



Debra A. Carr
09/27/2000 07:21:41 PM

Record Type: Record

To: Adrian E. Miller/WHO/EOP@EOP, Peter Rundlet/WHO/EOP@EOP, Michelle M. Aronowitz/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Draft US Declaration and Program of Action for South Africa

The UN Office of the High Commissioner for Human Rights, the office planning the World Conference Against Racism, asked that each country participating in the Conference submit a draft Declaration and Program of Action, or language they would seek in such documents. The Declaration is a statement of principles which will set the moral tone and political imperative for the conference on racism. The Program of Action is a platform for action which serves as a blueprint of steps that governments agree should be undertaken internationally and nationally. The value of the document being submitted by the US is that it will be considered by the High Commissioner's Office as that office prepares the draft World Conference Declaration and Program of Action. The language in the draft documents prepared by the High Commissioner's Office will be negotiated by countries during the international preparatory process leading up to the World Conference. During the Conference, in September 2001, the final version of the Declaration and Program of Action will be adopted.

The US is planning to submit a draft Declaration and an outline of ideas for a Program of Action by October 5th. Each of you have expressed interest in the Conference, or have assisted the Interagency Task Force on World Conference related issues. Therefore, I will be circulating the draft Declaration and the Program of Action outline for your review and comment. **You should receive the draft USG document by the afternoon of Thursday, Sept. 28. A meeting to discuss your thoughts and suggestions is tentatively scheduled for Tuesday, October 3 at 10:00. The location will be provided to you once a conference room has been reserved.**

Since UN documents have a specific format and style, we have adopted that style in our draft document. By doing so, the UNHCHR will find the US submission "user friendly," familiar, and we are more likely to have our suggestions incorporated into the UN draft documents for the Conference. Please review the document for substance and the accuracy with which it reflects USG positions or approaches to combating racism and supporting diversity.

If you have any questions, or if you will be unable to attend the meeting on Tuesday, please call me at ext. 6-2813.

Thanks,
Debra

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Debra A. Carr
09/28/2000 02:57:16 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: The Draft US documents for the UN World Conference in South Africa

Please review and provide your input, as previously requested, on the draft US documents for the UN World Conference Against Racism drafting process. A meeting to discuss USG input will be held on October 3 at 10:00 in EEOB Room 472.

Thanks,
Debra



wcar - transmittal note to High Comm



wcar - plan for action outline.



WCAR decl - copy 3.d

Message Sent To: _____

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Plan for Action: A Preliminary Outline

Measures of Protection, Recourse and Redress

Disparities, and ameliorative “best practices” (local, national and international -- legislative and otherwise) as they relate to:

- ❑ Basic civil and political rights
- ❑ Public services/accommodations
- ❑ Education and training
- ❑ Housing
- ❑ Health care
- ❑ Economic issues
 - Employment and labor (including situation of foreign workers)
 - Social security
 - Access to capital and credit
 - Access to land
 - Access to technology and related skills
- ❑ Criminal justice (including dealing with hate crimes and hate speech) and law enforcement (including disparate sentencing and capital punishment, and police brutality and racial “profiling”)
- ❑ Environmental justice
- ❑ Cultural activities and heritage protection

Remedies, Special Measures, and Accountability

Focus on special situations (including indigenous populations; migrants/migrant workers)

Measures of Prevention and Education/Training, including:

- Harnessing new information/communication technologies for this purpose
- Targeting youth
- Enhancement and strengthening of, and forging new partnerships with, NGO's/Civil Society

Strategies to Achieve Full and Effective Equality (including roles/responsibilities of governments, international organizations, non-governmental organizations/civil society and other private actors)

Text of transmittal note to High Commissioner's office

In response to your invitation, transmitted herewith for the Secretariat's reference (only, and not for circulation) is an informal, notional draft of a WCAR Declaration, along with a brief preliminary outline of matters we believe should be addressed with specificity in the accompanying Plan for Action. We intend to provide additional, substantial input for the Plan for Action after we are further along in our own domestic WCAR orientation and information-gathering process, as part of which we have held, and will continue to hold, a series of meetings around the United States with interested organizations and individuals.

This draft Declaration is designed essentially as a "bridge" between the statement of high, general principle set forth in the High Commissioner's Vision Statement, and the proposed Plan of Action which will elaborate on the details of "best practices" and other matters as they relate to the subject matter of the conference. The draft seeks to reiterate and/or state certain principles, while identifying subject areas and issues of particular concern – matters which, again, as we see it, will be addressed with more specificity in the Plan for Action. We note that the provisions set forth in the draft Declaration are in large measure based on or drawn from other documents, such as CHR and UNGA resolutions, UN Conventions and previous World Conference Declarations, and WCAR preparatory materials, including documents produced by the First Preparatory Conference, regional bodies (Council of Europe), non-governmental organizations (the Bellagio Consultation report), and the High Commissioner herself (the Vision Statement and other Secretariat documents). A footnote page following the draft Declaration identifies sources for particular provisions, where applicable.

Your attention is also directed to the final provision (para. 25) of the draft Declaration text. This represents an effort to distill, into one paragraph, what the World Conference is about, as reflected most notably in the High Commissioner's Vision Statement. We believe there is considerable value in having a summary statement of this nature, in part because it could lend itself to use in promotional materials as part of the important post-Conference outreach effort.

We welcome this early opportunity to provide input to the Secretariat concerning the WCAR, and we look forward to continuing to work together as preparations for the conference progress. As reflected in one of the preambular paragraphs in our draft Declaration, we much appreciate the sustained, proactive efforts of the High Commissioner on behalf of the World Conference.

United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Important Event Dates:

<u>Date</u>	<u>Event</u>	<u>Location</u>
May 1-5, 2000	1 st Global PrepCom	Geneva <i>-thru my issue were based.</i>
June 21, 2000	High Commissioner Mary Robinson's Visit	Washington, D.C. <i>-mtgs on the H/1 -could meet w/us • Briefing for them by us</i>
December, 2000	Western Hemisphere Regional PrepCom	South American Country TBD
<i>A</i> TBD	Africa PrepCom	Senegal
<i>K</i> October 11-13, 2000	European PreCom	Strausberg
May, 2001	2 nd Global PrepCom	Geneva
August/September, 2001	World Conference	South Africa

observers
A us ~~observers~~ only.

Preparations Issue

- December 12th group small but vocal on international level
- Emerging moment among African conty to seek repatriation from ~~to~~ Developed countries
- What US says intl impacts domestic politics (focus, NSL)
- Need ^{WTH} indigenous task force - Deborah Kerr - leading up task force working w/ state dept. Use the Advisory comte info to ~~help~~ ^{on One Africa} provide ~~the~~ budget. Lay a foundation for prep. for the conf.
- Small mtg - to discuss a variety of issues - w/ thoughtful, opinion makers not duplicative of One American - low key - only info gathering not at WTH

(2) Treatment of Indigenous People

(3) Freedom of Speech

Outreach to Hill + groups - ^{CRS news}

Timing - need our views by Dec 2000

- Don't need to produce but negotiations are taking place now... preliminary ~~draft~~ positions.
- Who needs to be involved in talking ~~process~~ process
- NGOs - nat'l mtg - mini-US conf at Kaisha in the U.S.



UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS



**Third Decade to Combat Racism and Racial Discrimination
and the convening of a world conference on racism, racial
discrimination, xenophobia and related intolerance**

General Assembly resolution 52/111 of 12 December 1997

The General Assembly,

Reaffirming its objectives as set forth in the Charter of the United Nations of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism, in all its forms, and racial discrimination,

Recalling the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

Recalling also the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and in 1983,

Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling its resolutions 48/91 of 20 December 1993 and 49/146 of 23 December 1994, by which, respectively, it proclaimed the Third Decade to Combat Racism and Racial Discrimination and adopted the revised Programme of Action for the Third Decade,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Noting with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase,

Noting with concern that the dissemination of racist and xenophobic propaganda is also being channelled through new communication technologies, including such computer networks as the Internet,

Having considered the report submitted by the Secretary-General within the framework of the implementation of the Programme of Action for the Third Decade,

Firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

I

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

1. Declares once again that all forms of racism and racial discrimination, whether in their institutionalized form or resulting from official doctrines of racial superiority or exclusivity, such as ethnic cleansing, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;
2. Recalls with satisfaction the proclamation of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and requests the Secretary-General to make a further review of the Programme of Action for the Third Decade with a view to making it more effective and action-oriented;
3. Urges all Governments to take all necessary measures to combat new forms of racism, in particular by adapting constantly the means provided to combat them, especially in the legislative, administrative, educational and information fields;
4. Requests the United Nations High Commissioner for Human Rights to give a high priority to the follow-up of programmes and activities for combating racism and racial discrimination;
5. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;
6. Calls upon all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;
7. Commends all States that have ratified or acceded to the international instruments to combat racism and racial discrimination;
8. Encourages the mass media to promote ideas of tolerance and understanding among peoples and between different cultures;
9. Affirms its determination to combat violence stemming from intolerance on the basis of ethnicity which it considers an issue of particular gravity;

10. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, and those of migrant workers, in the fields of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

11. Regrets the lack of interest, support and financial resources for the Third Decade and its related Programme of Action, reflected in the fact that very few of the activities planned for the period 1994-1997 were carried out;

12. Also regrets that the contributions made by the international community to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination remain below the level required and requests the Secretary-General to include in his report to the General Assembly at its fifty-third session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including, inter alia, through the United Nations regular budget and extrabudgetary sources;

13. Welcomes the convening, in Geneva from 10 to 14 November 1997, of a seminar on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;

14. Requests the Secretary-General to report to the Commission on Human Rights at its fifty-fourth session on the outcome of the two seminars held on the implementation of the Programme of Action for the Third Decade concerning migration, racism and racial discrimination and the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;

15. Recommends that the activities being organized to celebrate the fiftieth anniversary of the Universal Declaration of Human Rights include programmes targeted at combating racism and racial discrimination;

16. Requests the United Nations High Commissioner for Human Rights to take duly into account the repeated appeals of the General Assembly and the Economic and Social Council for the establishment of a mechanism for coordinating all the activities of the Third Decade;

17. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the Programme of Action for the Third Decade;

18. Urges the Secretary-General, United Nations bodies, the specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

19. Requests States and international organizations to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

20. Strongly underlines the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating an awareness of principles of human rights, particularly among young people, and in this regard renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

21. Considers that all parts of the Programme of Action for the Third Decade should be given equal

attention in order to attain the objectives of the Decade;

22. Requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1998-1999;

23. Also requests the Secretary-General to accord a high priority to the activities of the Programme of Action for the Third Decade;

24. Further requests the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

25. Invites the Secretary-General to submit proposals to the General Assembly with a view to supplementing, if necessary, the Programme of Action for the Third Decade;

26. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, regional organizations and interested non-governmental organizations to participate fully in the Third Decade;

27. Strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

II

World conference against racism and racial discrimination, xenophobia and related intolerance

28. Decides to convene a world conference on racism and racial discrimination, xenophobia and related intolerance, whose main objectives will be:

(a) To review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, particularly since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways to overcome them;

(b) To consider ways and means to better ensure the application of existing standards and the implementation of the existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

(c) To increase the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance;

(d) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

(e) To review the political, historical, economic, social, cultural and other factors leading to racism, racial discrimination, xenophobia and related intolerance;

(f) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

(g) To draw up concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its actions to combat racism, racial discrimination, xenophobia and related intolerance;

29. Also decides:

- (a) That the world conference on racism and racial discrimination, xenophobia and related intolerance will be convened not later than the year 2001;
- (b) That, when the agenda of the world conference is decided, there will be a taking into consideration of, inter alia, the need to address in a comprehensive manner all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance;
- (c) That the world conference will be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments;
- (d) That the Commission on Human Rights will act as the preparatory committee for the world conference on racism and racial discrimination, xenophobia and related intolerance and that its deliberations should be open-ended, allowing for the full participation of all States Members of the United Nations, members of specialized agencies and observers, in accordance with established practice;

30. Requests Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and other human rights mechanisms to assist the preparatory committee, to undertake reviews and submit recommendations concerning the conference and the preparations therefor to the preparatory committee through the Secretary-General, and to participate actively in the conference;

31. Stresses the importance of taking systematically into account a gender perspective throughout the preparations for and the outcome of the conference;

32. Calls upon States and regional organizations to hold national or regional meetings or to take other initiatives in preparation for the world conference and requests the regional preparatory meetings to submit reports to the preparatory committee through the Secretary-General on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and related intolerance;

33. Decides that the world conference on racism and racial discrimination, xenophobia and related intolerance will be conducted effectively and efficiently and that its size, duration and other cost factors should be determined with due regard for economy;

34. Also decides to keep the item entitled "Elimination of racism and racial discrimination" in its agenda and to consider it as a matter of high priority at its fifty-third session.

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Office of the United Nations High Commissioner for Human Rights
Geneva, Switzerland

Irene—

FYI

—katie

September 25, 2000

TO: Maria Echaveste
FROM: Katie Hong
RE: Press articles about the CERD roll-out

You asked for some press articles regarding the CERD report roll-out last week. Attached are some of the articles, including NPR coverage.

In general, most of the articles spoke about our "candid" acknowledgement that despite our progress on race relations, racism still persists. Many of the articles focused on the current challenges (identified in our report), including inequities in our criminal justice system and our educational system. A couple of the articles cite critics (e.g, Morton Sklar from the World Organization Against Torture and Tim Coulter from the Indian Resource Center) who feel that the report minimizes serious problems (such as environmental justice and issues affecting the Native American communities).

Many of the articles also connected the CERD report with the UNWCAR. Although Koh spoke about our involvement in the UNWCAR next August, some articles incorrectly reported that the CERD report would be examined during next year's conference.

Let me know if you have additional questions.

National Public Radio (NPR)

SHOW: ALL THINGS CONSIDERED (8:00 PM ET)

September 21, 2000, Thursday

LENGTH: 545 words

HEADLINE: CANDID NEW REPORT ON RACE RELATIONS IN THE UNITED STATES

ANCHORS: ROBERT SIEGEL; LINDA WERTHEIMER

REPORTERS: TED CLARK

BODY:

ROBERT SIEGEL, host:

This is ALL THINGS CONSIDERED from NPR News. I'm Robert Siegel.

LINDA WERTHEIMER, host:

And I'm Linda Wertheimer.

Today the State Department issued a comprehensive report on racial discrimination in the United States. The report candidly describes persistent forms of discrimination and outlines American efforts to overcome them. Every year, the State Department issues reports on human rights in other countries. Now the department has looked at the US, too. Joining us now to talk about the report is NPR's Ted Clark.

Ted, the State Department is the equivalent of a foreign ministry in this country. Why is it looking at domestic problems?

TED CLARK reporting:

Because the United States signed and ratified the international convention on the elimination of all forms of racial discrimination. That's a UN convention. It was ratified in 1994. And now the United States is responsible for, in effect, giving a progress report or a report card on how well the US is doing in complying with the terms of the convention in eliminating discrimination.

WERTHEIMER: So does the report conclude that we are or we are not?

CLARK: Well, the report concludes that the United States has struggled to overcome racism, especially in the last half-century, in the last 50 years, and that a lot of progress has been made. But, says the report, issues relating to race, ethnicity and national origin continue to play a negative role in American society.

WERTHEIMER: The report goes into specifics, lists some of the more egregious forms of discrimination in this country. Like what?

CLARK: Well, for example, equality before the law. That's one of the areas the convention cites as needing attention. And the report concludes that the United States has problems with equality in the judicial system and the court system. For example, the incarceration rate for blacks is 7.66 times what it is

for whites. And some studies show that the war on drugs has further exacerbated existing disparities in sentencing between whites and blacks. Another area that the report looks at is economic, social and cultural rights, and here, the report concludes that there is pervasive child poverty in this country, and that's a source of particular concern.

Under health and health care, the report notes that infant mortality rates are two and a half times higher for blacks than for whites in the United States, and that black children are three times more likely than white children to be hospitalized for asthma. In a new area, a relatively new area, environmental justice, the report concludes that the United States has recognized that low-income and minority communities frequently bear a disproportionate share of adverse environmental burdens.

WERTHEIMER: Now this report will be examined, along with reports from other countries, at a United Nations conference on racial discrimination in South Africa next year. Tell us about that.

CLARK: Well, this is the first time nations from all around the world will examine the question of racism and discrimination. It's been in the planning for some time and, in fact, smaller groups are already meeting, so-called preparatory committee groups are already meeting. And the hope is that this will spark not only an international dialogue on race and discrimination, but also a dialogue within each of the signatory countries, and that countries can learn from one another, that other countries can learn from the successes and failures in the United States, the United States could learn from South Africa's experience, for example. The idea is to share information, solutions and to take a look at this problem worldwide.

WERTHEIMER: Ted, thank you very much.

CLARK: You're welcome.

WERTHEIMER: NPR's Ted Clark.

Inter Press Service

September 21, 2000, Thursday

LENGTH: 1110 words

HEADLINE: RIGHTS-US: GOV'T SAYS RACISM "PERSISTENT" IN FIRST REPORT TO UN

BYLINE: By Jim Lobe

DATELINE: WASHINGTON, Sep. 21

BODY:

Five years overdue, the United States today released its first report to the United Nations Committee on the Elimination of Racial Discrimination (CERD), admitting that racial discrimination remains a "persistent" problem for the country.

While U.S. laws are consistent with the Convention on the Elimination of All Forms of Racial Discrimination, ratified by the U.S. Senate in 1994, the report concluded, "the path towards true racial equality has been uneven, and substantial barriers must still be overcome."

"Overt discrimination is far less pervasive than it was 30 years ago, yet more subtle forms of discrimination against minority individuals and groups persist in American society," according to the 100-page report, which was prepared by an inter-agency group led by the State Department.

It drew particular attention to problems of inadequate enforcement of existing anti-discrimination laws and the strong "legacy of segregation, ignorance, stereotyping, discrimination and disparities in opportunity and achievement."

The report, most of which described the laws, regulations, and important court cases bearing on racism and racial discrimination, noted that people belonging to minority groups in the United States also are found in disproportionate numbers among the nation's poor who, as elsewhere, suffer a higher rate of unemployment, crime, disease, and disability.

Some activist groups, which plan to release their own "shadow report" next month, assailed today's study, in part because of its focus on the legal history and background of racial discrimination in the United States. "This was something like a law school primer," said Morton Sklar, director of the World Organization Against Torture USA.

He noted that the report did not adequately address the predominance of race as a factor in the juvenile and criminal justice systems, particularly in the disproportionate number of African-Americans who are imprisoned or sentenced to death.

Earlier this month, the Justice Department released a report which found that 80 percent of 682 defendants tried for federal capital crimes since 1985 were members of racial or ethnic minorities.

A majority of those who faced death-penalty charges were black, despite the fact that African-Americans make up only about 13 percent of the general

population, and blacks were found to be substantially more likely to face the death penalty for interracial homicides than whites.

"The (State Department) report does not address the fact that the evidence of racial impact (on sentencing) is overwhelming," said Sklar, who added that the differences in treatment of the issue between the Justice and State Department reports "are like night and day."

Sklar also complained that about the tardiness of the report's release, noting that it should have been submitted to the United Nations five years ago. "What this shows is that the government still is not taking the concept of U.N. scrutiny over human rights in this country seriously enough," he said. "We demand it of other nations, but not of ourselves."

He noted that the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Bacre Waly Ndiaye, was even denied access to certain federal and state prisons and several senior government in the United States while carrying out an investigation of capital punishment here three years ago.

Today's report is the third submitted by the United States to the U.N. pursuant to human rights treaties. It submitted reports on U.S. compliance with the International Covenant on Civil and Political Rights in 1995 and with the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1999.

The report may be taken up by the CERD when it next meets Jan. 8. If so, the CERD may also hear from domestic human rights groups which are producing the shadow report, according to Sklar.

It will also be used at next year's World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa, said Harold Koh, Assistant Secretary of State for Human Rights.

While the report in places is quite frank about the history and practice of racial discrimination in the United States, it also praises the country for the progress it has made, particularly over the last 50 years when legal discrimination, which prevailed over much of the country after the abolition of slavery during the Civil War, was effectively outlawed.

"Over the years, the United States has worked hard to overcome a legacy of racism and racial discrimination, and it has done so with considerable success," according to the report. "As a vibrant, multi-cultural democracy, the United States -- at all levels of government and civil society -- continually re-examines and re-evaluates its successes and failures, having the elimination of racism and racial discrimination as its ultimate goal."

The United States currently is one of the most ethnically diverse countries in the world: the white, non-Hispanic population make up just over 70 percent of the population, down from more than 75 percent just 10 years ago. Non-whites now make up a majority of people living in the largest state, California.

Immigration, as well as higher birth rates among non-white groups, explains the rapid decline. Almost 10 percent of the roughly 275 million people who live here were born in a foreign country. Of the foreign-born population, almost 30 percent come from Mexico and about 25 percent more from just seven non-European countries: the Philippines, China, Cuba, Vietnam, India, the Dominican Republic, and El Salvador.

While attracted to the United States for its economic opportunities and political freedoms, most immigrants today, like those who preceded them, also find when they come here a society with a strong legacy of racism and racial discrimination.

The more blatant expressions of this legacy in recent years, according to the report, included such notorious incidents as the 1991 beating of Rodney King by Los Angeles police officers; the killing of Guinean immigrant Amadou Diallo by undercover police in New York; the burning of black churches, synagogues and mosques; the brutal 1998 murder of African-American James Byrd, Jr., in rural Texas; the shootings at a Jewish cultural center in Los Angeles; the apparent use of "racial profiling" by police forces throughout the country; and the pattern of discrimination revealed in civil rights litigation against Denny's Restaurant chain and several other big companies.

National Public Radio (NPR)

SHOW: MORNING EDITION (10:00 AM ET)

September 22, 2000, Friday

LENGTH: 781 words

HEADLINE: STATE DEPARTMENT STUDY ON RACIAL DISCRIMINATION

ANCHORS: BOB EDWARDS

REPORTERS: PHILLIP MARTIN

BODY:

BOB EDWARDS, host:

This is MORNING EDITION from NPR News. I'm Bob Edwards.

The State Department has released a long-awaited report detailing the US government's compliance with a United Nations treaty--the convention and the elimination of racial discrimination. The US signed the document in 1992, and it was ratified two years later. At a State Department press conference yesterday, US officials cited progress in efforts to overcome racism, but acknowledged that the nation still has further to go. NPR's Phillip Martin reports.

PHILLIP MARTIN reporting:

The 100-page study is a comprehensive compilation of the legal and legislative history of America's struggle with racial and ethnic discrimination. Assistant Secretary of State Harold Koh explained the purpose of the report.

Mr. HAROLD KOH (Assistant Secretary of State): This has tried to explain to an 18-member committee of legal experts from different countries of the world the extent to which the United States has sought, both through its federal programs--executive, legislative and judicial, as well as state programs--to comprehensively address the problems of racial discrimination in America. So to a certain extent, it's written for an audience that does not know much about the United States or the way that it's governed.

MARTIN: The government study confronts inequities in the application of criminal justice in the United States, unequal educational opportunities between the races and the erosion of voting rights and affirmative action. But Morton Sklar, the executive director of the World Organization Against Torture, USA, called the report a major disappointment.

Mr. MORTON SKLAR (World Organization Against Torture, USA): The government tends to excuse the deficiencies that we have by saying, 'We have laws on the books. We have constitutional protections. We have the best legal system in the world. And so we have a means of remedying problems.' But what that overlooks is the fact that the remedies have not worked the way they should in too many areas.

MARTIN: Sklar's organization collaborated with dozens of other non-governmental organizations, or NGOs, on a so-called shadow report that found fault with the government study. One of their areas of concern is environmental racism. Though the State Department report draws attention to environmental hazards in poor and minority communities, Dr. Robert Bullard says the government still doesn't take the problem seriously enough. Bullard directs the Environmental Justice Resource Center at Clark Atlanta University.

Dr. ROBERT BULLARD (Environmental Justice Resource Center): There's enough information out there now to fill at least 10 full-length movies. So this idea that we don't have enough information, this is new, we don't quite get it--I think when you go into these communities, whether it's in Louisiana in cancer alley or on the South Side of Chicago or in New York, West Harlem, you can see the examples that jump out at you. You don't have to, you know, look hard to find it. So you may have to look hard to find it in the government report, but you don't have to find it--difficult to find in the real world.

MARTIN: Officials at the State Department briefing acknowledged a persistent history of racial intolerance and discrimination against Native Americans. But according to Assistant Secretary of State Harold Koh, this is only one element of the complicated relationship between the US government and Native American tribes.

Mr. KOH: In addition to the problems of racism and racial intolerance with regard to Native Americans is an important problem of Native American autonomy. If you look in our Constitution, it recognizes three kinds of government: federal, state and Indian tribes. And how to reconcile that sum scope of autonomy for Indian tribes with the basic concept of national sovereignty has been a struggle throughout our history.

MARTIN: Tim Coulter is executive director of the Indian Law Resource Center in Helena, Montana.

Mr. TIM COULTER (Indian Law Resource Center): The United States can abrogate or violate treaties that have been made with Indian nations and tribes. These are solemn contracts. And they can do that without liability and without remedy for the Indian nations or tribes. It's discriminatory, it's wrong, and it is not dealt with. It is not even acknowledged as a problem in this report.

MARTIN: The State Department report never questions the need to eliminate racism, citing decades of racial attacks, killings and conflict. And that's the point on which the US government and critics of the study like Morton Sklar agree.

Mr. SKLAR: I think we see the model of what is likely to happen in the future if our society continues to isolate itself by race, and that is the horrible examples of Kosovo and East Timor and other places around the world where racial and ethnic divisions have reached the point where there's conflict.

MARTIN: The State Department report on US compliance with the UN convention on the elimination of racial discrimination will be discussed at the World Conference on Racism next August in South Africa. Phillip Martin, NPR News.

The Associated Press

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September 22, 2000, Friday, BC cycle

SECTION: Washington Dateline

LENGTH: 702 words

HEADLINE: Government report says American society has not eliminated racism

BYLINE: By OWEN S. GOOD, Associated Press Writer

DATELINE: WASHINGTON

BODY:

Racism is still at large in the United States, according to a new federal study, and it is visible in the differences between blacks and whites in income, incarceration rates and access to education and health care.

The study, released Thursday, is an analysis of U.S. compliance with an international treaty on eliminating racism. It finds the nation's laws comply with the treaty, but that American society does not fully embrace its spirit.

"We have not yet met the challenge of creating a colorblind society," said Harold Hongju Koh, assistant secretary of state for democracy, human rights and labor.

Though officially sanctioned segregation has been eliminated, "de facto segregation and persistent racial discrimination continue in parts of our society," Koh said.

The study prepared by the Justice and State departments offered several reminders of where America stands: the 1991 police beating of black motorist Rodney King; the shooting death of African immigrant Amadou Diallo by police in New York; the burning of synagogues, mosques and black churches; the dragging death of James Byrd Jr. in Texas; the shootings at a Jewish cultural center in Los Angeles; and the discriminatory practices alleged in lawsuits against Denny's restaurants and the Adam's Mark hotel chain.

"The true extent of contemporary racism remains clouded by ignorance as well as differences of perception," the report said. "While most whites do not believe there is much discrimination today in American society, most minorities see the opposite in their life experiences."

Still, Koh, who is of Korean descent, and another high-ranking Asian-American in government said the United States has matured as a multiracial, multiethnic society ahead of practically all other nations.

"We think we've learned some lessons of how to deal with the realities of life in a multiracial, multiethnic setting," said Bill Lann Lee, assistant

attorney general for civil rights. "Some of these lessons are lessons that we've learned the hard way." However, "In a sense, we're further ahead."

Lee was twice nominated for the job he now holds, but a Senate committee blocked his confirmation because opponents said he advocated racial hiring quotas when he was an attorney for the National Association for the Advancement of Colored People. Clinton appointed Lee in 1997 while Congress was in recess.

The study was compiled by the State Department with assistance from other federal agencies for a fall 2001 U.N. conference in South Africa.

The report noted that while whites are a majority of Americans - 196.1 million - they are a shrinking percentage of the population, falling from 75.7 percent in 1991 to 71.9 percent today.

During the same period, the country's Asian population increased by 46 percent to 10.9 million; the Hispanic population increased by 40 percent to 31.4 million; American Indians increased by 16 percent to 2.4 million; and the number of blacks rose by 14 percent to 34.9 million.

The report indicated the growing diversity has led to inflamed racial tension. But Koh said American race relations are nothing like the "virtually intractable" ethnic rivalries in the Balkans, Africa and elsewhere.

Morton Sklar, the executive director of the World Organization Against Torture USA, said the report minimized serious problems.

"I don't think it's fair to say we're far ahead of other nations," said Sklar, who called the report "disappointing." "It's totally unfair to downplay these problems by saying we're doing better than other nations."

Sklar's organization released a separate report that said the United States is out of compliance with the U.N. treaty in areas such as affirmative action, racial profiling by police and administration of the death penalty. The group urged the United Nations to consider American-style racism a human rights problem.

The State Department report stopped short of declaring racism in America a human rights concern.

"No country or society is completely free of racism, discrimination or ethnocentrism," the report said.

On the Net: State Department report: <http://www.state.gov/www/global/human-rights/cerd-report/cerd-index.html>

Los Angeles Times

September 22, 2000, Friday, Home Edition

SECTION: Part A; Part 1; Page 14; National Desk

LENGTH: 682 words

HEADLINE: U.N. HEARS GOOD, BAD ON RACISM IN U.S.;

CIVIL RIGHTS: THE WHITE HOUSE OFFERS A CANDID REPORT ON THE NATION'S TRIUMPHS AND FAILURES ON THE ISSUE. AFFIRMATIVE ACTION IS A POINT OF PRIDE.

BYLINE: NORMAN KEMPSTER, TIMES STAFF WRITER

DATELINE: WASHINGTON

BODY:

In a remarkable amalgam of candid analysis and unabashed boosterism, the United States told the world community Thursday that it has outlawed racial discrimination but has failed to wipe it out.

The Clinton administration sent a 100-page report to the Geneva-based United Nations Committee on the Elimination of Racial Discrimination, asserting that U.S. anti-bias laws are among the world's most stringent but conceding that abuses such as racial profiling and economic inequality remain.

The report pointed with pride to a generation of affirmative action laws, which it said has helped to break down economic barriers between the races despite recent backtracking in California and some other states.

The report, the first of its kind ever prepared by the U.S. government, is required by the U.N.'s anti-racism convention, which Washington ratified in 1994. All countries signing the treaty are expected to analyze their own practices in living up to it. The United States, the report said, is in compliance with the legal requirements of the pact, despite the lingering problems.

"Racial discrimination persists against various groups, despite the progress made through the enactment of major civil rights legislation," said the report, prepared by the State Department with the aid of the White House, the Justice Department and other agencies. "The path towards true racial equality has been uneven and substantial barriers must still be overcome."

Nevertheless, the top human rights officials of the State and Justice departments--Assistant Secretary of State Harold Koh and Assistant Atty. Gen. Bill Lann Lee--engaged in only-in-America rhetoric when they recalled at a news conference their histories as children of Asian immigrants.

Adding a reference to Czech-born Secretary of State Madeleine Albright, Koh, son of a Korean diplomat, said: "The United States remains a land of promise, where the children of immigrants cannot just aspire but actually grow up to become secretary of State, assistant attorney general and assistant secretary of State."

Koh said that a foreign official once told him that the United States was probably the only country in the world where the son of a foreign diplomat could become a diplomat in his adopted land. Lee, whose origins are considerably less lofty, said: "If my father had stayed in China, I might be carrying night soil around the farm."

But the report was unsparing in its catalog of racial abuses, citing:

- * "The persistence of attitudes, policies and practices reflecting a legacy of segregation, ignorance, stereotyping, discrimination and disparities in opportunity and achievement.

- * "Inadequate enforcement of existing anti-discrimination laws.

- * "Economic disadvantage. . . . Persons belonging to minority groups are disproportionately at the bottom of the income distribution curve.

- * "Persistent discrimination in employment and labor relations.

- * "Continued segregation and discrimination in housing . . . , public accommodation and consumer goods. Even where civil rights laws prohibit segregation and discrimination in these areas, such practices continue.

- * "Lack of access to business capital and credit markets.

- * "Lack of access to technology and high-technology skills.

- * "Lack of educational opportunities.

- * "Discrimination in the criminal justice system."

The report listed affirmative action programs--beginning with an executive order signed by President Kennedy in 1961--as an example of U.S. efforts to meet the goals of the U.N. program. It conceded that California's Proposition 209, which dismantled most state affirmative action programs, along with similar actions in other states have eroded affirmative action.

The report also cited examples of racial bias in the United States, including the beating of black motorist Rodney G. King by Los Angeles police officers; the murder of James Byrd Jr., a black man who was dragged to death behind a pickup truck in Texas; and a Florida hotel's requirement that blacks wear wrist bands to identify them as guests.

September 7, 2000

MEMORANDUM TO MARIA ECHAVESTE

FROM: Katie Hong

RE: Meeting with Julian Bond, *et al.* on their "Call to Action" petition submitted to the UN Sub-Commission on the Promotion and Protection of Human Rights

TIME: Monday, September 11 at 3:00pm

PLACE: Roosevelt Room

ATTENDEES:

Internal WH Staff: You, Eric Schwartz, Wendy Patten, Debra Carr, Katie Hong, Ben Johnson, and Irene Bueno

External Stakeholders: Lisalyn Jacobs and Gay McDougall, International Human Rights Law Group; Mary Frances Berry, U.S. Commission on Civil Rights; Julian Bond, NAACP; Wade Henderson, Leadership Conference on Civil Rights

PURPOSE:

This meeting with you and Eric was requested by Gay McDougall, Mary Frances Barry, Julian Bond and Wade Henderson. At this meeting, they would like to:

- Brief you and Eric on CERD Committee's reactions to their initiative and their lunch meeting with the Sub-Commission on HR and CERD committee. They will raise specific issues such as the Committee's critical look at our First Amendment reservations and its limitations (in their view) on our ability to combat hate crimes
- Discuss the CERD report roll-out and when the CERD committee is likely to take up U.S. review. Gay will likely push for an earlier release of the report.

BACKGROUND:

This past August, Julian Bond, Wade Henderson, and Mary Frances Berry attended a meeting of the Sub-Commission on the Promotion and Protection of Human Rights and issued a "call to action." Specifically, they asked that the UN:

- Call upon the U.S. Government to honor its obligations under the various human rights treaties and submit timely and accurate reports specifically noting the issue of racial discrimination and race bias in the criminal justice system

- Examine the human rights violation of racial discrimination and race bias in the U.S. criminal justice system and consider a mission to the US by the relevant Special Rapporteur; and
- Expressly include the issues of racial discrimination and race bias in the U.S. Criminal Justice system as an agenda item at the UN Conference.

Their press release and Ambassador's Mosse's statement to their petition is attached for your information.

- Mary Frances Sung (MFB)
- US Comm on C.R. - presented ~~Anti-Rights~~ resolution - ~~the~~ Int'l Human Rights Group
 - Julian read the statement & met w/ CERD
 - Expected that the report would be submitted but in the event it wasn't, UN should look at it ~~anyway~~ anyway.
 - Report on what happened in Geneva.

- ME
- Submit report 9/21 - read BU + Harold Koh.
 - Fed Ex right before

- Julian ~~commitment~~
- ~~US commit~~ to the South African conference...
 - Appointing delegations - before Jan. ... ^{MB} leave recommendations but will listen.
 - MFB - other Admin have appointed delegations
 - Financing of conf. important - current ~~pledge~~ pledge \$250K ^{\$42000K} - low compared to ~~World Conf~~ World Conf on Women - that conf. was also funded by private sector.

- GM
- Mary Robinson is struggling
- Eric S - emergency leg. limits State Dept. resources to support ~~the~~ these conferences.
- this Admin has done more than any other Admin for ~~for~~ a conf. that will take place

Wade - resource question came up.

MB - \$42000K budget -

Delegation for Oct. - ME ~~(MB)~~ - Gay need to prepare people for the Prep Comm.

MFB - find a way to ensure continuity

EO on Racial Profiling - ME - Congress bill ~~not~~ - hold fed. funds

Leaky bill could be hearing us)

Death Penalty Survey this week

Felony Voting Rights

Internal mty on next steps - ALL/ME

Have another mty before internal mty on the above issues.

- Pushing EO need not go far enough
- Need a formal declaration strong opposition to this practice.
- POTUS take a 2nd look + issue on EO after election would be an important step. EO ban road pref... say something on other threat
- Problem is beyond fed. ... state + local govt
- Funding cut-off - unlikely - MFD - we never have done this in any other context. edul
- Commission - could appoint a comm of experts

~~Eliminate~~

- ME- ~~prob~~
 - EO probably
 - Commisn - may be a good idea
- overall criminal justice
- Task Natl Inst. of Justice - to examine data - announce series of studies
- Studies over a period of time
- Wade - focus at fed level.

~~asked by P.~~

- ask who he wants.
- Michael Deich - law prof at Nat'l Inst of Justice - take
- discuss ~~on~~ in comm.

Re Civ Justice

- WH, OMB, DOJ, DPC, Carol
- Re Profly ^{EO} comm
- ~~for~~ Voting up

John Schwartz Deps
they are asking him

CC-

NEC, BIL, Katie + me, DPC

International Human Rights LAW GROUP

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For Immediate Release:
July 21, 2000
Good until August 4, 2000

Contact:
Lisa Jacobs
(202) 822-4600 ext. 40

U.S. Civil Rights Leaders Call on U.N. to Examine the U.S. Criminal Justice System

U.S. civil rights leaders and other prominent individuals are calling on the United Nations to ensure that the continuing human rights violations of racial discrimination and racial bias, particularly those occurring within the U.S. criminal justice system, are closely scrutinized, documented, and addressed. This appeal to the U.N. follows in the historic footsteps of W.E.B. DuBois, and the NAACP, and comes 53 years after U.S. civil rights groups first sought the U.N.'s support in their battle against segregation. Those making this appeal hope that their effort will encourage the U.S.—a long-time champion of human rights abroad—to evaluate its own human rights record and make more concrete progress toward the elimination of racial discrimination and racial bias.

Signatories of the "Call to Action" include: Julian Bond, Chair of the NAACP, Jesse Jackson, Sr., actor Spike Lee, Ira Glasser of the ACLU, Hala Maksoud of the American-Arab Anti-Discrimination Committee, Karen Narasaki of the National Asian Pacific American Legal Consortium, Antonia Hernandez of the Mexican American Legal Defense Fund, Judith Lichtman of the National Partnership for Women and Families, James F. Fitzpatrick of the International Human Rights Law Group, Kerry Kennedy Cuomo of the Robert F. Kennedy Memorial Center for Human Rights, Dr. Bob Edgar of the National Council of Churches/USA and noted historian and member of the President's Initiative on Race, Dr. John Hope Franklin.

The "Call to Action" will be presented to the U.N. by Mary Frances Berry, Geraldine Segal Professor of History, University of Pennsylvania and Chair of the U.S. Civil Rights Commission; Julian Bond, Chair of the NAACP; and Wade Henderson,

- MORE -

Executive Director of the Leadership Conference on Civil Rights. They will present the document to both the U.N. Committee on the Elimination of Racial Discrimination and the Sub-Commission on the Promotion and Protection of Human Rights. These leading U.N. human rights bodies are holding annual meetings in Geneva during the week of July 31st.

The "Call to Action" urges the U.N. to ensure that the U.S. honors its binding treaty obligations under international law, including the International Convention on the Elimination of All Forms of Racial Discrimination. The U.S. ratified the Convention in 1994 and is required to "amend, rescind, or nullify any laws ... which have the effect of creating or perpetuating racial discrimination wherever it exists." It is likely that U.S. compliance with the Convention's mandates will be examined early next year by the U.N. Committee on the Elimination of Racial Discrimination.

The "Call to Action" also asks that the U.N. and its members examine the role of the U.S. criminal justice system in perpetuating racial discrimination and racial bias. It calls for this issue to be highlighted at the upcoming U.N. World Conference Against Racism, which will be held in South Africa in September 2001. Commenting on the linkage between the "Call to Action" and the World Conference, Gay McDougall, Executive Director of the International Human Rights Law Group, observed: "the persistence in the U.S. of racial profiling, and racial disparities in sentencing and the application of the death penalty tells us that our criminal justice system is badly in need of scrutiny and reform." The Chair of the Law Group, James Fitzpatrick, added, "in the coming months, we hope to call attention both here and abroad to the work that remains to be done in the U.S., and to urge speedy compliance with the mandates of the Convention."

Wade Henderson, Mary Frances Berry and Julian Bond are available for interview and may be reached through the International Human Rights Law Group at (202) 822-4600 ext. 40.

The International Human Rights Law Group (www.ihrlawgroup.org) is a non-profit organization of human rights and legal professionals engaged in human rights advocacy, litigation and training around the world. Our mission is to help empower local advocates to expand the scope of human rights protections for men and women and to promote broad participation in building human rights standards and procedures at the national, regional and international levels.

##

A CALL TO ACTION TO THE UNITED NATIONS

Whereas, fifty-three years ago civil rights leaders from the United States of America presented a petition to the United Nations seeking support from the international community to dismantle segregation and racial discrimination in the United States,

Whereas, more than a half century later, although segregation has ended, persons of color in the United States of America continue to face pervasive and persistent patterns of racial discrimination and bias that threaten their livelihood, their liberty, and even their lives,

Whereas, on-going racial discrimination in the United States is particularly pernicious because its new forms are often obscured under guises such as the "war on drugs" and crime prevention,

Whereas racial discrimination is endemic within the U.S. criminal justice system from initial suspicion to sentencing,

Whereas, racial profiling – the use of race as a presumption of guilt without evidence of criminal conduct – is routinely used against people of color, at numerous locations, such as international ports of entry, on highways, in schools, and outside their homes, and subjects them to arrests, police brutality, and even death,

Whereas, racial disparities in sentencing and incarceration in the United States of America have grown to such an extent that African-American men comprise 50% of the United States prison population despite representing only 6% of the U.S. population, and that nearly 1.4 million African-American men are disenfranchised from the political process and from employment opportunities,

Whereas, there is overwhelming evidence that the use of the death penalty in the U.S. criminal justice system is tainted by race and class bias exemplified by police and prosecutorial misconduct and bias in the courts, and resulting in 42% of the death row inmates being African-American and 80% of executions being for cases involving White victims,

Whereas, youths of color are substantially more likely to be arrested, sent to court for trial, convicted, and given longer prison terms than whites, such that black youths now make up 40 percent of the juvenile prison population and 58 percent of all juveniles in adult prisons, and are up to 48 times more likely than white youths to be sentenced to prison for some offenses,

Whereas, women of color are subjected to forms of racial discrimination that are compounded by gender discrimination, are particularly vulnerable to racism in economic, social, cultural, civil and political fields of life, and face inequities in the criminal justice system,

Whereas, the Government of the United States of America has not upheld its obligations to "pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms" despite ratification of international human rights instruments including the International Convention on the Elimination of Racial Discrimination in 1994,

Whereas, the United Nations has established mechanisms to address racism and criminal justice issues that are crucial to eliminating racial discrimination and bias in the United States of America,

We urge the United Nations and member States to:

1. Call upon the Government of the United States of America to honor its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights treaties, remove its reservations, and submit timely and accurate reports specifically noting the issue of racial discrimination and race bias in the criminal justice system;
2. Examine the human rights violations of racial discrimination and race bias in the U.S. criminal justice system, and consider a mission to the United States of America by the relevant Special Rapporteurs; and
3. Expressly include the issues of racial discrimination and race bias in the U.S. criminal justice system as an agenda item for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

We, the undersigned, respectfully submit this petition to the United Nations on August 4, 2000:

Baye Adolfo & Desiree M. Ferguson
National Co-Chairs
National Conference of Black Lawyers

Anthony G. Amsterdam
Judge Edward Weinfeld Professor of Law
NYU Law School

Barbara R. Arnwine
Executive Director, Lawyers' Committee for Civil
Rights Under Law

Mary Frances Berry
Geraldine Segal Professor of History,
University of Pennsylvania and
Chair, U.S. Civil Rights Commission

Julian Bond
Chair, NAACP

Steve Bright
Director, Southern Center for Human Rights

Kerry Kennedy Cuomo
Founder, Robert F. Kennedy Memorial
Center for Human Rights

Dr. Bob Edgar
General Secretary
National Council of Churches/USA

James F. Fitzpatrick
Chair, International Human Rights Law Group

Dr. John Hope Franklin
James B. Duke Prof. of History,
Duke University

Dr. Robert Franklin
Interdenominational Theological Center

Margaret Fung
Executive Director, Asian American Legal
Defense and Education Fund

Ira Glasser
Executive Director, ACLU

Ronald E. Hampton
Executive Director
National Black Police Association

Antonia Hernandez
President and General Counsel
Mexican American Legal Defense and Educational
Fund

Wade J. Henderson
Executive Director
Leadership Conference on Civil Rights

Lynn Walker Huntley
Executive Vice President
Southern Education Foundation

Jesse Jackson, Sr.
President and Founder,
Rainbow PUSH Coalition

Stewart Kwok
Executive Director, Asian Pacific American Legal
Center of Southern California

Shelton J. "Spike" Lee

Judith L. Lichtman
President, National Partnership for
Women & Families

Hala Maksoud
President, American-Arab
Anti-Discrimination Committee

Karen K. Narasaki
Executive Director, National Asian Pacific
American Legal Consortium

Charles Ogletree
Jesse Climenko Professor of Law
Harvard Law School

John Payton
Co-Chair, Lawyers' Committee for
Civil Rights Under Law

John A. Powell
Executive Director, Institute on Race & Poverty
University of Minnesota Law School

Hugh B. Price
President, National Urban League

Professor Speedy Rice
Gonzaga Law School

Randall Robinson
President, TRANSAFRICA

Sullivan Robinson
Executive Director
The Congress of National Black Churches, Inc.

Kenneth Roth
Executive Director, Human Rights Watch

Theodore M. Shaw
Associate Director Counsel, NAACP Legal
Defense and Education Fund, Inc.

Jane E. Smith
President and CEO
National Council of Negro Women

Andrea P. Taylor
Co-Chair, ABA Committee on Race
& Racism in the Criminal Justice System

Roger Wilkins
Robinson Prof. of History & American Culture
George Mason University

Raul Yzaguirre
President, National Council of La Raza

James Zogby
President, Arab American Institute

8.AUG. 2000 13:25

US MISSION GVA PSA

No. 9388 P. 2

Press Release

United States Mission to the United Nations in Geneva
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Statement by
Ambassador George Moose
Permanent Representative of the
United States of America

Agenda Item 3
Racism

Monday, August 7, 2000

Madam Chair,

My delegation welcomes the opportunity to participate in the Sub-Commission's consideration of the issue of racism, under agenda item 3. The issue of racism in the United States, as in most countries, is complex and deeply engrained in the political, economic and social fabric of American life, as are our efforts to deal with it. Although it is not possible in the time available to address this subject fully, we wanted to comment on several important aspects of this problem.

In the United States, we value the contribution that people of many different racial and ethnic groups have made to our country. We are a stronger and richer country because of our diversity. While we celebrate our diversity, we continue to combat discrimination and work toward the promise of equal opportunity for all. The U.S. report to the Committee on the Elimination of Racial Discrimination will discuss our efforts in greater detail.

In the United States, the legal system provides strong protections against and remedies for discrimination on the basis of race, color, ethnicity or national origin, gender and religion by both public and private actors. The Civil Rights Act of 1964 outlaws discrimination, including discrimination in public accommodations and employment; the Voting Rights Act of 1965 prohibits voting discrimination; and the 1968 Fair Housing Act seeks to eliminate discrimination in housing and mortgage lending. Executive orders issued by Presidents through the years have supplemented this catalog of protections by specifically requiring non-discrimination in a vast range of public programs.

The U.S. Constitution and federal statutes prohibit racially discriminatory actions by law enforcement agencies. Allegations of racial discrimination in the criminal justice system are currently being reviewed by various states and the federal government. In particular, the federal government is currently reviewing concerns over racial disparities in the application of the death penalty and other racially discriminatory actions such as racial profiling.

8 AUG. 2000 13:27

US MISSION GVA PSA

No. 9388 P. 3

The World Conference Against Racism offers an important occasion for all governments -- assisted by the intergovernmental organizations and NGOS with special competence and experience in the field -- to focus on the issue of racism and related intolerance, and to share information on the "best practices" developed worldwide.

We welcome a full discussion of the multiple and varied issues that will arise in the months that lead us to South Africa, whether at the regional meetings, or during the next Preparatory Committee meeting. We are fully committed to participating actively throughout the preparations for the World Conference, and in the World Conference itself. We believe we have much to share from our history and experience.

Racism is not a problem that is particular to any one country, to any one region to any one group of countries with historical similarities. Racism and its related discrimination plague every country, every society, and every region of the world. To deny this fact would be to do a disservice to the World Conference and to all the people around the world who will look to this Conference for serious attention to these complex problems.

In closing, let me note that there are no easy answers to the challenges that all countries and peoples face in addressing racism, racial discrimination, xenophobia and related intolerance. We welcome the discussion that the Sub-Commission has had on this issue and look forward to sharing viewpoints with other governments as we move towards South Africa in 2001.

NGO Mtg - 8/1 - Eric S + Wendy P.

Questions - Native America Reference

- Definition of racial discrimination

- Environmental Justice - add other examples

- Asylum

- Bibliography added to the report... we will consider

- Capital Punishment - broader than federal level... state

* Summary affecting implementation (Barbara ~~Arkwane~~ Arkwane)

add... racial stereotypes

add... lack of education ~~discrimination~~

add... xenophobia ~~implant~~, economic boom, women and justice system

add... interplay b/w race + gender nexus... silent about the doc

add... continuing discrim. in federal govt - Black farmers, SDBS

add Scott Egan - discrim in laws

Gov't policy on racial profiling, mandatory minimums

Impact on children ~~report~~

- Juvenile ~~state~~ death penalty

- Praying with Nat'l flag of the child

- Want more info on state/local level issue -

League/LEP

* National Origin (Maurice) - Bilingual, ~~immigration~~, laws are discriminatory

important - INS, ~~Customs~~ Customs,

Post 1965 - more affects on legal decision, non-citizens vs. citizens

- Reparations - raised as an issue

- Targeting of Civil Rights groups in 1960s

- State Data on #s

* Capital Punishment - similar to the one, inter-discussing DOJ is reviewing it, legal strike

* Vieques - covered quality - self-determination

- Prevention - mechanism to make sure system - new ideas
want more multiple perspectives

Program/Anesthetic intake by Shop of the data, train of 8000

- Barbara A.

- How do we disclose populations - just based

- threshold question - political subject about what is loved... when league raised in last night

- Don't want to perpetuate stereotypes, diversity ~~of~~ w/in ethnic groups

- Some gender breakdowns w/in race

- Color discrimination

- HIV/AIDS

**Initial Report of the United States
to the
UN Committee on the Elimination of Racial Discrimination**

Outline

I. INTRODUCTION

- Historical discussion of slavery and racial discrimination in the United States, noting emerging and evolving commitment to elimination of racism, and acknowledging that obstacles to complete eradication continue to exist.

II. PART ONE

A. Land and People

- Break-down of U.S. population by race and ethnicity, noting changing composition.

B. General Political Structure

- Description of executive, legislative and judicial branches of federal government; federalism; and relationship to commonwealths, territories and possessions.

C. General Legal Framework

- Explanation of system through which civil/human rights and fundamental freedoms are protected, identifying bodies responsible for enforcement of civil rights laws (e.g., DOJ, EEOC, USCCR).

D. Information and Publicity

- Details of how public is informed of civil rights laws (e.g., free media, treaty ratification hearings, internet).

E. Factors Affecting Implementation

- Summary of obstacles to complete eradication of discrimination in the United States:
 - persistent racist attitudes, inadequate resources for enforcement
 - economic disadvantage
 - persistent employment & labor discrimination
 - continued housing segregation and discrimination
 - lack of equal access to capital and credit markets
 - lack of access to technology and related skills
 - lack of educational opportunities
 - de facto discrimination in the criminal justice system, including police brutality and disparate sentencing
 - disparities in health care
 - restrictive judicial decisions on voting rights
 - ineffective use and dissemination of information
- Discussion of notorious cases reflecting obstacles to implementation

III. PART TWO

A. Prohibition of Racial Discrimination

- Description of Constitutional (13th, 14th and 15th Amendments), legislative (inter

alia, Civil Rights, Voting and Fair Housing Acts), federal executive action (relevant Executive Orders), and state anti-discrimination measures.

B. Reservations, Understandings and Declarations (RUDs)

- Explanation of meaning of U.S. RUDs:
 - Freedom of Speech, Expression and Association Reservation
 - Private Conduct (authority of federal government to regulate under 13th and 14th Amendments and Commerce and Spending Clauses) Reservation
 - Dispute Settlement Reservation
 - Federalism Understanding
 - Non-self Executing Treaty Declaration

C. Specific Articles

1. **Article 1**

- Understanding of definition of "racial discrimination."

2. **Article 2**

a. Article 2(1)

- Discussion of various mechanisms through which the U.S. reviews policies regarding racial discrimination.
 - Executive agency review through regular evaluations of racial issues
 - Legislative review through statutory amendment process

(using Title VII as an example)

- Judicial review (detailing development of the law in four areas: employment, housing, voting and education)
- Explanation of the reach of anti-discrimination laws to private action.
- Discussion of measures taken to encourage multi-racial organizations and movements (e.g., One America Initiative, EEOC education programs)
- Identification of "special measures" such as affirmative action in employment, education, federal contracts and small business loans; support for historically black colleges; and statutory preferences for Native Americans.
- Explanation of case law addressing affirmative action and the applicable Constitutional standard.

3. **Article 3**

- Short discussion of 13th, 14th and 15th Amendments.

4. **Article 4**

- Explanation of U.S. law on hate speech and hate crimes, including First Amendment's application to the Internet.

- Description of activities of the Justice Department's Community Relations Service.

5. **Article 5**

- Identification and explanation of prohibitions on discrimination in each of the enumerated "rights"
 - Equality before tribunals (Equal Protection Clause)
 - Discrimination by law enforcement (with discussion of Justice Department authority to investigate and prosecute and of notable cases)
 - Overrepresentation of minorities in the criminal justice system
 - Racial and ethnic disparities in sentencing and in capital punishment
 - Security of person, including treatment of prisoners (federal "hate crimes" law, CRIPA, training)
 - Political rights (discussion of Voting Rights Act and DOJ enforcement efforts, as well as ethnic or racial minority participation in federal and state government)
 - Constitutional protections for other civil rights (e.g., freedom of movement and residence, right to own property)
 - Economic, social and cultural rights (economic disparities within minority groups)

- Employment discrimination, including discussion of EEOC enforcement role
- Protection of foreign workers (Worker Exploitation Task Force, DOJ Office of Special Counsel for Immigration Related Unfair Employment Practices and Operation Gatekeeper)
- Right to unionize, particularly as affected by Title VII
- Explanation of laws prohibiting discrimination in housing
- U.S. health care system, disparities in service and overall health among minority groups, and efforts undertaken to eliminate these disparities
- Environmental justice (discussion of disproportionate share of adverse environmental burdens borne by low-income and minority communities; Executive Order; Native American advocacy)
- Racial discrimination in education and training, including obstacles and efforts to eliminate discrimination
- Recent discrimination in public accommodation cases

6. **Article 6**

- Identification and discussion of remedies available for victims of discrimination

- e.g., private actions; suits by the U.S. (DOJ, HUD); administrative remedies (EEOC); U.S. Commission on Civil Rights oversight

7. **Article 7**

- Explanation of education, teaching and training initiatives (e.g., World Net; Voice of America; Professionals in Residence Program; DOJ Office of Victims of Crime; Hate Crime Working Group; Department of Interior programs



Date: 7/22/00

Number of pages including cover sheet: 15

UNITED STATES DEPARTMENT OF STATE

FAX COVER

FROM:

Beverly Tuckman

Phone:

647-3902

Office of Economic and Social Affairs,

Bureau of International Organization Affairs, U.S. Department of State, Washington, DC 20520

FAX (202) 647-4628

TO

ORGANIZATION

NAME

FAX NO.

1) Debra Carr - NSC

456-1121

2) Wendy Patten - NSC

456-9140

3) Cheryl Sun - Geneva

4)

5)

REMARKS

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mr. Richard Foulton	Lisa Jacobs
COMPANY:	DATE:
American Jewish Committee	07/21/00
FAX NUMBER:	TOTAL NO. OF PAGES
202/223-4113	9
785-4115	SENDER'S REFERENCE NUMBER:
PHONE NUMBER:	01
RE:	YOUR REFERENCE NUMBER:
U.N. Petition	

Richard:

Thanks for returning my call. Things have been a bit hectic, so I'm opting for the fax at 5:50 p.m. on Friday. Enclosed is a copy of the letter that would have gone to Bruce Ramer on 7/12. I'm also enclosing a copy of our press release which went out today as well as the current iteration of the "Call to Action," which contains the list of current signatories. Other folks we've reached out to but not yet heard from include unions (AFL, SEIU and AFSCME), AJ Congress, National Women's Law Center, a handful of international human rights groups and Rabbi Saperstein/RAC.

We'd still love to get Bruce to sign on. Next week is pretty much the window of opportunity as the "presenters" will leave for Geneva on or about 7/31. Once you've had a chance to review the enclosed materials, please give me a call if you have questions. Otherwise, I'll be in touch early next week.

Thanks,
Lisa Jacobs
202/822-4600 x 40

International Human Rights Law Group
1200 18th Street, NW, Suite 602
Washington, DC 20036
202-822-4600

International Human Rights LAW GROUP

GAY J. McDOUGALL
Executive Director

The
Law Group

1200
15th Street, NW
Suite 602
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20036

Telephone
202/622-4000

Telex
202/622-4006

E-Mail
HumanRights@
HRLawGroup.org

Website
[http://www.
HRLawGroup.org](http://www.HRLawGroup.org)

Bruce Ramer
President
American Jewish Committee
Jacob Blaustein Building
165 East 56th St.
New York, NY 10022

July 12, 2000

Dear Mr. Ramer:

Racial profiling, racial disparities in sentencing, racist application of the death penalty: Almost fifty years after the official dismantling of segregation, and several years after the United States ratification of the International Convention on the Elimination of Discrimination, racism remains endemic in all aspects of life, most notably in the U.S. criminal justice system. To move toward a more just system, we invite you to endorse our Call For Action to the United Nations.

Two preeminent U.N. bodies, the Committee on the Elimination of Racial Discrimination and the Sub-Commission on the Promotion and Protection of Human Rights, will meet this August to review the records of countries world-wide on various issues, including racism. The Law Group and its partners, with the aim of furthering the anti-racism agenda in the U.S., will send a delegation to Geneva to present the enclosed Call For Action to the U.N.

By presenting the document to the U.N. while hosting a number of related events in the U.S. and Geneva, we will heighten the level of international scrutiny while attracting significant media attention at home. The effect will be to compel our government to begin to redress our grievances by instituting appropriate policies and engaging in a meaningful dialogue on U.S. practices. Your endorsement of the enclosed document, in your personal capacity with your institution's name listed for identification purposes, will strengthen our efforts.

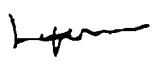
Internationalizing the question can only be beneficial in our struggle to eradicate racist policies in the U.S. criminal justice system. In 1946, U.S. civil rights leaders called on the U.N. to support their fight against segregation when they presented a petition to the U.N. Sub-Commission on the Prevention of Discrimination and the Protection of Minorities. In August, we will make our own appeal to the community of nations. We urge you to endorse this historic

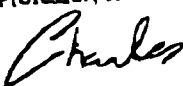
than July 10, 2000. Should you wish to discuss the matter, please do not
hesitate to contact Alison Stewart or Mark Bromley at the International Human
Rights Law Group, at the above-referenced number.

Sincerely,

Gay McDougall
International Human Rights Law Group


Lynn Huntley
Comparative Human Relations Initiative
of the southern Education Fund


Charles Ogletree
Professor, Harvard Law School


Enclosures

Wade Henderson
Leadership Conference on Civil Rights



Mary Frances Berry
U.S. Commission on Civil Rights



Roger Wilkins
Professor, George Mason University



International **LAW GROUP** Human Rights

The
Law Group

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20036

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Website
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HRLawGroup.org](http://www.HRLawGroup.org)

For Immediate Release:
July 21, 2000
Good until August 4, 2000

Contact:
Lisa Jacobs
(202) 822-4600 ext. 40

U.S. Civil Rights Leaders Call on U.N. to Examine the U.S. Criminal Justice System

U.S. civil rights leaders and other prominent individuals are calling on the United Nations to ensure that the continuing human rights violations of racial discrimination and racial bias, particularly those occurring within the U.S. criminal justice system, are closely scrutinized, documented, and addressed. This appeal to the U.N. follows in the historic footsteps of W.E.B. DuBois, and the NAACP, and comes 53 years after U.S. civil rights groups first sought the U.N.'s support in their battle against segregation. Those making this appeal hope that their effort will encourage the U.S. — a long-time champion of human rights abroad — to evaluate its own human rights record and make more concrete progress toward the elimination of racial discrimination and racial bias.

Signatories of the "Call to Action" include: Julian Bond, Chair of the NAACP, Jesse Jackson, Sr., actor Spike Lee, Ira Glasser of the ACLU, Hala Maksoud of the American-Arab Anti-Discrimination Committee, Karen Narasaki of the National Asian Pacific American Legal Consortium, Antonia Hernandez of the Mexican American Legal Defense Fund, Judith Lichtman of the National Partnership for Women and Families, James F. Fitzpatrick of the International Human Rights Law Group, Kerry Kennedy Cuomo of the Robert F. Kennedy Memorial Center for Human Rights, Dr. Bob Edgar of the National Council of Churches/USA and noted historian and member of the President's Initiative on Race, Dr. John Hope Franklin.

The "Call to Action" will be presented to the U.N. by Mary Frances Berry, Geraldine Segal Professor of History, University of Pennsylvania, and Chair of the U.S. Civil Rights Commission; Julian Bond, Chair of the NAACP; and Wade Henderson,

- MORE -

Executive Director of the Leadership Conference on Civil Rights. They will present the document to both the U.N. Committee on the Elimination of Racial Discrimination and the Sub-Commission on the Promotion and Protection of Human Rights. These leading U.N. human rights bodies are holding annual meetings in Geneva during the week of July 31st.

The "Call to Action" urges the U.N. to ensure that the U.S. honors its binding treaty obligations under international law, including the International Convention on the Elimination of All Forms of Racial Discrimination. The U.S. ratified the Convention in 1994 and is required to "amend, rescind, or nullify any laws ... which have the effect of creating or perpetuating racial discrimination wherever it exists." It is likely that U.S. compliance with the Convention's mandates will be examined early next year by the U.N. Committee on the Elimination of Racial Discrimination.

The "Call to Action" also asks that the U.N. and its members examine the role of the U.S. criminal justice system in perpetuating racial discrimination and racial bias. It calls for this issue to be highlighted at the upcoming U.N. World Conference Against Racism, which will be held in South Africa in September 2001. Commenting on the linkage between the "Call to Action" and the World Conference, Gay McDougall, Executive Director of the International Human Rights Law Group, observed: "the persistence in the U.S. of racial profiling, and racial disparities in sentencing and the application of the death penalty tells us that our criminal justice system is badly in need of scrutiny and reform." The Chair of the Law Group, James Fitzpatrick, added, "in the coming months, we hope to call attention both here and abroad to the work that remains to be done in the U.S., and to urge speedy compliance with the mandates of the Convention."

Wade Henderson, Mary Frances Berry and Julian Bond are available for interview and may be reached through the International Human Rights Law Group at (202) 822-4600 ext. 40.

The International Human Rights Law Group (www.ihrilawgroup.org) is a non-profit organization of human rights and legal professionals engaged in human rights advocacy, litigation and training around the world. Our mission is to help empower local advocates to expand the scope of human rights protections for men and women and to promote broad participation in building human rights standards and procedures at the national, regional and international levels.

##

A CALL TO ACTION TO THE UNITED NATIONS

Whereas, fifty-three years ago civil rights leaders from the United States of America presented a petition to the United Nations seeking support from the international community to dismantle segregation and racial discrimination in the United States,

Whereas, more than a half century later, although segregation has ended, persons of color in the United States of America continue to face pervasive and persistent patterns of racial discrimination and bias that threaten their livelihood, their liberty, and even their lives,

Whereas, on-going racial discrimination in the United States is particularly pernicious because its new forms are often obscured under guises such as the "war on drugs" and crime prevention,

Whereas racial discrimination is endemic within the U.S. criminal justice system from initial suspicion to sentencing,

Whereas, racial profiling – the use of race as a presumption of guilt without evidence of criminal conduct – is routinely used against people of color, at numerous locations, such as international ports of entry, on highways, in schools, and outside their homes, and subjects them to arrests, police brutality, and even death,

Whereas, racial disparities in sentencing and incarceration in the United States of America have grown to such an extent that African-American men comprise 50% of the United States prison population despite representing only 6% of the U.S. population, and that nearly 1.4 million African-American men are disenfranchised from the political process and from employment opportunities,

Whereas, there is overwhelming evidence that the use of the death penalty in the U.S. criminal justice system is tainted by race and class bias exemplified by police and prosecutorial misconduct and bias in the courts, and resulting in 42% of the death row inmates being African-American and 80% of executions being for cases involving White victims,

Whereas, youths of color are substantially more likely to be arrested, sent to court for trial, convicted, and given longer prison terms than whites, such that black youths now make up 40 percent of the juvenile prison population and 58 percent of all juveniles in adult prisons, and are up to 48 times more likely than white youths to be sentenced to prison for some offenses,

Whereas, women of color are subjected to forms of racial discrimination that are compounded by gender discrimination, are particularly vulnerable to racism in economic, social, cultural, civil and political fields of life, and face inequities in the criminal justice system,

Whereas, the Government of the United States of America has not upheld its obligations to "pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms" despite ratification of international human rights instruments including the International Convention on the Elimination of Racial Discrimination in 1994,

Whereas, the United Nations has established mechanisms to address racism and criminal justice issues that are crucial to eliminating racial discrimination and bias in the United States of America,

We urge the United Nations and member States to:

1. Call upon the Government of the United States of America to honor its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights treaties, remove its reservations, and submit timely and accurate reports specifically noting the issue of racial discrimination and race bias in the criminal justice system;
2. Examine the human rights violations of racial discrimination and race bias in the U.S. criminal justice system, and consider a mission to the United States of America by the relevant Special Rapporteurs; and
3. Expressly include the issues of racial discrimination and race bias in the U.S. criminal justice system as an agenda item for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

We, the undersigned, respectfully submit this petition to the United Nations on August 4, 2000:

Baye Adolfo & Desiree M. Ferguson
National Co-Chairs
National Conference of Black Lawyers

Anthony G. Amsterdam
Judge Edward Weinfeld Professor of Law
NYU Law School

Barbara R. Arnwine
Executive Director, Lawyers' Committee for Civil
Rights Under Law

Mary Frances Berry
Geraldine Segal Professor of History,
University of Pennsylvania and
Chair, U.S. Civil Rights Commission

Julian Bond
Chair, NAACP

Steve Bright
Director, Southern Center for Human Rights

Kerry Kennedy Cuomo
Founder, Robert F. Kennedy Memorial
Center for Human Rights

Dr. Bob Edgar
General Secretary
National Council of Churches/USA

James F. Fitzpatrick
Chair, International Human Rights Law Group

Dr. John Hope Franklin
James B. Duke Prof. of History,
Duke University

Dr. Robert Franklin
Interdenominational Theological Center

Margaret Fung
Executive Director, Asian American Legal
Defense and Education Fund

Ira Glasser
Executive Director, ACLU

Ronald E. Hampton
Executive Director
National Black Police Association

Antonia Hernandez
President and General Counsel
Mexican American Legal Defense and Educational
Fund

Wade J. Henderson
Executive Director
Leadership Conference on Civil Rights

Lynne Walker Huntley
Executive Vice President
Southern Education Foundation

Jesse Jackson, Sr.
President and Founder,
Rainbow PUSH Coalition

Stewart Kwob
Executive Director, Asian Pacific American Legal
Center of Southern California

Shelton J. "Spike" Lee

Judith L. Lichtman
President, National Partnership for
Women & Families

Hala Maksood
President, American-Arab
Anti-Discrimination Committee

Karen K. Narasaki
Executive Director, National Asian Pacific
American Legal Consortium

Charles Ogletree
Jesse Climenko Professor of Law
Harvard Law School

John Payton
Co-Chair, Lawyers' Committee for
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John A. Powell
Executive Director, Institute on Race & Poverty
University of Minnesota Law School

Hugh B. Price
President, National Urban League

Professor Speedy Rice
Gonzaga Law School

Randall Robinson
President, TRANSAFRICA

Sullivan Robinson
Executive Director
The Congress of National Black Churches, Inc.

Kenneth Roth
Executive Director, Human Rights Watch

Theodore M. Shaw
Associate Director Counsel, NAACP Legal
Defense and Education Fund, Inc.

Jane E. Smith
President and CEO
National Council of Negro Women

Andrea P. Taylor
Co-Chair, ABA Committee on Race
& Racism in the Criminal Justice System

Roger Wilkins
Robinson Prof. of History & American Culture
George Mason University

Raul Yzaguirre
President, National Council of La Raza

James Zogby
President, Arab American Institute

07/26/2000 18:43 2019579214
FILE No.490 07/21 '00 18:44 ID:

FAX:

PLEASE RETURN BY FAX

TO: Alison Stewart
International Human Rights Law Group
202-822-4606 (fax)
202-822-4600 (phone)

FROM: _____
Phone _____

DATE: _____

RE: U.N. Call for Action Confirmation Slip

I, (please print name and title as it should appear on the document to be presented) _____, hereby endorse
the Call For Action to the United Nations, to be presented to the Committee on the
Elimination of Discrimination and to the Sub-Commission on Human Rights, in
Geneva, Switzerland, in August 2000.

Signed _____ Date _____

> on
>>> the agenda of the World Conference Against Racism, Racial
> Discrimination,
>>> Xenophobia and Related Intolerance
>>>
>>> Presenting the "Call to Action" at the U.N. in Geneva will be Mary
> Frances
>>> Barry, Geraldine Segal Professor of History, University of
Pennsylvania;
>>> and Chair of the U.S. Civil Rights Commission; Julian Bond, Chair of
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>>> NAACP; and Wade Henderson, Executive Director of the Leadership
> Conference
>>> on Civil Rights. They will present the document to both the U.N.
>>> Committee on the Elimination of Racial Discrimination and the
>>> Sub-Commission on the Promotion and Protection of Human Rights.
>>>
>>> To date, more than thirty high profile individuals and civil rights
>>> organizations have signed on to the "Call to Action," including Julian
>>> Bond, Chair of the NAACP, the Rev. Jesse Jackson, actor Spike Lee,
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American
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early
>>> next month, the text is not open to discussion at this point. We
hope,
>>> however, that you will join us as signatories to this historic
document
> by
>>> responding affirmatively to this e-mail no later than July 24, 2000.
>>>
>>> As I will be out of the office for the remainder of this week, please
>>> contact Mark Bromley in my office if you have any difficulties in
> opening
>>> the attachment, or if you have any questions with respect to our "Call
> to
>>> Action" initiative.
>>>
>>> <<Call-to-Action - final.doc>>
>>
>

7/26/00

We urge the United Nations and member States to:

1. Call upon the Government of the United States of America to honor its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination and other human rights treaties, remove its reservations, and submit timely and accurate reports specifically noting the issue of racial discrimination and race bias in the criminal justice system;
2. Examine the human rights violations of racial discrimination and race bias in the U.S. criminal justice system, and consider a mission to the United States of America by the relevant Special Rapporteurs; and
3. Expressly include the issues of racial discrimination and race bias in the U.S. criminal justice system as an agenda item for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

We, the undersigned, respectfully submit this petition to the United Nations on August 4, 2000:

Baye Adolfo & Desiree M. Ferguson
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Founder, Robert F. Kennedy Memorial
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George Mason University

Raul Yzaguirre
President, National Council of La Raza

James Zogby
President, Arab American Institute

27/26/2000 19:43 2019578014
Original Message

> From: Stacy Taylor <stacyt@HRLawgroup.org>
> Sent: Wednesday, July 26, 2000 3:23 PM
> Subject: Call To Action Sign-ON

>

>

>>> To: Harry Barnes, The Carter Center
>>> Ann Cooper, Center to Protect Journalists
>>> Kerry Kennedy Cuomo, RFK Memorial Center for Human Rights
>>> Cathy Fitzpatrick, International League for Human Rights
>>> Michael Posner, Lawyers Committee for Human Rights
>>> Ken Roth, Human Rights Watch
>>> Len Rubenstein, Physicians for Human Rights
>>> Bill Schultz, Amnesty International USA
>>> From: Gay McDougall, International Human Rights Law Group
>>> Date: July 18, 2000
>>> Re: Call to Action to the U.N.

>>> I write to invite you to join the International Human Rights Law Group,

>>> the nation's leading civil rights organizations, and other prominent individuals in issuing a call to the United Nations. This historic

>>> "Call to Action" will be presented next month to the U.N. Committee on the Elimination of Racial Discrimination and to the Sub-Commission on the Promotion and Protection of Human Rights. This appeal to the U.N.

> follows

>>> in the historic footsteps of W.E.B. DuBois, and the NAACP, and comes

54

>>> years after U.S. civil rights groups first sought the U.N.'s support

in

>>> their battle against segregation. A copy of the "Call to Action" is attached to this e-mail.

>>>

>>> Our "Call to Action" urges the U.N. and member states to: 1) encourage

>>> the U.S. to honor the mandates of the International Convention on Elimination of All Forms of Racial Discrimination and other human rights

>>> treaties, 2) closely examine the issues of racial discrimination and

> race

>>> bias in the U.S. criminal justice system, and 3) include these issues

7/26/00

> on
> > > the agenda of the World Conference Against Racism, Racial
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> > > Xenophobia and Related Intolerance
> > >
> > > Presenting the "Call to Action" at the U.N. in Geneva will be Mary
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>

7/26/00