

SEMI-ANNUAL CONFERENCE
NEW YORK CITY
JULY 17-18, 2012

Linking Fields and Borders: Building the Intergalactic Human Rights Movement

Tuesday, July, 2012

1:30-3:00pm

***Please note that these notes have not been reviewed
by the speakers or organizers of this session***

Session Organizers:

- Sue Simon, Director, U.S. Human Rights Fund, Public Interest Projects
- Stephen Foster, President, The Overbook Foundation

Panelists:

- Catherine Albisa, Executive Director, National Economic and Social Rights Initiative (NESRI)
- Jamil Dakwar, Director, Human Rights Program, American Civil Liberties Union (ACLU)
- Margaret Huang, Executive Director, Rights Working Group

Facilitator:

- Stephen Foster, President, The Overbook Foundation
-

Stephen Foster started the session by saying that all of the speakers have something in common: they are all working on human rights issues inside the United States.

The question they are discussing today is how organizations concerned about domestic human rights see themselves in relation to other domestic human rights work (human rights work in other countries).

Stephen posed this question to the audience: do you think supporting human rights work in the US has an impact on human rights policies around the world?

Katie Ford: In some countries it does have some effect, but in others, it has none. American corporations inside the US, for example, would never be accused of slavery.

Andrew Puddephat: US geo-political and military power affects how people respond to US human rights policies. How does the US respond to its changing status in the world? And how will they respond to policy changes?

Jamil Dakwar began the panel discussion by pointing out that for the past 10 years after 9/11 a negative precedent is continuously being set by the US which is undermining international human rights laws and policies. There is a great opportunity for people in America to look at the world outside and see the impact of abroad. Historically, the forces in US working on civil rights have always thought about the broader human rights struggle, particularly in area of economic justice. Many US policies do not promote human rights in a genuine way nor do they practice what is being said and preached abroad. There is a gap between what the US is doing domestically vs. abroad. Under the Federal System, the US Executive branch can promote human rights in foreign policy (constitutionally) without having to do anything legislative. Taking legislative action is a much harder thing to do.

Catherine Albisa framed her discussion around economic, social and cultural rights. There have been a dozen slavery prosecutions of corporations in Florida. The US is comfortable with providing greater protection here, but not abroad. They are trying to shift the double standard and demonstrate a broader sense of justice.

Margaret Huang provided an example: She went to US State Dept. meeting on how the US will comply with the Universal Periodic Review (UPR) recommendations. The discussion was all under the auspices of the State Dept. but otherwise they were not involved in the meeting. However, there is no indication of what the US is doing to comply with treaty obligations. The human rights movement requires a connection between domestic compliance and compliance with international law and policies.

Do the panelists see any optimism in this arena (of reconciling domestic human rights attitude/policies with international standards)?

Jamil thinks that there is optimism but it is linked to American power abroad and as a country. External pressures coupled with a domestic movement would make a difference we are not yet able to see. There is too much of a burden on the US to try to catch up in different areas (ex: criminal justice and individuals being deprived of liberty). In the past, we let others do the dirty work and were more covert. Now, US policies are being exported and are setting bad examples and we are no longer seeing a difference between democratic and other administrations. Today (as opposed to 60 years ago) we do have a stronger international framework that can push back on those trends. The US will be under pressure from the international community on the issue of accountability. Domestic efforts are trying to make a connection with external pressure.

Margaret also thinks there is reason to be optimistic. For example, the Rights Working Group was active in the UPR process. Also, with regard to racial profiling of communities in the US, countries around the world had a stake in the issue and there were many recommendations for the US.

Catherine pointed out that a venue like the State Dept. can be useful or meaningless depending on the constituency. It is important to think of a strategy that runs deeper to bridge that gap. We need to connect what happens in “wins” to domestic movements to make it a seamless effort to support each victory. There is increased polarization of people in the US, which will hopefully become a constituency.

Examples of domestic successes: If you have success at local and state level you can have momentum and get things going at the national level. Example: the school to prison pipeline, and the farm workers campaign (as a result of which new human rights agreements were implemented in Florida).

Are there examples of where US foreign policies have impacted domestic policy?

Jamil answered by noting that the Obama administration has pushed for human rights overseas in the areas of free speech, right to assembly, women's rights, etc. Foreign policies were created because of this (ex: tools for the US govt. to identify signs of mass atrocities, the US pushed a historic resolution that made a difference in the Human Rights Council on the issue of LGBT rights). The Secretary of State made a speech about this in Geneva. As a result, the US govt. will be asked if they are also meeting standards in the domestic human rights arena. The US is championing human rights abroad, but making excuses for domestic issues.

Cathy showed a video of the Human Rights at Home Campaign. The video showed who is involved and ideas on how to generate another layer of work that is systemic in nature.

Challenges:

Cathy expressed that the hardest group to convince are policy makers because they are concerned with getting elected. This is a challenging group for uptake. More white communities are seeing common causes with black and brown communities (much of it has been the 1% rhetoric). This has the greatest uptake at a community level. Movements are being lead by those who are most affected.

Jamil discussed how the ACLU, as a legal/multi-issue organization has seen that there is a slow movement towards solving problems. They will need to create coalitions with many communities to make sure change is sustained. You cannot just count on taking issues to the Supreme Court (which is very conservative organization), but will need to build other strategies (look outside the box: how do you connect building movement and building outside pressure as well such as the anti-segregation movement). What is happening in Alabama is taking you back to the pre-civil rights era. This reality provides us with an opportunity to think big. We want to look at the US with confidence and credibility to hold the US accountable under treaty bodies (against torture etc.) and to do this work in a systematic and sustainable way.

The Obama Administration promised to re-assert US leadership and to lead the human rights movement by our example. To what extent has it happened and to what extent is it based on demands placed on the administration externally?

Jamil pointed out that the Obama administration has stopped using "leadership by example" language. There were areas where the Obama administration thought they would be able to change the Bush era human rights discourse. In some areas, such as foreign policy, there were some successes. They had to pay attention to what the US is doing abroad and that is part of being held accountable. However, there is cherry-picking. For example, there is a statement by the White House press secretary on Victims of Torture Day. It is important to note what was not in the statement – a commitment to pursue

accountability of perpetrators of those who have committed crimes of torture. The US is retreating in areas where not able to provide examples.

Questions

Do the panelists have any comments/thoughts on the political backlash in England against a human rights framework?

Catherine answered by stating that building a human rights framework as a concept that is detached from people's everyday life is a major challenge. In the US, a human rights framework picked up in the 90s with popular education. This brought issues to people's consciousness that were not considered to be social justice issues before. There needs to be a base for popular education and we must invest in this to create a sea of change.

Margaret said that an effective strategy in the US is to not cite international precedence but domestic precedence; to talk about the history of human rights and civil rights in the US. People become much more receptive to this.

Jamil said that people in the UK had to be convinced that human rights are still relevant and important. There were many historical moments where this issue was bipartisan. For example, when the US Foreign Relations Committee was reviewing CRPD, most questions were about whether the CRPD will create rights that will be enforceable in a court of law and how will it affect rights on a state level? It is a difficult political reality to talk about human rights.

How do we continue to fund the long-term issues and know that you're making an impact as well as convince donors? How do we provide necessary support while being responsible to donors? In addition to investing in grassroots it is also important to invest in Washington DC (at policy level). It is important to do both, but how do we do that and make sure that as pendulum swings from DC to domestic to international that we are continuing the fund groups that will make a long-term impact?

Catherine's response was that people often see funding in DC vs. the grassroots as separate. There is work that is just local and not meant to be transferable. It is difficult to impact DC without local or State work. Look at healthcare reform as an example, this happened because of Massachusetts (they were doing something different and using public healthcare option). Even the Supreme Court is affected with State practice. Therefore cannot de-link DC from grassroots. We need to get better at creating multi-stakeholder strategy to create change in DC/policies (movement building is about changing policy not separate).

There is often a "silo-zation" of domestic and international work even though the two are inseparable. Funders and NGOs are restricted by how they describe their work and what they do on

daily basis (victims of “higher system”). We should push against that. For example, why are domestic women’s funds not playing a role at policy work?

Catherine responded that there is international and domestic connection but also a transnational connection. A possible strategy may be applying from domestic movements in one country to other countries (this has happened with corporate accountability work).

There is issue confluence in human rights which makes it difficult to pinpoint what the educative, connective issues are to build popular education. How do we address this?

Catherine responded that it has to do with the depth of impact. If you are able to identify issues that people are feeling strongly impacted by then you’re able to create catalytic moments.

How do we translate the Universal Declaration of Human Rights to community and local people so that they can really understand what it means? Human rights are still a very conceptual discourse. Additionally, human rights groups abroad feel that it is very US oriented struggle for human rights. How do we build something holistic, international and global?

Stephen Foster noted that it is helpful to look at the domestic precedent within a country’s own history. Once we go outside, it becomes “yours” not “ours.”

CONCLUSION:

Margaret closed by commenting on the confluence in human rights comment by stating that racial profiling campaign was thought to be very holistic, but then they were worried about what to do next. The Human Rights at Home Campaign tackled this by focusing on the issue of accountability. No matter what issue you work on, accountability is critical (of govt., corporate actors, etc.)

Jamil closed by stating that the main challenge is to connect initiatives that promote accountability mechanisms to tangible issues that make people’s lives better. What are the areas that can connect the different people working on the issue of accountability?

Catherine closed by responding to the comment on communicating human rights to local communities. This requires looking at broader principles and how they have been able to move people, as well as emphasizing universality, accountability, and transparency. Catherine provided an example: a Vermont campaign for universal healthcare pushed universality without thinking about what it meant in the US at outer limits. At last minute there was an amendment by the Senate Committee to exclude undocumented workers in dairy farms. No undocumented people were a part of the campaign. They decided that undocumented individuals had to be included too. They had the amendment stripped. They were able to flood the committee with calls.