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## How Lawyers Can Help the Uyghur Human Rights Crisis

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By **Richard Mancino and Virginia Tillyard** | February 11, 2019

As lawyers, we have long provided pro bono assistance to asylum seekers fleeing repression from all corners of the world, including El Salvador, Venezuela, Africa and Tibet. Most recently we have encountered the egregious plight of Uyghur Chinese nationals whose culture, identity and religion are being systematically eradicated on a scale to rival what has already taken place in Tibet.

Experts have compared the huge, recently developed detention centers in Xinjiang, the historical homeland of the Uyghur people in China's far west, to both Mao's labor camps and the camps of World War II. Satellite images have illustrated the mushrooming growth of these camps. Publicly sourced documents from China state that to achieve their purpose of converting detainees into "new, better Chinese citizens," the centers must first "break their lineage, break their roots, break their connections, and break their origins." Recent estimates suggest that nearly 10 percent of the Uyghur population of Xinjiang province is incarcerated in detention centers.

An interned individual faces indefinite detention, forced political indoctrination, violence, and possibly forced labor, torture and death. For those Uyghurs who have not been detained, daily life is characterized by official prohibition on expressions of their religious beliefs, widespread discrimination in education and work, and near-constant surveillance. And as *The Economist* magazine recently put it, "[e]ven without high-tech surveillance, Xinjiang's police state is formidable. With it, it becomes terrifying." Using a centralized information database containing DNA, blood samples, fingerprints, photo scans and other personal details, along with facial and voice recognition software and other profiling methods, government officials single out, harass and intern "problem" individuals based solely on their ethnicity or religion.

Public awareness in the United States of this situation is not nearly widespread enough. However, U.S. Senators Marco Rubio (R-FL) and Robert Menendez (D-NJ), and Representatives

Chris Smith (R-NJ) and Thomas Suozzi (D-NY) recently introduced to Congress a bipartisan draft Uyghur Human Rights Policy Act. Among other things, the bill calls, first, for sanctions and other deterrents against responsible entities and individuals within the Chinese government (using the Global Magnitsky Act, the Frank Wolf International Religious Freedom Act and the International Religious Freedom Act), second, for prohibitions on sales of U.S.-made goods and services to Chinese state agents in Xinjiang (which could include technology used to suppress ethnic minorities in Xinjiang), and third, for U.S. companies and individuals operating in Xinjiang to assert publicly that they are not contributing to these human rights violations and that their supply chains are not compromised by forced labor. The bill would also support Uyghurs and other Chinese Turkic Muslim minorities who are either U.S. citizens or residing in the United States, both by expediting asylum claim processing, and by attempting to mitigate the harassment from Chinese authorities that some of them have experienced in this country.

We support this legislation, and urge others to do so. The U.S. Refugee Act, which is part of the U.S. immigration laws, has its origin in the Universal Declaration of Human Rights, which was influenced by the atrocities of World War II and adopted, without dissent, by the United Nations in December 1948. The 1951 Convention Relating to the Status of Refugees and the 1967 Optional Protocol Relating to the Status of Refugees single out the five categories of protections—race, religion, nationality, political opinion, or membership in a particular social group—that are codified in our country’s refugee laws. Looking to international legal principles, we lawyers, therefore, have the responsibility to support refugees. As individuals, we also have powerful means to help Uyghurs who are in the United States. Most obviously, we can seek out and represent asylum claimants. In addition, by supporting the expatriate population of Uyghurs, we are lending strength to the international lobby that pressures China to honor human rights law. And by representing asylum claimants, we are not only helping individuals who would face indefinite detention and possibly death if they were sent back to China, but are also helping to preserve the Uyghur community’s cultural and religious identity.

The greatest concentration of Uyghur expatriates is in the Washington, D.C. area, but—perhaps in furtherance of a New Year’s resolution—lawyers in any large city should be able to seek out a pro bono legal clinic, and offer their help to a Uyghur asylum claimant. In New York, for example, both Human Rights First and the Immigrant Justice Project of the City Bar Justice Center screen and vet asylum claimants. Lawyers in smaller communities could begin by seeking out a state or local bar association. A Department of Justice provides lists of pro bono legal providers for immigration proceedings in various states. Additionally, the Uyghur Human Rights Project provides timely news, contacts and other information about this urgent human rights crisis. We can and should do more to help.

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