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COLUMBIA LAW SCHOOL  
HUMAN RIGHTS INSTITUTE

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February 13, 2018

Dear IAOHRA Members,

The Columbia Law School Human Rights Institute (HRI) is thrilled to reach out to you to gather information on the vital role that your agencies play in promoting and protecting human rights, and the challenges you face in these efforts, to inform a report to the United Nations.

**This builds on the Human Rights Institute and IAOHRA's longstanding efforts to raise the visibility of your work, advocate for more resources for state-county-city human and civil rights agencies, and to identify and amplify ways to use human rights locally.** (HRI previously secured a \$50,000 grant for IAOHRA.) The U.S. is currently due to be reviewed for its compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (commonly known as CERD). The U.S. ratified CERD in 1994, committing to uphold its provisions. The treaty aims to eliminate racism, racial discrimination, and other forms of intolerance, and applies to all levels of government.

### What are the key ways CERD addresses discrimination?

The CERD prevents discrimination on basis of race, color, national origin. It includes a comprehensive definition of discrimination, which includes "any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of" infringing on the enjoyment of human rights. It prohibits discrimination in many sectors, including housing, employment, education and criminal justice. The aim of the treaty is also to guide efforts to promote tolerance and eliminate laws, policies and practices that perpetuate inequality. It calls on governments to take steps to foster substantive equality, which can include measures to address the impacts of historic discrimination and take action "designed to secure to disadvantaged groups the full and equal enjoyment of human rights and fundamental freedoms."

### How is U.S. compliance with CERD monitored?

The CERD treaty also puts in place a U.N. committee of experts to monitor countries' compliance, known as the CERD Committee. These experts review countries' human rights records based on a formal report by the national government, and outside reports by interested stakeholders, including state and local government actors, as well as non-governmental organizations (NGOs). These "shadow reports" are meant to help paint a more complete picture of how human rights are faring within local communities, including effective laws, policies and practices, as well as challenges in addressing discrimination and fostering equality.

In addition to this periodic review process, the CERD Committee can also speak to governments when issues of concern arise. In 2017, in the wake of protests [in Charlottesville](#), [the CERD Committee called on the US government](#) to: “actively contribute to the promotion of understanding, tolerance, and diversity between ethnic groups, and acknowledge their contribution to the history and diversity of the United States” and to “address the root causes of the proliferation of such racist manifestations, and thoroughly investigate the phenomenon of racial discrimination.” While the United States has yet to respond, the UN intervention on US racism [received media coverage](#).

### **How can IAOHRA members participate?**

In the past, IAOHRA has contributed to [shadow reports to the CERD Committee](#). These reports include innovative initiatives, and highlight the challenges state and local governments face, as well as provide suggestions to the federal government for improvement. The CERD Committee uses the information it receives from the civil society to form questions to the United States and shape its formal recommendations. **In the most recent review (2014), the CERD Committee [emphasized the need for the U.S. to provide federal support](#) for state and local human rights education and implementation.** The Committee’s recommendations, along with related advocacy, [led to a change in HUD’s applications for certain grant funding](#), focused on incentivizing communities to find alternatives to criminalizing the homeless.

**This year, Columbia Law School Human Rights Institute will again work with IAOHRA to provide the “big picture” of the status of racial discrimination in the U.S.** This can be used for IAOHRA educational and advocacy efforts at different levels, as well as for a shadow report for the CERD Committee by Columbia and IAOHRA to give an update on human rights promotion and protection at the state and local level.

To capture the work that IAOHRA members are doing to eliminate discrimination in all its forms, and foster equality, tolerance, and inclusion, we have created a short survey. The information you provide will be considered for inclusion in the shadow report, and other advocacy efforts for state and local resources and support moving forward. (You will have the opportunity to review any information about your agency before the report is finalized, and any sensitive information will be treated as such).

**This brief survey will only take about 5-10 minutes to complete and you can save & return to it if you're not able to complete it in one sitting.**

**[Please fill out the survey here](#)**

**<https://www.surveymonkey.com/r/IAOHRAMemberSurvey>** and contact Kate Kelly, HRI Human Rights Fellow, if you have any questions or issues. She can be reached at (212) 854-8364 or [kkelly3@law.columbia.edu](mailto:kkelly3@law.columbia.edu). **Responses are requested by March 9<sup>th</sup>.**

Many thanks,

JoAnn Kamuf Ward, Director  
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Columbia Law School Human Rights  
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Robin Toma, President  
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