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Columbia Law School Human Rights Institute Joins Delegation at United Nations for Review of U.S. Human Rights Record

Contact: JoAnn Kamuf Ward, (phone) 212.854.0009, (email) jward@law.columbia.edu; **Erin Smith**, (phone) 212.854.8364, (email) erin.smith@law.columbia.edu

New York, August 11, 2014 -- This week, Columbia Law School's Human Rights Institute (HRI) will travel to Geneva, Switzerland this week to participate in a significant review of the United States' human rights record by the United Nations.

[Erin Smith '10](#), who works on HRI's Human Rights in the U.S. Project, will join a diverse delegation of civil society representatives to advocate for greater human rights accountability within the United States. The trip will culminate in a review of the United States by the U.N. Committee that monitors compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), on August 13 and 14. The United States ratified the CERD in 1994. The committee last reviewed the U.S. in 2008.

In Geneva, Smith will raise concerns identified in two reports the Human Rights Institute submitted to the U.N. last month. In addition to meeting with the U.N. human rights experts conducting the review, she will participate in a consultation hosted by the U.S. government on the eve of the review, offering constructive recommendations based on HRI's reports.

The first report, [Equal Access to Justice: Ensuring Meaningful Access to Counsel in Civil Cases, Including Immigration Proceedings](#), prepared jointly by the Columbia Law School Human Rights Institute and Northeastern University School of Law's Program on Human Rights and the Global Economy, highlights the disparities that result from the lack of a right to counsel in civil cases, including immigration. In the United States, there is no recognized right to counsel in civil cases. As a result, millions of poor and low-income individuals have no access to a lawyer when facing a crisis such as deportation, eviction, foreclosure, domestic violence, or loss of subsistence benefits. Evidence indicates that this civil justice gap has a disparate impact on communities of color, women and children. The report recommends federal reforms to ensure equal justice under the law.

"Legal representation is fundamental to ensuring equal access to justice, one of the core rights protected by the CERD," said [Risa Kaufman](#), executive director of the Human Rights Institute. "It is also essential to protecting a host of other rights."

During its review of the United States in 2008, the CERD Committee noted its concerns about the disproportionate impact that the lack of a right to counsel in civil cases has on racial, ethnic and national minorities in the United States.

"Racial and ethnic minorities are less likely than others to have legal representation in cases that impact their basic needs, such as housing," Smith said. "And lack of legal representation is particularly harmful for immigrants in removal proceedings."

The second report submitted to the U.N. by HRI [*The Need for Effective Federal Outreach and Mechanisms to Coordinate and Support Federal, State and Local Implementation of the Convention*](#), focuses on the U.S.' obligations to ensure that state and local governments have the guidance and resources necessary to fulfill human rights in local communities. Insufficient federal support has resulted in significant gaps in human rights protections, including housing discrimination, employment inequality for women, and profiling on the basis of race and national origin. Despite the lack of federal guidance in the human rights arena, a number of states and localities have adopted innovative initiatives to eliminate discrimination, in line with CERD. While encouraging, these efforts are currently ad hoc, patchwork and vulnerable to elimination. The report, submitted in conjunction with the International Association of Official Human Rights Agencies (IAOHRA), recommends measures the federal government should adopt to guarantee that state and local actors are equipped to promote and protect human rights in a comprehensive and coordinated manner.

“Consistent federal leadership and concrete support for human rights compliance is necessary for the U.S. to fulfill the human rights ideals it espouses on the world stage,” said [JoAnn Kamuf Ward](#), associate director of HRI’s Human Rights in the U.S. project and co-author of the report.

Robin Toma, executive director of the Los Angeles County Human Relations Commission and First Vice President of IAOHRA, will accompany Smith to Geneva to discuss how the federal government can enhance human rights protections at the local level.

“State and local governments are critical to making human rights a reality, but to effectively engage in human rights implementation, the federal government needs to invest in human rights training and education, funding and guidance on effective practices to address areas of critical concern,” Toma said.

Upon completion of its review, the U.N. CERD Committee will provide recommendations to the U.S. government to improve its compliance with the human rights standards set out in the CERD. The Human Rights Institute will continue to engage with the federal government and civil society to implement the Committee’s recommendations.

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The Human Rights Institute serves as the focal point of international human rights education, scholarship and practice at Columbia Law School. The Institute’s Human Rights in the U.S. project works to promote human rights at home and ensure U.S. compliance with international human rights standards. Follow us on Twitter: [@CLShumanrights](#)