

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4
5 By: Senator J. Dismang
6

A Bill

SENATE BILL 587

For An Act To Be Entitled

8 AN ACT TO PROHIBIT PUBLIC ENTITIES FROM CONTRACTING
9 WITH COMPANIES THAT BENEFIT FROM UYGHUR FORCED LABOR;
10 TO REQUIRE A CERTIFICATION IN PUBLIC CONTRACTS; AND
11 FOR OTHER PURPOSES.

Subtitle

12 TO PROHIBIT PUBLIC ENTITIES FROM
13 CONTRACTING WITH COMPANIES THAT BENEFIT
14 FROM UYGHUR FORCED LABOR; AND TO REQUIRE
15 A CERTIFICATION IN PUBLIC CONTRACTS.
16
17
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22
23 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

24 (a) The General Assembly finds that:

25 (1) There is currently a cultural and ethnic genocide occurring
26 in Xinjiang, China hidden under the thin cover of "reeducation camps," as
27 documented through countless investigations, including credible investigative
28 journalism outlets, congressional findings, formal reports issued by the
29 United States Department of State, the United States Department of Homeland
30 Security and other agencies, leaked Chinese government documents and files,
31 and first-hand witness accounts;

32 (2) Outside the internment camps and prisons, the Xinjiang
33 government is implementing an apartheid-like system of persecution of
34 ordinary people, including forced sterilization, forced birth control, forced
35 abortion, forced marriage, forced labor, and other atrocity crimes;

36 (3) These camps and the system of total control target citizens



1 on the basis of their religious and ethnic identity, especially Uyghurs,
2 Kazakhs, and Kyrgyz, and other Turkic majority-Muslim peoples.

3 (4) Those who identify with these groups are being placed into
4 camps without cause, tortured, politically indoctrinated, sexually abused,
5 sterilized, and subjected to state-imposed forced labor in factories that
6 they are unable to leave;

7 (5) Within the camps, detainees are required to memorize
8 Communist propaganda, repeat the anthems of the Chinese Communist Party, and
9 are forbidden from expressing any form of their religion including without
10 limitation praying, abstaining from haram foods, owning religious books,
11 having a beard, or wearing the hijab;

12 (6) First-hand accounts of these atrocity crimes detail the
13 horrors occurring, as illustrated in the following account from a book by
14 Gulbahar Haitiwaji and Rozenn Morgat: “Their mouths were gagged, just like
15 mine. Beyond the forest of barbed wire around Baijiantan, the “reeducation”
16 of Uyghurs was proceeding apace. Whether or not they locked us up, China
17 reserved one fate and one fate alone for us all: ‘reeducation’ through fear,
18 coercion, and censorship. Without distinction, they ground us all underfoot
19 in the open-air prison that Xinjiang had become”;

20 (7) Uyghurs under China’s constant surveillance systems are
21 unable to speak publicly without risking immediate detention, international
22 observers must provide a voice for the voiceless by ensuring by law that
23 international business operations do not lend support and assistance to the
24 atrocity crimes detailed above;

25 (8) In the United States Declaration of Independence, it is
26 stated that all men are created equal and endowed with certain unalienable
27 rights and it is the role of the government to protect and secure the rights
28 of life, liberty, and the pursuit of happiness for all people;

29 (9) In Article 2, Section 25 of the Arkansas Constitution, it is
30 stated that “the General Assembly shall enact suitable laws to protect every
31 religious denomination”;

32 (10) The United States Department of State, United States
33 Department of the Treasury, United States Department of Commerce, United
34 States Department of Labor, and United States Department of Homeland Security
35 have condemned the Chinese government’s repression of Uyghurs and have twice,
36 in July 2020 and July 2021, warned American businesses that there is a “high

1 risk” of complicity, and of violating federal laws, unless they conduct a
2 detailed analysis of their global supply chains;

3 (11) In December of 2021, the United States led a diplomatic
4 boycott of the Winter Olympics held in Beijing, China, because of the human
5 rights abuses of the country; and

6 (12) Horizon Advisory, in cooperation with Victims of Communism
7 Memorial Foundation, have documented global business complicity and called on
8 companies in the United States to reassess their role in facilitating China’s
9 abusive domestic and international policies;

10 (13) Under Secretary of State Keith Krach issued a letter
11 confirming that the People’s Republic of China is committing some of the most
12 serious acts involving mass human rights abuses since World War II. He states
13 that “corporate responsibility is social responsibility” and that companies
14 should feel obligated to dissociate themselves from the atrocity crimes
15 occurring in China;

16 (14) In June of 2021, the Uyghur genocide was condemned by the
17 Southern Baptist Convention;

18 (15) Passage of the Uyghur Forced Labor Prevention Act on the
19 national level is a significant step towards justice for Uyghurs, and state
20 governments should take further action to ensure that there is more
21 transparency within supply chains;

22 (16) A tremendous amount of companies have been linked to
23 benefitting from the forced labor within this region;

24 (17) Various organizations that support the Uyghurs, such as the
25 Athenai Institute and the Uyghur Human Rights Project, have modeled and
26 support this bill; and

27 (18) This is a cause that many Arkansans support throughout the
28 state, as seen through the widespread support of the youth-led End the Uyghur
29 Genocide project.

30 (b) It is the intent of the General Assembly that a state entity shall
31 not enter into a contract with a company benefiting financially from the use
32 of Uyghur forced labor.

33
34 SECTION 2. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended
35 to add an additional section to read as follows:

36 25-1-126. Prohibition on contracting with entities that use Uyghur

1 forced labor - Definitions.

2 (a) As used in this section:

3 (1) "Company" means a sole proprietorship, organization,
4 association, corporation, partnership, joint venture, limited partnership,
5 limited liability partnership, limited liability company, or other entity or
6 business association, including all wholly owned subsidiaries, majority-owned
7 subsidiaries, parent companies, or affiliates of those entities or business
8 associations and:

9 (A) Is directly controlled by the Government of China;

10 (B) Which the Government of China owns a majority
11 interest; or

12 (C) Contracts with or provides goods, services, or credit
13 directly to the Government of China;

14 (2) "Government of China" means:

15 (A) The government of the People's Republic of China led
16 by the Chinese Communist Party;

17 (B) Any governmental unit of the People's Republic of
18 China or of a province, region, or other political subdivision of the
19 People's Republic of China; and

20 (C) Any instrumentality of the People's Republic of China
21 or the Communist Party of China; and

22 (3) "State entity" means a state government entity, including a
23 department, division, agency, office, commission, board, constitutional
24 office, or other government organization.

25 (b) A state entity shall not enter into or renew a contract with a
26 company to acquire or dispose of services, supplies with a company benefiting
27 financially from the use of Uyghur forced labor.

28 (c) A contract under subsection (b) of this section includes companies
29 that provide services or products including without limitation:

30 (1) Technology; and

31 (2) Construction.

32 (d) To enter into a contract with a company, a state entity shall
33 require the company provide a certificate stating the company:

34 (1) Is not engaged in a business relationship of any kind with a
35 company that benefits from Uyghur forced labor; and

36 (2) Will not enter into a business relationship of any kind with

1 a company that benefits from Uyghur forced labor.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36