

## **The National Jericho Movement and US Human Rights Network (USHRN) People of African Descent Working Group Submission to the Inter-American Commission on Human Rights Hearing on Structural Racism and Police Violence in the United States**

We appreciate the opportunity to share this statement from our pending follow up to the Universal Periodic Review (UPR) and urge the IACHR to assist with remedying these egregious human rights violations.

The United States continues to detain dozens of political prisoners from the 1960s-70s Civil Rights era who actively challenged and fought against centuries of systemic racial violence, bigotry, and repression. Some women and men took up arms to defend themselves and their communities against racial police violence, as it is a peoples' human right to protect themselves against sustained and systematic state violence, abuse, and oppression. However, many were framed and convicted of crimes they did not commit. Of note, several of these citizens were children – teens, when they were forced to protect themselves and their community because the public safety and protection due them from the public servants hired in that role, did the opposite in the Black community.

The result of that legacy of structural racism and law enforcement impunity remains evident today in U.S. society; meanwhile these political prisoners continue to pay the ultimate price for their political beliefs and activities. The Black Panther Party, for example, was originally known for founding school breakfast programs<sup>1</sup>, free health clinics, and support for the elderly as well as defense programs to protect the community from hate crimes and domestic terror. Harsh and sustained repression under the U.S. Federal Bureau of Investigation's (FBI) infamous and illegal Counter Intelligence Program<sup>2</sup> (COINTELPRO) resulted in murders, injuries, false arrests, malicious prosecutions, exile, and dozens of political prisoners that languish in prisons throughout America, many for well over 40 years. U.S. political prisoners have died in prison, endured years of solitary confinement, suffered from medical neglect, and received perfunctory parole hearings, resulting in routine denial of release.

It is evident that the U.S. government intends for its Political Prisoners to die in prison. Their continued detention without personal protective equipment, social distancing, or quality health care during the COVID-19 pandemic creates an urgent and immediate danger.<sup>3</sup>

### **I. RELEVANT HISTORY**

This issue has been raised in multiple forums including the very first UPR with civil society submission "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.

In the current **International Decade for People of African Descent** (2015-2024), we note previous UPR Recommendations 92.94, 92.153 and 92.154 that call on the U.S. government to "end the discrimination against persons of African descent;" and to "release all of its political prisoners..."

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<sup>1</sup> <https://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=3883&context=jssw>

<sup>2</sup> FBI's illegal Counter Intelligence Program. US Senate Church Hearings <http://unwittingvictim.com/Cointelpro.html>; <https://www.zinnedproject.org/materials/fbi-war-on-black-america/> <https://libguides.princeton.edu/c.php?g=84534&p=541974>

<sup>3</sup> <https://iacenter.org/2020/06/21/free-muntaqim-mutulu-and-all-u-s-political-prisoners/>

## II. ACTION NOT TAKEN ON RELEVANT HISTORY

The United States has continuously failed to act on the recommendations of the UPR, CAT, CERD, and ICCPR and various Working Groups (UNWGEPAD, UNWGAD) in violation of the rights guaranteed under UDHR Articles 3, 5, 7, 8, 9, and 10.

We urge the IACHR to acknowledge these COINTELPRO political prisoners. We respectfully make the following recommendations and urge the IACHR to support the same.

## III. RECOMMENDATIONS

### **The U. S. Government must:**

- a. 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, chronically ill, or immunocompromised;
- b. review the findings of the 1976 Senate Church Committee Hearings on the FBI's illegal Counter Intelligence Program, which confirm the U.S. did in fact violate the human rights of hundreds of African Descendant/Black Americans, and created the consequence of its own citizens being political prisoners due to their activism in building their own communities and fighting against virulent racial violence and repression;
- c. investigate all instances of torture and cruel, inhuman, and degrading treatment and punishment of those considered U.S. political prisoners, including, but not limited to, length of time served, insufficient medical treatment, age, segregation and repeated denial of parole;
- d. establish a Truth and Reconciliation Commission (TRC), similar to that of South Africa and other countries seeking to remedy racially motivated injustices and social unrest. This TRC would commission a broad conscious spectrum of educators, religious communities, lawyers, community activists, and appropriate government officials, with the goal of (a) reviewing this era in history – its causes and consequences, (b) freeing those individuals who are by international law and popular opinion, political prisoners, and (c) compensating deaths and prosecutions of COINTELPRO/Civil Rights era activists.

## IV. CONCLUSION

In light of the evidence from the U.S. Senate Church Committee Report, the current escalating U.S. racial reckoning, and public outcry for law enforcement accountability, it is time for human rights defenders to hold the U.S. accountable. The U.S. must release these political prisoners - now senior citizens - who were racially targeted and denied access to justice under the laws of its own constitution, treaties, and global human rights obligations.

Respectfully,

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