

WHY DO WE NEED A NATIONAL HUMAN RIGHTS INSTITUTION IN THE UNITED STATES?

A Short Primer

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WHAT IS AN NHRI? An NHRI is a National Human Rights Institution (NHRI). It is an independent body established by the government tasked, fundamentally, with promoting and protecting human rights inside a country. Generally, an NHRI helps the government walk the walk regarding human rights. It works to ensure that a country implements its established human rights obligations, integrating those obligations into a country's domestic law, policy, and practice.

WHAT DOES AN NHRI DO? The mandate of an NHRI depends on the power it is given when it is established. There isn't a one-size-fits-all description of an NHRI. Fundamentally, an NHRI is a central repository for information and documentation of a country's human rights commitments and adherence.

WHERE DOES THE US STAND ON AN NHRI IN THE US? The US is an outlier internationally. While the US is a founding member of the international human rights movement, we don't have an NHRI here at home. The US has supported (and even funded) NHRIs in other countries. 120 states, including many democratic nations, have NHRIs. The US is not one of them.

WHY DOES AN NHRI BENEFIT THE US? An NHRI could fill the gap in making sure that human rights in the United States are implemented and enforced domestically. An NHRI could help coordinate and guide the work of state and local human rights commissions, which could help implement international human rights treaties on the ground. Protecting human rights at home will give the US more credibility and standing when speaking about human rights in other places.

WHO SUPPORTS AN NHRI IN THE US? There is a broad coalition of more than 90 civil society organizations who support an NHRI in the United States. They are led by the ACLU, Southern Poverty Law Center, Amnesty International USA and others. In addition, the International Association of Official Human Rights Agencies (IAOHRA), representing state and local human rights commissions across the United States, is actively involved. Members of Congress have taken a public position on an NHRI, sending a letter to President Biden in support of an NHRI, and the U.S. State Department has supported having an NHRI in two statements to the Human Rights Council. This support needs to be turned into action.

WHAT NEEDS TO HAPPEN NEXT? Congress or the Biden Administration should establish a time-bound Study Commission, bringing together the White House, civil society, Congress, and academics to look at practical steps toward creating an NHRI for the United States.

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