

# **2022 Country Reports on Human Rights Violations: *the* United States**

**General Directorate of Women & Human Rights**

**November 2022**

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## Introduction

Since the distant past, the United States has been claiming to defend the foundations and principles of human rights, the protection of which is deemed one of the most important slogans and claims chanted by the American authorities in the international fora. This comes as the anti-human rights measures implemented by the U.S. in all dimensions, at both domestic and international levels, are a testament to the fact that the American authorities' positions vis-à-vis the human rights situation in the world are adopted based upon political preferences and interests. Such a *modus operandi* has led to the United States' instrumentalization of human rights at the international level, and formed Washington's basis of action towards the target States. Given the aforesaid facts, the Supreme Leader of Iran's Islamic Revolution has always emphasized upon unmasking cases of human rights violations in countries that operate under the pretexts of defending human rights, through which they lay the groundwork for interference in the internal affairs of other States. Therefore, the present report examines and clarifies the most important instances of human rights violations committed by the United States at both domestic and international levels.

The first part of the report examines the broad aspects of the United States' anti-human rights actions at the domestic level, including but not limited to: increase in the culture of using weapons, illegal use of coercive force by the police against minorities, targeted discrimination against people of African descent by the police and judicial system, complex *modus operandi* of issuing the death penalty and discriminatory implementation thereof against minorities of color, violent treatment of asylum seekers, spike in sexual violence against women, violation of children's rights, violation of indigenous peoples' rights, imposition of sanctions against other countries, and interference in their internal affairs.

The second part of the report touches upon the anti-human rights actions perpetrated by the United States at the international level, the hypocrisy thereof in claiming to be the global flag-bearer of human rights, and the instrumentalization of human rights for interfering in and commenting on the situation of human rights in other countries.

## **PART I: Violation of Human Rights at Domestic Level**

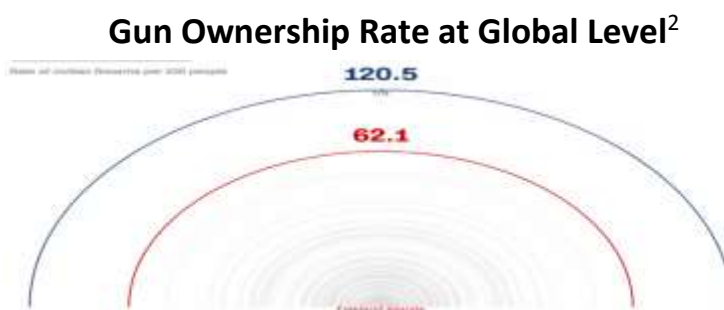
### **1. Gun Violence**

Gun violence has currently become a human rights issue; it violates the most fundamental human right, i.e., the right to life on a global scale, especially in the United States.

#### **1.1 Constitutional Carry**

Over the years and behind various motives, including racism, thousands of innocent people have fallen victim to the gun culture, which has been authorized under the Second Amendment to the U.S. Constitution.

The United States is the only country where civilian-owned guns outnumber its' population. Reports indicate that gun sales in the United States are on the rise, and American gun dealers have managed to sell nearly 8.8 million firearms in the first six months of this year. The purchase of weapons in the United States in the first half of this year has spiked by 33% and 27% compared to 2019 and 2018, respectively. As shown in the Venn diagram below and according to figures released by the Swiss-based Small Arms Survey, there are 120 guns for every 100 Americans.<sup>1</sup>



While it is difficult to calculate the exact number of civilian-owned firearms because of a variety of factors – including unregistered weapons, the illegal trade and global conflict – SAS researchers estimate Americans own 393 million of the

<sup>1</sup> <https://www.aa.com.tr/en/americas/us-armed-to-the-teeth-more-guns-than-civilians/2598239>

<sup>2</sup> <https://edition.cnn.com/2021/11/26/world/us-gun-culture-world-comparison-intl-cmd/index.html>

857 million civilian guns available.<sup>3</sup> The figure corresponds to 46% of the world's civilian gun cache.<sup>4</sup>

Studies also show that every day, a considerable number of people in the United States are killed and wounded due to gun violence.<sup>5</sup> Therefore, perhaps not only has the carrying of weapons failed to guarantee the security and freedom of citizens, but it has also led to psychological and physical insecurity. Gun violence also affects the families of victims and the communities in which they live.

In addition, reports indicate that gun violence in the United States has increased over the weekend leading up to the July 4<sup>th</sup> and Independence Day celebrations. As per the Gun Violence Archive, nearly every state in the United States reported shootings during the July 4<sup>th</sup> weekend, where 220 people were killed and injured.<sup>6</sup>

According to a report released on Democracy Now's webpage, the U.S. government's inattention to protecting people's physical and mental integrity has increased the number of gun-related deaths. The report recounts some anti-gun rallies, including a gathering of over 1,000 people in Orlando and Florida on the 6<sup>th</sup> anniversary of a deadly shooting incident that left 49 people at a Pulse nightclub dead. Moreover, a gunman killed 17 Marjory Stoneman Douglas High School students in 2018. Following the two mass shooting incidents, tens of thousands of protesters took to the streets across the United States to demand stricter gun laws. However, any attempt to amend such laws will probably be blocked by the Republicans. Nineteen children and two adults were killed in a shooting incident at Robb Elementary School in Texas; a few days before that, ten people had also been gunned down in a store in New York. The incidents have had severe and long-term psychological impacts on individuals and entire communities in the United States. The Second Amendment to the U.S. Constitution protects the carrying of weapons. However, the U.S. government is obliged to provide the safest possible environment for people to travel, trade, communicate and have a private life – especially those at risk.

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<sup>3</sup> <https://edition.cnn.com/2021/11/26/world/us-gun-culture-world-comparison-intl-cmd/index.html>

<sup>4</sup> <https://www.aa.com.tr/en/americas/us-armed-to-the-teeth-more-guns-than-civilians/2598239>

<sup>5</sup> <https://everytownresearch.org/report/gun-violence-in-america/>

<sup>6</sup> <https://www.gunviolencearchive.org/reports/total-number-of-incidents>

## **1.2 Mass Shootings**

Having morphed into a human rights crisis in the United States, mass shooting is another critical issue in America. The common feature of almost all mass shootings in the U.S. is the use of machine guns by attackers. It should be noted that, by definition, mass shooting differs from mass murders. In some cases, it aims to strike fear and terror into the hearts of people, sometimes leaving no person dead. The injuries sustained in mass shootings result from people running away and bumping into each other.

As specified by newly released FBI data, there were 61 “active shooter” incidents in the United States in 2021 – a 50% increase from the previous year and the highest on record. Last year’s attacks spread across all the states, leaving 103 people dead and 140 wounded, the FBI report revealed.<sup>7</sup> According to the Gun Violence Archive, there were at least 320 mass shootings in the United States. In addition, based upon the statistics provided by the FBI during the reporting period, 29,626 gun-related deaths have been recorded, of which nearly 13,588 people across the United States have lost their lives to firearms, including deliberate and accidental murder.<sup>8</sup> In 2021, about 700 such shootings occurred, up from 611 in 2020 and 417 in 2019, which is the highest increase compared to the same period last year. It should be noted that there is a mass shooting once every 12.5 days in America.<sup>9</sup>

### **Number of Deaths in 2020 Due to Gun Violence<sup>10</sup> (Reporting Period)**

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<sup>7</sup> <https://www.aljazeera.com/news/2022/5/24/fbi-us-active-shooter-incidents-increased-52-percent-in-2021>

<sup>8</sup> <https://www.gunviolencearchive.org/>

<sup>9</sup> <https://www.amnesty.org/en/what-we-do/arms-control/gun-violence/>

<sup>10</sup> <https://www.gunviolencearchive.org/>



# **GUN VIOLENCE ARCHIVE 2022**

**Evidence Based Research - since 2013**

PUBLISHED DATE: August 31, 2022

<b>Total Number of GV Deaths - ALL Causes<sup>4</sup></b>		<b>29,626</b>
Homicide/Murder/Unintentional/DGU <sup>1</sup>		13,588
Suicide <sup>3</sup>		16,038
<b>Total Number of Injuries<sup>1</sup></b>		<b>26,377</b>
Mass Shootings <sup>2</sup>		450
Mass Murders <sup>2</sup>		19
Number of Children (age 0-11) <sup>1</sup>	Killed	226
	Injured	502
Number of Teens (age 12-17) <sup>1</sup>	Killed	895
	Injured	2,507
Officer Involved Incident <sup>1</sup>	Killed	50
Officer Killed or Injured	Injured	237
Officer Involved Incident <sup>1</sup>	Killed	933
Subject-Suspect Killed or Injured	Injured	584
Defensive Use <sup>2</sup>		790

## **Distribution Map of Deaths Caused by Gun Violence in U.S.<sup>11</sup>**

<sup>11</sup> <https://www.gunviolencearchive.org/>



As divulged through a study conducted on 50 U.S. states by a non-governmental organization dubbed “Stronger Gun Laws Save Lives”, there is a

direct correlation between gun violence rates in states with stricter gun laws and those with laxer ones.

According to the Gallup polls, 66% of Americans want laws covering the sale of firearms to be stricter, which had a 14% increase compared to October. 55% of Americans want Congress to pass new gun laws and enforce the current ones. 55% of U.S. registered voters say the gun policy will be of paramount importance for their mid-term vote.<sup>12</sup>

The Uvalde tragedy has reopened the debate on tightening gun laws in the United States. However, many believe that it is unlikely that the legislators opposing Constitutional carry will succeed, as one of the probable measures that the Senate Republicans will implement is to prevent the adoption of the Domestic Terrorism Prevention Bill. In a critical vote, the Senate Republicans are said to have blocked a bill designed to combat domestic terrorism from advancing. The vote comes as lawmakers are under unrelenting pressure to take action in the wake of multiple recent episodes of horrific gun violence. The Democratic-controlled House had passed the aforementioned Bill following a tragic mass shooting at a supermarket in a predominately African American neighborhood in Buffalo, New York. But Republicans have pushed back against the measure put forward by Democrats, describing it as partisan and unnecessary.<sup>13</sup> A new Washington Post-Ipsos poll has also found that three-quarters of African Americans are worried they or someone they care about will be physically harmed because of racial issues.<sup>14</sup>

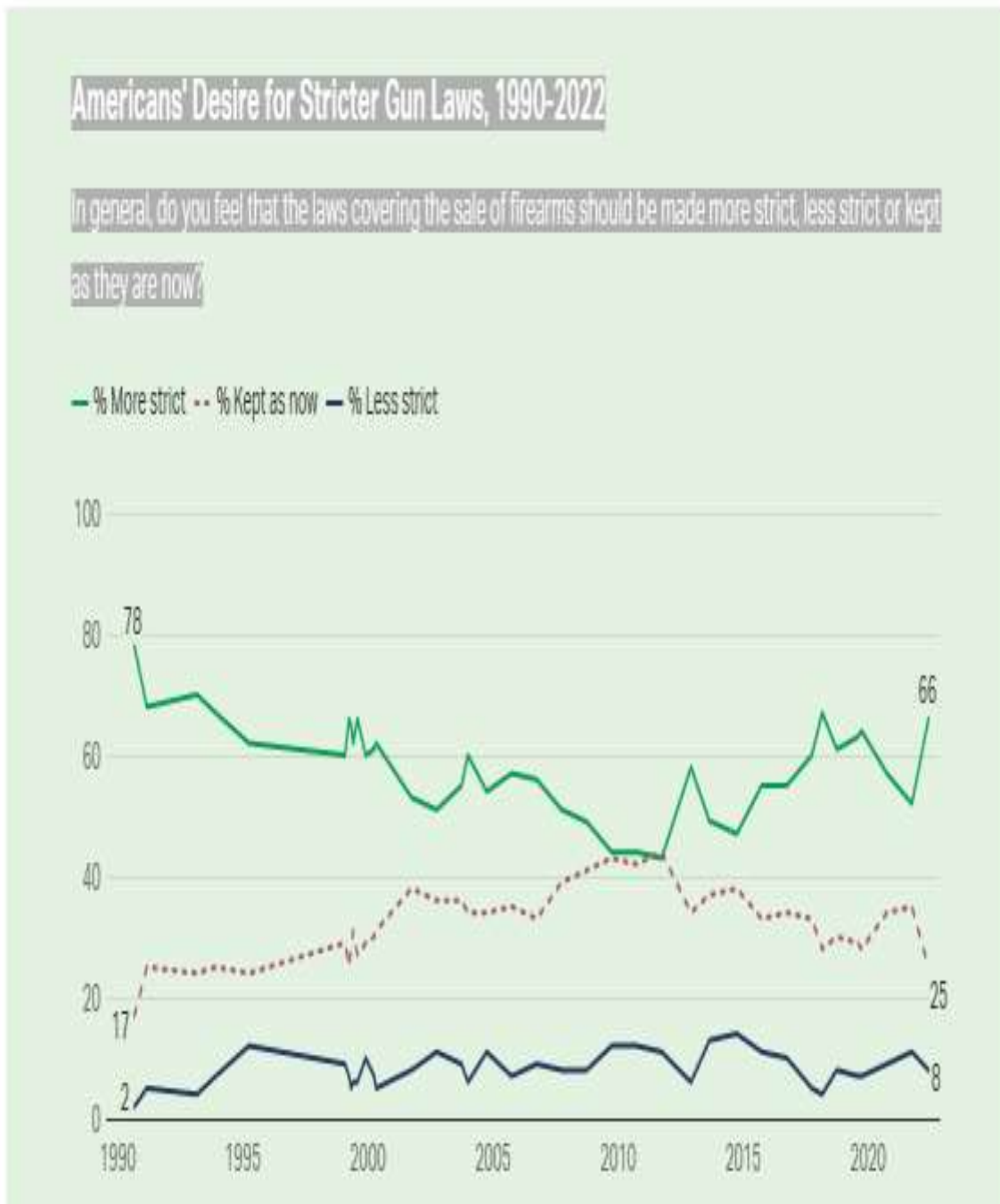
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<sup>12</sup> <https://news.gallup.com/poll/394022/public-pressure-gun-legislation-shootings.aspx>

<sup>13</sup> <https://edition.cnn.com/2022/05/26/politics/senate-domestic-terrorism-bill-vote/index.html>

<sup>14</sup> <https://thehill.com/blogs/blog-briefing-room/3496738-75-percent-of-black-americans-fear-physical-attack-based-on-their-race-poll/>

## Americans' Desire for Stricter Laws for Carrying Guns<sup>15</sup>



<sup>15</sup> <https://news.gallup.com/poll/394022/public-pressure-gun-legislation-shootings.aspx>

## 2. Police Brutality

Having deprived people of their right to life, the historical record of police brutality and the illegal use of coercive force against people in the United States is one of the serious concerns of international organizations and human rights institutions. Targeted discrimination against people of African descent by the U.S. police and the judicial system as well as suppression of public protests constitute a violation of human rights, especially the rights of minorities and people of color.

As specified by polls, racialized discrimination and police brutality against people of color are institutionalized and repeated over and over again. Given the grueling judicial process and threats faced by plaintiffs, countless instances of police brutality and discrimination are left unreported.

A report released by the Mapping Police Violence shows that police officers in the United States have hitherto committed over 700 murders, breaking the tragic death record compared to any other year. It is also estimated that before the end of the year, another 440 people will die at the hands of the U.S. police. Only one in three police killings is committed for a violent crime, while two-thirds are for alleged non-violent offenses.

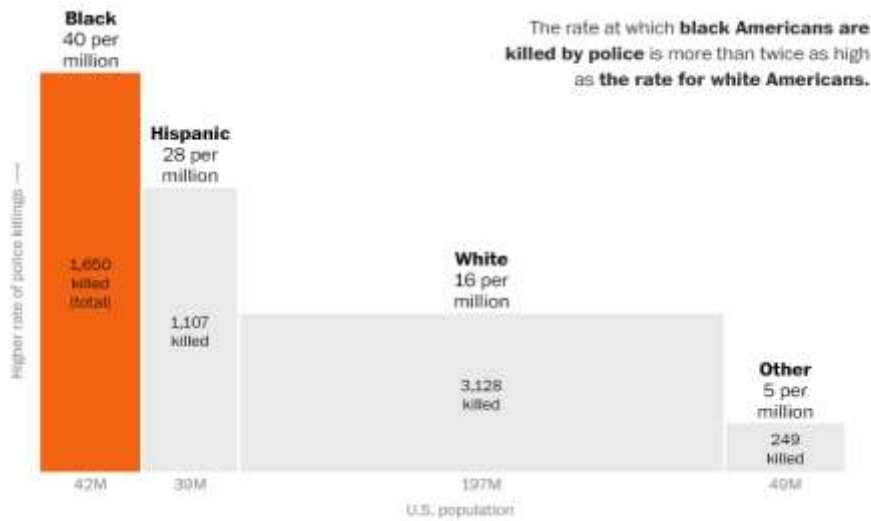
In addition, a substantial number of victims have been shot while running away from the police. The Mapping Police Violence database has also found that people of African descent are three times more likely to be killed by police than white individuals. The revelations come as fatal police shootings and other forms of violence against ethnic minorities have sparked widespread protests in the United States and sharp criticism from civil rights organizations worldwide.<sup>16</sup>

Police violence is reported to be a leading cause of death for young men in the United States. At least 1 in every 1,000 African American men can expect to be killed by the police. The risk of being killed by police officers peaks between 20 and 35 for men and women and all racial and ethnic groups. African American, American Indian, and Alaska Native women and men are significantly more likely than white people to be killed by the police. Latino men are also more likely to be

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<sup>16</sup> <https://www.independent.co.uk/news/world/americas/police-killing-record-2022-b2137757.html>

killed by police officers than white men.<sup>17</sup> The following diagram proves the aforementioned facts:



The majority of those killed by the police are male (over 95%) aged between 20 and 40.<sup>18</sup>

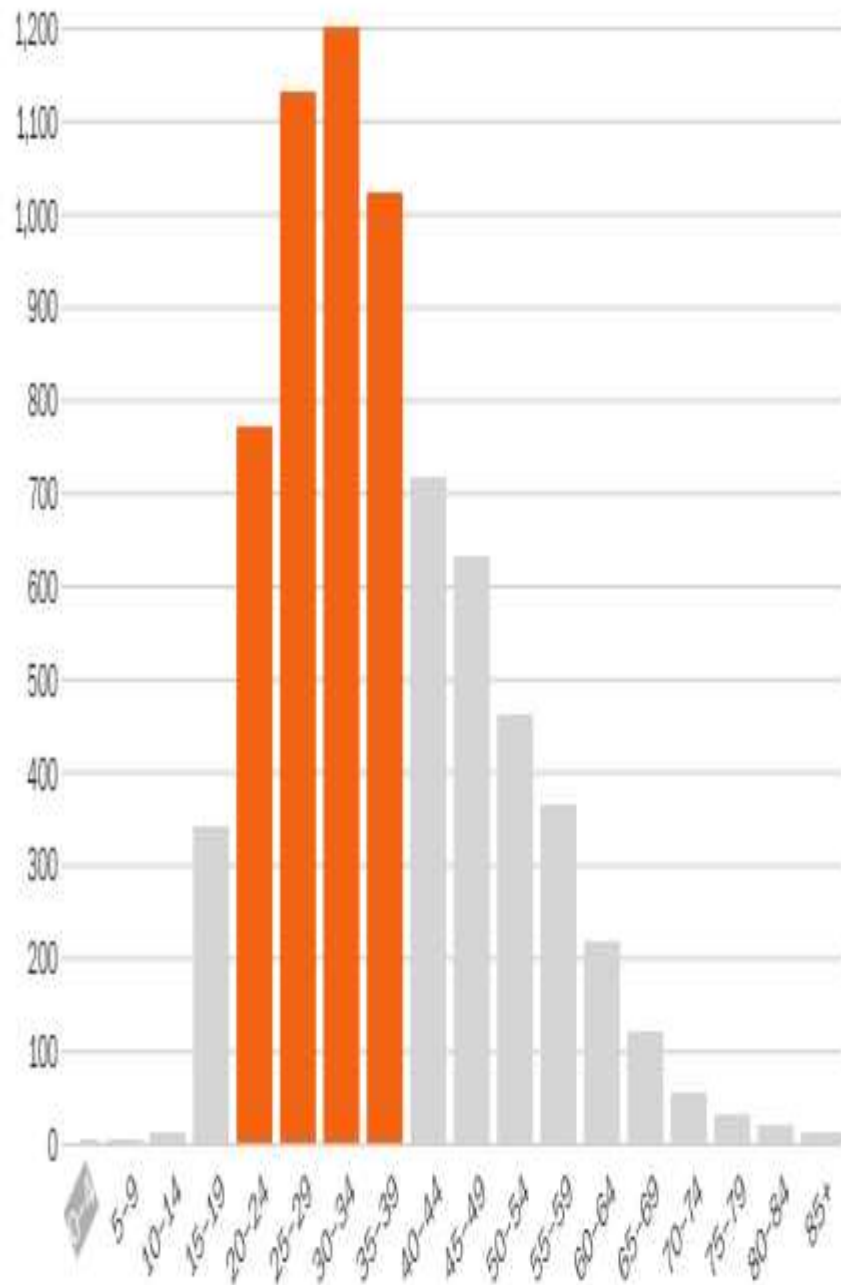
### Victims by gender



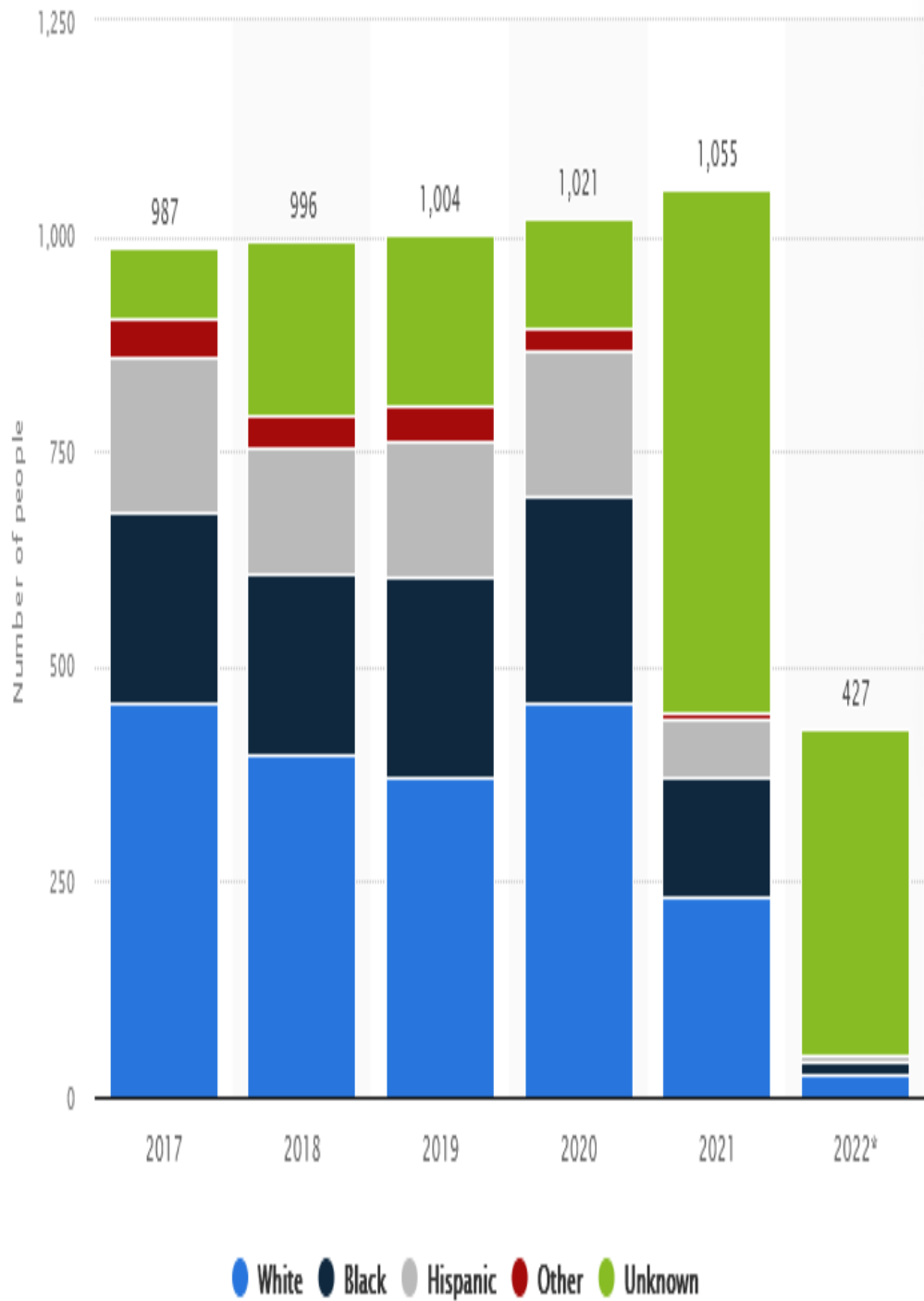
<sup>17</sup> <https://www.pnas.org/doi/10.1073/pnas.1821204116>

<sup>18</sup> <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

## Victims by age



## Gunned Down by U.S. Police<sup>19</sup>



<sup>19</sup> <https://www.statista.com/statistics/585152/people-shot-to-death-by-us-police-by-race/>

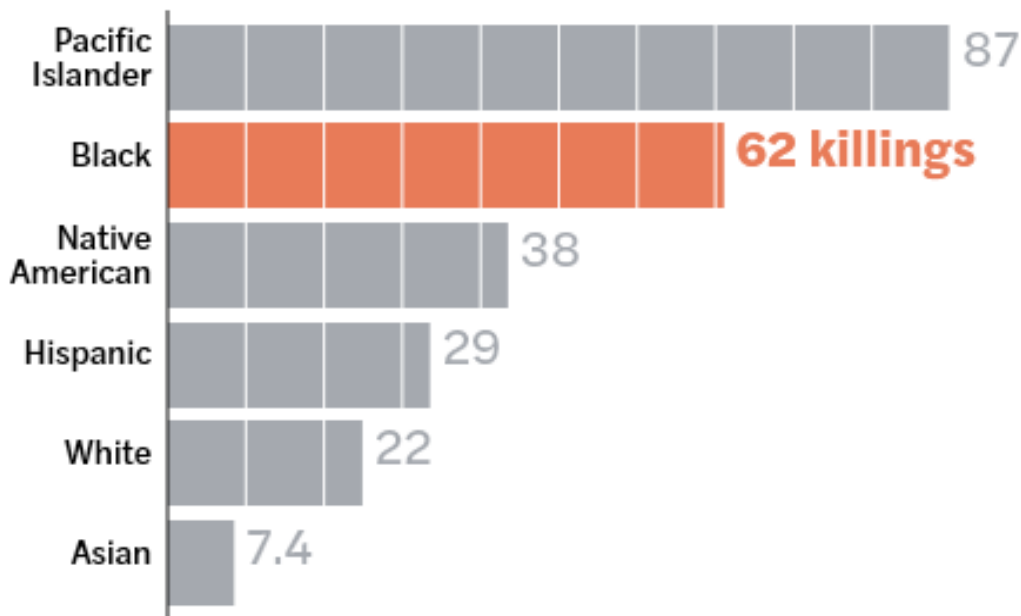


## 2.1 Police Brutality Against People of African Descent

Albeit half of those gunned down by the police are whites, African Americans are disproportionately shot. People of African descent comprise roughly 13% of the total U.S. population but account for 25% to 27% of people killed by the police. This makes them 2.9 times more likely than whites to die at the hands of so-called law enforcement officers.<sup>20</sup>

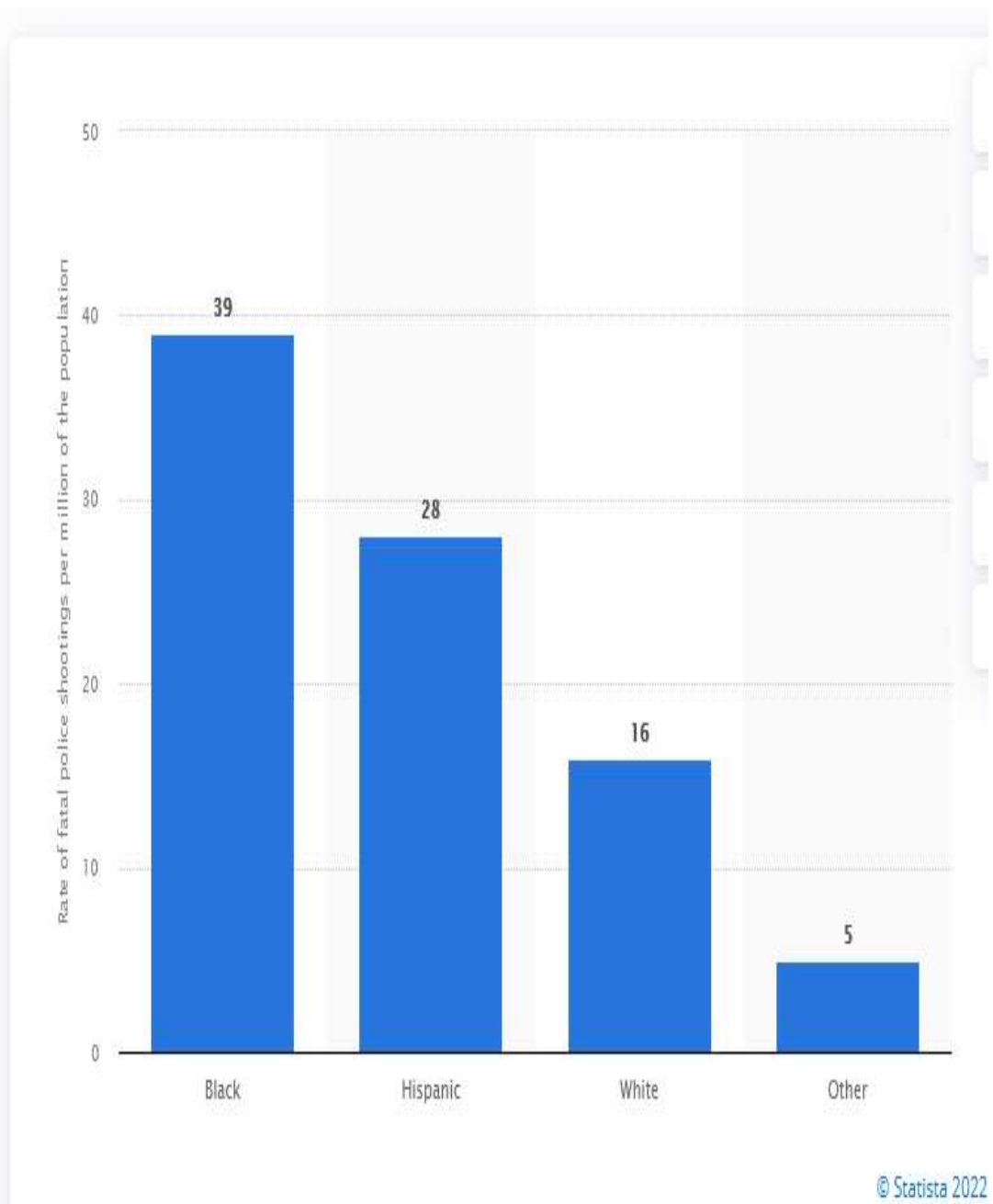
Black people are **2.9x** more likely to be killed by police than white people in the U.S. √.

Police killings per 1 million people in the U.S., 2013–2022



<sup>20</sup> <https://worldpopulationreview.com/state-rankings/police-killings-by-state>

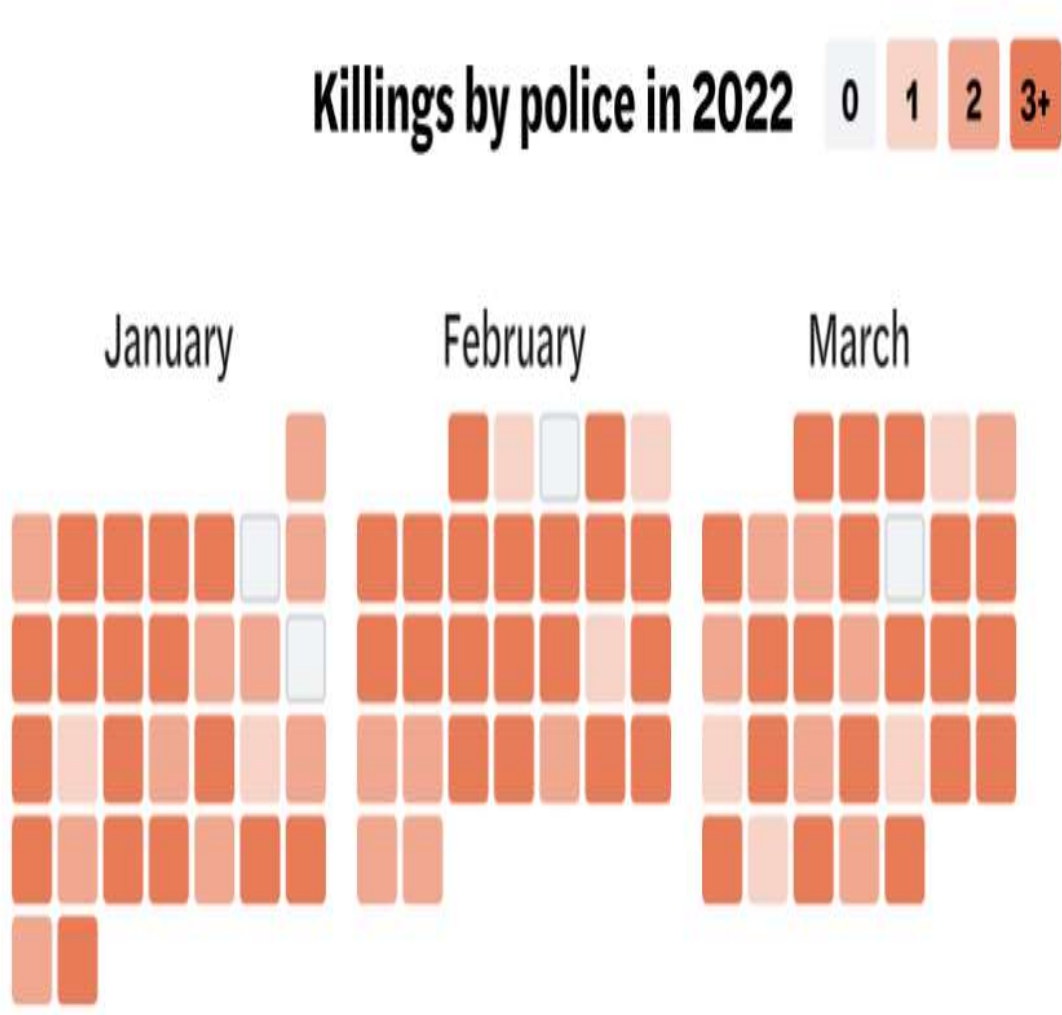
## Fatal U.S. Police Shootings from 2015 to June 2022, Characterized by Ethnicity (Per Million Population)



The rate of fatal police shootings in the United States shows significant differences by ethnicity.

The rate of deadly police shootings among African Americans between 2015 and June 2022 stands at 39 per million, compared to 16 fatal police shootings per million for white Americans. In the first three months of 2022, the U.S. police managed not to commit arbitrary killings for only four days!<sup>21</sup>

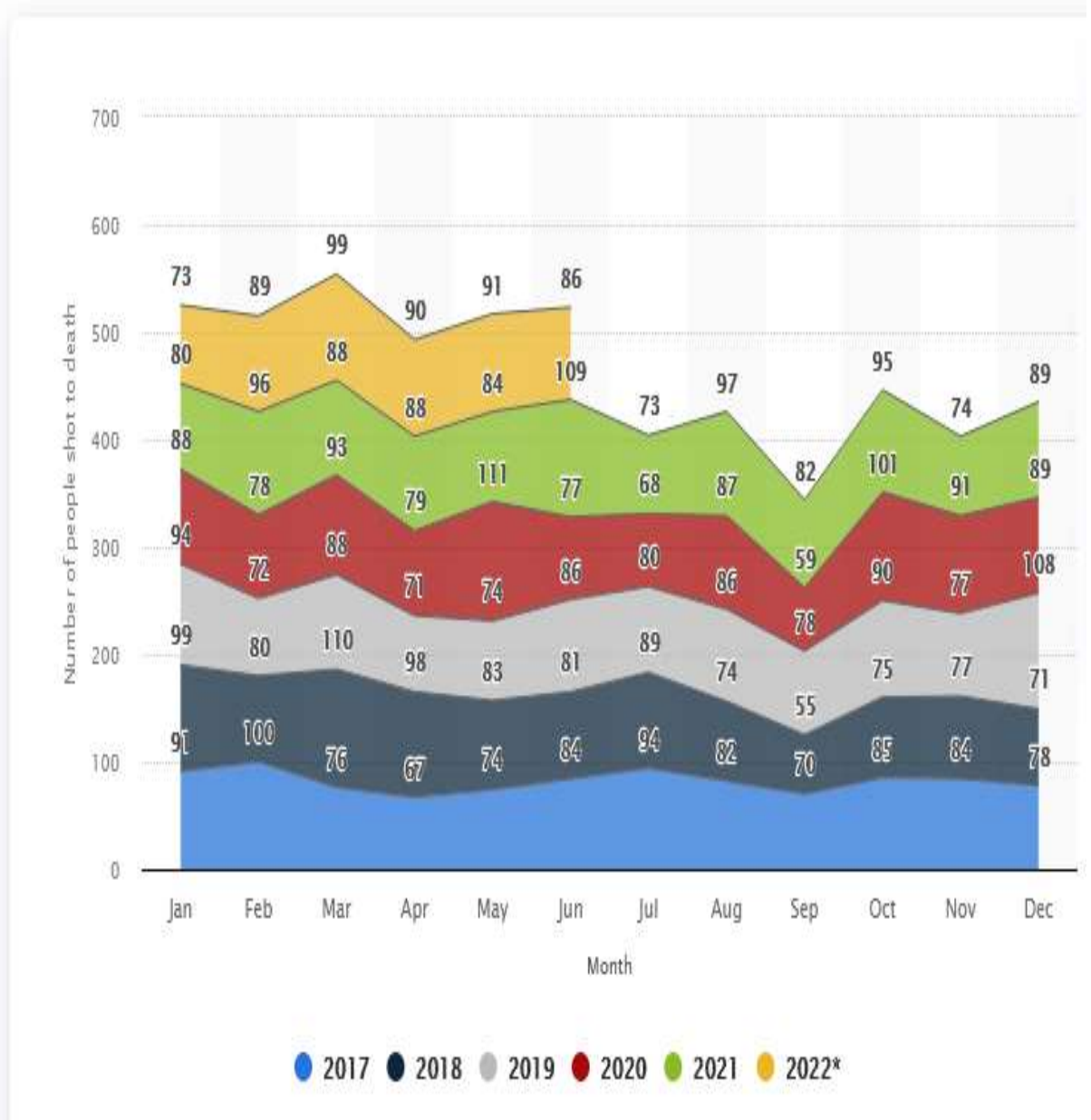
**Number of People Killed by U.S. Police  
(January – March 2022)**



<sup>21</sup> <https://mappingpoliceviolence.org/>

## Line Graph<sup>22</sup> of Number of People Killed by U.S. Police, Characterized by Month

(2017 – June 2022)



As of 29 June 2022, U.S. police have shot 528 and 1,055 people to death in 2022 and 2021, respectively.

<sup>22</sup> <https://www.statista.com/statistics/585159/people-shot-to-death-by-us-police-by-month/>

## **2.2 Police Performance in Ending Texas School Attack**

On 24 May 2022, a mass shooting occurred at Robb Elementary School in Texas, where an 18-year-old fatally shot nineteen students and two teachers. The school is located in Uvalde, 135 kilometers west of San Antonio. The murders ignited an intense debate about the performance and actions of the American police to spell an end to the deadly attack and save the lives of students, teachers and school staff, and resulted in the publication of reports and sometimes contradictory information. One of the most controversial reports ever published suggests that the Texas authorities have revealed that the students and teachers called 911 several times for help, with dozens of police officers being ordered to stop and wait in the school hallway.

## **3. Arbitrary & Inhumane Executions**

There are many crimes for which the death penalty is prescribed under the laws of the United States of America, causing the statistics in this field to rise. Crimes deserving the death penalty in state and federal laws differ. Although the United States always makes contradictory claims about the death penalty, it is executed in both state and federal forms. Examining death penalty statistics in America unmasks the shocking dimensions of violence in the country's criminal justice system.

### **3.1 Arbitrary & Illegal Executions**

Prisoners sentenced to the death penalty in the United States are mostly kept in maximum security prisons, often located in remote rural areas. Those sentenced to the death penalty face life imprisonment as the courts and law enforcement officers have to work for a long time in order to receive the lethal injection license and find suitable drugs. Sometimes a temporary reprieve is issued to the execution of the death penalty because of the contradiction in the method of execution.<sup>23</sup>

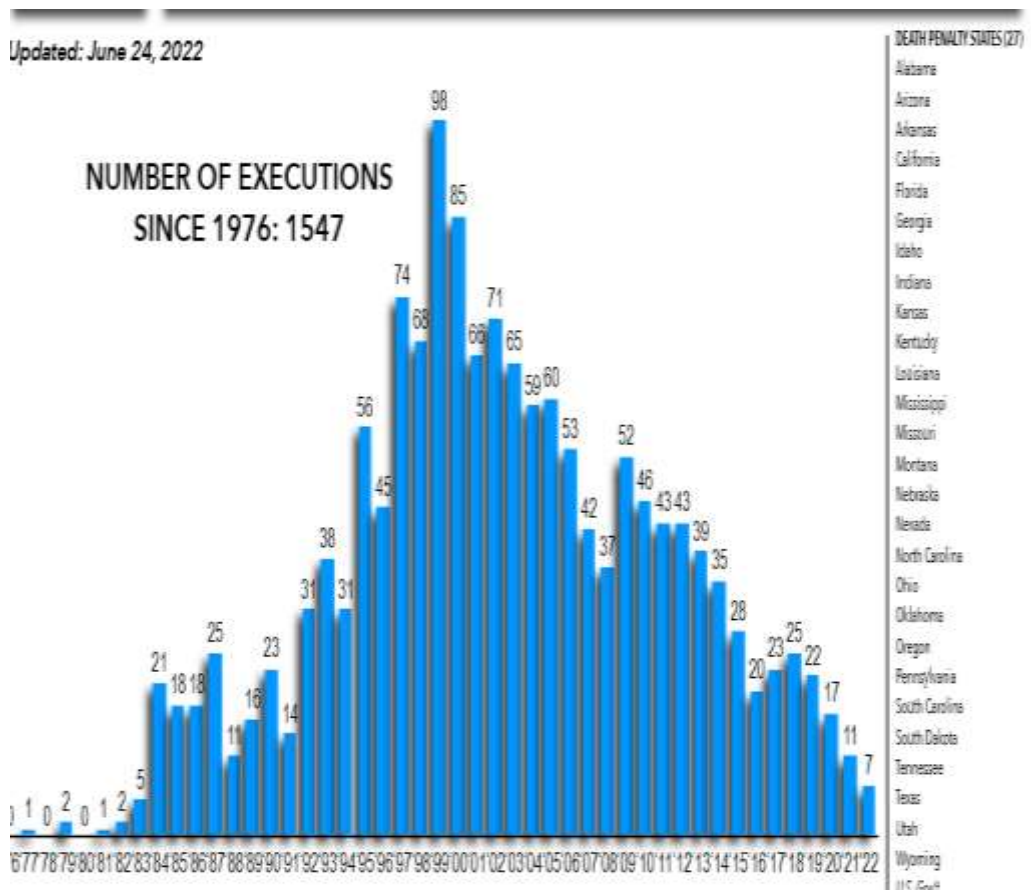
An Amnesty International report cites the federal execution spree under former President Donald Trump as an example of the egregious nature of the United States' application of capital punishment, highlighting the arbitrariness,

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<sup>23</sup><https://www.tennessean.com/story/news/crime/2022/04/19/oscar-smith-execution-tennessee-death-row-inmate-lawsuit-first-amendment/9461514002/>

racial disparities, and executions of people with intellectual and mental disabilities.<sup>24</sup> “When the Trump administration resumed federal executions in July 2020, it provided a stark reminder of the horror show that is capital justice in the United States,” said Amnesty International’s Deputy Director of Research. As per the report, even though most American presidents have touted the U.S. as a shining example of human rights, America has been involved in blatant human rights violations.<sup>25</sup>

**Bar Chart of Number of Executions Carried Out in U.S., Characterized by Year<sup>26</sup>**



As confirmed by certain studies and statistics, the way the death penalty verdict is issued in the United States bears witness to the actual existence of racial

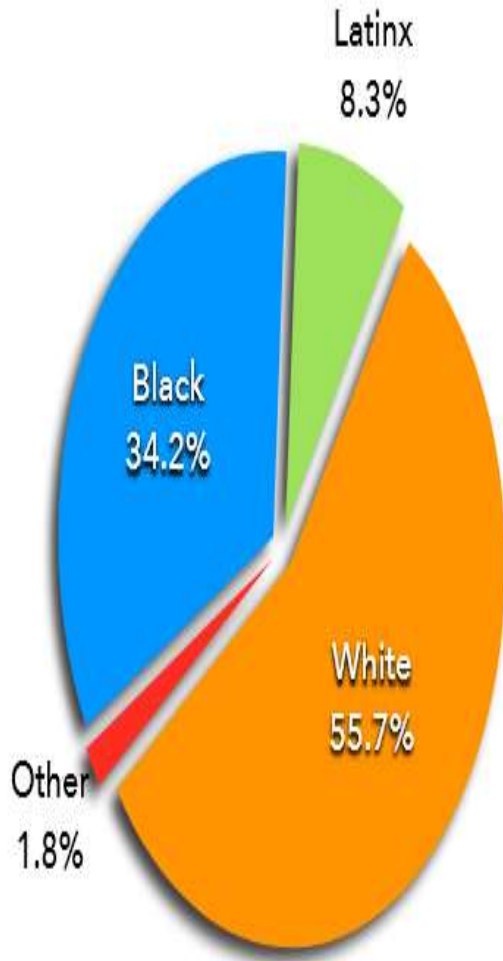
<sup>24</sup><https://deathpenaltyinfo.org/news/in-new-report-amnesty-international-urges-president-biden-to-end-the-federal-death-penalty-and-commute-all-federal-death-sentences>

<sup>25</sup><https://www.amnestyusa.org/wp-content/uploads/2022/06/The-Power-of-Example-Whither-the-Biden-Death-Penalty-Promise-.pdf>

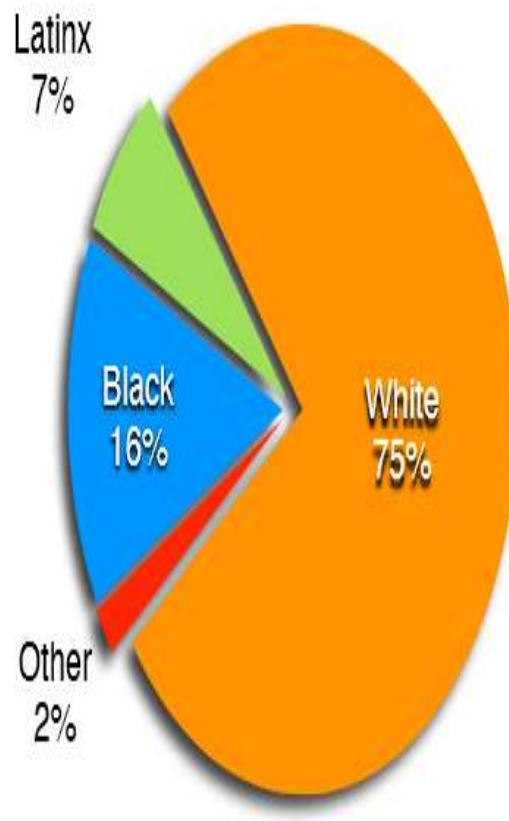
<sup>26</sup> <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf>

discrimination in America. People of African descent are three times more likely to be sentenced to death than whites, while African Americans make up only 13% of the U.S. population.

### RACE OF DEFENDANTS EXECUTED



### RACE OF VICTIMS IN DEATH PENALTY CASES



### 3.2 Number of Predicted Executions

The Oklahoma Court of Criminal Appeals has reportedly set execution dates for 25 of the state's 43 death-row prisoners, scheduling nearly an execution a month from August 2022 through December 2024. If carried out, the execution

schedule, unprecedented in the state’s history, would put to death 58% of the state’s death row, including multiple prisoners with severe mental illness, brain damage, and claims of innocence.<sup>27</sup> The executions are set to take place in four phases of six executions each, plus an additional 25th execution, until 2024. Within each phase, the executions are scheduled at four-week intervals, followed by an execution-free month before the start of the next stage.<sup>28</sup>

It must be noted that a Death Penalty Information Center review of the 98 U.S. executions carried out from 2017 through 2021 has found that nearly 85% of those executed had evidence of one or more of the following significant impairments: severe mental illness, brain injury, developmental brain damage, or an IQ in the intellectually disabled range, severe chronic childhood trauma, neglect, and abuse.<sup>29</sup>

At least seven death sentences were imposed in five states from January through June 2022. Five of the seven defendants sentenced to the death penalty in the first half of 2022 are people of color: three are African Americans, and two are Latinx. Two are white.<sup>30</sup>

### Distribution Map of 2022 Executions, Characterized by Year



## 4. Violation of Rights of Immigrants & Refugees

<sup>27</sup><https://deathpenaltyinfo.org/news/oklahoma-court-schedules-25-executions-between-august-2022-and-december-2024>

<sup>28</sup><https://deathpenaltyinfo.org/news/oklahoma-court-schedules-25-executions-between-august-2022-and-december-2024>

<sup>29</sup><https://deathpenaltyinfo.org/news/oklahoma-court-schedules-25-executions-between-august-2022-and-december-2024>

<sup>30</sup><https://deathpenaltyinfo.org/facts-and-research/dpic-reports/dpic-2022-mid-year-review-geographic-isolation-of-death-penalty-continues-amidst-eight-year-trend-of-minimal-use>



One of the most critical human rights challenges faced by the United States is the violation of the rights of refugees and immigrants, which is criticized by human rights organizations and countries every year. The violent treatment of asylum seekers, throwing them in jails, and subjecting them to inhumane treatment is only a small part of the violations of the rights of refugees and immigrants by the United States.

Since Joe Biden took the oval office, his immigration policy is said to have been underwhelming – contrary to his claims. There is also no prospect of improving the conditions of immigrants in America. According to the U.S. Border Patrol, when two Democrats and two Republicans held the White House, more than 8,000 migrants died in the Southwest Border Sector. A United Nations agency estimates that 650 migrants died in the border region in 2021. Advocacy groups have also chronicled stories of neglect by the U.S. Border Patrol towards migrants. Migrants dying trying to cross our southern border has been a national scandal for over two decades. Migration has always been racialized and manipulated for political purposes. Politicians, however, never admit to such a point or acknowledge that Texas has an immigration history grounded in white supremacy and xenophobia.<sup>31</sup>

As per a report released by Human Rights First, in a violation of international and American law, the Biden Administration has detained tens of thousands of asylum seekers only weeks before crossing the southern U.S. border. The report reveals that the U.S. Immigration and Customs Enforcement has kept tens of thousands of people incarcerated instead of allowing them to live with their families or sponsors. It describes the incarceration of asylum seekers as inhumane and unnecessary, adding that the imprisonment has unnecessarily exposed them to severe physical and mental harm, medical neglect, and discrimination. Dubbed “I’m a Prisoner Here: Biden Administration Policies Lock Up Asylum Seekers”, the report divulges that since Joe Biden took the oval office, asylum seekers have been held in detention centers for an average of three to seven months. Detention of asylum seekers is generally forbidden under international law, except in exceptional circumstances. In addition, the International Covenant on Civil and

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<sup>31</sup><https://www.msnbc.com/opinion/msnbc-opinion/53-migrants-who-died-san-antonio-truck-must-not-become-n1296710>

Political Rights prohibits illegal, unnecessary, disproportionate, or arbitrary detention.

Human rights organizations also say that incarcerating asylum seekers who have not committed a crime is illegal and amounts to a violation of their right to freedom.<sup>32</sup> Asylum seekers from countries where most of their nationals are of African descent experience an average of 27% longer detention times than non-African American asylum seekers from other countries.

In addition, the U.S. Supreme Court has ruled that immigrants detained in the United States are not entitled to a bond hearing: a decision which means that thousands of people currently languishing in holding facilities with open immigration cases can continue to be detained indefinitely. The Supreme Court has also ruled that federal courts lack the authority to grant class-wide relief to detainees. In other words, if any detainees want to argue in the future that they have a right to a bond hearing, they shall need to bring their cases individually, despite the fact that immigrants are not entitled to counsel during immigration proceedings. Such immigrants are not charged with a crime, nor do they have a right to a hearing justifying their detention.<sup>33</sup>

#### **4.1 Operation Lone Star**

The Texas Governor has issued an executive order authorizing and empowering the Texas National Guard and the Texas Department of Public Safety to apprehend immigrants who cross the border between ports of entry and return them to the border. As specified by statistics, over 5,000 immigrants have entered the United States through the southern border during the holiday weekend leading to the 4th of July.<sup>34</sup> In a report, Human Rights Watch has emphasized upon the need for immediate action by the U.S. government to cut federal funds allocated to institutions and cities participating in the abusive border plan designed by the Texas Governor, dubbed “Operation Lone Star”. Operation Lone Star is a U.S. \$4 billion state program to deploy the Texas state police, the Texas National Guard, and other law enforcement bodies in Texas in order to arrest and deter migrants

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<sup>32</sup><https://www.humanrightsfirst.org/press-release/jailing-asylum-seekers-under-biden-administration-inflicting-trauma>

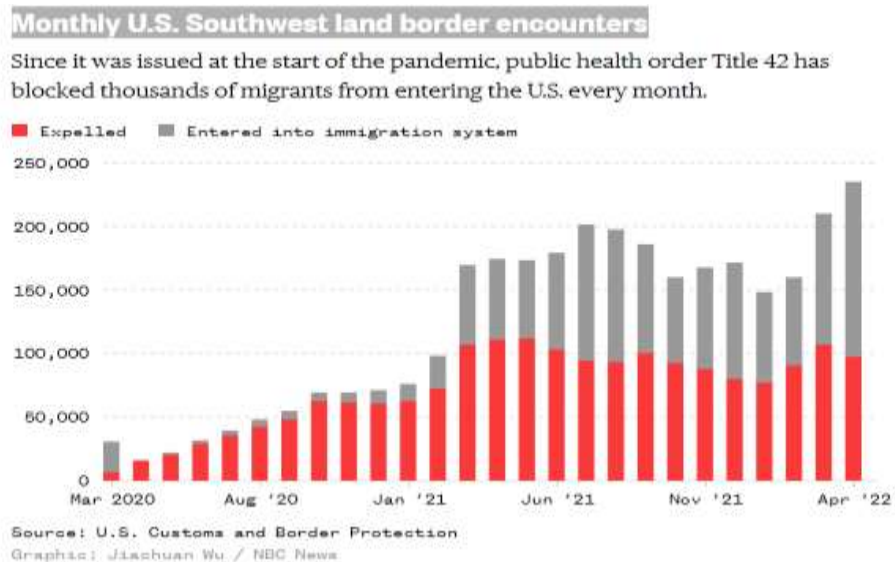
<sup>33</sup> <https://time.com/6187133/supreme-court-immigrants-bond-hearings/>

<sup>34</sup><https://breaking911.com/breaking-gov-abbott-authorizes-texas-national-guard-to-apprehend-illegal-immigrants-and-return-them-to-border/>

along the U.S.-Mexico border. Human Rights Watch views Operation Lone Star as a discriminatory and abusive program that targets suspected migrants for arrest, prosecution, and incarceration on state misdemeanor offenses.<sup>35</sup>

## 4.2 Title 42

Since issued at the start of the COVID-19 pandemic, Title 42 has blocked thousands of migrants from entering the U.S. every month.<sup>36</sup> A public health emergency order invoked by the U.S. government for the first time in March 2020 in order to prevent the spread of COVID-19, Title 42 does not allow asylum seekers to arrive at a border checkpoint and request asylum; and, they are immediately pushed back without screening by the U.S. border authorities. As per studies, the order in question is just one of the latest in a series of policies that have stranded migrants in a critical situation at the U.S.-Mexico border. Refugee and immigrant advocacy groups say that not only has Title 42 harmed public health, but it has also been applied selectively.<sup>37</sup>



<sup>35</sup> <https://www.hrw.org/news/2022/07/11/us-end-texas-assault-migrants-cut-funds>

<sup>36</sup> <https://www.nbcnews.com/politics/immigration/us-officials-encountered-234000-migrants-southern-border-april-new-hig-rcna29124>

<sup>37</sup> <https://www.cbsnews.com/news/migrants-us-mexico-border-shelter-health-care/>

The April figure is likely to heighten pressure from Republicans and certain Democrats on the Biden administration to maintain Title 42, an anti-COVID public health measure, which has blocked over 1.7 million migrants from staying in the U.S. to seek asylum. Those opposed to lifting the order say doing so could overwhelm an already strained system responsible for processing immigrants, adjudicating their claims and, in some cases, deporting them back to their home countries.<sup>38</sup>

### **4.3 U.S.-Mexico Border Crossing**

Over the past two decades, the border crossing between Mexico and the United States has become the site of a grave human rights crisis, where thousands of migrants have either gone missing or lost their lives while crossing the Sonoran Desert in the Southwestern United States and Northwestern Mexico with its scorching heat and scarce water resources, or attempting to cross deep the Rio Grande with its often strong currents.

As per a study by the International Organization for Migration's Missing Migrants Project, the U.S.-Mexico land border is now considered the most dangerous land crossing in the world. In 2021, at least 1,238 people from the Americas lost their lives on this route, 828 of whom died on the U.S.-Mexico border. The number of deaths on the U.S.-Mexico border has increased to such an extent that the number stands higher than what it used to be prior to the COVID-19 pandemic. Given the data collection challenges, the number is likely underreported. The study further added that based upon the figures released by the International Organization for Migration, the deaths of 46 immigrants – whose bodies were found in a truck in the city of San Antonio in the state of Texas – have brought to 493 the total number of victims who died at the U.S.-Mexico border in 2022. Pursuant to the investigations conducted following the discovery of the tractor-trailer carrying the bodies of migrants in Texas, the strict border policies that force migrants to go to alternative borders is the reason behind the increase

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<sup>38</sup><https://www.nbcnews.com/politics/immigration/us-officials-encountered-234000-migrants-southern-border-april-new-hig-rcna29124>

in deaths on the U.S.-Mexico border.<sup>39</sup> The immigrants are said to be from Mexico, Guatemala, and Honduras. On the other hand, border patrol officers have encountered record numbers of migrants trying to cross the southern border during the past year, with 239,416 recorded last month and 235,478 the month before that.<sup>40</sup>

The U.S. border authorities reportedly arrested 210,000 migrants attempting to cross the border with Mexico in March, the highest monthly total in two decades and underscoring challenges in the coming months for U.S. President Joe Biden. The statistic is staggering compared to a year earlier when 169,000 migrants were picked up at the border. The reports also touch upon the warnings issued by Biden officials that migration could rise further after U.S. health officials said they would spell an end to Title 42 by 23 May 2022. The pandemic-era border order allows asylum seekers and other migrants to be rapidly expelled to Mexico so as to prevent the spread of COVID-19. More than half of the migrants encountered at the U.S.-Mexico border in recent months are from Mexico, El Salvador, etc.

Records collected by the Missing Migrants Project show that many lose their lives to the hardships of the already-perilous journeys. Vehicle accidents, mostly involving freight trains used to transport migrants, are the leading recorded cause of death on migration routes through Central America. Violence ranging from murder to physical abuse and sexual violence is the second most common cause of death, accounting for over 10% of recorded deaths and disappearances since 2014.<sup>41</sup>

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<sup>39</sup><https://sputniknews.com/20220704/study-united-states---mexico-border-now-the-most-dangerous-land-crossing-in-the-world-1096955225.html>

<sup>40</sup><https://www.foxnews.com/us/un-migration-study-deems-us-mexico-border-deadliest-land-route-world-based-2021->

<sup>41</sup>[https://missingmigrants.iom.int/region/americas?region\\_incident=All&route=All&year%5B%5D=10121&incident\\_date%5Bmin%5D=&incident\\_date%5Bmax%5D=](https://missingmigrants.iom.int/region/americas?region_incident=All&route=All&year%5B%5D=10121&incident_date%5Bmin%5D=&incident_date%5Bmax%5D=)

## Number of Deaths & Disappearances Among Immigrants & Refugees in Americas since 1 January 2014



### 4.4 Lack of Access to Legal Counsel Among Majority of L.A.-Based Asylum Seekers

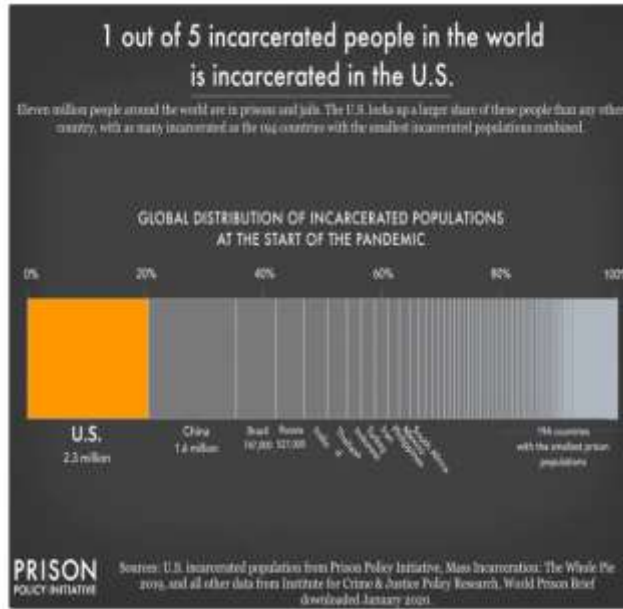
Reports indicate that almost everyone seeking asylum in the Los Angeles Immigration Court has received an order of deportation under a Biden administration program meant to speed up asylum hearings. A study by the Immigrants' Rights Policy Clinic has found that 99.1% of people in 449 cases completed under the Dedicated Dockets program in Los Angeles ended up with removal orders. Approximately 2,410 families are assigned to the docket in Los Angeles, with most being charged with entry without inspection. Almost half of the *in absentia* orders have been issued against children, most of whom are aged below six and have no attorney.<sup>42</sup>

### 5. Violation of Rights of Prisoners

The United States has the largest prison population of over two million and the highest prison population rate of 629 prisoners per 100,000 inhabitants.<sup>43</sup> As shown below, statistics prove that America accommodates 25% of the world's prisoners.

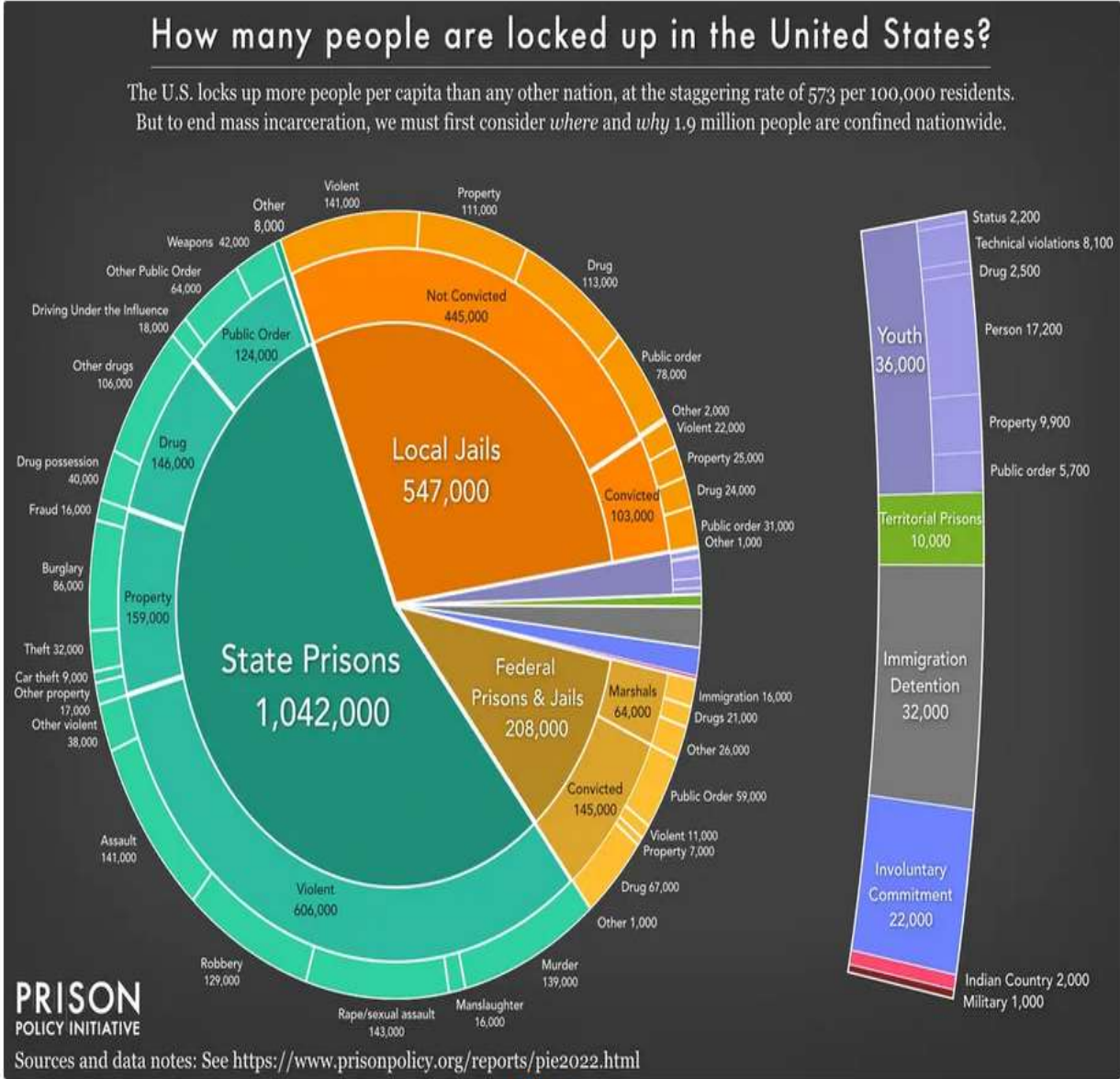
<sup>42</sup><https://www.nbcnews.com/news/latino/almost-asylum-seekers-l-lack-legal-counsel-face-deportation-report-rcna31513>

<sup>43</sup> <https://www.telesureenglish.net/news/US-Private-Prisons-Are-Big-Business-at-Expense-of-Human-Rights-20220314-0007.html>



The ten states with the highest prison populations in the U.S. are Texas (154,749), California (122,417), Florida (96,009), Georgia (54,113), Ohio (50,338), Pennsylvania (45,485), New York (43,439), Arizona (40,951), Illinois (38,259) and Michigan (38,053). In terms of imprisonment rate per 100,000 people, Louisiana, Oklahoma, and Mississippi have the highest rates, 680, 639, and 636, respectively.<sup>44</sup>

<sup>44</sup> <https://worldpopulationreview.com/state-rankings/prison-population-by-state>



## 5.1 Racial Discrimination in Prisons

Violations of human rights and racial discrimination in U.S. prisons, especially the penitentiaries located in the southern states of America, have become so alarming that left a coalition of non-governmental human rights organizations with no choice but to submit a 21-page special report to the United Nations Committee on the Elimination of All Forms of Racial Discrimination, calling for pressure on the United States to stop racial discrimination and anti-human rights policies in its detention centers. The submitted report touches upon examples of human rights violations and racially discriminatory policies pursued by the U.S. government.



Violent behavior in solitary confinement, labor slavery in prisons, and imprisonment of parents of African American families are mentioned as some of the American government's human rights violations and racial discrimination policies. On 8 August 2022, the United Nations reviewed the United States' compliance with the International Convention on the Elimination of All Forms of Racial Discrimination for the first time since 2014. Among the ongoing stark racial disparities throughout prisons in the southern United States, people of African descent are five times more likely to be incarcerated in state prisons. In Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas, where African American communities comprise 38% of the total population, people of African descent account for as much as 67% of the total incarcerated population. While incarcerated, African Americans are eight times more likely to be placed in solitary confinement and ten times more likely to be held there for exceedingly long periods. According to the report, several U.S. states have failed to meet the following UN's Standard Minimum Rules for the treatment of incarcerated people:

- Work should help to prepare incarcerated people for their release from prison, including life and job skills;
- Safety measures and labor protections for incarcerated workers should be the same as those that cover workers who are not incarcerated; and
- Incarcerated workers should receive equitable pay, be able to send money home to their families, and have a portion of their wages set aside to be given to them upon release.<sup>45</sup>

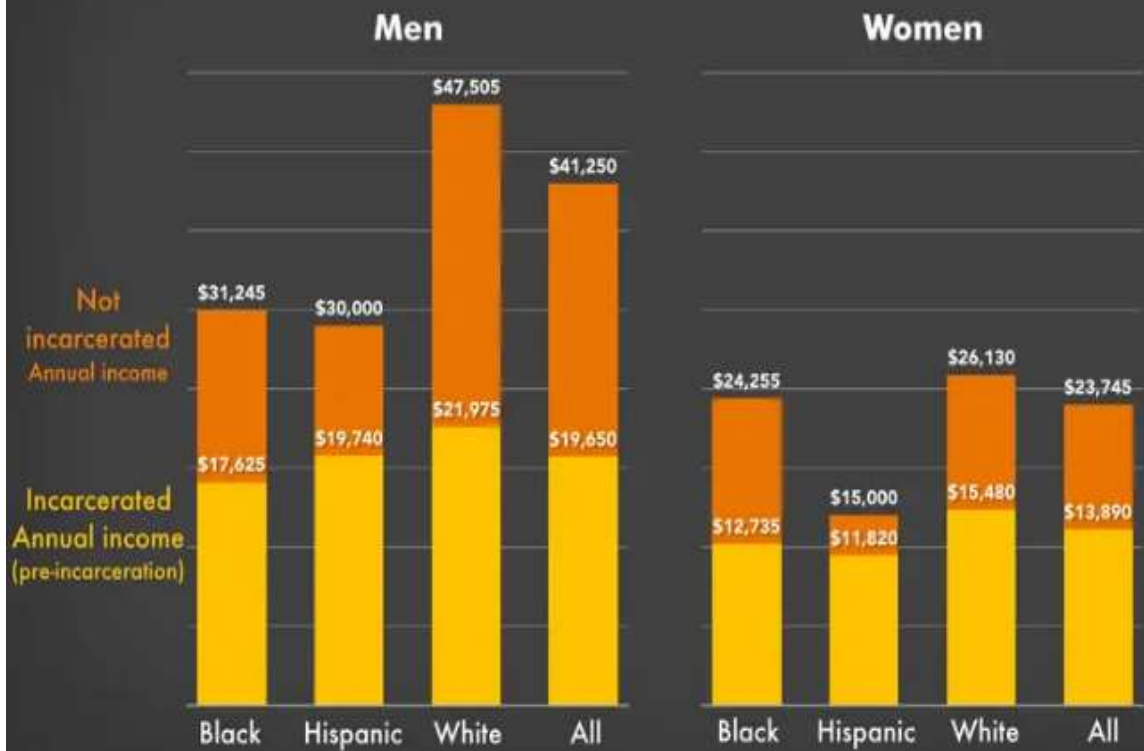
In addition, more than one million inmates are kept in U.S. federal prisons. They are predominantly poor, disproportionately of African descent, indigenous, Hispanic, and from other minority groups. According to a report prepared by the Prison Policy Initiative, and as shown in the following bar chart, such prisoners are often targeted by law enforcement and the American police from a young age. They also suffer from physical and mental illnesses.

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<sup>45</sup><https://www.naacpldf.org/press-release/new-report-human-rights-violations-in-prisons-throughout-southern-united-states-cause-disparate-lasting-harm-in-black-communities/>

# Most people in prison are poor, and the poorest are women and people of color

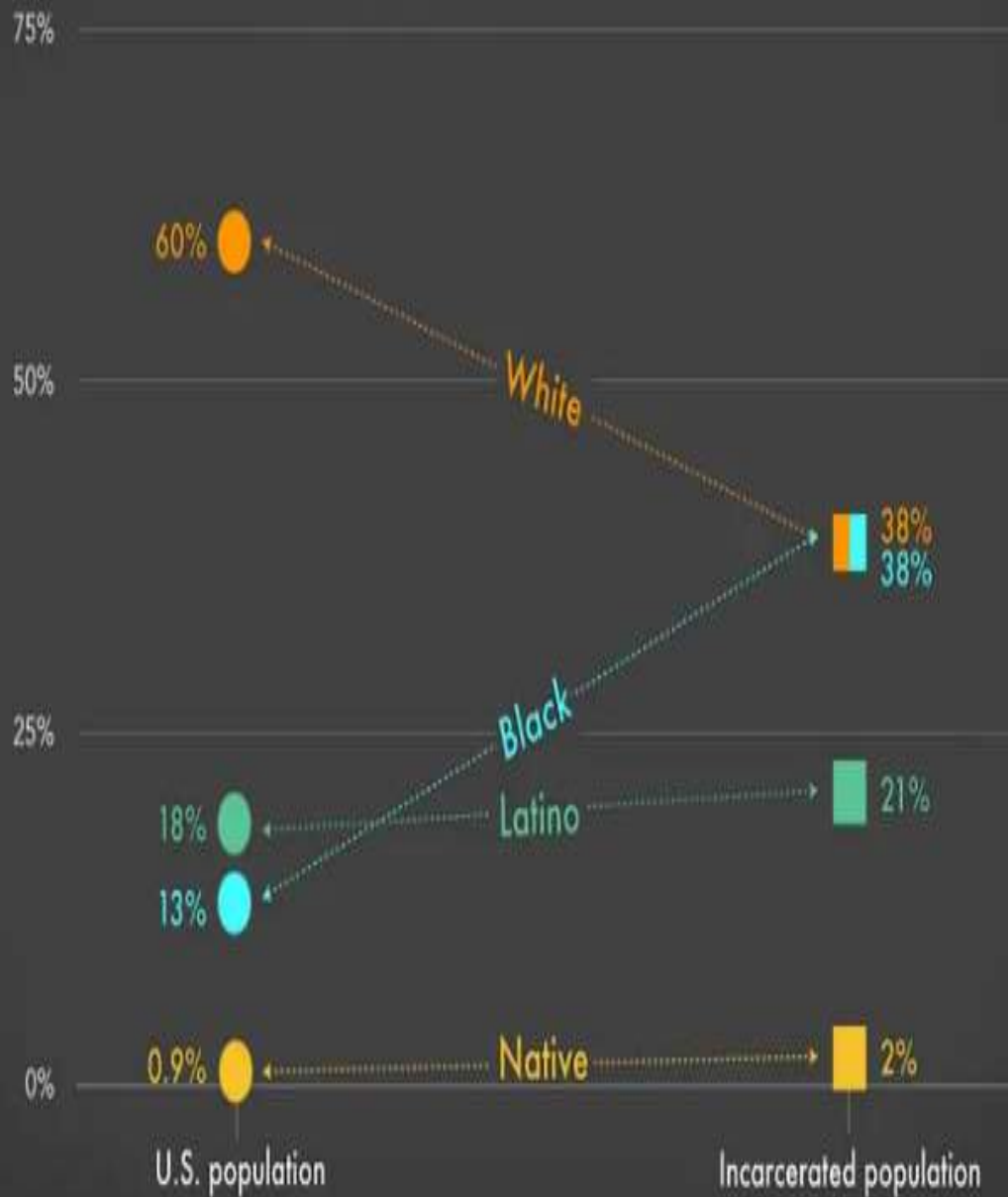
Median annual pre-incarceration incomes for people in state prisons ages 27-42, compared to incomes of same-age non-incarcerated people, by race/ethnicity and gender (in 2014 dollars)



Compiled by the Prison Policy Initiative. For detailed data notes, see [www.prisonpolicy.org/reports/income.html](http://www.prisonpolicy.org/reports/income.html). PRISON POLICY INITIATIVE

# Racial and ethnic disparities in correctional facilities

White people are underrepresented in prisons and jails while Black, Native, and Latino people are overrepresented.



Furthermore, studies estimate that 4-6% of people incarcerated in U.S. prisons are indeed innocent. Insidious and implicit racial biases create perceptions and presumptions that play out continuously in societal interactions with the criminal enforcement system and can manifest as the following actions directed toward African American and brown people in America: formation of unwarranted suspicions in everyday situations, inaccurate assumptions of criminal activity when there is none, routine arrests based upon weaker evidence than someone implicitly presumed innocent, harmless, or with access to power and influence, and rampant criminalization with excessive sentences of actions that disproportionately impact people of color. In many cases, wrongful convictions may keep a person in prison for years – one of those who was mistakenly imprisoned and spent 20 years in jail says: “They’re out of prison, but still fighting to prove their innocence. I feel like I’m not free”.

## **5.2 Prisons Privatization**

Prison privatization in the U.S., on the rise in the last three decades, has adulterated the essence of the prison system by turning it into a business whose profitability is contingent upon the number of inmates. Low-income groups and ethnic minorities are the primary victims of the police and judicial practices feeding private prisons. The rise in undocumented migrants heading to the U.S. has benefited owners of private detention centers, as they receive money for each migrant held and employ detainees as highly cheap labor.<sup>46</sup>

For years, private prisons in the United States have colluded with greedy politicians to force prisoners to work, thus turning private penitentiaries into “concentration camps” of slavery where they could make fortunes by exploiting the poor. Due to lack of oversight, prisoners of forced labor work long hours in harsh conditions while getting paid little, or in some cases, nothing at all. In early 2022, the American Civil Liberties Union filed a lawsuit, exposing the pervasive power-for-money dealings in the operation of detention facilities in American private prisons, which exacerbate excessive imprisonment and forced labor, and

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<sup>46</sup><https://www.telesurenglish.net/news/US-Private-Prisons-Are-Big-Business-at-Expense-of-Human-Rights-20220314-0007.html>

demanding that the U.S. Marshals Service make public and provide information about operators' contracts.<sup>47</sup>

### **5.3 Poor Prison Conditions**

122 American federal prisons with a population of 158,000 inmates have been a good place for corruption, abuse, and human rights violations in recent years. Of course, these conditions are different in federal prisons. The system has suffered from chronic overcrowding, staffing shortages, corruption, sexual violence and a culture that often encourages senior officials to minimize the extent of the problems. Another significant violation of human rights in federal prisons is the detention of innocent people before trial, deprivation of proper nutrition, lack of access to clean drinking water and sanitary equipment and facilities, lack of access to medical care, lack of or limited access to the outside world, and long-term lockdown.

Widespread drug abuse, substandard medical and mental health care, out-of-control violence, and horrific sanitary conditions are rampant at a federal prison in Atlanta, a new congressional investigation into the Federal Bureau of Prisons has found. The problems plaguing the medium-security prison in question, which holds around 1,400 people, are so notorious within the federal government that its culture of indifference and mismanagement is derisively known among bureau employees as “the Atlanta way.”<sup>48</sup>

The latest data from the Bureau of Justice Statistics about deaths in state and federal prisons indicate that U.S. prisons are actually “death institutions”. Statistics show that an increasing share of deaths results from discrete unnatural causes such as suicide, homicide, as well as drug and alcohol poisoning.<sup>49</sup> American prisons have been dangerous places wherein prisoners are exposed to unbearable physical and psychological conditions. One reason behind the high rate of arrests in America is the fact that the possibility of deadly crimes in the U.S. is higher compared to

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<sup>47</sup> <https://global.chinadaily.com.cn/a/202208/11/WS62f4517ca310fd2b29e71888.html>

<sup>48</sup> <https://www.nytimes.com/2022/07/26/us/politics/atlanta-federal-prisons-corruption.html>

<sup>49</sup> <https://bjs.ojp.gov/library/publications/federal-deaths-custody-and-during-arrest-2020-statistical-tables>

developed countries. Studies show that the length of imprisonment in America stands much higher than in other countries.

The Prison Policy Initiative specifies that U.S. prisons cannot provide basic living standards. They are often built near (or directly in) abandoned industrial sites, places that are only suitable for the discharge of toxic substances. One-third (32%) of U.S. state and federal prisons are within three miles of federal landfill sites, considered the most dangerous contaminated places that require extensive cleaning.<sup>50</sup>

Additionally, research findings indicate state prisons fall far short of their constitutional duties to meet the essential health needs of inmates. Subsequently, a considerable number of inmates in such jails are kept in a constant state of disease and despair, and the rate of many ailments in prisons is disproportionately high. The majority of those incarcerated in state prisons are affected by illness, disability, or mental disorder. While an incarcerated person's health problems could have begun prior to arrest, incarceration often exacerbates or creates additional issues. Regarding diseases such as asthma in American prisons, the highest rate in the survey is for people of African descent (18%), indigenous persons (18%), and multiracial individuals (20%).<sup>51</sup>

Prisoners in American penitentiaries are protesting their current conditions and health – but to no avail, as the prison authorities have shut their eyes to their demands. One in 10 people in state prisons (9.5%), including 16% of women and 21% of people over the age of 55, have contracted hepatitis C at some point, which is over five times the estimated rate of American adults in the U.S. general population.

#### **5.4 Immigrants of African Descent Exposed to Abuse, Neglect in Immigration & Customs Enforcement Custody**

Reports suggest that over 4,500 African American immigrants are locked up in the U.S. Immigration and Customs Enforcement detention centers. The Agency's database lists about 25,000 detainees nationwide but does not maintain reliable inmate demographics. Non-governmental organizations such as Freedom for

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<sup>50</sup> <https://www.prisonpolicy.org/blog/2021/11/18/indigence/>

<sup>51</sup> <https://www.prisonpolicy.org/reports/pie2022.html>

Immigrants and Black Alliance for Just Immigration say immigrants of African descent experience higher rates of deportation as well as sexual, physical, medical, and psychological abuses in detention and solitary confinement. In June alone, Freedom for Immigrants received over 2,100 complaints nationwide. The most common abuse-related ones are anti-Black discriminatory actions. The aforementioned non-profit organization says there are so many inequities inside the system, adding that it's all because the immigration system is rooted in xenophobia and racism.<sup>52</sup>

### **5.5 Situation of Women in Prisons**

Statistics and reports show that the vast population of female prisoners is another instance of human rights violations in U.S. prisons, revealing that the population is twice that of men. The rape of women in American prisons is another yardstick by which to measure the situation of human rights in the United States. In this regard, the #MeToo Movement was founded, via which many women protested about being raped and sexually harassed by prison officers and guards upon arrival to the prison and during the strip search. The incarceration rate of women has increased over the decades, and they often languish behind bars because of financial barriers such as the inability to pay bonds.

### **5.6 Homelessness Among Prisoners**

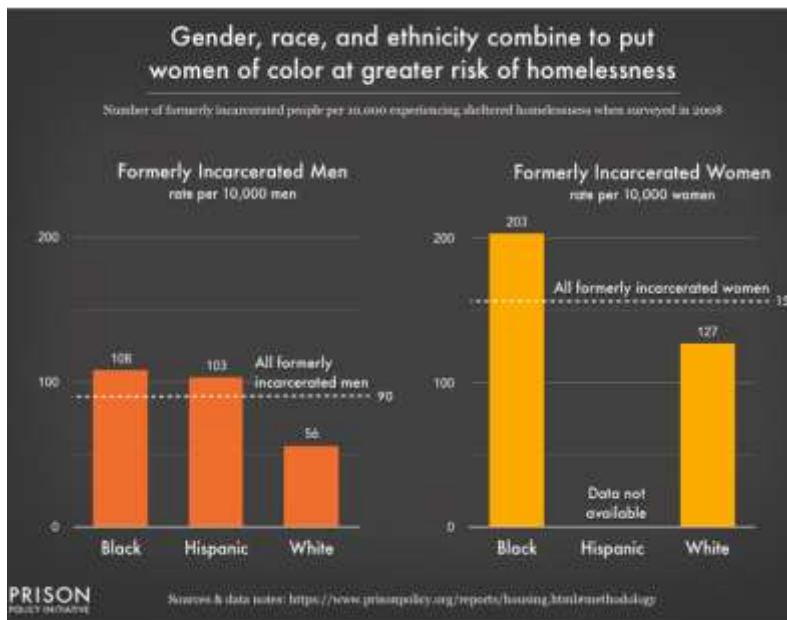
A study by the Prison Policy Initiative conducted on 5 million formerly incarcerated people shows they are almost ten times more likely to be homeless than the general public. People experiencing cycles of incarceration and release – otherwise known as the “revolving door” of incarceration – are also more likely to be homeless. Those who have been to prison just once experience homelessness at a rate nearly seven times higher than the general public. But people incarcerated more than once have rates 13 times higher than the public. Overall, formerly incarcerated women are more likely to be homeless than formerly incarcerated men.<sup>53</sup> African American women experience the highest rate of

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<sup>52</sup> <https://www.theguardian.com/us-news/2022/jul/22/ice-black-immigrants-abuse-medical-neglect>

<sup>53</sup> <https://www.prisonpolicy.org/reports/housing.html>

sheltered homelessness – nearly four times the rate of white men and twice as high as the rate of men of color.



## 5.7. Dilapidated Prison Infrastructure

Studies conducted by American universities indicate that overcrowding in antiquated buildings has helped drive a dramatic surge in the spread of COVID-19 in California’s prisons. The two factors exacerbated the outbreak of the deadly respiratory disease among the prisoners, bringing illness for the prison staff and shrinking the workforce in correctional facilities. The studies show that prison staff may have inadvertently carried the virus in and out of the penitentiaries and into their homes and communities. In the California Department of Corrections and Rehabilitation, more than 50,000 cases of COVID among inmates – including 240 deaths – were documented by December 2021. Other reports have registered over 16,000 COVID infections among prison staff in California state prisons.

The results of a detailed report on the spread of COVID-19 in American prisons reveal: “The COVID-19 pandemic has repeatedly exposed the profound public health dangers posed by carceral settings, which imprison some of society’s most medically vulnerable people. In the United States, which holds a quarter of the world’s incarcerated population, nearly half of state prisons reported that confirmed cases among incarcerated people were four or more times – and up to



15 times – higher than the rate found in the state’s general population.”<sup>54</sup> In California prisons, old and sometimes antiquated buildings, housing thousands of inmates more than they were designed to hold, have created environments where social distancing and isolation of ill inmates were nearly impossible. Heating and air conditioning systems were often incapable of sufficient air exchange or not adequately filtering recirculated air. Therefore, the COVID-19 case rate is over three times higher among CDCR residents than among residents of the counties where prisons are located. Incarcerated people of color had higher risks of hospitalization than their white counterparts, impacting the mental health of prisoners and prison staff.

The reports show that American society’s calls for a healthier environment rarely include the incarcerated, many of whom are locked up in toxic detention facilities. American prisoners have no choice in almost any aspect of their lives, including exposure to harmful and even potentially deadly conditions – and prisons cannot provide them with basic living standards. The ways in which environmental hazards are compounded by the unsafe conditions of incarceration has made prison conditions analogous to a human rights crisis that has been ongoing in the United States for decades.

## **6. Racial Discrimination**

Deemed one of the most anti-human rights threats against fundamental human values, racial discrimination deprives people of their rights and privileges due to criteria such as gender, ethnicity, skin color, etc.

Given the United States’ non-adherence to respecting the rights of its non-white citizens, America has faced a barrage of criticism from many observers and human rights activists. From this point of view, many statistics about racial inequality in America are unfortunate. In a recent report about his mission to the United States, Fernand de Varennes, the United Nations Special Rapporteur on Minority Issues, expressed concern over a dangerous drift towards the exclusion of people of color. The Special Rapporteur said minorities in the U.S. are vulnerable to the gaps and omissions of a patchwork federal and state human rights legislation and protections first enacted in the 1960s civil rights movement, adding that it is

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<sup>54</sup> <https://www.ucsf.edu/news/2022/07/423231/overcrowding-old-buildings-fueled-covid-surge-california-prisons>

inconceivable that millions of American citizens, overwhelmingly minorities as my report highlights, cannot vote.<sup>55</sup>

In addition, people of African descent in America continue to suffer from discriminatory economic policies. Middle-class white families are nearly ten times wealthier than African American middle-class families – and white graduates have more than seven times the wealth of graduates of color.<sup>56</sup> About 21% of African Americans in the U.S. live in poverty, which is more than double the rate of whites (8.8%).<sup>57</sup> In a 2021 report on systemic racism in law enforcement, the High Commissioner for Human Rights called on the United States to begin paying reparations.<sup>58</sup>

### **6.1 Session to Examine Situation of Human Rights by Committee Overseeing Convention on Elimination of All Forms of Racism<sup>59</sup>**

The major criticisms of the committee against the United States and its' comments are outlined as hereinunder:

1. Delayed reporting;
2. Lack of a precise legal definition of “racial discrimination” by the federal government;
3. Lack of infrastructure and legal measures to prevent “racial profiling” by security forces, border guards, at airports, etc.;
4. Absence of an independent national human rights institution that complies with the Paris Principles;
5. Concerns about the spread of white supremacy on social media;
6. Emphasizing the necessity of including historical events related to racism in textbooks;
7. Need to pay attention to creating mechanisms to prevent police violence, given the unfortunate statistics revealing that there is a 300% higher

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<sup>55</sup> <https://www.ohchr.org/en/stories/2022/04/minorities-and-their-rights-matter-prevent-conflict-says-expert>

<sup>56</sup> Rashawn Ray and Andre M. Perry, *Why we need reparations for Black Americans* (Washington, DC: Brookings Institute, 2020).

<sup>57</sup> Kayla Fontenot, Jessica Semega, and Melissa Kollar, *Income and poverty in the United States: 2017* (Washington, DC: US Census Bureau, 2018).

<sup>58</sup> A/HRC/47/53, June 1, 2021

<sup>59</sup> CERD/C/SR.2899

- probability of experiencing violent behavior by the police if a person belongs to a racial minority (people of African descent, Latinx, etc.);
8. Necessity of devoting attention to stateless people (estimated to be 200,000 individuals in the United States); and
  9. Questions about government solutions to deal with the artificial intelligence systems' biased algorithms.

## **6.2 Racial Discrimination during COVID-19 Pandemic**

According to a new study, people belonging to racial and ethnic minority groups in the United States have experienced significantly more COVID-related discrimination than white people during the pandemic. The study, conducted by the National Institute on Minority Health and Health Disparities, shows that members of ethnic and racial minority groups are more likely to report incidents of harassment or threats and situations in which others treat them differently as if they are disease vectors. As per a new study by Stop AAPI Hate, hate speech against Asian Americans and Pacific Islanders has increased. Between March 2020 and March 2022, over 11,400 hate incidents against Asian Americans have been reported across the United States. The findings signaled a persistent rise in harassment, verbal abuse, and hate speech that have plagued Asian communities since the beginning of the COVID-19 pandemic. In 2021, the non-profit organization identified over 9,000 hate incidents in the pandemic's first year. Two-thirds of the incidents reported to the aforesaid NGO between March 2020 and 2022 involved some form of verbal or written harassment, and two in five incidents occurred in public spaces. Women were twice as likely to report hate incidents as men. Physical assaults accounted for 17% of incidents, and nearly one in 10 occurred on public transit.<sup>60</sup>

Besides people of Asian ethnicity, who have been victims of several high-profile bias crimes during the pandemic, members of other racial and ethnic groups, including American Indians, Alaska Natives, people of African descent, Hawaiians, Pacific Islanders, and Latinos, also say that they have faced discrimination and seen that people are afraid of them. While some reports claim

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<sup>60</sup> <https://www.theguardian.com/us-news/2022/jul/21/asian-americans-hate-incidents-study>

that 20% of Asians have experienced COVID-related bias, a new study indicates that 30% of them have experienced such discrimination and that 44% have seen people treat them with fear.

### **6.3 Racial Discrimination Against Muslims**

Muslims in America live in insecure and fearful conditions under the shadow of racism and the U.S. government's obsessive surveillance. The latest surveys indicate that approximately 3.45 million Muslims live in America and make up a little more than 1% of the country's total population – the Muslim population in America is very diverse and growing. Since the children of immigrants predominantly constitute America's Muslim population, the Muslim community in the U.S. is considered young and witnessing population growth. The growth of the Muslim population in America has caused concerns among extremists and white supremacists; along with the growth of the Muslim population, discrimination against them has also increased.

Having always faced complex challenges throughout their lives, Muslims in the U.S. have seen their lives become more complicated following the September 11 incident. Muslims in the U.S., a country which claims to be respecting the rights of minorities and religions, are under the strict supervision of the American government, with some reports indicating that the U.S. administration spies on them.

### **6.4 Racial Discrimination in Criminal System**

For many centuries, American society has experienced systematic racism and its' terrible harms – especially in the law enforcement bodies and the criminal justice system – deportation of, and increased discrimination as well as hate crimes against U.S.-based minorities, all of which have been fueled by the spread of white supremacism and the use of firearms.<sup>61</sup> Racial discrimination in the U.S. criminal justice system is a documented fact. The powers vested in the American judicial agents have led to the abuse and further application of racial prejudices.

## **7. Violation of Rights of Indigenous Peoples**

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<sup>61</sup> <https://www.hrw.org/news/2022/05/17/mass-shooting-systemic-racism-affected-east-buffalo-community>

Historical records and media reports indicate that since it came into existence, the United States has systematically deprived indigenous peoples of their lives and fundamental political, economic, and cultural rights through killing, displacement, and forced assimilation in order to physically and culturally destroy the aboriginals. Statistics show that since the U.S. independence in 1776, the American government has launched over 1,500 attacks on native tribes, slaughtered Indians, seized their lands, and committed countless crimes against them.

### **7.1 Nuclear Tests on Native Lands**

Conducting 900 nuclear tests on Native Americans' lands has caused the U.S. to become the most bombed country in the world and the Native Americans to be deemed as the primary victims of nuclear bombs, according to Global Times, National Geographic, and Axios. The U.S. atomic tests on the Shoshone territory in Nevada began in 1951; they caused the Shoshone tribes to be considered "the most bombed nation on earth" in "the most bombed country in the world". According to the surveys carried out in 2009, the United States has conducted 928 nuclear tests in this region during the last four decades, about 100 of which have occurred in the atmosphere and more than 800 of which have taken place underground, producing nuclear fallout of around 620 kilotons. Besides Shoshone, the Navajo Nation also fell victim to the toxic repercussions of U.S. nuclear aspiration. Uninformed about and unprotected from the dangers of uranium dust inhalation and chronic radiation exposure, the Navajo people worked in local uranium mines but were poorly paid. Further investigations reveal the Navajo people suffer from higher rates of cancer, kidney, heart, and vascular diseases, as well as congenital disabilities – that is because, in addition to working in radioactive mines, the area where they live is polluted because of the existence of uranium mines. The 30,000 inhabitants of this area only found out about the destructive effects of the dubious American experiments when the United States nuked Hiroshima and Nagasaki during World War II. It is noteworthy that the U.S. has hosted nuclear tests of other countries, such as England's 24 atomic tests, on the indigenous peoples' lands. At the same time, covert activities continue, and suspicious flights are made there. The consequences of conducting nuclear tests on the natives' lands are grave. As specified by experts, the U.S. government's atomic tests there amount to internal genocide. It is evident that such tests pose a significant health risk to aboriginals.

The direct and indirect consequences of such tests have left thousands of natives dead and triggered various diseases such as cancer, autoimmune disorders, heart problems, etc. In fact, America's nuclear arms race with the Soviet Union during the Cold War and Washington's nuclear ambitions had a primary victim: the generations of Native American tribes.<sup>62</sup>

The U.S. Department of the Interior has also released a 100-page report on the federal Indian boarding schools. The findings show that between 1819 and 1969, the U.S. managed or provided support to 408 federal Indian boarding schools, where the students endured undue physical, sexual, and emotional abuse. The report has recorded over 500 deaths of indigenous children.

## **8. Violation of Women's Rights**

### **8.1 Rape**

Surveys rank the United States third among countries in the world in terms of rape frequency. One in three American women experiences sexual harassment in her lifetime. This is despite the fact that 68% of sexual violence is not reported to the American police, and 98% of the predators do not spend a single day in prison. Taylor Recy, an African-American, is an advocate for sexual assault victims, especially immigrants and asylum seekers. A victim of rape herself, she encourages the survivors to disclose and talk about the violation of their honor and human dignity. She says the U.S. president and the Senate Judiciary Committee are not the only influential person and body that limit investigations, stressing that not only do they refrain from paying attention to complaints lodged by victims of sexual assault, but also the police and criminal investigation centers in America do not care about such victims. Recy also says that law enforcement officers, employers, landlords, and schools contribute to the occurrence of sexual assaults and the violation of victims' rights through their policies and practices. The police oftentimes reject the victims who turn to law enforcement officers, and this causes the government not to support them when other instances of rape occur. Sexual assault against immigrants and asylum seekers is high in Detroit, Albuquerque, and Washington, D.C. – one in three victims feels less safe after calling the police. The victims are also punished for filing complaints. They are ostracized by their

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<sup>62</sup> <https://www.globaltimes.cn/page/202202/1252183.shtml>

communities or accused of lying and prosecuted for false reporting; however, they are exonerated after many years. Filling out a crime report can expose victims to further violence. The predators even take revenge on the victims because of their complaints. The survivors are often denied employment, educational support, housing, and other social benefits for lodging complaints. Schools ignore their requests for accommodation or protection and even expel them.<sup>63</sup>

## **8.2 Nullifying California Law Requiring Women on Corporate Boards**

Notwithstanding efforts and campaigns to downplay the gender gap in the American workplace and to require companies and institutions to improve the standing of women in corporate boardrooms, a state court judge has struck down a California law requiring public companies to include women on their boards of directors as unconstitutional, dealing a blow to diversifying corporate leadership and bridging the gender gap. Superior Court Judge Maureen Duffy-Lewis says the law, passed in 2018 and known as SB826, violates the right to equal treatment under state and federal law, strongly opposing the inclusion of women in corporate boardrooms.<sup>64</sup>

## **8.3 Crisis-laden Military Management: Increase in Number & Severity of Sexual Assault**

Reports of sexual assaults at U.S. military academies have significantly increased over the past academic year, according to a report published by the Pentagon. The Annual Report on Sexual Harassment and Violence at the Military Service Academies, Academic Program Year 2020 – 2021, which contains numbers of reported instances of sexual harassment and sexual assault, says the figures increased during the 2020-2021 school year.<sup>65</sup> The consequences are dire for survivors and the armed services at large, and fear and apprehension of rape undermine the effectiveness, preparedness, and capabilities of the armed forces. At least one in four servicewomen report being sexually assaulted in the U.S. military during their careers. If a survivor comes forward, they often face retaliation

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<sup>63</sup> <https://www.stylist.co.uk/news/rape-investigation-failure-crown-prosecution/627620>

<sup>64</sup> [Shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates](https://shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates).

<sup>65</sup> <https://thehill.com/policy/defense/594725-reports-of-sexual-assaults-at-us-military-academies-increase-sharply/>

and unjust consequences, and less than 1% of cases result in a conviction. Reluctance to hold the perpetrators accountable erodes confidence in the system, often leaving survivors with no choice but to desert the military.<sup>66</sup> Another study reveals that at least one in four U.S. servicewomen reports being sexually assaulted in the military, describing the situation as the epidemic of military sexual assault.

#### **8.4 Gender Pay Gap**

More than half a century has passed since the adoption of the Equal Pay Act of 1963 in the United States, but American women are still far behind their male colleagues in terms of salary. Despite the said Act and the passage of years, the wage gap between men and women remains. The Institute for Women's Policy Research in the United States has estimated that equal pay will not be achieved by 2059.

Today, the average income of a woman working full time compared to her male colleague is that if a man has a salary equal to one dollar for an hour of work, she receives only 80 cents for the same hour. The annual income of women is 9,900 dollars less than that of men. As specified by the data collected by the Bureau of the Census, the average gender wage gap in the U.S. stands at 19.3%, which is almost 3% higher than the average of the OECD Member States. Furthermore, the differences between the rights of men and women in America are based upon race, age, and geographical location. The gap can be bigger or smaller depending upon the state in which someone lives. Women of color have widening pay gaps compared to their white male counterparts in America's 25 largest cities. The American Women's Association says there is a vast difference between men's and women's stipends in every U.S. city.

#### **8.5 Violation of Right to Health for Communities of Color, Especially for Colored Women**

Racial inequalities in the enjoyment of the right to health in the United States are severe. Compared to white Americans, people of African descent are significantly more likely to die from AIDS, cancer, asthma, stroke, heart disease, diabetes, obesity, and maternal mortality. They live below the poverty line more than whites and enjoy less medical insurance.

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<sup>66</sup> <https://www.cfr.org/podcasts/sexual-assault-in-the-us-military>



Such factors and systematic racial inequalities in other regions lead to different consequences for the health of people of color, which is especially evident as far as U.S.-based African American women are concerned. Women of color are more likely to live in poverty and face many health obstacles, including the lack of access to medical insurance, proper housing, transportation, and employment. Implicit bias and structural racism in the medical field also affect the quality of care and responsiveness to healthcare concerns of women of color, fueling racial inequalities in the health sector.

African American women are three times more likely to die from pregnancy complications compared to white women. Researches also show that low-income and women of color die more often from cervical cancer than white women. Studies also indicate that racial discrimination and neglect of impecunious women living in Alabama has caused an increase in the death rate of cervical cancer in women of color, which is two times more than the death rate among white women. African American women are more likely to suffer from chronic diseases such as diabetes and high blood pressure, exposing them to a greater risk of COVID-19 complications.

Furthermore, the presence of people of color, especially women, in low-paid service jobs has placed them at the forefront of viral infections. An analysis has found that women of color are disproportionately employed as maids, nursing assistants, and in personal care and home health services. Among the families with children, women of color are the breadwinners and have fewer savings and financial resources to deal with income reduction or job loss caused by the COVID-19 pandemic. As a result, most of them have no choice but to continue working in conditions that increase exposure to viruses.

## **9. Violation of Children's Rights**

### **9.1 Exploitation of Children in Hard Labor**

Article 32 of the International Convention on the Rights of the Child stipulates the need to prevent the exploitation of children in any hard work and disregard for fair labor laws and to pay the health status of children during employment; therefore, States Parties are obliged to determine the standards of the conditions governing each job in terms of the amount of damage it may inflict upon the child. Data collected by the U.S. Department of Labor show children aged

between 15 and 17 are four times more likely to die on a farm than in other workplaces. As per official statistics, in 2019 alone, U.S. law enforcement officers found 858 cases of child labor and 544 underage children working in dangerous places in violation of the Fair Labor Standards Act. Reports produced by certain U.S. industry associations have found at least 500,000 child farmworkers in America. Working children make up less than a fifth of the workers in cocoa and tobacco farms in the United States.<sup>67</sup>

Child labor is an ignominious blot on the United States' human rights record, reminding the world of its' so-called "beacon of democracy" and double-standard approach vis-à-vis human rights.

## **9.2 Violation of Rights of Refugee Children**

In a recent report about the U.S. government's handling of refugee children, Amnesty International has said that the U.S. and Mexican governments are both sending tens of thousands of unaccompanied migrant children back to their countries of origin without ensuring they can return safely. According to the report, the Department of Homeland Security has returned over 95% of the unaccompanied Mexican children apprehended by the U.S. Border Patrol from November 2020 to April 2021. That is more than 10,000 Mexican children, many of whom were fleeing violence or persecution in their home states and were trying to unite with their family members in the United States. This is despite the fact that in a meeting in Mexico City, Mexican President Lopez Obrador and U.S. Vice President Kamala Harris had pledged to increase coordination on immigration enforcement in the region. In reality, that translates into expanding the forced return of thousands of unaccompanied children to potential harm in their countries of origin. Children account for one in three migrants and refugees in the region – including many who have been forced to cross separately from their asylum-seeking families after being turned away by the U.S. border authorities. "The Biden administration is summarily returning almost all unaccompanied Mexican children just hours after they seek safe haven, often without considering the risks they could face upon return.", said Erika Guevara-Rosas, Americas director at Amnesty International. She added: "These are dangerous and unconscionable policies." The

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<sup>67</sup><https://www.telesurenglish.net/news/Child-labor-Remains-common-in-Us-Despite-calls-for-Change-20220613-0009.html>

United States and Mexico must stop denying unaccompanied children their universal human rights to seek asylum and family unity, no matter where they are from. Since Joe Biden took office in January 2021, at least 50,000 unaccompanied migrant children have crossed into the United States in search of safety – many of whom have been separated from their families and stuck in northern Mexico after being disallowed from requesting asylum at the U.S.–Mexico border.<sup>68</sup>

## **PART II: U.S. Violation of Human Rights at International Level**

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<sup>68</sup> [amnesty.org/en/latest/news/2021/06/Mexico-united-states-must-stop-sending-children-harms-way/](https://www.amnesty.org/en/latest/news/2021/06/Mexico-united-states-must-stop-sending-children-harms-way/)

## **1. Imposition of Cruel Sanctions Against Countries**

The United States' imposition of a barrage of unilateral coercive measures and secondary sanctions against countries has left harmful impacts and consequences on human rights and fundamental human freedoms, such as the right to life, the right to health, the right to education, the right to development, the right to enjoy the highest standard of living. The anti-human rights consequences of U.S. sanctions against some countries are mentioned as hereinunder:

### **1.1 Islamic Republic of Iran**

Since the late 1970s, the United States has imposed economic, commercial, and financial sanctions on the Islamic Republic of Iran. Since 1995, the U.S. has also implemented extensive trade embargoes and malign measures to isolate the Islamic Republic of Iran from the international trade and financial system. The sanctions were intensified in the mid-2000s and extended to many economic sectors after 2010. Following the conclusion of the Joint Comprehensive Plan of Action, under which all UN Security Council sanctions had been lifted on the strength of the Security Council Resolution 2231, the United States brought to a halt the application of sanctions contained in the nuclear agreement. Ultimately, on 8 May 2018, the United States unilaterally withdrew from the nuclear accord and re-imposed all the sanctions that had already been lifted, thereby intensifying its' unilateral sanctions regime against the Islamic Republic of Iran and grossly violating the human rights of the Iranian people, including the right to life, the right to health, the right to an adequate standard of living and medical care, the right to development, the right to education, etc.

In addition, the complex set of unilateral U.S. sanctions against the Islamic Republic of Iran, secondary sanctions on third parties and individuals, over-compliance therewith, and adoption of zero-risk policies by certain companies and financial institutions have all aggravated humanitarian and economic challenges, and negatively affected people's lives, especially the most vulnerable sections of society.

### **2.1 Syria**

As far as the U.S. officials' point of view is concerned, sanctions are the only practical solution in international relations and diplomacy. Through the imposition of sanctions, American leaders have, in recent years, sought to heap pressure on the Syrian Government and people. The Syrian economy has deteriorated due to the unilateral sanctions imposed by the United States and its' allies, exerting adverse impacts on the handling and granting of humanitarian aid to people in need. Having targeted the human rights of the Syrian people, such measures amount to economic terrorism. The U.S. and Western sanctions against Syria have not only dilapidated the Country's economic stability but also negatively affected the Syrian people's human rights and livelihood. The sanctions have forced hundreds of thousands of Syrian people to leave their homeland, and the collective impacts thereof have led to great suffering of people in various aspects of life.

In addition, America's restrictive measures against the Central Bank of Syria have disrupted the supply of essential items, including food, purchase of medicine and medical equipment, energy supply, etc. Many energy sector contracts with foreign companies and loans necessary to finance the projects have been suspended because of sanctions. The expansion of the scope of sanctions by the United States and its European allies in the midst of the COVID-19 pandemic has created monumental challenges for the Syrian Government's response to the COVID emergency situation, including in purchasing medicine, vaccines, and protective kits, thereby putting the health of the Syrian people at tremendous risk.

### **3.1 Russia**

Supporting and imposing unilateral U.S. sanctions against Russia and ignoring their adverse impacts on the livelihood and health of ordinary people has led to the violation of human rights against innocent people. The negative impacts of sanctions against human rights can be proven through indicators such as the right to access medicines, treatment and medical equipment, the right to food security, the right to employment, and the right to a healthy living environment and clean air. The U.S. sanctions against Russia in the economic, political, legal, health, educational, sports, service delivery, and anti-human rights aspects are calamitous. While it has been claimed that the sanctions are aimed at forcing the Kremlin to retreat in Ukraine, what has actually happened is the violation of the principles of human rights and neglect of the human rights of Russian citizens. The

severe financial sanctions imposed by the United States on Russia have impacted the economic and social spheres.

#### **4.1 North Korea**

In addition to the United Nations' punitive measures, unilateral U.S. sanctions imposed against North Korea under the pretext of Pyongyang's nuclear program have become a tool to advance and achieve Washington's political objectives. Such sanctions have further limited economic activities and targeted a more comprehensive list of people and activities. For instance, an executive order signed by former U.S. President Donald Trump has authorized Washington to freeze the assets of any company, organization or individual that trades goods, services, or technology with North Korea. Currently, the extension and intensification of sanctions against North Korea continue with no end in sight. The adverse impacts of sanctions on the infrastructure and people's suffering are plainly visible, two leading causes of which are the punitive measures imposed by the UN Security Council and the United States' unilateral economic sanctions.

#### **5.1 Venezuela**

Considering the Bolivarian Government's strong dependence upon oil revenues, the United States' imposition of all-out oil, economic and banking sanctions against Caracas has affected the advancement of plans devised by the South American Country in various fields, including the provision of services in the public sector, caused a sudden rise in inflation. The sanctions have disabled Venezuela from providing subsidies, making people poorer and throwing a large segment of society below the poverty line. The illegal and inhumane sanctions have also caused a sharp increase in the price of medicine and medical services and triggered a spike in the death rate because of the lack of access to much-needed pharmaceuticals.

In addition, the U.S. sanctions have hindered the access of a significant part of the people to proper drinking water by targeting Venezuela's basic industries, such as the electricity industry, water purification equipment, etc., causing the spread of various diseases across the South American Country.

#### **6.1 Cuba**

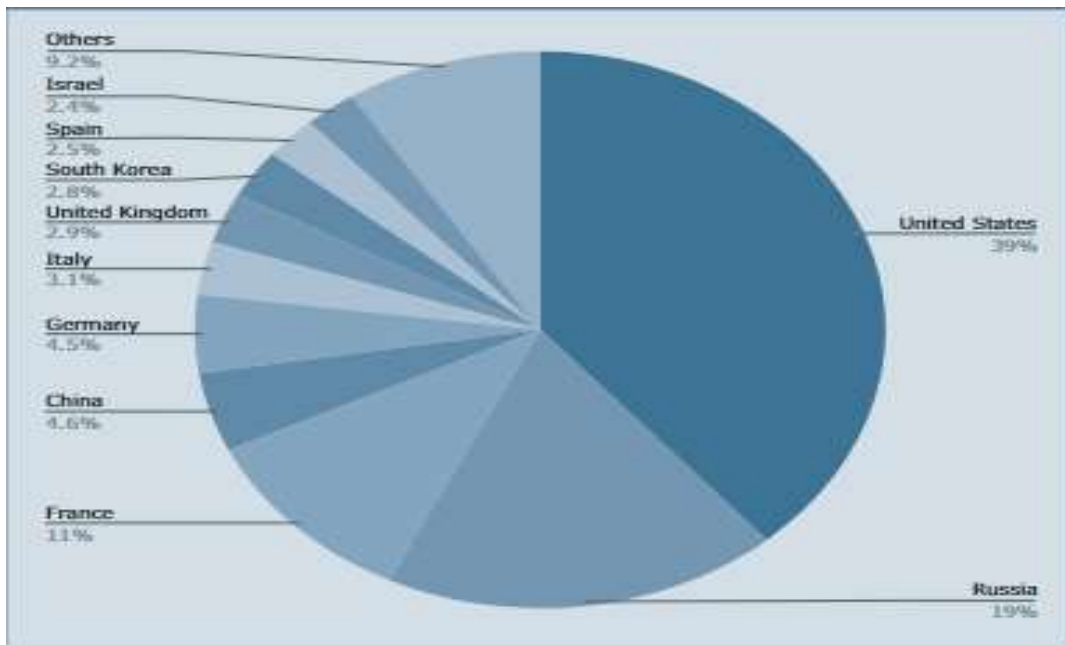
The U.S. imposition of numerous financial, economic, and banking sanctions against Cuba over the past 60 years has significantly disrupted the everyday life of the Cuban people. In an inhuman move, the U.S. government has sanctioned Cuba’s healthcare system, which, in the past decades, has served many times as a source of providing services to communities in need. Moreover, under the pretext of disrupting the Cuban Government’s foreign exchange earnings, Washington has, in recent years, made it very challenging and sometimes impossible for Cubans abroad to transfer small amounts of foreign currency to their relatives in Cuba, which often play a significant role in providing the minimum living standards for the recipients.

## 2. Human Rights Consequences of Arms Sales

The United States’ arms exports grew by 14% between 2012 and 2016. The U.S. delivered arms to 103 states in 2017 and 2021. Aircraft were America’s principal arms export between 2017 and 2021, making up 62% of its total arms exports, followed by missiles (17%) and armored vehicles (10%).

### U.S.: Biggest Arms Exporter in World

3.



**Figure 2.** Global share of exports of major arms by the 10 largest exporters, 2017–21

Source: SIPRI Arms Transfers Database, Mar. 2022.

## Intervention in Internal Affairs of Countries (Proxy Wars)

### 3.1 Pentagon Proxy War

Exclusive documents and interviews with more than a dozen current and former government officials – which formed the basis of a report released by the Intercept – reveal a clandestine U.S. program to launch proxy wars. The report says that small teams of U.S. Special Operations forces are involved in a low-profile proxy war program on a far greater scale than previously known. Other outlets have previously reported on the Pentagon’s use of the secretive 127e<sup>69</sup> authority in multiple African countries.

Between 2017 and 2020, U.S. commandos conducted at least 23 separate 127e programs worldwide. Through 127e, the U.S. arms, trains, and provides intelligence and financial support to foreign forces in target countries. But unlike traditional foreign assistance programs of the Pentagon, foreign troops are used directly to achieve U.S. aims. Joseph Votel, a retired four-star Army general who headed both Special Operations Command and Central Command, which oversees U.S. military efforts in the Middle East, has confirmed the existence of previously unrevealed 127e programs in Egypt, Lebanon, Syria, and Yemen. Votel revealed that the 127e in Lebanon was code-named *Lion Hunter*, acknowledging previously unknown 127e programs in Syria and Yemen, known as Yukon Hunter, and Egypt, code-named *Enigma Hunter*. Speaking on condition of anonymity, another former U.S. defense official confirmed that a version of the 127e program had also been in place in Iraq, Tunisia, Afghanistan, Cameroon, and other countries. The documents and interviews provide the most detailed picture of Washington’s programs for proxy wars and operations conducted by foreign proxy forces worldwide under the guise of fighting terrorism. The operations are unknown even to most members of congressional committees and the American people.

Through 127e, the U.S. arms, trains, and provides intelligence to foreign forces. But unlike traditional foreign assistance programs, which are primarily intended to build local capacity, 127e partners are then dispatched on U.S.-directed missions, targeting U.S. enemies to achieve U.S. objectives. One of the documents puts the cost of 127e operations between 2017 and 2020 at \$310 million, a fraction of U.S. military spending over that time period but a significant increase in the

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<sup>69</sup> The origins of the 127e program can be traced back to the earliest days of the U.S. war in Afghanistan, as commandos and CIA personnel sought to support the Afghan Northern Alliance in its fight against the Taliban. Army Special Operations Command soon realized that it lacked the authority to provide direct payments to its new proxies and was forced to rely on CIA funding. This prompted a broader push by SOCOM to secure the ability to support foreign forces in so-called missions, a military corollary to the CIA’s use of militia surrogates.



budget allocated to the program when it was first authorized under a different name in 2005.<sup>70</sup>

While critics contend that, due to a lack of oversight, 127e programs risk involving the United States in human rights abuses and entangling Washington in foreign conflicts unbeknownst to Congress and the American people, former commanders say the 127e authority is crucial to combating terrorism. The operation provides the ability to pursue U.S. counterterrorism objectives with local forces that can be tailored to the unique circumstances of the specific area of operations.

The 127e authority first faced significant scrutiny after Daesh terrorists killed four U.S. soldiers during a 2017 ambush in Niger and when several high-ranking senators claimed to know little about U.S. operations there. Previous reporting by *The Intercept* and others has documented 127e efforts in multiple African countries, including a partnership with a notoriously abusive unit of the Cameroonian military that continued long after its members were connected to mass atrocities. Asked for a general comment about the utility of the 127e authority and its role in the administration's counterterrorism strategy, Patrick Evans, a National Security Council spokesperson, replied: "These all fall under the Department of Defense." The Pentagon and Special Operations Command refused to comment on the 127e authority. "We do not provide information about 127e programs because they are classified," SOCOM spokesperson Ken McGraw told *The Intercept*.

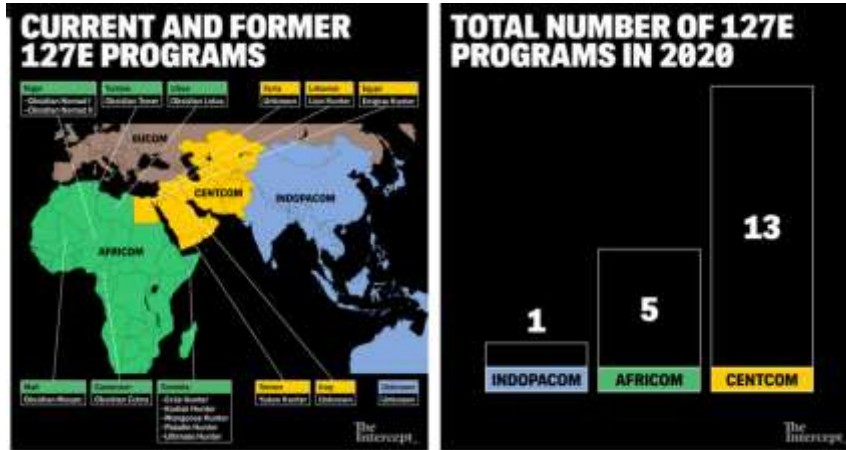
Critics of 127e warn that in addition to the risk of unanticipated military escalation and the potential costs of engaging in up to a dozen conflicts worldwide, some operations may amount to unlawful use of force. Katherine Ebright, a counsel, says: "Because most members of Congress – including those directly responsible for overseeing foreign affairs – have no input and little visibility into where and how the programs are run, 127e-related hostilities can lack the congressional authorization. There's reason to suspect the Department of Defense has used 127e partners to engage in combat beyond the scope of any authorization for the use of military force or permissible self-defense. Issuance of entry permits and participation in 127e operational programs is subject to certain operational limits and is not permitted

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<sup>70</sup> <https://theintercept.com/2022/07/01/pentagon-127e-proxy-wars/>

outside of these limits. That kind of unauthorized use of force, even through partners rather than U.S. soldiers themselves, would contravene constitutional principles.”

### Number of 127e Programs Worldwide



Speaking with CNN’s the Lead, John Bolton unmasked his attempts to stage coups d’état in countries opposing the United States. Bolton suggested Trump was not competent enough to pull off a “carefully planned coup d’état,” adding: “That’s not the way Donald Trump does things.” Bolton also explained the differences between his management style and Trump’s in dealing with world issues: “As somebody who has helped plan coups d’état – not here, but you know in other places – it takes a lot of work.” When pressured by the host to provide more details about the assistance he allegedly provided for planning and carrying out the coup, Bolton refused to provide more information – but he mentioned Venezuela. Based upon Bolton’s statements, he was involved in the planning and implementation of Operation Gideon 2020, during which those opposing Nicolas Maduro and members of an American private military company, known as Silvercorp, sought to oust the Venezuelan President and his Administration – but to no avail.<sup>71</sup>

### Conclusion

The 2020 human rights performance of the United States is emblematic of the fact that, similar to the previous year, America has committed fundamental human rights violations in various areas at the national and international levels. Even many international reports, which often side with U.S. human rights violations

<sup>71</sup> <https://www.reuters.com/world/us/former-senior-us-official-john-bolton-admits-planning-attempted-foreign-coups-2022-07-12/>

and justify them, could not shut their eyes to arbitrary police killings, gun violence, mass shootings, executions, etc., in the so-called Land of Liberty.

Since the distant past, the United States has been claiming to defend the foundations and principles of human rights, the protection of which is deemed one of the most important slogans and claims chanted by the American authorities in the international system. This is while the American authorities' stances vis-à-vis the situation of human rights across the world are adopted based upon political preferences and interests. Such a *modus operandi* has led to the United States' instrumentalization of human rights at the international level.

A detailed examination of the United States' human rights positions, track record, and performance over the past decades bears witness to the fact that American officials lay the groundwork for illegal interference in different parts of the world within the framework of a so-called protectionist approach towards human rights. The U.S. has indeed become one of the biggest human rights violators across the globe.