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PSYCHOLOGICAL  
ASSOCIATION

July 30, 2020

Professor Mary Ann Glendon  
Commission on Unalienable Rights  
c/o Duncan H. Walker  
U.S. Department of State  
Washington, DC 20520

Dear Chairperson Glendon:

I am writing on behalf of the American Psychological Association (APA) to convey our mixed reactions to the draft report of the U.S. Department of State's Commission on Unalienable Rights. We are grateful for your and your colleagues' efforts to outline a basis for human rights in U.S. foreign policy and appreciate your review of U.S. founding principles and the Universal Declaration of Human Rights (UDHR) to guide our nation's human rights foreign policy. Yet we are concerned about the draft report's establishment of a perceived hierarchy of human rights and the current threats to the U.S. being viewed as a global model for human rights.

APA has a longstanding commitment to the application of psychological knowledge for the promotion and protection of human rights. Accordingly, our association is currently in the process of further strengthening our human rights policy. APA is the largest scientific and professional organization representing psychology in the U.S. APA's membership includes more than 121,000 researchers, educators, clinicians, consultants, and students, including more than 6,500 international members and affiliates. We work to advance the creation, communication, and application of psychological knowledge to benefit society and improve lives.

There is much in the draft report with which we strongly agree. We applaud the statements recognizing the vital role played by human rights, including: "It is urgent to vigorously champion human rights in foreign policy;" "human rights are universal and indivisible;" "freedom, democracy, and human rights are indissolubly linked;" and "social and economic rights are essential to a comprehensive foreign policy." However, to apply these principles universally, we note that it is of critical importance to address the abuses of nations perceived to be our allies (e.g., Saudi Arabia), as well as others (e.g., China).

### **Hierarchies of Rights**

We are concerned with the draft report's apparent valuing certain rights (i.e., property rights, religious liberty, and democratic participation) over others. While these rights are vital, such a narrow focus could lead to the widespread neglect of broad categories of other rights. For example, with respect to religious liberty, our APA *Resolution on*

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*Religious, Religion-Based and/or Religion-Derived Prejudice*<sup>i</sup> acknowledges that prejudice directed against individuals and groups based on their religious beliefs has resulted in a wide range of harmful discriminatory practices. Yet, the resolution also notes that the right of persons to practice their religion does not and cannot entail a right to harm others. Our concern is magnified by the public statements of several Commission members opposing the right to reproductive health care and the rights of sexual and gender minorities, which are dismissed in the draft report as “divisive social and political controversies.”

In 2020, it is shocking that homosexual behavior remains punishable by death in the laws of seven countries. Moreover, psychological science demonstrates that discrimination itself is a deeply harmful chronic stressor. The unique, persistent stressors experienced by sexual and gender minorities are significant contributors to well-documented health disparities.<sup>ii</sup> For instance, research has shown that as a result of the chronic stress stemming from discrimination, sexual and gender minorities have a higher prevalence of mental health disorders<sup>iii</sup>, substance use (e.g., illicit drugs and cigarette usage)<sup>iv</sup>, acute health problems, and chronic disease conditions (e.g., cardiovascular disease, cancer)<sup>v</sup> than their cisgender or heterosexual counterparts.

Introduced in the 116<sup>th</sup> Congress, the GLOBE Act (H.R. 3874/S. 3004) would build a framework into U.S. diplomacy to protect sexual and gender minority human rights worldwide. We urge the Administration to consider supporting this bill and to extend its proposed framework to key populations confronted with severe human rights violations around the world.

We would also like to provide several examples of rights highlighted in the UDHR that we believe to be equally as important as those stressed in this draft report. For example, the UDHR mandates that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms” (Article 4). However, the Global Slavery Index 2018 estimated that there were about 40.3 million slaves around the world. While this estimate is difficult to verify, slavery still exists in many forms (e.g., labor slavery, child slavery, and sex slavery) and in many places. And in spite of the UDHR requirement that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” (Article 5), torture is still practiced in many countries. The report of our *APA Task Force on the Trafficking of Women and Girls*<sup>vi</sup> and our *Resolution Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment*<sup>vii</sup> make clear the psychological harm that results from these abhorrent practices, which we believe should be taken into account in U.S. foreign policy.

### **Perceived Role of the U.S. within the Global Community**

The draft report admirably focuses on the UDHR but then minimizes many of the Declaration’s articles and the decades of multilateral negotiations leading to international consensus around subsequent treaties that have codified human rights around the globe. While the contributions of the U.S. are indeed admirable, we have urged, and continue to support, U.S. ratification of human rights treaties, such as the *Convention on the Rights of the Child*<sup>viii</sup> and the *Convention on the Rights of Persons with Disabilities*.<sup>ix</sup>

As the draft report stresses:

A crucial way in which the United States promotes human rights abroad is by serving as an example of a rights-respecting society...The more the United States succeeds in modeling the principles it champions, the more powerful will be its message and the more inspiring its example for people longing for freedom.

To this end we strongly encourage the Administration to consider human rights as central to domestic as well as foreign policy. Recent areas of concern include the treatment of immigrant children in family detention centers,<sup>x</sup> the disproportionate effects of COVID-19 on racial and ethnic minorities,<sup>xi</sup> and religious discrimination in healthcare.<sup>xii</sup>

In conclusion, we firmly agree that “US measures to promote human rights abroad will be more effective when carried out in cooperation with other nations. No nation alone can achieve all that is necessary to bring human rights to life.” While the international human rights system can certainly be improved, the most effective way to do so is in collaboration with our partners around the globe. If we may provide any further information, please contact Gabriel Twose, PhD, ([gtwose@apa.org](mailto:gtwose@apa.org)) in our Office of International Affairs.

Sincerely,



Arthur C. Evans, Jr., Ph.D.  
Chief Executive Officer

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<sup>i</sup> American Psychological Association. (2007). *Resolution on religious, religion-based and/or religion-derived prejudice*. Retrieved from <https://www.apa.org/about/policy/religious-discrimination.pdf>.

<sup>ii</sup> Pascoe, E. A., & Richman, L. S. (2009). Perceived discrimination and health: A meta-analytic review. *Psychological Bulletin*, 135(4), 531-554. doi: 10.1037/a0016059

<sup>iii</sup> Meyer, I. H. (2003). Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: Conceptual issues and research evidence. *Psychological Bulletin*, 129(5), 674-697. doi:10.1037/0033-2909.129.5.674

<sup>iv</sup> Substance Abuse and Mental Health Services Administration. (2015). Sexual orientation and estimates of adult substance use and mental health: Results from the 2015 National Survey on Drug Use and Health. Retrieved from [https://www.samhsa.gov/data/sites/default/files/NSDUH-SexualOrientation-2015/NSDUH-SexualOrientation-2015.htm](https://www.samhsa.gov/data/sites/default/files/NSDUH-SexualOrientation-2015/NSDUH-SexualOrientation-2015/NSDUH-SexualOrientation-2015.htm).

<sup>v</sup> Lick, D. J., Durso, L. E., & Johnson, K. L. (2013). Minority stress and physical health among sexual minorities. *Perspectives on Psychological Science*, 8(5), 521-548. doi:10.1177/1745691613497965

<sup>vi</sup> American Psychological Association. (2014). *Report of the Task Force on the Trafficking of Women and Girls*. Retrieved from <https://www.apa.org/pi/women/programs/trafficking>.

<sup>vii</sup> American Psychological Association. (2006, amended in 2015). *Resolution Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment*. Retrieved from <https://www.apa.org/about/policy/torture.pdf>

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<sup>viii</sup> American Psychological Association. (2012). *APA Resolution on UN Convention on the Rights of the Child and the Convention's Optional Protocols*. Retrieved from <https://www.apa.org/about/policy/rights-child-2001>

<sup>ix</sup> American Psychological Association. (2014). *Resolution in support of the UN Convention on the Rights of Persons with Disabilities*. Retrieved from <https://www.apa.org/about/policy/support-un-convention>

<sup>x</sup> American Psychological Association. (2020). *APA Urges ICE to comply with court order to release immigrant children from family detention centers*. Retrieved from <https://www.apa.org/news/press/releases/2020/07/ice-immigrant-children>

<sup>xi</sup> American Psychological Association. (2020). *Written Testimony of the American Psychological Association by Katherine B. McGuire, Chief Advocacy Officer, Submitted to the House Energy and Commerce Committee Hearing: Addressing the Urgent Needs of Our Tribal Communities, Wednesday, July 8, 2020 – 11:00am*. Retrieved from <https://d3dkdvqff0zqx.cloudfront.net/groups/apapractice/attachments/testimony-%20native%20american%20hearing.pdf>

<sup>xii</sup> American Psychological Association. (2020). *RE: Ensuring Equal Treatment of Faith-Based Organizations - NPRM, RIN 0991-AC13; Docket Number HHS-OS-2020-0001*. Retrieved from [https://d3dkdvqff0zqx.cloudfront.net/groups/apapractice/attachments/apa%20equal%20participation%20of%20faith-based%20organizations%20in%20federal%20programs%20hhs\\_.pdf](https://d3dkdvqff0zqx.cloudfront.net/groups/apapractice/attachments/apa%20equal%20participation%20of%20faith-based%20organizations%20in%20federal%20programs%20hhs_.pdf)