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Bringing Human Rights Home:

How State and Local Governments Can Use Human Rights to Advance Local Policy

Columbia Law School, Human Rights Institute

UNDER THE AUSPICES OF
The Human Rights at Home Campaign

December 2012

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Introduction

State and local governments play an essential role in promoting and protecting human rights. Within the United States, agencies and officials at the municipal, city, county and state levels can help fulfill human rights by ensuring dignity, equality and opportunity for everyone in their jurisdiction.

Recognizing the value of human rights, state and local agencies and officials across the United States are incorporating international human rights standards in their daily work. As illustrated by examples throughout this report, integrating human rights into local law, policy and practice can enhance government decision-making and respond directly to local needs. It also allows agencies and officials to bring positive attention to their jurisdiction.

This report offers concrete recommendations for state and local governments to advance local policy using a human rights framework. Drawing from initiatives in a number of U.S. towns, cities, states and counties, these recommendations suggest a promising starting point for achieving equity and meeting basic needs. In particular, this report highlights five key strategies for state and local governments seeking to incorporate human rights principles into law and policy:

- **Making Aspirational Commitments to, and Raising Awareness of, Human Rights**
- **Reframing Local Concerns as Human Rights Issues**
- **Fostering Participatory Governance**
- **Reporting on Local Compliance with Human Rights Treaties; and**
- **Conducting Human Rights Based Audits and Impact Assessments**

In incorporating each of these strategies, local governments should forge strong community partnerships in order to enhance accountability and ensure that policies and programs are meeting community needs.

And, by advocating for federal support in the form of resources and training, state and local officials and agencies will help ensure that they have the necessary capacity to promote and protect human rights.

These recommendations apply to all state and local officials because authority to implement human rights belongs to all local decision-makers, including governors, mayors, state legislators, city council members, law enforcement, city, county and town executives, and boards of supervisors. Indeed, fulfilling the promise of human rights will ultimately require multiple strategies and collaboration among all levels of government.

The research and outreach that informs this report builds upon the Columbia Law School Human Rights Institute's prior work detailing the role of state and local human rights and human relations commissions in local human rights implementation. The 2009 report, *State and Local Human Rights Agencies: Recommendations for Advancing Opportunity and Equality Through an International Human Rights Framework*, provides further guidance on the international human rights system and ways in which state and local civil and human rights agencies can foster compliance with human rights.

What Are Human Rights?

“Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world...”

—Universal Declaration of Human Rights

Human Rights Principles

Human rights are internationally accepted norms that recognize and promote dignity, fairness and equality for all people and enable individuals to meet their basic needs. Encompassing civil, political, social, economic and cultural rights, these norms are universal, interdependent and inherent in all human beings by virtue of being born. They are universal and inherent because they belong equally to all people without distinction based on race, sex, religion, nationality, age, disability, sexual orientation, social class or other status. The interdependence of human rights means that in order to achieve dignity, equality and freedom, the broad range of rights must be protected.

The full range of human rights is set forth in the Universal Declaration of Human Rights (UDHR), the foundational human rights document adopted by the U.N. General Assembly in 1948.¹ The UDHR recognizes the universality of human rights and the core values of equality and non-discrimination. It also contains substantive rights, including the right to housing, health, education and an adequate standard of living. The UDHR is the basis of a number of additional agreements and treaties, which articulate the principles and values that form the human rights framework. (More information on human rights treaties and the rights they protect is provided in the Appendix).

The human rights framework places an obligation on governments to respect, protect and fulfill rights. Respecting human rights requires that governments refrain from actions that infringe on rights, take positive steps to realize the enjoyment of rights, and create conditions under which basic needs can be met. The human rights framework also calls on gov-

ernments to promote equality and non-discrimination and to address policies and processes that have a disparate impact. Additionally, governments must take steps to prevent human rights violations by third parties and provide effective remedies when violations do occur.

Human rights hold promise as not only a language to articulate societal needs, but also as a means for government to meet them, working in partnership with local communities. To ensure that laws, policies and programs are responsive to community needs, a human rights approach emphasizes transparency, accountability and participation in government decision-making.²

Human Rights in the United States

The United States has a long and complex history with human rights. The idea of fundamental and inalienable rights is reflected in the founding documents of the United States, including the Declaration of Independence and the Bill of Rights. The U.S. Constitution, like the UDHR, protects freedom of religion, speech, press and assembly, as well as the right to life, liberty and property. The human rights framework, however, goes further and obligates governments to ensure economic and social rights by creating conditions where basic needs, such as housing, may be met. Notably, a number of state constitutions go further than the U.S. Constitution and guarantee particular economic and social rights, including the right to health, education, public welfare and the right to collective bargaining.³

The United States has played a prominent role in developing international human rights documents. Representing the United States, Eleanor Roosevelt was a key contributor to the text of the UDHR, and the U.S. played an important role in

drafting human rights treaties such as the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC).⁴

National leaders across the political spectrum have also emphasized the importance of securing fundamental rights. President Franklin Delano Roosevelt's 1941 State of the Union Address famously stated that people everywhere should enjoy freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear.⁵ Presidents such as Jimmy Carter have urged the United States to respect human rights and lead as an example to other nations.⁶ More recently, President George H. W. Bush spoke of the connection between U.S. democracy and human rights. He noted that by ratifying the International Covenant on Civil and Political Rights (ICCPR),⁷ the U.S. would re-affirm a "commitment to fostering democratic values through international law" and be better positioned to "influence the development of appropriate human rights principles in the international community."⁸ Indeed, the U.S. has ratified treaties under the leadership of both Republican and Democratic presidents.⁹

Nevertheless, the U.S. has ratified only three of the core human rights treaties: the ICCPR, the International Convention on the Elimination of All Forms of Racial Discrimination (CERD)¹⁰ and the Convention Against Torture and Other Cruel, Inhuman Degrading Treatment or Punishment (CAT).¹¹ The U.S. has also ratified the two Optional Protocols to the Convention on the Rights of the Child (CRC), which address the rights of children in armed conflict and trafficking of children.¹² Ratified treaties are the supreme law of the land by virtue of the Constitution and create international obligations for the U.S. The U.S. has also signed, but not ratified, additional treaties addressing women's rights

(CEDAW), children's rights (CRC) and rights of persons with disabilities (CRPD). By signing these treaties, the U.S. has indicated it will not take actions that contravene their object and purpose.¹³

These treaties offer useful guidance because despite the values expressed in our founding documents, U.S. law and practice have often fallen short of the ideal of universal, interdependent rights. At our nation's founding, many people were excluded from basic rights protections, including slaves, indigenous peoples, women and non-citizens. Domestic legal protections have vastly improved, but exclusions on the basis of national origin, economic status, gender identity, race, as well as other factors, persist. While the U.S. legal system is robust in many respects, the system has failed to adequately address mounting social and economic inequality. Instead, disparities in health, education and employment continue to grow along racial, economic and gender lines. While we are one of the wealthiest countries, the United States has some of the worst social indicators among countries that are part of the Organisation for Economic Co-operation and Development (OECD), marked by stark gender and racial disparities.¹⁴

Human rights offer a comprehensive framework to address these concerns in a more systemic and proactive manner. Ultimately, fulfilling the promise of human rights requires cooperation among federal, state and local governments, and with all segments of society.¹⁵ Local government—the level of government closest to the people—is a critical partner in these efforts. Recognizing the benefits of human rights, many state and local governments are becoming laboratories for human rights implementation in the United States. Developing tools and techniques to promote and protect these rights, local governments can pave the way for achieving human rights for all.¹⁶

Why Use Human Rights Locally?

“[H]uman rights and local governance are both essentially concerned with the provision of certain entitlements, including participation in local political processes and access to essential services.”¹⁷

Human Rights Can Shape Effective and Innovative Law and Policy¹⁸

The human rights framework offers a powerful and effective tool for governments to strengthen and improve the impact of laws and policies within local communities. Human rights standards provide evidence of an international consensus surrounding the existence of a problem and how it may be addressed. Human rights are also a framework for evaluating existing laws, policies and programs and assessing local progress.¹⁹

In recent years, research has found that the American public supports the idea that the government should protect and provide human rights for those within the United States.²⁰ Americans with diverse backgrounds, varying in age, race, gender, geographic location and political affiliation, believe that many of the issues within the jurisdiction of local government are human rights issues. These issues include fair treatment in the criminal justice system, education, access to affordable food and housing, and access to healthcare.²¹

This makes sense because human rights and good government are mutually reinforcing. The lens of human rights can help both government actors and their constituents to more fully see the interconnectedness of local issues and promote more comprehensive problem solving to improve the quality of life for all members of a community. To this end, human rights provide a unifying language²² and foster cooperation, rather than competition, among different groups and constituents.²³ The universality of human rights also offers a basis for developing a common vision for change.

Importantly, at the core of a human rights approach is the prevention and elimination of inequality and discrimination,

achieved through systemic and proactive solutions rather than a focus on individual remedies (which are often backward-looking). Fostering a comprehensive and holistic approach to policymaking, human rights can facilitate a more measured response to community concerns among the many moving parts of government. Forward-looking efforts to eliminate barriers to equality call for governments to evaluate policies, structures and decision-making processes and can foster changes that lead to more sustainable and effective policymaking. By encouraging a proactive approach, human rights may also lead to budget savings by reducing litigation and other remedial measures that address discrimination after it occurs.

A human rights approach is not only proactive; it's inclusive. Active public participation in identifying and solving problems locally is a hallmark of human rights. The human rights framework calls on governments to facilitate meaningful participation by ensuring access to information and including marginalized groups in decision-making.²⁴ By offering impacted communities the ability to influence outcomes, government agencies and officials can ensure that policies and programs reach their intended beneficiaries and that community voices are taken into account. Broad participation also improves the political process by increasing transparency and accountability in government operations.²⁵ Participatory governance can also build a sense of joint ownership over, and commitment to, local law and policy.

By implementing a human rights approach, local governments can establish themselves as innovative leaders and make a positive impact on some of the most vulnerable members of their communities.²⁶ Human rights standards and strategies can help address local problems. The human rights frame-

work can likewise offer state and local government the tools to develop effective practices and emerge as leaders, capturing positive national and international attention. For example, Vermont is emerging as a national leader in the field of universal healthcare, and Mayor Kitty Piercy of Eugene, Oregon was recently named “the country’s most valuable local official” for her work advocating human rights within her city.²⁷

Local Governments Are On the Front Lines of Protecting and Promoting Rights

The real effect of human rights is experienced locally.²⁸ While human rights offer “a universal benchmark against which to measure progress,” they also reflect local contexts.²⁹ Human rights, therefore, are not only realized locally—local implementation gives meaning to human rights. Human rights treaties are intended to be implemented at the local level, with a great deal of democratic input.

State and local authorities are on the front lines of ensuring equality, combating discrimination on the basis of race, national origin, gender identity and sexual orientation, and enabling equal access to affordable housing, healthcare and education. These are core to the enjoyment of fundamental rights. Local agencies and officials therefore can play a key role in building a culture of human rights to create conditions so communities can flourish.³⁰ Notably, state and local agency staff and government officials have indicated that using human rights also empowers and elevates public service by affirming the essential connection between government actors and the constituents they serve and accentuating the human values that motivate public service.

Recognizing that state and local authorities have close connections with the communities where they live and work—and are critical to ensuring basic needs are met—international law anticipates that they will play a vital role in making human rights a reality. Indeed, when ratifying human rights treaties, the United States includes an understanding that federal, state and local authorities share responsibility for implementing human rights.³¹

Global Connections and Partnerships Result in Local Benefits

When state and local actors integrate human rights, they join a global community of local governments worldwide that have increasingly drawn from the human rights framework to benefit their work and their communities. Globalization in commerce, education and other sectors of great significance to local governments makes participation and recognition on the international level increasingly important. Local officials and their constituents could reap the diplomatic and economic benefits of such recognition by grounding policy in human rights terms. Innovative human rights policies may, for example, boost local tourism and business.

The use of human rights in local policy reflects a broader trend of state and local engagement with international laws and mechanisms. Increasingly, connections are being made between the local and the global, including through relationships and programs that foster learning and dialogue.

- ◆ *U.S. Efforts to Protect the Environment.* One area where U.S. state and local governments have used international law to foster local progress is environmental protection. Many towns, cities and states have worked to improve the environment by embracing international environmental treaty standards. States and localities have been on the front line of reducing greenhouse gas emissions, the subject of the Kyoto Protocol. The U.S. is not a party to the Protocol,³² but the state of California and cities including Salt Lake City and Seattle have passed legislation aimed to reduce greenhouse gases. Local authorities cooperated both domestically and internationally in these efforts. The U.S. Conference of Mayors, for example, adopted a Climate Protection Agreement, calling on mayors to ensure that their cities meet or exceed Kyoto standards, and also held a summit on climate protection. Within three years, 800 mayors endorsed the Agreement. As the result of a related cross-border initiative, Chicago, Houston and New York joined thirteen cities worldwide to support building upgrades that would bolster compliance with the Kyoto Protocol.³³

- ◆ *International Partnerships to Advance Human Rights.* Local governments around the world also collaborate to address a wide array of human rights issues. United Cities and Local Governments (UCLG), an organization that represents local governments on the world stage, is one example of government collaboration around human rights. UCLG members include both cities and national associations of local government from 136 countries, who collectively developed a Global Charter Agenda on Human Rights in the City.³⁴ Designed for implementation at the city level, the Charter is a framework to promote development that is “sustainable, equitable, inclusive and respectful of human rights without discrimination.” Built upon principles including dignity, equality, social inclusion, participation and the universality of human rights, the Charter provides suggestions to fulfill a number of rights, such as the right to participatory democracy, the right to equality of women and men, the right to accessible public services, the right to housing and the right to sustainable urban development. To adopt the Charter each city must create its own tailored action plan with a timeline and indicators of progress to fulfill each right. Cities are encouraged to collaborate with each other, as well as with international human rights mechanisms, to advance these efforts. To ensure community input, the Charter also calls for each action plan to be created through a consultative process in which city inhabitants are invited to discuss the plan and provide feedback.³⁵

Benefits of a Human Rights Approach

- Places a Focus on Proactively Identifying and Addressing Problems
- Empowers and Elevates Public Service
- Fosters Partnerships and Promotes Inclusivity
- Enhances Responsiveness and Accountability
- Emphasizes Addressing Systemic Causes of Discrimination
- Provides Opportunities to Demonstrate Leadership Locally and Globally

Strategies for Integrating Human Rights Into Local Law, Policy and Practice

State and local governments can take a number of steps to promote and protect human rights and implement human rights treaty standards. Laws, policies and programs that foster proactive and inclusive approaches to eliminating discrimination and inequality in all their forms are an important basis for fulfilling human rights. Examples from throughout the United States illustrate ways that local governments are using human rights to enhance decision-making and respond to local needs. This report draws from these examples to highlight five strategies that state and local governments can use to incorporate human rights locally.

Specifically, state and local governments can:

- **Make Aspirational Commitments to, and Raise Awareness of, Human Rights.** By adopting resolutions that focus on particular substantive issues, local governments affirm the role of human rights in ensuring equality and dignity in local communities. Some localities approve resolutions to express local support for specific international conventions, like the Convention on the Rights of the Child (CRC). Others adopt proclamations declaring that they are human rights cities, affirming local commitments to securing, protecting, and promoting human rights. While largely symbolic and not legally binding, resolutions and proclamations offer an opportunity to articulate the valuable role of state and local government in this work and to emphasize local priorities.
- **Reframe Local Concerns as Human Rights Issues.** Using human rights to frame a conversation can increase public support, attract new allies and promote a more active approach to addressing particular concerns. States, cities and counties are drawing on the human rights framework to inform their responses to issues such as health disparities, lack of affordable and adequate housing, and domestic violence. These efforts are reflected in local resolutions, as well as more comprehensive legislative and policy changes.
- **Foster Participatory Governance.** By engaging community stakeholders to identify local concerns and formulate means to address them, local governments can improve their policies and programs. Greater public participation in policy development, implementation and evaluation can enhance a government's ability to collect quantitative and qualitative data and help ensure policies are achieving intended results. Examples include efforts by local law enforcement and city governments to foster community participation by proactively engaging community members in efforts to develop and evaluate local policies in areas of immigration enforcement and education.
- **Report on Local Compliance with Human Rights Treaties.** Local officials can engage the periodic human rights treaty reporting process to assess their own compliance with human rights principles and use treaty standards to develop a blueprint for progress. Berkeley, California is the first U.S. city to file periodic reports on compliance with human rights treaties the U.S. has ratified. Berkeley has used reporting to highlight the City's leadership in addressing homelessness, as well noting an achievement gap in education and LGBT issues, among others. The California State Assembly recently followed Berkeley's example, passing a resolution that calls on the State Attorney General to publicize treaty texts and help state and local agencies gather information for the purposes of treaty reporting.
- **Conduct Human Rights Based Audits and Impact Assessments.** A number of governments are using human rights standards as benchmarks to understand the potential impact of their policies and decisions, to measure program effectiveness and to identify barriers to reaching intended beneficiaries. These assessments can help to ensure that state and local authorities properly weigh human rights concerns of all community members when formulating and executing policies.

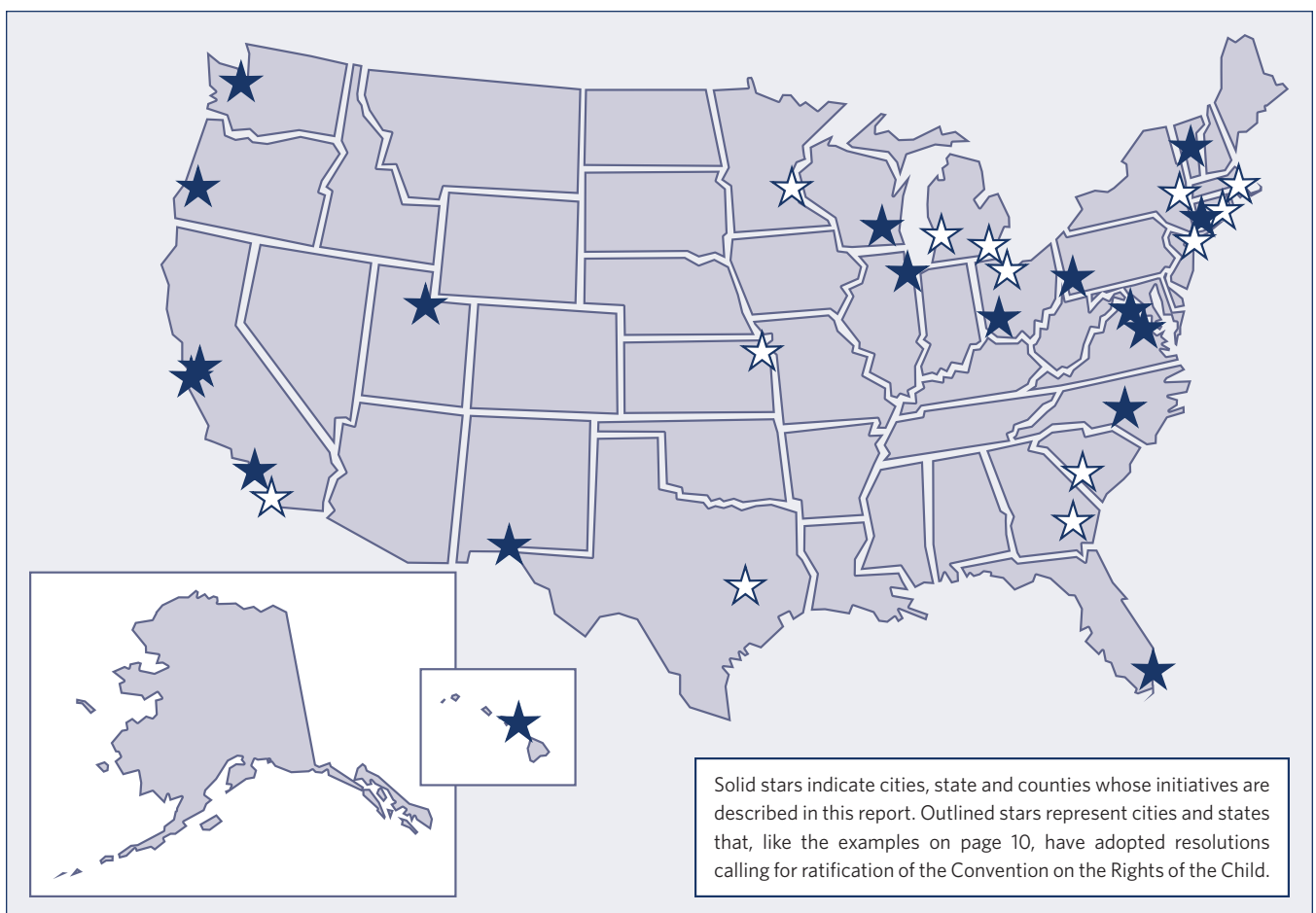
Some towns, cities and states draw from the UDHR to evaluate local programs and policies. Other cities and counties use human rights principles found in CEDAW (the women's rights treaty) to evaluate budgets, employment and services.

These strategies represent a menu of approaches to using human rights, reflecting efforts across the United States. This list is by no means exhaustive and no one strategy or initiative alone can achieve human rights for all. However, by integrating human rights into planning and decision-making, state and local governments lay the groundwork to ensure dignity, equality and opportunity within their communities.

Case Studies

The following case studies highlight ways that state and local governments are currently using the human rights strategies identified in the previous section. While many of these examples are in their early stages, they illustrate local recognition that a human rights approach can advance policy goals and respond to community needs. Indeed, throughout the United States, and the world, officials and agencies are utilizing human rights principles, underscoring the important role of local government in making human rights a reality. A few jurisdictions have adopted multiple human rights strategies, demonstrating how these strategies can complement each other.

The map below illustrates the growing interest in local human rights implementation by indicating the U.S. cities, states and localities that are integrating human rights in their work.



Making Aspirational Commitments to, and Raising Awareness of, Human Rights

State and local governments are well-placed to express support for the role that human rights can play in ensuring equality and dignity and declare a commitment to securing, protecting and promoting human rights. Human rights declarations, resolutions and proclamations provide one avenue for localities to commit to using human rights principles to inform local decision-making and affirm the role of state and local governments in raising awareness of human rights.

Passing Resolutions on the Convention on the Rights of the Child (CRC)

Over a dozen cities and states have passed local resolutions to express support for the CRC, a human rights treaty that calls upon countries to recognize and protect the human rights of all children and act “in the best interest of the child.”³⁶ The CRC is one of most widely ratified human rights treaties—the United States, Somalia and South Sudan are the only nations that have yet to ratify it.³⁷ A number of state and local governments have urged the U.S. Senate to ratify the CRC and some have also undertaken efforts to use the CRC’s principles in their own jurisdictions, recognizing the treaty’s value in local decision-making.

Hawai`ian Resolution on the CRC

In 2007, the Hawai`i House of Representatives passed a resolution calling for U.S. ratification of the CRC and declaring that all children should be raised in an environment defined by the principles of “dignity, tolerance, freedom, equality and solidarity.”³⁸ The resolution had a national aim but it was also intended to help meet the needs of children in Hawai`i. State legislators passed the resolution, in part, to foster collaboration among the various government departments serving children as they established an early learning system.³⁹ To this end, the state’s House of Representatives used the resolution to emphasize that protecting children is an underlying principle for Hawai`i and that the CRC “contributes to awareness of the problems of children in Hawai`i and around the world.”⁴⁰

City Council Support for the CRC in Chicago and Los Angeles

Through a City Council resolution passed in 2009, Chicago likewise sought to draw upon the CRC to inform local efforts to protect children. Chicago’s resolution affirmed the city’s commitment to human rights and pledged support for the principles of the CRC and to act “in harmony with”

them.⁴¹ The resolution further notes that adopting the CRC enhances the city’s role as a local leader in promoting and protecting children.⁴²

Like many of the examples in this report, the Chicago CRC resolution grew out of collaboration between local government and advocates. A broad coalition of local organizations participated and helped fashion the resolution to address a range of issues, from dignity in schools and youth homelessness, to police mistreatment of youth and gang violence.⁴³ The City Council adopted the resolution, which was introduced by the Mayor with support from the Commissioner of the Department of Family and Support Services.⁴⁴

Local advocates in Chicago see the resolution as valuable in protecting the rights of children and as a human rights education tool, and Northwestern Law School’s Bluhm Legal Clinic developed a toolkit for advocates in other states and municipalities interested in passing similar CRC resolutions.⁴⁵

In 2010, the Los Angeles City Council voted unanimously to affirm its support for the CRC and “advance policies and practices that are in line with [CRC principles] in all city agencies and organizations” working on children’s issues.⁴⁶ By passing this resolution, the City Council made a symbolic gesture and also intended to send a message to Washington, articulating Los Angeles’ support for the CRC.⁴⁷

Through the CRC resolution, the Los Angeles City Council expressed an awareness of the local relevance of the CRC and human rights, stating that the resolution conforms with Los Angeles’ support to “secur[e] fundamental rights for the most vulnerable” and its commitment to protect children. The CRC resolution also acknowledges how the treaty’s principles can guide local decision-making as a “single, comprehensive framework” to evaluate and respond to the needs of

children throughout the city. Finally, the resolution expresses support for local advocates' efforts to raise awareness of the CRC across Los Angeles.⁴⁸

Efforts to pass the Los Angeles resolution illustrate how government and community-based organizations can partner to address local concerns. A local advocacy group, the

Human Rights Watch Student Taskforce, based in Los Angeles, brought their support for the CRC and their concerns about children to the City Council and worked with government to pass the resolution. They also continue to educate the public about the benefits and impact of human rights locally and internationally.⁴⁹

Carrboro and Chapel Hill, North Carolina: Using Human Rights as Guiding Principles

In 2009, the town of Carrboro, North Carolina adopted a resolution declaring that the principles of the Universal Declaration of Human Rights (UDHR) will “guide the spirit of the laws, practices, and policies carried out with and on behalf of” town residents.⁵⁰ The Human Rights Center of Carrboro and Chapel Hill spearheaded efforts to pass the resolution. The process for developing the resolution was unique because the Board of Alderman ultimately agreed to support it with adjustments to the text of the UDHR that modernize and modify its language to reflect Carrboro's priorities as articulated by local advocates.⁵¹ The local resolution reflects revisions, including the removal of masculine pronouns, the addition of “ethnicity, sexual orientation and gender identity or gender expression” as bases on which discrimination is prohibited, and the recognition of a right to marry regardless of gender.⁵²

The resolution has since been invoked by members of the community as a basis for voicing concerns to the Board. For

example, when a local community center that served the town's immigrant population was closed because of a lack of resources, local advocates invoked the resolution and the town's overarching commitment to human rights of all people in an effort to reopen the center.⁵³ Carrboro's commitment to the UDHR has also been cited as support for local resolutions encouraging fair trade.⁵⁴

Carrboro's resolution does not create legal obligations for the town, but it does include a potential implementation mechanism. Reflecting input from local supporters, the resolution allows for an advisory body to monitor and report to the Board on human rights conditions in the town.⁵⁵ If established in the future, the advisory body could encourage town officials to use the resolution proactively, and identify areas where local policies comply with the principles of the UDHR and where more work is needed.

In 2009, the neighboring town of Chapel Hill also adopted the modified version of the UDHR as guiding principles.⁵⁶

Becoming Human Rights Cities

A number of cities throughout the world have officially declared themselves “human rights cities,” and several international networks of cities have developed.⁵⁷ A human rights city is a community where elected officials and residents commit to using human rights norms and strategies to improve the city.⁵⁸ There is no one-size-fits-all approach to being a human rights city, but in many such places, human rights inform planning or drive specific initiatives.⁵⁹ Within the United States, human rights cities include Pittsburgh, Washington,

D.C., Eugene, Carrboro and Chapel Hill, each of which has passed a resolution or proclamation recognizing and committing to human rights principles. Globally, other cities have incorporated human rights in both big and small ways. For example, Graz, Austria hosted a conference on local human rights implementation and lined one of its most popular walking and jogging trails with the thirty articles of the UDHR.⁶⁰ Additional human rights cities include Edmonton, Canada and Rosario, Argentina.

Pittsburgh's Human Rights City Proclamation

In 2011, Pittsburgh proclaimed itself a human rights city, “joining other human rights cities around the world in working to provide leadership and advocacy to secure, protect, and promote human rights for all people.”⁶¹ Local advocates turned to human rights because it offered them a new approach to address local racial justice issues, including disparities in educational opportunities and residential segregation.⁶² Finding that human rights allowed for more inclusive dialogues and analysis, The American Friends Service Committee PA Program launched Racial Justice Through Human Rights (RJTHR), a youth group focused on racial injustice.⁶³ RJTHR convened discussions with local residents, community leaders and government officials throughout the city, and from this, efforts to proclaim Pittsburgh a human rights city emerged.⁶⁴

RJTHR worked with the Pittsburgh City Council to draft a human rights proclamation tailored to the Pittsburgh context.⁶⁵ Through its proclamation, Pittsburgh affirmed “its commitment to human rights” and stated that as a human rights city, Pittsburgh can be a model for other localities in efforts to “make every citizen a partner for sustainable change.”⁶⁶ While these statements are aspirational, the resolution can offer a foundation to support future human rights efforts.⁶⁷ Local youth continue to utilize human rights, working together with other advocates to develop a video addressing the racial disparities in education in Pennsylvania.⁶⁸

Endorsing Human Rights Implementation in Eugene

Each year since 2008, on International Human Rights Day, the Mayor of Eugene has issued a proclamation endorsing and encouraging the implementation of human rights principles throughout the city. This official support for human rights has complemented the Eugene Human Rights City Project, an effort by local community members to explore how human rights could inform governance in the City.⁶⁹

In 2011, the Eugene City Council formally expressed its support for human rights, voting unanimously to restructure the Human Rights Commission and expand its mandate to explicitly support and promote the full range of human rights within the UDHR.⁷⁰ The change reflected input from members of the Commission who wanted to conduct broad outreach and recommendations from a wide cross-section of Eugene residents. When contemplating the restructuring, the Commission held several months of listening sessions to gain a greater understanding of community needs and ways to more effectively address them. These listening sessions uncovered a number of concerns, including marginalization of communities of color.⁷¹ The result of collaboration between local residents and the Commission was a call to adopt the principles of the UDHR, which provide a new framework for the Commission to address local issues that emerged in these listening sessions, such housing and a lack of services for immigrant communities.⁷² The Commission's new work plan demonstrates ways it will use the human rights framework, including creating new working groups to address immigrant integration, homelessness and problems affecting youth. The work plan further calls on the Commission to provide broader training on the human rights framework and empowers the Commission to educate the local community on CERD and report on progress in relation to the Convention.⁷³

The Human Rights City Project in Eugene includes several additional elements, including the use of a human rights assessment tool by city departments (see p. 23) and recognition of the human right to housing (see p. 15).

By integrating human rights into how government operates, Eugene is demonstrating how an engaged government, which provides inter-departmental and agency trainings on human rights, can work with community advocates to improve local decision-making and responsiveness.⁷⁴ Overall, human rights have helped to “more effectively serve the needs of all the people of Eugene.”⁷⁵

“We share a deep respect for human rights and a commitment to balance people, planet and profit in our service to the community.”

—Jon Ruiz, Eugene City Manager⁷⁶

Reframing Local Concerns as Human Rights Issues

Throughout the country, state and local governments are articulating local concerns as human rights issues and/or using human rights principles to guide policy responses. In many instances, such action results from collaboration with local communities and responds to calls for more participatory approaches to governance.

State Efforts to Advance the Right to Health

Vermont: State-Wide Universal Healthcare Legislation

The result of a state-wide human rights campaign, Vermont is the first state to pass a law that creates a system intended to provide healthcare for all residents. The universal healthcare law became a reality when, in 2010, the General Assembly approved Act 128, which lays the groundwork for the development of a healthcare system where all state residents have access to care through a system that is affordable, transparent, efficient, and accountable to the public.⁷⁷ The following year, the Vermont Legislature approved Green Mountain Care, a framework to “provide, as a public good, comprehensive, affordable, high-quality, publicly-financed healthcare coverage for all Vermont residents,” without regard to their financial status or health.⁷⁸

Reflecting key human rights principles, Vermont’s universal healthcare law responds directly to the needs articulated by state residents. A key catalyst for Green Mountain Care was the Vermont Workers’ Center’s state-wide campaign for healthcare as a human right. The campaign advocated for healthcare based on core human rights principles: universality, equity, transparency, accountability and participation. The Worker’s Center saw these principles as necessary components of a system that would address the ongoing concerns voiced by Center members and other residents during the campaign’s state-wide outreach effort. State residents repeatedly expressed how a lack of access to healthcare was negatively impacting not only their health, but also their ability to work and their finances. Through its outreach, the campaign found that a healthcare system based upon human rights principles captured the concerns of local residents and garnered support around the state.⁷⁹

Responding to local advocacy, Vermont’s lawmakers undertook their own assessment of universal healthcare and ultimately

adopted a law based on the campaign’s principles.⁸⁰ The law calls for the new system to be fully implemented by 2017.⁸¹

Human rights principles and broad public support were important factors in the passage of universal healthcare. While the system was under review, an amendment was proposed to limit coverage by excluding undocumented immigrants. The amendment was abandoned after a strong public response that emphasized universality as a core component of the new healthcare system, and that care should be available to all Vermont residents.⁸² In its place, an amendment was passed charging the Green Mountain Care Board to conduct a study of the potential costs and benefits of covering undocumented residents. The results of this study, due to the Legislature in January of 2013, could impact how Green Mountain Care is ultimately implemented.⁸³

While a number of steps remain to be taken before the system is fully implemented, Vermont’s healthcare as a human right effort demonstrates how using human rights principles can be integrated into state-wide policies to respond to community needs and concerns.

In 2012, Vermont’s Legislature adopted human rights principles into the state budget, as described further on page 21.

Human Rights as a Means to Eliminate Health Disparities in Connecticut

Recognizing that “[e]qual enjoyment of the highest attainable standard of health is a human right and a priority of the state,” Connecticut established a Commission on Health Equity in 2008. The aim of the Commission is to eliminate disparities in health outcomes linked to race, ethnicity, and language.⁸⁴ The General Assembly created the Commission in response to mounting data illustrating that residents’ access to quality healthcare is limited by factors that include language, national origin and race, and that health outcomes are poorest in Connecticut’s African American communities.⁸⁵

The Commission is empowered to take a multi-pronged approach to fostering health equity, including collecting data, developing policy initiatives and making legislative recommendations.⁸⁶ The Commission has identified six health priorities—areas where it is focusing its work based on the existing disparities across race, gender and economic lines.⁸⁷

Consistent with a human rights framework, the Commission is working to identify and eliminate the systemic causes of inequity in its priority areas.⁸⁸ To this end, the Commission has conducted surveys of state agencies, data analysis and public input and used this information to develop preliminary recommendations to improve collaboration among state and local agencies and community organizations.⁸⁹ The Commission fosters community participation through forums that bring together members of the public, health practitioners, government officials and academics to discuss healthcare needs, existing obstacles, and strategies to overcome them, as

well to raise awareness of health as a human right.⁹⁰ The results of the forums are shared with the state legislature to inform their decision-making.⁹¹

The Commission has begun efforts to review existing data and policies and make recommendations for legislative change.⁹² In 2010-2011, the Commission proposed language on implementing culturally and linguistically appropriate healthcare and supported legislation to improve healthcare coverage and move closer to universal healthcare access.⁹³

The Vermont and Connecticut examples both illustrate how states can develop mechanisms that promote health equity, using human rights language and principles. The human rights framework provides for the highest attainable standard of health as articulated in the UDHR and in other international human rights agreements.⁹⁴

“Strong and healthy communities cannot exist in the presence of poverty and extreme inequality. If our neighbors are not safe and healthy, it affects us all. We need bold policies that ensure everyone has access to the health care, safe housing, nutritious food, healthy natural environment, education and child care they need... This same primary goal should guide all our public policy: meet the fundamental needs of the people.”

—James Hasslam, Director, Vermont Workers’ Center⁹⁵

Addressing The Right to Housing

Increasingly, local governments are responding to concerns about the prevalence of homelessness through the recognition of housing as a fundamental human right—one that is enumerated in the UDHR, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on Elimination of Racial Discrimination (CERD)—and touches upon other human rights as well.⁹⁶

Local Implementation in Madison & Dane County, Wisconsin

In November 2011, the City Council of Madison, Wisconsin passed a resolution recognizing housing as a human right and prioritizing efforts to meet the basic need for housing in the city. The resolution highlights the prevalence of homelessness in Madison and recognizes that homelessness, joblessness and poverty are interrelated problems that disproportionately affect people of color, members of the LGBTQ community, the elderly and immigrants. The resolution also underscores that Madison has an obligation to promote fair housing and that the U.S. is a party to the International Covenant on Civil and Political Rights (ICCPR) and CERD, which require the city to eliminate policies with a racially discriminatory effect.⁹⁷

As a step to meet these obligations and ensure some level of implementation, the resolution calls for an assessment of affordable and accessible housing needs and the creation of a staff position to oversee the needs assessment, as well as a responsive housing strategy. Additionally, the resolution calls for public funds to increase affordable and available housing.⁹⁸

Building on the City Council's resolution, the Board of Supervisors of Dane County (which encompasses Madison) likewise passed a resolution recognizing housing as a human right in July 2012.⁹⁹ This resolution, like Madison's, prioritizes the basic need to find shelter for homeless individuals and includes additional language setting out concrete goals for the County. One of the goals is for local government to develop a housing plan with recommendations to create more affordable and accessible housing, reduce the number of homeless children in local schools. The plan should also include recommendations to prevent foreclosures, evictions and the criminalization of homelessness.¹⁰⁰ The resolution tasks the Human Services Board, which includes County Supervisors and residents, with implementing the housing plan.¹⁰¹ It also calls for

the local government to assess and report on housing needs on an annual basis.¹⁰²

To address the criminalization of homelessness specifically, Dane County also created a Homeless Issues Committee, comprised of County Supervisors, Madison City Alders, the Chief of Police and members of the community, including homeless persons and services providers.¹⁰³

Government Responses to Community Needs in Eugene, Oregon

City government in Eugene, Oregon is likewise taking affirmative steps to address homelessness through the lens of human rights. At the end of 2011, the Mayor and City Council created the Opportunity Eugene Community Task Force on Homelessness in response to concerns raised by members of Occupy Eugene. The Task Force included city councilors, city staff, service providers and advocacy group representatives along with other community members. The Task Force researched and developed strategies and recommendations to remedy the issue of homelessness in the city of Eugene, and proclaimed "housing is a basic human right." It developed a prioritized list of recommendations to respond to concerns of the homeless and ensure that homeless persons are treated with dignity, including by creating safe spaces for the homeless, increasing access to health care, and improving laws and zoning ordinances that have the effect of criminalizing homelessness. In April of 2012,¹⁰⁴ the Task Force submitted its final report to the Mayor and City Council, who have since begun to explore ways to address the recommendations.¹⁰⁵

These efforts show how high-level city officials can evaluate the human rights implications of homelessness.¹⁰⁶ In Eugene, these efforts began a process of dialogue within government agencies and between government and community members, and also focused attention on developing local policies that can address the chronic problem of homelessness. These efforts are supported by Eugene's Human Rights Commission, which has a mandate to address human rights issues and a working group dedicated to addressing homelessness.¹⁰⁷

More on Eugene's human rights initiatives, including its human rights assessment tool and the expansion of its human rights commission can be found on pages 23 and 12, respectively.

Recognizing Freedom from Domestic Violence as a Fundamental Human Right

Passing City Council Resolutions in Cincinnati and Baltimore

In 2011, Cincinnati, Ohio, passed a resolution declaring that “freedom from domestic violence is a fundamental human right” and recognizing that state and local governments have a responsibility to help secure this right.¹⁰⁸ The resolution was adopted in response to advocacy by a number of organizations concerned about domestic violence, including law school clinics, service providers and community-based organizations.¹⁰⁹ The City Council passed the resolution in October, domestic violence awareness month, as part of ongoing efforts to combat domestic violence, and to publicize that it is an issue of concern that Cincinnati is committed to eliminating.¹¹⁰

The resolution offers an opportunity to educate government agencies, local communities, and the private sector.¹¹¹ The text of the resolution highlights the prevalence of domestic violence and its impact on community members, service providers and local government. Noting that local government entities play an important role in addressing domestic violence, the resolution encourages Cincinnati officials to raise awareness of the issue.¹¹² Advocates who supported the passage of the resolution, including the Domestic Violence Order and Civil Protection Clinic at University of Cincinnati and local service providers, also wanted to make a clear link between the human rights framework and domestic violence, and the text cites U.N. statements on the topic. Advocates intended to provide a new perspective on domestic violence, one that includes greater awareness and dialogue on the warning signs of domestic violence and the long term effects it can have, bringing this typically private issue into public discussions.¹¹³ Finally, advocates note that the resolution can support efforts to enforce protection orders, by underscoring that local government plays a role in continuing to secure the human right to be free from domestic violence.¹¹⁴

In 2012, the Baltimore City Council likewise passed a resolution declaring freedom from domestic violence to be a fundamental human right.¹¹⁵ Efforts to pass Baltimore’s resolution were spearheaded by the Family Law Clinic at University of Baltimore, with support from the Women’s Law Center of Maryland.¹¹⁶ The resolution describes the specific context in Maryland, including the fact that in 2010-2011, over 25,000 protective order petitions

were filed and 43 domestic violence-related deaths occurred. Like the Cincinnati resolution, the text goes on to emphasize that law enforcement, city agencies, courts and others “constitute the first line of defense against domestic violence.”¹¹⁷ After providing local context, it cites to the UN Declaration on Elimination of Violence Against Women, a Statement by a UN human rights expert and a recent regional human rights body’s decision on women’s human rights, highlighting that Baltimore joins international and domestic leaders by recognizing the human right to be free from domestic violence.

Over a dozen council members joined as co-sponsors of the resolution, which passed unanimously. Moving forward, advocates hope that the resolution will serve as a catalyst for community dialogue and raise awareness of the prevalence of domestic violence.¹¹⁸ It may also serve as a tool for local organizations, including Baltimore’s Maryland Legal Aid, to bolster their advocacy.¹¹⁹ To increase awareness of the resolution, students used social media tools, including Facebook and Twitter.¹²⁰

The Cincinnati and Baltimore resolutions have inspired other jurisdictions to recognize the role of state and local actors in promoting and protecting the human right to be free from domestic violence. In July of 2012, Miami-Dade County passed a similar resolution, calling on county agencies to incorporate principles relating to human rights and domestic violence into their policies and practices and becoming the first county to take this step.¹²¹ A similar resolution is under consideration in Buffalo, New York.¹²²

Seattle Commission’s Call for Congressional Action

The Seattle Human Rights Commission has recognized the human right to be protected from violence as a basis for federal legislative action. Through a resolution passed in September of 2012, the Commission called on the U.S. House of Representatives to reauthorize the Violence Against Women Act (VAWA) as approved by the U.S. Senate. The Commission’s resolution emphasizes that the House should take this action “in compliance with its international obligations to enact legislation that does not discriminate and to respect and ensure the right to be protected against violence.” It further articulates that the Senate version of VAWA “more fully embodies the core principles of equality, safety, integrity and dignity” found in a

number of human rights agreements because it offers protections for groups of women particularly impacted by violence, including “Native Americans, immigrants and refugees, and LGBTQ communities.” The resolution builds upon previous local efforts to support meaningful reauthorization of VAWA,

including a public rally co-sponsored by the Human Rights Commission and the Seattle Women’s Commission.¹²³

Seattle has also undertaken a city-wide effort to address racial and social disparities, prioritizing public participation in local policy (see page 18).

“NOW, THEREFORE, BE IT RESOLVED that housing be recognized as a human right and that all people who desire a place of shelter and stable long-term housing be prioritized to have this basic need met both temporarily and permanently. In doing so, the City of Madison recommits to the goals in its Comprehensive Plan that call for the availability of safe, decent and sanitary and distinctive housing for all residents as well as the objectives and policies that accompany that goal.”

—Madison, Wisconsin Housing Resolution

Fostering Participatory Governance

Public participation is an important component of a human rights approach. Engaging community stakeholders in planning, implementing and evaluating policies fosters government accountability and transparency. It can also help to ensure that policies and programs respond to local needs and achieve their intended results. While the examples below do not all refer to human rights explicitly, they reflect the core elements of a human rights approach, including taking proactive steps to eliminate policies and programs that have a disparate impact on particular groups and developing partnerships with impacted communities. These principles are found in CERD and a number of additional human rights agreements. To comport with a human rights based approach, participatory efforts should ensure needs based outcomes, grounded in human rights principles.

Seattle, Washington: Engaging the Community in Efforts to Achieve Racial and Social Justice

In 2004, Seattle began a city-wide Race and Social Justice Initiative (RSJI) to “address racial and social disparities” and achieve greater equity.¹²⁴ The Initiative was developed to address the reality that racial inequity exists across all indicators for success, from health to education and criminal justice.¹²⁵ Managed by the Office of Civil Rights, RSJI has grown into a comprehensive effort to end institutionalized racism, founded on the understanding that responding to inequities requires changes in government institutions and approaches.¹²⁶

RSJI strives to create opportunities for civic engagement and to work with the local community to identify problems and shape solutions.¹²⁷ A central component of this effort is Seattle’s community roundtable—a partnership of over twenty-five community organizations and public institutions from across the city and the county committed to a shared vision of racial equity. The roundtable examines issues such as employment, criminal justice, economic wellness and health, and has had a sustained focus on education. As part of their work on education, roundtable participants have developed policy recommendations to eliminate disproportionality in local school discipline rates and are working with the State Legislature to promote a state-wide plan that can lead to

greater educational equity.¹²⁸

RSJI also works within government to achieve structural change. Each department is required to evaluate its budgets, policies and practices through the lens of racial equity, and to develop plans that foster equal access and equity in its policies and programs. RSJI has developed a toolkit to facilitate this analysis and ensure that programs are implemented to the benefit of all community members.¹²⁹ After an analysis, each department creates a tailored action plan to address any gaps and promote equity, with its own internal team to oversee these efforts.¹³⁰ To encourage new approaches to policy making across departments RSJI has facilitated race and social justice training for over 8,000 city employees.¹³¹

RSJI is beginning to have positive outcomes. The city government has become more accessible to city residents as every city department now offers free language interpretation upon request, as well as free translation and interpretation services at public meetings and events in communities with a non-English speaking population.¹³² RSJI has led to changes in city business practices as well. Seattle’s contracting with women- and minority-owned companies has tripled and hiring and promotion practices have resulted in higher rates of equality in employment.¹³³

El Paso Sheriff's Office: A Participatory Approach to Law Enforcement

El Paso is consistently ranked one of the safest cities in America with a population over 500,000.¹³⁴ El Paso attributes this success to its community policing efforts.¹³⁵ The Sheriff's office is committed to "[p]rovid[ing] quality police service in partnership with other members of the community." Through outreach and dialogue with local residents and civic groups, law enforcement seeks to identify local concerns and develop effective approaches to creating a safer community. The Sheriff sees human rights as a basis for this approach, which focuses on taking proactive and preventative steps to protect the rights of all El Paso residents.¹³⁶

Community engagement was a strategy developed by the El Paso County Sheriff's office to respond to concerns of local community members as voiced by a campaign for changes in immigration enforcement led by the Border Network for Human Rights. One aspect of the campaign was criticism of how the treatment of El Paso residents who were perceived to be undocumented undermined community safety overall.¹³⁷ When a new Sheriff was elected, the Sheriff's Office began to engage in individual and community outreach, ultimately altering its approach to immigration enforcement and building partnerships with local groups so they can cooperate in reporting crimes.¹³⁸ The importance of community partner-

ships has also led El Paso officials to oppose proposed state legislation mandating local enforcement of federal immigration law. Speaking at a United States Senate hearing, El Paso County's chief executive stated, "[c]ommunity policing ... involves building trust and relationships between law enforcement and citizens that helps solve crimes and keep neighborhoods crime-free. If my sheriff's deputies are required ... to enforce federal immigration law ... that trust disappears and we become a less safe community."¹³⁹ Similar concerns have been voiced by the El Paso County Sheriff, as well as by a state senator and an El Paso congressman.¹⁴⁰

Community policing has strengthened accountability and increased transparency by engaging local residents in dialogues and inviting them to law enforcement trainings.¹⁴¹ For instance, after a series of shootings occurred during law enforcement encounters with individuals with mental health concerns, the Sheriff's office met with mental health practitioners, doctors, advocates and people living with mental illness. They engaged in dialogues to explore how these incidents could be prevented. As a result, classes on the topic were held for all El Paso officers and all officers are now trained as state-certified 'Mental Health Officers' to improve responses to similar sensitive cases.¹⁴²

"Everything we do is about fundamental human rights, not only how we deal with people, but how we protect people, through both prevention and enforcement."

—Sheriff Richard Wiles, El Paso County¹⁴³

Salt Lake City: Addressing Women's Human Rights Through Dialogue

The Salt Lake City Mayor's Office of Diversity and Human Rights (ODHR) aims to "protect the basic human rights of all Salt Lake City residents."¹⁴⁴ In its work, the Mayor's Office collaborates with other city agencies and the community.¹⁴⁵ One example is ODHR's efforts to address discrimination, which has involved city residents, the Salt Lake City Human Rights Commission and members of the City Council.¹⁴⁶ Salt Lake City is a diverse community where ethnic diversity has increased exponentially in the past decade. To assess constituent needs and understand how to respond effectively, the Human Rights Commission sponsored a series of community dialogues on discrimination.¹⁴⁷

Through these dialogues, local officials discovered that many women in Salt Lake had concerns that were not being addressed, including unequal educational opportunities and employment. In response, Salt Lake has begun to consider using the Convention on the Elimination of Discrimina-

tion Against Women (CEDAW) as a framework for creating more equitable gender policies. Since 2010, the Human Rights Commission, the City Council, and the Mayor's Office of Diversity and Human Rights together created a CEDAW Committee to examine the possibilities of adopting CEDAW and conduct further community outreach on this proposal. The Committee has sponsored targeted dialogues to gather information on the situation of women in Salt Lake City and inform policy responses. The dialogues offered an opportunity for the Committee to provide information to community members on CEDAW and also created platforms for community members to share their perspectives on health, safety, education and opportunities for advancement.¹⁴⁸ The input received from these dialogues will inform the CEDAW Committee's report and recommendations to the Mayor and City Council.¹⁴⁹

Reporting on Local Compliance with Human Rights Treaties

Human rights treaty reporting offers an opportunity for state and local governments to assess compliance with human rights standards and paint a more nuanced picture of human rights on the ground. When the U.S. ratifies a human rights treaty, it commits to report on how it is fulfilling its obligations under that treaty on a periodic basis and to participate in a review of its record by a U.N. committee of independent experts.¹⁵⁰ Other stakeholders, including state and local governments, can also submit reports with their perspective on U.S. treaty compliance. Based on these reports, the U.N. expert committee conducts its review and provides recommendations for the government to improve treaty implementation.

Reporting provides a voice to local governments to highlight effective human rights initiatives and identify areas where more work is needed. Human rights treaty reporting is likewise an opportunity for state and local governments to make recommendations about the support and resources they need to monitor, promote and protect human rights.¹⁵¹

California: Tools for City and State Reporting on Compliance with Human Rights Treaties

California provides an example of how both cities and states can engage in human rights documentation and monitoring efforts through the treaty reporting process. The city of Berkeley, California was a pioneer in this work. The City Council took an initial step to commit itself to human rights by adopting a Human Rights Ordinance based on the U.N. Charter, which calls for the promotion of "universal respect for, and observance of, human rights and fundamental freedoms for

all without distinction as to race, sex, language, or religion."¹⁵² Then, in 2007, Berkeley became the first U.S. locality to produce a report on local human rights treaty compliance.¹⁵³ Building on this effort, in 2009, the City Council formalized reporting for all three treaties the U.S. has ratified, calling for city departments to contribute data, describe measures Berkeley is taking to implement treaty provisions and identify further steps needed to achieve compliance.¹⁵⁴

Using human rights treaties as benchmarks, Berkeley's treaty reporting provides a way for local city departments to assess their efforts to address discrimination and inequality and to provide services, including housing and education. These local reporting efforts have heightened awareness of human rights within government bodies.¹⁵⁵ Berkeley's reports are also sent to the U.S. Department of States and the relevant U.N. Committees for use in reviews of the United States' human rights compliance.

In early 2010, a resolution aimed at raising awareness of ratified treaties and facilitating reporting on a state-wide scale was introduced in the California State Legislature.¹⁵⁶ The resolu-

tion, ACR 129, passed the State Assembly and State Senate with overwhelming support.¹⁵⁷ ACR 129 calls on the California Attorney General to prepare templates that cities, counties, and state agencies can use to assess their own compliance with human rights treaties ratified by the U.S.¹⁵⁸ Supporters of ACR 129 highlighted that state-wide reporting would provide California an avenue for demonstrating its human rights leadership.¹⁵⁹ Additionally, advocates have noted that reporting could have a positive influence on California policies in a number of areas, such as sex trafficking, child labor and criminal justice.¹⁶⁰ At the time of writing, the California Attorney General had not yet taken steps to implement the resolution, though advocates continue to urge the office to do so.

Conducting Human Rights Based Audits and Impact Assessments

Human rights standards can serve as benchmarks to measure the potential impact of proposed policies, to assess budgets, services and employment practices, and to help identify barriers to reaching intended beneficiaries with necessary services. As described below, state and local authorities have developed a number of tools to weigh the human rights implications of local policies and programs. The three case studies below further reflect how local communities can participate in efforts to develop more responsive policies and programs using human rights standards.

Vermont's Budget Process: Advancing Human Dignity and Equity

In 2012, the Vermont State Legislature adopted key human rights principles into the state budget, in an effort to create more transparent and accountable budgeting. The Legislature committed to these principles, declaring that "the state budget should be designed to address the needs of the people of Vermont in a way that advances human dignity and equity."¹⁶¹ For the first time, the budget highlights that spending and revenue should promote economic well-being and "recognize every person's need for health, housing, dignified work, education, food, social security, and a healthy environment."¹⁶²

Vermont's approach to budgeting is the result of a grassroots campaign urging more inclusive and responsive fiscal policies that respond to residents' needs and rights.¹⁶³ The campaign was grounded in the belief that Vermonters should play a role in the state's financial decisions.¹⁶⁴ The budget language indicates how the budget should be designed, providing a foundation for linking revenue and spending to the needs

of state residents. The new budget also calls for ongoing and participatory evaluations that are based on human rights and the principles of sustainability and stability.¹⁶⁵

Moving forward the Legislature must undertake a needs assessment to determine how a human rights-based budget can be designed to meet residents' needs and develop indicators to measure success. The needs assessment and the creation of indicators will be done with community participation.¹⁶⁶

Vermont's approach to budgeting is one example of how human rights principles can be used as a metric to measure how government policies are meeting constituents' fundamental needs. It also demonstrates how governments and residents can collaborate to develop policy.

The State of Vermont has also recently passed universal healthcare legislation guided by human rights principles (see page 13).

San Francisco Gender Auditing: Implementing the Women's Rights Treaty Locally

CEDAW is the comprehensive international human rights treaty aimed at advancing women's rights. Today, the U.S. is the only industrialized nation and the only country in the Western Hemisphere that has failed to ratify CEDAW, though the U.S. signed the treaty in 1980.¹⁶⁷ Numerous cities, states and localities have called upon the United States to ratify the treaty and several have gone further, integrating CEDAW principles into local government,¹⁶⁸ particularly by engaging in gender auditing of government policies and practices.

San Francisco led the way when the Board of Supervisors passed a local ordinance requiring government agencies and departments to implement CEDAW principles. Adopted in 1998, the ordinance requires the city to "integrate gender equity and human rights into all its operations" and eradicate all discriminatory policies, including those with a disparate impact on women's exercise of human rights. The ordinance developed out of collaboration between San Francisco's Commission on the Status of Women and an array of community stakeholders. These groups conducted trainings and hearings throughout the city and ultimately called on San Francisco to adopt international human rights principles to address gender discrimination within the city.¹⁶⁹ Human rights principles, and specifically the standards of CEDAW, were adopted to ensure that government policies and programs addressed the needs of women and girls.¹⁷⁰

The CEDAW ordinance calls for city departments to undergo gender assessments to ensure their actions are non-discriminatory and meet community needs. The key component of this assessment is a gender analysis of budget, service delivery and employment practices to identify any discrimination or barriers to equality for women, as well as to shape responses that promote and protect human rights.¹⁷¹

Since adoption of the CEDAW ordinance, seven agencies and departments have completed their gender assessments, leading to improved employment and service practices within city government. As a result of its assessment, the Department of the Environment (DOE) began to track the gender and racial make-up of its staff across job categories. The CEDAW review influenced the department's decision to implement flexible work policies that better accommodate caregivers and has increased the DOE's ability to recruit a diverse applicant pool. Women now comprise over 50% of the department, including its technical staff.¹⁷²

The same department also started analyzing demographics of its funding recipients to better assess the impact of its services and to track who is hired with its grant monies.¹⁷³ Through its gender analysis, the Department of Public Works (DPW) determined that some of its gender-neutral policies impacted women and men differently, and that for example, the placement of street lighting could make women feel safer. As a result, DPW's new projects reduced spacing between street lights because improved lighting "creates more equitable outcomes."¹⁷⁴ Other agencies, such as the city's Rent Stabilization and Arbitration Board now collect data on customers to better understand who they are serving, including information on gender and other social characteristics.¹⁷⁵

CEDAW implementation has also included city-wide initiatives.¹⁷⁶ One example is the gender analysis that the Department on the Status of Women (DOSW) conducted to assess work-life balance policies across city government and identify the impact of these policies on female employees. The study not only led to changes in policy, it was used to support new laws on telecommuting, flex time and paid parental leave.¹⁷⁷

More recently, DOSW has used its experience with gender assessments to create a Gender Equality Principle Initiative, partnering with Calvert, a socially responsible mutual fund and private sector groups. Through this initiative, San Francisco has helped develop a set of principles that companies can use to conduct self-assessments of gender equality and to promote resources to foster greater gender equity in the workplace.¹⁷⁸

Through its explicit integration of human rights in local governance, San Francisco has gained international attention. As a result of its gender equality work, the DOSW participated in, and developed recommendations for, the United States' first women's economic summit in San Francisco, featuring Secretary of State Hilary Clinton. DOSW has also presented at U.N. trainings, attended international conferences, and won awards for its gender equality initiatives, including the 2012 International Work-Life Balance Award.¹⁷⁹

San Francisco has served as model for other gender equality initiatives. Santa Cruz, Berkeley and Los Angeles, CA have all passed CEDAW legislation. Fulton County, Georgia has also developed a gender equality initiative that informs budgeting across County departments.¹⁸⁰

Eugene, Oregon: Using Human Rights to Assess and Inform Policy Making

Across Eugene, Oregon's city government, human rights play an important role in decision-making and policy analysis. In recent years, the Office of Sustainability undertook an effort to encourage more deliberate and sustainable decisions and, working together with the Human Rights Commission, developed a decision-making tool, known as the Triple Bottom Line (TBL).¹⁸¹ Used by all city departments, the TBL measures how a proposed policy or decision will impact social equity, the environment, and economic prosperity. Any TBL analysis reflects human rights principles throughout, and the social equity prong explicitly prioritizes "protecting, respecting and fulfilling the full range of universal human rights, including civil, political, social, economic, and cultural rights."¹⁸² Consistent with a human rights approach, the process of conducting a TBL analysis calls for community participation.¹⁸³

The TBL tool has achieved a number of positive results for the City. The TBL analysis has been used to analyze the impact of city government layoffs and has influenced department policies. Facing fiscal challenges, the Recreation Department was able to develop a budget that minimized the impact on services and accessibility while increasing revenue.¹⁸⁴ Another result of the TBL is a greater focus on health and fitness, particularly for low-income families.¹⁸⁵ It has also been an impetus for smaller changes, such as influencing the Public Library to switch to BPA-free paper for printing.¹⁸⁶

Eugene's additional efforts to integrate human rights, including expanding the mandate of its local human rights commission to explicitly address the full panoply of human rights are described on page 12 and efforts to recognize housing as a human right are included on page 15.

"Spending and revenue policies will reflect the public policy goals established in state law and recognize every person's need for health, housing, dignified work, education, food, social security, and a healthy environment. ..."

—Vermont Act 162, An act relating to making appropriations for the support of government

Concluding Recommendations

Human rights principles are articulated in major international agreements, but they find their most concrete application in the hands of local policymakers as tools to improve government decision-making and promote local participation. As detailed in this report, state and local officials and their constituents benefit from incorporating human rights into local government functioning.

Human rights can help shape proactive and innovative policies to meet basic community needs and address inequity. By incorporating human rights principles, local officials can demonstrate leadership and achieve positive recognition at home and abroad by connecting U.S. cities, counties and states to the global community. Additionally, they can incorporate human rights strategies to foster more accountable, transparent and inclusive policies at the local level.

While government officials and agency staff recognize many benefits to integrating a human rights approach locally, they also encounter challenges. These include a lack of public understanding about human rights and the ways in which human rights can foster more equitable and sustainable policies. As with any new approach to policy, efforts to integrate human rights norms and strategies confront political and bureaucratic constraints, as well as resource limitations.

Fulfilling the promise of human rights requires the commitment of resources, long-term planning and vision, as well as leadership and innovation among all levels of government. Moreover, to be sustainable, these efforts require that government agencies and officials work in concert with their community members to identify and implement appropriate means to promote and protect human rights.

The case studies described in this report and discussions with state and local officials and community advocates suggest the following recommendations for promoting and protecting human rights locally.

Recommendation One: Consider a Range of Strategies to Integrate Human Rights

The strategies and case studies in this report represent concrete ways that local government can embrace human rights principles and move toward the vision of dignity, equality and opportunity for all, beginning with local communities. State and local governments can adopt and build upon these in ways that fit the needs of their communities.

- **Make Aspirational Commitments to, and Raise Awareness of, Human Rights.** Through resolutions, proclamations and declarations state and local governments can commit to securing human rights locally and articulate how human rights principles can inform local policies and programs.
- **Reframe Local Concerns as Human Rights Issues.** Articulating local issues through a human rights framework can help foster proactive and sustainable solutions that put basic needs at the forefront of policymaking. Based on principles of non-discrimination, equality and universality, a human rights approach can also attract new allies within local communities.
- **Foster Participatory Governance.** State and local governments should actively facilitate local engagement in identifying existing problems and formulating solutions. Meaningful participation can be achieved when all community members have access to relevant information and the ability to engage in dialogue and influence outcomes on an equal basis.
- **Report on Local Compliance with Human Rights Treaties.** By engaging in periodic human rights reporting, state and local governments can share promising and effective local initiatives and indicate where progress is needed. Reporting is also an opportunity to highlight the resources local governments need to more effectively implement human rights.

- **Conduct Human Rights Based Audits and Impact Assessments.** Human rights assessments can evaluate how budgets, policies and programs are meeting local community needs and facilitate a more holistic approach to assessing the political, economic and social ramifications of local policy.

Recommendation Two: Develop Strong Community Partnerships¹⁸⁷

Based on their experiences using the human rights framework, advocates and local government actors urge the creation of strong partnerships between communities and government officials. Collaboration with local constituents and community groups can enhance the ability of state and local government officials to develop laws and policies that promote greater equality, are sustainable and respond to local needs. While community groups and government representatives will not always have the same goals, they can work together to advance common objectives that further human rights. Collaboration allows government and civil society partners to identify areas of mutual benefit. Collaboration also provides opportunities to leverage each other's expertise and support.

An important first step to building successful partnerships is identifying common goals. This will help to define the scope of a partnership and ensure that government officials and community partners have clear expectations. Common goals also provide a basis to develop indicators of success and benchmarks, so that partners can measure progress.

Joint goals, indicators of success and strategies for advancing human rights should be developed collectively. They should emphasize the core principles of universality and interdependence. They should also ensure processes that promote dialogue and transparent decision-making. Community groups and government should formulate the specific parameters of their collaboration in a set of shared principles to guide the relationship. It is also important to establish the roles and responsibilities of each partner to reinforce accountability.

In order to be sustainable, partnerships must be institutionalized within both community organizations and government structures. Ad-hoc relationships that depend on individual outreach or goodwill have proven an ineffective means for implementing lasting change. By nature, they are temporary, lack organizational commitments and may be easily dissolved.

Institutionalized relationships, in contrast, set up clear lines of communication and ensure that even when leadership or staffing changes occur, partnerships can continue.

Institutionalized relationships, in turn, depend on building the capacity of institutional and organizational partners to use human rights. To build capacity, partners must identify and share tools to achieve their human rights objectives. These tools can include education on relevant standards, effective practices to promote and protect rights and other materials specific to local efforts to achieve change.

Recommendation Three: Advocate for Federal Support¹⁸⁸

While states and localities can be effective sites for human rights implementation, the federal government—ultimately responsible for ensuring compliance on an international level—has a key role to play in coordinating and facilitating state and local efforts. Such shared responsibility is consistent with international law¹⁸⁹ and principles of U.S. federalism.¹⁹⁰

Federal officials have increasingly highlighted the “critical role that state and local officials play in ensuring broad domestic human rights implementation.”¹⁹¹ In recognition of this important role, the federal government has invited state and local agencies and officials to participate in a number of the periodic U.N. reviews of the United States’ human rights record.¹⁹² These are positive steps toward developing intra-governmental collaboration, but more is needed to support and encourage state and local efforts to promote and protect human rights.

State and local agencies and officials have called for federal resources to support more comprehensive human rights implementation. In 2011, mayors and members of the International Association of Official Human Rights Agencies (IAOHRA) sent a letter to Secretary of State Hillary Clinton underscoring the need for federal guidance on human rights and concrete resources. The signatories requested “assistance in developing an understanding of state and local governments’ obligations under human rights treaties” and emphasized that greater education and resources are “essential” to effectively engage in human rights implementation.¹⁹³

By emphasizing the ways in which federal support is vital to building the capacity of state and local governments to advance human rights, agencies and officials can work to ensure that they are equipped with the tools and resources

to do this work. At a minimum, a comprehensive and coordinated national approach to human rights requires that the federal government provide clear guidance, funding, education and training, and dedicated staff.

Specifically, state and local agencies can urge:

- **Clear Communication and Guidance.** State and local officials can request that the federal government conduct outreach to state and local actors and clearly communicate state and local officials' roles with respect to human rights implementation, including the standards set forth in ratified treaties, an articulation of how implementation at the local level can better the lives of state and local residents, and how responsibilities are shared among federal, state and local governments.
- **Funding.** State and local officials can request that the federal government provide financial support to encourage human rights compliance efforts and increase the capacity of state and local actors to undertake this work. A number of models for direct funding already exist to support education and outreach efforts related to fair housing and violence against women.
- **Education and Training.** State and local officials can urge the federal government to conduct programs, trainings, and roundtables aimed at increasing awareness of human rights norms, the benefits of human rights, and effective and emerging strategies to monitor and promote human rights.

- **Dedicated Staff.** True coordination requires staff dedicated to liaising with state and local actors to integrate human rights in laws, policies and practices. State and local officials can request that the federal government designate staff to communicate information from the national and international level to state and local officials and solicit information on human rights compliance and implementation for treaty reporting and data analysis. This information can help to determine where local compliance is strong and where it needs improvement.

The federal government can provide this support and foster a more comprehensive approach to human rights implementation through the establishment of a federal level implementation body such as a reinvigorated Inter-Agency Working Group on Human Rights, and a monitoring body such as a national human rights commission, or other similar institutional mechanisms, that are explicitly mandated to coordinate state and local governments.¹⁹⁴

By adopting a range of approaches to incorporate a human rights framework, working in partnership with communities, and leveraging resources at all levels of government, state and local officials can play an essential role in ensuring that human rights become a reality close to home.

Endnotes

- 1 Universal Declaration of Human Rights, G.A. Res. 217A, at 71, U.N. Doc A/810 (Dec. 12, 1948) [hereinafter UDHR], available at <http://www.un.org/en/documents/udhr/>.
- 2 International Council on Human Rights Policy, *Local Government and Human Rights: Doing Good Service* 19-21 (2005), [hereinafter *Doing Good Service*], available at http://www.ichrp.org/files/reports/11/124_report.pdf.
- 3 Alaska, Hawai'i, Michigan, and New York's constitutions require the protection and promotion of public health. Maryland and North Dakota's constitutions provide for free public schools. The New York State Constitution requires the state to provide "aid, care and support of the needy" and one of the aims of the Illinois Constitution is "to provide for the health, safety and welfare of the people." See Martha F. Davis, *The Spirit of Our Times: State Constitutions and International Human Rights*, 30 N.Y.U. Rev. L. & Soc. Change 356, 372 (2006). New York's constitution recognizes a general right to organize and bargain collectively, while Hawai'i and New Jersey recognize the right for private employees only. *Id.* at 372-73.
- 4 See The Universal Declaration of Human Rights: A Common Standard of Achievement 6 (Gudmundur Alfredsson & Asbjørn Eide eds., 1999); Cynthia Price Cohen, *The Role of the United States in the Drafting of the Convention on the Rights of the Child*, 20 Emory Int'l L. Rev. 185 (2006); Martha F. Davis, *Upstairs, Downstairs: Subnational Incorporation of International Human Rights Law at the End of an Era*, 77 Fordham L. Rev. 411, 416 (2008) ("Even those instruments that are not ratified by the United States often reflect American participation and influence."). See also Lars Adam Rehof, Guide to the Travaux Préparatoires of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1993). The full text of the Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3 [hereinafter CRC], can be found at <http://www2.ohchr.org/english/law/crc.htm>. The Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13, is available at <http://www2.ohchr.org/english/law/cedaw.htm>.
- 5 Franklin D. Roosevelt, Address of the President of the United States to Congress (Jan. 6, 1941), 87 Cong. Rec. 44, 46 (1941).
- 6 Speech by Jimmy Carter, *Human Rights and Foreign Policy*, Commencement Speech Given at Notre Dame University (June 1997).
- 7 International Covenant on Civil and Political Rights, Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR], available at <http://www2.ohchr.org/english/law/ccpr.htm>.
- 8 See William F. Schulz, Center for Am. Progress, *The Power of Justice: Applying International Human Rights Standards to American Domestic Practices* 9 (2009) (citation omitted).
- 9 The ICCPR was ratified under President George H. W. Bush and the International Convention on the Elimination of All Forms of Racial Discrimination and The Convention Against Torture were ratified under President Bill Clinton.
- 10 International Convention on the Elimination of All Forms of Racial Discrimination, Dec. 21, 1965, 660 U.N.T.S. 195 [hereinafter CERD], available at <http://www2.ohchr.org/english/law/cerd.htm>.
- 11 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85, available at <http://www2.ohchr.org/english/law/cat.htm>.
- 12 Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, G.A. Res. 54/263, U.N. Doc. A/RES/54/263 (Mar. 16, 2001).
- 13 See Vienna Convention on the Law of Treaties art. 18, Jan. 27, 1980, 1155, U.N.T.S. 331 (Nations that have signed treaties have an obligation "to refrain from acts which would defeat the object and purpose of [the] treaty" unless and until they declare an intention not to become a party). See also Speech, Michael Posner, *The Four Freedoms Turn 70*, available at <http://www.state.gov/j/drl/rls/rm/2011/159195.htm> ("[E]conomic, social and cultural rights addressed in U.N. resolutions should be expressly set forth, or reasonably derived from, the Universal Declaration and the International Covenant on Economic, Social and Cultural Rights. While the United States is not a party to the Covenant, as a signatory, we are committed to not defeating the object and purpose of the treaty."). The United States is not a party to the Vienna Convention but recognizes that many of its provisions are customary international law.
- 14 See, e.g., Center for Econ. & Soc. Rights, *Visualizing Rights: Fact Sheet No. 11: United States of America 1* (2010), available at <http://www.cesr.org/downloads/USA%20Web%20final.pdf>. The Organisation for Economic Co-operation and Development is comprised of 34 countries, which include Australia, Canada, France, Germany, Japan, Israel the United Kingdom.
- 15 See Tara Melish, *From Paradox to Subsidiarity: The United States and Human Rights Treaty Bodies*, 34 Yale J. Int'l L. 389 (2009). See also *infra* Recommendations section.
- 16 Martha F. Davis, *Thinking Globally, Acting Locally: States, Municipalities, and International Human Rights* in 2 *Bringing Human Rights Home: From Civil Rights to Human Rights* 127, 127 (Cynthia Soohoo et al. eds. 2008).
- 17 *Doing Good Service*, *supra* n. 2 at 11.

- 18 On April 27, 2012, Columbia Law School's Human Rights Institute, the National Economic and Social Rights Initiative, the Border Network for Human Rights and the Human Rights at Home Campaign hosted a Roundtable on Integrating Human Rights at the State and Local Level. [hereinafter April 27 State and Local Human Rights Roundtable]. At the Roundtable, a dozen state and local government representatives and human rights advocates shared their perspectives on the benefits and challenges of using human rights, as well as strategies for partnering in these efforts. A number of the benefits of human rights discussed in this section are drawn directly from the Roundtable.
- 19 See *Doing Good Service*, *supra* n. 2 at 6, 11; Schulz, *supra* n. 8 at 21. See also Telephone Interview by Funmi Showole Amubieya with Lyla Berg, former Hawai'i State Representative (Feb. 28, 2012); What is the Eugene Human Rights City Project?, City of Eugene City Manager's Office, 2011, <http://www.humanrightscity.com/faq/what-is-the-eugene-human/> [hereinafter Eugene Human Rights City Project].
- 20 The Opportunity Agenda, *Human Rights in the U.S.: Opinion Research with Advocates, Journalists, and the General Public* 3-4 (2007), available at http://www.opportunityagenda.org/files/field_file/Human%20Rights%20Report%20%202007%20public%20opinion.pdf.
- 21 See Alan Jenkins and Kevin Shawn Hsu, *American Ideals & Human Rights: Findings from New Public Opinion Research by the Opportunity Agenda*, 77 *Fordham L. Rev.* 439 (2008) (83% of Americans polled strongly agreed that fair treatment in the criminal justice system was a human right; 82% strongly agreed that equal access to public education was a human right; 68% strongly agreed that fair pay for workers to meet their basic needs for food and housing was a human right; and 72% strongly agreed that access to health care was a human right).
- 22 See Interview with Lyla Berg, *supra* n. 19; U.S. Human Rights Fund, *Perfecting Our Union: Human Rights Success Stories From Across the United States* 11 (March 2010); *Doing Good Service*, *supra* n. 2 at 6, 11; Schulz, *supra* n. 8 at 21.
- 23 *Perfecting Our Union*, *supra* n. 22 at 11; Schulz, *supra* n. 8 at 21; *Doing Good Service*, *supra* n. 2 at 6, 11.
- 24 See *Doing Good Service*, *supra* n. 2 at 4, 11.
- 25 *Id.* at 19, 24; Aguilar, Gaby Ore, *The Local Relevance of Human Rights: A Methodological Approach* (Discussion Paper), Institute of Development Policy and Management, University of Antwerp 12 (2008); Victorian Local Governance Association, *Human Rights Matter Locally: Preparing your local government to understand and implement the Charter 2* (2010); Lesley Wexler, *Human Rights Impact Statements: An Immigration Case Study*, 22 *Geo. Immigr. L. J.* 285 (2007-2008); Jacob Kirkemann Boesen and Tomas Martin., *Applying a Rights-Based Approach: An Aspirational Guide for Civil Society*, The Danish Institute for Human Rights 10-13 (2007).
- 26 Victorian Local Governance Association, *supra* n. 25 at 2.
- 27 The Nation recognized Mayor Piercy's leadership in 2012. See Edward Russo, *Piercy tops publication's list*, *The Register-Guard*, B1, Dec. 29, 2010. Vermont's healthcare legislation has been written about extensively. See, e.g., Mariah McGill, *Human rights from the Grassroots Up: Vermont's Campaign for Universal Health Care*, *Health and Human Rights: An International Journal*, Vol. 14 (1) (June 2012).
- 28 See, e.g., U.S. State Department, *Report of the United States of America Submitted to the High Commissioner for Human Rights in Conjunction with the Universal Periodic Review 2* (2010).
- 29 *Perfecting Our Union*, *supra* n. 22 at 6. See also The Universal Declaration of Human Rights: A Living Document, at <http://www.un.org/events/humanrights/udhr60/declaration.shtml>.
- 30 Victorian Local Governance Association, *supra* n. 25 at 2, 4.
- 31 See *infra* n. 190 and accompanying text.
- 32 The U.S. signed the Protocol in 1998. In 2001, President Bush withdrew the United States from the Protocol.
- 33 See Judith Resnik, *Ratifying Kyoto at the Local Level*, 50 *Arizona L. Rev.* 709, 718-721 (2008); Felicity Barringer, *Officials Reach California Deal to Cut Emissions*, *N.Y. TIMES*, Aug. 31, 2006, at A1; Paper, Lesley Wexler, *Take the Long Way Home: Sub-Federal Integration of Unratified and Non-Self-Executing Treaties*, 18-19 (2007).
- 34 See United Cities and Local Governments, About us, <http://www.cities-localgovernments.org/sections.asp>.
- 35 Global Charter-Agenda on Human Rights in the City (2011), available at http://www.cities-localgovernments.org/committees/cisdp/Upload/general_docs/uclg_global_charter_agenda_hr_city.pdf.
- 36 Austin, TX; Cambridge, MA; Cleveland, OH; Detroit, MI; Grand Rapids, MI; Kansas City, MO; Minneapolis, MN; New York, NY; San Diego, CA and Savannah, GA as well as the states of Rhode Island, Vermont, South Carolina and New York have also passed resolutions calling for ratification of the CRC. See Columbia Law School Human Rights Institute, *State and Local Human Rights Agencies Report: Recommendations for Advancing Opportunity and Equality Through an International Human Rights Framework* 20, n.53 [hereinafter 2009 State and Local Agencies Report], available at http://www.law.columbia.edu/null/download?&exclusive=filemgr.download&file_id=153843.
- 37 Information on ratification of the CRC can be found on the United Nations Treaty website, http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en.

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- 38 State of Hawai'i House Resolution Urging the Adoption of the United Nations' Convention on the Rights of the Child, H.R. Res. 48, 24th Leg (Hi. 2007) [hereinafter Hawai'i CRC Resolution], *available at* http://www.capitol.hawaii.gov/session2007/bills/HR48_HD2_.htm.
- 39 Interview with Lyla Berg, *supra* n. 19.
- 40 Hawai'i CRC Resolution, *supra* n. 38.
- 41 City of Chicago Resolution Adopting the UN Convention on the Rights of the Child (Feb.11, 2009) [hereinafter Chicago CRC resolution], *available at* <http://www.law.northwestern.edu/cfjc/documents/ChicagoCityCouncil-Resolution.pdf>; Telephone Interview by Funmi Showole Amubieya with Bernadine Dohrn, Founder, The Children and Family Justice Center at Northwestern University School of Law (April 6, 2012). For more information on the passage of Chicago's resolution, see *2009 State and Local Agencies Report*, *supra* n. 36 at 9.
- 42 Chicago CRC resolution, *supra* n. 41.
- 43 Interview with Bernadine Dohrn, *supra* n. 41.
- 44 See *2009 State and Local Agencies Report*, *supra* n. 36 at 9.
- 45 Telephone Interview by Funmi Showole Amubieya with Sandra Babcock, Clinical Director, Center for International Human Rights at Northwestern School of Law (April 5, 2012). The Clinic's Guide: *Toolkit for the Adoption of the Convention on the Rights of the Child by City Councils and State Legislatures* (Nov. 2009), is *available at* <http://www.law.northwestern.edu/legalclinic/documents/CRC-TOOLKIT-11-2009.pdf>.
- 46 Los Angeles Resolution on the Convention on the Rights of the Child, 10-0415 (Mar. 10, 2010) [hereinafter, Los Angeles CRC Resolution], *available at* <http://hrwstf.org/19march2010/resolution.pdf>; Human Rights Watch Student Taskforce *Los Angeles City Council Adopts the Convention on the Rights of the Child*, Friday March 19, <http://hrwstf.org/0910.html>.
- 47 Telephone Interview by Funmi Showole Amubieya with Yusef Robb, Deputy Chief of Staff to Los Angeles City Council President Eric Garcetti (April 17, 2012) (describing the resolution as a way for the City to demonstrate its position); Bill Rosendahl, City Council Meeting, Friday, March 19, 2010, http://lacity.granicus.com/MediaPlayer.php?view_id=130&clip_id=7720 at 1:51 (noting the value in influencing national policy).
- 48 Los Angeles CRC Resolution, *supra* n. 46.
- 49 The Human Rights Watch Student Task Force advocates for targeted elements of the CRC and participates in efforts to develop human rights education programs. Telephone Interview by Funmi Amubieya Showole with Pam Bruns, Director, Human Rights Watch Student Task Force (April 15, 2012). The Task Force also worked to pass CRC resolutions in Santa Monica and Santa Clarita in 2010. Email from Pam Bruns, Director, Human Rights Watch Student Task Force to JoAnn Kamuf Ward, Associate Director, Human Rights in the U.S. Project, Columbia Law School Human Rights Institute (Sept. 4, 2012).
- 50 A Resolution Adopting the Universal Declaration of Human Rights As Guiding Principles, Resolution No. 89/2008-09 (April 21, 2009) [hereinafter Carrboro UDHR Resolution], *available at* http://www.pdhre.org/carrboro_resolution.pdf.
- 51 Judith Blau, *Growing and Learning Human Rights in Sociology and Human Rights* 245, 255 (Judith Blau & Mark Frezzo eds., 2012). The Town Manager and advocates agreed these changes were appropriate. *Id.*
- 52 See Carrboro UDHR Resolution, *supra* n. 50.
- 53 See e.g., Margaret Misch, Remarks for Carrboro Board of Aldermen, December 8, 2010 Meeting Minutes, Attachment C-2, *available at* http://www.ci.carrboro.nc.us/boa/Agendas/2010/01_19_2010_D1A.pdf; Carrboro Board of Aldermen, Meeting Minutes (Dec. 7, 2010), *available at* http://www.ci.carrboro.nc.us/boa/Minutes/2010/12_07_2010.pdf.
- 54 A Resolution Supporting the Fair Trade Movement, Resolution No. 48/2010-11. See Meeting Minutes, Carrboro Board of Aldermen, 1-2 (Dec. 7, 2010), *available at* http://www.ci.carrboro.nc.us/boa/Minutes/2010/12_07_2010.pdf.
- 55 Meeting Minutes, Carrboro Board of Aldermen, (April 21, 2009), *available at* http://www.ci.carrboro.nc.us/boa/Minutes/2009/04_21_2009.pdf.
- 56 A Resolution Adopting the Universal Declaration of Human Rights As Guiding Principles, 2009-11-21/R-11 (Nov. 23, 2009), *available at* http://townhall.townofchapelhill.org/agendas/2009/11/23/5p/5p-2009-11-23_r11.pdf.
- 57 See Stephen Marks et al., *Human Rights Cities: Civic Engagement for Societal Development, People's Movement for Human Rights Learning* 45 (PDHRE) (2008). See also the Human Rights Cities Forum, <http://humanrightscity.net/eng/>.
- 58 See Marks, *supra* n. 57 at 45. The People's Movement for Human Rights Learning (formerly the People's Decade for Human Rights Education or PDHRE) has played an important role in helping many cities organize and become human rights cities. See generally PDHRE, The People's Movement for Human Rights Learning, *Human Rights Cities – a practical way to learn and chart the future of humanity*, <http://www.pdhre.org/projects/hrcommun.html>.
- 59 See Shawn Friedenberger, and Satpal Singh Bhurjee, *Moving Forward: The Human Rights City Edmonton Project*, *available at* <http://www.jhcentre.org/wp-content/uploads/2010/07/Research-Report.pdf>.
- 60 See Marks, *supra* n. 57 at 93.
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- 61 City of Pittsburgh Human Rights Proclamation 2011-1649 [hereinafter Pittsburgh Human Rights Proclamation], *available at* <http://pittsburgh.legistar.com/LegislationDetail.aspx?ID=874003&GUID=EB31A893-F2F4-41DC-94FB-DAF1CB2DB0A2&Options=&Search=>.
- 62 Telephone Interview by Funmi Showole Amubieya with Scilla Wahrhaftig, Director, American Friends Service Committee – Pennsylvania (February Feb. 29, 2012).
- 63 *Id.* (“Racial issues are very hard for youth, and adults, to talk about,” but in contrast, people were “very happy to talk about human rights.”).
- 64 *Id.*
- 65 *Id.*
- 66 Pittsburgh Human Rights Proclamation, *supra* n. 61.
- 67 Telephone Interview by Funmi Showole Amubieya with Douglas Shields, former Pittsburgh City Council President (April 5, 2012).
- 68 Interview with Scilla Wahrhaftig, *supra* n. 62; Emails from Scilla Wahrhaftig, Director, American Friends Service Committee – Pennsylvania to JoAnn Kamuf Ward, Associate Director, Human Rights in the U.S. Project, Columbia Law School Human Rights Institute (Sept. 13 & 18, 2012).
- 69 Chivy Sok and Ken Neubeck, *Building U.S. Human Rights Culture from the Ground Up: International Human Rights Implementation at the Local Level in Human Rights in Our Own Backyard Injustice and Resistance in the United States* 241 (William T. Armaline et al eds., 2011). Eugene’s Human Rights City Project began in 2006, when the City Council affirmed a commitment to protect human rights locally and expressed support for Eugene’s Human Rights Commission and also for local officials to explore how human rights could inform local governance. *Id.* at 240-42. See also Eugene Human Rights City Project, *supra* n. 19.
- 70 An Ordinance Concerning The Human Rights Commission and Amending Section 2.013, 2.265, 2.270, 2.275 and 2.280 of the Eugene Code, 1971. Eugene, Or., Eugene Code, §2.013, §2.265, §2.270, §2.275, §2.280 (2011).
- 71 Telephone Interview by Elizabeth Skeen with Raquel Wells, City of Eugene Equity and Human Rights Manager (Mar. 29, 2012).
- 72 Claire Syrett and Guadelupe Quinn, *International Human Rights Day Editorial*, Eugene Register Guard (Dec. 5 2011), <http://www.humanrightscity.com/resources/newspaper-articles-and/dec5-2011-international.html>.
- 73 Interview with Raquel Wells, *supra* n. 71; City of Eugene Human Rights Commission FY 12/13 Work Plan, City of Eugene 12 (2011) at 12 (with respect to addressing systematic and individual racisms, the HRC plans to “Provide community education on the Convention on the Elimination of Racial Discrimination, ascertain how the local situation conforms to CERD, and report to Council.”).
- 74 Noha Shawki, *Global Norms, Local Implementation—How Are Global Norms Translated Into Local Practice?*, *Globality Studies Journal* (Sept. 2, 2011), <http://globality.cc.stonybrook.edu/?p=221>; Telephone Interview by Elizabeth Skeen with Ken Neubeck, Vice-Chair, City of Eugene Human Rights Commission (Mar. 7, 2012).
- 75 Eugene Human Rights City Project, *supra* n. 19.
- 76 See Russo, *supra* n. 27 at B1.
- 77 See An act relating to health care financing and universal access to health care in Vermont, Vt. Act 128 (2010), *available at* <http://www.leg.state.vt.us/docs/2010/Acts/ACT128.pdf>. See also Mariah McGill, *The Human Right to Health Care in the State of Vermont*, *Vermont Bar Journal* 28-30 (Summer 2011), *available at* <http://www.northeastern.edu/law/pdfs/academics/phrge-mariah-mcgill-vtbar.pdf>. Act 128 called for public participation in the design and evaluation of a new healthcare system to ensure the system would meet the needs of state residents.
- 78 See An act relating to a universal and unified health system, Vt. Act 48 (2011), *available at* <http://www.leg.state.vt.us/docs/2012/Acts/ACT048.pdf>; McGill, *supra* n. 77.
- 79 See Telephone Interview by Zoha Khalili with Mary Gerisch, Vermont Workers Center (March 5, 2012).
- 80 An act relating to healthcare reform implementation, Vt. Act 171 (2012), *available at* <http://www.leg.state.vt.us/docs/2012/Acts/ACT171.pdf>; Telephone Interview by Zoha Khalili with Robin Lunge, Director of Health Care Reform, State of Vermont Agency of Administration (May 16, 2012) (discussing the Legislature’s study of healthcare as a human right).
- 81 See an Act relating to a universal and unified health system, *supra* n. 78. A Commission has been established to oversee implementation of the new system. Vermont is currently awaiting a waiver from the federal government to begin the process, and it has established a health benefit exchange as required by the Patient Protection and Affordable Care Act.
- 82 See, e.g., Dave Gram, *Vt. Lawmakers resolve immigrant health care issue*, *Physicians For a National Health Program* (May 3, 2011), <http://www.pnhp.org/news/2011/may/activists-decry-exclusion-of-undocumented-workers-from-vermonts-h202>; Interview with Mary Gerisch, *supra* n. 79.
- 83 *Id.*; Interview with Robin Lunge, *supra* n. 80; Email from Marisa Melamed, Executive Assistant, Healthcare Reform, State of Vermont Agency of Administration, to Meredith Firetog, Intern, Columbia Law School Human Rights Institute (Aug. 15, 2012).
- 84 See An Act Establishing a Commission on Health Equity, 2008 Conn. Acts 663 (Reg. Sess.) [hereinafter Health Equity Act].

- 85 See Telephone Interview by Zoha Khalili with James E. Rawlings, President of the Greater New Haven NAACP (March 19, 2012). The Connecticut State Conference of NAACP branches and the Connecticut Health Foundation published a report on African American health in Connecticut in June of 2007. See Connecticut State Conference of NAACP Branches Health Committee, *A Health Status Report on African Americans in Connecticut* 39-41 (2007), available at <http://naacp-ct.org/pdf/2008healthreport.pdf>. Additional reports further highlighted disparities and their structural causes. See e.g., *Pathways to Equal Health: Eliminating Racial and Ethnic Health Disparities in Connecticut* (March 2005), available at <http://www.cthealth.org/wp-content/uploads/2011/04/5-4-05-version.pdf>
- 86 See Connecticut Commission on Health Equity, 2nd Annual Report 8, 18-19 (Sept. 2011) [hereinafter *CHE 2nd Annual Report*]; Health Equity Act, *supra* n. 84.
- 87 These areas are diabetes, asthma, cancer, cardiovascular disease, low birth weight and HIV/AIDS. See *CHE 2nd Annual Report*, *supra* n. 86 at 12-15.
- 88 See State of Connecticut Commission on Health Equity, *First Annual Report* 6 (Sept. 1, 2010) [hereinafter *CHE 1st Annual Report*].
- 89 *Id.* at 25-31; See *CHE 2nd Annual Report*, *supra* n. 86 at 15, 25-26.
- 90 See, e.g., Caring Families Coalition, *Health Care Reform* (May 17, 2012), <http://www.caringfamilies.org/?p=776> (dates and locations of 2012 forums); Health Justice CT, *Connecticut Commission on Health Equity (CHE): Eliminating Health Disparities and Improving the Health for all Connecticut Residents* (May 9, 2011), <http://www.healthjusticect.org/connecticut-commission-on-health-equity-che-eliminating-health-disparities-and-improving-the-health-for-all-connecticut-residents> (dates and locations of 2011 forums); See *Connecticut CHE 2nd Annual Report*, *supra* n. 86 at 26.
- 91 *CHE 2nd Annual Report*, *supra* n. 86, Appendix A; *CHE 1st Annual Report*, *supra* n. 89 at 22.
- 92 *CHE 2nd Annual Report*, *supra* n. 86 at 22; *CHE 1st Annual Report*, *supra* n. 89 at 13.
- 93 *CHE 2nd Annual Report*, *supra* n. 86 at 6, 20-21.
- 94 See UDHR, art. 25 ("Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."); CERD, art. 5 ("States Parties undertake to...guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of...[t]he right to public health, medical care, social security and social services"); International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3, art. 12 [hereinafter ICESCR], available at <http://www2.ohchr.org/english/law/cescr.htm>. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.").
- 95 James Haslam, Opinion, *Haslam: Vermont Strong = Putting People First*, VT Digger, Apr. 17, 2012, at <http://vtdigger.org/2012/04/17/haslam-vermont-strong-putting-people-first/>.
- 96 UDHR, art. 35; ICESCR, art. 11, CERD, art. 5. The U.S. Government has also recognized that homelessness has human rights dimensions. In April of 2012, two federal agencies issued a report noting that laws criminalizing homelessness "may . . . violate international human rights law, specifically the Convention Against Torture and the International Covenant on Civil and Political Rights," treaties the U.S. has ratified. See Interagency Council on Homelessness, *Searching out Solutions: Constructive Alternatives to Criminalization* 8 (2012).
- 97 City of Madison Resolution on Housing as A Human Right, Legislative File 23825 (Version 1), <http://legistar.cityofmadison.com/attachments/a584992f-510c-46d1-b709-c81372062ac0.pdf>.
- 98 *Id.* See also *Grass Roots: Madison recognizes housing as a human right*, The Cap Times, Dec. 2, 2011, http://host.madison.com/ct/news/local/article_30d9d280-1c7b-11e1-858a-001871e3ce6c.html.
- 99 Telephone Interview by Meredith Firetog with Heidi Wegleitner, Dane County Supervisor and Attorney, Legal Action of Wisconsin (July 17, 2012).
- 100 Dane County Recognizes Housing As A Human Right, Res. 292, 11-12. See Dane County Board of Supervisors Zoning & Land Regulation Committee Work Meeting Agenda (June 12, 2012) at 103-04 for the resolution text [hereinafter *Dane County Housing Resolution*], <http://pdf.countyofdane.com/plandev/zoning/June%2012%20ZLR%20Work%20Meeting.pdf>.
- 101 Interview with Heidi Wegleitner, *supra* n. 99.
- 102 *Dane County Housing Resolution*, *supra* n. 100.
- 103 Email from Heidi Weigleitner, Dane County Supervisor and Attorney, Legal Action of Wisconsin to Meredith Firetog, Intern, Columbia Law School Human Rights Institute (Aug. 15, 2012). See also Government of Dane County, <http://www.countyofdane.com/commissions/?id=235>.
- 104 *Opportunity Eugene: A Community Task Force on Homelessness Final Report and Recommendations*, available at <http://www.eugene-or.gov/DocumentCenter/Home/View/4272>.
- 105 Email from Ken Neubeck, Vice-Chair, City of Eugene Human Rights Commission to JoAnn Kamuf Ward, Associate Director, Human Rights in the U.S. Project, Columbia Law School Human Rights Institute (Oct. 16, 2012).

- 106 See National Law Center on Homelessness and Poverty, *April Showers Bring May Flowers*, <http://homelessnesslaw.org/2012/05/april-showers-bring-may-flowers/>
- 107 See Memorandum From Toni Gyatso, Eugene Human Rights Commission Chair to the Mayor and City Council (June 13, 2012).
- 108 A Resolution Declaring that Freedom from Domestic Violence is a Fundamental Human Right, Cincinnati City Council, Res. 47-2011 (2011), [hereinafter Cincinnati DV Resolution], *available at* <http://city-egov.cincinnati-oh.gov/Webtop/ws/council/public/child/Blob/33497.pdf;jsessionid=04A85735B29385693C8122F3BD3CA95B?m=32372>.
- 109 Jennifer Cunningham-Minnick, Nick Maull, and Josh Lefevre, *City Council Takes a Stand Against Domestic Violence*, The Cincinnati Enquirer (Oct. 18, 2011), <http://cincinnati.com/blogs/letters/2011/10/18/city-council-takes-stand-against-domestic-violence/>.
- 110 Telephone Interview by Elizabeth Skeen with Roxanne Qualls, Vice Mayor of the Cincinnati City Council (April 10, 2012).
- 111 See Jennifer Cunningham-Minnick *et al.*, *To Be Free from Domestic Violence is a Fundamental Human Right* 5 (2010) (unpublished memo) (on file with the Columbia Human Rights Institute) (explaining: “Our goal is to create awareness that domestic violence is a human rights issue, and to establish educational programs for police departments, judges, attorneys, and other private and public sector agencies. This position seeks to create a spark to enhance domestic violence education in communities, public and private sectors, and in government agencies.”).
- 112 Cincinnati DV Resolution, *supra* n. 108.
- 113 See Cunningham-Minnick, *et al.*, *supra* n. 109.
- 114 Telephone Interview by Elizabeth Skeen with Kenyatta Mickels, Visiting Assistant Professor of Clinical Law, University of Cincinnati School of Law (April 12, 2012).
- 115 A Council Resolution Concerning The Freedom from Domestic Violence is a Fundamental Human Right, City of Baltimore Council Bill 12-0034R (Mar. 19 2012) [hereinafter Baltimore DV Resolution], *available at* <http://legistar.baltimorecitycouncil.com/attachments/8911.pdf>; University of Baltimore School of Law, *Baltimore City Council Declares that Freedom From Domestic Violence is a Fundamental Human Right*, http://law.ubalt.edu/clinics/Clinic_in_Action.cfm (noting that the City Council sponsor noted “domestic violence is a widespread issue that has a serious impact on families in Baltimore City.”).
- 116 Email from Leigh Goodmark, Director, Clinical Education and Family Law Clinic, University of Baltimore Law School to Meredith Firetog, Intern, Columbia Law School Human Rights Institute (Aug. 7, 2012).
- 117 Baltimore DV Resolution, *supra* n. 115.
- 118 Joe Surkiewicz, *UB Family Law Clinic looks at the big picture*, The Daily Record, May 28, 2012, at https://law.ubalt.edu/clinics/Clinic_in_Action.cfm.
- 119 Telephone Interview by Elizabeth Skeen with Leigh Goodmark, Director, Clinical Education and Family Law Clinic, University of Baltimore Law School (April 12, 2012). As one example, Maryland Legal Aid Attorneys plans to use the resolution when seeking protection orders. *Id.*
- 120 *Id.*
- 121 See Resolution Expressing the Board’s Intent to Declare that Freedom From Domestic Violence is a Fundamental Human Right, R-644-12 (July 17, 2012) *available at* <http://www.miamidade.gov/govaction/matter.asp?matter=121380&file=true&yearFolder=Y2012>.
- 122 Interview with Leigh Goodmark, *supra* n. 119.
- 123 Seattle Human Rights Commission Resolution #12-03: Support for House Passage of Senate VAWA bill (Sept. 17, 2012), *available at* <https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/SHRC%20reso%2012-3%20VAWA%20reauthorization.pdf>.
- 124 Seattle City Council Resolution No. 31164 (Nov. 19, 2009), *available at* http://clerk.seattle.gov/-archives/Resolutions/Resn_31164.pdf.
- 125 See Email from Julie Nelson, Director, Seattle Office of Civil Rights, to Meredith Firetog, Intern, Columbia Law School Human Rights Institute (Aug. 15 2012); RSJI, *Why Lead With Race?, Challenging Institutional Racism to Create an Equitable Society for All* <http://www.seattle.gov/rsji/docs/why%20lead%20with%20race.pdf>.
- 126 Race and Social Justice Initiative (RSJI), *Report 2008: Looking Back, Moving Forward* 3 (Dec. 2008) [hereinafter Looking Back], *available at* <http://www.seattle.gov/rsji/docs/O90120rsjiReport.pdf> (“The RSJ Initiative focuses on racism because race has shaped our institutions and public policies in the United States in ways that prevent us from achieving equity. . . . at the same time, we understand how critical it is to continue to address other social justice issues. . . . To eliminate inequity, however, we must focus on the root causes. . . . The Race and Social Justice Initiative is the City of Seattle’s effort to focus on the root of the problem – to change the underlying system that creates and preserves inequities.”); Telephone Interview by Funmi Showole Amubieya with Julie Nelson, Director, Seattle Office of Civil Rights (March 8, 2012) (“Too often city government’s approach is a blue ribbon taskforce or a community group that comes up with recommendations that sit on a shelf – and the government doesn’t change.”).
- 127 In 2008, for example, Mayor Nickels issued an Executive Order on Outreach and Public Engagement and this is one of the three goals of the RSJI. See *Looking Back*, *supra* n. 126 at 9, 14-17.

- 128 Interview with Julie Nelson, *supra* n. 126. See also RSJI Community Roundtable, <http://www.seattle.gov/rsji/roundtable.htm>; Race and Social Justice Community Roundtable, <http://www.seattle.gov/rsji/docs/080911Roundtable2-pager.pdf>.
- 129 See RSJI, *Racial Equality Toolkit for Policies, Programs, and Budget* (Mar. 2010), available at http://www.seattle.gov/rsji/docs/RSJIToolkit_3_10.pdf; RSJI, *Accomplishments 2009-2011* 1, 6 (2011), available at <http://www.seattle.gov/rsji/docs/RSJIAccomplishments2009-2011.pdf>.
- 130 RSJI, *Accomplishments*, *supra* n. 129 at 9.
- 131 *Id.*
- 132 *Id.* at 5.
- 133 *Id.* at 8.
- 134 See, e.g., CQ Press, *City Crime Rankings 2011-2012: Rankings by Population Categories*, available at <http://os.cqpress.com/citycrime/2011/CityCrimePopRank2011.pdf> (ranked first); CQ Press, *City Crime Rankings 2010-2011: Rankings by Population Categories*, available at http://os.cqpress.com/citycrime/2010/City_Crime_Rankings_bypop_2011-2011.pdf (ranked first); CQ Press, *City Crime Rankings 2009-2010: Rankings by Population Categories*, available at http://os.cqpress.com/citycrime/2009/Rankings2009_Population.pdf (ranked second).
- 135 The City of El Paso, *El Paso, Texas – The Safest City in the United States*, http://www.ci.el-paso.tx.us/homepage_safest_city.asp.
- 136 Remarks of El Paso County Sheriff Richard Wiles at April 27 State and Local Human Rights Roundtable, *supra* n. 18.
- 137 Email from Jose Manuel Escobedo, Policy Director, Border Network for Human Rights (BNHR) to JoAnn Kamuf Ward, Associate Director, Human Rights in the U.S. Project, Columbia Law School Human Rights Institute (Sept. 20, 2012).
- 138 See e.g., BNHR Statement: El Paso Named Safest U.S. City (Nov. 22, 2010), <http://immigrantsandiego.org/2010/11/22/bnhr-statement-el-paso-named-safest-u-s-city/>.
- 139 Testimony of El Paso County Judge Veronica Escobar, *Securing the Border: Progress at the Local Level*, Hearing Before the Senate Committee on Homeland Security and Governmental Affairs 112th Cong. (Apr. 7 2011), available at <http://www.co.el-paso.tx.us/judge/documents/TestimonyforSenCommonHomelandSecurityandGovernmentalAffairsHearing372011.pdf>.
- 140 Congressman Silvestre Reyes, Remarks - Governor's plan to use local police in federal immigration matters will undermine public safety (Jan. 28, 2011), available at <http://reyes.house.gov/News/DocumentPrint.aspx?DocumentID=225568>. See also Elizabeth Llorente, *Sheriff Fears Texas Gov. Perry's Anti-Illegal Immigration Push*, Fox News Latino (Jan. 13, 2011), <http://latino.foxnews.com/latino/politics/2011/01/13/sheriff-safest-city-says-took-years-gaining-trust-immigrants>; *Full Story: Local Leaders Oppose Governor Perry's Immigration Efforts*, NC9 (Jan. 28, 2011), <http://www.ktsm.com/news/full-story-local-leaders-oppose-governor-perrys-immigration-efforts>.
- 141 Remarks of El Paso County Sheriff Richard Wiles, April 27 State and Local Human Rights Roundtable, *supra* n. 18; Telephone Interview by Meredith Firetog with El Paso County Sheriff Richard Wiles (July 26, 2012). See also Gregory K. Allen, *A Message From The Chief of Police*, <http://www.elpasotexas.gov/police/internalaffairs.asp>.
- 142 Interview with Sheriff Wiles, *supra* n. 141.
- 143 Remarks of El Paso County Sheriff Richard Wiles, April 27 State and Local Human Rights Roundtable, *supra* n. 18.
- 144 *Salt Lake City Mayor's Office of Diversity & Human Rights, Mayor's Anti-Discrimination Campaign*, <http://www.slcgov.com/odhr/ad>.
- 145 *Salt Lake City Mayor's Office of Diversity & Human Rights, Your Human Rights*, <http://www.slcgov.com/odhr/hr>.
- 146 Telephone Interview by Elizabeth Skeen with Yolanda Francisco-Nez, Coordinator, Salt Lake City Mayor's Office of Diversity & Human Rights (Mar. 29, 2012); Yolanda Francisco-Nez, *Salt Lake City Human Rights Commission Discrimination Report* (2009) [hereinafter *Salt Lake City Report*], available at <http://www.slcclassic.com/mayor/divHR/pdfs/DiscRpt2009.pdf>.
- 147 *Salt Lake City Report*, *supra* n. 146 at 4.
- 148 *Id.* at 36; Interview with Yolanda Francisco-Nez, *supra* n. 146.
- 149 Interview with Yolanda Francisco-Nez, *supra* n. 146.
- 150 See CERD, art. 9; ICCPR, art. 40; CAT, art. 19.
- 151 See *infra* n. 192 for examples of state and local government participation in U.N. human rights reviews.
- 152 Berkeley Human Rights Ordinance, Berkeley City Council, 5985-N.S (Berkeley, Cal. 1990); Using the Law: Local and State, Meiklejohn Civil Liberties Institute, <http://www.mcli.org/law/localstate/index.html>; U.N. Charter art. 55, 56.
- 153 See Report Submitted by the City of Berkeley Under Article 9 of the Convention, to the Committee on the Elimination of Racial Discrimination 3-4 (June 2007).
- 154 Berkeley City Council Motion on United Nations Treaty Reports, Berkeley City Council, Doc. 22, App. (Berkeley, Cal. 2009).

- 155 U.S. Human Rights Network, *Human Rights and Local Obligations: Ensuring Effective Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination* 24 (Mar. 2012), available at http://www.ushrnetwork.org/sites/default/files/declaration-treaty/Local_Obligations_Under_CERD.pdf.
- 156 California Bill Analysis, Bill No. A.C.R. 129 (Aug. 9, 2010), ftp://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0101-0150/acr_129_cfa_20100825_143628_sen_floor.html.
- 157 Telephone Interview by Elizabeth Skeen with Ann Fagan Ginger, Director Emeritus, Meiklejohn Civil Liberties Institute (April 5, 2012); California Senate Journal, 2009-2010 Reg. Sess., No. 258.
- 158 See Assembly Concurrent Resolution No. 129, Cal. Legislature, available at http://lib.ohchr.org/HRBodies/UPR/Documents/session9/US/MCLI_MeiklejohnCivilLibertiesInstitute_Annex3.pdf.
- 159 Ann Fagan Ginger, Testimony to the California State Assembly Committee on Judiciary, available at <http://www.mcli.org/ANNSTestimony.pdf>.
- 160 *Id.*
- 161 An act relating to making appropriations for the support of government, Vt. Act 162 (2012), Sec. E.1001.1 32 V.S.A. § 306(a), available at <http://www.leg.state.vt.us/docs/2012/Acts/ACT162.pdf>. See also Anja Rudiger, *Toward a People's Budget: Vermont Adopts New Vision for State Spending and Revenue Policies* (May 4, 2012), http://www.huffingtonpost.com/anja-rudiger/vermont-state-spending_b_1477641.html.
- 162 An act relating to making appropriations for the support of government, *supra* n. 161, Sec. E.1001.1 32 V.S.A. § 306(c).
- 163 See Vermont Workers Center, The People's Budget Campaign, <http://www.workerscenter.org/peoplesbudget>. The People's Budget Campaign was led by the Vermont Workers' Center.
- 164 Email from Mary Gerisch, Vermont Workers Center to Meredith Firetog, Intern, Columbia Law School Human Rights Institute (Aug. 20, 2012).
- 165 An act relating to making appropriations for the support of government, *supra* n. 161, Sec. E.1001.1 32 V.S.A. § 306(e); Sec. E.100.2 (a).
- 166 See Rudiger, *supra* n. 161.
- 167 Amnesty International USA, *A Fact Sheet on CEDAW: Treaty for the Rights of Women* (2009), http://www.amnestyusa.org/sites/default/files/pdfs/cedaw_fact_sheet.pdf; CEDAW 2012, *CEDAW by the Numbers*, <http://www.cedaw2010.org/index.php/about-cedaw/cedaw-by-the-numbers>.
- 168 More comprehensive information on the Ordinance and local efforts to pass it can be found in The Women's Institute for Leadership Development for Human Rights, *Respect, Protect, Fulfill: Raising the Bar on Women's Rights in San Francisco* 2 (2008) [hereinafter *Respect, Protect, Fulfill*], available at <http://www.drew.edu/politicalscience/files/Final-CEDAW-SF-Report.pdf>; See also 2009 *State and Local Agencies Report*, *supra* n. 36 at 8, Annex C, Annex D-3 (providing more information on the San Francisco Ordinance and a list of cities, states and localities that have passed CEDAW ordinances).
- 169 Telephone Interview by Funmi Showole Amubieya with Ann Lehman, Policy Director, San Francisco Department on the Status of Women (April 6, 2012).
- 170 *Respect, Protect, Fulfill*, *supra* n. 168 at 2.
- 171 *Id.*
- 172 Interview with Ann Lehman, *supra* n. 169; *Respect, Protect, Fulfill*, *supra* n. 168 at 6-7.
- 173 *Respect, Protect, Fulfill*, *supra* n. 168 at 7.
- 174 *Id.*
- 175 *Id.* at 8.
- 176 *Id.* at 9-11.
- 177 *Id.* at 9.
- 178 Interview with Ann Lehman, *supra* n. 169. See also Andrew Stelzer, For U.S., Lessons in CEDAW from San Francisco, Inter Press Service, Nov.25, 2009, available at <http://www.ipsnews.net/news.asp?idnews=49405>.
- 179 See Interview with Ann Lehman, *supra* n. 169. See also Newsletter, Department on the Status of Women, *Department Brings Local Strategies to International Audience* (Spring 2010); Press Release, Department on the Status of Women, *Members of a Global Community – the Department at the United Nations* (2010); see also Press Release, Department on the Status of Women, *San Francisco Accepts International Award for Women in the Workplace Initiative, Mayor Celebrates Innovative Project with Corporate Partners* (June 2012) (Discussing the International Work-Life Balance Award).

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- 180 Information on Fulton County's efforts is available at About Fulton Georgia's Gender Equality Program at <http://www.fultoncountyga.gov/gender-equality-home>. See also NACO County News, *Georgia county gender equality initiative receives international recognition* 2 (Sept. 21, 2009), available at http://www.fultoncountyga.gov/images/stories/Gender%20Equality%20Project/Comm_Boxill_GE_Award_NACo_Sept-2109_2.pdf.
- 181 Interview with Raquel Wells, *supra* n. 71.
- 182 City of Eugene Triple Bottom Line Analysis Tool, City of Eugene (July 2009), <http://www.eugene-or.gov/DocumentCenter/Home/View/1100>.
- 183 Interview with Raquel Wells, *supra* n. 71.
- 184 Interview with Ken Neubeck, *supra* n. 74.
- 185 City of Eugene Library, *Recreation and Cultural Services 2010 Annual Report*, available at <http://issuu.com/cityofeugenerecreation/docs/eugenelrcsannualreport2010web>.
- 186 Interview with Raquel Wells, *supra* n. 71.
- 187 These recommendations were developed during the April 27 State and Local Human Rights Roundtable, *supra* n. 18.
- 188 The specific recommendations for the federal government included in this section draw heavily from the 2009 *State and Local Agencies Report*, *supra* n. 36 and Risa Kaufman, "By Some Other Means": *Considering the Executive Role in Fostering Subnational Human Rights Compliance*, 33 *Cardozo L. Rev.* 5, 101 (2012). They also draw inspiration from Catherine Powell, *Dialogic Federalism: Constitutional Possibilities for Incorporation of Human Rights Law in the United States*, 150 *U. Pa. L. Rev.* 245 (2001).
- 189 See Article 26 of the Vienna Convention on the Law of Treaties, which states that "every treaty in force is binding upon the parties."; Restatement (Third) of Foreign Relations Law § 207(b), reporter's note 3 (1987); ICCPR, art. 50 ("The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions."); CERD, art. 2 ("Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists" and "ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation"). See also Louis Henkin, *U.S. Ratification of Human Rights Conventions: The Ghost of Senator Bricker*, 89 *Am. J. Int'l L.* 341, 346 (1995).
- 190 See U.S. Const. art. VI, cl. 2 ("This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land . . ."). When ratifying human rights treaties, the United States has indicated that it shares responsibility for implementation with state and local governments. See 138 CONG. REC. 8071 (1992) (recognizing that state and local governments shall implement obligations under the ICCPR in areas within their jurisdiction); 140 CONG. REC. 14326 (1994) (same understanding regarding CERD); 136 CONG. REC. S17486 (daily ed. Oct. 27, 1990) (same understanding for CAT). That state and local governments have responsibility to implement human rights is consistent with the fact that many human rights issues fall within areas of state and local jurisdiction, such as housing, criminal justice, education and employment.
- 191 Fourth Periodic Report of the United States of America to the United Nations Committee on Human Rights Concerning the International Covenant on Civil and Political Rights, Annex A to the Common Core Document of the United States State, Local, Tribal, and Territorial Human Rights Organizations and Programs, ¶ 1 (Dec. 30, 2011). See also Harold Hongju Koh, Legal Advisor, U.S. Dep't of State, *Response of the United States to the Recommendations of the United Nations Human Rights Council* (Nov. 9, 2010) ("We believe the best human rights implementation combines overlapping enforcement by all branches of the federal government working together with state and local partners."), available at <http://www.state.gov/s/l/releases/remarks/150677.htm>.
- 192 As one example, in 2008, the Attorney General of New Mexico joined the official U.S. delegation to U.N. and discussed his cross-border collaboration with Mexican officials and efforts to implement an international agreement on sales and trafficking in children. See Opening Remarks, New Mexico Attorney General Gary King, United Nations Committee on the Rights of the Child, Concerning U.S. Implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (May 22, 2008), http://www2.ohchr.org/english/bodies/crc/docs/statements/48USA_Final_Statements.pdf.
- More recently, the Obama Administration has invited state and local agencies to contribute to the reports that the United States drafts and submits to the United Nations as part of periodic U.N. human rights reviews. The Obama Administration sent formal requests for information to state and local agencies and officials in 2010, seeking information for reports on compliance with the three treaties the U.S. has ratified. See, e.g., Memorandum from Harold Koh, Legal Adviser to the U.S. Dep't of State, to State Governors on U.S. Human Rights Treaty Reports (January 20, 2010); Letter from Harold Koh, Legal Adviser to the U.S. Dep't of State, to State and Local Human Rights Commissions (May 3, 2010). State and local representatives have also joined the U.S. delegations to these reviews, including for reviews on U.S. compliance with CERD and the Universal Periodic Review by the U.N. Human Rights Council.
- 193 Letter from Ralph Becker, Mayor, Salt Lake City, Utah, *et. al.* to the Honorable Hillary Rodham Clinton, Secretary of State (Mar. 24, 2011) (on file with Columbia Law School's Human Rights Institute).
- 194 See 2009 *State and Local Agencies Report*, *supra* n. 36 at 14-15 (describing the Inter-Agency Working Group and Civil and Human Rights Commission). See also Columbia Law School Human Rights Institute and The Leadership Conference on Civil and Human Rights, *The Road to Rights: Establishing a Domestic Human Rights Institution in the United States* (May 2012), available at http://www.law.columbia.edu/ipimages/Human_Rights_Institute/The%20Road%20to%20Rights%20Final.Date%20Inside.pdf (specifically outlining recommendations for a U.S. human rights monitoring body).
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Appendix

International Human Rights Declarations & Treaties

Treaty or Declaration	Description	Signed by U.S. President	Ratified by U.S. Senate
Universal Declaration of Human Rights (UDHR)	Adopted in 1948, the UDHR is the oldest international human rights charter. The Universal Declaration, which recognizes civil liberties and socioeconomic rights, serves as a joint charter from which the twin international covenants, below, were born. The UDHR is a declaration, and not a binding treaty. Nevertheless, many of its provisions may be considered customary international law. The United States supported—indeed, was instrumental in—drafting the UDHR.	N/A	N/A
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	The ICESCR is the principal human rights treaty regarding economic and social rights. It protects the rights to housing, work, social security, the highest attainable standard of health, and the continuous improvement of living conditions. It also prohibits all forms of discrimination in the enjoyment of these rights.	✓	✗
International Covenant on Civil and Political Rights (ICCPR)	The ICCPR protects a broad range of civil and political rights, including the right to life, freedom of association, the right to be free from torture and slavery, non-discrimination, and certain fair trial rights. Its non-discrimination provisions can be invoked to protect economic and social rights.	✓	✓
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	ICERD is the principal human rights treaty on racial discrimination. The treaty specifically prohibits discrimination in the areas of education, health, housing, property, social security and employment, among others.	✓	✓
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	CEDAW is the principal human rights treaty on sex discrimination, which provides for women's equal access to—and equal opportunities in—private, political and public life.	✓	✗
Convention on the Rights of the Child (CRC)	The CRC is the principal human rights treaty on the rights of children, and it includes extensive economic and social rights provisions. The United States is one of only two U.N. member states not to have ratified the Convention, making it the most widely ratified treaty in the international human rights system.	✓	✗*
Convention on the Rights of Persons with Disabilities (CRPD)	The CRPD promotes the rights of disabled persons to equal protection, equal participation and accessibility, and provides special protection for women and children with disabilities. It entered into force in March 2008. As of July 2009, the Convention had been signed by 140 countries and ratified by 62.	✓	✗

*The U.S. has ratified the two optional protocols to the CRC.

Treaty or Declaration	Description	Signed by U.S. President	Ratified by U.S. Senate
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	The CAT requires states to take effective measures to prevent and punish torture under any circumstances (even wartime) and also forbids states from sending individuals to other countries if there is reason to believe they will be tortured.	✓	✓
Convention on the Rights of Persons with Disabilities (CRPD)	The CRPD promotes disabled persons' rights to equal protection, equal participation, and accessibility, and provides special protection for women and children with disabilities.	✓	✗
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW)	The ICMW stresses the fundamental rights of both documented and undocumented migrants.	✗	✗
International Convention for the Protection of All Persons from Enforced Disappearances	The most recent UN human rights treaty, the Convention protects against forced disappearance.	✗	✗

