



# **Human Rights for All:**

**A Massachusetts Initiative to Infuse  
Human Rights Standards & Values into State Law**

**A Legislative  
Campaign  
Coordinated by:**

The Massachusetts  
CEDAW Project

In collaboration  
with:

Amnesty  
International  
Northeast Regional  
Office

○

Coalition  
for a Strong  
United Nations

○

Massachusetts  
Welfare  
Rights Union

○

Survivors, Inc.

○

Women's  
International  
League for Peace  
& Freedom

April 2005

Dear Colleague,

We write to invite your organization to support **House Bill 706**, a piece of innovative social justice legislation currently under consideration by the Massachusetts state legislature that we think can help you in your work, and may **transform the way you think about public policy**.

**If adopted, the Massachusetts Human Rights Bill will set in motion a process whereby international human rights standards and protections can be integrated into our state's legal code.** This is a step towards full implementation of international human rights treaties inside the United States, such as the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), CERD (Convention on the Elimination of All Forms of Racial Discrimination) and the CRC (Convention on the Rights of the Child).

You may well ask what international human rights treaties have to do with the Commonwealth of Massachusetts. While they do form the basic building blocks of human rights advocacy the world over, such treaties are generally little known outside of international human rights circles. Recently, however, social justice activists, labor unions and NGOs working on a range of issues in the United States have begun looking to the human rights system to assist them in pressing for changes on the ground in their countries and communities.

The international human rights framework has a great deal to offer those working for social change at the local level, including:

- ▶ **HIGHER STANDARDS FOR RIGHTS:** The international human rights model establishes higher rights standards than those embodied in the U.S. Constitution
- ▶ **PRO-ACTIVE TOOLS FOR CHANGE:** Human rights law requires governments to take *pro-active* measures to ensure that rights are protected and fulfilled, rather than assuming that accountability begins only after violations have occurred
- ▶ **BROAD-BASED PLATFORMS:** Human rights are comprehensive, covering every area of life, and thus offering a powerful vehicle for multi-issue, cross-constituency organizing

- ▶ **PUBLIC PARTICIPATION:** Human rights methods require the participation of those most affected by rights violations in devising solutions
- ▶ **CONNECTION TO GLOBAL MOVEMENTS FOR SOCIAL CHANGE:** In this era of globalization, many of the problems facing individuals in our communities are directly linked to the same international economic, social and political forces affecting others around the world

The precedents for this bill are PA House Resolutions 473 (2002) and 144 (2003), which were passed unanimously by the Pennsylvania House of Representatives. These resolutions authorized state representatives to hold a series of public hearings investigating human rights abuses in Pennsylvania to discover the extent to which residents were able to fully enjoy their human rights, including their economic and social human rights. The report generated by these hearings found that the Commonwealth of Pennsylvania had an affirmative obligation to protect the economic human rights of residents, and that doing so would require systemic changes to remove existing barriers to the exercise of these rights.

The Massachusetts bill, **HB706**, goes further than Pennsylvania's by requesting a technical review of state law in addition to public hearings. Students at Northeastern University School of Law, under the supervision of Professors James Rowan, Margaret Burnham, and Lois Kantor, are currently developing a prototype for this review. The goal is to learn how to apply a human rights lens to policy initiatives at the state level, as we strive to bring the practices of state agencies into compliance with international treaty law.

Approaching state governance from a human rights perspective will have enormous implications for those populations most vulnerable to human rights abuses: prisoners, immigrants, recipients of state benefits, especially women, children and the elderly.

HB706 has been referred to the joint judiciary committee for a hearing later this year. It is imperative that broad-based community support for human rights be demonstrated at this hearing. In anticipation of this, the Massachusetts CEDAW Project is asking your organization to list itself as an official supporter on record of HB706. You may do this in either of two ways: by signing and returning the enclosed form or by writing a letter of support detailing the reasons why HB706 is relevant and important to your organization.

Whichever path you choose, it is important that you act **promptly** to ensure that your organization's voice be heard in the legislature. Once you register as a supporting organization, the Massachusetts CEDAW Project will add your contact person to its phone and e-mail trees so that you can be notified of future developments around HB706.

Sincerely,

*Rita Arditti*

*Connie Chow*

*Laura Roskos*

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# **The Massachusetts *Human Rights for All* Initiative**

Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world ...

**Preamble, Universal Declaration of Human Rights (UDHR)**

## **Why should you support the MA Human Rights Bill (HB706)?**

- o This state-based initiative seeks to advance and safeguard the human rights of all residents of the Commonwealth.
- o Specifically, HB706 asks the Commonwealth of Massachusetts to establish a special commission to investigate how international human rights standards have been and could be integrated into Massachusetts law and policies.
- o HB706 will work to advance minimum standards for issues including housing, healthcare and education, as well as provide a human-centered framework for addressing existing and emerging areas of concern.
- o It establishes a pro-active value system and the tools to define and articulate violations and demand redress. It offers mechanisms to hold government accountable for policies that perpetuate violations.

## **What advantages does a human rights framework provide in addressing social justice issues?**

- o A human rights framework provides a universal standard for human dignity, that values physical and mental integrity.
- o Human rights are guaranteed to each individual without discrimination of any kind. They are not products available only to those who can afford them.
- o Human beings have social, cultural and economic needs and aspirations that cannot be fragmented, but are mutually dependent. Civil, political and cultural rights have little meaning unless there are economic resources to exercise and enjoy them.
- o As specified in the UDHR, economic human rights include: adequate and affordable housing, adequate and affordable health care, adequate clothing and nutrition and quality education.

## **How important is this initiative?**

- o The integration of international human rights standards into MA state law will establish higher standards than those embodied in the US Constitution.
- o Local use of treaties is an innovative strategy that enables activists to bypass federal resistance to international human rights standards, and instead focus on putting these standards to work right in our own communities by making local governments accountable to them.
- o Local human rights legislation can be a first step towards progressive adoption of international law at the federal level.
- o Currently, the U.S. is not a party to important international treaties on Economic, Social & Cultural rights (ICESCR), Non-Discrimination Against Women (CEDAW), and Children's Rights (ICRC).

## **Can MA afford to respect human rights in an era of fiscal constraint?**

- o Yes, it can. A human rights law will not require additional government spending on new programs, rather, it will call for systemic changes in the conceptualization and delivery of social goods. A rights-based approach will enhance public policy and better meet the needs of the people of Massachusetts.
- o In fact, the state would save money by eliminating discrimination and human rights violations that might otherwise result in costly lawsuits.



# THE COMMONWEALTH OF MASSACHUSETTS

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IN THE YEAR TWO THOUSAND FIVE

**RESOLVE** to establish a special commission to investigate the integration of international human rights standards into Massachusetts state law and policies.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

*WHEREAS*, the Commonwealth of Massachusetts has an interest in ensuring the protection, safety, prosperity and happiness of all its residents; and

RECOGNIZING that respect for the inherent dignity of all people is the foundation of freedom, justice and peace in the world, and

ACKNOWLEDGING that the United Nations Universal Declaration of Human Rights, approved in 1948 without dissent by the UN General Assembly, including the United States, establishes a baseline standard for human rights both domestically and internationally, and

REMEMBERING the leadership role that Eleanor Roosevelt and other prominent Americans have played in articulating global human rights standards and in establishing United States' commitment to honor and protect human rights in this country, and

RECOGNIZING the progeny of the Universal Declaration of Human Rights, including, but not limited to: the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child; the Convention on Economic, Social, and Cultural Rights; the Convention on Civil and Political Rights; and the Convention Against Torture, and

INVOKING the spirit of our times which recognizes the increasingly global nature of our society and calls upon the peoples of the world to rededicate themselves to the task of promoting and protecting human rights and providing opportunities for freedom, liberty and opportunity in all corners of the world,

BE IT RESOLVED by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, to take steps to review international human rights standards and evaluate integration of such standards into the policies and laws of the Commonwealth of Massachusetts by Establishing a special commission for the purpose of making an investigation and study relative to the integration of international human rights standards in the commonwealth's laws and policies. This commission shall be composed of nine members, two of whom shall be appointed by the Speaker of the Senate, one of whom shall be appointed by the Minority Leader of the Senate; two of whom shall be appointed by the Speaker of the House, one of whom shall be the chairperson, and one of whom shall be appointed by the Minority Leader of the House. In addition, the chairperson of the Massachusetts Commission Against Discrimination, the head of the Civil Rights Division of the Attorney General's office and the executive director of the Massachusetts Commission on the Status of Women shall serve on this commission; and be it further

RESOLVED, that the special commission shall hold hearings and take testimony at such places as it deems necessary in this Commonwealth; and be it further

RESOLVED, that said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the House of Representatives on or before the 30th of September, 2006.

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill or resolve.

**PETITIONERS:**

Ellen Story, 3rd Hampshire (Chief Sponsor)  
Benjamin Swan, 1st Hampden  
Anne M. Paulsen, 24th Middlesex  
Anne M. Gobi, 5th Worcester  
Kay Khan, 11th Middlesex  
Gale D. Candaras, 12th Hampden  
Kathleen M. Teahan, 7th Plymouth  
David Paul Linksy, 5th Middlesex  
Matthew C. Patrick, 3rd Barnstable  
Frank I. Smizik, 15th Norfolk  
Alice K. Wolf, 25th Middlesex  
Elizabeth A. Malia, 11th Suffolk  
Karen E. Spilka, 2nd Middlesex and Norfolk  
Thomas M. Stanley, 9th Middlesex

# Support Human Rights in Massachusetts

The Massachusetts *Human Rights For All* Initiative promotes legislation (HB706) to establish a special commission to investigate the integration of international human rights standards into Massachusetts state law and policies.

Please complete this form and fax or mail it to us so that we can identify your organization as a supporter of this initiative in campaign materials and on our website.

\_\_\_\_\_  
Organization Name (exactly as you would like it to appear)

\_\_\_\_\_  
Contact Person (not for publication)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

If you would like us to include a link to your website from our supporter web page, please write the address here:  
\_\_\_\_\_

In addition to support, there are many ways to be involved in the Initiative. Please indicate which of the following activities you/your organization might be interested in:

- \_\_\_\_\_ distributing campaign literature to your constituents or members
- \_\_\_\_\_ hosting a presentation on the Initiative at your organization, community center, school or house of worship
- \_\_\_\_\_ helping us get support in the State House
- \_\_\_\_\_ mobilizing members of your organization or community to attend a public hearing on the ordinance
- \_\_\_\_\_ attending a workshop on local implementation of the UDHR (Universal Declaration on Human Rights)
- \_\_\_\_\_ providing space for our public events at your headquarters, campus, etc. (maximum capacity: \_\_\_\_\_)
- \_\_\_\_\_ other (please describe) \_\_\_\_\_

For further information, contact us at:

[masscedaw@yahoo.com](mailto:masscedaw@yahoo.com); phone: 617-521-2666/fax: 617-994-4278

The Massachusetts CEDAW Project, Center for Women's Health & Human Rights  
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