

**NO ACCESS TO JUSTICE:
POLITICAL REPRESSION – POLITICAL PRISONERS;
IMPRISONED COINTELPRO / U.S. Civil Rights Era
Human Rights Defenders, Political Activists**

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**Submitted by: Malcolm X Center for Self Determination (MXC)¹ and
Jericho Movement for Amnesty & Freedom of All (U.S.) Political Prisoners²**

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ENDORSED BY THE FOLLOWING 11 ORGANIZATIONS:

Ancient Africa, Enslavement and Civil War Museum; The New Afrikan People's Organization; National Malcolm X Grassroots Movement; Mississippi Worker's Center for Human Rights; MOVE Organization; The American Institute of Human Rights; Highland Park Daycare & Child Development Center; International Coalition of Family and Friends of Mumia Abu Jamal (ICFFMA); The International Leonard Peltier Defense Committee; Sacred Ground Historical Reclamation Project of the Defenders For Freedom, Justice & Equality; Racial Justice Now!; South Carolina Department of Corrections Rastafari Communities

ENDORSED BY THE FOLLOWING 25 EMINENT PERSONS:

Latrina Kelly-James, Citizen; Deborah Mills – Batchelor, Educator; Bonnie Kerness, AFSC Prison Project (Id Only); arlene eisen, MA, MPH, author of oper ghet storm; Atty. Jaribu Hill, Dir., MS Worker's Center; Watani Tyehimba, Grand Jury Resister/Educator; Dr. Kwame-Osagyefo Kalimara, Priest-Educator; Atty. Thomas Ruffin, Jr.; Pam Africa, ICFFMA; Ramona Africa, MOVE 9 Defense Committee; Ana Edwards, Chair, Sacred Ground Historical Reclamation Project of the Defenders For Freedom, Justice & Equality; Stephanie S. Franklin, Esq, The Franklin Group; Connie Tucker, The Bridge Crossing Jubilee (Id Only); Tekla Johnson, PhD., Co-Chair, Jericho Movement; Omali Yeshitela, Chairman of the African People's Socialist Party; Carl Dix, Revolutionary Communist Party and co-founder of Stop Mass Incarceration Network; Saladin Muhammad, Black Workers For Justice; Naeema Muhammad, Womens Commission of Black Workers For Justice; Marvin S. Robinson, II, Quindaro Ruins / Underground Railroad- Exericse 2015; Prof. Vernellia R. Randall, Univ. of Dayton School Law (Information Only), Racial Justice Now!; Aleta Alston-Toure', Director, New Jim Crow Movement (FL), Co-lead of Free Marissa Now ; Nancy Lockhart, M.J., The Wrongful Conviction; Carl Dix, Revolutionary Communist Party and co-founder of Stop Mass Incarceration Network.; Akinyele Umoja, PhD, Chair, African Studied Dept, Georgia State University (Identification Only); James Kweli Hazel, Elder, SCDC Rastafari Communities.

I. SUMMARY

1. As the United States government presents a diverse delegation, celebrates the rise of an African American President and Attorney General, along with the 50th anniversary of the passage of the 1964 Civil Rights Act, and next year's anniversary of the now gutted 1965 Voting Rights Act, it continues to criminalize, imprison, and isolate more than 20 COINTELPRO/Civil Rights Era³ racial and social justice activists and human rights defenders. The imprisonment of these indigent, aged, frail, and infirmed human rights advocates and the increased bounty on the head of Assata Shakur (fka Joann Chesimard)⁴ reflects continued persistent virulent systemic racial discrimination, violent and pernicious suppression of dissent, and federal, state, and local government and law enforcement commitment to the disgraced and outlawed policies and practices of COINTELPRO⁵, its predecessors and current configuration. These individuals worked in the racial, social, economic, and political justice struggles of the U. S. Civil Rights era. They are now indigent, aging, infirmed, and entitled to immediate relief; surveys, statements, and case updates are attached.

2. These human rights defenders and political activists are imprisoned or exiled as a result of the Counter Intelligence Program (COINTELPRO)⁶, a violent, race based, political program of the U.S. Federal Bureau of Investigation (FBI) which targeted and repressed political dissent in the U.S.; particularly, movements for racial justice. Under COINTELPRO, human rights defenders and activists, especially Blacks, Latinos, and Native Americans fighting injustice, were subjected to harassment, monitoring and intimidation, organizational infiltration, unlawful arrests, show trials, excessive sentences, and assassination at the hands of local, state, and federal law enforcement officials. While a few political prisoners have been exonerated, after spending years behind bars, most have not, and face cruel, inhuman and degrading conditions, including lack of medical care, prolonged (decades) solitary confinement, placement in super max prisons away from family and lawyers, denial of compassionate release, and perfunctory parole hearings.⁷

3. SUGGESTED RECOMMENDATIONS:

The United States Government should adopt and implement previous related UPR Recommendations (92.94, 92.153 and 92.154) and ICCPR Committee List of Issues paragraph 16 to end the criminalization, isolation and incarceration/exile of COINTELPRO/Civil Rights Era political activists, including immediate release of all the aged, terminally, severely, or chronically ill;

b. The U.S. government should establish a National Truth and Reconciliation mechanism to investigate and compensate deaths and prosecutions of COINTELPRO/Civil Rights Era political activists; and

c. Withhold all federal funds, services, and recognition from all Native American/Indigenous Tribes/Nations which discriminate against, disenroll or deny member benefits to Native Americans/indigenous persons of African admixture.⁸

II. LEGAL FRAMEWORK

4. As a member of the United Nations, the United States is bound by the United Nation's core documents, ratified treaties (UPR, ICCPR, CERD, CAT), representations and other agreements. The Charter calls on members to promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The UDHR sets

forth fundamental economic, social, cultural, political and civil rights which includes the right to life, liberty and security of person, right to recognition as a person before the law, freedom from torture and cruel, inhuman or degrading treatment or punishment;

5. POLITICAL REPRESSION, RACIAL DISCRIMINATION: UPR Recommendations

92.94, 92.153 and 92.154 calls on the U. S. government to “end the discrimination against persons of African descent;” “release all of its political prisoners;” and “release the five Cuban political prisoners referenced in Opinion No. 19/2005 of the Working Group on Arbitrary Detentions.” Recommendation No. 92.154 specifically calls upon the U. S. government to, “end unjust incarceration of political prisoners, including Leonard Peltier and Mumia Abu Jamal;” two of more than 20 survivors of COINTELPRO/Civil Rights era. While the U.S. government accepted 92.94, it cannot give substantive meaning to that acceptance without release of COINTELPRO/Civil Rights era political activists and human rights defenders and an end to collaborating with and underwriting Native American/Indigenous tribes’ discrimination against Afro-Native Americans, so-called “Freedmen.”

6. To date the U.S. Government has been silent on its incarceration and treatment of imprisoned COINTELPRO/Civil Rights Era political activists and human rights defenders. However, the 1976 U.S. Senate subcommittee, popularly known as the Church Committee, investigated and studied the U.S. Government’s FBI and other intelligence agencies’ covert action programs. In its report, The Church Committee concluded that the FBI had “conducted a sophisticated vigilante operation aimed squarely at preventing the exercise of First Amendment rights of speech and association, on the theory that preventing the growth of dangerous groups and the propagation of dangerous ideas would protect the national security and deter violence.” It went on to report that “Many of the techniques used would be intolerable in a democratic society even if all of the targets had been involved in violent activity.”⁹ The herein referenced political activists and human rights defenders are the survivors of this official misconduct and languish in state and federal prisons subject to decades of solitary confinement, perfunctory parole review, and medical neglect, without remedy.

7. The U.S. Government ‘Responses to UPR Recommendations, and others cited here, placed every recommendation into one of ‘three categories, those that: enjoy their support, support in part and do not enjoy their support. Most of the Recommendations that the government supported in full relate to issues it feels are ‘already’ being addressed. The government supports, in part, recommendations that include “‘inaccurate’ assumptions,’ assertions’ or factual predicates” but that recommend an action that the government can endorse. The third category contains recommendations the government reject outright. By grouping its support in these three categories,’ the ‘government of the ‘U.S.’ effectively rejects any criticism of its actions and practices. These small commitments allow the illusion that the government lives up to its stated commitments without righting this continuing human rights wrongs..

8. **IMPUNITY:** The United States is subject to the **Convention Against Torture, and Other Cruel and Inhuman or Degrading Treatment.** But despite well-documented and credible evidence of the deliberate and widespread use of torture and other illegal abuses by federal and state law enforcement agencies during the COINTELPRO/Civil Rights Era, 1956 to 1971, the U.S. has failed to criminally prosecute any senior government official responsible for the creation and implementation of COINTELPRO, its attendant and continued torture and solitary confinement programs and regimes. The use of this regime has increased since 9/11 as “national security,” resulting in sensory deprivation, maximum security prisons and stringent rules which prevent legal and family visits and communication.¹⁰ Today, peaceful

demonstrators demanding justice in the case of the August 9, 2014 police killing of Michael Brown, Jr., Ferguson, Missouri, were repeatedly subjected to the indignity and violence of tanks, assault rifles, heavily body armored masked officers and national guard, tear gas, rubber and wooden bullets.

9. **SOLITARY CONFINEMENT: ICCPR Committee List of Issues, paragraph 16**, states, “Please provide information on steps taken to reduce the practice in some maximum security prisons of holding detainees in prolonged cellular isolation... as well as to improve the conditions and duration of out-of-cell recreation. Please provide information on steps taken to ensure that persons deprived of their liberty have the ability to maintain regular contact with their family, in particular minor children.”¹¹

10. **NO ACCESS TO JUSTICE: ICERD (CERD COMMITTEE)** “ Requests further information, paragraph 26, pg. 12. The Committee requests the State party to provide, in its next periodic report, detailed information on...

(d) the current status of political activists from the Civil Rights era who reportedly continue to be incarcerated. “¹²

III. U.S. COMPLIANCE WITH ITS INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

11. **STATE REPRESSION: In Administration of justice**, including impunity and the rule of law, the United States continues to fall short of its human rights obligations, particularly in relation to: racially disparate sentencing, sentencing of juveniles to life without parole, and collateral consequences of felony convictions; conditions of confinement that violate an incarcerated women’s reproductive rights, and rights of prisoners with psychosocial disabilities and increasingly, in its treatment of individuals in supermax facilities; and, treatment of political prisoners.

12. Dozens of political prisoners who were victimized by the U.S. government’s political repression against African-Americans, Puerto Ricans, and Native American communities continue to languish in prison and endure solitary confinement, poor medical health care, various other forms of abuse, and perfunctory parole hearings resulting in routine denial of release. These violations have repeated themselves in the post-9/11 era under the guise of national security.¹³

13. **EXCESSIVE SENTENCES. INTIMIDATION: ICCPR Articles 1,2,4,7,10,15,16, and 26 apply** to issues of criminalization of dissent in the United States which has result in long term incarceration of political activists and their subjugation to torture and solitary confinement. Criminally punishing individuals for resisting often time brutal and violent racial oppression when no meaningful legal alternative existed or exists is cruel, inhuman and degrading. The increased militarization of police and other law enforcement, as recently as August, 2014 protests of the police killing of Michael Brown, Jr., in Ferguson, Missouri, restored the 1960’s and 1970’s specter of martial law, onsite extra judicial killings .¹⁴

14. **NO ACCESS TO JUSTICE:** Disparate enforcement of facially neutral laws against imprisoned political activists often discriminates on multiple, intersecting grounds, including race, gender, social origin, property and disability status and results in denial of medical care, parole, or compassionate release when terminally ill. For domestic advocates, it is important to establish the norms under ICCPR Articles 1,2,4,7,10,15, 16 and 26 for potential use in litigation. The United States’

imprisoned political activists and human rights defenders,, COINTELPRO / Civil Rights Era or otherwise, are without adequate remedies or protection

15. **NO FREEDOM OF EXPRESSION:** Chilling speech and health of civil society is the 2012 National Defense Authorization Act (NDAA), which contains provisions authorizing the U.S. military to pick up and imprison people, including U.S. citizens, without charging them or putting them on trial expands the specter of solitary confinement to again include ordinary unpopular citizens. Specifically, the legislation “affirms that the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force (Public Law 107-40) includes the authority for the Armed Forces of the United States to detain covered persons (as defined in subsection (b)) pending disposition under the law of war.” It specifically authorizes “Detention under the law of war without trial until the end of the hostilities authorized by the Authorization for Use of Military Force.”

16. This “authority” has been extended, post facto, to threaten and undermine the political asylum and personal security of Black Panther Party member, Assata Shakur, formerly know as Joanne Cheismard. Although she has been in exile in Cuba for more than twenty-five years without incident. The U.S. government recently labeled her a “terrorist,” put her on it’s “Ten Most Wanted” list, and increased the bounty on her head to Two Million Dollars, a violation of ICCPR Article 15. Statements of the legal community’s is outrage.¹⁵

17. **Accountability for Torture (Article 2(3) (right to effective remedy); Articles 4, 15, 16 and 1; Article 7** (protection from torture and cruel, inhuman or degrading treatment or punishment). Political Prisoners/Prisoners of War (PP/POW) are confined in prolonged isolation or “control units” due to their status as political prisoners or prisoners of war, not because of disciplinary infractions in violation of Article 7, as well as The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)..

18. **SOLITARY CONFINEMENT** (Article 7 (protection from torture and cruel, inhuman or degrading treatment or punishment); Article 10 (right to be treated with humanity and with respect for the inherent dignity of the human person when deprived of their liberty). In 1996, the U.S. government established Special Administrative Measures, or SAMs, to limit the communications of prisoners with an alleged reach and ability to commit violence; now SAMs can be placed on anyone with a “proclivity for violence.” Without criminal conviction, it limits contact and ability to communicate with the outside world – including members of the family. SAMs are being imposed disproportionately on Muslims suspected of connections with terrorism and is typical of how terrorism suspects are being treated in U.S. prisons and courts.

19. In 2006 and 2007, the Federal Bureau of Prisons (BOP or “Bureau”) secretly created the Communications Management Unit (CMU), a prison unit designed to isolate and segregate certain prisoners in the federal prison system from the rest of the BOP population. The Bureau claims that CMUs are designed to hold dangerous terrorists and other high-risk inmates, requiring heightened monitoring of their external and internal communications. Many prisoners, however, are sent to these isolation units for their constitutionally protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights violations in the federal prison system, among them are the COINTELPRO/Civil Rights Era political activists. All COINTELPRO/Civil Rights Era human rights defenders and political activist have been subjected to prolonged cellular isolation. Some,

like Herman Wallace and Albert Woodfox, for decades; Wallace died 4 days after his court ordered release and conviction reversal

20. **NO HABEUS CORPUS** The newly enacted 2012 National Defense Authorization Act (NDAA), which contains provisions authorizing the U.S. military to pick up and imprison people, including U.S. citizens, without charging them or putting them on trial expands the specter of solitary confinement to again include ordinary unpopular citizens. Specifically, the legislation “affirms that the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force (Public Law 107-40) includes the authority for the Armed Forces of the United States to detain covered persons (as defined in subsection (b)) pending disposition under the law of war.”

21. It specifically authorizes “Detention under the law of war without trial until the end of the hostilities authorized by the Authorization for Use of Military Force,” referring to the bill passed by Congress more than ten years ago that authorized an endless “war on terror.”¹⁶

22. **EQUAL PROTECTION: The United States also has obligations under International Convention on the Elimination of All Forms of Racial Discrimination (CERD)** which includes Article 2, in part, that the U.S. undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation; (b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations. Article 5 of the CERD provides that the States shall undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour; or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (a) The right to equal treatment before the tribunals and all other bodies administering justice; (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; and Article 5(d)(vii) guarantees the right to freedom of thought, conscience and religion; (viii) the right to freedom of opinion and expression; (ix) the right to freedom of peaceful assembly and association.

22. Under UPR Recommendation No. 163, supported by the United States, call for reduction in “prison overcrowding...making more use of alternative penalties” and CERD Special Measure No. 32, the United States can and is required to find a way to end these human rights violations and bring this shameful matter to a close. A good faith showing is to have released these sufferers before its next CERD report. Today’s imprisoned human rights defenders and political activists were the targets of a racialized military onslaught by the U.S. government and are still criminalized and incarcerated as a direct result of the U. S. government’s COINTELPRO activities. The government particularly preyed on those who reached the same conclusion and action as did Nelson Mandela and the African National Congress in the struggle against apartheid and the 1961 founding of Umkhonto we Sizwe, ANC’s paramilitary wing. U. S. political activists, like their South African Counterparts, were forced to resort to armed self defense and resistance. “The time comes in the life of any nation when there remain only two choices – submit or fight. That time has now come to South Africa. We shall not submit and we have no choice but to hit back by all means in our power in defense of our people, our future, and our freedom.” Nelson Mandela, Manifesto of Umkhonto, published on 16 December 1961.¹⁷

IV. CONCLUSION Today, these human rights defenders and political activists---political prisoners, prisoners of war, and exiles--- and their communities are entitled to the relief a National Truth and Reconciliation Commission would provide and is required at ICERD Article 1.4 and General Recommendation #32 and other treaty provision sited herein, with and without the activists' political use of force, given the governments violative behavior, passage of time and the state of the survivors of the the COINTELPRO regime. Now is the time to bring the United States of America to account for these egregious race based human rights violations and, like other countries, free these political activists and bring a close to a shameful chapter in United States history.

IV. PROPOSED RECOMMENDATIONS

24. That the U. S. Government adopt and implement previous relevant UPR Recommendations (92.153 and 92.154) and ICCPR Committee List of Issues paragraph 16;

25. End the criminalization, isolation and incarceration of COINTELPRO/Civil Rights Era political activists, including immediate release of all those indigent, aged, terminally, severely, or chronically ill; and

26. That the U.S. government establish a National Truth and Reconciliation mechanism, in formation with COINTELPRO/Civil Rights Era political activists and human rights activists, civil society, State Department's Institute for Peace to investigate and compensate deaths and prosecutions of COINTELPRO/Civil Rights Era political activists..

¹ **Malcolm X Center for Self Determination (MXC)**, founded in 1991, is a multi-issue, volunteer, grassroots, community based resource and action center. It serves as a public space for developing, testing, training and implementation of approaches to community capacity building, popular education, strategic planning, technical, artistic and communications skill enhancement for self-determination and human rights advocacy of people of Afrikan descent..

² **Jericho Movement for Amnesty & Freedom of All (U.S.) Political Prisoners**, founded 1998, is the official international, multi-movement prisoner organized voice of imprisoned U.S. political activists and human rights defenders (pp/pows/exiles). Noted are the COINTELPRO/Civil Rights Era survivors who fought for Black, Latino/a, and Native American social, economic, political, racial justice and in support and defense of freedom and self determination. National Jericho Movement, <http://www.thejerichomovement.com/prisoners.html>; Myer, Matt, Let Freedom Ring: Collection of National Documents From the Movements to Free U.S. Political Prisoners, Oakland, 2008; Committee to End the Marion Lockdown; Can't Jail the Spirit: Political Prisoners in the U. S., A Collection of Biographies, Chicago, 2002.

³ Churchill, Ward and Wall, Jim Vander, *The COINTELPRO PAPERS: Documents From the FBI's Secret Wars Against Dissent in the United States*, South End Press Classics, 1990 and 2002); Glick, Brian and Smith, Abbe, "Covert Action Against U.S. Activists and What We Can Do," (South End Press, 1989), p.11, <http://whatreallyhappened.com/RANCHO/POLITICS/COINTELPRO/gjp3.html> ; "Political Repression - Political Prisoners," USA UN Universal Periodic Review, Ninth Session of the Working Group on the UPR Human Rights Council, 22 November - 3 December 2010, pp 148-159, Submitted by: National Conference of Black Lawyers , Malcolm X Center for Self Determination, Endorsed by 42 organizations and 50 individuals; http://www.ushrnetwork.org/sites/ushrnetwork.org/files/us_political_prisoners_joint_report.pdf, http://www.ushrnetwork.org/sites/ushrnetwork.org/files/political_prisoners_summary.pdf ; USA POLITICAL REPRESSION: CONTINUUM OF DOMESTIC REPRESSION, Submission to the UN Universal Periodic Review Ninth Session of the Working Group on the UPR Human Rights Council , Submitted by: African American Institute for Policy Studies & Planning ,October 22nd Coalition, Ida B.Wells Media Institute, 1-12 November 2010, Geneva, pp. 161-169, http://www.ushrnetwork.org/sites/ushrnetwork.org/files/political_repression_joint_report.pdf ; http://www.ushrnetwork.org/sites/ushrnetwork.org/files/us_state_repression_summary.pdf

⁴ **Officials from the FBI and the New Jersey State Police made the announcement this morning during a press conference, noting that the FBI is offering a reward of up to \$1 million for information leading to the apprehension of Chesimard, who is believed to be living in Cuba under political asylum. Additionally, the state of New Jersey is offering an independent reward of up to \$1 million, bringing the total maximum reward to \$2 million, 05/02/13.** <http://www.fbi.gov/news/stories/2013/may/joanne-chesimard-first-woman-named-most-wanted-terrorists-list/joanne-chesimard-first-woman-named-to-most-wanted-terrorists-list> ; Assata Shakur and a Brief History of the FBI's Most Wanted Lists, http://colorlines.com/archives/2013/05/assata_shakur_and_a_brief_history_of_the_fbis_most_wanted_lists.html; Assata Shakur was convicted of murder. Is she a terrorist? http://www.washingtonpost.com/lifestyle/style/assata-shakur-was-convicted-of-murder-is-she-a-terrorist/2013/05/08/69acb602-b7e5-11e2-aa9e-a02b765ff0ea_story.html; Angela Davis and Assata Shakur's Lawyer Denounce FBI's Adding of Exiled Activist to Terrorists List, http://www.democracynow.org/2013/5/3/angela_davis_and_assata_shakurs_lawyer

⁷ See Joint Submission on Political Repression and Political Prisoners, and Joint Submission on Domestic Repression, file:///F:/ushrn_human_rights_report_0.pdf, p. 152

⁸ **CCR Files Amicus Brief on Behalf of Black Seminoles** CCR filed an amicus brief with the Supreme Court on May 21, 2004, urging the Court to grant a writ of certiorari and review the decision of the Court of Appeals for the Tenth Circuit in *Davis v. United States*, 343 F.3d 1282 (10th Cir. 2003). The Seminole tribal council determined not to share the millions of dollars that the tribe received in compensation for property confiscated in the 1820s with the African American members of the tribe, and did so in a blatant conspiracy with the federal government's Bureau of Indian Affairs. CCR's amicus brief urges the Supreme Court to pierce the veil of tribal sovereign immunity protecting such discriminatory actions by federal officials from the oversight of the federal courts. <http://ccrjustice.org/newsroom/press-releases/ccr-files-amicus-brief-behalf-black-seminoles>

⁹ Churchill, Ward and Wall, Jim Vander, *The COINTELPRO PAPERS: Documents From the FBI's Secret Wars Against Dissent in the United States*, South End Press Classics, 1990 and 2002); Glick, Brian and Smith, Abbe, "Covert Action Against U.S. Activists and What We Can Do," (South End Press, 1989), <http://whatreallyhappened.com/RANCHO/POLITICS/COINTELPRO/gjp3.html>

¹⁰ "Facing Renewed Abuse: the Post-September 11 Treatment of Political Prisoners is taken, in substance and form," from "The Reality of Political Prisoners in the United States: What September 11 Taught Us About Defending Them", authored by J. Soffiyah Elijah in the *Harvard BlackLetter Law Journal*, Vol. 18, 2002.

¹¹ List of issues in relation to the fourth periodic report of the United States of America (CCPR/C/USA/4 and Corr. 1), adopted by the Committee at its 107th session (11–28 March 2013) http://www.ushrnetwork.org/sites/ushrnetwork.org/files/official_usa_iccpr_list_of_issues_-2013.pdf

¹² Committee on the Elimination of Racial Discrimination Concluding observations on the combined seventh to ninth periodic reports of United States of America; http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/USA/CERD_C_USA_CO_7-9_18102_E.pdf

¹³ See Joint Submission on Political Repression and Political Prisoners, and Joint Submission on Domestic Repression, file:///F:/ushrn_human_rights_report_0.pdf, p. 147.

¹⁴ Not Just Ferguson: 11 Eye-Opening Facts About America's Militarized Police Forces, <http://billmoyers.com/2014/08/13/not-just-ferguson-11-eye-opening-facts-about-americas-militarized-police-forces/>; War Comes Home: The Excessive Militarization of American Policing, <https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rel1.pdf>

¹⁵ The National Conference of Black Lawyers Condemns the FBI's Continued Attacks on Activist Assata Shakur

http://www.ncbl.org/the-national-conference-of-black-lawyers-condemns-the-fbis-continued-attacks-on-activist-assata-shakur/?doing_wp_cron=1410193209.7184729576110839843750

National Lawyers Guild Urges FBI to Respect Political Asylum Status of Assata Shakur

<https://www.nlg.org/news/announcements/national-lawyers-guild-urges-fbi-respect-political-asylum-status-assata-shakur>

¹⁶ NDAA, <https://www.aclu.org/blog/tag/ndaa>; The National Defense Authorization Act (NDAA) of 2012; Information for Concerned Activists, http://ccrjustice.org/files/NDAA_report_final.pdf

¹⁷ Umkhonto we Sizwe, Wikipedia, http://en.wikipedia.org/wiki/Umkhonto_we_Sizwe

APPENDIX

UPR 1 List: CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

UPR 2 Cases of Medical Neglect

**UPR 3 Ruchell Magee, Case Update: World's Longest Held Political Prisoner
51st year (Angela Davis', Co-Defendant)**

**UPR 4 Political Prisoner Survey: In Their Own Words
(Note additional instances of medical neglect)**

UPR 5 Framing the Omaha Black Panther Party

"The only White House article on COINTELPRO" from 1977. The free breakfast program at the Vivian Strong Liberation School was a particular target of the FBI before the bombing.

http://www.n2pp.info/print/OWH_12-06-77.jpg

AMNESTY INTERNATIONAL CALLS FOR NEW TRIAL

http://www.n2pp.info/print/Amnesty_International_11-2009.pdf (And in German.)

http://www.n2pp.info/print/Amnesty_International_2011.pdf

Articles and the National Jericho Movement press section.

<http://n2pp.info/commentary.htm>

<http://sfbayview.com/tag/linda-kennedy/>

<http://www.thejerichomovement.com/omaha2.html>

APPENDIX: UPR 1 CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

Imam Jamil Al Amin 71yrs old; 10 yrs., and counting, ad max solitary confinement; has Cancer; monitoring and treatment required at medical facility, nearer family; <http://sfbayview.com/2014/08/biopsy-results-released-for-imam-jamil-al-amin-h-rap-brown/> ; www.danielpipes.org/97/the-curious-case-of-jamil-al-amin;

Bill Dunn 61 yrs old; Imprisoned 35yrs, has Degenerative disk disease, basal cell carcinoma, cataracts; <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/bill-dunne/>

Sundiata Acoli (Clark Squire) 77 years old; Imprisoned 41 years Deteriorating health, including poor eyesight, hearing, teeth, and blood circulation) <http://prisonradio.wordpress.com/2012/04/29/sundiata-acoli-political-prisoner-for-39-years-wins-appeal-and-is-up-for-parole-again/>; <http://www.thejerichomovement.com/prisoners.html> ; <http://www.assatashakur.org/poem3.htm>

Abdul Maumin Khabiir 67 yrs old; Imprisoned 19 yrs, has Mandela's Disease (COPD); wheelchair bound; Lung transplant needed; <http://www.thejerichomovement.com/prisoners.html> ; [Black Talk Radio News: August 19, 2012 blacktalkradio.blogspot.com/2012_08_19_archive.html](http://blacktalkradio.com/2012_08_19_archive.html)

Mondo we Langa (David Rice), 67 yrs old; Imprisoned 44 yrs, has Mandela Disease (COPD); significant lung capacity loss) <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/mondo-we-langa/>

Dr. Mutulu Shakur, 64 yrs old; Imprisoned ;stroke, inadequate rehab; <http://mutulushakur.com/site/> ; <http://www.biography.com/people/mutulu-shakur-507004>.; en.wikipedia.org/wiki/Mutulu_Shakur

Jalil Muntaquin, 63 yrs old; Imprisoned 43 yrs, stroke (inadequate rehab, brain damage, hypertension, weak right ventricle heart valve) <http://www.freejalil.com/>; <http://rense.com/general88/parole.htm> ; <http://rense.com/general88/parole.htm>

Robert Seth Hayes, 66 yrs old ; Imprisoned 41 years, Uncontrolled Diabetes, frequent black outs <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/robert-seth-hayes/> ; <http://kersplebedeb.com/sethhayes/>; nationinside.org/.../release.../robert-seth-hayes-deserves-to-be-released/

Edward Poindexter 71 yrs old; Imprisoned 43 yrs; Uncontrolled Diabetes nebraskansforjustice.org/; <http://n2pp.info/>; <http://omahatwo.wordpress.com>

Abdullah Majid, 65 yrs old; Imprisoned 32 years, recent back surgery; <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/abdul-majid/>; <http://www.thejerichomovement.com/prisoners.html>

Tom Manning, 68 yrs old; Imprisoned 29 yrs [http://en.wikipedia.org/wiki/Tom_Manning_\(prisoner\)](http://en.wikipedia.org/wiki/Tom_Manning_(prisoner)) <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/thomas-manning/>;

Russell Shoatz 71 yrs old;Imprisoned 44 yrs (22yrs solitary confinement), need cataract surgery (3 yrs) <http://russellmaroonshoats.wordpress.com>

Sekou Odinga 70 yrs old; Imprisoned 41 yrs, respiratory inflamation, <http://sekouodinga.com/>

Hugo Pinell 69 yrs old; Incarcerated 51 years, 43 yrs in solitary confinement; <http://www.hugopinell.com/>

Mohammad Koti 88 yrs old; Imprisoned 36 years, scheduled release 9 / 2014; http://www.nytimes.com/2013/10/09/nyregion/hes-over-80-but-a-convict-gets-no-parole.html?_r=0

APPENDIX
NO ACCESS TO JUSTICE: POLITICAL REPRESSION – POLITICAL PRISONERS;
IMPRISONED COINTELPRO / U.S. Civil Rights Era HR Defenders, Political Activists

SUBMISSION TO THE UNITED NATIONS UNIVERSAL PERIODIC REVIEW OF

UNITED STATES OF AMERICA

SECOND CYCLE
TWENTY SECOND SESSION OF THE UPR
HUMAN RIGHTS COUNCIL
APRIL - MAY 2015

SUBMITTED BY

Malcolm X Center for Self Determination (MXC)
Jericho Movement for Amnesty & Freedom of All (U.S.) Political Prisoners

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