July 23, 2019

The Honorable Michael Pompeo  
Secretary of State  
U.S. Department of State  
Washington, D.C. 20520

Dear Secretary Pompeo:

We, the undersigned U.S. foreign policy, human rights, civil liberties, social justice, and faith leaders, experts, scholars, and organizations, write to express our deep concern with the Department of State’s recently announced Commission on Unalienable Rights. We object to the Commission’s stated purpose, which we find harmful to the global effort to protect the rights of all people and a waste of resources; the Commission’s make-up, which lacks ideological diversity and appears to reflect a clear interest in limiting human rights, including the rights of women and LGBTQI individuals; and the process by which the Commission came into being and is being administered, which has sidelined human rights experts in the State Department’s own Bureau of Democracy, Human Rights, and Labor (DRL).

We urge you to immediately disband this body, and to focus your personal attention on the significant challenges currently facing the protection of human rights globally.

As you said when you launched the Commission and affirmed the importance of the 1948 Universal Declaration of Human Rights (UDHR), “the language of human rights has become the common vernacular for discussions of human freedom and dignity all around the world, and these are truly great achievements.” The UDHR begins by declaring that the recognition of the equal and inalienable rights “of all members of the human family is the foundation of freedom, justice and peace.”

In the United States, the story of the past two and a half centuries is in many ways one of the as-of-yet unfinished recognition of these rights for African Americans and other minorities, women, LGBTQI people, people with disabilities, children, and other marginalized populations, often via immense struggle against those who would limit rights to a privileged few. Likewise, the story of the international human rights movement is one of the deepened recognition and protective reach of rights based on the painstaking work of social movements, scholars, and diplomats, through international agreements and law.

Given this history, we view with great misgiving a body established by the U.S. government aimed expressly at circumscribing rights through an artificial sorting of those that are “unalienable” and those to be now deemed “ad hoc.” These terms simply have no place in human rights discourse. It is a fundamental tenet of human rights that all rights are universal and equal.1 Governments cannot take or discard them as they choose. Like other governments, the U.S. government is bound to certain obligations codified in widely ratified international treaties. At

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1 Vienna Declaration, Article 5: “All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.” [https://www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx](https://www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx)
best, an exercise seemingly geared toward objecting to this well-established fact presents a waste of time and energy better spent on actual human rights issues. More ominously, the reference to “ad hoc” rights resembles language used by autocratic and dictatorial governments, which frequently speak in terms of a hierarchy of rights.

We are likewise dismayed by the well-documented views of a significant majority of the Commission’s 10 members. Taken as a whole, the Commission clearly fails to achieve the legal requirement that a federal advisory committee “be fairly balanced in its membership in terms of the points of view represented and the functions to be performed.” Almost all of the Commission’s members have focused their professional lives and scholarship on questions of religious freedom, and some have sought to elevate it above other fundamental rights. The right to freedom of thought, conscience, and religion is a fundamental right, but one of among 30 such rights enshrined in the UDHR. No Commissioner focuses nearly as exclusively on any other issue of pressing concern contained with the UDHR, including the right to asylum, the right to be free from torture, the right to equal protection against any discrimination, or any of the UDHR’s enumerated economic, social, and cultural rights, among other topics.

Moreover, the Commission’s chair and members are overwhelmingly clergy or scholars known for extreme positions opposing LGBTQI and reproductive rights, and some have taken public stances in support of indefensible human rights violations. The Commission’s chair has stated that marriage equality undercuts the welfare of children. A Commission member has similarly stated that “the unavoidable message” of same-sex marriage “is a profoundly false and damaging one.” A third Commission member has argued against the use of contraception even when that use is meant to limit the spread of disease. A fourth has described questions of gender identity as “a matter of mental illness or some other pathology” and “a mark of a heartless culture.” A fifth has suggested that widespread outrage at the Saudi Arabian government’s premeditated murder and dismemberment of journalist and dissident Jamal Khashoggi is grounded in U.S. domestic political considerations. A sixth has described the government of the United Arab Emirates as one “committed to tolerance...committed to civil society,” despite that government’s egregious and well-documented human rights record at home and abroad.

These are deeply troubling positions, and it is our firm belief that individuals who hold such views have no place on a commission tasked with the promotion and protection of universal rights.

Finally, we are alarmed by reports and statements reflecting the fact that the Commission was established without the input of DRL, which is tasked by law with advising the Secretary of State, through its Assistant Secretary, on matters pertaining to democracy and human rights. We

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2 https://virtueonline.org/harvard-law-professor-says-same-sex-marriage-about-special-preference
4 https://www.thepublicdiscourse.com/2016/02/16517/
5 https://www.thepublicdiscourse.com/2015/07/15308/
6 https://www.pbs.org/newshour/world/members-of-new-pompeo-task-force-have-previously-praised-human-rights-abusers
7 Ibid.; https://www.washingtonpost.com/opinions/2019/07/09/how-united-arab-emirates-contribute-mess-middle-east/?utm_term=.8fbd3e7ae676
find the notion that the Commission will focus on “principles” but not “policy” to be a
distinction without a meaningful difference. In this regard, we note that the office charged by
you with supporting the Commission’s work is aptly named “Policy Planning.”

Taxpayer resources should simply not be wasted on this Commission. A body created by this
administration, with the mandate and members you have made public, lacks real credibility. Its
findings will have no weight or ability to redefine human rights.

Rather than continue with this Commission, we urge you to use the resources of your office to
take action on the great many grave human rights issues facing the world today, including
those—like the treatment of asylum seekers and administration rhetoric and policy supportive of
some of the world’s leading human rights violators— you have the power to improve directly.

Thank you for your time and attention to this important matter.

Sincerely,

Non-Governmental Organization (NGO) Signatories

1. Accountability Lab
2. Advocacy for Principled Action in Government
3. The Advocates for Human Rights
4. Advocates for Youth
5. Ameinu
6. Afrolatinos Historical Society
7. Agora International Human Rights Group (Russia)
8. Amazon Watch
9. American Atheists
10. American Civil Liberties Union (ACLU)
11. American Friends Service Committee
12. American Jewish World Service
13. American Psychological Association
14. Amnesty International USA
15. Anti-Defamation League (ADL)
16. As the Spirit Moves Us
17. Bayard Rustin Liberation Initiative
18. Better World Campaign
19. Beyond the Bomb
20. Bridges Faith Initiative
22. Cairo Institute for Human Rights Studies
23. Campaign for Youth Justice
24. Canadian Civil Liberties Association
25. Cardozo Law Institute in Holocaust and Human Rights (CLIHHR)
26. Catholics for Choice
27. Center for American Progress
28. Center for Constitutional Rights
29. Center for Disability Rights Inc.
30. Center for Gender and Refugee Studies
31. Center for Health and Gender Equity (CHANGE)
32. Center for Justice and Accountability
33. Center for Reproductive Rights
34. Center for Victims of Torture
35. Central American Resource Center (CARECEN) DC
36. Centro de Estudios Legales y Sociales (CELS)
37. Chinese Human Rights Defenders (CHRD)
38. Coalition for an Ethical Psychology
39. Coalition for Humane Immigrant Rights (CHIRLA)
40. Columbia Law School Human Rights Clinic
41. Columbia Law School Human Rights Institute
42. Columbia Law School Immigrants' Rights Clinic
43. Corporate Accountability Lab
44. Council for Global Equality
45. CREDO
46. Crude Accountability
47. Dejusticia
48. Detroit Jews for Justice
49. DignityUSA
50. The Egyptian Initiative for Personal Rights
51. Environment and Human Rights Advisory
52. Equality Arizona
53. Equality California
54. Equality Maine
55. Equality North Carolina
56. Equality Now
57. Equality Utah
58. Equity Forward
59. Fair Wisconsin
60. Family Violence Appellate Project
61. Feminist Majority Foundation
62. The Feminist Wire
63. Foreign Policy for America
64. Four Freedoms Forum
65. Freedom From Religion Foundation
66. Friends Committee on National Legislation
67. Georgia Peace & Justice Coalition
68. Global Faith & Justice Project
69. Global Fund for Women
70. The Global Interfaith Network for People of All Sexes, Sexual Orientations, Gender Identities and Expressions
71. Global Justice Center
72. Global Justice Clinic, NYU School of Law
73. Global Justice Institute, Metropolitan Community Churches
74. Global Witness
75. Government Accountability Project
76. Habonim Dror North America
77. Hawaii'i Institute for Human Rights
78. Heartland Alliance International
79. Heartland Initiative
80. Hip Hop Caucus
81. Horizons Foundation
82. Human Rights Advocates
83. Human Rights Campaign
84. Human Rights Educators USA
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<td>Leitner Center for International Law and Justice, Fordham Law School</td>
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<td>National Advocacy Center of the Sisters of the Good Shepherd</td>
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118. National Advocates for Pregnant Women
119. National Association of Social Workers
120. National Center for Lesbian Rights
121. National Center for Transgender Equality
122. National Council of Churches
123. National Council of Jewish Women
124. National Council on Independent Living
125. National Equality Action Team (NEAT)
126. National Law Center on Homelessness & Poverty
127. National Lawyers Guild International Committee
128. National Priorities Project at the Institute for Policy Studies
129. National Trans Bar Association
130. National Women’s Political Caucus
131. #NatSecGirlSquad
132. Never Again Coalition
133. Open Society Foundations
134. OutFront Minnesota
135. OutRight Action International
136. Oxfam America
137. PAI
138. PartnersGlobal
139. PEN America
140. People’s Health Movement USA
141. PFLAG National
142. Physicians for Human Rights
143. Planned Parenthood Federation of America
144. Population Connection Action Fund
145. Population Institute
146. Presbyterian Church (USA)
147. Priority Africa Network
148. Project on Middle East Democracy (POMED)
149. Project South
150. Psychologists for Social Responsibility
151. Rachel Carson Council
152. Reconstructing Judaism
153. Rights and Democracy of Vermont and New Hampshire
154. Robert F. Kennedy Human Rights
155. Safeguard Defenders
156. Sex Workers Project at the Urban Justice Center
157. Showing Up for Racial Justice - Montgomery County, Maryland
158. Silver State Equality-Nevada
159. SJSU Human Rights Institute
160. The Solidarity Center
161. Synergía - Initiatives for Human Rights
162. Torture Abolition and Survivors Support Coalition International
163. Truah: The Rabbinic Call for Human Rights
164. Unitarian Universalist Service Committee
165. United Nations Association of the USA
166. University of Miami School of Law, Human Rights Clinic
167. Urgent Action Fund for Women’s Human Rights
168. US Human Rights Network
169. V-Day and One Billion Rising
170. Veterans for American Ideals
171. Washington Office on Latin America (WOLA)
172. Win Without War
173. Winnemem Wintu Tribe
174. Women for Afghan Women
175. Women's Alliance for Theology, Ethics, and Ritual (WATER)
176. Women's Environment and Development Organization (WEDO)
177. Woodhull Freedom Foundation
178. World Without Genocide at Mitchell Hamline School of Law
Individual Signatories

* Note: those listed below have signed in an individual capacity. Affiliations are listed for identification purposes only.

Former Senior Government Officials

1. Daniel Baer

2. Ariana Berengaut
   Senior Advisor, National Security Action; Counselor to the Deputy Secretary of State, 2015-2017

3. Rob Berschinski
   Senior Vice President for Policy, Human Rights First; Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor, 2015-2017

4. Eric R. Biel
   Associate Deputy Undersecretary of Labor for International Labor Affairs, 2012-2017

5. Rebecca Brocato
   Special Assistant to the President for Legislative Affairs, 2016-2017

6. Michael Carpenter
   Senior Director, Penn Biden Center for Diplomacy and Global Engagement; Deputy Assistant Secretary of Defense for Eurasia, 2015-2017

7. Luis C. deBaca
   Senior Fellow, Gilder Lehrman Center for the Study of Slavery, Resistance, and Abolition Yale University; Ambassador-at-Large to Monitor and Combat Trafficking in Persons, 2009-2014

8. Bennett Freeman
   Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor, 1999-2001

9. Michael Fuchs
   Deputy Assistant Secretary of State for East Asian and Pacific Affairs, 2013-2016

10. Mary Beth Goodman
    Special Assistant to the President & Senior Director for Development, National Security Council, 2015-2017

11. Keith M. Harper

12. Judith Heumann
    International Disability Rights Advocate; Special Advisor on International Disability Rights for the State Department, 2010-2016
13. Victoria K. Holt  
Managing Director, The Henry L. Stimson Center; Deputy Assistant Secretary of State, International Organization Affairs, 2009-2017

14. Harold Hongju Koh  
Sterling Professor of International Law, Yale Law School; Assistant Secretary of State for Democracy, Human Rights and Labor, 1998-2001; Legal Adviser, US Department of State, 2009-2013

15. Rose Jackson  
Chief of Staff, State Department Bureau of Democracy, Human Rights, and Labor, 2013-2016

16. Matthew Kaczmarek  
White House Liaison Department of State, 2015-2017

17. Jonathan Katz  
Senior Fellow, German Marshall Fund of the United States; Former Deputy Assistant Administrator, Europe and Eurasia Bureau, USAID, 2014-2017

18. Ambassador Ian Kelly (Ret.)  
Northwestern University Ambassador in Residence

19. David J. Kramer  
Senior Fellow, Florida International University Václav Havel Program for Human Rights and Diplomacy; Assistant Secretary of State for Democracy, Human Rights and Labor, 2008-2009

20. Sarah Labowitz  
Senior Advisor, U.S. Department of State Bureau of Democracy, Human Rights, and Labor, 2009-2013

21. Christopher Le Mon  
Special Assistant to the President & National Security Council Senior Director, 2013-2017; U.S. State Department Senior Advisor for Multilateral Affairs and Human Rights, 2009-2013

22. Jonathan L. Lee  

23. Christopher Lu  
U.S. Deputy Secretary of Labor, 2014-2017

24. Tom Malinowski  
Member of Congress (NJ-7); Assistant Secretary of State for Democracy, Human Rights and Labor, 2014-2017

25. Mary McGowan Davis  
Justice of the Supreme Court of the State of New York (Retired)

26. Sarah E. Mendelson  
Distinguished Service Professor of Public Policy, Carnegie Mellon University; Ambassador to the UN Economic and Social Council, 2015-2017
27. Alberto Mora  
Senior Fellow, Harvard Kennedy School Carr Center for Human Rights Policy; General Counsel of the Navy, 2001-2006

34. Jeffrey Prescott  
Executive Director, National Security Action; Special Assistant to the President and Deputy National Security Advisor to the Vice President, 2013-2017

28. Brian H. Nilsson  
Deputy Assistant Secretary of State for Defense Trade Controls, 2015-2017

35. Ned Price  
Special Assistant to the President, 2016-2017; NSC Spokesperson, 2015-2017

29. Matthew G. Olsen  
Director  
National Counterterrorism Center, 2011-2014

36. Dr. Dafna H. Rand  
Vice President for Policy and Research, Mercy Corps; Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, 2015-2017

30. Rusty D. Pickens  
Senior Advisor for Digital Platforms  
U.S. Department of State, 2015-2017

37. Susan Rice  

31. Stephen Pomper  
Special Assistant to the President and NSC Senior Director for Multilateral Affairs and Human Rights, 2013-2016

38. Laura Rosenberger  
Director of the Alliance for Securing Democracy, German Marshall Fund; Chief of Staff to the Deputy National Security Advisor and Deputy Secretary of State, 2013-2015

32. Michael Posner  
Jerome Kohlberg Professor of Ethics and Finance, New York University Stern School of Business; Former Assistant Secretary of State for Democracy, Human Rights and Labor, 2009-2013

39. Catherine Russell  
Ambassador for Global Women's Issues, 2013-2017

33. Samantha Power  

40. Amanda Sloat  
Deputy Assistant Secretary of State for Southern Europe and Eastern Mediterranean Affairs, 2013-2016
41. Douglas Wilson  
   Assistant Secretary of Defense for Public Affairs, 2010-2012

Faith-based Leaders

42. Rev. Patricia Ackerman  
   Director  
   Ethics of Reciprocity Project

43. Rabbi Aryeh Bernstein  
   Avodah  
   Chicago, Illinois

44. Robert Cooke  
   Coordinator  
   St. Rose of Lima Pax Christi group

45. Rabbi Debbie Israel Dubin  
   Congregation Emeth  
   Morgan Hill, California

46. Rev. John Edmonds  
   Episcopal Priest (retired)  
   Diocese of New York

47. Rabbi Diane Elliot  
   Wholly Present  
   California

   Priest  
   Independent Old Catholic Church

49. Neil A. Harmon  
   Seminarian  
   Chicago Theological Seminary

50. The Rev. Lauren Kay  
   The Episcopal Church  
   Sanford, Maine

51. Rev. Terence Mayo  
   Public Theology Fellow  
   Vanderbilt Divinity School’s Public Theology and Racial Justice Collaborative

52. Shaun-Michael Morse  
   Worship Director  
   Table of Hope Metropolitan Community Church

53. Rev. Elisabeth E. Patz  
   Associate Pastor  
   St. Paul’s United Church of Christ  
   Elgin Illinois

54. Rev. Samuel Paul  
   Associate Pastor  
   Board Director, Community Renewal Society

55. Rev. Dr. Christopher Pierson  
   Senior Pastor  
   Gary United Methodist Church in Wheaton, IL

56. Hussein Rashid  
   Professor of Religion; Faith Leader  
   New York City, New York

57. Christophe D. Ringer  
   Assistant Professor of Theological Ethics and Society  
   Chicago Theological Seminary

58. Rabbi Elliott Tepperman  
   Bnai Keshet  
   Montclair, New Jersey

59. Marsha A. Thrall  
   Religious Educator  
   Unitarian Universalist Church
60. Derek Waldron  
  Seminarian  
  Chicago Theological Seminary

61. Rabbi Deborah Waxman  
  President  
  Reconstructing Judaism

62. Rabbi Barbara Zacky  
  Board Member  
  IKAR

Scholars and Educators

63. Richard L. Abel  
  Connell Distinguished Professor of Law Emeritus  
  University of California Los Angeles

64. Kayum Ahmed  
  Adjunct Lecturer in Law  
  Columbia University Law School

65. Randi Aho  
  Program Manager  
  Human Rights Institute at Columbia Law School

66. Ryan Allen  
  Associate Professor  
  University of Minnesota Humphrey School of Public Affairs

67. Philip Alston  
  John Norton Pomeroy Professor  
  New York University School of Law

68. Ashley Binetti Armstrong  
  Acting Assistant Professor  
  New York University School of Law

69. Sandra Babcock  
  Clinical Professor  
  Cornell Law School International Human Rights Clinic

70. Damián Baca  
  Professor  
  University of Arizona

71. Jeffrey Bachman  
  Professorial Lecturer in Human Rights  
  American University School of International Service

72. Eva S. Balogh  
  Professor Emeritus of History  
  Yale University

73. Linda Bell  
  Emerita Professor of Philosophy; Director of the Women's Studies Institute  
  Georgia State University

74. Joseph Berra  
  Clinical Project Director  
  UCLA School of Law

75. Caroline Bettinger-Lopez  
  Professor of Law  
  University of Miami School of Law Human Rights Clinic

76. Carolyn Patty Blum  
  Clinical Professor of Law Emerita  
  University of California Berkeley School of Law

77. Carrie Booth Walling  
  Associate Professor of Political Science  
  Albion College
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<td>78</td>
<td>Alison Brysk</td>
<td>Mellichamp Professor of Global Governance</td>
<td>University of California Santa Barbara</td>
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<td>Lauren Carasik</td>
<td>Clinical Professor of Law</td>
<td>Western New England University School of Law</td>
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<td>Monica J. Casper, Ph.D.</td>
<td>Professor and Associate Dean</td>
<td>University of Arizona</td>
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<td>Carol Castleberry J.D., LL.M.</td>
<td>Assistant Professor of Academic Success</td>
<td>St. Thomas University School of Law</td>
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<td>Michelle Chouinard</td>
<td>Program Coordinator</td>
<td>Columbia University School of International and Public Affairs</td>
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<td>Brian Citro</td>
<td>Assistant Clinical Professor of Law</td>
<td>Northwestern Pritzker School of Law</td>
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<td>Ann Marie Clark</td>
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<td>C. Anne Claus</td>
<td>Assistant Professor</td>
<td>American University</td>
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<td>Sarah Cleveland</td>
<td>Louis Henkin Professor of Human &amp; Constitutional Rights</td>
<td>Columbia Law School</td>
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<td>Michael Cohen</td>
<td>Professor of International Affairs</td>
<td>The New School</td>
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<td>Jorge Contesse</td>
<td>Associate Professor of Law</td>
<td>Rutgers Law School</td>
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<td>Avidan Cover</td>
<td>Professor</td>
<td>Case Western Reserve University School of Law</td>
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<td>Mary T. Curtin</td>
<td>Diplomat in Residence</td>
<td>University of Minnesota Humphrey School of Public Affairs</td>
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<td>Karen A. D'Angelo</td>
<td>Assistant Professor</td>
<td>University of Illinois Chicago Jane Addams College of Social Work</td>
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<td>Tanya L. Domi</td>
<td>Adjunct Professor and Lecturer</td>
<td>Columbia University and Hunter College</td>
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<td>Margaret B. Drew</td>
<td>Associate Professor</td>
<td>University of Massachusetts School of Law Human Rights at Home Clinic</td>
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<td>David Evans</td>
<td>Associate Professor of History and Intercultural Studies</td>
<td>Eastern Mennonite University</td>
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<td>Christina Ewig</td>
<td>Professor of Public Affairs</td>
<td>University of Minnesota</td>
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95. Chris Fike
   Assistant Professor of Social Work
   Saginaw Valley State University

96. Martin Flaherty
   Leitner Family Professor of
   International Human Rights Law
   Fordham Law School

97. Natalie Florea Hudson, Ph.D
   Director
   University of Dayton Human Rights
   Studies Program

98. Claudia Flores
   Associate Clinical Professor of Law
   University of Chicago Law School
   International Human Rights Clinic

99. Barbara Frey
   Director, Human Rights Program
   University of Minnesota

100. Eric A. Friedman
    Global Health Justice Scholar
    Georgetown University Law Center
    O'Neill Institute for National and
    Global Health Law

101. Aya Fujimura-Fanselow
    Senior Lecturing Fellow &
    Supervising Attorney
    Duke University School of Law

102. Larry Garber
    Adjunct Professor
    George Washington University

103. Deborah Garretson
    Associate Professor
    Dartmouth College

104. Teresa Gilarducci
    Professor of Economics
    The New School for Social Research

105. Denise Gilman
    Director, Immigration Clinic
    University of Texas School of Law

106. Stephen E. Gottlieb
    Jay and Ruth Caplan Distinguished
    Professor of Law Emeritus
    Albany Law School

107. Jennifer M. Green
    Associate Professor
    University of Minnesota Law School

108. Gergana Halpern
    Program Manager
    Columbia University Institute for the
    Study of Human Rights

109. Rebecca Hamilton
    Assistant Professor of Law
    American University Washington
    College of Law

110. Mary Hansel
    Instructor
    University of California Irvine
    School of Law International Justice
    Clinic

111. Dina Francesca Haynes
    Professor of Law
    New England Law

112. Laurence R. Helfer
    Professor of Law
    Duke University
113. Francisca James Hernández  
  Research Associate  
  University of Arizona Southwest Institute for Research on Women

114. John Quentin Heywood  
  Professor  
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115. Sabrina Howell  
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