

**AMNESTY  
INTERNATIONAL**



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**UN Human Rights Council  
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**Item 6:  
Consideration of UPR reports**

**UNITED STATES OF AMERICA**

Mr. President,

At first glance, the USA's response to scrutiny of its human rights record under the Universal Periodic Review appears very positive. The government states that it supports or supports in part approximately three quarters of the 343 recommendations it received during the review. However, there is reason for such optimism to be tempered with caution, including because the USA has a poor record in implementing international recommendations even when it appears to support them, whether in the UPR or from the Treaty Bodies or the Special Procedures.

In the 2010 UPR of the USA, some 50 recommendations concerned ratification of human rights instruments or withdrawal of reservations to earlier ratifications. The USA supported a number of these, but has undertaken no ratifications in the intervening five years. The number of recommendations in this regard was even greater at its second review in May this year.<sup>1</sup> The USA supports a number of these, just as it did five years ago, while opposing numerous others. Amnesty International urges the USA to embark upon a programme of ratification and withdrawal of reservations so that by the time of its third review it has genuinely begun to end its long-standing tendency to be supportive of international instruments while simultaneously seeking to exempt itself from being bound by them.

As in 2010, numerous recommendations in this year's review concern the USA's treatment of

<sup>1</sup> Report of the Working Group of the Universal Periodic Review – *United States of America*, A/HRC/30/12, recommendations 176.1-176.72 (Peru, Nicaragua, Plurinational State of Bolivia, Germany, Vietnam, Israel, Panama, Tunisia, Russian Federation, Timor-Leste, Chile, Namibia, Australia, Gabon, Trinidad and Tobago, Philippines, Mauritius, Luxembourg, Nepal, Sierra Leone, Kazakhstan, Bulgaria, India, Indonesia, Egypt, Romania, Cabo Verde, Togo, Paraguay, Botswana, Iceland, Ghana, Democratic Republic of the Congo, New Zealand, Hungary, Republic of Korea, the former Yugoslav Republic of Macedonia, Czech Republic, Turkey, Iraq, Slovenia, Bosnia and Herzegovina, France, Canada, China, Japan, Lebanon, Latvia, Denmark, Estonia, Austria, Mali, Sweden, Algeria, Maldives, Portugal, Slovenia, China, Japan, Estonia, Libya, Fiji, Honduras, Chile, Burkino Faso, Islamic Republic of Iran, Slovakia, Guatemala, Philippines, Sudan, Maldives, Chad, Latvia, Fiji, Cyprus, Bolivarian Republic of Venezuela, Uzbekistan, Uruguay).

detainees in the context of counter-terrorism.<sup>2</sup> Its failure to resolve the detentions at Guantánamo Bay is a result of its continued application of a flawed “law of war” framework to the detentions rather than addressing them as a human rights issue. Yet again, it “supports” recommendations calling for closure of the detention facility, as if it is a relatively passive player in this continuing human rights vacuum. At the same time, impunity persists for the perpetrators of the crimes of enforced disappearance and torture committed as part of the CIA secret detention program authorized from 2001 to 2009. This must change, as a number of governments have urged.<sup>3</sup>

The number of recommendations concerning capital punishment has increased compared to the 2010 review.<sup>4</sup> Displaying a position antithetical to human rights, the US government has rejected outright those recommendations which concern abolition of the death penalty. It should reconsider these and immediately declare a moratorium on federal executions with a view to abolition of the federal death penalty in law, thereby encouraging the abolitionist momentum that has begun to emerge at state level.

Thank you, Mr. President.

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<sup>2</sup> A/HRC/30/12, recommendations 176.203 (Egypt), 176.210 (Czech Republic), 176.213 (Azerbaijan), 176.239- 176.250 (Sudan, Libya), (Russian Federation, Maldives, Iceland, Bolivarian Republic of Venezuela, France, Malaysia, China, Germany, Spain, Pakistan), 176.288 (Islamic Republic of Iran).

<sup>3</sup> A/HRC/30/12, recommendations 176.210-176.212 (Czech Republic, Austria, Maldives), 176.217 (Costa Rica), 176.246-176.248 (Malaysia, China, Germany), 176.282-176.286 (Pakistan, Switzerland, Cuba, Democratic People’s Republic of Korea, Denmark), 176.288 (Islamic Republic of Iran) and its Addendum, A/HRC/30/12/Add.1, 14 September 2015.

<sup>4</sup> A/HRC/30/12, recommendations 176.10-176.14 (Timor-Leste, Chile, Namibia, Australia, Gabon), 176.165-176.202 (Nicaragua, Ecuador, Costa Rica, Plurinational State of Bolivia, Austria, Congo, Lithuania, Luxembourg, Nepal, Uruguay, Argentina, Namibia, Togo, France, Montenegro, Spain, Turkey, Chile, Rwanda, Portugal, Iceland, Ireland, Sweden, Russian Federation, Azerbaijan, Germany, Netherlands, Slovakia, New Zealand, Estonia, Sierra Leone, Italy, Cyprus, Greece, Holy See, Uzbekistan, Norway, Angola, France, Spain, France, Belgium, Democratic Republic of the Congo, Poland, Bulgaria, France).