



INTERNATIONAL
ASSOCIATION OF
OFFICIAL HUMAN
RIGHTS AGENCIES

March 28, 2023

To: Open Letter to President Biden and Members of the 118th United States Congress

From: International Association of Official Human Rights Agencies (IAOHRA)

Re: Need for a National Human Rights Institution

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We write today to inform you of the benefits that a National Human Rights Institution (NHRI), could provide to the nation and explain the need for action in this area. We hope that you will consider this letter helpful in your role as policymakers, and that you will consider IAOHRA as a resource and partner in any future endeavors relating to this issue.

IAOHRA members -- state and local human rights agencies -- are actively engaged throughout the U.S. in enforcing anti-discrimination laws and ensuring government recognition of universal human rights. For over 70 years, IAOHRA has served as a network for these agencies to provide opportunities for cooperation, forums for the exchange of ideas, and educational programs on human rights. As our member agencies work to protect the rights and dignity of all persons, they are looking to the federal government for leadership and support. An NHRI would allow for unprecedented progress toward domestic implementation of our international human rights commitments and would bring human rights home to the U.S.

An NHRI is a permanent, government-supported agency that operates with the independence, resources, and authority to promote and protect human rights throughout the entire nation. The duties that an NHRI could undertake include the dissemination of information regarding human rights standards, coordination of participation in reviews of the U.S. by international bodies, investigation of alleged human rights violations, and general advisement for all arms of the U.S. government. The United States' obligations under international human rights instruments such as the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT), and the Convention on the Elimination of All Forms of Racial Discrimination (CERD) require coordination and action at all levels of government. Upon ratification of the ICCPR, the U.S. indicated its understanding of this duty by stating that "the Federal Government shall take measures appropriate to the Federal system to the end that the competent authorities of the state or local governments may take appropriate measures for the fulfillment of the Covenant." Despite this commitment from the federal government to provide the necessary resources and facilitate implementation throughout the nation, the absence of any national human rights body continues to stymie the full implementation of these important treaties.

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The U.S. is an outlier among democratic nations in this area. While other nations have lauded the commitment of our nation to promoting civil and political rights across the globe, they have also voiced concern that the absence of any national human rights institution hinders efforts to ensure that all peoples within the U.S. are able to enjoy these fundamental human rights. At the last Universal Periodic Review of the U.S., multiple nations, including close allies, specifically called for the establishment of a national human rights institution in accordance with international standards. Just last year, the expert committee reviewing U.S. compliance with its obligations under CERD stated that it remains concerned over “the lack of progress in establishing an institutionalized coordinating mechanism with a mandate to ensure the effective implementation of the Convention at the federal, state and local levels.” Further, the establishment of an NHRI is an important indicator under the UN Sustainable Development Goals adopted in 2015, and one which the U.S. has not yet taken any steps to meet before the 2030 deadline. Even just studying the feasibility of an NHRI would signal our nation’s commitment to democracy and equality to the international community and reaffirm our role as a global leader in the promotion of human rights.

We recognize that establishing a national human rights institution is a task that will take time and require the input of numerous government actors. That is precisely why it is important to begin taking significant steps toward this goal. We have previously, on many occasions, communicated to the federal government the urgent need for an NHRI. Today, we ask that you, in your respective roles, support the establishment of a commission to study the potential benefits of a national human rights institution.

Respectfully,



Alisa Warren, Ph.D., President
International Association of Official Human Rights Agencies