Submission to the United Nations
Universal Periodic Review of

United States of America

Third Cycle
36th Session of the UPR
Human Rights Council

Submitted by the American Friends Service Committee

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The American Friends Service Committee (AFSC), founded in 1917 as a Quaker organization, promotes lasting peace with justice, as a practical expression of faith in action through active nonviolence and the transforming power of love. Drawing on continuing spiritual insights and working with people of many backgrounds, we nurture the seeds of change and respect for human life that transform social relations and systems. The AFSC is part of a global movement of human rights organizations working to find solutions to human rights violations that are based in the experience and wisdom of the communities that are directly affected by these violations.

1. Housing Rights

Contrary to the U.S. government's obligations under the ICERD, current housing policies in the U.S. disproportionately impact African American and other minority group households in large population centers who suffer from poverty and experience the highest income immobility rates. With only 4 percent of residents in Atlanta born into poverty able to advance financially to middle-class status by working, Atlanta has the highest income immobility rate in the country. (Annex p 1-5) The U.S. lacks community-oriented policies that mandate affordable housing funding only be made available to those with a genuine need. When state or local level solutions to the affordable housing crisis are implemented, they are often reversed and invalidated by federal or state legislative action.

In many cities, the transfer of public investment and the responsibility of affordable housing and its public funding from the public sector to the private sector is on the rise. Too often, publicly funded private housing developments are not required to provide housing to those that fall within 80% or below the Adjusted Median Income (AMI) for an area. An absence of this

requirement means that housing is not affordable to those in need. The U.S. must develop and implement policies and laws that establish the right to housing as a fundamental human right. Violations: UDHR Articles 2,3,7, 17, 23; ICERD

BEST PRACTICES

- Mandate, monitor and uphold legally binding Community Benefits Agreements (CBAs) when there is private development utilizing public tax dollars.
- Pass, monitor and uphold inclusionary Zoning laws that mandate new housing construction projects to dedicate a portion of new housing to low- and moderate-income people.
- Promote community-controlled affordable housing through Community Land Trusts.

SPECIFIC RECOMMENDATIONS

- Affirming housing as a human right and committing to the implementation of this principle in a non-discriminatory way.
- Increasing and strengthening protections and enforcement of housing anti-discrimination laws.
- Including a community negotiated and legally binding CBA in private development contracts funded with public funds.
- Enacting federal statutes and policies, including just-cause eviction laws, inclusionary zoning, rent control, and legislation that supports the broader establishment of Community Land Trusts.
- Reevaluating the methods of setting affordable housing standards by calculating the Average Median Income (AMI) at the neighborhood or zip-code level instead of metro area. A reevaluation would allow communities with a wide income gap set affordability standards with an AMI that better matches the realities on the ground.
- Re-centering the purposes of current federal policies, such as the Community Development Block Grant (CDBG), which are meant to provide services for the neediest in our community but are often re-purposed for projects that benefit the broader community.

2. Administration of justice, including impunity and the rule of law

The United States, sanctioned by the "exception clause" of the Constitution's 13th Amendment, continues to enslave and subject people convicted of crimes to servitude as punishment. This state of slavery and involuntary servitude disproportionately targets and impacts black and brown people. The Sentencing Project recently reported that African Americans are nearly six times more likely and Hispanics are over three times more likely to be incarcerated than White-Americans. While national efforts to remove the 13th Amendment's exception clause has not

gained much traction, state constitutions with similar language, like Utah and Colorado are voting on its removal in 2020. In 2018, Nebraska removed this language from its constitution.
Violation: UDHR Article 4

For over 40 years, AFSC has continued to document and issue reports based on testimonies on the use of extreme solitary confinement, often for years, from people in prisons, jails, youth, and immigrant detention facilities daily. (Annex p282-283) Descriptions include verbal abuse in the form of harassment and overt racism by guards as well as physical abuse in the form of cruel conditions of confinement, the use of devices of torture such as stun weapons, various kinds of restraints and chains. We have also received vivid narratives from incarcerated people reporting exposure to extreme temperature conditions, sensory disorientation, and the callous treatment of those with mental and physical health needs, especially those who are aging in prison.
Violations: UDHR Article 5; ICCPR Article 7; CAT

Racial disparities in policing in the U.S. lead to disproportionate police encounters, arrests, and use of force, including deadly force. Blacks and Hispanics are 50% more likely to experience force in interactions with police due to racial bias and threat profiling based on stereotypes. Challenges to stereotype policing have been very effective across the United States. Community activism resulted in an end to the stop and frisk practices in New York City. AFSC's efforts to counter Islamophobia in law enforcement has helped safeguard the Muslim communities of Chicago and Minneapolis. Strong community action against police violence in black and brown communities continues as seen in St. Louis after the murder of Michael Brown. (Annex p 6-61)
Violations: UDHR Article 9; ICCPR Articles 2, 26

Race guided mass incarceration, and the collateral consequences of certain criminal convictions have disenfranchised over 6 million African Americans across 48 states, except Maine and Vermont. Currently, 1 in 13 voting-age African Americans cannot vote, a rate more than four times greater than that of other Americans. As a result of disenfranchisement, political engagement and strength are decimated, leading to perpetual and intentional powerlessness of people of color and the poor. States including Iowa, Kentucky, Minnesota, and New Mexico have taken measures to correct the injustices of felony disenfranchisement, but there has been pushback. In 2018, two-thirds of voters in Florida restored the right to vote to more than a million formerly incarcerated people with felony convictions. However, in response, the governor signed into law the equivalent of a poll tax to disenfranchise them again. To resist the denying of black people an equal access to political engagement, there must be a narrative-changing educational campaign in support of restoring voting rights to disenfranchised citizens, followed by challenges to political representatives. (Annex p 62-67)
Violations: UDHR Article 21; ICCPR Articles 2, 20, 24, 25

SPECIFIC RECOMMENDATIONS

- The U.S. must amend the 13th Amendment to its Constitution by removing its Punishment Clause. There must be no endorsement of slavery or involuntary servitude anywhere.
- The U.S. must end its use of private prisons and remove the opportunity for private industries to profit from incarceration. As expressed by AFSC's Caroline Isaacs "The profit motive of privatized prisons stands in direct conflict with the purpose of corrections, which is to correct behavior – thereby reducing future crime. Unfortunately, these corporations are counting on future crime for the financial health of their business".
- The U.S. must end its use of solitary confinement and other devices of torture, including brutal conditions of confinement within its penal systems
- The U.S. must end all forms of voter suppressions including felony disenfranchisement. They undermine the democratic process and make delegitimizes the electoral process.
- Race and stereotype policing across the U.S. must stop. All communities must be free from police brutality and targeting.

3. Migrants, refugees and asylum seekers

At its southern border, the US government engages in an ineffective enforcement-only approach, threatening human rights, harming community well-being, creating zones of impunity, and eroding trust. Through an exponential increase on the size and scope of border patrol operations and authority, and the deployment of troops to the southern border, the US government continues to threaten the rights of migrants and border communities. Agents interrogate people about their immigration status through racial profiling and are authorized to arrest and expeditiously remove individuals from the country who cannot prove residence beyond a 2-year period. Border policies force migrants to cross the southern border through life-threatening routes leading to the deaths of hundreds of migrants. The U.S. is yet to prioritize rescue and recovery efforts for migrants in distress. The US government has surveilled, harassed and taken legal action against humanitarian aid workers who place water along deadly migrant crossing routes to prevent deaths. Federal and State entities also lack adequate victim support services for families who have had loved ones harmed or killed by Border Patrol officials. Border officials should be fully investigated, prosecuted, and held accountable for their actions.

Lack of protections and provision for vulnerable populations. Migrants consistently complain of overcrowding, rampant physical and verbal abuse, long stays at extremely cold facilities, inadequate blankets, and other degrading treatment. Recently, six children died as a result of their time in border patrol short-term facilities. Border Patrol officials have been quoted in media reports stating their facilities were not made to hold families, so they don't have resources to care for the special medical needs of vulnerable populations. Border enforcement officials lack sensitivity training to help them understand how to interact with vulnerable

populations, which include female, indigenous, ethnic minorities, religious minorities, LGBTQ, traumatized, people with disabilities, or those otherwise vulnerable. (Annex p 68-69)

US government returns or expels asylum-seekers and migrants to countries where they face the risk of persecution, torture, and death. Migrants seeking asylum are made to wait in Mexico for months while their cases are processed as part of the new Migrant Protection Protocols. Most migrants do not have access to attorneys, few have fixed addresses, and due process rights are eliminated. Women and their children are vulnerable. Migrant women having to wait in Mexico have reported being victims of rape. Some have been kidnapped by organized crime syndicates.
Violations: CAT; ICCPR; CEDAW; CRPD

Immigrant detention in the U.S. The U.S. Government has drastically increased the use of detention to silence, criminalize and disappear immigrants. Immigration enforcement agencies run detention centers and contract with private prison companies and county jails to detain more than 50,000 immigrants daily. Asylum seekers, undocumented immigrants, and long-time lawful permanent residents with minor non-violent offense are often held in custody for months or years without the right to bond or government provided attorneys. Undocumented immigrants can be picked up and detained anytime. In many cases, immigration enforcement agents enter houses without a judicial warrant. Detained immigrants face deportation and can be deported without notice to their families. Immigrant detainees endure horrific detention conditions, and often report physical and mental abuse by the guards that in some cases have led to death.
Violations: UDHR Articles 2, 5, 9; ICCPR Articles 7, 9, 10; CAT

BEST PRACTICES

The State of California has championed public policy that reduces harmful federal immigration policies, by making a clear distinction of how and when municipal and state law enforcement authorities can collaborate with federal immigration agents. This has forced local governments throughout California to standardize their policies and remove harmful provisions that unfairly target migrants as seen in the TRUST Act, TRUTH Act, and SB 54 (California Values Act). The Governor of California has removed its National Guard from the border and has limited its collaborative projects with US Border Patrol, thereby reducing the tension and optics of a militarized border. The Governor of California also has dedicated monetary resources to migrant shelters in San Diego to support local humanitarian aid organizations in offering much-needed support to migrants and asylum-seekers.

AFSC has worked with county governments that house immigrant detainees to create oversight bodies to help improve conditions for both prisoners and immigrant detainees. (Annex p 70-72)

SPECIFIC RECOMENDATIONS

The US government should prioritize human rights in border governance by shifting public policy away from an enforcement-only approach by implementing policies that protect migrants from undue expulsions and uphold basic due process rights for migrants and asylum seekers. The US government should prioritize humanitarian support by increasing resources for material aid. The US government should protect children and other vulnerable individuals by having specialists attend to their needs and increasing training for interacting with vulnerable population groups. (Annex p 76-87) At minimum, county jails and private prison companies need to adhere to the latest Performance-Based National Detention Standards. (Annex p 73-75)

4. Policing, Surveillance and the Right to life, liberty and security of the person

Government-led Countering Violent Extremism (CVE) programs operate across the country and unfairly and explicitly target Muslim communities as inherently susceptible to terrorism, with many citing political views and religious observance as signs of potential terrorist activity. They conflate community services and intelligence gathering, often under false pretenses, by asking service providers to report on community members. There is no evidence that such programs provide any national security benefit. (Annex p 88-99)
Violations: UDHR Articles 2,3,12,18, 19; ICCPR Article 2

The Illinois Criminal Justice Information Authority administers a CVE program that trains mental health professionals to identify possible violent extremists by using indicators that are not scientifically proven to ascertain when a person is radicalizing or vulnerable to committing violence. CVE programs rely upon punitive institutions like the criminal-legal system, even opening criminal investigations of referred individuals “pre-crime,” or before the line of criminal activity is crossed. (Annex p 100-127)
Violations: UDHR Articles 2,3,12,18, 19

Young people in communities of color are consistently profiled, targeted, harassed, and subjected to excessive force by the (predominantly White) Chicago Police Department —leaving far too many physically injured, killed, and emotionally scarred. (Annex p 135-149)
Violations: CAT Articles 2, 10, 11, 12, 13, 14

Many populations centers in the U.S. have instituted extensive surveillance and monitoring campaigns with little to no oversight. In 2017, with no input or charge from the larger community, the city of New Orleans began implementing a $40 million crime prevention project to install surveillance or crime cameras in undisclosed locations throughout the entire city. Communities across the U.S. are calling for transparency and oversight of surveillance programs and where they are not service the public good, an end to those programs. (Annex p 150-154)
Violations: UDHR Articles 2,3, 12

In Chicago, police abusers organize implicit bias trainings. 16 of the 17 Chicago Police Department officers who have provided instruction for the procedural justice training program since the start of 2017 have together garnered a total of 111 misconduct complaints. (Annex p 155-164)
Violations: CAT Articles 2, 10

Mental Health clinics have been closed, and federal dollars for counterterror funding sends SWAT teams to respond to mental health crises, traumatizing and endangering communities. (Annex p 165-179)
Violations: CAT Articles 2, 10

BEST PRACTICES

Develop community driven and administered programs that train mental health providers. Muslims deserve mental health care providers that they can trust not are not collaborating with law enforcement. (see https://khalilcenter.com/)

Pressure government at all levels to reject CVE programs and funding, as Los Angeles has done recently. (Annex p180-185)

SPECIFIC RECOMMENDATIONS

Fund community-driven programs and social services independent of law enforcement agencies to cultivate healthy communities and minimize divisiveness, rather than disproven anti-terrorism initiatives. (Annex p100-127)

Government funding of research on violent extremism should adhere to scientific protocols, measure the effectiveness of programs, and pay close attention to their impact on community relations and constitutional norms. (Annex p193-272)

A reallocation of funds at the federal, state and local level from policing and incarceration to long-term safety strategies such as education, local restorative justice services, and employment programs. (Annex p273-274)

Regarding law enforcement surveillance of citizens, federal state and local governments should adopt policies that:

- Outlaw facial recognition, ALPRs, Stingrays and characteristic tracking.
- Set up community-led oversight bodies, approval processes, and reporting standards.
- Set new limits on data collection and data sharing between law enforcement agencies and private entities.

An immediate end to the criminalization and dehumanization of Black youth across all areas of society. This includes an end to zero-tolerance school policies and arrests of students, the removal of police from schools, and the reallocation of funds from police and punitive school discipline practices to restorative services. And the demilitarization of law enforcement, including law enforcement in schools and on college campuses. (Annex p275-281)

Cross-Cutting Recommendations

- The U.S. must reengage with the Human Rights Council with good intent/for the purposes of advancing and upholding the highest standards of human rights at home and abroad.
- Ratify all international human rights instruments to which the United States has not yet and remove all reservations it has entered to international human rights instruments.