**The UN Should Establish a Commission of Inquiry on Systemic Racism and Law Enforcement in the United States**

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On Wednesday, June 17, 2020, the United Nations Human Rights Council will hold an “Urgent Debate” on systemic racism in law enforcement. The proximate catalyst for this debate is the recent police killing of George Floyd and many other Black people in the United States, and the breath-taking national and transnational uprising of the past two weeks against systemic racism in law enforcement.

The Urgent Debate is more than opportunity for discussion—it’s an opportunity for meaningful action. In a letter to the President of the UN Human Rights Council, I, along with the UN Working Group of Experts on People of African Descent, have urged the Human Rights Council to ensure the following outcomes from the debate: (1) the creation of an international commission of inquiry to investigate systemic racism in law enforcement in the United States; and (2) the creation of a thematic international commission of inquiry to investigate systemic racism in law enforcement globally, with a focus on systemic racism rooted in legacies of colonialism and transatlantic slavery.

UN-mandated commissions of inquiry are designed to respond to situations of serious violations of international human rights law. They establish facts, assess these facts in light of the applicable international human rights law, make recommendations, and can play a crucial role in promoting accountability for past violations and preventing of future ones.

Why an international commission of inquiry for the United States?

Because the systemic racism in law enforcement in the United States is a human rights crisis of existential proportions, and the domestic legal and policy regimes that ought to be relied upon to put an end to this crisis have never been able to do so. For Black people in the United States, the domestic legal system has utterly failed to acknowledge and confront the racial injustice and discrimination that is so deeply entrenched in law enforcement. An international commission of inquiry would be a valuable, and much needed complement to national and local efforts to undo racially discriminatory structures in US law enforcement.

As an independent expert appointed by the Human Rights Council, it is an important part of my job to sound the alarm in the face of grave human rights violations. The situation in the United States has prompted myself and many others within the UN system to do exactly this. I issued a statement joined by 47 UN independent human rights experts condemning systemic racial injustice in the United States, and expressing grave concern at the divisive and racially charged responses of the President to anti-racism protests. We issued another, calling for an end to, and accountability for, what amounts to modern-day racial terror lynchings in the United States. Other UN experts have condemned militarization of the police, and the violent crackdown against peaceful protesters and journalists in the United States, which has included law enforcement firing tear gas into peaceful crowds.

On Friday, the UN Committee on the Elimination of Racial Discrimination (CERD) issued a statement under its Early Warning and Urgent Action Procedures, expressing alarm at the killing of George Floyd and the recurrence of and impunity for police killings of people of Black people in the United States. The Committee noted that in the United States:

“systemic and structural discrimination permeates State institutions and disproportionately promotes racial disparities against African Americans, notably in the enjoyment of the rights to equal treatment before the tribunals, security of person and protection by the State against violence or bodily harm, and other civil, economic, social and cultural rights enshrined in the International Convention on the Elimination of all Forms of Racial Discrimination.”

In a telling move, the family members of George Floyd, Breonna Taylor, Philando Castile and Michael Brown have joined over six hundred human rights organizations in requesting a commission of inquiry for the situation in the United States.

The point is not that an international commission of inquiry will solve the problem of systemic racism in law enforcement in the United States. Instead, it is that victims of systemic racism in the United States, who face the daily, unabated and genuine risk of death in encounters with law enforcement deserve the assistance and expertise of an international human rights investigative body to chart a just path forward.