



COLUMBIA LAW SCHOOL

HUMAN RIGHTS INSTITUTE



# BRINGING HUMAN RIGHTS HOME:

## THE BIRMINGHAM MAYOR'S OFFICE HUMAN RIGHTS DIALOGUE

THE COLUMBIA LAW SCHOOL HUMAN RIGHTS INSTITUTE  
IN COLLABORATION WITH THE OFFICE OF THE MAYOR OF THE CITY OF BIRMINGHAM

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This report was prepared by Columbia Law School's Human Rights Institute in collaboration with the Office of Birmingham Mayor William Bell.

## **COLUMBIA LAW SCHOOL HUMAN RIGHTS INSTITUTE**

The Human Rights Institute sits at the heart of human rights teaching, practice, and scholarship at Columbia Law School. Founded in 1998 by the late Professor Louis Henkin, the Institute draws on the Law School's deep human rights tradition to support and influence human rights practice in the United States and throughout the world. The Institute focuses its work in three main substantive areas: Counterterrorism, Armed Conflict and Human Rights; Human Rights in the United States; and Human Rights in the Global Economy. We have developed distinct approaches to our work, building bridges between scholarship and activism, developing capacity within the legal community, engaging governments, and modeling new strategies for progress.

The Institute's Human Rights in the U.S. Project builds the capacity of state and local agencies and officials to incorporate a human rights framework into their daily work. The Institute develops resources on human rights standards and strategies, partners with state and local governments, and advocates for federal coordination and support for state and local human rights implementation.

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# INTRODUCTION

*"Birmingham exemplifies the idea that human rights start close to home. During the civil rights movement our residents mobilized and inspired change, laying the groundwork to protect the basic human rights of dignity and equality across the country and around the world. Yet, the struggle for equality is one that is ever present. Birmingham will continue to lead by example, working proactively to promote and protect fundamental human rights locally and nationally. Human rights offer a positive vision for change that can help our city and others shape effective solutions that ensure dignity, well-being, and equality for all."*

*—Birmingham Alabama Mayor William Bell*

Human rights begin close to home. Local governments have jurisdiction over a range of human rights issues, including those related to housing, education, employment, and criminal justice. Indeed, local agencies and officials are essential to the promotion and protection of human rights in the United States. They work every day to create conditions under which all communities can flourish. Mayors are particularly well-situated to advance human rights and build a culture of human rights based on dignity, freedom from discrimination, and opportunity.

On March 6, 2015, Mayor William Bell initiated a daylong conversation on human rights in the city of Birmingham, Alabama. The event offered a remarkable opportunity to promote human rights locally.

This Outcomes Document distills the conversations that took place at the Birmingham Human Rights Dialogue and situates the event within the larger human rights framework. It provides an overview of core human rights principles and connects them to the themes that emerged during the Birmingham Dialogue. This document is also forward-looking. It describes how human rights can strengthen local policy-making and offers concrete ways that mayors throughout the United States can incorporate human rights standards and strategies into their daily work to build upon human rights initiatives emerging across the United States.

# HUMAN RIGHTS, THE UNITED STATES, AND THE ROLE OF U.S. CITIES

*“Where, after all, do universal human rights begin? In small places, close to home ... Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.”*

*—Eleanor Roosevelt<sup>1</sup>*

The United States has a long and complex tradition as a global human rights leader. The Declaration of Independence articulates the fundamental human rights idea that individuals, by simple virtue of their humanity, have rights that governments must respect. American history is defined by the ongoing struggle to ensure equality, liberty, and justice for all. In the United States, people continually strive to put human rights principles into practice through political processes, the courts, social movements, and appeals to the international community.<sup>2</sup>

Groundbreaking civil rights laws of the 1960s, along with landmark U.S. Supreme Court decisions, demonstrate that struggles to ensure basic dignity, equality, and opportunity have made much progress. But despite great advances in civil rights laws, including the Voting Rights Act and the Fair Housing Act, equality and freedom from discrimination continue to elude many who live in the United States. In recent years, courts and legislators around the country have eroded voting right protections,<sup>3</sup> incarceration has reached unprecedented levels,<sup>4</sup> and most indicators show mounting social and economic inequality<sup>5</sup> – all of which disproportionately impact communities of color.

In the ongoing pursuit of equality for all, U.S. advocates and policy-makers increasingly look to international human rights principles as a framework to address persistent forms of discrimination and racial, economic, and gender-based disparities. When advocates and policy-makers frame issues such as health, housing, employment, and criminal justice as human rights issues, they capture the connections between them. They also underscore that governments should prioritize accountability and work hand in hand with impacted communities to develop sustainable solutions to inequality. For these reasons, a number of federal, state, and local government actors across the U.S. explicitly recognize such issues as human rights concerns.<sup>6</sup>

Cities are at the forefront of these efforts. This is appropriate because local officials, including mayors, work daily to ensure dignity, equality, and opportunity for local communities and provide services to meet the basic needs of their constituents, regardless of race, gender, sexual orientation, economic status, or zip code.

Indeed, mayoral support for the human rights framework is growing. In 2013 and 2014, the U.S. Conference of Mayors made explicit commitments to promote and protect human rights.<sup>7</sup> In cities including Los Angeles, San Francisco, Louisville, and Salt Lake, mayors are using the comprehensive international agreement on women’s rights (CEDAW) as a blueprint for progress.<sup>8</sup>



Mayors are also integral to the emergence of self-proclaimed human rights cities. (The final section of this report describes these and other examples of local efforts to promote and protect human rights.)

The federal government recognizes the important role that state and local governments play in making human rights a reality in the United States and increasingly fosters cooperation with local agencies and officials.<sup>9</sup> One example of this cooperation is the federal government's inclusion of mayors and state attorneys general on U.S. delegations to the United Nations for recent U.S. human rights reviews. In 2014, Salt Lake City Mayor Ralph Becker spoke with U.N. experts about his city's efforts to advance human rights during a review of U.S. compliance with the international treaty on civil and political rights (the ICCPR). Later that year, Birmingham Mayor William Bell joined a U.S. delegation to the U.N. to highlight local policies and practices that seek to eliminate all forms of discrimination, joining the international conversation on U.S. implementation of the Race Convention (CERD).

Such engagement offers mayors opportunities to showcase their human rights achievements, gain international recognition for their cities, and connect with experts and advocates from around the U.S. and the world. More generally, and more importantly, the human rights framework offers a powerful and effective tool for local governments to strengthen and improve the impact of rights-protecting laws and policies within their own communities. The following section describes how Mayor William Bell is bringing the human rights conversation home to Birmingham.

## **BIRMINGHAM'S 2015 HUMAN RIGHTS DIALOGUE**

Building on his engagement with the United Nations, Birmingham's Mayor Bell committed to engage residents of Birmingham in a conversation about the status of human rights in the city. On March 6, 2015, the Mayor's Office convened a daylong dialogue among community members, local government, local and national advocates, as well as federal government representatives. The Dialogue was scheduled in conjunction with the 50<sup>th</sup> anniversary of the Bloody Sunday March from Selma to Montgomery that precipitated passage of the Voting Rights Act. The event also coincided with a United Nations review of the U.S.' human rights record, known as the Universal Periodic Review.<sup>10</sup>

The sections that follow distill the conversation that took place that day in Birmingham and connect the themes that emerged from the Dialogue with core international human rights principles. The document first provides an overview of core human rights principles and suggests ways in which a human rights approach can enhance local decision-making. Second, it summarizes the conversations that took place in Birmingham and highlights the key human rights themes that emerged. The document concludes with concrete recommendations for mayors around the United States to integrate human rights standards and strategies into their everyday work.<sup>11</sup>

# WHAT ARE HUMAN RIGHTS?

## CORE HUMAN RIGHTS PRINCIPLES

Human rights are internationally accepted norms that recognize and promote dignity, fairness, and equality for all people and enable individuals to meet their basic needs. Human rights encompass the full range of civil, political, social, economic, and cultural rights. They include freedom from all forms of discrimination and the right to vote, as well as the right to housing, education, healthcare, and social security, among other rights. Human rights are universal – they apply equally to all people by virtue of their humanity. The human rights framework is premised on the belief that all rights are interconnected, and that to achieve dignity, equality, and freedom from discrimination, governments must protect, respect, and fulfill the full range of rights.

In order to respect human rights, government must not interfere with, or curtail, a person's enjoyment of rights. The duty to protect means that governments must take steps to prevent human rights violations by third parties. Fulfilling human rights requires action to realize a person's enjoyment of rights and create conditions where all individuals can meet their basic needs. The full range of human rights is set forth in the Universal Declaration of Human Rights,<sup>12</sup> was developed under the leadership of the United States. Adopted by the United Nations in 1948, the Universal Declaration is the basis of subsequent universal human rights treaties.

The following principles form the foundation of the human rights framework:

- **Non-Discrimination.** Human rights call on governments to identify and address discrimination in all its forms – regardless of intent. This includes policies that have a disparate impact or unintentionally perpetuate discrimination.
- **Equality.** Policies should aim to achieve equality in outcomes for all, regardless of economic, racial, or gender status; ethnic origin; gender identity; sexual orientation; age; disability; or other status. Policies and programs should proactively aim to achieve equal access and outcomes by addressing the unique barriers that different individuals experience as a result of their identity.
- **Participation.** All stakeholders should have a voice in shaping and evaluating law and policy, and governments should encourage and facilitate this engagement.
- **Accountability & Transparency.** Communities must be advised of their rights, policy-making processes, and opportunities for intervention. Accountability also means that the government must offer stakeholders an avenue for redress should policies fail to respect their human rights.

- **Principle of “Progressive Realization.”** Governments may realize economic and social rights, such as adequate housing, progressively over time and in light of available resources, and they must also satisfy core basic needs, ensure non-discrimination, and avoid rollbacks in services. Laws and policies should prioritize expenditures that fulfill basic rights, with a particular focus on those most in need.

## VALUE ADDED OF HUMAN RIGHTS IN DECISION-MAKING

At the core of a human rights approach is preventing discrimination and eliminating inequality through systemic and proactive measures. By encouraging a preventative approach, human rights may lead to budget savings by reducing litigation and obviating the need for remedial measures that address discrimination after it occurs.

A human rights approach also emphasizes inclusion. Active public participation in identifying and solving problems locally is a hallmark of human rights. The human rights framework calls on governments to facilitate meaningful participation by ensuring access to information and including marginalized groups in decision-making. By offering impacted communities the ability to influence outcomes, government agencies and officials can ensure that policies and programs reach their intended beneficiaries and take community voices into account.

Incorporating human rights principles into decision-making can also lead to positive results and enhance responsiveness and accountability. A human rights lens facilitates proactive government action calibrated to:

- **Measure Impact.** Human rights standards offer benchmarks to measure the potential impact of existing and proposed policies and programs.
- **Foster Equal Outcomes.** The human rights framework helps governments develop a clearer picture of how laws and policies may affect different constituents and facilitate solutions shaped to meet basic needs, such as housing and education, for all community members.
- **Employ a More Holistic Approach.** Human rights recognize that civil, political, economic, social, and cultural rights are all interconnected. For example, stable housing is critical to enable individuals to access education and exercise the right to vote. Because rights intersect, policies should address them in an integrated way.
- **Prioritize Prevention.** Human rights call on governments to review decisions and policies prior to implementation, thus fostering a better understanding of how government action may affect marginalized groups and promoting a focus on the multiple factors that perpetuate inequality.



# HUMAN RIGHTS IN BIRMINGHAM: A DAYLONG PARTICIPATORY DIALOGUE

Birmingham is steeped in civil and human rights. Indeed, Birmingham was at the heart of the organizing and activism that ultimately dismantled legalized racial segregation in the South. Birmingham's central role in the struggle for equality led to numerous victories, but the road was marked with tragedy, including the bombing of the 16<sup>th</sup> Street Baptist Church in 1963. Today, the Church is a powerful memorial to the civil rights struggle that shaped Birmingham.

Building on the city's rich history and connecting it to the human rights issues of today, Mayor William Bell hosted a human rights dialogue in Birmingham on March 6, 2015. The Dialogue occurred at an important time for reflection, the eve of the 50<sup>th</sup> Anniversary of the Bloody Sunday March from Selma to Montgomery. The daylong Dialogue also coincided with a 2015 comprehensive human rights review of the United States, known as the Universal Periodic Review.<sup>13</sup>

The Birmingham Dialogue included a full day of panels focused on five human rights issues: social justice, education, immigration, homelessness & poverty, and marriage equality. The event offered an opportunity for advocates, community members, and federal and local government officials to discuss challenges, share their perspectives on successful local policies and programs, and identify strategies for improvement. Each panel included a diversity of stakeholders and viewpoints, fostering a rich conversation with multiple perspectives on how communities and government actors can work together to ensure dignity, equality, and opportunity for Birmingham residents. What follows reflects the panel discussions that took place. (The full agenda is included as Appendix A.)

## OVERVIEW OF PANEL DISCUSSIONS

### *SOCIAL JUSTICE PANEL*

The Dialogue opened with a conversation between representatives from the Federal Bureau of Investigations, the Birmingham Police Department, and a Municipal Court Judge. Focused on law enforcement and the courts, panelists emphasized the importance of ensuring community engagement and treating individuals who come in contact with the criminal justice system with humanity and dignity. Panelists discussed the need for accountability, as well as policy responses that look beyond individual criminal incidents to the broader context underlying criminal conduct. Panelists also discussed the importance of training to enhance criminal justice policies and programs. Panelists suggested prioritizing efforts to combat recidivism, and the need to ensure that the pursuit of justice addresses differences that may arise among community members due to race, socio-economic status, and other identities, as well as historical relationships between communities and the criminal justice system.

### ***EDUCATION PANEL***

Staff from Birmingham’s Division of Youth Services and School Board, a member of the Jefferson County Board of Education, and a former elementary school educator joined a panel to discuss education matters. The discussion focused on two main issues: school choice and the importance of parental inclusion in education. Panelists discussed a proposed state law that would permit charter schools in Alabama and its potential impact on educational opportunity, as well as issues of teacher accountability and quality.

The conversation highlighted a number of factors that negatively impact parental participation in education and emphasized how the effects of poverty can create barriers to engagement with schools. Discussants concluded by mapping ways that schools can help to mitigate these barriers, including new policies and extracurricular programs for students, as well as strategies to support and engage parents.

### ***IMMIGRATION PANEL***

Participants on the immigration panel included staff from the County Sheriff’s Office, advocates focused on integration of immigrants into Alabama communities, an organizer from a local multi-faith community service provider, and a national human rights advocate. The discussion focused on the relationships between immigrants and law enforcement, and in particular how Alabama’s HB 56 – which participants regarded as one of the nation’s strictest anti-undocumented immigrant laws – impacts immigration communities. Personal accounts highlighted parents’ reluctance to take children to school for fear of deportation, residents’ sense of being perpetual targets and outsiders, as well as frustrations and challenges that immigrants experience from delays in obtaining documents needed for everyday activities, such as getting to work and school. For example, one panelist noted that in Alabama, a permanent resident of the United States might wait an entire year to obtain a state driver’s license, limiting his or her general mobility, as well as access to jobs and education.

Panelists discussed ways that local government can address these challenges, including forging stronger relationships with affected communities. Panelists suggested that government officials collaborate with communities, address barriers to inclusion, and prioritize efforts to empower all community members to participate in the decisions that impact their lives.

### ***MARRIAGE EQUALITY PANEL***

The conversation on marriage equality brought together a member of the Alabama House of Representatives, staff from the Birmingham Police Department, and advocates working at the city and state level. A few key issues emerged in this panel, including the pervasive nature of LGBTQ discrimination, misperceptions about the LGBTQ community, ways that LGBTQ individuals’ experiences in Alabama may differ from the experience of LGBTQ individuals in other states, and the importance of building bridges between communities in order to foster greater understanding.

Panelists described how LGBTQ individuals often face multiple and simultaneous forms of discrimination. One speaker noted the value of understanding community demographics. It is not only important to know that Alabama has one of the highest percentages of gay families in the United States, it is also key to understand that a large number of these families live in poverty in communities of color. The panelists also discussed the problem of youth homelessness within the LGBTQ community. Participants noted that youth may face unique barriers and challenges due to their sexual orientation and gender identity, and these challenges are compounded when LGBTQ youth stay in shelters or access other services.

#### ***HOMELESSNESS AND POVERTY PANEL***

The final panel of the day highlighted a number of successes and challenges in responding to the interrelated problems of homelessness and poverty in Birmingham. The Mayor's Office of Citizens' Assistance spoke alongside three housing service providers and advocates working in Birmingham and across Alabama. The discussion emphasized how community-based initiatives aid impoverished families and interface with local government programs to meet local needs. Yet, despite the existence of promising programs, panelists noted that the lack of adequate resources for service providers limits the impact of their outreach.

The conversation also addressed specific ways that poverty and homelessness intersect with other issues. One concern panelists mentioned is criminalization of homelessness (imposing sanctions on basic life-sustaining activities such as sleeping or urinating). Another issue discussed was how financial insecurity can intersect with criminal justice concerns. For instance, a misdemeanor offense can lead to a more serious sanction if an individual is unable to access transportation to court appearances. Local representatives discussed how Birmingham addresses some of the unique challenges involved in these cases. For example, Birmingham recently created a court dedicated to homeless persons, where attorneys and shelter providers work together to facilitate the disposition of a pending legal matter, taking each individual's circumstances into account. To make this "homeless court" more accessible, it convenes in service provider facilities rather than a courthouse. A number of surrounding municipalities view this program as a success and are considering similar initiatives.

#### ***CLOSING REMARKS***

Closing statements by a human rights advocate and representative of the federal government focused on the essential role of local governments in monitoring and implementing human rights in the United States. Speakers linked Birmingham's pivotal role in the civil rights movement to the civil and human rights struggles of today and discussed how local efforts to collectively identify and document human rights concerns lay a foundation to strengthen human rights protections. They also touched upon the importance of federal support for state and local human rights initiatives.

The federal government representative underscored that collaboration between federal and local government is key to fulfilling the U.S.' human rights commitments and obligations and demonstrating leadership around the world. The federal representative stressed that while human rights principles are universal, human rights are experienced locally.<sup>14</sup> Accordingly, local actors play a key role in giving international human rights principles concrete meaning. These remarks closed with an emphasis on the U.S. government's efforts to deepen cooperation with state and local officials regarding human rights, increase human rights awareness, and cultivate additional examples of state and local human rights engagement.

## KEY HUMAN RIGHTS THEMES

Throughout the daylong human rights dialogue, a number of common human rights themes emerged. These include:

- **The Interrelated Nature of Rights.** Panelists discussed multiple connections between rights and the importance of economic and social protections to advancing equality and opportunity. For example, panelists on the social justice and housing panels highlighted the ways that a criminal record negatively affects individuals' employment prospects due to bias sometimes expressed against persons with criminal convictions, illustrating how contact with the criminal justice system can exacerbate poverty. The immigration panel also illustrated the interrelationship of rights, and the need for a holistic approach to protecting basic rights. One panelist offered an account of immigrant parents who feared sending their children to school because of the risk of deportation, highlighting how immigration status impacts access to education.
- **The Value of Community Participation and Collaboration.** Throughout the day, panelists emphasized the importance of including marginalized and vulnerable communities in decision-making, and the benefits of government and community collaboration. Each panel recommended strengthening community relationships so that laws, policies, and programs include a broad range of perspectives and reflect the expertise of impacted communities.
- **The Need to Address Ongoing and Multiple Forms of Discrimination.** Each panel touched on the ways in which discrimination continues to exist both in Birmingham and around the country. While discrimination is not always intentional, some government policies and programs nevertheless have a disproportionately negative impact on communities of color. Private action, too, can have a discriminatory impact. Myriad factors, which include vestiges of segregation, historical community relationships, and uneven representation in policy-making, continue to perpetuate inequality. Relatedly, several speakers discussed how an individual's multiple identities (such as race, nationality, sexual orientation, and gender identity), as well as economic and social status (such as income level, criminal record, or access to housing), deeply impact whether his or her rights are respected and protected on an equal basis.

Human rights dialogues, like the one held in Birmingham, lay a critical foundation for responsive human rights-based policy-making. They offer an avenue to include community voices in decision-making and foster a more collaborative, transparent, and accountable approach to governance based on core human rights principles. As described in the following section, such dialogues illustrate just one way local governments in the United States are integrating human rights principles in their work.

# LOOKING FORWARD: STRATEGIES TO PROMOTE AND PROTECT HUMAN RIGHTS LOCALLY

*"The Mayor's Office is committed to meeting residents' basic needs, and human rights are at the heart of our efforts to foster equality and eradicate discrimination across the city. Recognizing our work as human rights work highlights our focus on dignity, access, and opportunity for all members of our community. It also gives us an opportunity to connect with cities around the world to discuss effective local strategies to address injustice, promote tolerance, and foster inclusion."*

*- April Odom, Director of Communications, City of Birmingham Mayor's Office*

Local governments have many tools at their disposal to advance human rights. Indeed, across the country, a number of cities are using innovative strategies to incorporate human rights principles into local law and policy. Drawing on these examples, this document concludes with three concrete ways that local officials can integrate human rights into local governance. Mayors and other local officials can build upon these efforts to enhance planning and decision-making and ensure dignity, equality, and opportunity within their communities.

## FOSTER STAKEHOLDER PARTICIPATION IN GOVERNMENT DECISION-MAKING

Local governments can create a space for all community members to review and provide input into local law, policy, and practice. Human rights dialogues like the one that took place in Birmingham offer one example. Forums, hearings, and consultations that bring together community stakeholders and government actors can help ensure that state and local authorities fully consider community members' human rights concerns when formulating and executing policy.

Mayors foster participation to advance human rights protections in a number of ways. The Salt Lake City Mayor's Office of Diversity and Human Rights works proactively to assess constituent needs and develop effective responses. Through targeted community dialogues, convened in partnership with the Salt Lake Human Rights Commission, local officials discovered that many women in Salt Lake had concerns that were not being addressed, including unequal educational opportunities and employment. In response, Salt Lake is considering the international women's treaty, CEDAW, as a framework for creating more equitable gender policies, and the Mayor's Office is exploring ways to adopt the treaty's principles to inform the city's approach to women's rights.<sup>15</sup>

State and local human rights commissions play an important role, as well, including by holding hearings to assess local policy and practice. In 2014, the Tennessee Human Rights Commission held a series of hearings around the state to gather testimony and data on "existing and emerging human rights and civil rights issue[s] in communities across the state," using the Universal Declaration of Human Rights to frame the conversation. The hearings culminated in a report distilling the testimony and strategies collected from across the state. Moving forward,



the Tennessee Commission plans to use the report as a basis for taking action to respond to common human rights concerns.<sup>16</sup>

## **MAKE COMMITMENTS TO HUMAN RIGHTS PRINCIPLES**

Human rights inform city and county responses to issues such as children’s rights, the lack of affordable and adequate housing, and domestic violence. While largely symbolic, human rights resolutions and proclamations offer an important opportunity for local governments to emphasize and articulate human rights priorities and commitments. For example, in 2009, the Chicago City Council approved a resolution based on the Convention on the Rights of the Child (CRC). Mayor Daley introduced the resolution, which pledges support for human rights principles and emphasizes that the CRC offers “a single, comprehensive framework” to evaluate and respond to the needs of children among “the diverse arms of the Chicago city government.”<sup>17</sup>

As of September 2015, over twenty localities have passed resolutions declaring freedom from domestic violence as a human right.<sup>18</sup> In 2012, the Miami-Dade County Board of Commissioners adopted one such resolution, which emphasizes that law enforcement and city agencies constitute “the first line of defense against domestic violence.”<sup>19</sup> Like the majority of these resolutions, Miami-Dade County’s connects the international and the local, calling on local agencies to incorporate human rights principles. When Miami-Dade County updated its anti-discrimination ordinance in 2014, adding victims of domestic violence, dating violence, or stalking to the list of protected classes, the amendment included a citation to the resolution.<sup>20</sup> In a number of jurisdictions, advocates are establishing local government partnerships to foster implementation of these resolutions.

In Wisconsin, city and county governments declared housing as a human right, prioritizing efforts to meet the basic need for housing. A 2011 Madison City Council resolution underscores the city’s obligation to promote fair housing and notes that human rights treaties call on the city to eliminate policies with a racially discriminatory effect. The resolution calls for a city staff position to assess affordable housing needs, a long term housing strategy, and public funds to support this work.<sup>21</sup> The following year, the Board of Supervisors of Dane County (which encompasses Madison) passed a resolution declaring that “housing is a human right.” The resolution establishes a concrete goal for the county: a local housing plan that aims to improve the availability of adequate housing, reduce the number of homeless children in local schools, and prevent the criminalization of homelessness.<sup>22</sup>

Cities also commit to human rights by declaring themselves “human rights cities.” Within the United States, human rights cities include Washington, D.C.; Seattle, Washington; Pittsburgh, Pennsylvania; and Eugene, Oregon. This self-designation serves as a signal of community priorities and a springboard for further municipal action. In Seattle, the mayor and city council supported the 2012 Human Rights City proclamation, which the city council invoked in its 2015 efforts to align Seattle’s privacy initiative with the rights contained in the Universal Declaration of Human Rights.<sup>23</sup>

## **BUILD HUMAN RIGHTS INTO LAW AND POLICY**

Around the country, a growing number of city initiatives to address local concerns, such as gender equity, reflect human rights principles. Mayors, in particular, have embraced human rights standards as benchmarks to understand the potential impact of their policies and decisions, to measure program effectiveness, and to identify barriers to reaching constituents and improving outcomes.

San Francisco is on the vanguard of conducting human rights assessments of local policy decisions, programs, and budgets to foster more equitable outcomes.<sup>24</sup> By focusing attention on how specific policies or practices may perpetuate or mitigate gender disparities, San Francisco is working to institutionalize an internal process that can, in turn, impact outcomes, helping to ensure that policies and programs reach intended beneficiaries effectively and efficiently. The City departments use Gender Analysis Guidelines – emanating from the city’s international human rights ordinance based on CEDAW – to measure how policies impact gender equity.<sup>25</sup>

San Francisco’s Mayor Edwin Lee has drawn on his city’s experience with gender assessments in city government to promote San Francisco as a model for other cities. Los Angeles is also using CEDAW as a tool to address sex-based discrimination. To implement L.A.’s CEDAW ordinance, in 2014, Mayor Eric Garcetti established a partnership to study and report on the status of women and girls in the city, forming a basis to address gender equality.<sup>26</sup> In 2015, Louisville, Kentucky Mayor Greg Fischer signaled support for future steps to institute a gender analysis of city agencies.<sup>27</sup> Within Eugene, Oregon, human rights play a role in several facets of governance. As part of Mayor Kitty Piercy’s sustainability agenda, the Triple Bottom Line Tool is used across city government to analyze how a proposed policy or decision will impact enjoyment of human rights.<sup>28</sup> In the City of Portland, Oregon, the Human Rights Commission developed a human rights analysis tool that measures potential disparities and human rights impacts, based on the Universal Declaration of Human Rights.<sup>29</sup> The Commission uses the analysis to inform recommendations to the Mayor and City Council.

Human rights strategies can help to foster more accountable, transparent, and inclusive policies at the local level. By incorporating human rights principles in these and other ways, local officials can innovate and achieve positive recognition at home and abroad and connect U.S. cities, counties, and states to the global community.

## CONCLUSION

Local officials are uniquely placed to fulfill the promise of human rights. Recognizing the value of a proactive and preventive human rights-based approach, a growing number of leaders are working to incorporate international human rights principles at the local level. This Outcomes Document describes Birmingham Mayor William Bell's efforts to bring human rights home to Birmingham through a daylong dialogue on human rights, and describes additional ways that human rights infuse local governance across the country.

The Birmingham Dialogue and other examples included here offer a starting point to inspire and inform U.S. cities' efforts to address discrimination, foster equality, and improve policy outcomes. Ultimately, sustainable human rights solutions require that local agencies and officials work in concert with community members to identify and implement appropriate policies to promote and protect human rights, and that the federal government support these efforts. Working together, government and community stakeholders can ensure human rights at home.

# APPENDIX A: BIRMINGHAM HUMAN RIGHTS DIALOGUE AGENDA

March 6, 2015

## **Welcome and Introductory Remarks**

**John Archibald** (Birmingham News and AL.com); **Valerie Abbot** (Birmingham City Councilor); **Joshua Cooper** (U.S. Human Rights Network)

## **Social Justice**

**Roger Stanton** (Special Agent in Charge, FBI); **Henry Irby** (Deputy Chief, Birmingham Police Dept.); **Andra Sparks** (Presiding Judge, Birmingham Municipal Court)

## **Education Panel**

**Cedric Sparks** (Birmingham Division of Youth Services); **Randy Testa** (Harvard University and Walden Media); **Randall Woodfin** (President, City of Birmingham School Board); **Jacqueline Smith** (Jefferson County Board of Education Member)

## **Immigration Panel**

**Arturo Burciago** (Hispanic Interest Coalition of Alabama); **Miguel Carpizo** (Multicultural Community Organizer for Greater Birmingham Ministries); **Jessica Vosborough** (Hispanic Interest Coalition of Alabama); **David Thompson** (Jefferson County Sherriff's Office); **Joshua Cooper** (U.S. Human Rights Network)

## **Marriage Equality Panel**

**Patricia Todd** (Alabama State Representative – District 54); **Julie Quigley** (Birmingham Police Department); **Laura Embry** (Living in Limbo); **Ben Cooper** (Equality Alabama)

## **Homelessness and Poverty Panel**

**Michelle Farley** (OneRoof); **Anne Wright** (Firehouse Shelter); **Debra Blaylock** (Faith Chapel); **Tracy Higgs** (Christian Service Mission); **Don Lupo** (Mayor's Office of Citizens' Assistance)

## **Closing Remarks**

**JoAnn Kamuf Ward** (Columbia Law School Human Rights Institute); **Jesse Tampio** (U.S. Department of State)

# APPENDIX B: U.S. CONFERENCE OF MAYORS HUMAN RIGHTS RESOLUTION

## PROMOTING AND ENCOURAGING INTERNATIONAL HUMAN RIGHTS

June 2013

**WHEREAS**, the United States has played a prominent role in promoting international human rights since the founding of the United Nations in 1945; and

**WHEREAS**, international human rights are articulated in the Universal Declaration of Human Rights and a broad range of laws, norms and values that recognize and promote the fundamental humanity and dignity of every person, as well as the necessity of fairness and opportunity for all people, and that enable people to meet their basic needs and to enjoy basic civil, political, social, economic and cultural rights; and

**WHEREAS**, there is an international human rights system, of which the United States is a part, which includes a framework of charters, treaties, court cases and laws, and international monitoring bodies, all of which are recognized and accepted by the vast majority of the global community of nations and individuals; and

**WHEREAS**, the United States has ratified three of the nine core international human rights treaties: the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT); and moreover, the United States has signed but not yet ratified a number of additional core human rights treaties, committing to not take action that will defeat the object and purpose of these treaties; and

**WHEREAS**, the United States has emphasized its commitment to human rights at home and abroad, which requires it to assess domestic conditions in light of universally accepted standards, take steps to promote and protect the full range of human rights, and engage constructively with international human rights institutions; and

**WHEREAS**, a basic tenet of the human rights framework is that human rights must start at home, and must involve and reflect the needs and expertise of local communities, and that governments have an affirmative obligation to respect, protect and fulfill these rights; and

**WHEREAS**, mayors are on the front lines of ensuring equality, combating discrimination and enabling access to affordable housing, healthcare and education, among other human rights issues; and

**WHEREAS**, The United States Conference of Mayors has endorsed international agreements, including the Vienna Declaration in Support of Cost Effective and Evidence-Based Drug Policy and supported United Nations Conferences, such as Rio +20; and led cities in a global effort to comply with the Kyoto Protocol through its Climate Protection Agreement; and

**WHEREAS**, The United States Conference of Mayors is committed to ensuring that cities around the world initiate and share innovative ideas and programs; and has encouraged international exchanges; and

**WHEREAS**, in a series of resolutions in June of 2012, The United States Conference of Mayors urged “Congress and the states to pursue a positive agenda that reaffirms fundamental rights;” reiterated that “cities and metro regions are the global hubs of innovation;” and

**WHEREAS**, a majority of people in the United States believe that human rights include equal opportunities regardless of gender and race, being treated fairly in the criminal justice system, freedom from discrimination, freedom from torture or abuse by law enforcement, equal access to quality public education, access to health care, living in a clean environment; fair pay for workers to meet the basic needs for food and housing; and keeping personal behavior and choices private; and

**WHEREAS**, The United States Conference of Mayors has promoted policies to address fundamental human rights and needs, including health, poverty reduction, homelessness, equality for LGBT persons, non-citizens and disparities in incarceration rates; and

**WHEREAS**, as has been demonstrated in numerous cities, including Seattle, Washington, Salt Lake City, Utah, Los Angeles, California, Eugene, Oregon and El Paso, Texas, international human rights can provide a powerful framework for, and play an instrumental role in, efforts by cities to ensure opportunity and equality for their communities,

**NOW, THEREFORE, BE IT RESOLVED**, The United States Conference of Mayors recognizes and affirms the importance of the international human rights principles of dignity, equality and opportunity; and

**BE IT FURTHER RESOLVED** members of The United States Conference of Mayors commit to uphold and promote international human rights, in collaboration with state and local government agencies and officials, as well as local communities; and

**BE IT FURTHER RESOLVED** members of the United States Conference of Mayors commit to explore opportunities to incorporate international human rights into local policy and practice, and to support broader efforts to advance human rights principles locally.



# **APPENDIX C: LETTER FROM THE OFFICE OF THE LEGAL ADVISER, U.S. DEPARTMENT OF STATE TO D.C. MAYOR MURIEL BOWSER ON TREATY BODY RECOMMENDATIONS**

OFFICE OF THE LEGAL ADVISER

**April 25, 2015**

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*United States Department of State  
Washington, D. C. 20520*

April 25, 2015

The Honorable  
Muriel Bowser  
Mayor of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Suite 316  
Washington, DC 20004

Dear Mayor Bowser:

I am writing to you as part of the U.S. Department of State's ongoing efforts to keep officials at all levels of government informed about U.S. human rights obligations and commitments. As you know, the United States has a long and proud tradition of advancing the protection of human rights around the globe. Our country also upholds these values by protecting human rights here at home, which we achieve not only through actions taken at the federal level, but also through the dedicated efforts of state, local, insular, and tribal governments in areas such as protecting civil and political rights, combating racial discrimination, and protecting children from harms like trafficking and prostitution. We thus believe it is important to distribute broadly information regarding the U.S. government's human rights obligations and commitments and our efforts to present and defend our country's human rights record to the international community.

## **2014 Treaty Presentations**

The United States is a party to five core human rights treaties: the International Covenant on Civil and Political Rights (ICCPR); the International Convention on the Elimination of All Forms of Racial Discrimination (CERD); the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); and two optional protocols to the Convention on the Rights of the Child (CRC). As part of our obligations under these treaties, the U.S. government must submit reports periodically to a committee of independent experts created by the terms of each of these treaties and

then appear before that committee to present the report and answer questions. Over the last 12 months, the U.S. government made three such presentations in Geneva, Switzerland with respect to the following treaties: the ICCPR on March 13 and 14, 2014; the CERD on August 13 and 14, 2014; and the CAT on November 12 and 13, 2014.

These presentations were valuable opportunities to demonstrate to the world our country's commitment to protecting human rights domestically through our comprehensive system of laws, policies, and programs at all levels of government – federal, state, local, insular, and tribal. Reflecting our federal system of government, each of the U.S. delegations to these presentations featured not only senior officials from a range of federal agencies, but also elected or other high-level officials from state and local governments.

Shortly after each presentation, the respective committee issued a set of Concluding Observations & Recommendations (CORs), which presented the committee's views and recommendations on how the United States can further our implementation of the relevant treaty. Although these CORs are not legally binding, the United States carefully considers the views expressed by each committee, regardless of whether we agree with the factual or legal assertions on which they are based or whether they bear directly on obligations arising under the relevant treaty. These CORs provide constructive input from respected human rights actors in the international community and, as such, they merit consideration by officials at every level of government within the United States when taking actions or formulating and implementing policies that impact human rights.

In addition, CORs can serve as helpful reference points for consultations with civil society organizations and advocates on issues related to human rights in the United States. The federal government conducts civil society consultations in connection with the human rights treaty reporting process, which are important opportunities to receive input and feedback on ways that we can improve our implementation of human rights obligations and commitments. Similar human rights consultations could be useful at other levels of government.

The three sets of CORs from our 2014 presentations are available on the State Department website at:

ICCPR: [www.state.gov/documents/organization/235641.pdf](http://www.state.gov/documents/organization/235641.pdf)

CERD: [www.state.gov/documents/organization/235644.pdf](http://www.state.gov/documents/organization/235644.pdf)

CAT: [www.state.gov/documents/organization/234772.pdf](http://www.state.gov/documents/organization/234772.pdf)

These documents can also be found, along with a wealth of other materials regarding U.S. human rights treaties and U.S. reports and presentations related to our human rights treaty obligations, at:

[www.state.gov/j/drl/reports/treaties/index.htm](http://www.state.gov/j/drl/reports/treaties/index.htm).

### **Upcoming Universal Periodic Review Presentation**

The U.S. government will make its next human rights related presentation as part of the UN Human Rights Council's Universal Periodic Review (UPR) mechanism, on May 11, 2015, after filing our second UPR report on February 2, 2015. Unlike the treaty reporting process, the UPR is a process applicable to

every UN Member State and UPR reports are filed approximately every five years. At the May presentation, other UN member states will have the opportunity to pose questions and make recommendations to the U.S. delegation related to implementation of our human rights obligations and commitments across a broad range of issues. The UPR provides the United States with the opportunity to reflect on the progress we have made in the promotion of human rights domestically, and to continue to consider ways to improve protection of human rights in our country. The content of our presentation, and the recommendations that we receive and ultimately support, will be available online at [www.humanrights.gov](http://www.humanrights.gov).

### **Upcoming Reports on Children and Human Rights**

We will also soon begin drafting our next human rights treaty reports, which will provide information on U.S. implementation of the two Optional Protocols to the Convention on the Rights of the Child (CRC) that were ratified by the United States in 2003: (1) the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict and (2) the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography. If you would like more information about these treaties, or if you have information relevant to your own jurisdiction's efforts to combat child trafficking, child prostitution and/or child pornography, we invite you to contact us at the email address below. We would prefer to receive any such input – which could include descriptions of programs, significant prosecutions, or relevant data – by June 1, 2015.

Many of the topics covered in this letter were addressed in my recent speech to the National Association of Attorneys General, which I invite you to read: [www.state.gov/s/l/releases/remarks/239960.htm](http://www.state.gov/s/l/releases/remarks/239960.htm).

As with previous letters, we encourage you to share this letter broadly with other appropriate officials within your jurisdiction, such as the Office of the Attorney General, law enforcement agencies, and the Office of Human Rights.

If you have any questions or comments, please feel free to contact us through the State Department's Office of Intergovernmental Affairs at [IGA\\_humanrights@state.gov](mailto:IGA_humanrights@state.gov).

Best regards,

Mary E. McLeod  
Acting Legal Adviser  
U.S. Department of State

Attachment:  
U.S. Human Rights Presentations in 2014-15

Cc:  
U.S. Conference of Mayors  
National Association of Attorneys General  
International Association of Official Human Rights Agencies

## ENDNOTES

<sup>1</sup> Eleanor Roosevelt, *Remarks at the United Nations Commission on Human Rights* (March 27, 1958).

<sup>2</sup> *Report of the United States of America Submitted to the U.N. High Commissioner for Human Rights In Conjunction with the Universal Periodic Review*, ¶¶ 1-10 (Feb. 6, 2015), available at <http://www.state.gov/j/drl/upr/2015/237250.htm>.

<sup>3</sup> See *Shelby County v. Holder*, 570 US \_\_\_\_ (2013); NAACP and NAACP Legal Defense Fund, *Defending Democracy: Confronting Modern Barriers to Voting Rights in the United States* (2011), available at <http://www.naacp.org/pages/defending-democracy>.

<sup>4</sup> See *Report of The Sentencing Project to the United Nations Human Rights Committee Regarding Racial Disparities in the United States Criminal Justice System* (Aug. 2013), at

[http://sentencingproject.org/doc/publications/rd\\_ICCPR%20Race%20and%20Justice%20Shadow%20Report.pdf](http://sentencingproject.org/doc/publications/rd_ICCPR%20Race%20and%20Justice%20Shadow%20Report.pdf);

*The Growth of Incarceration in the United States: Exploring Causes and Consequences* (Jeremy Travis et al., eds. 2014), available at [http://johnjay.ijay.cuny.edu/nrc/NAS\\_report\\_on\\_incarceration.pdf](http://johnjay.ijay.cuny.edu/nrc/NAS_report_on_incarceration.pdf).

<sup>5</sup> See Eduardo Porter, *Income Inequality Is Costing the U.S. on Social Issues*, N.Y. Times (Apr. 28, 2015), available at [http://www.nytimes.com/2015/04/29/business/economy/income-inequality-is-costing-the-us-on-social-issues.html?\\_r=0](http://www.nytimes.com/2015/04/29/business/economy/income-inequality-is-costing-the-us-on-social-issues.html?_r=0);

Center for Econ. & Soc. Rights, *Visualizing Rights: Fact Sheet No. 11: United States of America* (2010), available at <http://www.cesr.org/downloads/USA%20Web%20final.pdf>.

<sup>6</sup> See, e.g., The U.S. Inter-Agency Council on Homelessness, *Human Rights and Alternatives to Criminalization* (2012), at

<http://usich.gov/issue/human-rights>; The White House, *Presidential Proclamation -- Twentieth Anniversary of the Violence*

*Against Women Act* (Sept. 9, 2014), at <https://www.whitehouse.gov/the-press-office/2014/09/09/presidential-proclamation-twentieth-anniversary-violence-against-women-a>; City of Madison, *Resolution on Housing as A Human Right*, Legislative File

23825 (Version 1) (Sept. 6, 2011), at <http://legistar.cityofmadison.com/attachments/a584992f-510c-46d1-b709-c81372062ac0.pdf> [Madison Resolution].

<sup>7</sup> See U.S. Conference of Mayors Human Rights Resolution, *Promoting and Encouraging International Human Rights* (June 2013), included as Appendix B.

<sup>8</sup> See e.g., Louisville Kentucky City News, *You just made history!" Louisville passes resolution supporting women, girls* (Nov. 14, 2014), at <https://louisvilleky.gov/news/%E2%80%9Cyou-just-made-history%E2%80%9D-louisville-passes-resolution-supporting-women-girls>;

United Nations Association of Greater Philadelphia, *Los Angeles Moves Forward with New CEDAW Initiative* (April 27, 2015), at <http://una-gp.org/2015/04/27/los-angeles-moves-forward-with-new-cedaw-initiatives/>.

<sup>9</sup> Mary McLeod, Acting Legal Adviser, U.S. Department of State, *The Role of State, Territorial, and Local Government in Promoting, Respecting, and Defending Human Rights*, Remarks to the National Association of Attorneys General National Conference (Feb. 25, 2015), at <http://www.state.gov/s/l/releases/remarks/239960.htm>; see also Letter from the Office of the Legal Adviser, U.S. Department of State to D.C. Mayor Muriel Bowser on Treaty Body Recommendations, included as Appendix C.

<sup>10</sup> The Universal Periodic Review (UPR) is a unique peer mechanism established by the U.N. Human Rights Council. Through the UPR, the human rights record of each U.N. Member State is reviewed on the basis of reports from the United Nations, the country under review, and civil society. The United States participated in its first UPR in 2011 and the second review of the U.S. took place on May 11, 2015. For guidance on how municipal agencies can use recommendations that emerge from the UPR, see Columbia Law School Human Rights Institute, *Implementing Recommendations from the Universal Periodic Review: A Toolkit for State and Local Human Rights Commission* (2011), available at

[http://www.law.columbia.edu/ipimages/Human\\_Rights\\_Institute/UPR%20Toolkit.pdf](http://www.law.columbia.edu/ipimages/Human_Rights_Institute/UPR%20Toolkit.pdf).

<sup>11</sup> This Outcomes Document draws from research and past reports by Columbia Law School's Human Rights Institute, including the 2012 Publication [Bringing Human Rights Home: How State and Local Governments Can Use Human Rights to Advance Local Policy](#) and [Using Human Rights Assessments in Local Governance: A Toolkit for State and Local Human Rights and Human](#)

[Relations Commissions](#) (2014). Additional information and resources for state and local officials be found at <http://web.law.columbia.edu/human-rights-institute/human-rights-us/state-and-local-implementation>.

<sup>12</sup> Universal Declaration of Human Rights, G.A. Res. 217A, at 71, U.N. Doc A/810 (Dec. 12, 1948), available at <http://www.un.org/en/documents/udhr/>.

<sup>13</sup> See *supra* note 10 and accompanying text.

<sup>14</sup> During the first U.N. Universal Periodic Review of the United States, federal representatives noted that "Human rights are universal, but their experience is local. This is why we are committed to holding everyone to the same standard, including ourselves." Secretary of State Hillary Rodham Clinton, *Remarks to the Press on the Release of the 2009 Country Reports on Human Rights Practices* (Mar. 11, 2010), available at

<http://www.state.gov/secretary/20092013clinton/rm/2010/03/138241.htm>.

<sup>15</sup> See The Salt Lake City Human Rights Commission and the Mayor's Office of Diversity and Human Rights, *The Status of Women in Salt Lake City* (May 2013), at [http://www.slcdocs.com/ODHR/SLC\\_Women\\_Report.pdf](http://www.slcdocs.com/ODHR/SLC_Women_Report.pdf).

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- <sup>16</sup> Tennessee Human Rights Commission, *The Status of Human Rights in Tennessee* (Nov. 2014), at [http://www.tn.gov/assets/entities/humanrights/attachments/FINAL\\_The\\_Status\\_of\\_Human\\_Rights\\_in\\_Tennessee\\_11.21.14.pdf](http://www.tn.gov/assets/entities/humanrights/attachments/FINAL_The_Status_of_Human_Rights_in_Tennessee_11.21.14.pdf)
- <sup>17</sup> City of Chicago, *Resolution Adopting the U.N. Convention on the Rights of the Child* (Feb.11, 2009), available at <http://www.law.northwestern.edu/legalclinic/cfjc/documents/ChicagoCityCouncil-Resolution.pdf>.
- <sup>18</sup> See Cornell Law School, *Freedom from Domestic Violence as a Fundamental Human Right Resolutions, Presidential Proclamations, and Other Statements of Principle*, <http://www.lawschool.cornell.edu/womenandjustice/DV-Resolutions.cfm>.
- <sup>19</sup> Miami-Dade County, *Resolution Expressing the Board's Intent to Declare that Freedom from Domestic Violence is a Fundamental Human Right* (July 17, 2012), at <http://www.miamidade.gov/govaction/matter.asp?matter=121380&file=true&yearFolder=Y2012FL.pdf>.
- <sup>20</sup> Miami-Dade County, *Ordinance Amending the Code of Miami-Dade County to Prohibit Discrimination Based on Status as a Victim of Domestic Violence, Dating Violence, or Stalking* (Feb. 12, 2015), at <http://www.miamidade.gov/govaction/matter.asp?matter=150316&file=false&yearFolder=Y2015>.
- <sup>21</sup> See *Madison Resolution*, *supra* note 6.
- <sup>22</sup> Dane County Recognizes Housing As A Human Right, Res. 292, 11-12, Dane County Board of Supervisors Zoning & Land Regulation Comm. Work Meeting Agenda, 103 - 4 (June 12, 2012), at <https://pdf.countyofdane.com/plandev/zoning/June%2012%20ZLR%20Work%20Meeting.pdf>.
- <sup>23</sup> Office of Seattle Mayor Ed Murray, *City of Seattle Affirms Privacy as Human Right* (July 20, 2015), at <http://murray.seattle.gov/city-of-seattle-affirms-privacy-as-human-right/#sthash.6uiyt41q.b5Uec2Ws.dpbs>.
- <sup>24</sup> For a more information on the ways that local governments are using human rights and equity audits and assessments in the United States, see *Using Human Rights Assessments in Local Governance*, *supra* note 11.
- <sup>25</sup> City & County of San Francisco, Department on the State of Women, *Gender Analysis Guidelines* (2008), at <http://sfgov.org/dosw/gender-analysis-guidelines>.
- <sup>26</sup> Office of Los Angeles Mayor Eric Garcetti, *Report on the Status of Women and Girls – Los Angeles*, at <http://www.lamayor.org/statusofwomen>.
- <sup>27</sup> See *supra* note 8 and accompanying text.
- <sup>28</sup> Eugene, Oregon, Triple Bottom Line, at <https://www.eugene-or.gov/index.aspx?NID=512>.
- <sup>29</sup> See Portland Oregon, Office of Equity and Human Rights, *Human Rights Impact Analysis: Secure Communities*, at <http://www.portlandoregon.gov/oehr/article/449521>.