

## **HUMAN RIGHTS, LAW, AND DEMOCRACY: FINDINGS AND RECOMMENDATIONS**

*The Penn Project on the Future of U.S.-China Relations presents the following findings and recommendations from the Human Rights, Law, and Democracy team of its second fellowship cohort. The policy papers on which they are based, a video of the February 13 webinar featuring these authors, and more information can be found on the Project website.*

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### **Leading the Fight Against Uyghur Forced Labor**

Preston Jordan Lim, Villanova University Charles Widger School of Law

#### Findings:

1. As part of its campaign of repression against Muslim Turkic minorities who inhabit the Xinjiang Uyghur Autonomous Region, the Chinese Party-state has constructed a profitable and sophisticated system of forced labor that operates across China and that assures the continued domination of Uyghurs and other minority peoples.
2. Although the U.S. has thus far led the way in the global fight against Uyghur forced labor, there remain major areas for improvement. In particular, the recent end of de minimis treatment for most Chinese products, whereby goods valued at or below \$800 were subject to lessened customs scrutiny, will place additional burdens on over-stretched and under-funded trade enforcement personnel at U.S. Customs and Border Protection (“CBP”).
3. To combat the modern Xinjiang forced labor system, jurisdictions across the world have adopted such tools as mandatory human rights due diligence legislation, which is designed to constrain firms’ ability to employ forced labor inputs in their supply chains, and/or forced labor import bans. A consideration of these foreign legislative measures furnishes useful lessons for U.S. policymakers as well.

#### Recommendations:

1. The United States should increase efforts at international institutions to counter China’s perpetuation of the modern Xinjiang forced labor system, particularly by filing a complaint against China under Article 26 of the ILO Constitution.
2. Congress should authorize increased funding for CBP’s trade enforcement efforts and for CBP’s use and obtention of AI screening tools.
3. The White House should urge state governments to introduce and mandate that federal contractors implement Xinjiang-specific human rights due diligence legislative measures.

## **Who Still Advocates for Human Rights? China's Contestation and Influence in the UN Human Rights Regime**

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### Findings:

1. At the UN Human Rights Council, China promotes a development-focused approach to human rights while downplaying civil and political rights. Many Global South countries align with this perspective, collectively shifting the UN's human rights discourse away from its traditional liberal focus.
2. China's economic engagement yields political returns, even in one of the most value-driven issue areas. Many Global South countries, regardless of their regime type, increasingly align with China's vision of development-oriented human rights when they benefit from its overseas development projects.
3. Not all beneficiaries succumb to China's economic influence. Some continue to advocate for a liberal, rights-based framework in the United Nations, voicing distinct concerns and priorities. These countries, many non-Western and less developed, remain critical of the human rights records of both China and the U.S. Their trajectory in upholding liberal human rights norms deserves monitoring.

### Recommendations:

1. The U.S. must articulate why civil and political rights remain essential and relevant for the articulation of human rights, particularly in key forums like the UN Human Rights Council. To counter competing narratives, Washington should focus on strengthening the effectiveness of international human rights laws and institutions, ensuring that contested norms are shaped in alignment with liberal values.
2. U.S. foreign assistance programs should be recognized not only as humanitarian efforts but also strategic tools for shaping global governance. Washington must identify and support developing countries that share a commitment to liberal values, using economic engagement to reinforce alliances and counterbalance China's influence in international organizations and elite politics.
3. To lead by example, Washington can be more forthcoming in acknowledging its own domestic human rights challenges, particularly concerning marginalized and vulnerable populations, including immigrant and minority groups. Demonstrating openness to international criticisms will strengthen U.S. credibility and reinforce its leadership in the liberal international order.