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Executive Order 13107—Implementation of Human Rights Treaties

December 10, 1998

By the authority vested in me as President by the Constitution and the laws of the United States of America, and bearing in mind the obligations of the United States pursuant to the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), and other relevant treaties concerned with the protection and promotion of human rights to which the United States is now or may become a party in the future, it is hereby ordered as follows:

Section 1. *Implementation of Human Rights Obligations.* (a) It shall be the policy and practice of the Government of the United States, being committed to the protection and promotion of human rights and fundamental freedoms, fully to respect and implement its obligations under the international human rights treaties to which it is a party, including the ICCPR, the CAT, and the CERD.

(b) It shall also be the policy and practice of the Government of the United States to promote respect for international human rights, both in our relationships with all other countries and by working with and strengthening the various international mechanisms for the promotion of human rights, including, *inter alia*, those of the United Nations, the International Labor Organization, and the Organization of American States.

Sec. 2. *Responsibility of Executive Departments and Agencies.* (a) All executive departments and agencies (as defined in 5 U.S.C. 101–105, including boards and commissions, and hereinafter referred to collectively as ''agency'' or ''agencies'') shall maintain a current awareness of United States international human rights obligations that are relevant to their functions and shall perform such functions so as to respect and implement those obligations fully. The head of each agency shall designate a single contact officer who will be responsible for overall coordination of the implementation of this order. Under this order, all such agencies shall retain their established institutional roles in the implementation, interpretation, and enforcement of Federal law and policy.

(b) The heads of agencies shall have lead responsibility in coordination with other appropriate agencies, for questions concerning implementation of human rights obligations that fall within their respective operating and program responsibilities and authorities or, to the extent that matters do not fall within the operating and program responsibilities and authorities of any agency, that most closely relate to their general areas of concern.

Sec. 3. *Human Rights Inquiries and Complaints.* Each agency shall take lead responsibility in coordination with other appropriate agencies, for responding to inquiries, requests for information, and complaints about violations of human rights obligations that fall within its areas of responsibility or, if the matter does not fall within its areas of responsibility, referring it to the appropriate agency for response.

Sec. 4. *Interagency Working Group on Human Rights Treaties.* (a) There is hereby established an Interagency Working Group on Human Rights Treaties for the purpose of providing guidance, oversight, and coordination with respect to questions concerning the adherence to and implementation of human rights obligations and related matters.

(b) The designee of the Assistant to the President for National Security Affairs shall chair the Interagency Working Group, which shall consist of appropriate policy and legal representatives at the Assistant Secretary level from the Department of State, the Department of Justice, the Department of Labor, the Department of Defense, the Joint Chiefs of Staff, and other agencies as the chair deems appropriate. The principal members may designate alternates to attend meetings in their stead.

(c) The principal functions of the Interagency Working Group shall include:

(i) coordinating the interagency review of any significant issues concerning the implementation of this order and analysis and recommendations in connection with pursuing

the ratification of human rights treaties, as such questions may from time to time arise;

(ii) coordinating the preparation of reports that are to be submitted by the United States in fulfillment of treaty obligations;

(iii) coordinating the responses of the United States Government to complaints against it concerning alleged human rights violations submitted to the United Nations, the Organization of American States, and other international organizations;

(iv) developing effective mechanisms to ensure that legislation proposed by the Administration is reviewed for conformity with international human rights obligations and that these obligations are taken into account in reviewing legislation under consideration by the Congress as well;

(v) developing recommended proposals and mechanisms for improving the monitoring of the actions by the various States, Commonwealths, and territories of the United States and, where appropriate, of Native Americans and Federally recognized Indian tribes, including the review of State, Commonwealth, and territorial laws for their conformity with relevant treaties, the provision of relevant information for reports and other monitoring purposes, and the promotion of effective remedial mechanisms;

(vi) developing plans for public outreach and education concerning the provisions of the ICCPR, CAT, CERD, and other relevant treaties, and human rights-related provisions of domestic law;

(vii) coordinating and directing an annual review of United States reservations, declarations, and understandings to human rights treaties, and matters as to which there have been nontrivial complaints or allegations of inconsistency with or breach of international human rights obligations, in order to determine whether there should be consideration of any modification of relevant reservations, declarations, and understandings to human rights treaties, or United States practices or laws. The results and recommendations of this review shall be reviewed by the head of each participating agency;

(viii) making such other recommendations as it shall deem appropriate to the President, through the Assistant to the President for National Security Affairs, concerning United States adherence to or implementation of human rights treaties and related matters; and

(ix) coordinating such other significant tasks in connection with human rights treaties or international human rights institutions, including the Inter-American Commission on Human Rights and the Special Rapporteurs and complaints procedures established by the United Nations Human Rights Commission.

(d) The work of the Interagency Working Group shall not supplant the work of other interagency entities, including the President's Committee on the International Labor Organization, that address international human rights issues.

Sec. 5. *Cooperation Among Executive Departments and Agencies.* All agencies shall cooperate in carrying out the provisions of this order. The Interagency Working Group shall facilitate such cooperative measures.

Sec. 6. *Judicial Review, Scope, and Administration.* (a) Nothing in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) This order does not supersede Federal statutes and does not impose any justiciable obligations on the executive branch.

(c) The term "treaty obligations" shall mean treaty obligations as approved by the Senate pursuant to Article II, section 2, clause 2 of the United States Constitution.

(d) To the maximum extent practicable and subject to the availability of appropriations, agencies shall carry out the provisions of this order.

William J. Clinton

The White House,
December 10, 1998.

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NOTE: This Executive order will be published in the *Federal Register* on December 15.

Remarks on the Unveiling of a Portrait of Former Secretary of Agriculture Michael Espy

December 10, 1998

Oh, happy day. [*Laughter*] I'd like to begin by thanking Deputy Secretary Rominger, who has served so well both Secretary Espy and Secretary Glickman. I thank Dan Glickman and Rhoda for being a part of our administration's family.

Dan Glickman pointed out when I discussed this appointment with him that he would be in the proud tradition of my commitment to a Cabinet that looks like America and to diversity because there were even fewer Jewish farmers than black farmers. [*Laughter*]

I want to thank my friends Reverend Wintley Phipps, Reverend Walter Fauntroy, Reverend Beecher Hicks, and the Howard Gospel Choir here. They are wonderful. I thank the members of the Cabinet and former members of the Cabinet who are here, Secretary Herman, Secretary Richardson, Secretary O'Leary, EPA Administrator Browner, Ambassador Barshefsky. John Podesta and Bob Nash and a whole slew of people from the White House are here; Senator Leahy, Senator Carol Moseley-Braun, Congressmen Clyburn, Jefferson, Eddie Bernice Johnson, Stenholm, Congressman Thompson. We're glad to see former Congressmen Montgomery and Coelho and many other former Members of Congress here. And Reverend Jackson, thank you for coming; and to the Espy family and all the members of Mike Espy's extended family here.

Six years ago, on Christmas Eve, I announced that I would nominate, and I quote, "my neighbor, my friend, and my supporter, Mike Espy" to be Secretary of Agriculture. He was a young Congressman from Mississippi when I served as Governor of Arkansas. We shared a passion for many issues, including rural development.

As a Congressman, Mike worked with my Senator, Dale Bumpers, to set up the Lower Mississippi Delta Development Commission, a commission I had the honor to chair. It brought jobs and growth to one of America's poorest, least developed regions. I came to know and respect Mike Espy in that endeavor.

I knew we also shared a vision for America, a new approach to government rooted in our most enduring values, changed and shaped to meet the challenges of the 21st century. The need for change was nowhere more evident than at the Department of Agriculture, which has, as Dan Glickman said, since the time of President Lincoln, nurtured the seeds of renewal for America.

On Christmas Eve I said, "The Department of Agriculture can't simply be a stolid representative of the interests of the past. It has to be a real force for family farmers in our country, for the agricultural issues of today and tomorrow." Mike understood that. As the first African-American to become the Secretary of Agriculture, he was the very embodiment of change. Not only here but in many other areas of administration policy—one of eight African-Americans who have now served in the President's Cabinet in the last 6 years. And I am very grateful for that.

And I'm grateful to Senator Leahy and Senator Carol Moseley-Braun for confirming them all.

In his 2 years at the helm Mike changed the Department of Agriculture as profoundly and beneficially as any Secretary in its history. It is fitting today we raise his portrait. He made history, and today we honor him for it.

I'd like to talk a little bit about his record as Secretary of Agriculture. His first great challenge came only a few days after he started on the job, when an outbreak of *e-coli* from tainted meat took the lives of three children in Washington State. Mike went to Washington, promised the victims' families strong action, and he delivered.

The new science-based inspection procedures developed during his tenure and put into place under Secretary Glickman have cut incidents of salmonella contamination in pork by a third, in poultry by nearly 50 percent, according to the preliminary data we have. The Department of Agriculture has no higher responsibility than ensuring the safety of America's food supply. Today it is fulfilling that responsibility, thanks in no small measure to Mike Espy's leadership.