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A GLASS HALF FULL: CAN LOCAL HUMAN RIGHTS COMMISSIONS SAVE INTERNATIONAL LAW IN THE UNITED STATES?

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Unlike most nations around the world, the United States has no national human rights institution (NHRI) charged with overseeing and coordinating the domestic implementation of the United States' human rights obligations.[1] Effective NHRIs are independent agencies that comport with the Paris Principles, a set of global standards endorsed by the United Nations General Assembly that are designed to guide the creation and operation of NHRIs.[2] For the more than one hundred countries that have them, NHRIs play a critical role in human rights implementation, coordination, realization, and evaluation.[3] In fact, when UN member nations undergo review for their compliance with human rights obligations, NHRIs are provided special opportunities to share their independent assessments with the human rights experts or peer nations conducting the reviews.[4]

In the absence of an NHRI, the U.S. government has relied on the U.S. State Department and the White House Domestic Policy Council (DPC) to oversee and coordinate human rights treaty implementation.[5] The challenges

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1. *Our Members*, GLOBAL ALLIANCE OF NAT'L HUM. RTS. INSTS., https://ganhri.org/membership/ (last visited Sept. 6, 2024) (as of June 2024, 118 countries have NHRIs); *How many Countries are there in the World?*, WORLDOMETER, https://www.worldometers.info/geography/how-many-countries-are-there-in-the-world/#:~:text=There%20are%20195%20countries%20in,and%20the%20State%20of%20Palestine (last visited Sept. 6, 2024) (There are 195 countries in the world as of 2024).

2. G.A. Res. 48/134, (Dec. 20, 1993).

3. David Langtry & Kirsten Roberts Lyer, *The Emergence of National Human Rights Institutions and their Global and Regional Networks*, *in* NAT'L HUM. RTS.. INSTS.: RULES, REQUIREMENTS, AND PRAC.. (2021); Morten Kjaerum, *Nat'l Hum. Rts. Insts. Implementing Hum. Rts.*, in HUM. RTS. AND CRIM. JUST. FOR THE DOWNTRODDEN: ESSAYS IN HONOUR OF ASBJØRN EIDE (2003).

4. *See*, *e.g.*, Luka Glušac, *Universal Periodic Review and Policy Change: The Case of National Human Rights Institutions*, 14 J. HUM. RTS. PRAC. 285, 288 (2022); *Info. for Civ. Soc'y, NGOs and NHRIs: Comm. against Torture, OFF. OF THE U.N. HIGH COMM'R FOR HUM. RTS., https://www.ohchr.org/en/treaty-bodies/cat/information-civil-society-ngos-and-nhris* (last visited Sept. 8, 2024) (treaty body reviewing compliance with the Convention Against Torture meets with NHRI before meeting with State Party).

5. *See*, *e.g.*, *U.S. Treaty Reports*, U.S. DEP'T OF STATE, https://www.state.gov/reports-bureau-of-demoracy-human-rights-and-labor/u-s-treaty-reports/ (last visited Sept. 6, 2024) (noting the need for "substantial coordination with relevant U.S. Government agencies"). *See also* U.S. DEP'T OF STATE, BUREAU OF DEMOCRACY, H.R. AND LAB., FIFTH PERIODIC R. BY THE U.S. UNDER THE INT'L COVENANT ON CIV.

posed by this arrangement are readily apparent. Neither the State Department nor the DPC is insulated from politics, and their institutional priorities may shift dramatically from one presidential administration to the next.[6] The coordination between the agencies adds a layer of bureaucratic complication and, with a few notable exceptions, has proven to be ineffective.[7] On the international stage, when NHRIs worldwide gather to share information and good practices or are called on to report to human rights bodies, the U.S. is represented by an empty chair.[8] Because of this, domestic human rights advocates, professional associations, elected officials, UN human rights bodies, and peer nations have repeatedly called for progress toward the establishment of a U.S. NHRI.[9]

At the same time that the U.S. federal human rights infrastructure falls short in meeting the nation's obligations, many local governments in the U.S. operate agencies—often called "human rights commissions" or "human relations commissions" (collectively, HRCs)—that focus on local rights implementation.[10] A 2021 survey identified approximately 190 city HRCs across the country; notably, that number is just a starting place since the survey did not include the

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AND POL. RIGHTS (2023) (submission "prepared by U.S. Department of State and other U.S. Government Agencies").

6. Robbie Graemer, Dan De Luce & Colum Lynch, *How the Trump Administration Broke the State Department*, FOREIGN POL'Y, https://foreignpolicy.com/2017/07/31/how-the-trump-administration-broke-the-state-department/ (last visited May 15, 2025) (the Domestic Policy Council Director and senior staff are also named by each successive Presidential Administration); *see*, *e.g.*, Joey Garrison, *Biden Names White House Team to Work on Racial Equity, Immigration, and Other Domestic Policy Priorities*, USA TODAY (Jan. 14, 2021), https://www.usatoday.com/story/news/politics/2021/01/14/biden-names-white-house-domestic-policy-team-work-under-susan-rice/4156865001/.

7. *See*, *e.g.*, *CCPR/C/USA/CO/5: Concluding Observations on the Fifth Periodic Report of the United States of America*, OFF. OF THE U.N. HIGH COMM'R FOR HUM. RTS., https://www.ohchr.org/en/documents/concluding-observations/ccprcusaco5-concluding-observations-fifth-periodic-report-united (last visited Sept. 8, 2024) (expressing disappointment in progress made by the U.S. while noting individual agencies sometimes engage with human rights outside of treaty reviews. *See, e.g., Readout of Just. Dept. Officials Participation in UN High Level Pol. Forum to Highlight UN Sustainable Development Goal 16*, U.S. DEP'T OF JUSTICE, OFF. OF PUB. AFFS. (July 18, 2024), https://www.justice.gov/opa/pr/readout-justice-department-officials-participation-un-high-level-political-forum-highlight; Camille Squires, *The U.S.'s Top Housing Authority Just Declared Housing a Hum. Right*, QUARTZ (Mar. 23, 2022), https://qz.com/2145610/us-hud-secretary-marcia-fudge-just-declared-housing-a-human-right.

8. Martha F. Davis, *Institutionalizing Human Rights in the United States: Advocacy for a National Human Rights Institution*, 23 J. HUM. RTS. 134, 137 (2024).

9. *Human Rights Advocates Urge Congress to Support Establishment of a National Human Rights Institution*, AM. C.L. UNION (Mar. 6, 2024), https://www.aclu.org/press-releases/human-rights-advocates-urge-congress-to-support-establishment-of-a-national-human-rights-institution; *Members of Congress Join Rights Groups in Urging White House to Study Creating National Human Rights Institution*, AM. C.L. UNION (Mar. 28, 2023), https://www.aclu.org/press-releases/members-of-congress-join-rights-groups-in-urging-white-house-to-study-creating-national-human-rights-institution; AM. BAR ASS'N. RES. NO. 512, (2024); Davis, *supra* note 8, at 138–139 (2024) (describing comments from peer nations during UN reviews).

10. *See generally* Kenneth L. Saunders & Hyo Eun (April) Bang, *A Historical Perspective on U.S. Human Rights Commissions*, EXEC. SESSION ON HUM. RTS. COMM'NS AND CRIM. JUST., KENNEDY SCH. OF GOV'T, HARV. U. (Marea L. Beeman ed., 2007).

many village-, town-, and county-level HRCs or HRCs created in the years after 2021.[11]

HRCs vary from place to place, with some composed entirely of volunteers and others employing sizeable staffs.[12] *Many HRCs investigate and resolve civil rights complaints, while some emphasize an educational mission or focus on promoting cross-cultural understanding within diverse communities.*[13] *In general, HRCs' mandates concentrate on four areas: "(1) enforcing civil rights laws; (2) providing policy advice; (3) promoting intergroup relations; and (4) providing human rights education."*[14] *As reflected in their mission statements, HRCs typically take on several of these activities.*[15]

Unlike international human rights bodies and NHRIs, local HRCs did not emerge from the post-World War II international human rights movement. The Paris Principles, initially drafted during a 1991 NHRI workshop in Paris, did not figure in the creation of local HRCs; in fact, local U.S. HRCs typically fall short of the standards for independence and adequate funding that those principles demand of NHRIs.[16] *Instead of emerging from the UN, most of these local commissions originated in response to several distinct periods in U.S. urban history: the rising racial unrest and riots following World War I; racial violence in the 1940s and 1950s; the civil rights movement of the 1960s; and most recently, George Floyd's murder in the summer of 2020.*[17]

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11. Prisca Tarimo, *Achievements and Challenges of Human Rights Commissions in U.S. Cities*, CITY OF BOSTON HUM. RTS. COMM'N (2021), https://www.boston.gov/sites/default/files/file/2022/03/Achievements-Challenges-Human-Rights-Commissioners-US-cities.pdf.

12. *See*, *e.g.*, *Volunteer Needed for Brookings Human Rights Commission,* CITY OF BROOKINGS, S.D. (2024), https://cityofbrookings-sd.gov/CivicAlerts.aspx?AID=4784&ARC=6139 (all volunteer HRC); Annabel Palma, N.Y. CITY COMM'N ON HUM. RTS., https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/cchr.pdf (over 100 personnel in FY22 and 23).

13. Tarimo, *supra* note 11, at 2.

14. *Id*. *See also* BRIAN ROBERT CALFANO & VALERIA MARTINEZ-EBERS, HUMAN RELATIONS COMMISSIONS: RELIEVING RACIAL TENSIONS IN THE AMERICAN CITY 20 (2020).

15. Tarimo, *supra* note 11, at 2–3.

16. *Paris Principles*, GLOBAL ALLIANCE OF NAT'L HUM. RTS. INSTS., https://ganhri.org/paris-principles/; Corina Lacatus & Valentina Carraro, *National Human Rights Institutions: Independent Actors in Global Human Rights Governance?*, 99 INT'L AFFS. 1167, 1188 (2023). *See also* Tarimo, *supra* note 11, at 1 (noting that "lack of funding and lack of staff are the major challenges facing HRCs across the US").

17. CALFANO & MARTINEZ-EBERS, *supra* note 14, at 10; Shubhankar Dam, *Lessons from National Human Rights Institutions Around the World for State and Local Human Rights Commissions in the United States* 1-2 (HARV. U. JOHN F. KENNEDY SCH. OF GOV'T, 2007), http://www.protectcivilrights.org/pdf/docs/Dam,%20Lessons%20from%20National%20Human%20Rights%20Commissions%20Around%20the%20World.pdf; JoAnn Kamuf Ward, *Challenging a Climate of Hate and Fostering Inclusion: The Role of U.S. State and Local Human Rights Commissions*, 49 COLUM. HUM. RTS. L. REV. 129, 153-154 (2017). Ward notes that not all HRCs follow this timeline, offering the example of Portland, Oregon's HRC founded in 2008. *Id*.at 155. For examples of commissions established after 2020, *see*, *e.g.*, *Revere Human Rights Commission*, CITY OF REVERE (2024), https://www.revere.org/boards-and-commissions/human-rights-commission; *Human Rights Commission*, ROYAL OAK, MI | OFFICIAL WEBSITE, https://www.romi.gov/1697/Human-Rights-Commission (last visited Sept. 13, 2024).

Whatever their particular origins, local human rights agencies serve on the front lines of ensuring that international human rights norms are incorporated into U.S. domestic policy and practice.[18] A surprising number of local HRCs explicitly cite these norms in their missions and operations, with references ranging from specific standard-setting to more general citations or links to UN human rights documents.[19] Some local HRCs directly engage with international human rights bodies.[20] Almost all of these agencies honor human rights norms through practices that, whether explicitly or implicitly, reflect a human rights orientation.[21]

Scholars have repeatedly recognized the potential for HRCs to give on-the-ground, domestic meaning to human rights norms, and they have noted the incremental progress being made toward that goal.[22] Rather than offer prescriptions for further expanding this effort, this article embraces a "glass half full" approach, celebrating the ways that three fundamental international human rights norms are already deeply embedded in the work of subnational human rights commissions in the U.S. The three human rights norms explored here are (1) positive government obligations, (2) participation of those most affected, and (3) the indivisibility and interdependence of rights.

Following the Introduction, the article proceeds by examining each of these norms in Parts I, II, and III, respectively, situating them within the international human rights canon, then providing examples of how local human

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18. *See generally* Tamar Ezer, *Localizing Human Rights in Cities*, 31 S. CAL. REV. L. & SOC. JUST. 67 (2022); Ward, *Challenging a Climate*, *supra* note 17, at 155; Risa E. Kaufman, *State and Local Commissions as Sites for Domestic Human Rights Implementation,* in HUM. RTS. IN THE U.S.: BEYOND EXCEPTIONALISM 89, 91 (Shareen Hertel & Kathryn Libal eds., 2011).

19. An example of a specific reference to human rights appears in Pittsfield, Massachusetts, where the HRC states that "it will use the Universal Declaration of Human Rights as a guiding principle when deliberating issues before the commission." PITTSFIELD HUM. RTS. COMM'N, *City of Pittsfield* (2024), https://www.cityofpittsfield.org/government/human_rights_commission/index.php. *See also* HUMAN RTS. COMM'N, *City of Eugene* (2024), https://www.eugene-or.gov/526/Human-Rights-Commission; SANTA CLARA CTY. HUM. RTS. COMM'N, *County of Santa Clara | Office of the Cty. Exec.* (2024), https://countyexec.sccgov.org/human-rights-commission (HRC will try to follow the "spirit" of the Universal Declaration of Human Rights (UDHR)). Also typical is the HRC of Frankfort, Kentucky, which provides a link to the UDHR on its webpage, FRANKFORT, KY., HUM. RTS. COMM'N, *City of Frankfort* (2024), https://www.frankfort.ky.gov/550/Human-Rights-Commission, or the Nashville Metro HRC which produced a brochure explaining the UDHR: *About the Metro Human Relations Committee*, NASHVILLE.GOV. (2024), https://filetransfer.nashville.gov/portals/0/sitecontent/Human%20Realations%20Commission/docs/UniversalDeclarationOfHumanRights.pdf. For further examples, *see* JoAnn Kamuf Ward, *Human Rights as a Means to Advance Equity and Embrace Difference: Lessons from US Cities*, in ADVANCING URBAN RIGHTS: EQUALITY AND DIVERSITY IN THE CITY 47–48 (2019) (discussing Eugene, Oregon's adoption of human rights norms); *Bringing Human Rights Home: How State and Local Governments Can Use Human Rights to Advance Local Policy*, 12 COLUM. L. SCH., HUM. RTS. INST. 7 (2012).

20. Ward, *Challenging a Climate*, *supra* note 17, at 158.

21. *See discussion infra* notes 23-93 and accompanying text.

22. Ward, *Challenging a Climate, supra* note 17, at 173; Ezer, *supra* note 18, at 67, 68-70; Risa E. Kaufman, *State and Local Commissions as Sites for Domestic Human Rights Implementation*, in HUM. RTS. IN THE U.S.: BEYOND EXCEPTIONALISM 89 (Shareen Hertel & Kathryn Libal eds., 2011).

rights commissions in the U.S. implement each of these approaches within the scope of their existing mandates. This survey demonstrates that human rights norms are clearly surviving in the U.S., as they are regularly invoked and applied by these local agencies.

But, as set out in Part IV, there is a catch. Absent more federal engagement or coordination on the national level, it is difficult to characterize the work of these local agencies as "international" in the usual sense of the word. Even when acting collectively or appearing on the international stage, these agencies do not represent national U.S. policy and are not peers of other national governments or other nations' NHRIs; the "nation-to-nation" aspect of international law is simply missing, despite the good work of local HRCs. Further, as hundreds of local HRCs work independently to address human rights in their communities, the core meanings of human rights may be diluted to a point that undermines the principle of universality. This article concludes that, to ensure that international law (in addition to human rights norms) survives (and even thrives) in the U.S., a necessary next step is federal leadership and coordination, including the establishment of an NHRI.

I. Local Human Rights Commissions Regularly Recognize Positive Government Obligations

An important way in which local HRCs reinforce human rights norms is by recognizing and enforcing positive government obligations, a hallmark of international human rights law. Human rights treaties often impose positive obligations on governments, or "rights bearers," to act affirmatively to prevent human rights violations.[23] For example, Article 3 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the U.S., provides that "[t]he States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant."[24] This positive undertaking, binding on the U.S., is not satisfied by government neutrality or after-the-fact remedies, but requires that the government take proactive measures to ensure equal rights.

International human rights formulations imposing positive obligations stand in significant contrast to their domestic counterparts in U.S. constitutional law, which are framed around negative obligations on the government to refrain from violating rights. For example, the U.S. Constitution's Second Amendment provides that "the right of the people to

23. *International Human Rights Law*, OFF. OF THE U.N. HIGH COMM'R FOR HUM. RTS., https://www.ohchr.org/en/instruments-and-mechanisms/international-human-rights-law (last visited Sept. 8, 2024) ("The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights").

24. *International Covenant on Civil and Political Rights*, 19 Dec. 1966, 999 UNTS 171, Art. III (entered into force Mar. 23, 1976).

keep and bear arms shall not be infringed" by the government.[25] It does not impose an affirmative obligation on the government to provide guns to "the people," but rather limits the ability of governmental bodies to impede gun ownership.[26] Similarly, the Fourteenth Amendment's Equal Protection Clause prohibits the federal government from denying equal rights, but does not impose any affirmative obligation to ensure that equal rights can be realized and enjoyed as a practical matter.[27] Indeed, in recent years, courts have struck down affirmative efforts to ensure equal opportunity on the basis of race—such as affirmative action policies in university admissions—on the ground that they are themselves discriminatory.[28]

Many state and local human rights commissions directly engage in enforcing domestic civil rights laws that are shaped around U.S. constitutional baselines.[29] The commissions serve a quasi-judicial function defined by their specific mandates, including investigating and resolving individual complaints that arise under local, state, and even federal laws.[30] The tools available to each HRC may differ. For example, some HRCs can seek both injunctive relief and punitive damages, while others are unable to seek damages.[31]

All commissions engaged in enforcement have opportunities to approach their adjudicatory functions and civil rights missions in ways that promote affirmative government action consistent with a human rights frame. Proactive interventions may appear at several points in the quasi-adjudication process. In fact, a message about the role of human rights may be conveyed as early as the complaint stage; for example, the complaint form provided by the Ferguson, Missouri, Human Rights Commission explicitly incorporates human rights principles, including the Universal Declaration of Human Rights (UDHR).[32]

HRCs that are empowered to provide injunctive relief can resolve complaints by mandating broad remedial programs designed to ward off future illegal discrimination.[33] For example, in resolving a complaint of sexual orientation discrimination filed against the Chicago Transit Authority (CTA), the Chicago HRC mandated a comprehensive training program for employees

25. U.S. CONST. amend. II.
26. *See*, *e.g.*, *District of Columbia v. Heller*, 554 U.S. 570 (2008).
27. U.S. CONST. amend. XIV.
28. *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023).
29. Tarimo, *supra* note 11, at 2.
30. *Id*.
31. *Id*. at 2-3.
32. *Ferguson Human Rights Commission Complaint Form Explanation and Process*, CITY OF FERGUSON (2024), https://www.fergusoncity.com/DocumentCenter/View/1934/Ferguson-Human-Rights-Commission-Complaint-Form-Explanation-and-Process?bidId=.
33. Tarimo, *supra* note 11, at 2 & app. A.

in addition to awarding individual relief.[34] Further, the HRC also looked more broadly, and "urged the CTA to re-assess its policies, structures, and practices, and make adjustments as needed to prevent such discrimination going forward."[35]

In appropriate cases, whether or not they have injunctive powers, HRCs may also resolve complaints through settlement agreements that include proactive components, perhaps mandating that a government agency conduct human rights trainings or implement new human rights-informed standards.[36] A typical example is the 2023 settlement in an individual sexual harassment complaint against the New York City Parks Department filed with the New York City Human Rights Commission; the settlement provided individual relief while also requiring that the Parks Department conduct trainings on sexual harassment, hostile work environment, and manager expectations.[37] In some instances, HRCs have also included ongoing monitoring of government compliance as part of resolving a complaint.[38]

Not all HRCs have the authority to handle individual complaints. Yet HRCs that focus on public education, act in advisory roles, or promote more positive human relations also have opportunities to champion affirmative, prophylactic measures consistent with a proactive human rights approach. For example, many subnational commissions include public education as part of their missions.[39] Such educational programming frequently goes beyond sharing the nuts and bolts of current U.S. law to address affirmative measures to prevent violations in the first place. HRCs' mission statements often incorporate this affirmative idea of prevention. For example, the Iowa City HRC framed its public education duties in proactive terms to include "[p]lanning programs and activities *designed to eliminate* racial, religious, cultural and other intergroup tensions including but not limited to sex, color, creed, disability, gender identity, sexual orientation, marital status, age and

34. *Richard Roe v. Chi. Transit Auth. & Angela Crumpton*, Case No. 0-E-115 (Chi. Comm'n on Hum. Rel. Oct. 20, 2020).

35. *Id*. Along similar lines, the New York City Commission on Human Rights' "restorative justice" approach to resolving complaints is described in Gurjot Kaur & Dana Sussman, *Unlocking the Power and Possibility of Local Enforcement of Human and Civil Rights: Lessons Learned from the NYC Commission on Human Rights*, 51 COLUM. HUM. RTS. L. REV. 582, 613-15 (2020).

36. *See*, *e.g.*, Lynn, Mass., *Human Rights Commission*, CITY OF LYNN (2024), https://www.lynnma.gov/city_government/boards_and_commissions/human_rights_commission.

37. *2023 Settlement Highlights,* HUMAN RIGHTS, NYC COMM'N HUM. RTS., https://www.nyc.gov/site/cchr/enforcement/2023-settlements.page (last visited Sept. 13, 2024).

38. *Richard Roe v. Chi. Transit Auth.* & *Angela Crumpton*, *supra* note 34.

39. *See*, *e.g.*, *Programs*, CITY OF NEWTON, MASS., https://www.newtonma.gov/government/health-human-services/commissions/human-rights-commission/programs (last visited Sept. 13, 2024) ("The Human Rights Commission educates the public through challenging and informative programs and discussions on human rights issues").

national origin."[40] Putting an affirmative orientation into practice, the Greensboro, North Carolina, Human Rights Commission has hosted a "Let's Talk" series of virtual programs addressing discrimination issues beyond the scope of current local civil rights protections, including transgender rights.[41]

Many HRCs provide advice to municipal councils and mayors on issues involving human rights, equity, and diversity. The Royal Oak, Michigan, HRC was founded in 2022 specifically for that purpose, and the missions of many HRCs include similar charges.[42] The Lynn, Massachusetts, Human Rights Commission, for instance, indicates that its mandate is to "[d]iscuss human rights problems with the Mayor and Lynn City Council in writing and make recommendations necessary to protect the human rights of Lynn residents," and to "[w]ork with municipal departments and boards to raise the levels of awareness and sensitivity to human rights issues in municipal business with the public."[43] One example of such advice-giving is the Long Beach, California, HRC's recommendation to the city council that it "denounce" the U.S. Supreme Court's decision in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard Coll.* and *303 Creative LLC v. Elenis*.[44] Likewise, acting in its advisory capacity, in 2021, the Boston HRC issued a statement citing the UDHR's prohibition on torture, lauding the criminal convictions related to George Floyd's murder, and urging Boston city officials "to reform the structural racism in our systems and ensure that justice, transparency and accountability prevail."[45]

Human rights commissions that have a research mission may likewise adopt a proactive stance. For example, a published analysis of the data routinely collected by local government agencies might suggest affirmative steps to promote greater realization of rights. In 2024, the Los Angeles County Human Relations Commission produced such a report using data obtained

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40. *Human Rights Commission*, IOWA CITY, IOWA, https://www.icgov.org/government/boards-commissions-and-committees/human-rights-commission (last visited Sept. 13, 2024) (emphasis added). *See also* Isabelle Foland, *Iowa City's Human Rights Commission Reaches 60th Year, Continues Efforts*, THE DAILY IOWAN (Sept. 25, 2023), https://dailyiowan.com/2023/09/25/owa-citys-human-rights-commission-reaches-60th-year-continues-efforts/.

41. *Let's Talk Series Archive*, CITY OF GREENSBORO, N.C., https://www.greensboro-nc.gov/departments/human-rights/commissions-committees-and-taskforces/human-rights-commission (last visited Sept. 13, 2024).

42. *Human Rights Commission*, CITY OF ROYAL OAK, MICH., https://www.romi.gov/1697/Human-Rights-Commission (last visited Sept. 13, 2024).

43. *Human Rights Commission*, CITY OF LYNN, MASS., https://www.lynnma.gov/city_government/boards_and_commissions/human_rights_commission (last visited 2024).

44. *Equity and Human Relations Committee Minutes*, CITY OF LONG BEACH, CAL. (July 26, 2023), https://longbeach.granicus.com/player/clip/13757?view_id=12&redirect=true.

45. Evandro C. Carvalho *et al*., *Boston Human Rights Commission Statement on George Floyd*, CITY OF BOSTON, MASS. (2021), https://www.boston.gov/news/boston-human-rights-commission-statement-george-floyd.

through records requests to suburban police departments in the county.[46] The research demonstrated disparities in arrests based on race, and disparate impacts of cash bail policies on brown and Black communities, and it generated evidence-based recommendations concerning reforms.[47] HRCs may also partner with outside experts to engage in original research in an area of local concern, developing information and formulating recommendations for proactive government actions. The New York City Human Rights Commission's report titled "Black New Yorkers on their Experiences with Anti-Black Racism," is an example of such an original—and in that instance, participatory—research project.[48] The HRC partnered with the Strength in Numbers consulting group to design the research, which yielded new, community-generated recommendations for addressing racial justice issues in the city.[49]

The human rights framing provides a platform for more expansive, more affirmative work that might be missing if subnational HRCs viewed their missions solely through the more limited, reactive frame of negative rights. Importantly, as set out above, the more proactive framework is well within the missions of most domestic human rights commissions, and such an approach is already visible in many commissions' activities. Embracing this more positive and human rights-informed approach serves to enhance the full range of typical subnational HRC activities (i.e., adjudicatory, advisory, educational, and relational).

II. Local HRCs Prioritize the Participation of Those Most Affected

Participation of those most affected by government decisionmaking is a key component of implementing human rights obligations. Article 21 of the Universal Declaration of Human Rights sets a baseline for participation in government and public service.[50] Article 25 of the ICCPR refines this right, setting out the right to participate in public affairs.[51] At the policy implementation stage, the human rights-based approach focuses on a person's right to participate in decisions that affect their human rights.[52]

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46. Seva Rodnyansky & Jorgan Harris, *Data Analysis of Policing and Human Relations in Los Angeles County Suburban Police Departments: An Analysis of Suburban Policing Activity in Glendale, Pasadena and South Pasadena,* HUM. RELS.. COMM'N, CTY. OF L.A., CAL. (2024).

47. *Id*. at 3-12, 35-45.

48. Tracy Pugh, *Black New Yorkers on their Experiences with Anti-Black Racism,* HUM. RTS. COMM'N, CITY OF N.Y. (2020).

49. *Id*. at 60-61.

50. G.A. Res. 217 (III), U.N. Doc. A/810 at 71 (Dec. 10, 1948).

51. International Covenant on Civil and Political Rights, art. XXV, 19 Dec. 1966, 999 U.N.T.S. 171.

52. *Human Rights-Based Approach*, UNITED NATIONS SUSTAINABLE DEVELOPMENT GROUP, https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach (last visited Sept. 16, 2024).

Subnational human rights commissions are well placed to put this value into practice. They have regular opportunities to establish close working relationships with community members, particularly in the service of local commissions' advisory and human relations functions. A scan of U.S. HRCs demonstrates that many have strong records of community participation, with well-established community partnerships and collaborations.[53] Whether or not they explicitly identify participation as a human rights norm, it is a central tenet of their work, adding to its effectiveness. As a member of the Eugene, Oregon, HRC explained, "[t]he assumption . . . that those closest to a given human rights problem know it best and that their participation is helping to address the human rights violations to which they have been subject is highly empowering for people."[54]

In some circumstances, public participation is formally required. As government entities, subnational HRCs are generally required by law to hold open meetings.[55] Further, many HRCs have adopted a consistent practice of permitting public comment as a matter of good governance and community relations; in some instances, state laws may mandate opportunities for public comment.[56] HRCs fulfill these obligations in a variety of ways. For example, the Charlottesville, North Carolina, HRC offers two opportunities for public comment at each of its regular monthly meetings.[57] The HRC of Needham, Massachusetts, announces on its webpage that "[a]ll members of the Needham community are welcome to participate in the committee's activities and meetings."[58] Throughout the country, HRC meetings are often accessible for video participation, and are archived online for future viewing.[59]

Some subnational HRCs venture into community spaces to hear from residents' concerns and to solicit suggestions and solutions. For example, the East Lansing Human Rights Commission in Michigan has hosted a regular

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53. Tarimo, *supra* note 11, at Appendix A.

54. Ward, *supra* note 17, at 157.

55. *State Open Meetings Laws*, BALLOTPEDIA, https://ballotpedia.org/State_open_meetings_laws (last visited Sept. 18, 2024).

56. *A. Is There a Right to Participate in Public Meetings?*, THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS, https://www.rcfp.org/open-government-sections/a-is-there-a-right-to-participate-in-public-meetings/ (last visited Sept. 18, 2024).

57. *Human Rights Commission*, CHARLOTTESVILLE, VA, https://www.charlottesville.gov/1736/Human-Rights-Commission (last visited Sept. 18, 2024).

58. *Human Rights Committee*, TOWN OF NEEDHAM, MA, https://www.needhamma.gov/1110/Human-Rights-Committee (last visited Sept. 18, 2024).

59. City Channel 4 – Iowa City, *Human Rights Commission Meeting of July 23, 2024*, YOUTUBE (July 24, 2024), https://www.youtube.com/watch?v=9zjrzQdOmkw; *Monthly Commission Meetings*, HUMAN RIGHTS | CITY OF COLUMBUS, INDIANA | IN.GOV, https://www.columbus.in.gov/human-rights/programs-events/monthly-commission-meetings/ (last visited Sept. 18, 2024); City of Palo Alto, *Human Relations Commission Meeting – June 20, 2024*, YOUTUBE (June 20, 2024), https://www.youtube.com/watch?v=Xr4P2_py4uI.

Coffee & Conversation series.[60] One session in the series focused on ways to better support the unhoused population; other sessions addressed neurodivergence, reproductive justice, and racism.[61] A discussion forum on food insecurity was held at a local farmers' market.[62] The Needham, Massachusetts, HRC held a three-part public discussion series titled "Connections: Cops & Community," which included one session reserved for community comment and feedback.[63] The Grinnell, Iowa, HRC is among many that hold its meetings in the public library rather than the more intimidating setting of a city hall.[64]

HRCs may also engage with their communities through surveys or other outreach mechanisms for soliciting community priorities and feedback. For example, in 2023, the Human Rights and Diversity Committee of Dobbs Ferry, New York, conducted a survey "to understand how community members who live, work, study, worship, or visit Dobbs Ferry think and feel about diversity, equity, and inclusion" in the village and to "invite community members' ideas and suggestions about how [Dobbs Ferry] can become even more welcoming and affirming."[65] The committee shared the survey results with the community.[66] The Charlottesville, North Carolina, HRC conducted a community survey in order to identify legislative priorities for the commission in the coming year.[67]

Some HRCs promote participation in novel ways. A number of HRCs reserve seats for representatives of specific constituencies.[68] One such

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60. Vivian Barrett, *East Lansing Human Rights Commission Holds Forum to Discuss Homelessness in East Lansing*, THE STATE NEWS (Jan. 21, 2024), https://statenews.com/article/2024/01/east-lansing-human-rights-commission-holds-forum-to-discuss-homelessness-in-east-lansing?ct=content_open&cv=cbox_latest.

61. *Id*.

62. *Human Rights Commission to Discuss Food Insecurity at Coffee & Conversation*, CITY OF EAST LANSING, MI (July 16, 2024), https://www.cityofeastlansing.com/CivicAlerts.aspx?aid=2141.

63. *Upcoming Events*, TOWN OF NEEDHAM, MA, https://www.needhamma.gov/5073/Upcoming-Events (last visited Sept. 18, 2024).

64. *Human Rights Commission*, GRINNELL, IA, https://www.grinnelliowa.gov/116/Human-Rights-Commission (last visited Sept. 22, 2024). *See also Human Rights Commission Packet*, WILLMAR HUMAN RIGHTS COMMISSION, MN (Mar. 26, 2024), https://www.willmarmn.gov/2024_03_26%20Human%20Rights%20Commission%20Packet.pdf. Senior Centers also serve as meeting places. *See*, *e.g.*, *Minutes and Agendas: Human Relations Commission Meeting*, FARMINGTON, CT , https://www.farmington-ct.org/Home/Components/Calendar/Event/8203/1511?npage=2 (last visited Sept. 22, 2024).

65. *Human Rights and Diversity Committee Survey Results*, DOBBS FERRY, NY (Jan. 26, 2024), https://www.dobbsferry.com/home/news/human-rights-and-diversity-committee-survey-results.

66. *Id.*

67. *Human Rights Commission Seeking Public Input*, CHARLOTTESVILLE, VA (July 23, 2024), https://charlottesville.org/CivicAlerts.aspx?AID=1875.

68. *See*, *e.g.*, *Human Relations Commission*, CITY OF DAVIS, CAL., https://www.cityofdavis.org/city-hall/commissions-and-committees/human-relations-commission (last visited Sept. 22, 2024) (specifying 2 regular ex-officios: 1 Davis Joint Unified School District (DJUSD) administration member and 1 UC Davis administration member; 2 optional student representatives: 1 DJUSD student and 1 UC Davis student).

constituency is local students.[69] York, Pennsylvania, expanded on that idea to create a Junior Human Relations Commission to engage directly with younger York residents and provide youth in the community with "a visible platform" to share their social justice concerns.[70] In a similar vein, the Barnstable County, Massachusetts, Human Rights Advisory Commission hosts a biennial Human Rights Academy for students in the county.[71] In 2024, the Willmar Human Rights Commission in Minnesota piloted a "World Café" event, a structured community dialogue held at the local community center.[72] The HRC in Moscow, Idaho, hosted Human Rights 101, a virtual community training on international human rights.[73]

Collaboration and partnerships are key to many commissions' initiatives and contribute to their overall mission. In 2021, the Long Beach, California, HRC was "updated" through an intensive community-based consultation that directly engaged dozens of local stakeholders in revising the HRC's governing ordinance to better reflect community priorities.[74] The Barnstable County HRC includes in its strategic plan the objective that "[i]ndividuals and groups are engaged through collaboration to achieve common human rights goals."[75] The Human Relations Commission of Riverside, California, initiated a program of small grants to community groups to support initiatives that align with the commission's goals; the grant program was an outgrowth of the city's participatory budgeting process.[76] Since 1984, the Los Angeles County Human Relations Commission has coordinated a

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69. *See*, *e.g.*, *Human Rights Commission,* HUM. RTS. COMM'N, HINGHAM, MASS., https://www.hingham-ma.gov/933/Human-Rights-Commission (last visited Sept. 22, 2024).

70. *Junior Human Relations Commission*, CITY OF YORK, PA., https://www.yorkcity.org/city-services/human-relations-commission/junior-human-relations-commission/ (last visited Sept. 22, 2024).

71. *Human Rights Academy: Human Rights Advisory Commission*, BARNSTABLE CTY, https://www.capecod.gov/departments/human-rights-advisory-commission/events/human-rights-academy/ (last visited Sept. 22, 2024).

72. *Willmar Human Rights Commission Meeting*, HUM. RTS. COMM'N, CITY OF WILLMAR, MINN. (Aug. 23, 2024), https://cms5.revize.com/revize/cityofwillmar/2024_07_23%20Human%20Rights%20Commission%20Packet.pdf. For more information on the World Café model, *see World Cafe Method*, THE WORLD CAFE, https://theworldcafe.com/key-concepts-resources/world-cafe-method/ (last visited Sept. 22, 2024).

73. *See* CITY OF MOSCOW, IDAHO*, City of Moscow Human Rights Commission Presents: "Human Rights 101: A Panel Discussion,"* YOUTUBE (Apr. 3, 2024), https://www.youtube.com/watch?v=hrbePhHtLe0.

74. Thomas B. Modica, *Update on the Human Relations Commission*, CITY OF LONG BEACH, CAL. (June 22, 2021), https://www.longbeach.gov/globalassets/city-manager/media-library/documents/memos-to-the-mayor-tabbed-file-list-folders/2021/update-on-the-human-relations-commission.

75. *Who We Are: Human Rights Advisory Commission*, BARNSTABLE CTY., https://www.capecod.gov/departments/human-rights-advisory-commission/about-us/ (last visited Sept. 22, 2024).

76. *Human Relations Commission Launches $1000 Grant for Local Nonprofits*, THE RAINCROSS GAZETTE (Dec. 13, 2023), https://www.raincrossgazette.com/human-relations-commission-launches-1000-grant-for-local-nonprofits. Iowa City's HRC also offers small grants. *Human Rights Sponsorship Request Form*, CITY OF IOWA CITY, https://www.iowa-city.org/Forms/HumanRightsSponsorshipRequestForm (last visited Sept. 22, 2024).

Network Against Hate Crime, bringing together "law enforcement agencies, human relations organizations, educators, faith communities, social service and advocacy groups, and concerned individuals to coordinate efforts to combat hate crime."[77]

More explicit recognition of participation as a core human rights value—as well as a component of good governance—might encourage subnational commissions to increase their ambitions for the participation of those most affected by government policies.[78] The Human Rights Commission of Alberta, Canada, for example, states that its goal is to engage with community partners to "co-create strategies that foster equality and reduce discrimination."[79] "Co-creation" goes beyond listening to insist on deep integration of community members into policy design processes. Naming and implementing that process in the context of U.S. human rights commissions' work could encourage even greater levels of participation of those most affected in the activities of these commissions. Still, it is evident that local HRCs already share the goal of wide community participation. In working toward that shared goal, they are centering human rights values.

III. Local HRCs Recognize the Indivisibility of Rights

Fundamental human rights instruments such as the UDHR and international human rights treaty bodies consistently emphasize that human rights are indivisible and interdependent, and that it is impossible to realize civil and political rights without addressing economic, social, and cultural (ESC) rights.[80] Without access to the right to education (an ESC right), for example, community members cannot fully exercise their civil and political rights to vote and participate in government activities. And without a right to food or water, community members cannot focus on learning and education or actively participate in civic affairs. When subnational human rights commissions address rights in a holistic way that encompasses the full range of rights, they affirm the reality that human rights are interdependent and seamless.

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77. *Network Against Hate Crime*, HUM. RELS. COMM'N, CTY. OF L.A., https://hrc.lacounty.gov/network-against-hate-crime/ (last visited Sept. 22, 2024).

78. *About Good Governance*, U.N., OFF. OF THE HIGH COMM'R FOR HUM. RTS., https://www.ohchr.org/en/good-governance/about-good-governance (last visited Sept. 22, 2024).

79. *Education and Engagement*, ALBERTA HUM. RTS. COMM'N, https://albertahumanrights.ab.ca/what-are-human-rights/education-and-engagement/ (last visited Sept. 22, 2024).

80. *What are Human Rights?*, U.N., OFF. OF THE HIGH COMM'R FOR HUM. RITS., https://www.ohchr.org/en/what-are-human-rights#:~:text=All%20human%20rights%20are%20indivisible,economic%2C%20social%20and%20cultural%20rights (last visited Sept. 22, 2024).

This holistic approach may be easier to name than to implement. Subnational human rights commissions in the U.S. do face significant constraints in addressing the full panoply of rights, given that the laws that these commissions are charged with enforcing are often limited to civil rights.[81] A commission tasked with enforcing the Fair Housing Act, for example, will necessarily focus its quasi-judicial work on resolving complaints regarding discrimination in housing rather than raising questions about whether there is an underlying fundamental right to housing. Yet, as noted above, even when acting in their quasi-judicial capacities, there may be opportunities for local human rights bodies to encourage actions beyond the scope of black letter law in the context of negotiating and approving settlements in civil rights proceedings.[82] Further, few (if any) commissions are exclusively limited to handling contentious matters. Rather, human rights bodies have regular opportunities to publish reports, sponsor events, provide policy advice, build relationships with communities, and adopt public positions that address a more complete range of rights.[83]

Some HRCs explicitly incorporate attention to the full range of rights as a core function of their agency. For example, the Pitt County Human Relations Commission in North Carolina, prominently states that among its functions is to "[i]dentify, study and document areas of human need (housing, employment, education, transportation, etc.) in the County and recommend strategies for meeting those needs."[84] The Seattle Human Rights Commission's broad mission is to "increase visibility of human rights concerns and to dismantle systems within the city to ensure Seattle delivers on its commitment to human rights."[85] Acting on that mission, the Seattle HRC has taken affirmative steps to address houselessness in its jurisdiction, calling on the city and county to adequately fund initiatives to expand access to affordable housing.[86]

While HRCs may identify broad agendas with respect to human rights, budget constraints or lack of political support may nevertheless hinder HRCs' efforts to address these issues expansively. Still, there are some examples of agencies prioritizing a holistic approach despite scarce resources. For

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81. Tarimo, *supra* note 11, at 2 & Appendix A.

82. *See* discussion *supra* notes 29-38 and accompanying text.

83. *See*, *e.g.*, *Your August 2023 Rights Stuff Newsletter is Here!*, CITY OF BLOOMINGTON CMTY. AND FAM. RES. DEP'T., https://myemail-api.constantcontact.com/Your-August-2023-Rights-Stuff-Newsletter-is-here-.html?soid=1102424209368&aid=GE0GFvbi7wA (last visited Sept. 27, 2024).

84. *Human Relations Commission*, HUM. REL. COMM'N, PITT CTY., N.C., https://www.pittcountync.gov/868/Human-Relations-Commission (last visited Sept. 27, 2024).

85. *About Us*, SEATTLE HUM. RTS. COMM'N, https://www.seattle.gov/humanrights/about (last visited Sept. 27, 2024).

86. Seattle Office for Civil Rights, *Seattle Human Rights Commission Asks for Real Budget Allocations to Begin to Address Homelessness*, CIV. RTS. NOW (Sept. 24, 2021), https://ocr.seattle.gov/seattle-human-rights-commission-asks-for-real-budget-allocations-to-begin-to-address-homelessness/.

example, the New York City Human Rights Commission's outreach to, and support of, local worker cooperatives addresses the full range of rights, looking not only at issues of discrimination but also assessing access to health care and economic instability affecting workers.[87] As mentioned above, the East Lansing, Michigan, Human Rights Commission used its series of public forums to explore the full range of human rights topics, including food and housing insecurity.[88] The San Francisco Human Rights Commission sponsored a forum to discuss universal basic income, a policy that might be beyond the strict scope of the Commission's charge, but that would move towards fulfilling the UDHR's goal of ensuring that "[e]veryone, as a member of society, has the right to social security."[89]

The HRC in Eugene, Oregon, also adopted a holistic view of its mission and took concrete steps to operationalize that vision.[90] For example, it maintains a standing working group on Homelessness and Poverty.[91] The HRC's ambitious work plan calls on this group to "[i]dentify barriers to housing affordability and develop strategies to end homelessness, reduce rent burdens, and increase homeownerships that center communities of color and reduce disparities."[92] Notably, the Commission's work plan explicitly connects this agenda to international human rights, including its specific aim to "[p]romote the use of . . . the United Nations Special Rapporteurs' guidelines for the implementation of the right to adequate housing."[93]

As these examples demonstrate, a holistic view that incorporates the full range of indivisible and interrelated human rights is a productive approach for subnational human rights commissions. It is an approach that is already being put into practice by many HRCs.

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87. *Economic Justice & Human Rights: Supporting NYC Worker Cooperatives | Project Summary*, NYC COMM'N ON HUM. RTS. (July 2023), https://www.nyc.gov/assets/cchr/downloads/pdf/publications/EconomicJusticeHumanRights_Report_English.pdf.

88. *See supra* notes 60–62 and accompanying text. *See also* Vivian Barrett, *East Lansing Human Rights Commission holds Forum to Discuss Homelessness in East Lansing*, THE STATE NEWS (Jan. 21, 2024), https://statenews.com/article/2024/01/east-lansing-human-rights-commission-holds-forum-to-discuss-homelessness-in-east-lansing?ct=content_open&cv=cbox_latest.

89. G.A. Res. 217A (III), art. 22 (Dec. 10, 1948); Shamann Walton, *The Human Rights Commission is Sponsoring a Forum Around Strategies to Advance Economic Inclusion*, FACEBOOK (Nov. 2, 2021) https://www.facebook.com/watch/?v=427604945426522.

90. *FY 2023-2024 WORK PLAN*, EUGENE COMM'N ON HUM. RTS. (Nov. 14, 2022), https://www.eugene-or.gov/DocumentCenter/View/68637/HRC-FY23-24-Workplan.

91. *Human Rights Leader: City 'Using the Americans with Disabilities Act Against People with Disabilities*,' WHOLE CMTY. NEWS (Nov. 14, 2023), https://wholecommunity.news/2023/11/14/human-rights-leader-city-using-the-americans-with-disabilities-act-against-people-with-disabilities/.

92. *FY 2023-2024 WORK PLAN*, *supra* note 90.

93. *Id*.

IV. The Limits of Local HRCs in the Domestic and International Human Rights Arena

The discussion above demonstrates that the current activities of HRCs are broadly consistent with and incorporate human rights norms. Quasi-judicial determinations that mandate proactive measures, deep engagement with communities, and recognition of the interrelationships of rights are all part of HRCs' current work. Given these synergies, it is fair to say that, whether they say so explicitly or not, HRCs are already doing the work of domestic human rights implementation in their own communities.

Yet this assessment also underscores that, despite HRCs' efforts, the glass remains just half full. As Paul Gready and Liz Lockey observed in an assessment of the human rights cities movement, the tailoring required in the process of localizing human rights may be in tension with ideas of universal human rights standards and practices.[94] Likewise, in their study of human rights implementation in Madrid, Sonia Boulos and Maria Caterina La Barbera noted that local authorities "may inadvertently hamper the universality of human rights by designating civil servants as the new guardians of subsidiarity, when the latter have no access to ongoing dialogues between international, regional and state institutions on the interpretation of international human rights norms."[95] As they suggested, "[w]hen civil servants embark on the task of interpreting and implementing abstract human rights norms in an isolated fashion, detached from international frameworks, they could adopt erroneous interpretations of universal rights that hamper their universality."[96]

There is a danger that interpretations of human rights norms may vary significantly from locality to locality and develop in ways that are in tension with international standards. Yet as individual HRCs in the United States interpret and apply human rights norms in their communities, there are currently no mechanisms in place to ensure coordination across jurisdictions and to support HRC engagement with international bodies. These are functions that are most appropriately exercised by the national government or by an NHRI rather than by local human rights bodies, yet the U.S. government has abdicated its role.

HRCs do engage in some collective, coordinated activities. Many local HRCs participate in activities of the International Association of Official

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94. Paul Gready & Liz Lockey, *Rethinking Human Rights in York as a Human Rights City*, 90 POL. QTRLY. 383, 387 (2019).

95. Sonia Boulos & MariaCaterina La Barbera, *Obstacles to and Opportunities for Protecting Human Rights at the City Level: The Case of Madrid City Council Human Rights Plan (2017–2019),* 27 INT'L J. HUM. RTS. 659, 677 (2023).

96. *Id.*

Human Rights Agencies (IAOHRA), headquartered in Washington, D.C.[97] IAOHRA's membership consists primarily of domestic U.S. HRCs, including state-, county-, and local-level commissions.[98] Among other things, IOAHRA's mission is "to provide opportunities and forums for the exchange of ideas and information among member agencies and other human rights advocates."[99] IAOHRA has regularly represented its members' interests before UN bodies such as the UN Human Rights Committee and the Committee on the Elimination of All Forms of Racial Discrimination (CERD).[100]

While IAOHRA is able to assume leadership in offering public education and opportunities for information sharing to its members, it is unrealistic to expect IAOHRA to serve a coordinating function for all U.S. HRCs or to take responsibility for U.S. human rights treaty implementation nationwide. IAOHRA membership is not mandatory, and not all HRCs across the country are members of IAOHRA. Further, as a non-profit organization, IAOHRA has limited resources. It simply does not have the reach or capacity of an NHRI formally charged with domestic human rights implementation.

IAOHRA's status as a non-profit entity also constrains its ability to serve as a national coordinating body for human rights implementation. Because IAOHRA is not a government body, it cannot qualify for UN accreditation as a type of NHRI.[101] Without accreditation, IAOHRA cannot sit at the UN as an NHRI; rather, it participates alongside other members of U.S. civil society. In short, IAOHRA is well-positioned to share information and articulate positions approved by its HRC members, but it is not able to ensure nationwide accountability for human rights implementation, nor does it have the status to engage as an NHRI peer before international bodies.

Not surprisingly, IAOHRA has been a leader in calling for the creation of a U.S. NHRI.[102] IAOHRA recognizes that, despite local and state HRCs' best efforts, there remains a critical gap that only the national government can fill. The U.S. government, by taking a hands-off approach to local implementation and failing to play a coordinating role through a U.S. NHRI,

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97. *International Association of Official Human Rights Agencies*, INT'L ASS'N OF OFFICIAL HUM. RTS. AGENCIES (IAOHRA), https://www.iaohra.org/ (last visited Sept. 27, 2024).

98. *Id*.

99. *Id*.

100. *Id*.

101. *Accreditation*, GLOBAL ALLIANCE OF NAT'L HUM. RTS. INSTS., https://ganhri.org/accreditation/ (last visited Sept. 27, 2024).

102. *See* International Association of Official Human Rights Agencies, *Letter on Need for National Human Rights Institution,* AM. C.L. UNION (Mar. 29, 2023), https://assets.aclu.org/live/uploads/document/NHRI_Letter_to_Congress-_FINAL35.pdf.

may actually be contributing to the unintentional local dilution and blurring of widely accepted universal human rights norms and expectations.

Conclusion

There is always more that local HRCs might do to incorporate international human rights norms. More information sharing and collaboration across jurisdictions, using the shared language of human rights to address common challenges, could reinforce a subtle shift toward the more explicit and integrated embrace of human rights norms at the local level. Collaborative efforts to address shared issues could also help address the resource issues facing many HRCs. But HRCs have already done quite a lot to energize and elevate their work, share strategies, and demonstrate the viability of human rights approaches in the U.S.

So, how might the glass finally fill up? What's missing is more effective federal coordination of domestic human rights compliance efforts and integration of international human rights law into domestic policy, particularly including the establishment of an NHRI. Local HRCs can be very effective in promoting human rights norms and values in their communities, and IAOHRA can magnify their impact. But the federal government's lack of engagement undermines the collective impact of these local efforts. In the end, by definition, only more effective national-level engagement in domestic implementation can ensure that "inter-*national*" law both survives and thrives in the United States.