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September 25, 2016

Office of the High Commissioner for Human Rights
United Nations at Geneva
8-14 avenue de la Paix
CH-1211 Geneva 10
Switzerland
urgent-action@ohchr.org

Attention:

Special Rapporteur on the rights of indigenous peoples, c/o Ms. Victoria Lucia
Special Rapporteur on minority issues, c/o Ms. Rita Izsak
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
c/o Mr. Mutuma RUTEERE

Working Group of Experts on people of African Descent

Ms. Mireille FANDON-MENDEZ FRANCE (France), appointed at HRC16 (March 2011)

Mr. Sabelo GUMEDZE (South Africa), appointed at HRC26 (June 2014)

Mr. Michal BALCERZAK (Poland), appointed at HRC27 (postponed until 6 November 2014)

Mr. Ricardo III SUNGA (Philippines), appointed at HRC27 (postponed until 6 November 2014)

Mr. Ahmed REID (Jamaica), appointed at HRC30 (September 2015)

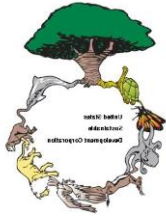
Member from GRULAC States: HRC50 (June 2022)

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, c/o Mr. Juan Ernesto MÉNDEZ
Special Rapporteur on the promotion of truth, justice, reparation & guarantees of non-recurrence, c/o Mr. Pablo DE GREIFF

Re: United States: Urgent Appeal for Increased Human Rights Monitoring

Dear Sirs/Mesdames:

The undersigned United States non-governmental organization is deeply alarmed at the disproportionate number of African and Indigenous descendants of colonialism and enslavement in the United States that are being killed by law enforcement. Despite reports of ethnic bias in many localities including Ferguson, MO, Baltimore, MD, and Philadelphia, PA the deaths of men, woman and children of African and Indigenous ancestry continue. The US Department of Justice has recommended a plethora of policy changes aimed at reducing the number of fatal encounters with police but many have



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gone unheeded. (Bureau of Justice Statistics, 2016) This request is to urge the Human Rights Council to conduct a thorough and impartial investigation into law enforcement practices that may undermine the human rights of African and Indigenous descendants of colonialism and enslavement in the United States.

People of majority European descent in the United States make up approximately 62 percent of the nation's population but only comprise about 49 percent of those who are killed by police officers. By contrast, African and indigenous descendants of colonialism and enslavement in the United States account for 24 percent of those fatally shot and killed by the police despite being only 13 percent of the population. A recent Washington Post analysis published in July 2016 determined that although the population of European descendants is approximately five times larger than the African and Indigenous descendants of colonialism and enslavement, unarmed African and Indigenous descendants in America were five times as likely as unarmed people of European descent to be shot and killed by a police officer. (Washington Post, 2016)

In January 2016, the "Working Group of Experts on People of African Descent" described the violence against African and Indigenous descendants of colonialism and enslavement in the United States as an "epidemic of racial violence by the police". (Working Group of Experts on People of African Descent, 2016) It has proven easier to amend historic segregationist legislation than it has been to deconstruct the legacy of institutional ethnicism that finds its roots in the colonial English origins of the United States, its 250-year history of institutional enslavement and 100-year legislative commitment to segregation. As recently as 2006, the United States Federal Bureau of Investigation reported a concern about European American supremacist groups' "infiltration and recruitment from law enforcement communities". (United States Federal Bureau of Investigation, 2006) These very grave findings both justify and necessitate the urgent appeal to the Human Rights Council to conduct its own investigation to determine if those concerns are being realized in the public forum before the eyes of the world via social and mass media.

In a September 2016 letter to the United States Attorney General, the United States Congressional Black Caucus formally requested that she "aggressively pursue investigations, indictments and prosecutions through the Office of Civil Rights against any and all law enforcement officers who harm or kill innocent, unarmed black men, women and children." According to United States House of Representative Maxine Waters (D-Calif), "The killing of unarmed black men and women by police is a crisis". (Congressional Black Caucus, 2016) The Human Rights Council can and should join in that request.

Although "Jim Crow" laws no longer directly discriminate against the African and Indigenous people who descended from the throes of colonialism and enslavement in America, the institutional construct left in their wake continues to disproportionately impact those for whom the benefits were never intended. Nowhere is this understood more clearly than in the number of African and Indigenous descendants of colonialism and enslavement who are imprisoned in the United States or those who are dead, too often at the hands of law enforcement.

The United States is as divided along ethnic lines as it has been in the last half century. Many ascribe the escalation in ethnic divisiveness in part to the "politics of backlash", a term used recently by the President of the United



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States, who is of African descent, While the divide may have always been present, it has become more evident in the last eight years. (Obama, 2016) In February 2016, the Southern Poverty Law Center reported a stark increase in hate groups like the Ku Klux Klan which more than doubled in the number of chapters nationwide from 2014 to 2015. In fact, the Obama administration's years in office have seen significant and steady growth in the number of hate groups of many types. Coupled with the aforementioned FBI report on supremacist group infiltration and recruitment efforts in law enforcement, the cause for alarm is exponentially increased. (Potok, 2016) Yet, despite the apparent chasm between the two groups, 50 percent of people of European descent believe that people of African and Indigenous descent are more likely to be mistreated by police, compared to 84 percent of African and Indigenous descendants who believe the same. (Renee Stepler, 2016)

The advent of social media has placed the most disturbing cultural sentiments of the nation at everyone's fingertips. Today, police killings of African and Indigenous descendants are filmed live and aired in real-time, resulting in massive, sometimes violent protests and riots around the nation, serving to only further tear away at the collective psyche of all US citizens. African and Indigenous descendants of colonialism and enslavement from all walks of life believe that they are under siege. Although law enforcement killed some 1200 people in 2015, only 7 resulted in a charge with a crime and none were convicted. Police charged in the deaths for Americans like Walter Scott, LaQuan McDonald and Akai Gurley are free on bond, awaiting trial. African and Indigenous descendants of colonialism and enslavement are left feeling disenfranchised and devalued in the United States. (King, 2016)

This communication is an urgent appeal about the increasing potential in a contentious climate for "time-sensitive violations which involve loss of life, life-threatening situations or imminent or on-going damage of a grave nature that require urgent intervention to cease" such occurrences. In conclusion, the undersigned, calls on member and observer states at the Human Rights Council to:

- Urge the Office of the High Commissioner for Human Rights to pay close attention to the human rights situation in the United States; Report regularly and publicly on the human rights situation in the country;
- Establish a long term mechanism, such as a country specific special procedure mechanism to document the situation of human rights in the United States; assess priorities and report back periodically to the Human Rights Council;
- Demand that all actors in the situation, beginning with the United States Department of Justice, ensure the protection of civilians, oversee the immediate cessation of any violations of international human rights and humanitarian law and put in place measures to prevent further violations;

Respectfully submitted,



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United States Sustainable Development Corp
Non-Governmental Organization

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