

Human Rights Record of the US in 2004

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Foreword

In 2004 the atrocity of US troops abusing Iraqi POWs exposed the dark side of human rights performance of the United States. The scandal shocked the humanity and was condemned by the international community. It is quite ironic that on Feb. 28 of this year, the State Department of the United States once again posed as the "the world human rights police" and released its Country Reports on Human Rights Practices for 2004. As in previous years, the reports pointed fingers at human rights situation in more than 190 countries and regions (including China) but kept silent on the US misdeeds in this field. Therefore, the world people have to probe the human rights record behind the Statue of Liberty in the United States.

I. On Life, Liberty and Security of Person

American society is characterized with rampant violent crimes, severe infringement of people's rights by law enforcement departments and lack of guarantee for people's rights to life, liberty and security of person.

Violent crimes pose a serious threat to people's lives. According to a report released by the Department of Justice of the United States on Nov. 29, 2004, in 2003 residents aged 12 and above in the United States experienced about 24 million victimizations, and there occurred 1,381,259 murders, robberies and other violent crimes, averaging 475 cases per 100,000 people. Among them there were 16,503 homicides, up 1.7 percent over 2002, or nearly six cases in every 100,000 residents, and one of every 44 Americans aged above 12 was victimized.

The Associated Press reported on June 24, 2004 that the number of violent crimes in many US cities were on the rise. In 2003 Chicago alone recorded 598 homicides, 80 percent of which involved the use of guns. The Washington D.C. reported 41,738 murders, robberies and other violent crimes in 2003, averaging 6,406.4 cases per 100,000 residents. In 2004 the District recorded 198 killings, or a homicide rate of 35 per 100,000 residents. Detroit, which has less than 1 million residents, recorded 18,724 criminal cases in 2003, including 366 murders and 814 rapes, which amounted to a homicide rate of 41 per 100,000 residents.

In 2003 the homicide rate in Baltimore was 43 per 100,000 residents. The Baltimore Sun reported on Dec. 17, 2004 that the city reported 271 killings from January to early December in 2004. It was reported that on Sept. 8, 2004 that by Sept. 4, 2004 there had been 368 homicides in the city, up 4.2 percent year-on-year. The USA Today reported on July 16, 2004 that in an average week in the US workplace one employee is killed and at least 25 are seriously injured in violent assaults by current or former co-workers. The Cincinnati Post reported on Nov. 12, 2004 that homicides average 17 a week and there are nearly 5,500 violent assaults a day at US job sites.

The United States has the biggest number of gun owners and gun violence has affected lots of innocent lives. According to a survey released by the University of Chicago in 2001, 41.7 percent of men and 28.5 percent of women in the United States report having a gun in their homes, and 29.2 percent of men and 10.2 percent of women personally own a gun. The Los Angeles Times reported on Jul. 19, 2004 that since 2000 the number of firearm holders rose 28 percent in California.

About 31,000 Americans are killed and 75,000 wounded by firearms each year, which means more than 80 people are shot dead each day. In 2002 there were 30,242 firearm killings in the United States; 54 percent of all suicides and 67 percent of all homicides were related to the use of firearms. The Associated Press reported that 808 people were shot dead in the first half of 2004 in Detroit.

Police violence and infringement of human rights by law enforcement agencies also constitute a serious problem. At present, 5,000 law enforcement agencies in the United States use TASER – a kind of electric shock gun, which sends out 50,000 volts of impulse voltage after hitting the target. Since 1999, more than 80 people died from TASER shootings, 60 percent of which occurred between November 2003 and November 2004.

A survey found that in the 17 years from 1985 to 2002, Los Angeles recorded more than 100 times increase in police shooting at automobile drivers, killing at least 25 and injuring more than 30 of them. Of these cases, 90 percent were due to misjudgment. (The Los Angeles Times, Feb. 29, 2004.)

On Jul. 21, 2004 Chinese citizen Zhao Yan was handcuffed and severely beaten while she was in the United States on a normal business trip. She suffered injuries in many parts of her body and serious mental harm.

The New York Times reported on Apr. 19, 2004 a comprehensive study of 328 criminal cases over the last 15 years in which the convicted person was exonerated suggests that there are thousands of

innocent people in prison today. The study identified 199 murder exoneration, 73 of them in capital cases. In more than half of the cases, the defendants had been in prison for more than 10 years.

The United States characterizes itself as "a paradise for free people," but the ratio of its citizens deprived of freedom has remained among the highest in the world. Statistics released by the Federal Bureau of Investigation last November showed that the nation made an estimated 13.6 million arrests in 2003. The national arrest rate was 4,695.1 arrests per 100,000 people, 0.2 percent up than that of the previous year (USA Today, Nov. 8, 2004).

According to statistics from the Department of Justice, the number of inmates in the United States jumped from 320,000 in 1980 to 2 million in 2000, a hike by six times. From 1995 to 2003, the number of inmates grew at an annual rate of 3.5 percent in the country, where one out of every 142 people is behind bars. The number of convicted offenders may total more than 6 million if parolees and probationers are also counted. The Chicago Tribune reported on Nov. 8 last year that the federal and state prison population amounted to 1.47 million last year, 2.1 percent more than in 2003. The number of criminals rose by over 5 percent in 11 states, with the growth in North Dakota up by 11.4 percent and in Minnesota by 10.3 percent.

Most prisons in the United States are overcrowded, but still cannot meet the demand. The country has spent an average of 7 billion US dollars a year building new jails and prisons in the past 10 years. California has seen only one college but 21 new prisons built since 1984.

Jails have become one of the huge and most lucrative industries, with a combined staff of more than 530,000 and being the second largest employer in the United States only after the General Motors. Private prisons are more and more common. The country now has over 100 private prisons in 27 states and 18 private prison companies. The value of goods and services created by inmates surged from 400 million US dollars in 1980 to 1.1 billion US dollars in 1994.

Abuse of prisoners and violence occur frequently in US jails and prisons, which are under disorderly management. The Los Angeles Times reported on Aug. 15 last year that over 40 state prison systems were once under some form of court order, for brutality, crowding, poor food and lack of medical care.

The News Week of the United States also reported last May that in Pennsylvania, Arizona and some other states, inmates are routinely stripped in front of others before being moved to a new prison or a new unit within their prison. Male inmates are often made to wear women's pink underwear as a form of humiliation. New inmates are frequently beaten and cursed at and sometimes made to crawl.

At a jail in New York City, some guards bump prisoners against the walls, pinch their arms and wrists, and force them to receive insulting checks nakedly. Some male inmates are sometimes compelled to stand in the nude before a group of women guards. Some female inmates go in shackles to hospital for treatment and nursing after they get ill or pregnant, some give births without amid wife, and some are locked to sickbeds with fetters after Caesarean operation.

Over 80,000 women prisoners in the United States are mothers, and the overall number of the minor children of the American women prisoners is estimated at some 200,000. The country had more than 3,000 pregnant women in jails from 2000 to 2003 and 3,000 babies were born to the prisoners during this period (see Mexico's Milenio on Feb. 21, 2004). It is estimated that at least more than 40,000 prisoners are locked up in the so-called "super jails", where the prisoner is confined to a very tiny cell, cannot see other people throughout the year, and has only one hour out for exercise every day.

Sexual harassment and encroachment are common in jails in the United States. The New York Times reported last October that at least 13 percent of inmates in the country are sexually assaulted in prison (Ex-Inmate's Suit Offers View Into Sexual Slavery in Prisons, The New York Times, Oct. 12, 2004). In jails of seven central and western US states, 21 percent of the inmates suffer sexual abuse at least once after being put in prison. The ratio is higher among women inmates, with nearly one fourth of them sexually assaulted by jail guards.

II. On Political Rights and Freedom

The United States claims to be "a paragon of democracy," but American democracy is manipulated by the rich and malpractices are common.

Elections in the United States are in fact a contest of money. The presidential and Congressional elections last year cost nearly 4 billion US dollars, some 1 billion US dollars or one third more than that spent in the 2000 elections. The 2004 presidential election has been listed as the most expensive campaign in the country's history (see <http://www.opensecrets.org/overview>), with the cost jumping to 1.7 billion US dollars from 1 billion US dollars in 2000. To win the election, the Democratic Party and Republican Party had to try their utmost to raise funds.

The Washington Post reported on Dec. 3 last year that the Democratic Party collected 389.8 million US dollars in electoral funds and the Republican Party raised 385.3 million US dollars, both hitting a record high (see Fundraising Records Broken by Both Major Political Parties, Washington Post on Dec. 3, 2004).

Data released by the Federal Election Commission (FEC) on Dec. 14, 2004 show the average spending for Senate races was 2,518,750 US dollars in 2004, with the highest reaching 31,488,821 US dollars; and the average spending for House races was 511,043 US dollars (see <http://www.opensecrets.org/overview>), with the highest reaching 9,043,293 US dollars (see <http://www.opensecrets.org/overview/topraces.asp?cycle=2004>).

The Republican Party, the Democratic Party and their periphery organizations spent a total of 1.2 billion US dollars on TV commercials, making this presidential election the most expensive in history. The TV commercials were broadcast 750,000 times, twice of the airings in the general election in 2000. In the Oct. 1 - 13 period in 2004, the Republican Party spent 14.5 million US dollars on advertising, and the Democratic Party's advertising spending amounted to 24 million US dollars in the first 20 days of October 2004.

In the elections, political parties and interest groups not only donated money for their favorite candidates, but also directly spent funds on maximizing their influence upon the elections. In Maryland, some corporate bosses donated as much as 130,000 US dollars. In return, the candidates after being elected would serve the interests of big political donors. The Baltimore Sun called this "Buying Power" (see "Buying Power", The Baltimore Sun, April 5, 2004). Due to the fact that local judges in 38 states need to be elected, quite a number of candidates began campaign advertising and looking for big donors. Some interest groups also got themselves involved in the judge election campaign.

The US election system has quite a few flaws. The newly adopted Help America Vote Act of 2004 requires voters to offer a series of documents such as a stable residence or identification in registering, which in reality disenfranchises thousands of homeless people.

The United States is the only country in the world that rules out ex-inmates' right to vote, which disenfranchises 5 million ex-inmates and 13 percent male black people (see Milenio, Mexico, Oct.22 2004).

The 2004 US presidential election reported many problems, including counting errors, machine malfunctions, registration confusion, legal uncertainty, and lack of respect for voters. According to a report carried by the USA Today on Dec. 28, 2004, due to counting errors, a review of election results in 10 counties nationwide by the Scripps Howard News Service found more than 12,000 ballots that weren't counted in the presidential race, almost one in every 10 ballots cast in those counties. Due to machine malfunctions, 92,000 ballots failed to record a vote for president in Ohio alone. Registration confusion made four fifths of the states go into the election without computerized statewide voter databases (see "Election Day Leftovers", USA Today, Dec. 28, 2004). The Democratic Party brought 35 lawsuits against the Republican Party in at least 17 states, charging the latter with threatening and blocking voters from registering or voting, especially minority ethnic groups. In Florida, the cases of black people being removed from voter registration list or their votes being denied were 10 times higher than people of other races. The British Broadcasting Corporation (BBC) reported on Sept. 22, 2004 that during the period of election, someone often distributed handbills to black voters to bilk and intimidate them by saying that anyone who defaulted electricity bills, apartment bills or parking fines would be arrested outside the polling booths. Some others pretended to be plainclothes outside polling booths and demanded voters show their identifications. However, black people who were able to present photo identification were less than one fifth of white people, therefore, many of them were rejected.

In the meantime, fabrications of disputable pictures and statements were put in the agenda of political maneuvers. Campaign advertisement and political debates were full of distorted facts, false information and lies. According to statistics of the Annenberg Public Policy Center of University of Pennsylvania, campaign advertisement for the 2004 US presidential election had a large proportion of false information that was enough to mislead voters, far beyond 50 percent in 1996. In the Republican camp, at least 75 percent contained untrue information and personal attacks. The website of the center (<http://www.FactCheck.org>) listed at least 100 items of such information.

The US freedom of the press is filled with hypocrisy. Power and intimidation hang over the halo of press freedom. The New York Times published a commentary on March 30, 2004, saying that the US

government's reliance on slandering had reached an unprecedented level in contemporary American political history, and the government prepared to abuse power at any moment to threaten potential critics. A collected works, *Zensor USA*, revealed that whenever the faults of government dignitaries or big companies were touched, the strong American press censorship system would snap at the journalists who insisted on investigation and made them the last sacrificial lamb. (see *Das Schweigen der Journalisten*, Handelsblatt, Germany, March 17, 2004).

The Federal Bureau of Investigation (FBI) kept watch on a leader of freedom of speech movement in University of California at Berkeley for a decade long. Although no record showed he violated federal laws, the FBI hired someone to keep monitoring his daily activities and collect his personal information without permission from the court. (see *SingTao Daily*, Oct. 11, 2004).

On July 16, 2004 the US State Department made a regulation, in violation of the norms of most other countries, that foreign reporters should leave the country while waiting for the valid period of their visas to be extended. The annual report of Native American Journalists Association criticized the US administration for the move, which severely infringes upon press freedom. (see *APstory*, Antigua, Guatemala Oct. 24, 2004).

Someone with the American Society of Newspaper Editors said that the US administration's measures reflected its repulsion of foreign news media. (see *Milenio*, Mexico, June 20, 2004).

In Iraq, the United States on the one hand alleged that it had brought democracy to the Iraqi people, on the other hand it suppressed public opinion. On March 28, 2004 US troops closed down a Shiite newspaper in Baghdad, which triggered a protest demonstration by thousands of Iraqi people.

On Sept. 27, the Association of American University Presses, Association of American Publishers and other organizations jointly lodged a complaint to the district court of Manhattan, New York, charging the Office of Foreign Assets Control under the Department of the Treasury with deliberately preventing literary works of Iranian, Cuban and Sudanese writers from entering the United States and turning the economic sanctions against the three countries into a "censorship system" to stop free dissemination of information and ideology. (see *Xinhua story*, Sept. 30, 2004).

In another case, eight reporters, including Jim Taricani of the TV station in Providence, Rhode Island with the National Broadcasting Company (NBC), Judith Miller of *The New York Times*, and Matthew Cooper of *Time* magazine, were declared guilty for they declined to disclose the confidential sources of news. *The New York Times* pointed out on Nov. 10, 2004 that through these cases, it was found out that press freedom suffered rampant infringement.

In addition, in recent years, over a dozen foreign journalists have been detained in airports in the United States, including the one in Los Angeles. In March 2003, a Danish press-photographer was expelled out of the country after a DNA test. A Swiss journalist was rejected from entry of an airport in Washington D.C. The airport staffs by force took pictures and finger prints of the journalist. Meanwhile, he was not permitted to contact the Swiss embassy in the United States. In May, two groups of French journalists, altogether six members, were rejected of entry the US territory. They simply came to the United States to

cover an exposition. Two Dutch journalists fell into trouble when they were covering a film award ceremony. In October and December, one British reporter and one Austrian journalist were held up at US airports respectively. In early May, 2004, a British female journalist, who was sent by The Guardian to Los Angeles to cover some events, was detained at the Los Angeles airport and faced interrogation and body search, and then was handcuffed and taken to the detention house in the downtown. There, she was detained for 26 hours before sent back to Britain.

III. On Economic, Social and Cultural Rights

The United States refuses to ratify the International Covenant on Economic, Social and Cultural rights and took negative attitude to the economic, social and cultural rights of the laborers. Poverty, hunger and homelessness have haunted the world richest country.

The population of people living in poverty has been on a steady rise. According to a report by The Sun on July, 6, 2004, from 1970 to 2000 (adjusted for inflation), the bottom 90 percent's average income stagnated while the top 10 percent experienced an average yearly income increase of nearly 90 percent. Upper-middle-and-upper-class families that constitute the top 10 percent of the income distribution are prospering while many among the remaining 90 percent struggle to maintain their standard of living. Worsening income disparities have formed two Americas. (Two Americas, The Baltimore Sun, July 6, 2004). According to a report of the Wall Street Journal on June 15, 2004, a study on the fall of 2003 by Arthur Kennickell of the Board of Governor of the Federal Reserve System showed that the nation's wealthiest 1 percent owned 53 percent of all the stocks held by families or individuals, and 64 percent of the bonds. They control more than a third of the nation's wealth. (US Led a Resurgence Last Year Among Millionaires World-Wide, The Wall Street Journal, June 15, 2004). In Washington D.C., the top 20 percent of the city's households have 31 times the average income of the 20 percent at the bottom. (D.C. Gap in Wealth Growing, The Washington Post, July 22, 2004).

Since November 2003, the average income of most American families have been on the decline. The earning of many medium and low-income families could not keep up with the price rises. They could barely handle the situation. According to the statistics released by the US Census Bureau in 2004, the number of Americans in poverty has been climbing for three years. It rose by 1.3 million year-on-year in 2003 to 35.9 million. The poverty rate in 2003 hit 12.5 percent, or one in eight people, the highest since 1998. (Census: Poverty Rose By Million, USA Today, August 27, 2004, More Americans Were Uninsured and Poor in 2003, Census Finds, The New York Times, August 27, 2004).

The homeless population continues to rise nationwide. On Dec. 15, 2004, an annual survey report released at the US Conference of Mayors showed that the number of people seeking emergency food aid increased by 14 percent year-on-year while the number of people seeking emergency shelter aid increased by 6 percent. (<http://www.usmayors.org>). It is estimated that the homeless population reached 3.5 million in the United States. But the US Federal budget has stopped providing fund to build new affordable housing, which forced many local governments to cut the public housing projects. The city of San Diego has a homeless population of 8,000, but the government could only provide 3,000 temporary beds. Those without lodging tickets are regarded illegal to live on the streets. They would be summoned

or detained. In January 2004, an investigator with the US Commission on Human Right denounced the US for large-scale infringement on human rights on housing issue.

The health insurance crisis has become prominent. A report of the Washington Post on Sept. 28, 2004 said health insurance costs posted their fourth straight year of double-digit increases in 2004. Over the past four years, health insurance costs have leaped 59 percent - about five times faster than both wage growth and inflation. Around 14.3 million Americans put one fourth of their income on the health expenses. (Higher Costs, Less Care, The Washington Post, September 28, 2004). Currently, family health insurance plan costs more than 10,000 US dollars each year. Many families could not afford it. Fewer workers have coverage - 61 percent in 2004, compared with 65 percent in 2001. (Health Plan Costs Jump 11%, The Washington Post, September 10, 2004) Compared with 2003, the number of people without health insurance increased 1.4 million to 45 million, or 15.6 percent of the country's population. (Census: Poverty Rose by Million, USA Today, August 27, 2004). In Texas, about one fourth of the workers don't have health insurance. (Spain Uprising newspaper, May 11, 2004). In California, around 6 million Californians don't have health insurance and the welfare system with the annual cost of 60 billion US dollars are about to collapse. (The Los Angeles Times, May 6, 2004). Meanwhile, medical accidents occurred one after another, becoming the third killer following heart disease and cancer. According to a report of Boston Globe on July 27, 2004, one out of every 25 in-patients become the victim of medical accident. From 2000 to 2002, 195,000 people died of medical accidents each year. The actual figure might be twice of that.

IV. On Racial Discrimination

Racial discrimination has been deeply rooted in the United States, permeating into every aspects of society.

The colored people are generally poor, with living condition much worse than the white. According to a report of The Guardian of Britain on Oct. 9, 2004, the average net assets of a white family is 88,000 US dollars in 2002, 11 times of a family of Latin American ancestry, or nearly 15 times of a family of African ancestry. Nearly one third of the African ancestry families and 26 percent of the Latin American ancestry families have negative net assets. 74 percent of the white families have their own houses, while only 47 percent of families of the African and Latin American ancestry have their own houses. The market value of houses bought by black families is only 65 percent of those of white people. Black people's encounter of mortgage loans refusal for house purchase or furniture is twice that of white people. Some black families don't even think of buying their own houses. The death rate of illness, accident and murder among the black people is twice that of the white.

The rate of being victim of murders for the black people is five times that of the white. The rate of being affected by AIDS for the black people is ten times that of the whites while the rate of being diagnosed by diabetes for the black people is twice that of the whites. (The State Of Black America 2004, Issued by National Urban League on March 24, 2004, <http://www.nuL.org/pdf/sobaexec.pdf>).

Statistics show that the number of black people living in poverty is three times that of the white. The average life expectancy of the black is six years shorter than the white.

People of minority ethnic groups are biased against in employment and occupation. The Equal Employment Opportunity Commission of the United States received 29,000 complaints in 2003 of racial bias in the workplace (Racism in the 21st Century, published in USA Today May 5, 2004 issue).

Statistics provided by the United States Department of Labor also suggest that by November 2004, the unemployment rate for black and white people is 10.8 percent and 4.7 percent respectively (<http://bls.gov/news.release/pdf/empsit.pdf>). In New York City, one of every two black men between 16 and 64 was not working by 2003 (see Nearly Half of Black Men Found Jobless, published by The New York Times on Feb. 28 2004).

Black people not only have fewer job opportunities, but also earn less than white people. Even with the same job, a black man only earns 70 percent of that for a white man. Regions such as California, where immigrants make up a larger proportion of the local population, are almost like traps of death. Mexican Laborers who have come to work in the United States have a mortality as high as 80 percent.

Teenagers from at least 38 countries work like slaves (EFE San Francisco, Sept. 26, 2004). Out of 45 million people who are unable to afford Medicare in the United States, 7 million are African-Americans, accounting for about one fifth of the total African-Americans in the States. The proportion is 77 percent higher than that for the white people (available at http://www.johnkerry.com/communities/african-americans/gw_record.html).

The Declaration of Independence said all men are created equal, so the gap between black and white people is simply an insult to the founding essence of the United States (see US News and World Report on March 29, 2004).

Apartheid runs rampant at schools of the United States. On May 17, 1954, Chief justice Earl Warren of the Supreme Court announced the court's decision over a case known as Brown v. Board of Education that the doctrine of "separate but equal" had no place in US public schools. Fifty years later, white children and black children in the United States still lead largely separate lives. One in eight southern black students attends a school that is 99 percent black. About a third attend schools that are at least 90 percent minority. In the Northeast, by contrast, more than half of blacks attend such schools (Schools and Lives Are Still Separate, The Washington Post, May 17, 2004).

Racism recurs on campus of American universities. Fascist slogans and posters promoting superiority of white people, along with threats by weapon or words were found on college campuses including University of California at Berkeley. Protests were sparked off when Santa Rosa Junior College in California published anti-Semitism opinions in a column article in its campus newspaper and the chat room of its website were dominated by white-superior surfers. At Dartmouth College, white girl students auctioned off black slaves in fund-raising activities. At the University of Southern Mississippi, hordes of white students assaulted four black students, chanting racist slogans after a football match was over. At Olivet College of Michigan State, where there are only 55 black students, 51 of the black students quitted school after racial cases of violence or harassment (see The China Press, a Chinese language newspaper published in New York, on April 17, 2004).

Racial prejudice has made social conflicts to become acute, causing a rise in hate crimes. Racial prejudice, most often directed at black people, was behind more than half of the nation's 7,489 reported hate crime incidents in 2003, the FBI said on Nov.22 2004. Race bias was behind 3,844 of the total cases in 2003, FBI claimed after having made statistics of hate crimes handled by 16 percent of the law-enforcement organizations in the States.

Reports of hate crimes motivated by anti-black bias totaled 2,548 in 2003, accounting for 51.4 percent of the total, more than double the total hate crimes against all other racial groups. There were 3,150 black victims in these reports, according to the annual FBI figures (AP, Washington, Jan. 26, 2004). And with regard to the attribute of race, among the 6,934 reported offenders, 62.3 percent were white (<http://www.fbi.gov/pressrel/pressrel04/pressrel/12204.htm>).

In a related development, because of the "lingering atmosphere of fear" stemming from the Sept. 11 attacks and fallout from the Iraq War, there were 1,019 anti-Muslim incidents in the United States in 2003, representing a 69 percent increase. There were 221 incidents in 2003 of anti-Muslim bias in California, tripled a year ago (Los Angeles Times, May 3).

Racial prejudice is ubiquitous in judicial fields. The proportion for persons of colored races being sentenced or being imprisoned is notably higher than whites. In accordance with a report published in November 2004 by the US Department of Justice, colored races accounted for over 70 percent of inmates in the United States. And 29 percent of black people have the experience of being in jail for once. Black people make up 12.3 percent of the population in the United States, but by the end of 2003, out of 1.4 million prisoners who are serving jail terms above one year at the federal or state prisons, 44 percent were blacks, or on average, 3,231 in every 100,000 African-Americans were criminals. Latino-American inmates make up 19 percent of the total prisoners, or 1,778 in every 100,000 Latino-Americans are inmates. Inmates of other color races account for 21 percent (<http://www.ojp.usdoj.gov/bjs/abstract/P03.htm>). At the end of 2003, 12.8 percent of black men aged 25 to 29 were in prison (Chicago Tribune, Nov. 8, 2004), compared 1.6 percent of white men in the same group (A Growing Need for Reform, The Baltimore Sun, June 20, 2004).

Blacks receive, on average, a longer felony sentence than whites. A black person's average jail sentence is six months longer than a white's for the same crime. Blacks who are arrested are 3 times more likely to be imprisoned than whites who are arrested. White felons are more likely to get probation than blacks. (see the State Black America 2004, issued by National Urban League on March 24, 2004, <http://www.nul.org/pdf/sobaexec.pdf>).

After the Sept. 11 incident, the United States openly restricts the rights of citizens under the cloak of homeland security, and uses diverse means including wire tapping of phone conversations and secret investigations, checks on all secret files, and monitoring transfers of fund and cash flows to supervise activities of its citizens, in which, people of ethnic minority groups, foreigners and immigrants become main victims.

Statistics show that after the Sept. 11 attacks, 32 million were investigated out of racial prejudice concern throughout the United States. Among the people being investigated out of racial prejudice

concern, African-Americans made up 47 percent, followed by people of Latino and Asian origins. White Americans only account for 3 percent. On June 23, 2004, authorities with the Los Angeles Police Department and the US Federal Bureau of Investigation authorities investigated the televised beating of a black suspect by white police in Los Angeles that has resurrected the explosive spectre of the 1991 Rodney King assault. Eight police officers have been removed from regular duties following the incident on June 23 in which three of them were seen tackling the suspected black car thief, one beating him repeatedly with a metal flashlight (AFP, Los Angeles, June 24, 2004).

In the meantime, the anti-immigrant trend has become increasingly serious in the States. The US Department of Homeland Security announced in November 2004 that 157,281 immigrants were repatriated in one year, up 8 percent from a year ago, a record high. The number of foreigners arrested without any documents also went up by 112 percent (Argentina La Nacion, Nov. 21, 2004).

Another report says starting from last year, many American cities such as San Francisco, Baltimore, Philadelphia, Miami, Saint Paul, Denver, Kansas and Portland, dozens of immigrants from Mexico or other countries are arrested each day and are forced to wear fetters like suspects. The practice of treating illegal immigrants like criminals has become a national trend. The limit in the definition of terrorists and illegal immigrants has become very blurry.

Men and women on the same job were not paid the same. Statistics released by the US Labor Department in Jan. 2004 showed a woman who worked full time had the median earning of 81.1 percent of that for a man. The Chicago Tribune said on Aug. 27, 2004 that the rate of women in poverty went up fast, to 12.4 percent of the entire female population.

The health care for American women was at a low level. The US Family Medical Leave Act guarantees 12 weeks of unpaid leave for childbirth to about half of all mothers and nothing for the rest. A study of 168 countries conducted by the Harvard School of Public Health indicated that US workers have fewer rights to time off for family matters than workers in most other countries, and rank near the bottom in pregnancy and sick leave. "The United States trails enormously far behind the rest of the world when it comes to legislation to protect the health and welfare of working families," said Jody Heymann, a Harvard associate professor who led the study. (AP Boston, Jun. 17, 2004)

Child poverty was a serious problem. The Chicago Tribune reported on Aug. 27, 2004 that the number of children in poverty climbed from 12.1 million in 2002 to 12.9 million in 2003, a year-on-year increase of 0.9 percent. About 20 million children lived in "low-income working families" -- with barely enough money to cover basic needs (AP Washington, Oct. 12, 2004). In California, one in every six children did not have medical insurance. The Los Angeles Times said on May 6, 2004 that in the metropolitan area the number of homeless children found wondering on the streets at nights numbered 8,000, which had stretched the 2,500-bed government-run emergency shelter system well beyond capacity. Poverty deprived many children the opportunity to obtain higher education. In the 146 renowned institutions of higher learning, only 3 percent of the students came from the low-income class, while 74 percent of them were from the high-income class.

Children were victims of sex crimes. Every year about 400,000 children in the US were forced to engage in prostitution or other sexual dealings on the streets. Home-deserting or homeless children were the most likely to fall victims of sexual abuse. Reports on children sexually exploited, which were received by the National Center for Missing & Exploited Children, soared from 4,573 cases in 1998 to 81,987 cases in 2003 (The USA Today, Feb. 27,2004).

In recent years scandals about clergymen molesting children kept breaking out. According to a study commissioned by the American Catholic Bishops, in 2004 a total of 756 catholic priests and lay employees were charged with child sexual harassment. It is believed that from 1950 to 2002 more than 10,600 boys and girls were sexually abused by nearly 4,400 clergymen (AFP, Feb. 17, 2005).

V. On The Rights of Women and Children

The situation of American women and children was disturbing. The rates of women and children physically or sexually victimized were high. According to FBI Crime Statistics, in 2003 the United States witnessed 93,233 cases of raping. Virtually 63.2 in every 100,000 women fell victims. The statistics also showed that every two minutes one woman was sexually assaulted and every six minutes one woman was raped.

The number of women abused and treated at First Aid Centers exceeded one million every year. More than 1,500 women in the United States were killed every year by their husbands, lovers or roommates (The Milenio, Mexico, Sept. 26, 2004). Nearly 78 percent of American women were physically victimized at least once in their lifetime. And 79 percent of the women were sexually abused at least once. A survey released in November 2004 by the US National Institute of Justice showed by the time they concluded four years of college education, 88 percent of the women had experiences of physical or sexual victimization and 64 percent of them experienced both. In the past decade, charges handled by the US Equal Employment Opportunity Commission against sexual harassment on women surged 22 percent (The Sun, Jul. 16, 2004).

Sex crimes in the US military were on the rise. According to the Washington Post (Jun. 3, 2004), from 1999 to 2002 the number of lawsuits against sexual crimes in the US army that were formally filed grew from 658 to 783, up 19 percent. And the number of rape cases went up from 356 to 445, up 25 percent. The number of such cases rose equally 5 percent between 2002 and 2003. The British Guardian reported on Oct. 25, 2004 that by the end of September 2004 the Miles Foundation had dealt with 242 cases filed between September 2002 and August 2003 about US woman soldiers being raped or sexually harassed in Iraq, Kuwait, Bahrain or Afghanistan. In addition, there were 431 cases of US women soldiers being sexually harassed at other military bases.

Women's labor and social rights were violated. According to The Sun newspaper (Jul. 16, 2004), the charges handled by the Equal Employment Opportunity Commission on sexual discrimination against women grew 12 percent in the past decade. In 2004 two cases drew wide attention. They were a bias class lawsuit involving 1.6 million women employees at Wal-Mart and another case involving 340 women staffers of Morgan Stanley (New York Times, Jul. 13, 2004).

Moreover, every year over 4.5 million kids in the United States were molested in kindergartens and schools, which amounted to one in every ten (AP, Jul. 14, 2004).

Violent crimes occurred frequently. Studies show nearly 20 percent of US juveniles lived in families that possessed guns. In Washington D.C. 24 people younger than 18 were killed in 2004, twice as many as in 2003 (The Washington Post, Jan. 1, 2005). In Baltimore, 29 juveniles were killed from Jan. 1 to Sept. 27 in 2004. In 2003 35 were killed (The Washington Post, Sept. 28, 2004).

A report released by the US Justice Department on November 29, 2004 said about 9 percent of school kids aged 9 to 12 admitted being threatened with injury or having suffered an injury from a weapon while at school in 2003.

More and more schoolers were reluctant to go to school because of security concerns. Child abuses and neglects were widely reported in the United States. The Sun newspaper reported on May 18, 2004 that in 2002, a total of 900,000 children in the United States were abused, of whom nearly 1,400 died.

Every year, 1.98 out of every 100,000 American children were killed by their parents or guardians. In Maryland, the rate was as high as 2.4 per 100,000. (Md Child Abuse Deaths Exceed National Average, The Sun, May 18, 2004). The Houston Chronicle newspaper reported on Oct. 2, 2004 that in Texas, each staff of local government departments responsible for protecting children's rights handled 50 child abuse cases every month.

Two thirds of juvenile detention facilities in the United States lock up mentally ill youth; every day, about 2,000 youth were incarcerated simply because community mental health services were unavailable. In 33 states, juvenile detention centers held youth with mental illness without any specific charges against them (<http://demonstrats.reform.house.gov/Documents/200408171941-41051.pdf>).

The USA Today reported on July 8, 2004 that between Jan. 1 and June 30 of 2003, 15,000 youth detained in US youth detention centers were awaiting mental health services, while children at the age of 10 or younger were locked up in 117 youth detention centers. The detention centers totally ignored human rights and personal safety with excessive use of drugs and force, and failed to take care of inmates with mental problems in a proper way. They even locked up prisoners in cages. There were reports about scandals involving correctional authorities in California, where two juvenile inmates hanged themselves after they were badly beaten by jail police (San Jose Mercury News and Singtao Daily, March 18, 2004).

VI. On the Infringement of Human Rights of Foreign Nationals

In 2004, US army service people were reported to have abused and insulted Iraqi POWs, which stunned the whole world. The US forces were blamed for their fierce and dirty treatments for these Iraqi POWs. They made the POWs naked by force, masking their heads with underwear (even women's underwear), locking up their necks with a belt, towing them over the ground, letting military dogs bite them, beating them with a whip, shocking them with electric batons, needling them sometimes, and putting chemical fluids containing phosphorus on their wounds. They even forced some of the POWs to play "human-

body pyramid" while staying naked, in the presence of US soldiers who were standing on the roof and mocking at them. They sometimes sodomized these POWs with lamp pipes and brooms. Some Iraqi civilians were also fiercely abused.

The newspaper Pyramid pointed out that the true face of Americans was exposed through this incident. A spokesman of the International Committee of the Red Cross (ICRC) said, sarcastically, that the US has made the whole world see what the hell a democratic, law-ruled nation is.

According to US media like the Newsweek and the Washington Post, as early as several years ago, in US forces' prisons in Afghanistan, interrogators used various kinds of torture tools for acquiring confession, causing many deaths.

British newspaper The Observer reported on March 14, 2004 that according to a report by the ICRC, US soldiers had formed a kind of mode for arresting people even before the Iraq war. "Torture is part of the process."

Over 100 former Iraqi high-ranking government and military officials were put under special custody by the US military. They stayed 23 hours a day in dark, small and tightly closed concrete-made wards, where they were allowed to leave the wards twice a day, with 20 minutes available for taking a bath or going to the toilet.

On Nov. 26, Iraqi Lieutenant General Abid Hamid Mahmud al-Tikriti was put in a sleeping bag by force and died after he was physically tortured during an interrogation.

According to a latest report by AP, on Feb. 18, 2005, in November 2003, CIA people hanged dead one of the so-called "ghost" prisoner in the Abu Ghraib Prison by fierce means, with his two hands cuffed behind his back. When he was released with shackles and lowered, blood gushed from his mouth "as if a faucet had been turned on."

Among the 94 abuse cases confirmed and published by the Office of the US Inspector General for the Filed Army, 39 people were killed, 20 of these cases were confirmed as murder. There were also severe child abuses conducted by the US forces.

At least 107 children were imprisoned in seven prisons including the Abu Ghraib Prison run by the US forces in Afghanistan. They were not allowed to get in contact with their families. Their term in prison was undetermined. It was not clear when they were going to be brought court hearing. Some of these children had been abused. One low-ranking US officer who had served in the Abu Ghraib Prison testified that US soldiers abused some of these children in custody, and they had even assaulted young girls sexually.

What's more fierce is that US soldiers used military dogs to frighten these juvenile prisoners to see whose dog could scare them to lose control on excretion. US forces had violated the Vienna Convention on Diplomatic Relations, by detaining two Palestinian diplomats to Iraq in a prison ward of the Abu

Ghraib Prison, together with 90 other men. They spent one year in the prison, suffering from very poor living conditions.

The ICRC believed that abuse of detained Iraqis in the notorious Abu Ghraib Prison was not a single case. It was a systematic behavior. According to some White House documents that were made public on June 22, 2004, the Department of Defense approved to use harsh means to interrogate prisoners in Guantanamo, Cuba.

The US Secretary of Defense said in the public that the Geneva Convention does not mean that all the detainees, especially those who were so-called "non-fighting personnel", should be treated as a POW. A draft memorandum of the Department of Defense also claimed that US laws and international conventions, including the Geneva Convention, which strictly ban the use of torture, do not apply to US President as the General Commander of the US Army. A memorandum of the US Department of Justice makes it even more clearly that the United States could use international laws to measure other countries on the issue of the treatment of POWs, while it is not necessary for Washington to abide by these laws. The interrogators were trained to find ways to torture prisoners, physically, while they should exceed the Geneva Convention, technically.

Media found that the US soldiers' behaviors in humiliating Iraqi prisoners as showed photos were typically what they were trained for. US Brigadier General Yanis Karpinski told the press that her boss once said to her that "prisoners are dogs." If they were made to think that they were a bit better than dogs, they could get out of control.

Meanwhile, the US government has tried for the third successive year to extend the term of a resolution of the UN Security Council that soldiers could be exempted of lawsuit by the International Criminal Court, even if they break the relevant rules. In view of prisoner abuses in Iraq, this has been strongly criticized by the UN General Secretary (Reuters' story on June 17, 2004).

Former US President Jimmy Carter also criticized that the US policies formulated by the high-ranking officials are a kind of retrogression, which has damaged the principles of democracy and rule of law and lacked respect for fundamental human rights.

To avoid international scrutiny, the United States keeps under wraps half of its 20-odd detention centers worldwide which are holding terrorist suspects. And at least seven US-controlled clandestine prisons, one of which dubbed "inferno," in Afghanistan, have not been kept within the bounds of law. (Prensa Latina, Aug. 16, 2004)

In a report by the Human Rights First on 24 US secret interrogation centers, these secret facilities are believed to "make inappropriate detention and abuse not only likely but virtually inevitable." (British newspaper the Times, Sept. 11, 2004)

Moreover, an executive jet is being used by the American intelligence agencies to fly terrorist suspects to other countries, in a bid to use torture and evade American laws. The plane is leased by the US Defense Department and the CIA from a private company in Massachusetts. Being accused of making

so-called "torture flights," the jet has conducted more than 300 flights and has flown to 49 destinations outside the United States, including the Guantanamo Bay prison camp in Cuba. The suspects are frequently bound, gagged and sedated before being put on board the plane (British newspaper the Times, Nov. 14, 2004).

The United States has secretly shifted thousands of captives worldwide in the past three years, most of whom were not indicted officially.

The United States is the No. 1 military power in the world, and its military spending has kept shooting up. Its fiscal 2005 defense budget hit a historical high of 422 billion US dollars, an increase of 21 billion dollars over fiscal 2004. As the biggest arms dealer in the world, the United States has made a fortune out of war. Its transactions of conventional weapons exceeded 14.5 billion dollars in 2003, up 900 million dollars year-on-year and accounting for 56.7 percent of the total sales worldwide. The Iraq War has been "a helping straw" to the US economic development.

The United States frequently commits wanton slaughters during external invasions and military attacks. Spain's Uprising newspaper on May, 12, 2004 published a list of human rights infringement incidents committed by the US troops, quoting two bloodthirsty sayings of two American generals, "The only good Indians I ever saw were dead" by General Philip Sheridan and "we should bomb Vietnam back to the stone age" by air force general Curtis LeMay. We can still smell a similar bloodiness in the Iraq War waged by the United States.

Statistics from the health department of the interim Iraqi government show 3,487 people, including 328 women and children, have been killed and another 13,720 injured in 15 of Iraq's 18 provinces between April 15 and Sept. 19 in 2004.

A survey on Iraqi civilian deaths, based on the natural death rate before the war, estimates that the US-led invasion might have led to 100,000 more deaths in the country, with most victims being women and children.

Jointly designed and conducted by researchers at Johns Hopkins University, Columbia University and the Al-Mustansiriya University in Baghdad, the survey also finds that the majority of the additional, unnatural deaths since the invasion were caused by violence, while air strikes from the coalition forces were the main factor to blame for the violence-caused deaths. (Associated Press, Oct. 28, 2004)

On Jan. 3, 2004, four US soldiers stationed in Iraq pushed two Iraqi civilians into the Tigris River, making one of them drowned.

On May 19, 2004, an American helicopter fired on a wedding party in a remote Iraqi village close to the Syrian border, killing 45 people, including 15 children and 10 women.

On Nov. 20, 2004, seven people were killed in Ramadi in the Anbar province when US troops opened fire on a civilian bus.

According to a Staff Sergeant in the US Marines, his platoon killed 30 civilians in six weeks. And he has witnessed the blasphemy and gradual rotting of many corpses, and a lot of wounded civilians were deserted without any medical treatment. (British newspaper The Independent, May 23, 2004)

In addition, the US troops often plunder Iraqi households when tracking down anti-US militants since the invasion. The American forces has so far committed at least thousands of robberies and 90percent of the Iraqis that have been rummaged are innocent.

The United States has been hindering the work of the United Nation's human rights mechanism. And it either took no notice of or used delaying tactics on the requests of relevant UN agencies to visit its Guantanamo Bay prison camp in Cuba.

Some justice-upholding developing countries introduced draft resolutions on America's democracy and human rights situation to the 59th UN General Assembly, to show their strong concern over the US human rights infringement, prisoner abuse, media control, and loopholes in its election system.

It is the common goal and obligation for all countries in the world to promote and safeguard human rights. No country in the world can claim itself as perfect and has no room for improvement in the human rights area. And no country should exclude itself from the international human rights development process, or view itself as the incarnation of human rights which can reign over other countries and give orders to the others. Even the United States shall be no exception.

Despite tons of problems in its own human rights, the United States continues to stick to its belligerent stance, wantonly trample on the sovereignty of other countries, and constantly stage tragedies of human rights infringement in the world.

Instead of indulging itself in publishing the "human rights country report" to censure other countries unreasonably, the United States should reflect on its erroneous behavior on human rights and take its own human rights problems seriously. The double standards of the United States on human rights and its exercise of hegemonism and power politics under the pretext of promoting human rights will certainly put itself in an isolated and passive position and beget opposition from all just members of the international community.