



Urban Justice Center

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November 8, 2010

Esther Brimmer

Assistant Secretary, International Organization Affairs

United States Department of State

2201 C Street NW

Washington, DC 20520

Harold Hongju Koh

Legal Adviser, Office of the Legal Advisor

United States Department of State

Michael H. Posner

Assistant Secretary, Bureau of Democracy, Human Rights and Labor

United States Department of State

Re: Proposed Actions following the U.S. Universal Periodic Review

Dear Dr. Brimmer, Mr. Koh and Mr. Posner:

We are writing on behalf of the undersigned organizations in an effort to move forward on recommendations made to advance economic and social rights concerns raised by many member states and civil society delegates during the United States' Universal Periodic Review (US-UPR). We acknowledge that significant progress has been made by the Administration to reengage the U.S. government with the United Nations and its human rights mechanisms. However, we believe that unless the United States takes clear and concrete steps that demonstrate its commitment to the full range of universally accepted human rights including economic and social rights, a key opportunity will be missed.

We look forward to the U.S. government's support of the recommendations made by the UN member states, and in particular hope that the government will indicate immediate support for the recommendations concerning enjoyment of economic and social rights. Accepting recommendations focused on economic and social rights is particularly urgent as we work to recover from an economic crisis that was a result of economic and financial policies that privileged profit over the human rights of everyday people in the United States. These policies have also contributed to growing inequality in the United States as



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documented in paragraphs 31, 37, 43 and 44 of the official government report for the UPR.

Inequality in the United States will not be addressed unless specific attention is paid to the most vulnerable people in this country. The Committee on the Elimination of Racial Discrimination made a similar observation in their Concluding Observations to the United States in March 2008. We recognize that the Administration supports many measures that will address these inequalities including the Paycheck Fairness Act and paid family leave, and has presided over passage of the Lilly Ledbetter Act, and the creation of the first inter-agency Federal Plan to End Homelessness. Nevertheless, we are concerned that a failure to recognize economic and social rights and to promote key programs and macroeconomic policies that address economic security for all will only exacerbate inequalities that have grown over the past year. We are therefore proposing that the U.S. government indicate its full support for the recommendations made by UN member states and U.S. civil society delegates which are referenced below and recommend that the following commitments be included in the adoption of the outcome document:

- Accept the recommendations made by the governments of Norway, Bolivia, Brazil, Bangladesh, Finland, and Ghana, and **make job creation a top priority for the Administration and ensure that all new jobs created are quality jobs that are open and accessible to women and people of color;**
- Pledge to fulfill its obligation to protect individual rights by ensuring that third party behavior, such as that of financial institutions, does not compromise basic rights including the freedom from want, and guarantee a transparent regulatory reform process.
- Accept the recommendations made by the governments of Morocco, Norway, Ghana, Canada, and Guatemala, and **increase efforts to meet the adequate affordable housing needs of all Americans, particularly those who have been structurally disadvantaged such as women and people of color**
- Accept the recommendations of the twenty-four governments that recommended **ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR)**; take strong steps to **secure the necessary votes for ratification of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)** in furtherance of the recommendations of about thirty governments during the UPR; and ratify the Convention on the Rights of the Child (CRC);
- Accept recommendations to promote the establishment of a domestic human right accountability regime specifically a **National Human Rights Institution in accordance with the Paris Principles** also recommended by the Committee on the Elimination of Racial Discrimination in March 2008 and several governments during the UPR;



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- **Pledge support for ratification of the ILO Convention on Decent Work for Domestic Workers**, and passage of national legislation to implement it, following the example of New York State which passed a Domestic Workers Bills of Rights.
- Pledge to improve working conditions for home care workers by extending basic labor protections to this workforce; it is projected to be the fastest growing workforce in the United States over the next decade yet this predominantly female workforce continue to be marginalized, hindering the quality of care for millions of people living with chronic conditions and disabilities.
- Pledge to implement programs that **create quality jobs for women** by providing child care work supports, and actively supporting basic labor standards such as paid sick days, family leave insurance, and paid maternity leave.

We look forward to working with you on key recommendations including those designated for further consideration between now and the adoption by the Council of the outcome in March 2011. A copy of this letter has also been sent to the Permanent Representative of United States to the UN in Geneva.

We would like to request a meeting with you to follow up on these and other recommendations made by member states, and will follow up with you to schedule a meeting at your earliest availability. We thank you and look forward to meeting with you and to your consideration of these recommendations.

Sincerely,

Radhika Balakrishnan, Executive Director, Center for Women's Global Leadership

Ejim Dike, Director, Human Rights Project, Urban Justice Center

Eric Tars, Director, Human Rights Program, National Law Center on Homelessness & Poverty

Leonila Vega, Esq., Executive Director, Direct Care Alliance, Inc.

The Campaign for Community Change