaked government documents, satellite imagery, a secret memorandum from within the textile industry and documents which the Chinese government has attempted to remove from the internet.

China is the UK's largest trade partner after Europe and the US, with trade between the two countries more than doubling over the last decade to reach £70bn in the last financial year. The systematic incarceration of Uyghurs is the latest instalment in the region's history of forced prison labour – its "regular" prisons, which contain up to 800,000 Han Chinese and ethnic minority inmates, have long been home to conglomerate prison enterprises. The evidence file details allegations that not only is prison and forced labour widespread and systematic in the Uyghur region, it is intimately linked with the region's cotton industry, which accounts for 85% of the cotton produced by China.

China's mass detention of an ethnic group appears to be on a scale not seen since WWII, and the claim also addresses the reality that this mass incarceration and exaction of forced labour could amount to crimes against humanity. The UK government has already publicly expressed its concern over what it terms "[China's systematic human rights violations in Xinjiang](#)" and has raised the issue of human rights violations in the region [directly with the Chinese Government](#). Earlier this year, a legal opinion commissioned by GLAN, WUC and the Uyghur Human Rights Project concluded that there was a credible case that China is committing crimes against humanity and genocide in the Uyghur region. Indeed, the UK parliament has unanimously voted to declare that both are taking place.

The legal case argues that the imports breach a number of important legal principles in the UK. The UK's Foreign Prison-Made Goods Act 1897 prohibits the importation of goods produced in foreign prisons. Companies which knowingly import "criminal property" - that is, cotton produced by forced labourers subject to enslavement - commit offences under the

Proceeds of Crime Act 2002 (POCA) and should be investigated by the National Crime Agency. The National Crime Agency has argued that under POCA, the companies are permitted to import the cotton as long as they obtain it for “adequate consideration.” This case challenges this approach, arguing that companies can never be permitted to knowingly purchase the fruits of atrocity crimes. Any confirmation by the Court that forced labour in supply chains can give rise to criminal liability will be of significance to other countries which have enacted proceeds of crime legislation.

WUC is represented by Jamie Potter of Bindmans LLP. GLAN has set up a [crowdfund](#) to raise funds to enable the case to be brought.

Rahima Mahmut, the UK Director for the World Uyghur Congress and a UK resident, said: “Living in a free country which upholds respect for human rights, it hurts so much to know that the products that are used in this country are the fruit of the enslavement of my people. I have full confidence that the British government will make the right decision in line with its legal framework which champions the highest standards of human dignity.”

Dearbhla Minogue, a legal officer with GLAN said: “The UK customs authorities are applying far too high an evidential threshold in their assessment of whether goods are made in conditions of detention in East Turkistan, and this must now be addressed by the Court. Additionally, the National Crime Agency has taken an astounding approach in arguing that, as long as they pay good money for it, companies can source as much forced labour cotton as they like. This is wrong in law. Their combined approach means that companies are freely profiting from the misery of forced labour.”

Siobhan Allen, a legal officer with GLAN said: “All evidence points to cotton made using forced labour coming into the UK from the Uyghur region, East Turkistan. By failing to enforce the laws that exist to address this, the UK government is allowing companies to benefit from such crimes.”

Notes to editors

The Global Legal Action Network (GLAN) is a non-profit organisation made up of legal practitioners, academics and investigative journalists that pursues innovative legal actions across borders, challenging states and other powerful actors involved with human rights violations. GLAN has offices in the UK (London) and Ireland (Galway). Contact: Dr Gearóid Ó Cuinn (Director) | gocuinn@glanlaw.org | +447521203427 | Dearbhla Minogue (Legal Officer) | dminogue@glanlaw.org | +447584599580 | [@glan_law](#) | www.glanlaw.org.

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