



## NATIONAL CAMPAIGN TO **RESTORE** CIVIL RIGHTS

### **PRESS RELEASE**

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### **U.N. TO PROBE U.S. HUMAN RIGHTS VIOLATIONS “SHADOW REPORT” DETAILS SUPREME COURT’S DISMANTLING OF CIVIL RIGHTS LAWS AND RESULTING TREATY VIOLATIONS, BUSH PROMISES TO VETO LEGISLATIVE FIX**

New York, December 10, 2007- Today, the National Campaign to Restore Civil Rights (Campaign) joined a coalition of civil society groups to release a comprehensive review of international human rights treaty violations in the United States. The “shadow report” was assembled for the United Nations Committee on the Elimination of Racial Discrimination.

The U.S. is a party to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), which is an international treaty designed to protect individuals from discrimination based on race, whether that discrimination is intentional, or is the result of seemingly neutral practices. Every four years, countries which have ratified the treaty, as the U.S. did in 1994 under President Clinton, must report to the treaty body. The U.S. State Department submitted its report in April 2007.

The Campaign’s shadow report is a rebuttal to the official U.S. report. “This report is a blistering indictment of U.S. violations of the 1994 International Convention on the Elimination of all Forms of Racial Discrimination,” said Cristóbal Josh Alex, Campaign Coordinator. “CERD requires that the U.S. provide access to court for those discriminated against because of their race. But because the courts have shifted to the right, countless people find the courthouse doors closed,” said Eva Paterson of the San Francisco-based Equal Justice Society.

Among the key issues the shadow report documents are:

- Titles VI and VII of the Civil Rights Act of 1964, two critical laws designed to protect people against racial discrimination, have essentially been gutted by recent

Supreme Court cases, thereby leaving tens of thousands of people without protection from racial discrimination.

- The federal government can step in and protect people in the U.S. from racial discrimination. But it does not, thereby leaving people in the United States without adequate remedies to address rights violations.
- Last term the Supreme Court held that a woman discriminated against by receiving less pay than her male colleagues couldn't sue because she hadn't filed a complaint within 180 days of the decision to pay her less than the men -- even though she had no way of knowing the company was paying her less until she got an anonymous tip many years later. President Bush has promised to veto any legislation that aims to correct this ruling.

“It is intolerable that Americans can no longer count on the courts to ensure fairness and that many federal judges continue to turn a blind eye to the discrimination that still happens in society – especially in our nation’s classrooms and workplaces. We must stop these judges from turning back the clock on vital protections and take back our courts by restoring fairness and independence to our judiciary,” said Nan Aron, President of Alliance for Justice.

“Since 1994 the U.S. has failed to honor its obligations. That failure has had a profound effect on the lives of people of color, especially in the South,” said Anita Earls, director of the Southern Coalition for Social Justice. “The Civil Rights Movement in the sixties led to the passage of landmark civil rights protections. While those laws are still on the books, recent court cases have eroded, weakened and undermined their effectiveness,” Earls concluded.

“The recent backlash against immigrants in the U.S. has also resulted in treaty violations,” said Marielena Hincapié of the National Immigration Law Center. “Recent cases that hold that undocumented workers, who are primarily people of color, cannot avail themselves of civil rights law run counter not only to CERD but to what we stand for as a Nation,” Hincapié continued.

“The irony is that the U.S. has worked to establish court systems in other countries, like Iraq, to protect people from discrimination, but people in the U.S. find the courthouse doors locked,” said Cristóbal Josh Alex. “The failure of the U.S. government to ensure that people have access to justice through the courts constitutes a flagrant violation of international human rights law” Alex concluded.

The U.S. will be reviewed for compliance with the treaty in Geneva on February 21-22, 2008. The U.N. concluding observations will be released after the session ends on March 7, 2008.

The National Campaign to Restore Civil Rights is a collection of over one hundred civil rights organizations and numerous individuals that came together to ensure that the courts protect and preserve justice, fairness, and opportunity for everyone.

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