

**The United Nations Human Rights Council  
Forum on Minority Issues, Second Session**

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&  
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Thank you Madam Chair, Congresswoman Barbara Lee, and Madam Independent Expert on Minority Issues, Gay McDougall, for convening this extraordinary second session of the Forum on Minority Issues that has as its focus minorities and effective political participation.

I am here representing my decades of activism on voting rights issues in the United States and to also represent the Campaign for a New Domestic Human Rights Agenda, a U.S. based national, international and grassroots coalition composed of over 50 organizations dedicated to the promotion and respect of human rights and the implementation of human rights obligations in U.S. domestic policy. Despite the fact that the U.S. is, in many respects, a model democratic nation – democracy is elusive to key sectors of our society – and those sectors are disproportionately minority and involve millions of people.

For example:

- A. In certain sections of the United States, the descendants of slaves, African Americans, are routinely purged from voting rolls for specious reasons, have difficulty getting electoral districts fairly drawn and face onerous identification problems interfering with the right to vote.
- B. Predominately minority citizens who reside in American territories such as Puerto Rico, Guam and the U.S. Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands cannot vote in presidential elections.
- C. In addition, the approximately 600,000 predominately African American residents of the nation's capitol, Washington, DC (the District of Columbia) have no full voting representation in the United States Congress.
- D. Indigenous peoples - American Indians and language minorities, including Latinos and Asian Pacific Islanders, continue to face severe discriminatory policies and actions such as onerous identification requirements, lack of minority language assistance and lack of accessible polling places, to name a few.
- E. Lastly, the U.S. has incomparably harsh treatment for those who have been convicted of crimes but who have completed their prison sentences and debts to society. They are subjected to an arbitrary state-by-state system that largely works to disallow the franchise. Because criminal punishment has been meted out more harshly and more

discriminatorily against people of color, there is a disproportionately high rate of felon disenfranchisement in the U.S. in minority communities.

So what needs to be done? We invite international organizations to work with groups like the Campaign to encourage and insist that the Obama Administration give greater attention and resources to the following actions:

- 1) The Civil Rights division of the U.S. Department of Justice needs to be rebuilt so that the Voting Rights Act, especially the pre-clearance provisions, is properly enforced. When properly enforced, the pre-clearance provisions, in particular, can be a model to the world for effective enforcement of electoral rights for minority populations.
- 2) The U.S. should be encouraged to revitalize and strengthen the Interagency Working Group on Human Rights so that its domestic agencies are clearly charged with upholding not only U.S. laws, but implementing international treaties to which the U.S. is a party – treaties that robustly embrace the obligation of all nations to acknowledge and protect the voting rights of minorities. Relevant treaties that have been ratified by the U.S. include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on the Elimination of All Forms of Racial Discrimination.
- 3) We must urge the U.S. Congress to rebuild a fair and effective U.S. Commission on Civil Rights that will hold hearings and engage in rigorous fact finding in order to shine a bright light on the severe electoral problems that are in the U.S., especially with respect to the voting rights of minority groups. That Commission should be renamed the United States Commission on Civil *and Human* Rights so that there is an independent agency that can monitor treaty compliance and implementation.

I want to thank the American Civil Liberties Union Voting Rights and Human Rights projects for providing much of the evidentiary material that served as the basis for this statement. The ACLU prepared a special report for this forum that provides extensive documentation of U.S. voting issues entitled: **Voting Rights of Minority and Indigenous Communities in the United States**: American Civil Liberties Union Submission to the UN Forum on Minority Issues Human Rights Council, Second Session. See: [www.aclu.org](http://www.aclu.org).

Having been active on voting rights and electoral issues throughout most of my career, it is an honor to participate in this august forum, and to also share the views of the Campaign for a New Domestic Human Rights Agenda.

(See: [http://www.ushrnetwork.org/new\\_domestic\\_human\\_rights](http://www.ushrnetwork.org/new_domestic_human_rights))

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