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USA: A pick-and-choose approach to human rights

Despite its claims to international leadership in human rights the USA is failing to respect the fundamental promise of rights for all both at home and abroad, Amnesty International said today, as it launched its first worldwide campaign on the country's human rights situation.

“All countries, irrespective of their power or political system, have a duty to protect the rights of all their people, but across the USA, thousands are falling victim to human rights violations,” said Pierre Sané, Amnesty International's Secretary General. “All too often, human rights in the USA are a tale of two nations: rich and poor, white and black, male and female.”

Amnesty International's campaign will highlight abuses by US police and prison officials -- often carried out with high tech repression tools like electro-shock devices and chemical sprays -- the arbitrary, unfair and racist use of the death penalty, and the growing incarceration of asylum-seekers.

At the same time, the campaign will focus attention on the USA's double standards regarding foreign policy and international human rights commitments. According to Amnesty International, the USA's role in establishing the international system of human rights protection is in marked contrast with its reluctance to submit itself to international scrutiny of its own human rights record, and to live up to the same standards that it demands from other countries.

“As the world's largest producer and exporter of arms, the USA contributes to human rights abuse by supplying equipment and training to governments and armed groups known to have carried out torture, political killings and other abuses,” Mr Sané continued.

The type of electro-shock weapons produced by the USA have been used to torture victims around the world, and are now banned in some Western European countries and in Canada. Items used and exported by the USA -- like leg-irons, thumb-cuffs, electro-shock weapons and pepper spray -- easily or inherently lend themselves to torture or ill-treatment.

“The USA is simply not doing enough to ensure that such equipment is not being used to commit human rights violations. Current US laws and procedures are just not addressing the problem,” Pierre Sané said.

A good case in point is that of Turkey, for instance, where according to reports issued by the US State Department in 1995, there is “highly credible” evidence that US-supplied military equipment was used in some village evacuations involving human rights violations. Turkey’s special units of paramilitary gendarmes and police -- two of the forces most frequently accused of political killings, “disappearances” and torture -- have used assault rifles, grenade launchers and helicopters obtained from the USA.

Responding to pressure, the US government held up a few arms exports to Turkey in 1997, but recent reports indicate that further exports have been allowed. In April 1998, a US company was negotiating to sell 10,000 electro-shock weapons to the Turkish police, despite its long, well documented record of practising electro-shock torture.

“Given its prominent role in the global arms market, the USA should aim for full transparency regarding all transfers, and adopt a Code of Conduct aimed at stopping torturing countries from acquiring both the technology and the know-how,” Mr Sané stressed. “Any transfer likely to contribute to human rights abuses should be immediately stopped.”

Amnesty International is also highly critical of the selective approach of the US government in condemning human rights violations in other countries. “The US authorities are quick to criticize human rights violations in countries considered hostile, but are then unwilling to take appropriate action when abuses are committed by US allies or when the USA’s political or economic interests could be compromised,” Mr Sané said.

The US government’s long standing refusal to criticize blatant human rights violations by Israel against the Palestinian population, its passivity in the face of gross human rights violations in Saudi Arabia, and the playing down by US officials of the massacres in Rwanda are some examples of this.

In addition to its double standards in terms of foreign policy, the USA is also failing to deliver the promise of human rights for all to people within its own territory. According to Amnesty International, there is a dangerous trend towards the erosion of human rights in the USA -- a situation illustrated by some of the issues highlighted in a comprehensive report published to accompany the launch of the campaign:

- **A widespread and persistent pattern of police brutality:** Police abuse is such a widespread problem in the USA, that millions of dollars are paid out every year to alleged victims. Reports of discriminatory treatment by police toward racial and ethnic minorities are common, and black people arrested for minor offences, for instance, appear particularly liable to suffer police brutality. The vast majority of complaints relate to police officers beating people during arrests, searches, traffic stops or street incidents -- specially in inner cities with large minority groups

Many suspects in police custody have died while forced face down in restraints -- most often when being “hogtied” with wrists and ankles tied together. While a number of police departments have now banned this method, others continue to use it.

•**Endemic physical and sexual violence against prisoners:** The USA's current response to crime centres on the imposition of harsher punishments, and the country now has one of the largest prison populations in the world. Some of the larger prison units show a high level of inmate on inmate violence -- with guards at times inciting attacks or not acting to prevent them. Inmates have also been beaten by guards and subjected to sexual abuse, including rape -- a form of torture.

A particularly disturbing development is the growth of high-tech security units, where prisoners -- including pregnant women -- are placed in long-term or even permanent isolation. Prisoners, many of them mentally ill are frequently placed in mechanical restrains four hours or days on end. Despite being outlawed under international standards, shackling of prisoners -- including their transportation in leg irons -- is widespread in the US prison system. In some jurisdictions pregnant women have been shackled.

Not all sectors of society are equally affected by this, however. In a country still struggling to eradicate racial discrimination, over 60 per cent of prisoners come from racial minorities. Up to one third of all young black men are in jail or prison, or on parole or probation.

The death penalty - An arbitrary, unfair and racist punishment: The death penalty is now a political campaigning tool in the USA, and it is being applied in a racist way. Black and white people are the victims of violent crime in roughly equal numbers, yet 82 per cent of people executed since 1977 have been convicted of killing white victims. Factors like aggravating circumstances cannot explain this disparity.

In violation of international standards, execution of the mentally impaired and juvenile offenders continue in the USA. In addition, at a time when there is a worrying escalation in the number of executions, many capital defendants are not receiving adequate legal representation.

Most US states have now adopted execution by lethal injection, claiming that it is "more humane". But the cruelty of this punishment is inescapable, regardless of the method used, and in many cases, inmates have suffered prolonged deaths due medical staff having trouble finding a vein to inject the poison, or through having to wait with needles in their arms while last minutes appeals were heard.

•**Incarceration of asylum-seekers:** Growing numbers of people fleeing persecution are finding themselves behind bars after arriving in the USA. Asylum-seekers have committed no crime, yet they are often held in jails and prisons with criminal prisoners. Unlike criminal suspects, they are often denied bail and do not know when they will be released.

Asylum-seekers held in these conditions are not differentiated from other inmates: they are often held in inhumane conditions, strip searched, shackled, chained and verbally or physically abused. They are often prevented from meeting with their lawyers, interpreters and asylum organizations. Women asylum-seekers are more likely than

men to be detained with criminals, and there is a lack of alternative accommodation for children -- who according to international law should be kept together with their families and never be held in detention.

•**Reluctance to abide by international standards:** The level of human rights protection recognized in US law often falls short of some of the minimum standards set down in international treaties, and important internationally recognized rights and standards are not always reflected in domestic US law -- like the ban on using the death penalty against juvenile offenders. People in the USA whose rights have been violated are also being denied the possibility of recourse to international protection mechanisms.

Amnesty International will call on the US authorities to put an end to their selective approach in the application of international law at home and abroad, and to adjust the country's legislation to conform with international standards.

In particular, the USA should ratify without reservations all international human rights treaties -- specially the Convention on the Eradication of all Forms of Discrimination against Women, the UN Convention on the Rights of the Child and the American Convention on Human Rights -- and withdraw its reservations to the International Covenant on Civil and Political Rights and the Convention Against Torture.

“How can a country that has so far refused to ratify international human rights treaties destined to protect the welfare of women and children, for instance, aim to set an example to the international community in the area of human rights?” Mr Sané asked.

“How can the international community send a clear message that acts of genocide and other crimes against humanity will not be tolerated when a world leading country like the USA is actively opposing the creation of a truly independent and effective International Criminal Court?”

Amnesty International's call for greater respect for human rights in the USA is part of a campaign to promote those rights for all people in all countries. The organization stresses that by failing to deliver to many of their people the wealth of civil and political rights guaranteed under international law -- as well as the US Constitution and the Bill of Rights -- the US federal and state authorities are also failing to recognize the importance of those rights in other countries.

“The USA has little room for complacency in terms of human rights, both in terms of some sectors of US society and of the country's role in the international arena,” Mr Sané explained. “It is time for the US government to put an end to its selective approach to human rights, and to start to adjust its conduct and legislation to conform with international human rights principles,” Mr Sané said.

“Starting today, more than a million Amnesty International members worldwide will be calling for a renewed commitment by the US authorities to placing human rights protection at the heart of US domestic and foreign policy,” Pierre Sané concluded.

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For further information, to arrange an interview (English, Spanish, French or Arabic) or to request a copy of the report *USA: Rights for All* – please phone Amnesty International’s pres office on +44 171 413 5566 / 5808.

Amnesty International now has an ISDN line for studio-quality radio interviews from their offices in London, please phone for further details.

Amnesty International’s USA Campaign Web-site: <http://www.rightsforall-usa.org>