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Testimony of Joshua Rubenstein
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In support of Massachusetts Human Rights Bill HB706

I want to thank members of the Joint Judiciary Committee for holding this hearing and for allowing me to speak. Amnesty International endorses the Massachusetts Human Rights Bill - HB 706. As the Northeast Regional Director, I help to represent more than 20,000 members of Amnesty International USA in the Commonwealth of Massachusetts.

We welcome this bill as a means to initiate a process to integrate international human rights standards and protections into state law. House Bill 706 would authorize state legislators to investigate human rights abuses in Massachusetts through a series of public hearings. The bill would also authorize a technical review of state law.

The international human rights system guarantees a range of rights to all human beings. Originally articulated in the Universal Declaration of Human Rights in 1948, this comprehensive vision is formally brought into law through a series of international treaties that governments can choose to ratify. But most people are not only unaware of which treaties their governments have adopted, they are unfamiliar with the basic rights to which they are entitled under international law--including the right to an adequate living standard, the right to education, the right to security of person, the right to leisure, and the right to be free from discrimination.

On the occasion of this hearing, Amnesty International would like to urge members of the legislature to educate themselves about the range of international conventions that have been ratified by the United States. Our government has ratified the Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT), and the Convention on the Elimination of All Forms of Racial Discrimination (CERD). Passage of HB706 would encourage the legislature to look closely at these treaties and review how laws and practices in the commonwealth compare with these solemn obligations.

Recently, social justice activists working on a range of issues in the U.S. and elsewhere have begun to recognize the potential of human rights to support them in their work. Some groups have begun to focus on one of the most

transformative aspects of international human rights treaties: the obligation of governments to pro-actively identify discrimination and to implement remedies that fulfill the promise of human rights and prevent future violations. This means that we would like to encourage governments to review existing and pending policies to ensure that they do not have discriminatory effects.

At the same time, we would like to encourage the legislature to recognize the disappointing record of the United States when it comes to treaty ratification. While it has ratified the three major treaties that I mentioned earlier, it has failed to ratify the Covenant on Economic, Social, and Economic Rights (ICESCR), the Convention of the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child. But this should not deter members of the legislature from studying these conventions and considering how their provisions match up with laws and regulations in the commonwealth.

In particular, a close examination of all these conventions would help to educate public officials on significant gaps between the promise of international standards and the ways in which our own practices fail to measure up. Frequently, these gaps most affect the most vulnerable members of our society, like children from poor families, prisoners, immigrants, women, and the elderly.

Amnesty International has always worked to demonstrate that a single human rights standard must apply to all countries. We firmly believe that human rights violations do not just happen in far away countries--they happen in the United States as well. Hunger, homelessness, extreme poverty, inadequate health care, violence against women and racial discrimination are all human rights issues that have been the basis for costly lawsuits against cities, states, and the federal government.

HB 706 would help to make human rights meaningful in our communities, enable more effective public participation, and move us to improve the quality of life for residents of Massachusetts.