



Statement Delivered at NGO Roundtable of General Assembly High Level Meeting
Commemorating the 10th Anniversary of Durban Declaration and Programme of Action
by

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September 22, 2011

Good afternoon. My name is Chandra Bhatnagar, I am a senior attorney with the Human Rights Program of the American Civil Liberties Union. The ACLU is a non-partisan organization with over half a million members and 53 affiliates nationwide. For more than 90 years, the ACLU has fought for freedom of expression and assembly, the protection and advancement of individual rights under the U.S. Constitution, and for the rights of racial, ethnic, and religious minorities throughout American society.

From its earliest campaign to thwart the notorious prosecution of the Scottsboro Boys in the 1930s, the ACLU has championed racial justice and equality for all. The ACLU has also fought against bigotry and religious intolerance, including anti-Semitism and Islamophobia, and zealously defended the rights of all religious believers (and non-believers) to practice their faith.

We were asked to address this meeting and we thank you for the opportunity to call attention to racial discrimination in the United States and the lack of progress in implementing human rights obligations domestically. While we are grateful that the Obama administration has taken important steps to engage with the international human rights community, by joining the U.N. Human Rights Council and participating in the Universal Periodic Review process, much more needs to be done to assert leadership in the global fight against racial and ethnic discrimination. The absence of the United States in today's proceedings is disappointing; it contradicts the administration's stated position to push for positive models to advance human rights, and sends the wrong message to the global community regarding the U.S. commitment to fight racial injustice everywhere.

As founding member of the United Nations and a state party to the most comprehensive anti-discrimination legal instrument in the world, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the U.S. is legally bound to fight racism and "take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists."

In the past few years, the United Nations Committee on the Elimination of Racial Discrimination and other U.N. human rights experts have provided specific and detailed recommendations advising the United States government of the need to address ongoing systemic issues of racial discrimination through domestic implementation of human rights obligations.

While enforcement levels of some anti-discrimination laws have increased across the nation due to the hard work of the Justice Department's Civil Rights Division, more needs to be done in order to bring U.S. laws and policies in line with international human rights norms. For example, the Obama administration should take concrete measures to fully implement the ICERD and other related human rights obligations, and create a special task force to develop a plan of action to implement ICERD at all government levels.

Furthermore, the Obama administration should issue an executive order to fully implement U.S. treaty obligations and create an accountable and transparent mechanism to integrate international human rights into domestic policy. This action will ensure the effective implementation and follow-up on recommendations made by United Nations human rights bodies.

While progress has been made in the United States towards eliminating the legacy of Jim Crow, racial and ethnic minorities and especially peoples of African descent continue to face intentional, structural, and *de facto* forms of discrimination, which manifest in unequal access to quality education, housing, health services, employment, electoral disfranchisement and discrimination in the criminal justice system.

The United States should lead by example and translate their stated commitment to end racial discrimination into concrete laws and policies through a national plan of action for ICERD implementation with full and meaningful consultation with civil society and affected communities and collaboration with local and state governments.

Thank you.