



Independent Commission on Public Education

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HUMAN RIGHTS ADVOCACY: How Can We Use Human Rights in the U.S.?

In the United States, it is hard to use direct legal action to enforce human rights obligations. The U.S. has not ratified the several major human rights treaties, including those protecting the right to education. As a result, international treaties have not become part of our domestic law and do not provide a cause of action in court. Even when the U.S. does ratify a treaty, Congress makes what are called “reservations,” “understandings” and “declarations” that prevent individuals from using the treaties in U.S. courts. So, what are other ways that can we use human rights in the U.S.?

Monitoring and Education:

- **Monitoring, documentation and reporting:** People can use human rights to document the problems they see in their communities and categorize them as human rights violations. Human rights advocates use strong and clear language to identify systemic failures of government as violations of international standards. UN special rapporteurs, ombudspersons, and non-profits can help to document human rights violations, present them before UN committees, and pressure governments to make change.
- **Shaming:** Individuals, community groups, and non-profits can use the human rights violations they document in protests, letter-writing and media campaigns in order to pressure governments to stop violations and change policies.
- **Education and awareness:** Community organizations, advocates, families, teachers, religious institutions, and non-profits all have an important role to play in educating the public about their economic human rights and the tools they can use to claim their rights.

Implementation and Enforcement:

- **Empowerment and Participation:** Economic human rights empower people. Human rights respect the dignity of every person and can be used to mobilize people and develop leadership in the community. Rights are not charity. Community members are at the center of the human rights movement because of the right to participation and the right to non-discrimination. People have a right to be heard by the government and to have a voice equal to big business and government in community decisions.
- **Lobbying elected officials:** Human rights standards can be used to shape recommendations and pressure government officials to change budgets or change policies. Government officials may also be encouraged to include human rights standards into their city and state laws.
- **Legal strategies:** Even though the U.S. has not ratified most of the major human rights treaties, human rights legal arguments can still be used to *support* domestic legal cases in U.S. courts.

Different Types of Human Rights Work

