From the Director’s Desk

Over the past several months, many of the values we hold dear as human rights advocates have come under attack. The rights of immigrants, refugees and asylum seekers have been trampled. People have been targeted for exclusion based on national origin and religion. We have seen a dramatic rise in hate crimes, hate speech and harassment. Access to health care, women’s rights, marriage equality and LGBT rights are all endangered.

But something equally important is also happening. We have seen an extraordinary outpouring of volunteer energy and commitment from people who will not let these abuses stand. For example, in the 48 hours following the President’s first executive order banning immigrants from predominantly Muslim countries, more than 300 Minnesota lawyers volunteered to help people stranded and detained at the airport. (You can learn more about this spontaneous effort at our upcoming Human Rights Awards Dinner, where we will present a Special Recognition Award). Many of these attorneys are now volunteering with The Advocates to represent asylum seekers and people in immigration detention. Other volunteers are assisting Central American children who are fleeing violence and persecution. Numerous others have stepped forward to volunteer as researchers, interpreters, translators and many other important roles essential to the day-to-day work of protecting human rights.

So it is a good time to come together and celebrate at our annual Human Rights Awards Dinner on June 15. We will welcome and honor Mark Hetfield, the recipient of the 2017 Don and Arvonne Fraser Human Rights Award. Mark is the President and CEO of HIAS, the oldest refugee assistance organization in the United States, and is being recognized for his extraordinary leadership in expanding life-saving assistance to refugees in his 27-year career. We will present a Special Recognition Award to State Representative Ilhan Omar for her community leadership and relentless efforts to defend the rights of immigrants and refugees. We will also present our first Human Rights Defender Award to Genoveva Tisheva, the executive director of the Bulgarian Gender Research Foundation and a leader in protecting the human rights of women for more than twenty years. She was one of our earliest partners and has been an important part of the evolution of The Advocates’ work in advancing women’s human rights.

We will also focus on the many ways our volunteers contribute to the human rights movement locally, nationally and internationally: the lawyers who mentor pro bono lawyers as they take on their first asylum cases; the volunteers working on LGBT rights in Africa and those protecting human rights here at home; and the people who work to make The Advocates stronger by training and supporting staff.

Many of us are now more engaged than ever, in myriad ways. We must continue to be. More importantly, we are all paying closer attention, not just to our government and legislators, but to our friends, neighbors and communities. We have been reminded that how others are treated reflects our values and shapes our communities. As the saying goes, “Justice will not be served until those unaffected are as outraged as those who are.” As we move forward in these uncertain times, we will celebrate the small victories that move us closer to justice.

Thank you for your support.

Robin Phillips
Executive Director
Global refugee rights leader Mark Hetfield will deliver the Human Rights Awards Dinner’s keynote speech and receive the Don & Arvonne Fraser Human Rights Award on June 15 at the Marriott City Center in downtown Minneapolis.

Mr. Hetfield is president and CEO of HIAS. HIAS was founded in 1881 and is the world’s oldest organization dedicated to refugees. An expert in refugee and immigrant law, policy, and programs, he has led the transformation of HIAS from one focused on Jewish immigrants to a global agency guided by Jewish values that assists and resettles refugees of all faiths and ethnicities. HIAS is a major implementing partner of the United Nations Refugee Agency and the U.S. Department of State. Hetfield’s 27-year career began at HIAS in Rome and has included five positions with the organization, as well as posts with the Immigration and Naturalization Service in Washington, D.C. and Haiti. In February, HIAS became the first and only national refugee resettlement agency to file a court challenge against the Trump administration’s executive order implementing a Muslim and refugee ban, a challenge that led to an injunction against the order. A double Hoya, Hetfield holds a bachelor of science degree in foreign service and a juris doctor from Georgetown University.

Ilhan Omar, member of the Minnesota House of Representatives, will be presented the Special Recognition Award. Elected to the legislature in November 2016, Omar is the first Somali-American Muslim woman in the nation to hold an office at this level. She previously served as Director of Policy Initiatives at Women Organizing Women, where she empowered East African women to take civic leadership roles.

Also receiving special recognition is the MSP Airport Rapid Response Team, volunteer attorneys for those affected by travel and immigration restrictions; Volunteer Recognition Awards will be presented to Karam Law for their work mentoring attorneys in pro bono asylum cases; Sarah Vander Zanden for many years of dedicated service; Gerry Tyrrell for his work on LGBTI rights in Namibia; and David Seng Chor and Yorn Yan, United Cambodian Association, for translation and other assistance in The Advocates’ work on behalf of victims of Khmer Rouge. Genoveva Tisheva, Bulgarian Gender Research Foundation, Bulgaria, will receive the Human Rights Defender Award.

Pictured: Mark Hetfield and Representative Ilhan Omar; photos provided

HUMAN RIGHTS AWARDS DINNER

Thursday, June 15
Marriott City Center
30 South 7th Street
Minneapolis, MN

Featuring Global Refugee Expert & Keynote Speaker
Mark Hetfield
President and CEO of HIAS

Register at:
TheAdvocatesForHumanRights.org
Since last November’s election, communities across the United States have engaged in conversations about “sanctuary.” It’s not the first time the phenomenon has risen to prominence in this country: in the 1980s, the Sanctuary Movement took hold throughout the U.S. to provide safe haven from deportation to Central American refugees.

Three decades later, what constitutes “sanctuary” is a matter of debate. The term often has been wielded as a pejorative by those opposed to immigration who conjure up images of local governments actively thwarting federal immigration enforcement. But after decades in the shadows, the term “sanctuary” has been reclaimed by immigrant rights activists and others seeking to create communities free from hate or discrimination. Twenty-first century sanctuary includes a diverse range of actions, from providing 1980s-style safe haven to hanging a banner that invites conversation about immigration and human rights.

The movement has expanded to include congregations, cities, campuses, and even restaurants, which proclaim that “there is a place at the table for everyone.” (See SanctuaryRestaurants.org.)

The custom of “sanctuary,” which protected alleged wrong-doers from vengeful pursuers, largely had fallen out of use by the 16th century. How did a medieval custom come to crystallize today’s immigration debate? What should those who engage in today’s sanctuary movement consider?

The Sanctuary Movement of the 1980s

Writing in 1986, Arthur Helton, then director of the Political Asylum Project of the Lawyer’s Committee for Human Rights, described the emerging phenomenon known as the Sanctuary Movement thusly:

“Since 1981 the United States has experienced a remarkable development—the rise of the Sanctuary Movement. The Movement is a grassroots phenomenon with its origins in religious communities. Sanctuary has grown from a chance encounter between a Salvadoran hitchhiker and a retired Quaker rancher to an effort involving more than 300 congregations around the country which have provided public refuge to approximately 1,000 Salvadorans and Guatemalans. Sanctuary workers help Salvadorans and Guatemalans gain entry into the United States, and provide shelter and assistance once they arrive.”

Despite federal laws prohibiting the transportation and harboring of undocumented individuals, many in the Sanctuary Movement argued their actions were not civil disobedience because those they protected were lawfully present as asylum seekers. Nonetheless, the following years saw federal investigation into and prosecution of members of the Sanctuary Movement.

Sanctuary Cities

“Sanctuary cities” today serve as a flashpoint for anti-immigrant activists. Executive Order 13768, “Enhancing Public Safety in the Interior of the United States” seeks to punish state and local governments considered to be “sanctuaries” by withholding federal funds. (On April 25, two California cities prevailed on a challenge to the executive order filed with a U.S. District Court.)
Since the movement began in the 1980s, cities’ relationship to federal immigration authorities has shifted dramatically.

Federal law does not require local governments to ask about immigration status or to share any information, even though Congress amended the law in 1996 to prohibit local governments from restricting communication with federal immigration authorities. Many cities have sought to foster trust between its residents and local law enforcement by adopting clear policies, ordinances or other statements that prohibit the collection of information about immigration status.

More recently, some cities have tried to detangle from federal immigration enforcement authorities, who have sought to co-opt state and local government law enforcement resources. Local governments can build trust with refugee and immigrant communities by avoiding cross deputizing local police to enforce immigration laws with Immigration and Customs Enforcement (ICE); such deputizing inhibits immigrant crime victims and witnesses from interacting with local police. Policies that prohibit involuntary ICE interrogation of people held in local jails or holding people in custody solely on the basis of an ICE detainer keep local law enforcement focused on the public safety of all.

Sensitive Locations
Declaring sanctuary does not mean an entity is off-limits to immigration authorities. The U.S. Department of Homeland Security’s Sensitive Locations policies advise federal immigration agencies to generally avoid enforcement actions at certain locations. These include educational institutions, medical treatment and health care facilities, places of worship, religious or civil ceremonies such as weddings and funerals, or public demonstrations.

But these long-standing policies do not prohibit immigration enforcement in those locations. Rather, enforcement actions require either prior supervisory approval or “exigent circumstances necessitating immediate action.”

Sensitive locations should know what to do in the event of an immigration enforcement action and consider policies and procedures to follow if federal immigration officials arrive on site, and make sure that employees and volunteers understand them.

A Human Rights Approach
Today’s sanctuary movement has continued to engage religious congregations. A human rights approach can help congregations clarify questions that emerge as they consider whether and how to engage in sanctuary work. But the sanctuary movement is not about charity; it is part of a larger social justice movement. A human rights approach calls for a dynamic balancing act between strategies that address the root cause of injustice, protect those most at risk of being hurt, engage those with the power to stop the human rights violation, and empower those whose rights are violated. Sanctuary is no exception.

It is essential for a congregation to be clear about why it is engaging in sanctuary work. Does “sanctuary” mean quietly giving someone a safe place to live? Or does it mean being a vocal part of a public campaign? What happens if ICE knocks on the door? What happens if no one asks the congregation for help?

Many questions focus on the legal risks for congregations, leaders, and members. Denominational headquarters may have general guidance, but congregations should consider getting legal advice. Knowing the risks can help congregations act with confidence.

Consider the question from the viewpoint of a potential sanctuary-seeker: How great is the risk of being deported? How might sanctuary impact legal options? Should the case be public? Who should speak about it? People considering taking sanctuary should seek legal advice from an experienced immigration attorney before making any decisions. They must be active partners in decision-making.

A valuable resource for congregations is the Code Switch podcast from March 29, 2017, “Sanctuary Churches: Who Controls the Story?”

Images provided by The Advocates for Human Rights
Shepard Fairey’s iconic image has appeared in protest marches across the United States this year, from the inauguration to the historic women’s march. No single image better depicts the first targets of executive actions undermining human rights.

The proliferation of this image has had a powerful effect. This picture of a hijab-clad woman sent a message of inclusion to Muslims. It became a symbol of solidarity for all of the protestors.

Countering fear and reinforcing inclusion are critical. “Fear is being deliberately leveraged to make life so uncomfortable that people decide to leave the United States or to not come at all,” says Michele Garnett McKenzie, deputy director of The Advocates. “This strategy, known as ‘deportation by attrition’, has been promoted by anti-immigrant forces for years.”

Everyone has human rights

Human rights standards allow all people to live with dignity, freedom, equality, justice, and peace. Every person has these rights simply because they are human beings. These rights are guaranteed to everyone without distinction of any kind, including race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

The U.S. Constitution recognizes many core human rights protections – freedom from discrimination; right to life, liberty, and personal security; freedom from arbitrary arrest; freedom from interference with privacy, family, home, and correspondence; freedom of religion.

Knowing these rights – and learning how to exercise them – has emerged as an important part of the community response to the administration’s executive orders on immigration.

Moving from Exclusion to Belonging

Too often, the discussion about immigration focuses judgment on the actions of the newcomers – whether they followed increasingly complicated immigration rules, their adeptness at adjusting to life in the United States, and their willingness to meet the broader community’s expectations of behavior and appearance.

But human rights standards reverse the terms of the discussion. They instead ask how government, civic institutions, and individuals ensure that every person is treated with dignity.

In 2014, The Advocates released Moving from Exclusion to Belonging: Immigrant Rights in Minnesota Today. The report drew on nearly 200 individual interviews and more than 25 community conversations with hundreds of people around the state. The Advocates found that while welcoming gestures can help ease transitions, welcome alone – without upholding fundamental human rights – leaves some people excluded.

By claiming the American flag as her hijab, the woman in the poster claims her rights.

Photo credit: Artist, Shepard Fairey; Photographer, Ridwan Adhami via Amplifier Foundation
If you flag down a taxi in Minneapolis, you just may find the big, beaming smile of cab driver Nyamavo Koffi greeting you. For Koffi, who fled his home country of Togo in 2010, his road to Minnesota—and to safety—has been perilous and terrifying.

In Togo, Koffi owned a successful business selling technology equipment, he was also active in Movement for Change and a member of the Union Forces for Change, a political opposition party. Koffi’s goals: fair elections and stronger multi-party politics.

The government retaliated against him for these goals. Officials assaulted and beat him. They soaked him with tear gas. They barraged him with threatening calls and texts then broke into his house and threatened him in person.

Life had grown too dangerous. Koffi, his wife, and their two-year-old daughter fled their home and livelihood in Togo for a refugee camp in Ghana. The government was not deterred. “One morning, I was sitting in the camp reading a newspaper when I read a report that the government was searching everywhere for me,” Koffi said. It was then that Koffi fled to the United States but was forced to leave his wife and young daughter behind.

After he entered the United States in April 2010, Koffi struggled to survive with no money and no work permit until six months after he filed for asylum. He moved from one friend’s apartment to another. Worrying about his family and feeling lonely while searching for someone to help him make a claim for asylum added to his anxiety. Then, with a phone call he found The Advocates for Human Rights and legal representation to gain a safer, better life.

There were bright spots, though. “People were so kind . . . at the mall, the airport, or in a taxi, strangers smile at me,” he said. “Everyone everywhere is kind to me.” He realized that in his new home, he can start over and be safe and happy.

He forged ties with a church and with the friends he made there. “I belong to a men’s group, and we enjoy hiking, camping, fishing, and barbecuing.”

Koffi was granted asylum in 2014. “I don’t know how to thank The Advocates; they never let me down,” he said. He is now working with The Advocates to reunite his family. “My wife and daughter—now nine years old—are supposed to arrive in Minnesota in just a few months,” Koffi said.

He also wants to go back to school to study science or technology. In the meantime, he drives his cab, goes to church every Sunday, and looks forward to fishing in Minnesota’s lakes.

Photo credit: Grace Oghihara
A team of 22 volunteers, partners and staff of The Advocates for Human Rights recently continued a tradition that began in 2015 when the organization launched its UN Study-Advocacy Tour, an initiative that takes participants to Geneva to conduct international advocacy at the United Nations.

This past March, participants worked to help end violence against women and the death penalty, and advance the rights of religious and racial minorities. They:

- Lobbied more than 100 delegates to the Human Rights Council, providing them with “one-pagers” summarizing issues for the upcoming Universal Periodic Reviews (UPRs) of Bahrain, India, Morocco, Poland, South Africa, and Tunisia;
- Met one-on-one with Human Rights Council delegates about the UPR recommendations;
- Delivered oral statements to the Human Rights Council;
- Presented at The Advocates’ three parallel events;
- Participated in closed-door briefings with UN treaty bodies, including the Committee on the Rights of Persons with Disabilities and the Human Rights Committee.

During the Human Rights Council’s debate on racial discrimination, The Advocates’ volunteer Veronica Clark delivered an oral statement highlighting the rise in hate crimes and incidents of bias targeting racial, ethnic, and religious minorities in the United States. “Racial and national origin bias pervade the U.S. criminal justice system, including widespread use of racial profiling and stark racial disparities in arrests, convictions, and sentencing,” she testified. She called on the United States and other UN Member States to “establish independent oversight bodies within police agencies, with real authority to conduct impartial investigations of all human rights violations.”

Partnering with human rights defenders from around the world

Jerome Lottering, chair of South Africa’s Camissa Movement for Equality, left his homeland for the first time to join The Advocates’ team in Geneva. Lottering’s organization promotes the rights of people the South African government has historically labeled “Coloured”—people with mixed racial heritage. The Advocates’ team members assisted Lottering with his lobbying, setting up meetings and making connections with Council delegates. Most delegates were unaware of the situation of Coloured people in South Africa and took great interest in the information he and The Advocates shared. “During Apartheid, we were not white enough to enjoy our full human rights, and now, we are not black enough,” Lottering said in his oral statement to the Human Rights Council. “We urge South Africa to monitor the implementation of its laws to avoid unintended consequences and safeguard the human rights of all persons, including the Coloured people of South Africa.”

Team members collaborated with The Advocates’ partners in Moldova to participate in a private meeting with the Committee on the Rights of Persons with Disabilities (CRPD) to highlight violence against women and girls with disabilities in that country. Within weeks after the meeting, the CRPD published its “List of Issues” for Moldova—a document that will form the framework for
In Geneva >

the committee’s in-person review of Moldova later this year—highlighting several points raised in The Advocates’ written report and oral interventions with the CRPD. For one thing, the CRPD requested that the Moldovan government provide information on measures it has adopted to ensure accessibility and reasonable accommodation of mainstream services for women with disabilities who have been subjected to violence. It also requested information on steps Moldova has taken to repeal legislative provisions that permit non-consensual treatment on the basis of disability, such as forced sterilization, forced contraception, and forced termination of pregnancy on the grounds of psychosocial or intellectual impairment. The Moldovan government will provide the committee with written responses and then will come to Geneva to face in-person follow-up questions later in 2017.

Participants also had the chance to work alongside human rights defenders from India, France, Morocco, Poland and South Africa to raise visibility of issues related to human rights in those countries. For example, partnering with the Indian American Muslim Council and several India-based NGOs, volunteers canvassed the floor of the Human Rights Council to identify countries that may be sympathetic to human rights issues such as constraints on religious freedom, draconian anti-terrorism laws used as a pretext to target religious minorities, extra-judicial executions, and restrictions on the activities of civil society organizations.

Prominent Indian human rights defender Teesta Setalvad delivered a powerful oral statement to the Human Rights Council, noting that “progress in minority rights protection is under threat, including by increasing hate speech, xenophobic rhetoric, and incitement to hatred against minorities.” Referencing her home country, she added that “such threats come, in part, from elected officials and members of Parliament.”

Photos (top to bottom): volunteer Karen Evans (credit: Amy Bergquist); partner Jerome Lottering with volunteer Veronica Clark (credit: Amy Bergquist); Matt Forsgren preparing to make an oral statement (credit: Jennifer Prestholdt); photo opposite page provided by The Advocates for Human Rights.

Advocacy Tour volunteers and partners instrumental to success

Joining The Advocates for Human Rights’ Robin Phillips, Jennifer Prestholdt, Rosalyn Park, Amy Bergquist, and Theresa Dykoschak at the United Nations in Geneva in March were:

Volunteers
Lisa Borden, Baker Donelson, Birmingham, Alabama
Veronica Clark, D. Nolo and Kindred, Minneapolis
Kiersten Dunbar Chace, Mondé World Films, San Diego
Karen Evans, Minneapolis
Matthew Forsgren, Greene Espel, PLLP, Minneapolis
Margaret Griewe, PMG Management, Minneapolis
Joan Kuriansky, Circles USA, Washington, D.C.
Angela Liu, Dechert, LLP, Chicago
Alison McElroy, Lift Brands, Inc., Chanhassen, Minnesota
Mark Petty, Thomson Reuters, Eagan, Minnesota
Bradley Wallace, Fredrikson & Byron, P.A., Minneapolis

NGOs
Stephanie Willman Bordat & Saida Kouzzi, Mobilising for Rights Associates, Rabat, Morocco
Jawad Khan & Ajit Sahi, Indian American Muslim Council, Morton Grove, Illinois
Teesta Setalvad, Citizens for Peace and Justice, Mumbai, India
Jessica Corredor Villamil, World Coalition Against the Death Penalty, Paris, France
Ania Głogowska-Balcerzak, Women’s Rights Center, Lodz, Poland
Jerome Lottering, Camissa Movement for Equality, Johannesburg, South Africa
Growing up, my dad told me a parable about a frog that looked up at the sky from a well, smugly satisfied that it knew what the sky looked like. But when the frog emerged from the well, it realized the sky was vast and never-ending. I have had two moments in my life when I felt like that frog emerging from the well. The first occurred when I stepped foot onto my college campus. The second, almost 20 years later, was on a rare week-long trip this March as a volunteer attorney with The Advocates for Human Rights to the United Nations in Geneva.

Like with most volunteer activities that start out with intentions of wanting to give and share your time and energy, you end up getting back more than you give. This trip was no different. Indeed, on day one, as I nervously looked out at this multinational body at work, I gave my first oral statement to the Human Rights Council about atrocities in Eritrea, which was later followed by another about domestic violence in Moldova. I quickly learned that each speaker only has two minutes to speak, and so as "The Advocates for Human Rights" was called to the floor, I quickly threw down my translation ear piece, turned on the microphone button, and sped through my statements in an effort to pack as much information into the UN record as possible.

The oral statements, however, were just the beginning. I had the opportunity to lobby delegates of member-states around the world, explaining to them issues relating to the death penalty in Bahrain, domestic violence in Poland, Morocco and Tunisia, religious freedom in India, and discrimination in South Africa. Given my time spent as a volunteer with The Advocates on a fact-finding mission to Montenegro through a pro bono opportunity at my law firm, I had the honor of sitting on a panel with relentless and passionate human rights activists regarding issues of domestic violence in Serbia, Tunisia, Morocco, and Montenegro. I had dinner with human rights defenders and leaders from around the globe, who were both extraordinary and majestically ordinary at the same time. I spoke with a woman whose brother was killed and her sister in law mutilated by ISIS, who somehow was applauding me for merely passing out fliers on domestic violence. I heard the moving and sometimes quivering voices of activists on the ground explaining the situations in Western Sahara, Yemen, Bahrain, Iran, Syria, Afghanistan, and Ethiopia, and I could not help but be overwhelmed.

While watching the representatives from countries around the world speak, I realized the fragility of every country and the pressure this multi-national system is under, particularly when many of the six billion people around the world cannot live a life free from violence or starvation. To some extent, I saw how on a macro level, each nation was clamoring for what we inherently want on an individual micro level: acceptance, to be cool in front of our friends, and to be heard. Sometimes they spoke; other times, there was baffling silence. But nothing can prepare you for the moment when you finally have the palpable realization that human rights today are genuinely under attack, and there is so much to be done.

"Human rights today are under attack, and there is so much to be done."

Angela Liu

Accordingly, we must support NGOs around the world—like The Advocates for Human Rights—that are not only changing laws but genuinely changing lives. It is imperative that we use our skills and resources to support those who are defending the most basic rights around the world so that people can live a life of dignity.

Thank you to The Advocates, its partners, and my travel buddies for giving me this opportunity. Through you, I know a small group of people can really make a difference if it’s willing to roll up its sleeves and get to work.

By Angela Liu, a volunteer with The Advocates for Human Rights and who was a part of a team of volunteers and staff that worked at the UN Human Rights Council in March. She practices law with Dechert LLP in its Chicago office. Photos provided by Angela Liu.
The Advocates at the UN Human Rights Council

Putting the spotlight on Human Rights in the United States

During The Advocates' UN Study-Advocacy Tour to Geneva in March, Jennifer Prestholdt and Veronica Clark each presented testimony to the UN Human Rights Council about the rise in hate crimes and incidents of targeted bias against racial, ethnic, and religious minorities in the United States. Prestholdt is Deputy Director of The Advocates and Clark is a volunteer.

The Advocates for Human Rights is deeply concerned about the rise in incidents targeting migrants, refugees, and racial, ethnic, and religious minorities in the U.S., as well as the proliferation of hate groups. Of greatest concern, however, is that some who have actively supported racist and xenophobic positions have assumed powerful leadership and advisory roles in the executive branch, lending an air of legitimacy to those views.

Recent changes to immigration policy raise serious concerns about racial and national origin profiling by the Department of Homeland Security’s Immigration and Customs Enforcement. ICE “deports by attrition” by making undocumented migrants fearful of remaining in the U.S. Indeed, ICE arrests have increased sharply and we have received numerous reports of people being taken into custody outside courtrooms, in vehicles, and at their homes.

Local law enforcement has turned over thousands to ICE following traffic stops or other encounters. To facilitate removal, ICE routinely interrogates these migrants without counsel, intimidating them into agreeing to be deported without a hearing. An estimated 75% of deportees waive all legal rights, including claims to asylum, protection under CAT, and claims based on family unity.

These policies erode trust between immigrants and law enforcement, a trust many communities have worked to build in the interest of public safety. Yet the administration’s January 25 executive order on domestic immigration enforcement would bar federal funding to jurisdictions that adopt community policing policies.

The Advocates for Human Rights is deeply concerned about the profiling and religious discrimination inherent in the administration’s most recent attempt to ban entry of people from six majority-Muslim countries and to halt the U.S. Refugee Admissions Program. People who are or are perceived to be Muslim report facing additional scrutiny upon entry into the U.S. and their family members living abroad face an uncertain future.

The Advocates for Human Rights encourages the Human Rights Council to keep this issue at the forefront of its agenda. Further, we call on all Member States, including the United States, to honor non-refoulement obligations and ensure that national immigration policies, as well as law enforcement practices, do not discriminate based on race, national origin or other status.

The Advocates for Human Rights is deeply concerned about the rise in hate crimes and incidents of bias targeting racial, ethnic and religious minorities in the United States. Hate crimes are recognized and prosecuted in the U.S. under federal and state laws. Yet 5,850 criminal incidents and 6,885 related bias offenses were reported in 2015. Fifty-nine percent of victims were targeted because of a race/ethnicity/ancestry bias.

Further, policies and practices at the federal, state, and local levels continue to disproportionately impact racial and ethnic minorities. Racial and national origin bias pervades the U.S. criminal justice system, including widespread use of racial profiling and stark racial disparities in arrests, convictions, and sentencing.

The Advocates for Human Rights encourages Member States, including the U.S., to take concrete action to:

- Adopt at local, state and national levels comprehensive legislation prohibiting racial profiling;
- Collect and publish statistics about police stops, searches, and abuse, to monitor trends regarding racial profiling and treatment of minorities by law enforcement;
- Establish independent oversight bodies within police agencies, with real authority to conduct impartial investigations of all complaints of human rights violations;
- Provide adequate resources to train law enforcement officials;
- Assess the disproportionate impact of mandatory minimum sentences on racial and ethnic minorities; and
- Create a national commission to examine police tactics nationwide, including the use of excessive force, militarization of local police forces and policing of protests.

Statement by Veronica Clark

Statement by Jennifer Prestholdt

Photo credit: Amy Siqveland
The Khmer Rouge

Under the repressive rule of the Communist Party of Kampuchea (CPK), also known as the Khmer Rouge, the Cambodian people experienced one of the most brutal genocides of the 20th century. Estimates of the death toll range from 1.5 to 2.2 million people out of a population of 7 million. In addition to those directly killed by Khmer Rouge soldiers, hundreds of thousands died of overwork, malnutrition, and disease. The Khmer Rouge regime fell in 1978 and was followed by civil war until the late 1990s.

In 1994, the government of Cambodia turned to the United Nations to request assistance holding members of the Khmer Rouge accountable. The Extraordinary Chambers in the Courts of Cambodia (ECCC) is the hybrid United Nations/Cambodian tribunal established in 2003 to bring to trial “senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions” from April 1975 to January 1979.

The Advocates for Human Rights is collaborating with the Center for Justice and Accountability to work with Khmer Rouge survivors in the U.S. diaspora to gather evidence for Cases 003 and 004. These are likely the final two cases to be brought before the ECCC.

Case 003 focuses on the responsibility of Meas Muth, a former high-ranking military official, for his alleged role in the internal purging of the military that resulted in the mass execution of party members and soldiers. Case 004 focuses on the responsibility of district level chiefs Yim Tith, former acting secretary of the Khmer Rouge’s NorthWest Zone, and Ao An, also known as Ta An, the former Deputy Secretary of the Central Zone, for crimes committed in the districts over which they exercised control.

“So far, The Advocates has interviewed survivors and prepared 22 victim information forms from Cambodian Americans in Minnesota for the investigation of Case 003 and Case 004,” said Jennifer Prestholdt, The Advocates’ deputy director.

Standing with Khmer survivors

In the summer of 1990, The Advocates for Human Rights (then known as the Minnesota Lawyers International Human Rights Committee) held a mock trial at the Minnesota State Capitol rotunda. On trial were Khmer Rouge leader Pol Pot and other architects of a genocide that killed over one-quarter of Cambodia’s population. The witnesses: members of Minnesota’s Khmer (Cambodian) refugee community.

At the time the victims of Cambodia’s killing fields testified before that mock tribunal, there was little hope that the Khmer Rouge leaders would be held accountable. But nearly thirty years later, those witnesses are again providing testimony, this time to the United Nations-backed Extraordinary Chambers of the Courts of Cambodia (ECCC).

The Advocates, in partnership with California-based Center for Justice and Accountability, is helping to bring witness testimony from the Cambodian American diaspora to the ECCC. (See sidebar at left.)

Minnesotans celebrated the Cambodian New Year in April at a day-long event in Mendota Heights featuring live music, drums, traditional dances, and Cambodian cuisine.

But those festivities bracketed a more solemn activity, an annual “Day of Remembrance” to honor victims of the genocidal Khmer Rouge regime. This year, the ceremony paid tribute to survivors who worked with The Advocates for Human Rights to provide information about human rights abuses for submission to the ECCC.

Each received a Certificate of Recognition for telling their stories, a process that allowed them to put their experiences on the record.

Many Cambodians keep their memories bottled up, which is not healthy, says Yorn Yan, executive director of the United Cambodian Association of Minnesota (UCAM), which worked with the Advocates on the project. So he tells them: “Number one, you document your own story, then you feel better.” Second, “Then your document will stay with you for ever and your children, your grandchildren will see it, it’s not a fake story. That’s a benefit for society in general.”

Yorn Yan’s father was among the nearly two million Cambodians killed by the Khmer Rouge during their 1975-1979 reign. He fled to Thailand after the Vietnamese invaded Cambodia in 1978 and eventually made his way to Minnesota, along with three brothers, two sisters, and their mother.

UCAM, which sponsored the New Year’s event at its offices, is a nonprofit that aims to promote opportunity for the state’s Cambodian community, which numbers about 10,000. UCAM was created in 1993 from the merger of two existing
Cambodian organizations. Yorn Yan has been executive director since 2005, taking the reins after it suffered a crisis. He has a master’s degree in nonprofit management and administration, is author of the book New Americans, New Promise: A Guide to the Refugee Journey in America, and board president of the National American Cambodian Organization.

UCAM has nine employees but gets support from 300 volunteers, including a number of medical and mental-health professionals, and serves about 1,500 clients a year. Funding comes from the Greater Twin Cities United Way and the Metropolitan Area Agency on Aging.

It gets half of its revenue from fees for services provided by its Adult Day Care program, which offers health, social, and other services to Cambodian elders. Many of them are in poor health from the strains of living through civil war, the Khmer Rouge, and life in refugee camps. They have high rates of type 2 diabetes, high blood pressure, mental health problems, and other chronic diseases that lead to strokes and heart attacks.

The Khmer Rouge era began just 42 years ago, Yorn Yan says, so many people age 50 or above continue to suffer trauma. “The starvation, the killing, the loss of loved ones, all of those bring poor health,” he says.

UCAM’s other programs are Elder Independent Living, Youth Development, Health Education, and Immigration. Under a five-year strategic plan it adopted in 2015, the organization is working to transition from one whose primary function was refugee resettlement to one that works to strengthen health, social, education, and economic opportunities for Cambodians and other refugee groups in Minnesota. One of its goals: develop new programs to help second- and third-generation Minnesota Cambodians understand their cultural values and traditions while still providing services for the elders.

When asked about main challenges, Yorn Yan says UCAM is trying to “do more with less” since the demand for services remains strong but federal and state funding has shrunk over the years.

The 1990 mock trial at the State Capitol led to the Khmer Oral History Project, during which The Advocates’ volunteers interviewed 15 members of the Cambodian refugee community on videotape about their experiences during the years of the genocide, their experiences in refugee camps, and their emigration to the United States. Those interviews took place in 1992 and are available online at the Minnesota History Center. This year, the Center for Justice and Accountability asked The Advocates to interview participants in the Khmer Oral History Project and submit their information to the ECCC. The Advocates also worked with UCAM to identify Khmer Rouge survivors interested in sharing their information with the ECCC.

Twenty-two members of the Cambodian diaspora in Minnesota, including many who had participated in the mock trial and oral history project, provided detailed information about the crimes they experienced between 1975 and 1979 for the ECCC’s investigation. The interviews were conducted by James O’Neal, vice chair of The Advocates; Jennifer Prestholdt, deputy director; and Amy Bergquist, International Justice Program staff attorney. They were aided by volunteer translator David Seng Chor.

“There are many problems with the tribunal in Cambodia, but at least this process has given our local Cambodian population the chance to document for all time what happened to them during the Khmer Rouge period,” O’Neal says. “It is extremely moving to hear these stories of tremendous human-rights abuses, the victims of which had the strength to persevere and become valuable members of our Minnesota community.”

By Suzanne Perry, volunteer with The Advocates. The article is part of The Advocates’ “Welcome Home” blog series featuring articles about diaspora communities in the United States.

Photo center: Bracelets dedicated to the victims of the Choeung Ek killing field in Phnom Penh, Cambodia. In 1998, the Choeung Ek killing field became the Choeung Ek Genocidal Center. Photo provided by The Advocates for Human Rights

Pictured on opposite page: Victims of the Khmer Rouge; Photo credit: Dudva. (CC)
Women’s Rights Cut Across Multiple Issues

The Advocates’ Women’s Human Rights Program, under the leadership of Director Rosalyn Park, has been at the forefront of efforts to shine a light on gendered dimensions of important human rights issues. While progress has been made in monitoring and enforcing women’s rights, much remains to be done to integrate the rights of women into all human rights initiatives and programming. The fact is, Park said, women and girls are uniquely affected by human rights violations.

“Every day, it seems like the issues and core human rights values that are so dear to us are constantly under fire,” Park said. “One day, it’s immigration with travel bans and talk of a wall going up between countries. Another day, it’s an attack on climate justice and the environment, and yet another day, it’s about health care, firearms, or funding for maternal health. But the common baseline that all these seemingly disparate issues share is that they have a disproportionate, unique, and adverse impact on women and girls.”

For example, many immigrant women who seek safety in the United States are fleeing multiple forms of violence, including sexual violence and domestic abuse. Firearms are the most commonly used weapon in domestic violence murders, not to mention the devastating effects of violence against women on women’s health.

“That is why it’s so important that laws and policies be specifically set up to address the needs and rights of women,” Park said. “The Advocates does that. We address multiple, cross-cutting issues, from the direct representation of a single woman seeking asylum all the way to changing laws and policies that protect all women in a country.”

Refugee and Immigrant Women

The Advocates for Human Rights sees first-hand the effects of gender discrimination, gender-based violence and harmful cultural practices on women. The Advocates has litigated difficult cases and has seen progress in asylum law over the years.

For example, female genital mutilation (FGM) has been recognized as past persecution and a basis for asylum for over a decade, thanks in part to litigation by volunteers for The Advocates. In recent years, the Department of Homeland Security has instituted changes that allow women seeking asylum to provide a written affidavit detailing the harm of FGM, thus avoiding the re-traumatization of having to testify in court. And, after 15 years of legal advocacy, the Board of Immigration Appeals finally recognized domestic violence as a basis for asylum.

Trafficing

Building on The Advocates’ years of research and advocacy on sex trafficking and its recent report on labor trafficking in Minnesota, staff attorney Theresa Dykoschak presented on labor trafficking and women’s human rights at the NGO Forum at the UN Commission on the Status of Women in New York in March. The session focused on identifying labor trafficking and exploitation and how women may be especially vulnerable to it. The Advocates continues its ongoing involvement in efforts to respond to trafficking in Minnesota, currently working with the state Department of Health to draft protocols on the response to youth victims.

International Advocacy

In March, Park participated in the first United Nations Gender Network workshop in London. The Network of academics, civil society practitioners, policymakers, and human rights experts aims to promote gender equality within the UN in the context of the 2030 Sustainable Development Goals (SDG). Goal 5 of the SDGs calls for achieving gender equality and empowering women and girls, but the Network believes that if the UN is to lead this effort it must first address its own gender inequality.

Domestic Violence Survivors

At the invitation of UN Special Rapporteur Dubravka Simonovic, Park participated on a panel in an Expert Group Meeting on violence against women hosted by the Centre for Women, Peace and Security at the London School of Economics in January. She and other panelists discussed shelters and protection orders in the context of survivors’ human rights. The information gathered at the meeting will be included in the Special Rapporteur’s report to the UN.
Women’s Program >

Building Regional and International Capacity

In April, Park and Staff Attorney Theresa Dykos-chak trained participants of the sixth round of the Women’s Human Rights Training Institute in Sofia, Bulgaria. The Institute brings together attorneys from Central and Eastern Europe and the former Soviet Union to develop their capacity to litigate women’s human rights issues.

The focus of the April session was preparing cases to the European Court of Human Rights. Over five days, participants drafted two hypothetical submissions involving trafficking and domestic violence issues and presented their arguments to a moot court. The next session of the Institute will focus on addressing United Nations treaty bodies, especially the Committee on the Elimination of Discrimination against Women.

The Advocates participates in advocacy and law reform at the local, national and international levels. Interventions at all levels are crucial to making the changes necessary for all women to live with dignity and freedom from violence and discrimination.

SUMMER CLE SERIES

Asylum and Family Reunification
Wednesday, June 28
12pm - 1pm
Dorsey & Whitney, Suite 1500
1 standard CLE credit applied for

Human Rights Advocacy at the UN
Wednesday, July 26
12pm - 1:30
Greene Espel, Suite 2200
1.5 standard CLE credits applied for

Human Trafficking in Minnesota
Wednesday, August 9
12pm - 1pm
Dorsey & Whitney, Suite 1500
1 standard CLE credit applied for

All CLEs are FREE and open to the public.
To register, visit: advrights.org/for_attorneys_cles

Participants in the sixth round of the Women’s Human Rights Training Institute in Sofia, Bulgaria in April.
The Advocates for Human Rights will present its first ever Human Rights Defender Award to Genoveva Tisheva, the executive director of the Bulgarian Gender Research Foundation (BGRF) at the Human Rights Award Dinner on June 15. Ms. Tisheva has been a leader in the international human rights movement for more than twenty years.

Largely because of Ms. Tisheva’s drive and vision, Bulgaria has become a leader in the region on law reform related to violence against women. In 1994, as president of the Bulgarian Women Lawyers Association, Ms. Tisheva began the work to secure legal reform that would protect women victims of violence and hold perpetrators accountable. She approached The Advocates, which had recently published its first report on women’s human rights, “Lifting the Last Curtain, a Report on Domestic Violence in Romania,” about conducting fact-finding and documenting domestic violence as a human rights violation in Bulgaria. Ms. Tisheva met with The Advocates’ Robin Phillips at a UN conference in Vienna in advance of the Fourth World Conference on Women in Beijing, China, thus beginning an important partnership that continues to this day.

The resulting report, “Domestic Violence in Bulgaria,” published in 1996, served as a blueprint for action. Over the coming years, Ms. Tisheva, then the executive director of the Bulgarian Center for Human Rights, set about developing advocacy networks, pushing legal reform, training judges and lawyers, and monitoring implementation. She developed a network of organizations providing services to women throughout Bulgaria to share best practices and coordinate advocacy efforts.

Ms. Tisheva understood early the importance of developing a new generation of women’s human rights activists. In 2004 she and BGRF launched the Women’s Human Rights Training Institute, where young lawyers in Central and Eastern Europe and the former Soviet Union can learn how to advocate for women’s human rights on the national, regional and international levels, including at the United Nations. Notably, some of the most important decisions about women’s human rights from the European Court of Human Rights have come from graduates of the program. Tisheva is now working with the sixth cohort and also serves as an advisor to a sister program that trains Russian speaking lawyers in the region. That program is administered by The Advocates for Human Rights and is launching its second cohort this fall.

“Genoveva is an extraordinary leader who combines vision, compassion and intelligence with hard work and perseverance,” said Phillips, executive director of The Advocates. “She has inspired me and other advocates around the world, as well as a new generation of human rights defenders. I have learned a great deal from her. I can’t think of a more deserving person for our first Human Rights Defender Award.”
“Be ready, be strong.” That’s the name of an educational campaign on immigration being led by The Advocates’ Deputy Director Michele Garnett McKenzie. Launched in February, the campaign thus far has reached 1,200 people in faith communities, Adult Basic Education programs, and other settings throughout the Twin Cities metro area. It’s an apt name for an educational campaign in these days of upheaval and uncertainty for immigrants, refugees, and undocumented people. And when you consider the arc of McKenzie’s career and her fierce dedication to human rights, you could say it’s also apt as her personal motto.

The 48-year-old attorney, who has been on the staff of The Advocates since 1999 after volunteering with the organization for the previous five years, found her calling in human rights work as a student at Macalester College in St. Paul in the 1980s. Like most college students, she said, she wanted to do something meaningful with her life. Human rights-focused courses in philosophy, political science, and other areas inspired her. But they also left her uncertain about how to turn her newfound passion into a job.

That uncertainty changed during an internship with immigration attorney Lesley Guyton, who at the time was a solo practitioner with a large asylum caseload. Guyton assigned McKenzie some asylum cases to work on, and her path toward a law career started to take shape. “I started volunteering at The Advocates and dove into immigration practice.” After graduating from the University of Minnesota Law School, she moved to Arizona to clerk for the Immigration Court. She then returned to private practice for two years before joining the staff of The Advocates.

“I love the mission here and being part of the human rights movement,” McKenzie said. “I’ve grown and changed a lot. The whole movement has.” For example, McKenzie pointed to the evolution of the movement’s approach to rape, other forms of gender-based violence, and local action. When she first became involved, rape was not recognized as a war crime and gender-based violence was not considered a basis for asylum. And human rights were not viewed as a local issue. “In the 1980s, human rights were “over there” as the international analog to civil rights. And they’re not.” Case in point: police-involved killings. “International standards for state-involved killings are really clear and informative. If we could sit down and talk about them here it would really help us,” McKenzie said. “International bodies have wrestled with these things for decades.”

Immigration has helped shape McKenzie’s personal life as well as her professional life. Her husband, Bob McKenzie, came to the United States from his native Scotland with advanced degrees in distilling and brewing. Now a U.S. citizen, he works at Barley John’s Brewing Company in New Richmond, Wisconsin. He and Michele live in Stillwater with their 12-year-old son, Ewan, who grew up attending human rights events with his mom.

“When I applied for law school at the University of Minnesota, I wrote in my essay that I wanted to do something where my day job was my life job,” McKenzie said. “I’ve found that at The Advocates.”

“...I wanted to do something where my day job was my life job. I’ve found that here.”

Michele Garnett McKenzie

Photo credit: Grace Ogihara
House parties help us share our successes with our community of advocates, supporting advocacy with the United Nations, legal representation for refugees and immigrants, initiatives to end human trafficking, and much, much more. A special thank you is extended to our generous house party hosts who welcomed The Advocates’ friends into their homes. Hosts include Kathy and Al Lenzmeier (Rapid Response); David Dybiec and the Mexican Cultural Institute in Washington, D.C. (Refugee and Immigrant Rights); Sarah Vander Zanden and Peter Marston (Women’s Human Rights); and Mary and David Parker (Nepal School).

Snapshots >

Spring House Parties

At a house party hosted by Kathy & Al Lenzmeier is The Advocates’ Sarah Brenes (right) with client Jalia Simaha, who had learned earlier that day she had been granted asylum. Photo credit: Kate Ali

House party guest Ellen Sampson visits with Chris Bercaw, former chair of The Advocates’ board of directors, at the house party hosted by Kathy & Al Lenzmeier. Photo credit: Kate Ali

The Advocates’ Michele Garnett McKenzie talking to the crowd at our Washington, D.C. house party about the need to protect the human rights of refugees and immigrants in the United States. Photo credit: Stanley Breen

At the Washington, D.C. house party are (L-R) Mary Ellison, Jennifer Prestholdt, Annie Cull, Loan Huynh, Michele McKenzie, Alberto Fierro Gonzales (event host), Robin Phillips, Manpreet Dhanjal, & Christine Tefft. Ellison, Cull, Huynh, Dhanjal, & Tefft are former staff of The Advocates. Photo credit: Stanley Breen
New board member, Ali McElroy at the Nepal School house party.

Deputy director, Jennifer Prestholdt and board member, Aviva Breen visit with a guest at the Nepal School house party.

(L-R) Dr. David Parker, Gail Shore, and Aviva Breen at the Nepal School house party.

Deputy director, Jennifer Prestholdt and board chair, Sam Myers speaking at the Nepal School house party.

(L-R) Sarah Vander Zanden, host; Rosalyn Park, director of the Women’s Human Rights Program; and Theresa Dykoschak, staff attorney at the Women’s Program house party.

(L-R) Theresa Dykoschak, Amanda Adams, Alena Levina, Judy Corradi, Rosalyn Park, Ali McElroy, Mila Yakolev, Ophelia Bagirova Karamushko at the Women’s Program house party.
Changing the world for good.

“To reach a port we must sail, sometimes with the wind, and sometimes against it. But we must not drift or lie at anchor.”

— Oliver Wendell Holmes