

Subject: Celebrating Black History Month: How to Use CERD to Advance Racial Equality

Dear IAOHRA Members,

As noted in our last letter, we have heard many exciting stories of actions you are taking to incorporate international human rights into your work. To help keep the momentum going, this letter provides additional ways that you can continue to raise awareness of human rights in your community and fulfill your commitment to take one action to use international human rights in your work.

As Black History Month, February is an opportunity to celebrate the richness of our cultural diversity and the value of the human rights framework in promoting equality. We write to highlight an important international human rights treaty, focused on eliminating discrimination: [the International Convention on the Elimination of All Forms of Racial Discrimination \(CERD\)](#).

The United States ratified CERD in 1994. Treaties that the U.S. has ratified are binding, but their provisions are not always directly enforceable in the courts. CERD prohibits all forms of discrimination with “the purpose or effect” of limiting the enjoyment of rights including voting, education, health and housing, among others. As a party to the treaty, the U.S. is obligated to combat prejudice and racial discrimination. The government is also required to submit periodic reports to a monitoring committee (the CERD Committee) to report on the extent of the United States’ ongoing compliance with the treaty. The CERD Committee evaluates the government’s report and reports from civil society and then issues recommendations in the form of “Concluding Observations.” The CERD Committee’s most recent Concluding Observations on the United States, released in March 2008, are available [here](#).

The recent Concluding Observations provide guidance on ways that you can use CERD to advance racial equality in your community. The CERD Committee “note[d] with concern the lack of appropriate and effective mechanisms to ensure a co-ordinated approach towards the implementation of the Convention at the federal, state and local levels” and recommend that the U.S. establish such a mechanisms.

While the federal government is ultimately responsible for the monitoring and enforcement of treaties, including CERD, state and local governments and commissions can and do play an important role in monitoring and implementing human rights as well as educating the public about these rights. Below are a few examples of how you can use CERD to advance human rights in your community:

- **General Hearings.** Your commission could review the recent Concluding Observations and identify what you as a community could do to address the recommendations. For example, your commission could hold a public hearing to address some of the issues raised, including the achievement gap in education, ongoing housing segregation and lack of employment opportunities for minorities.
- **Employment.** Your commission could undertake a review of local government agencies to ensure that city employment practices do not discriminate on the basis of race and/or to ensure that the services the agencies provide do not have a disparate impact based on race.

- San Francisco’s Commission on the Status of Women undertook similar reviews of its city agencies’ practices and policies as part of its initiative to improve women’s rights. For more information on that project and how the city implemented it, please see the report issued by IAOHRA and Columbia Law School’s Human Rights Institute, available [here](#).
- In Eugene, Oregon, the City Manager’s Office approved a five-year “Diversity and Equity Strategic Plan,” which calls on the Eugene Human Rights Commission to participate in the development of a City plan to implement a human rights framework across all city departments. The plan was initiated by the City Council Committee on Race, and its goals include ensuring that City services are accessible, inclusive, and equitably provided, and that the workforce reflects the makeup of the community. This example could be replicated in other areas. A copy of the plan is available [here](#).
- **Housing.** To provide full protection to the right to housing, CERD calls on governments to take steps to prevent acts of discrimination or possible violations of these rights by the government or individuals such as landlords or property developers. Commissions can advance housing equality by, for example:
 - Advocating for legislation that affirms the human right to housing. This was the case in Chicago, where advocates successfully persuaded the Cooke County Council to adopt a resolution affirming the human right to housing.
 - Collecting data. Collecting specific data on cases of discrimination will allow commissions to create a record of types of discrimination, support advocates and take affirmative steps to solve local problems. This data can also be used to inform the federal government’s reports and the assessment of U.S. compliance with treaties and to highlight local policy successes.
 - In 2008 the Pennsylvania Human Rights Commission provided the CERD Committee with disaggregated data on discrimination cases involving race, color and national origin in housing accommodations as well as employment and education as part of the treaty review process.
- **Awareness-Raising.** You can use historical events, such as Black History Month, to educate your constituents about human rights. Attached is sample email about CERD that you can personalize to send to your constituents.

We hope that these ideas will help you fulfill your commitment to incorporate human rights into your work. Please keep us informed of any actions you have taken to this end by emailing us at IAOHRAoutreach@law.columbia.edu. We look forward to hearing about your work and to continuing to support you in your efforts.

Sincerely yours,

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Appendix I: Sample Email

Subject: February is Black History Month – Celebrate with CERD

February is Black History Month! We are celebrating by educating our community about the Convention on the Elimination of Racial Discrimination (CERD).

CERD is an international human rights treaty, which the U.S. government ratified in 1994. CERD obligates our government to condemn racial discrimination and to work to eliminate it in all its forms. The text of the treaty is available at <http://www2.ohchr.org/english/law/cerd.htm>.

It is important to remember that respect for diversity must begin at home, in our own community. **[City, State, or County]** has a proud tradition in civil and human rights. **[Highlight your commission's history and work in this area]**

Black History Month is an opportunity to remember our accomplishments and to re-dedicate ourselves to the goal of eliminating all forms of racial discrimination. Please join us in committing ourselves to this important goal. If you are interested in learning more about how you can support diversity and human rights in our community please contact **[List local organizations involved in promoting diversity and human rights]**.

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