

**USHRN Coordinating Center: Committee on the Elimination of Racial Discrimination (CERD) Questionnaire for Civil Society Consultation on Civil Society Engagement with CERD, November 23, 2016**

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To: [Gabriella Habtom, Human Rights Officer and Secretary of CERD, Civil, Political, Economic, Social and Cultural Rights Section, Human Rights Treaties Division, OHCHR](mailto:Gabriella%20Habtom,%20Human%20Rights%20Officer%20and%20Secretary%20of%20CERD,%20Civil,%20Political,%20Economic,%20Social%20and%20Cultural%20Rights%20Section,%20Human%20Rights%20Treaties%20Division,%20OHCHR,%20cerd@ohchr.org)

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***Questions:***

1. **What are the key challenges and issues of racial discrimination in your country/region today and how do you work to address them?**

As the United States is a society that continues to be plagues by its history of slavery and racial discrimination and continued structural racial discrimination and prejudice, there are many key issues and challenges. We appreciate the work of the CERD Committee in highlighting those challenges, as well as the recent visit and report of the UN Working Group of Experts on People of African Descent for their very [comprehensive report](http://www.ushrnetwork.org/sites/ushrnetwork.org/files/unwgepad_us_visit_final_report_9_15_16.pdf). Some of the key issues and challenges for our members include: racism in the criminal justice system, police violence and excessive use of force, stand your ground laws, LGBTQ rights – especially violence against trans women of color and all women of color, ESCR, migrants, and more recently issues of [surveillance](http://www.salon.com/2016/10/20/fbi-homeland-security-sued-for-records-on-surveillance-of-black-lives-matter-activists/) and lack of freedom of expression and association for protestors and leaders of movements such as Black Lives Matter.

Most recently, President-elect Trump’s bigotry and statements against the most vulnerable in the US – including immigrant and Muslim communities as well as fears of violence against people of color, women, and the LGBTQ community since his election is a key issue and challenge. Since the election the Southern Poverty Law Center has documented more than [400 incidents of hate.](https://www.splcenter.org/hatewatch) Further incidents of hate have also been documented by other groups, including: [CAIR](http://www.islamophobia.org); [Chronicle of Higher Education](file:///C:/-Â http/::www.chronicle.com:blogs:ticker:heres-a-rundown-of-the-latest-campus-climate-incidents-since-trumps-election:115553); [Jezebel](http://jezebel.com/tracking-racist-incidents-and-hate-crimes-in-donald-tru-1789058519); and reporter [Shaun King](http://mashable.com/2016/11/10/shaun-king-twitter-feed/#62AZz3Xt_kqw).

Further as Trump has appointed [Stephen Bannon](http://www.cnn.com/2016/11/14/politics/white-nationalists-on-bannon/), a notable voice of racism and KKK sympathizer, as chief strategist, and another noted racist and KKK sympathizes, [Jeff Sessions](http://www.huffingtonpost.com/entry/trump-attorney-general-jeff-sessions-racist-remarks_us_582cd73ae4b099512f80c0c2) as Attorney General, these are further cause for even greater concern.

1. **What has been your experience, as civil society, of engaging with CERD to date?**

The US Human Rights Network (USHRN) has served as the main US civil society point organization to facilitate groups’ participation in human rights treaty body reviews and mechanisms, including CERD, since the Network’s formation in 2003.

For the 2014 review of the United States, USHRN worked to ensure the Committee received reports and heard testimony from over 100 organizations. Among the civil society delegation were people directly impacted by human rights violations, including Ron Davis and Sybrina Fulton, whose sons (Jordan Davis and Trayvon Martin, respectively) were shot to death in Florida, one of many states with Stand Your Ground laws on the books. In both cases, the justice system has failed them. USHRN did education and outreach to help civil society in submitting shadow reports, and put together a comprehensive civil society shadow report [executive summary](http://www.ushrnetwork.org/sites/ushrnetwork.org/files/cerdexecutivesummary2014final.pdf) that was translated into Spanish and French and sent to the Committee. USHRN also created a [template](http://www.ushrnetwork.org/resources-media/cerd-follow-report-template) and helped groups in submitting one-year follow-up shadow reports after the 2014 review.

The USHRN CERD Project was created to ensure that the CERD Committee’s second review of the United States, which took place in Geneva in February 2008, included full and accurate information about the current human rights situation in the United States beyond the [formal report](http://hrpujc.org/documents/USReporttoCERD.pdf) submitted by the U.S. Government. The project’s key initial objective was to coordinate the production of a [comprehensive shadow report](http://www.ushrnetwork.org/news-updates/cerd-newsletter-one-2008-cerd-shadow-reports-compilation) that was presented to the CERD Committee during the review process. As a result of the USHRN’s coordination, and robust engagement from members and partners, the 2008 CERD review had an unprecedented level of participation from the social justice community. Many of the findings in the shadow report were directly reflected in the committee’s [Concluding Observations](http://www.ushrnetwork.org/sites/default/files/concluding_observations_of_the_cerd_committee_to_the_us_government_2008.pdf).

Throughout 2008, the USHRN monitored the United States Government’s response to the concerns listed in the Concluding Observations in preparation for the [one-year follow-up report](http://www.state.gov/documents/organization/113905.pdf) that the government submitted to the CERD Committee in January 2009. The Network coordinated a response the U.S. follow-up report that the CERD committee received in June; other Network members submitted responses directly to the committee, also in June. Additional follow-up activities coordinated by the Network’s CERD Taskforce were planned throughout the year and informed the Universal Periodic Review process that took place in 2010.

Other CERD Project objectives include demonstrating the effectiveness of using an international human rights procedure to advance domestic advocacy agendas; educating the public about the human rights framework, particularly with regard to U.S. obligations to combat racial discrimination; increasing the capacity of domestic human rights and social justice organizations to use CERD and other treaties as well as the human rights framework to inform their advocacy; and strengthening the domestic human rights movement overall to better influence U.S. policy.

1. **How can the CERD improve and enhance its engagement with civil society, and its work on racial discrimination for greater impact on the ground?**

We appreciate the designated briefing time CERD devotes to civil society during the reviews as well as the opportunity for interventions by civil society, and especially space for directly impacted people to speak.

Ensure continued live streaming of all open proceedings. If possible, it would be helpful for there to be CERD sessions in New York in addition to Geneva. US Civil Society would also welcome official or unofficial country visits by the members of CERD.

Further we are in favor of a grading system similar to Human Rights Committee for ICCPR follow-up reports for the CERD follow-up reports.