



**Shadow Reports:
Documenting U.S. Failure to Comply with Human Rights Treaties
October 6-7, 2005**

UCLA School of Law, Los Angeles, CA



A workshop convened by the ACLU Human Rights Working Group and the ACLU of Southern California, in coordination with the U.S. Human Rights Network, Global Rights, Bringing Human Rights Home Lawyers Network, and the Center for Human Rights and Humanitarian Law at American University Washington College of Law and hosted by UCLA School of Law's Program in Public Interest Law and Policy.

Conference Materials ([Anchor Link](#))

Conference Summary ([Anchor Link](#))

Conference Materials

Thursday October 6, 2005

Time	Session	Document	Access
	General Information	Conference Agenda	PDF
		Speaker Biographies	PDF
		United Nations Human Rights Treaty System Chart	PDF
		Technical Terms Defined	PDF
9-10am	Why Human Rights?	Ann Beeson, "Thinking Globally," <i>The National Law Journal</i> , 11-24-2003	PDF
	Why Now? Why is it	Alan Jenkins and Larry Cox, "Bringing Human Rights Home," <i>The Nation</i> , June 27, 2005	PDF

	Relevant to Your work?	The Ford Foundation, <i>Close to Home: Case Studies of Human Rights Work in the United States</i> , 2004, available online at http://www.fordfound.org/publications/recent_articles/close_to_home.cfm	Link
10-11am	Human Rights and the UN System: An Overview of Human Rights Treaty Bodies and International Mechanisms	Universal Declaration of Human Rights (1948) & Excerpts from the Charter of the United Nations (1945) www.un.org/overview/rights.html http://www1.umn.edu/humanrts/instree/preamble.html http://www1.umn.edu/humanrts/instree/chapter1.html http://www1.umn.edu/humanrts/instree/chapter4.html http://www1.umn.edu/humanrts/instree/chapter9.html http://www1.umn.edu/humanrts/instree/chapter10.html	Links
		UN Human Rights Bodies Chart	PDF
		Membership of the Commission on Human Rights and Membership of the Sub-Commission on the Promotion and Protection of Human Rights in 2005 http://www.ohchr.org/english/bodies/chr/docs/61chr/2005regional.doc http://www.unhchr.ch/html/menu2/2/subcmem.htm	Links
		Human Rights Resolution: Torture and CIDP; Human Rights Resolution 2005/64: Follow Up to the Durban Conference on Racism; Human Rights Resolution 2005/25: Women's rights to land, property, and adequate housing	PDFs
		Special Procedures of the Commission on Human Rights, Thematic and Country Mandates (August 2005) http://www.ohchr.org/english/bodies/chr/special/countries.htm http://www.ohchr.org/english/bodies/chr/special/themes.htm	Links
		Opinion adopted by the UN Working Group on Arbitrary Detention of the Commission on Human Rights (September 2004)	PDF
		Seventeen Frequently Asked Questions about the United Nations Special Rapporteurs, Fact Sheet No. 27, OHCHR, April 2001, Geneva http://www.ohchr.org/english/about/publications/docs/factsheet27.pdf	Link
		Excerpts from Fact Sheet No.7: Complaints Procedure, OHCHR http://www.ohchr.org/english/about/publications/docs/fs7.htm	Link
		Excerpts from United Nations General Assembly, Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social, and related fields	PDF
		United Nations Press Release, "UN Experts Address Concerns Guantanamo Bay Detainees" June 23, 2005 Press Release	Link
11-12:30pm	Human Rights Treaties: Government Obligations, Reporting Requirements, and the Role of Non-Governmental Organizations	The Core International Human Rights Instruments and Their Monitoring Bodies, from: http://www.ohchr.org/english/law/index.htm	Link
		Human Rights Treaties That the U.S. Has Ratified http://www.ohchr.org/english/law/index.htm	Link
		Universal Human Rights Instruments http://www.ohchr.org/english/law/	Link
		Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, G.A. Res. 54/263, Annex II, 54 U.N. GAOR Supp. (No. 49) at 6, U.N. Doc. A/54/49, Vol. III (2000), <i>entered into force</i> January 18, 2002 http://www.ohchr.org/english/law/crc-sale.htm	Link
		Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III (2000), <i>entered into force</i> February 12, 2002, http://www.ohchr.org/english/law/crc-conflict.htm	Link

		Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography--TREATY DOCUMENT NO. 106-37B -- (Senate - June 18, 2002), available at: http://thomas.loc.gov/cgi-bin/query/z?r107:S18JN2-0049 : (ratification with understandings, conditions and reservations to ratification)	Link
		Convention on the Rights of the Child on Involvement of Children in Armed Conflict--TREATY DOCUMENT NO. 106-37A, available at: http://thomas.loc.gov/cgi-bin/query/z?r107:S18JN2-0048 : (ratification with understandings and conditions to ratification)	Link
		U.S. Human Rights Treaty Obligations, http://www.ushumanrightsonline.net/u.s.humanrightstreatyobli781.cfm	Link
		Related Articles in All Major Human Rights Instruments	PDF
		The Charade of US Ratification of International Human Rights Treaties, by Ken Roth, Chicago Journal of International Law, Fall 2000, available at: http://www.globalpolicy.org/empire/un/2003/0806charade.htm	Link
		Treaties as Binding International Obligation, by Frederic L. Kirgis, ASIL Insights, May 1997, available at: http://www.asil.org/insights/insight9.htm	Link
2-3:15pm	Treaty Reporting Process: Another Way to Prevent Human Rights Abuses	Excerpts from Fact Sheet No. 30: The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and treaty bodies http://www.ohchr.org/english/about/publications/docs/fs30.pdf	Link

Thursday October 6 and Friday October 7: Breakout Sessions

Treaty	Document
Convention Against Torture (CAT)	U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987 http://www.unhchr.ch/html/menu3/b/h_cat39.htm
	CAT Reference Sheet
	U.N. Committee Against Torture website (including list of Committee Members) http://www.ohchr.org/english/bodies/cat/index.htm
	U.N. Committee Against Torture General Comments http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/13719f169a8a4ff78025672b0050eba1?Opendocument
	Overview of the working methods of the U.N. Committee Against Torture http://www.ohchr.org/english/bodies/cat/workingmethods.htm
	Members of CAT http://www.ohchr.org/english/bodies/cat/members.htm
	U.S. Second Periodic Report and Annexes http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CAT.C.48.Add.3.En?OpenDocument
	U.S. Department of State: Initial Report of the United States of America to the U.S. Committee Against Torture http://www.state.gov/www/global/human_rights/torture_toc99.html
	Amnesty International Shadow Report to U.S. Initial Report to CAT http://WEB.AMNESTY.ORG/LIBRARY/PRINT/ENGAMR510562000
	U.N. Committee Against Torture, Consideration of Reports Submitted by States Parties Under Article 19 of the Convention: Initial report of the United States of America, Comm. Against Torture, twenty-fourth Sess., Summary Record of the First Part (public)* of the 427th mtg: Consideration of Reports

	<p>Concluding Observations of CAT to Initial Report of the U.S. Concluding Observations of CAT to Initial Report of the U.S. to CAT http://www1.umn.edu/humanrts/usdocs/torturecomments.html</p>
	<p>US Department of State Initial Report of the United States of America to CAT Annex I</p>
	<p>Memorandum to Members of the UN Committee against Torture Re: Information for the elaboration of the list of issues for the US government (September 2005)</p>
	<p>Department of Justice Letter to White House Counsel Re: Interrogation methods that do not violate prohibitions against torture. (August 1, 2002) http://news.findlaw.com/nytimes/docs/doj/bybee80102ltr.html</p>
	<p>Department of Justice, Office of Legal Counsel, Memorandum for James Comey, Deputy Attorney General: Legal Standards Applicable Under 18 U.S.C. § 2340-2340A (December 30, 2004) http://www.usdoj.gov/olc/dagmemo.pdf</p>
	<p>U.N. Office of the High Commissioner for Human Rights website http://www.ohchr.org/english/law/</p>
	<p><i>Auguste v. Ridge</i>, 395 F. 3d 123 (3d Cir. 2005)</p>
	<p>Commission on Safety and Abuse in America's Prisons http://www.prisoncommission.org/</p>
	<p>Penal Reform International, Making Standards Work: An International Handbook on Good Prison Practice (1995) available at, http://www.penalreform.org/english/MSW.pdf</p>
International Covenant on Civil and Political Rights (ICCPR)	<p>International Covenant on Civil and Political Rights http://www.unhchr.ch/html/menu3/b/a_ccpr.htm</p>
	<p>Summary of Substantive ICCPR Articles</p>
	<p>List of General Comments of the Human Rights Committee http://www.ohchr.org/english/bodies/hrc/comments.htm</p>
	<p>Human Rights Committee Members http://www.ohchr.org/english/bodies/hrc/members.htm</p>
	<p>Consideration of Reports Submitted by State Parties under Article 40 of the covenant, Initial Report of State Parties Due in 1993, Addendum, United States of America (August 1994)</p>
	<p>A Case Study: Article 19</p>
	<p>Request from Human Rights Committee Re: List of Issues for US and NGO meeting Proposal (August 2005)</p>
	<p>Memorandum to Members of the UN Human Rights Committee Re: List of Issues on Specific Concerns Relating to the Effect of Measures Taken in the Fight Against Terrorism by the US Government (August 2005)</p>
	<p>"UN Human Rights Body to Scrutinise US Abuses" by Thalif Deen, <i>InterPress Service</i>, September 20, 2005. http://www.independent-media.tv/item.cfm?fmedia_id=12015&fcategory_desc=Under%20Reported</p>
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	<p>International Convention on the Elimination of All Forms of Racial Discrimination http://www.unhchr.ch/html/menu3/b/d_icerd.htm</p>
	<p>ICERD Quick Reference Sheet</p>
	<p>Members of CERD http://www.ohchr.org/english/bodies/cerd/members.htm</p>
	<p>Draft Copy of "NGO Shadow Reports Under the UN Convention on the Elimination of All Forms of Racial Discrimination", Global Rights, Partners for Justice, September 2005</p>
	<p>Letter to US Permanent Representative to the UN from CERD Chairman, (August 19, 2005)</p>
	<p>General Recommendation 31 on the Prevention of Racial Discrimination in the Administration and Functioning of the Criminal Justice System (adopted August 17, 2005)</p>

Workshop Summary

A coalition of human rights groups were pleased to present a workshop for social justice organizations interested in documenting human rights violations in the United States.

The workshop:

- Provided an overview of international human rights treaties that prohibit racial discrimination, prohibit torture and inhuman treatment, and protect civil and political rights;

- Explained the United Nations treaty system and UN mechanisms for ensuring compliance with human rights treaties;
- Taught participants how to draft or provide information for “shadow reports” that document U.S. failure to comply with human rights treaties;
- Trained participants in how to lobby relevant UN Committees to hold the U.S. accountable for human rights violations;
- Suggested concrete strategies for using shadow reports as part of a broader advocacy campaign to advance specific social justice goals.

The shadow reporting process is an effective tool for raising public awareness about particular human rights abuses and demanding accountability. The timing of the workshop was particularly crucial because United Nations human rights treaty bodies are expected to consider the United States’ compliance with key human rights treaties within the next year, and will rely on shadow reports submitted by U.S.-based organizations. Involving more organizations in the shadow reporting process will increase the pressure on the United States government to comply with its treaty obligations both at home and abroad and to stop violating human rights. The workshop was an opportunity to join part of the growing movement to increase U.S. accountability for human rights abuses.