

**A New Appeal for Human Rights**  
Atlanta, Georgia

May 16, 2017

Jill Cartwright, Spelman College  
Asma Elhuni, Georgia State University  
Violeta Hernandez Padilla, Freedom University  
Serena Hughley, Spelman College  
Natalie Leonard, Georgia Institute of Technology  
Andalib Malit Samandari, Morehouse College  
Alma Olmedo-Fermin, Freedom University  
Daye Park, University of Georgia  
Jonathan Peraza, Emory University  
Maria Zetina, Agnes Scott College

Charles Black, Second Chairman of the Atlanta Student Movement, Morehouse College  
Lonnie King, First Chairman of the Atlanta Student Movement, Morehouse College  
Dr. Roslyn Pope, Author of the 1960 Appeal for Human Rights, Spelman College  
Dr. Laura Emiko Soltis, Executive Director and Professor of Human Rights, Freedom University

**PREAMBLE**

On March 9, 1960, members of the Atlanta Student Movement published “An Appeal for Human Rights,” which denounced the discrimination they faced as black youth in the city of Atlanta. We, as students of conscience from Agnes Scott College, Clark Atlanta University, Emory University, Freedom University, the Georgia Institute of Technology, Georgia State University, Morehouse College, Spelman College, and the University of Georgia, take courage and inspiration from their legacy as we continue the struggle for human rights.

Today, more than 57 years after the publication of the original Appeal for Human Rights, communities of color continue to bear the most severe violations of human rights here in the Deep South. In 1960, black people faced more overt forms of racial discrimination. But racism did not disappear - it evolved. Today, a powerful force underlying the intersecting forms of discrimination young people of color face is the assumption that they are criminals. This assumption takes on structural forms as prisons and immigrant detention centers, where racism is masked as law and order.

We, as students who belong to black, Latinx, Asian, Undocumented, Muslim, LGBTQIA+, and ally communities, form a coalition in Atlanta to assert our human rights and resist structures and assumptions that criminalize our existence. Our coalition is comprised of students who are diverse in race, religion, creed, class, citizenship, gender, sexuality, ability, and background, as a necessary representation of the people we seek to empower. Just as discrimination is intersectional, so is our fight.

Like the students who came before us, we utilize a global human rights framework to assert our rights as human beings, not as subjects of a nation-state. We recognize the full spectrum of political, civil, economic, social, and cultural rights, as articulated in the Universal Declaration of

Human Rights of 1948 and the growing field of international human rights law. Human rights are often seen as the purview of lawyers. However, we believe that human rights can also be a powerful tool for marginalized people ourselves, helping us to raise consciousness in our communities and mobilize people into collective action.

We recognize human rights as universal and inalienable, as well as indivisible and interdependent. The United States of America, however, only recognizes political and civil rights as worthy of legal obligation and protection, and ignores many of our economic, social, and cultural rights. Furthermore, the United States does not safeguard the rights of marginalized communities, and in many cases, state agencies discriminate and perpetrate violence against them. As young people and students, we have organized ourselves in order to learn from each other and across generations, and mobilize as a united force to defend our common humanity.

Together, we denounce the violators of our human rights and dignity, and we pledge to defend our rights and those of our neighbors. We recognize that human rights are never granted by those in power. They are articulated by common people and achieved through collective action. We denounce the City of Atlanta's appropriation of human rights language for purposes of branding. We simply cannot call Atlanta an "International City" or a "Welcoming City" if we disregard international human rights standards and discriminate against immigrants here at home.

Although we are situated in and concentrate our activism locally in the city of Atlanta, in the state of Georgia, and within the borders of the United States, our solidarity is with all marginalized people of this world who are fighting for their human rights.

Among the inequalities against which we protest, the following injustices in Atlanta and in Georgia are outstanding examples:

## NON-DISCRIMINATION

Article 7 of the Universal Declaration of Human Rights and the 14th Amendment of the U.S. Constitution state that every person has the right to equal protection under the law. In international human rights law, discrimination based on status such as nationality, ethnicity, race, and religion is prohibited. Furthermore, children cannot be discriminated against because of their parents' status. Despite these legal principles, discrimination in Georgia persists in many forms.

Black people are disproportionately targeted by police and face severe discrimination at all levels of the criminal justice system, from juvenile detention, to racial profiling, arrest, prosecution, sentencing, parole, and reintegration into society. The result has been the modern re-enslavement and disenfranchisement of black people through mass incarceration.

Undocumented immigrants also face discrimination by the government, which accepts their labor, but denies their right to vote and equal access to education, social security, and other social benefits. State authorities and businesses use threats of raids, detention, and deportation to discipline and punish undocumented immigrants, in order to prevent them from asserting their rights. Undocumented youth also face severe discrimination in access to public and private higher education in Georgia. They are banned from Georgia's top public universities and in-state tuition rates, and are the target of punitive legislation such as House Bill 37, the "Anti-Sanctuary Campus" bill.

Georgia also lacks legislation that explicitly prohibits discrimination based on gender identity or sexual orientation. In *Evans v. Georgia Regional Hospital*, a judge ruled in March 2017 that sexual orientation is not a protected class against discrimination, thereby setting a legal precedent for further discrimination against members of the LGBTQIA+ community in Georgia.

## EDUCATION

Article 26 of the Universal Declaration of Human Rights states that education is a human right and that access to higher education shall be based on merit. While the United States protects the right to free K-12 education, it does not recognize the right to higher education, leaving undocumented student access to higher education up to individual states. Only three states have an admissions ban against undocumented students, and they are all located in the Deep South: South Carolina, Alabama, and Georgia. In 2010, the Georgia Board of Regents passed Policy 4.1.6 and 4.3.4, effectively banning undocumented students from attending the state's top public universities and from paying in-state tuition throughout Georgia. These restrictions echo segregation laws of the pre-Brown v. Board of Education era, which excluded students based on an arbitrary social status rather than their academic merit. These laws jeopardize Georgia's moral standing in the United States and in the world; they also have severe economic consequences for all Georgians. By banning undocumented students from public higher education through admissions bans and in-state tuition bans, Georgia fails to capitalize on its investment in undocumented students' K-12 education, estimated at \$100,000 per student, and loses \$10 million in annual tax revenues.

In May 2017, the Georgia state legislature passed HB 37, the nation's first "Anti-Sanctuary Campus Bill," which punishes private universities for enacting sanctuary policies that seek to protect undocumented students. The bill was a direct response to Atlanta-wide student protests for sanctuary campuses following the election of the 45th President. Undocumented students of Freedom University and Emory University partnered with documented allies to form the Emory Sanctuary Coalition, strengthening the movement for sanctuary campuses in Georgia. The Emory Sanctuary Coalition defined a sanctuary campus as one that welcomes, protects, and supports undocumented students by: 1) accepting all academically qualified undocumented students, including students with Deferred Action for Childhood Arrivals (DACA) and fully undocumented students, and providing full need-based financial aid; 2) protecting undocumented students by requiring a signed judicial warrant for any federal immigration official attempting to enter campus; and 3) supporting undocumented students by granting equal access to health services and legal aid clinics. While Emory administration recently announced its fulfillment of an equal access admissions policy for all undocumented students, it capitulated to threats by the Georgia legislature and failed to declare itself a sanctuary campus.

Undocumented black students face intersectional oppression of both anti-immigrant legislation and anti-black discrimination, and are unable to access sufficient financial assistance at Historically Black College and Universities (HBCUs). For these reasons, we demand that the Georgia Board of Regents repeal Policy 4.1.6 and 4.3.4 and encourage all private universities in Georgia, including Emory University, Agnes Scott College, Spelman College, and Morehouse College, to declare themselves sanctuary campuses and challenge HB 37 in court.

## VOTING

Article 21 of the Universal Declaration of Human Rights states that any government's authority must be based on the will of the governed. If elected representatives undermine popular sovereignty, or any section of the population is excluded, then that government is no longer fit to serve its people. When the original Appeal was published in March 1960, many counties in Southern states barred citizens from voting based on overt racial discrimination. Thanks to the successful grassroots mobilization in the U.S. Civil Rights Movement, the Voting Rights Act of 1965 declared racially-motivated voter discrimination to be a federal offense. However, just as racism has changed over time, the methods to disenfranchise and disempower people of color have also adapted for modern neo-liberal politics. Today, local movements still fight to obtain and safeguard voting rights in the United States, particularly for undocumented immigrants and the formerly incarcerated.

Undocumented immigrants pay state and federal taxes and contribute to the social security program, but are ineligible to receive the benefits they fund. Each year, undocumented immigrants pay an estimated \$12 billion in taxes. In Georgia alone, \$352 million in state taxes come from undocumented immigrants, where they also contend with vindictive state policies. "No taxation without representation" is a near-sacred tenet of the republic, but in the 21<sup>st</sup> century, millions of tax dollars come from disenfranchised people. Therefore, it is important to create fair pathways to citizenship and establish voting rights for currently undocumented immigrants in order to fulfill their human right to take part in the political life and governance of society.

Felony disenfranchisement is an injustice endorsed by the federal government and enforced by states, as the U.S. Constitution allows individual states to determine which crimes are punishable by the loss of voting rights. Thus, a criminal conviction in the United States can lead to an individual's "civic death," making people more vulnerable to human rights abuses, including not only exclusion from voting rights, but discrimination in accessing decent work and affordable housing. Moreover, Latinx and black populations constitute a disproportionate number of incarcerated people and ex-felons, not because they commit more crimes, but because criminalization of their daily lives and mass incarceration are now the primary means for securing cheap prison labor, disenfranchising people of color, and amassing billions of dollars in profit for private prisons.

In addition to direct forms of disenfranchisement, gerrymandering of voting districts based on race, class, and party affiliation have undermined the democratic process and principle of representative government in the United States.

## HOUSING

Article 25 of the Universal Declaration of Human Rights asserts that access to housing is a necessary component in fulfilling the human right to an adequate standard of living. Access to housing means access to housing options that are affordable, safe, and sustainable. As the cost of rent rises while wages remain stagnant, Atlanta faces a housing crisis. The lack of affordable housing drives people outside of our city limits or to housing units with deplorable conditions, such as inefficient heating and cooling systems. These conditions, in turn, negatively impact a resident's health by increasing the risk for respiratory disease, asthma, and heart disease. When

combined with increased spending on utility bills and decreased spending on fresh food, unaffordable and inadequate housing threaten one's economic security and physical health.

Limited affordable housing places residents at risk of homelessness, especially for renters, as the eviction process is much shorter for renters than for homeowners. Landlords can send their tenants a late notice as early as two days after a late payment and can legally seek a court notice for eviction within ten days.

In Atlanta, the Housing Justice League reports that affordable housing has decreased by 5 percent every year since 2012, and 95 percent of newly-constructed apartments since 2012 have been luxury apartments. Planned and recent redevelopment in Atlanta, including that of Turner Field and the Atlanta Beltline, threatens worsened gentrification and a decrease in affordable housing by excluding long-term residents from the conversation. Furthermore, the City of Atlanta has not emphasized the preservation and restoration of historic buildings, such as Gaines Hall of Morris Brown College, a building with national and statewide educational significance that was damaged by fire under the city's watch. By conducting a survey of Atlanta's historic resources, financial resources and attention could be strategically allocated to ensure the preservation of our city's historic buildings and districts.

Policy for developing mixed-income communities must be redesigned, striking a balance between Atlanta's redevelopment, preservation of our historically significant buildings and districts, and maintenance and provision of affordable housing for long-term residents, especially renters. As affordable, safe, and sustainable housing is interdependent with the fulfillment of working conditions, healthcare, and educational human rights, negligence in providing housing opportunities for all communities and residents harms us in all aspects of our lives. Welcoming Atlanta's growth must be met with respect for human rights.

## HEALTHCARE

Article 25 of the Universal Declaration of Human Rights asserts that health and access to medical care is a human right. Governments are responsible for providing affordable access for all, including people of low socioeconomic status and people with pre-existing conditions. According to the Congressional Budget Office, 24 million Americans are threatened with the repeal of the Affordable Care Act, adversely affecting the populations most in need of care.

Within the state of Georgia, 1.4 million individuals lack insurance, and only a fraction of the projected need in metro-Atlanta is met by safety net service providers. In Fulton and DeKalb counties, Grady Health System accounts for a disproportionate majority of these safety net services. The Georgia Center for Opportunity recommends the following measures for expanding safety net care: provide financial support from the state government for safety net providers, restore sales tax exemption for safety net providers, promote telemedicine within safety net providers, and update regulations surrounding nurse practitioner care.

Beyond health insurance, underlying determinants of health include the fulfillment of economic and social rights, including access to food and water, safe working and environmental conditions, accurate and informative sex education, and the provision of behavioral, mental, and reproductive health services. In addressing the above disparities, policies and regulations

surrounding health care should provide accessible, affordable, and comprehensive services for every individual's needs, without discrimination or exception. State and federal governments must be held accountable for fulfilling these human rights.

## LAW ENFORCEMENT

Article 3 of the Universal Declaration of Human Rights states that everyone has the right to life, liberty, and security of person. Article 5 states that no one shall be subjected to cruel, inhuman, or degrading treatment or punishment. As such, human rights are meant to protect people from violence, use of force, and arbitrary or degrading treatment by the state's law enforcement officials. As a result of increased visibility of recorded killings of black people by police and grassroots mobilizations for justice in recent years, the international human rights community has expressed concern regarding police brutality against racial minorities in the United States and an ensuing lack of accountability.

In the United States, law enforcement officials are charged with serving and protecting the public. However, in 2016 alone, police killed an estimated 1,023 individuals in the United States. Moreover, black and brown people make up a disproportionate number of those killed by police. For example, the organization "Say Her Name" reports that "black women and girls are only 13% of the female population, but they account for a third of all women shot to death by police." Law enforcement officials responsible for the killing of unarmed civilians are rarely brought to justice, as demonstrated by the cases of Alexia Christian and Kevin Davis in Atlanta, and Sandra Bland, Alton Sterling, Jesse Romero, Sarah Lee Circle Bear, and hundreds of others across the United States.

Native Americans are more likely to be killed by police than any other group, when compared to their proportion of the U.S. population. Yet, the press largely ignores the murder of Native Americans, perpetuating the invisibility of our country's indigenous people in the public consciousness. We recognize that the experience of Native Americans is connected to the undocumented Latinx community, most of which shares a mixed-race heritage with indigenous peoples of the Americas, but also experience silence and invisibility to avoid detainment and deportation.

In Georgia, the 2010 passage of HB 87, the "Show Me Your Papers" bill, has legalized racial profiling. Georgia's immigration courts--including those in Atlanta and at Stewart Detention Center--have among the highest deportation rates and lowest grants of asylum and other forms of relief in the country. Four counties have signed 287(g) agreements for their local law enforcement agents to be deputized as immigration agents; other local law enforcement agencies hold and turn over non-citizens in their custody to immigration authorities, even when it is not legally required.

As demanded by #ATLisReady and the Georgia Not One More Coalition, the Atlanta Police Department can avoid human rights violations by training law enforcement officials in de-escalation tactics, eliminating practices of racial profiling of black and Latinx communities, refusing to expend local resources in carrying out raids and deportations by federal immigration authorities, and holding law enforcement officials accountable for unjust killings. We stand in

solidarity with black Lives Matter and join them in “working for a world where . . . black lives are no longer systematically and intentionally targeted for demise.”

## RELIGIOUS FREEDOM

Article 18 of the Universal Declaration of Human Rights and the First Amendment of U.S. Constitution recognize the right to freedom of thought, conscience, and religion. Religious freedom is the ability to express and worship individual beliefs publicly, without the fear of discrimination, threats, or physical violence. Freedom of religion includes the right to have places of worship, preserve dietary restrictions, wear religious attire and head-coverings, and use language of worship for religious expression.

Recently, many Muslim women in Georgia have reported incidents where they have been denied access to government buildings due to their religious attire, such as the use of a hijab. Although worship is permitted on religious grounds, public worship is restricted in certain areas. Georgia has attempted to deny the right to religious freedom by banning the construction of mosques in Kennesaw, Lilburn, and Newton County. This violates the right to worship in a safe space and has increased Islamophobia in the community.

The Council on American Islamic Relations (CAIR) states that “Islamophobia is a contrived fear or prejudice fomented by the existing Eurocentric and Orientalist global power structure.” Instead of teaching tolerance, Georgia has fostered religious intolerance and prejudice by violating the human right to freedom of religion. Religious freedom also intersects with immigrant rights. CAIR has noted that “fear of Islam is mixed with racist hostility to immigration. Islam is perceived as inherently threatening, and Islamophobia as natural and unproblematic.” Georgia should respect the human right to religious freedom, which will help cultivate a diverse and educational interfaith environment that welcomes all religious traditions.

## WORKERS’ RIGHTS

Article 23 of the Universal Declaration of Human Rights declares that all workers, regardless of race, ethnicity, religion, gender, or immigration status, have the right to dignified conditions of work which include, but are not limited to, a living wage, safe and healthy working environment, opportunities for promotion, and regular breaks and days of rest.

Yet, in Georgia and across the country, workers in the agricultural and food service industries are particularly vulnerable to exploitation and abuse from employers. Moreover, workers in these industries are overwhelmingly people of color and recent immigrants. For undocumented agricultural workers, who are estimated to constitute as much as 70% of all agricultural workers, employers can leverage the workers’ legal statuses to threaten them and deter collective action. While the National Labor Relations Act of 1935 establishes the rights of employees to unionize, engage in collective bargaining, and combat discrimination without fear of retribution from their employers, agricultural and domestic workers were explicitly excluded from the NLRA due to racially-based discrimination by Southern legislators, who did not want these workers -- who were majority black -- to gain rights and power in the workplace. Furthermore, agricultural workers are excluded from the Fair Labor Standards Act, which sets minimum wage, overtime pay, and child labor standards. The absence of human rights has led to rampant wage theft,

sexual violence, economic exploitation, and physical violence in these industries. In the most extreme cases, there have been cases of human trafficking and slavery in the agricultural industry. Between 1997 and 2008, for example, more than nine cases of slavery were discovered in Florida and prosecuted by the U.S Department of Justice, leading to the release of more than 1,200 workers from forced labor.

In the food service and restaurant industries, women disproportionately occupy server positions and earn significantly lower wages than their male counterparts, as tipped workers are only required to be paid \$2.13 per hour. Gender inequality is also compounded by race, where workers of color disproportionately occupy the lower tier, “back of house” positions in the restaurant industry, so that their physical presence and the many abuses that they experience are kept out of the public eye. The intersections of discrimination have left considerable pay gaps for women of color. It is estimated that black women earn 61 cents and Latina women earn 57 cents for every dollar paid to white men. Furthermore, in states like Georgia where no laws exist to protect LGBTQIA+ people from discrimination in the workplace, workers from already marginalized communities are especially easy targets for unjust working conditions.

## DEMANDS

Human rights are ours by virtue of our humanity. No government can take them away from us, no matter the color of our skin, the beliefs we hold, or the borders we may cross. It is the responsibility of government to respect, protect, and fulfill our full spectrum of human rights, and it is the responsibility of we, the people, to make clear demands for change if our government fails to do so or perpetuates state-sanctioned violence against us. In this spirit, we demand that our state and federal government, and relevant private institutions, take immediate action to improve human rights standards in the following areas:

1. **Non-Discrimination:** To ensure the right to be free from discrimination is protected for all people, Georgia must amend legislation that either discriminates or leads to discrimination. International human rights law requires governments to also eliminate discrimination in practice by considering historically disadvantaged groups, taking measures to prevent situations that replicate and maintain discrimination.
2. **Education:** To protect the human right to education, the Georgia Board of Regents must repeal Policy 4.1.6 and 4.3.4, which ban undocumented students from equal access to higher education based on merit. We encourage private universities to declare themselves sanctuaries that welcome, protect, and support undocumented students, and challenge Georgia’s HB 37 “Anti-Sanctuary Campus Bill” in court.
3. **Voting:** To protect the human right to participate in the political life of one’s society, and prevent further disenfranchisement of marginalized groups, we demand a reinstatement of Section 5 of the Voting Rights Act so that designated states cannot change voting laws without federal approval. We demand fair and comprehensive immigration reform that will provide pathways to citizenship for the 11.2 million disenfranchised undocumented people in the United States. We also demand the reinstatement of voting rights for formerly incarcerated people who have completed the terms of their sentences.

4. Housing: To fulfill the human right to housing, we demand the City of Atlanta provide more affordable housing units, include community-based participation and decision-making to prevent gentrification and displacement, and take measures to decriminalize homelessness.
5. Healthcare: To protect the human right to health and medical care, we applaud the improvement of health care access with the Affordable Care Act and demand that access be further improved. We oppose efforts to repeal the Affordable Care Act to increase the profit margin of insurance companies at the expense of the health and wellbeing of human beings.
6. Law Enforcement: To protect the human right to life, liberty, and security of person, and freedom from cruel, inhuman, or degrading treatment or punishment, we demand that the Atlanta Police Department and police departments across the country prioritize de-escalation training for all officers, and that courts hold police officers accountable for unjust killings. We demand the repeal of Georgia HB 87, which legalizes racial profiling that target immigrants and people of color, the elimination of 287(g) programs that deputize local law enforcement agencies to act as immigration agents, and the end of the Secure Communities program.
7. Religious Freedom: To uphold the right to religious freedom, we demand the immediate repeal of construction bans against mosques in Georgia and denounce the federal Muslim travel ban. We encourage private religious institutions to promote a diverse and peaceful interfaith communities that respect human rights.
8. Workers' Rights: To protect economic human rights, such as the right to form unions, to safe working conditions, equal pay, and rest, we demand that the federal government expand the protections of the National Labor Relations Act and Fair Labor Standards act to include all workers, particularly farmworkers and domestic workers, whose exclusion stems from anti-black racism that fueled forced labor in these industries during the era of slavery, convict-leasing, and beyond. We also demand that the United States require employers to provide paid sick days and parental leave, on par with economic human rights standards led by other industrialized countries of the world.

We, as human beings and citizens of the world, possess inalienable human rights as declared in the Universal Declaration of Human Rights and reiterated in the 1960 "Appeal for Human Rights." As long our humanity is not treated with the respect it deserves, we will continue to fight for our human rights and make clear demands for change. After all, as Frederick Douglass reminds us, "Power concedes nothing without a demand. It never did, and it never will."

We stand in solidarity with each other and will protect each other. To come for one of us is to come for all of us. In honor of the courageous students who previously carried the torch, and those who will lead the struggle after us, we commit ourselves to carrying on the fight for human rights as long as injustice exists anywhere. None of us are free until all of us are free.