

AMNESTY INTERNATIONAL

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UN: treaty body to examine USA's record on racial discrimination

The USA's record under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) will come under scrutiny on 21 and 22 February in Geneva when a treaty monitoring body examines the government's periodic report.

The United Nations (UN) Committee on the Elimination of Racial Discrimination (the Committee) is scheduled to consider the USA's combined fourth, fifth and sixth periodic reports describing how it complies with its treaty obligations to guarantee protection against discrimination on the basis of race, colour, ethnicity or nationality.

Amnesty International submitted a briefing to the Committee last November in which the organization highlighted concerns raised in the course of its work since the Committee's consideration of the USA's initial report in 2001.

Amnesty International's briefing noted that, despite the US Constitutional guarantee of equal protection of the law, systemic discrimination continues to exist in many areas. Its concerns included racial profiling in law enforcement; discriminatory treatment of foreign nationals detained in the aftermath of the attacks on 11 September 2001; the disproportionate number of racial and ethnic minorities among the US prison population; and racial disparities in the juvenile justice system and in the administration of the death penalty.

The briefing also expressed concern about the discriminatory treatment of non-US nationals held by the US military in Guantánamo Bay and elsewhere in the context of the "war on terror", an issue not touched upon in the USA's report. It included concerns about how foreign nationals designated "unlawful enemy combatants" can be subjected to unfair military commissions, operating under a lower standard of justice than US citizens accused of similar crimes.

The briefing also expressed concern about the barriers to accessing justice faced by Native American and Alaska Native American women who suffered disproportionately high levels of rape and sexual violence, and about the treatment of displaced African American residents of New Orleans in the aftermath of Hurricane Katrina.

**Amnesty International's briefing is available at:
<http://www.amnesty.org/en/library/info/AMR51/178/2007>**

Public Document

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