

Human Rights Record of the United States in 2010

The State Department of the United States released its Country Reports on Human Rights Practices for 2010 on April 8, 2011. As in previous years, the reports are full of distortions and accusations of the human rights situation in more than 190 countries and regions including China. However, the United States turned a blind eye to its own terrible human rights situation and seldom mentioned it. The Human Rights Record of the United States in 2010 is prepared to urge the United States to face up to its own human rights issues.

I. On Life, Property and Personal Security

The United States reports the world's highest incidence of violent crimes, and its people's lives, properties and personal security are not duly protected.

Every year, one out of every five people is a victim of a crime in the United States. No other nation on earth has a rate that is higher (10 Facts About Crime in the United States that Will Blow Your Mind, Beforitsnews.com). In 2009, an estimated 4.3 million violent crimes, 15.6 million property crimes and 133,000 personal thefts were committed against U.S. residents aged 12 or older, and the violent crime rate was 17.1 victimizations per 1,000 persons, according to a report published by the U.S. Department of Justice on October 13, 2010 (Criminal Victimization 2009, U.S. Department of Justice, <http://www.ojp.usdoj.gov>). The crime rate surged in many cities in the United States. St. Louis in Missouri reported more than 2,070 violent crimes per 100,000 residents, making it the nation's most dangerous city (The Associated Press, November 22, 2010). Detroit residents experienced more than 15,000 violent crimes each year, which means the city has 1,600 violent crimes per 100,000 residents. The United States' four big cities - Philadelphia, Chicago, Los Angeles and New York - reported increases in murders in 2010 from the previous year (USA Today, December 5, 2010). Twenty-five murder cases occurred in Los Angeles County in a week from March 29 to April 4, 2010; and in the first half of 2010, 373 people were killed in murders in Los Angeles County (www.lapdonline.org). As of November 11, New York City saw 464 homicide cases, up 16 percent from the 400 reported at the same time last year (The Washington Post, November 12, 2010).

The United States exercised lax control on the already rampant gun ownership. Reuters reported on November 10, 2010 that the United States ranks first in the world in terms of the number of privately-owned guns. Some 90 million people own an estimated 200 million guns in the United States, which has a population of about 300 million. The Supreme Court of the United States ruled on June 28, 2010 that the second amendment of the U.S. Constitution gives Americans the right to bear arms that can not be violated by state and local governments, thus extending the Americans' rights to own a gun for self-defense purposes to the entire country (The Washington

Post, June 29, 2010). Four U.S. states - Tennessee, Arizona, Georgia and Virginia - allow loaded guns in bars. And 18 other states allow weapons in restaurants that serve alcohol (The New York Times, October 3, 2010). Tennessee has nearly 300,000 handgun permit holders. The Washington Times reported on June 7, 2010 that in November 2008, a total of 450,000 more people in the United States purchased firearms than had bought them in November 2007. This was a more than 10-fold increase, compared with the change in sales from November 2007 over November 2006. From November 2008 to October 2009, almost 2.5 million more people bought guns than had done so in the preceding 12 months (The Washington Times, June 7, 2010). The frequent campus shootings in colleges in the United States came to the spotlight in recent years. The United Kingdom's Daily Telegraph reported on February 21, 2011 that a new law that looks certain to pass through the legislature in Texas, the United States, would allow half a million students and teachers in its 38 public colleges to carry guns on campus. It would become only the second state, after Utah, to enforce such a rule.

The United States had high incidence of gun-related blood-shed crimes. Statistics showed there were 12,000 gun murders a year in the United States (The New York Times, September 26, 2010). Figures released by the U.S. Department of Justice on October 13, 2010 showed weapons were used in 22 percent of all violent crimes in the United States in 2009, and about 47 percent of robberies were committed with arms (www.ojp.usdoj.gov, October 13, 2010). On March 30, 2010, five men killed four people and seriously injured five others in a deadly drive-by shooting (The Washington Post, April 27, 2010). In April, six separate shootings occurred overnight, leaving 16 total people shot, two fatally (www.myfoxchicago.com). On April 3, a deadly shooting at a restaurant in North Hollywood, Los Angeles, left four people dead and two others wounded (www.nbclosangeles.com, April 4, 2010). One person was killed and 21 others wounded in separate shootings around Chicago roughly between May 29 and 30 (www.chicagobreakingnews.com, May 30, 2010). In June, 52 people were shot at a weekend in Chicago (www.huffingtonpost.com, June 21, 2010). Three police officers were shot dead by assailants in the three months from May to July (Chicago Tribune, July 19, 2010). A total of 303 people were shot and 33 of them were killed in Chicago in the 31 days of July in 2010. Between November 5 and 8, four people were killed and at least five others injured in separate shootings in Oakland (World Journal, November 11, 2010). On November 30, a 15-year-old boy in Marinette County, Wisconsin, took his teacher and 24 classmates hostage at gunpoint (abcNews, November 30, 2010). On January 8, 2011, a deadly rampage critically wounded U.S. Rep. Gabrielle Giffords. Six people were killed and 12 others injured in the attack (Los Angeles Times, January 9, 2011).

II. On Civil and Political Rights

In the United States, the violation of citizens' civil and political rights by the government is severe.

Citizen's privacy has been undermined. According to figures released by the American Civil Liberties Union (ACLU) in September 2010, more than 6,600 travelers had been subject to electronic device searches between October 1, 2008 and June 2, 2010, nearly half of them American citizens. A report on The Wall Street Journal on September 7, 2010, said the Department of Homeland Security (DHS) was sued over its policies that allegedly authorize the search and seizure of laptops, cellphones and other electronic devices without a reasonable suspicion of wrongdoing. The policies were claimed to leave no limit on how long the DHS can keep a traveler's devices or on the scope of private information that can be searched, copied or detained. There is no provision for judicial approval or supervision. When Colombian journalist Hollman Morris sought a U.S. student visa so he could take a fellowship for journalists at Harvard University, his application was denied on July 17, 2010, as he was ineligible under the "terrorist activities" section of the U.S.A. Patriot Act. An Arab American named Yasir Afifi, living in California, found the FBI attached an electronic GPS tracking device near the right rear wheel of his car. In August, ACLU, joined by the Asian Law Caucus and the San Francisco Bay Guardian weekly, had filed a lawsuit to expedite the release of FBI records on the investigation and surveillance of Muslim communities in the Bay Area. The San Francisco FBI office has declined to comment on the matter "because it's still an ongoing investigation." (The Washington Post, October 13, 2010). In October 2010, the Transportation Security Administration raised the security level at U.S. airports requiring passengers to go through a full-body scanner machine or pat-downs. It also claimed that passengers cannot refuse the security check based on their religious beliefs. Civil rights groups contended the more intensive screening violates civil liberties including freedom of religion, the right to privacy and the constitutional protection against unreasonable searches (AP, November 16, 2010). The ACLU and the U.S. Travel Association have been getting thousands of complaints about airport security measures (The Christian Science Monitor, November 20, 2010).

Abuse of violence and torturing suspects to get confession is serious in the U. S. law enforcement. According to a report of Associated Press on October 14, 2010, the New York Police Department (NYPD) paid about 964 million U.S. dollars to resolve claims against its officers over the past decade. Among them was a case that an unarmed man was killed in a 50-bullet police shooting on his wedding day. The three police officers were acquitted of manslaughter and the NYDP simply settled the case with money (China Press, October 15, 2010). In a country that boasts "judicial justice," what justice did the above-mentioned victims get? In June 2010, a federal jury found former Chicago police lieutenant Jon Burge guilty of perjury and obstruction of justice.

Burge and officers under his command shocked, suffocated and burned suspects into giving confessions in the 1970s and 1980s (The Boston Globe, November 5, 2010). According to a report on Chicago Tribune on May 12, 2010, Chicago Police was charged with arresting people without warrants, shackling them to the wall or metal benches, feeding them infrequently and holding them without bathroom breaks and giving them no bedding, which were deemed consistent with tactics of "soft torture" used to extract involuntary confessions. On March 22, a distraught homeless man was shot dead in Portland, Oregon, by four shots from a police officer (China Press, April 1, 2010). An off-duty Westminster police officer was arrested on suspicion of kidnapping and raping a woman on April 3 while a corrections officer was accused of being an accessory (Los Angeles Times, April 6, 2010). On April 17 in Seattle, Washington, a gang detective and patrol officer kicked a suspect and verbally assaulted him (Seattle Post-Intelligencer, May 10, 2010). On March 24, Chad Holley, 15, was brutally beaten by eight police officers in Houston. The teen claimed he was face down on the ground while officers punched him in the face and kned him in the back. After a two-month-long investigation, four officers were indicted and fired (Houston Chronicle, May 4, June 23, 2010). On August 11, three people were injured by police shooting when police officers chased a stolen van in Prince George' s County. Family members of the three injured argued why the police fired into the van when nobody on the van fired at them (The Washington Post, August 14, 2010). On September 5, 2010, a Los Angeles police officer killed a Guatemalan immigrant by two shots and triggered a large scale protest. Police clashed with protesters and arrested 22 of them (The New York Times, September 8, 2010). On November 5, 2010, a large demonstration took place in Oakland against a Los Angeles court verdict which put Johannes Mehserle, a police officer, to two years in prison as he shot and killed unarmed African American Oscar Grant two years ago. Police arrested more than 150 people in the protest (San Francisco Chronicle, November 9, 2010).

The United States has always called itself "land of freedom," but the number of inmates in the country is the world's largest. According to a report released by the Pew Center on the States' Public Safety Performance Project in 2008, one in every 100 adults in the U.S. are in jail and the figure was one in every 400 in 1970. By 2011, America will have more than 1.7 million men and women in prison, an increase of 13 percent over that of 2006. The sharp increase will lead to overcrowding prisons. California prisons now hold 164,000 inmates, double their intended capacity (The Wall Street Journal, December 1, 2010). In a New Beginnings facility for the worst juvenile offenders in Washington DC, only 60 beds are for 550 youths who in 2009 were charged with the most violent crimes. Many of them would violate the laws again without proper care or be subject to violent crimes (The Washington Post, August 28, 2010). Due to poor management and conditions, unrest frequently occurred in prisons. According to a report on Chicago Tribune on July 18, 2010, more than 20 former Cook County inmates filed suit saying they were

handcuffed or shackled during labor while in the custody, leaving serious physical and psychological damage. On October 19, 2010, at least 129 inmates took part in a riot at Calipatria State Prison, leaving two dead and a dozen injured (China Press, October 20, 2010). In November, AP released a video showing an inmate, being beaten by a fellow inmate in an Idaho prison, managed to plead for help through a prison guard station window but officers looked on and no one intervened until he was knocked unconscious. The prison was dubbed "gladiator school" (China Press, November 2, 2010).

Wrongful conviction occurred quite often in the United States. In the past two decades, a total of 266 people were exonerated through DNA tests, among them 17 were on death row (Chicago Tribune, July 11, 2010). A report from The Washington Post on April 23, 2010, said Washington DC Police admitted 41 charges they raised against a 14-year-old boy, including four first-degree murders, were false and the teen never confessed to any charge. Police of Will County, Illinois, had tortured Kevin Fox to confess the killing of his three-year-old daughter and he had served eight months in prison before a DNA test exonerated him. Similar case happened in Zion, Illinois, that Jerry Hobbs were forced by the police to confess the killing of his eight-year-old daughter and had been in prison for five years before DNA tests proved his innocence. Barry Gibbs had served 19 years in prison when his conviction of killing a prostitute in 1986 was overturned in 2005 and received 9.9 million U.S. dollars from New York City government in June 2010 (The New York Times, June 4, 2010).

The U.S. regards itself as "the beacon of democracy." However, its democracy is largely based on money. According to a report from The Washington Post on October 26, 2010, U.S. House and Senate candidates shattered fundraising records for a midterm election, taking in more than 1.5 billion U.S. dollars as of October 24. The midterm election, held in November 2010, finally cost 3.98 billion U.S. dollars, the most expensive in the U.S. history. Interest groups have actively spent on the election. As of October 6, 2010, the 80 million U.S. dollars spent by groups outside the Democratic and Republican parties dwarfed the 16 million U.S. dollars for the 2006 midterms. One of the biggest spenders nationwide was the American Future Fund from Iowa, which spent 7 million U.S. dollars on behalf of Republicans in more than two dozen House and Senate races. One major player the 60 Plus Association spent 7 million dollars on election related ads. The American Federation of States, County and Municipal Employees spent 103.9 million U.S. dollars on the campaigns from October 22 to 27 (The New York Times, November 1, 2010). U.S. citizens have expressed discontent at the huge cost in the elections. A New York Times/CBS poll showed nearly 8 in 10 U.S. citizens said it was important to limit the campaign expense (The New York Times, October 22, 2010).

While advocating Internet freedom, the U.S. in fact imposes fairly strict restriction on cyberspace. On June 24, 2010, the U.S. Senate Committee on Homeland Security and Governmental Affairs approved the Protecting Cyberspace as a National Asset Act, which will give the federal government "absolute power" to shut down the Internet under a declared national emergency. Handing government the power to control the Internet will only be the first step towards a greatly restricted Internet system, whereby individual IDs and government permission would be required to operate a website (Prison Planet.com, June 25, 2010). The United States applies double standards on Internet freedom by requesting unrestricted "Internet freedom" in other countries, which becomes an important diplomatic tool for the United States to impose pressure and seek hegemony, and imposing strict restriction within its territory. An article on BBC on February 16, 2011 noted the U.S. government wants to boost Internet freedom to give voices to citizens living in societies regarded as "closed" and questions those governments' control over information flow, although within its borders the U.S. government tries to create a legal frame to fight the challenge posed by Wikileaks. The U.S. government might be sensitive to the impact of the free flow of electronic information on its territory for which it advocates, but it wants to practice diplomacy by other means, including the Internet, particularly the social networks. An article on the U.S.-based Foreign Policy Magazine admitted that the U.S. government's approach to the Internet remains "full of problems and contradictions" (Foreign Policy Magazine website, February 17, 2011).

III. On Economic, Social and Cultural Rights

The United States is the world's richest country, but Americans' economic, social and cultural rights protection is going from bad to worse.

Unemployment rate in the United States has been stubbornly high. From December 2007 to October 2010, a total of 7.5 million jobs were lost in the country (The New York Times, November 19, 2010). According to statistics released by the U.S. Department of Labor on December 3, 2010, the U.S. unemployment rate edged up to 9.8 percent in November 2010, and the number of unemployed persons was 15 million in November, among whom, 41.9 percent were jobless for 27 weeks and more (Data.bls.gov). The jobless rate of California in January 2010 was 12.5 percent, its worst on record. Unemployment topped 20 percent in eight California counties (The Los Angeles Times, March 11, 2010). Unemployment rate of New York State was 8.3 percent in October 2010. There were nearly 800,000 people unemployed statewide, and about 527,000 people were collecting unemployment benefits from the state (The New York Times, November 19, 2010). Employment situation for the disabled was worse. According to statistics released by the U.S. Department of Labor on August 25, 2010, the average

unemployment rate for disabled workers was 14.5 percent in 2009, and nearly a third of workers with disabilities worked only part-time. The jobless rate for workers with disabilities who had at least a bachelor's degree was 8.3 percent, which was higher than the 4.5 percent rate for college-educated workers without disabilities (The Wall Street Journal, August 26, 2010). The unemployment rate for those with disabilities had risen to 16.4 percent as of July 2010 (The Wall Street Journal, August 26, 2010). In 2009, more than 21,000 disabled people complained to Equal Employment Opportunity Commission (EEOC) about their experience of employment discrimination, an increase of 10 percent and 20 percent over the numbers of 2008 and 2007 (The World Journal, September 25, 2010).

Proportion of American people living in poverty has risen to a record high. The U.S. Census Bureau reported on September 16, 2010 that a total of 44 million Americans found themselves in poverty in 2009, four million more than that of 2008. The share of residents in poverty climbed to 14.3 percent in 2009, the highest level recorded since 1994 (The New York Times, September 17, 2010). In 2009, Mississippi's poverty rate was 23.1 percent (www.census.gov). Florida had a total of 27 million people living in poverty (The Washington Post, September 19, 2010). In New York City, 18.7 percent of the population lived in poverty in 2009, as an additional 45,000 people fell below the poverty line that year (New York Daily News, September 29, 2010).

People in hunger increased sharply. A report issued by the U.S. Department of Agriculture in November 2010 showed that 14.7 percent of U.S. households were food insecure in 2009 (www.ers.usda.gov), an increase of almost 30 percent since 2006 (The Washington Post, November 21, 2010). About 50 million Americans experienced food shortage that year. The number of households collecting emergency food aid had increased from 3.9 million in 2007 to 5.6 million in 2009 (The China Press, November 16, 2010). The number of Americans participating in the food-stamp program increased from 26 million in May 2007 to 42 million in September 2010, approximately one in eight people was using food stamps (The Associated Press, October 22, 2010). In the past four years, 31.6 percent of American families tasted poverty for at least a couple of months (The Globe and Mail, September 17, 2010).

Number of homeless Americans increased sharply. According to a report by USA Today on June 16, 2010, the number of families in homeless shelters increased 7 percent to 170,129 from fiscal year 2008 through fiscal year 2009. Homeless families also were staying longer in shelters, from 30 days in 2008 to 36 in 2009, and about 800,000 American families were living with extended family, friends, or other people because of the economy. The number of homeless students in the U.S. increased 41 percent over that in the previous two years to one million (The Washington Post, September 23, 2010; USA Today, July 31, 2010). In New York City, 30 percent of homeless

families in 2009 were first-time homeless (www.usatoday.com). The city's homeless people increased to 3,111, with another 38,000 people living in shelters (The New York Times, March 19, 2010). New Orleans had 12,000 homeless people (News Week, August 23, 2010). An estimated 254,000 men, women and children experienced homelessness in Los Angeles County during some part of the year. Approximately 82,000 people were homeless on any given night. African Americans made up approximately half of the Los Angeles County homeless population, 33 percent were Latino, and a high percentage, as high as 20 percent, were veterans (www.laalmanac.com). American veterans served in the Iraq and Afghanistan wars could become homeless one year and a half after they retired, and about 130,000 retired veterans become homeless each year in the US (homepost.kpbs.org). Statistics from the National Coalition for the Homeless showed that more than 1,000 violent offences against homeless people have occurred in the U.S. which caused 291 deaths since 1999. (The New York Times, August 18, 2010)

The number of American people without health insurance increased progressively every year. According to a report by USA Today on September 17, 2010, the number of Americans without health insurance increased from 46.3 million in 2008 to 50.7 million in 2009, the ninth consecutive annual rise, which accounted for 16.7 percent of the total U.S. population. Sixty-eight adults under 65 years old died due to lack of health insurance each day on average in the US. A report from the Centers for Disease Control and Prevention (CDC) in November 2010 showed that 22 percent of American adults between 16 and 64 had no health insurance (Reuters, November 10, 2010). A report issued by the Center for Health Policy Research, University of California, Los Angeles indicated that 24.3 percent of adults under 65 in California State in 2009 had no health insurance, representing a population of 8.2 million, up from the 6.4 million in 2007. Proportion of children without health insurance in the state rose from 10.2 percent in 2007 to 13.4 percent in 2009 (The China Press, March 17, 2010, citing the Los Angeles Times).

IV. On Racial Discrimination

Racial discrimination, deep-seated in the United States, has permeated every aspect of social life. An Associated Press-Univision Poll, reported by the Associated Press on May 20, 2010, found that 61 percent of people overall said Hispanics face significant discrimination, compared with 52 percent who said blacks do. The New York Times reported on October 28, 2010 that more than 6 in 10 Latinos in the United States say discrimination is a "major problem" for them, a significant increase in the last three years.

Minorities do not enjoy the same political status as white people. The New York city's non-Hispanic white population is 35 percent, while more than 70 percent of the senior jobs are held

by whites. Since winning a third term in November 2009, Mayor Michael R. Bloomberg has announced a parade of major appointments: bringing aboard three new deputy mayors and six commissioners. All nine are white. Of the 80 current city officials identified by the Bloomberg administration as "key members" on its Website, 79 percent are white. Of 321 people who advise the mayor or hold one of three top titles at agencies that report directly to him - commissioners, deputy commissioners and general counsels, and their equivalents - 78 percent are white. And of the 1,114 employees who must live in the city, under an executive order, because they wield the most influence over policies and day-to-day operations, 74 percent are white (The New York Times, June 29, 2010).

Minority groups confront discrimination in their employment and occupation. The black people are treated unfairly or excluded in promotion, welfare and employment (Chicago Tribune, March 12, 2010). It is reported that one-third of black people confronted discrimination at work, against which only one-sixteenth of the black people would lodge a complaint. The Washington Post reported on October 15, 2010 that about 30 black firefighters alleged systematic racial discrimination within the D.C. Department of Fire and Emergency Medical Services, claiming that black employees faced harsher discipline. Shirley Sherrod, who was black, was fired by the Agricultural Department after a blogger posted her truncated comments that 24 years ago, she did not help a white farmer when she was working for a nonprofit agency established to help black farmers. The U.S. Agriculture Department in February, 2010 reached a 1.25-billion-dollar settlement in a decades-long struggle by African-American farmers who had suffered from discrimination within farm loans (The Washington Post, July 23, 2010). The New York Times reported on September 23, 2010 that by September 30, 2009, Muslim workers had filed a record 803 claims of complaints over employment discrimination, up 20 percent from the previous year. Minority groups have high unemployment rate. According to the U.S. Bureau of Labor Statistics, in July 2010, among the population 16 to 24 years of age, 2,987,000 unemployed people were white, with unemployment rate reaching 16.2 percent; 992,000 were black or African American people, with unemployment rate of 33.4 percent; 165,000 were Asians, with unemployment rate of 21.6 percent; 884,000 belonged to Hispanic or Latino ethnicity, with unemployment rate of 22.1 percent (www.bls.gov/news.release/pdf/youth.pdf). According to a report of the working group of experts on people of African descent to the Human Rights Council of the United Nations in August 2010, unemployment was a very serious issue for the Afro-descendant community in the United States, with levels of unemployment being, proportionately, four times higher among this population than in the white community. Reference was made to a case where the New York City Fire Department was found to have discriminated against people of African descent who had applied for employment as firemen. Of the 11,000 firemen employed by the New York City Fire Department, only about 300 were of African descent, despite their being about 27 percent of the

population of New York (UN document A/HRC/15/18). Nearly one-sixth of black residents in the city were unemployed in the third quarter of 2010. About 140,000 of the city's 384,000 unemployed residents, or 36 percent, were black (The New York Times, October 28, 2010).

Poverty proportion for minorities is also high in the United States. The U.S. Census Bureau announced in September, 2010 that the poverty proportion of the black was 25.8 percent in 2009, and those of Hispanic origin and Asian were 25.3 percent and 12.5 percent respectively, much higher than that of the non-Hispanic white at 9.4 percent. The median household income for the black, Hispanic origin and non-Hispanic white were 32,584, 38,039 and 54,461 U.S. dollars respectively (The USA Today, September 17, 2010). A survey released by the America Association of Retired Persons on February 23, 2010 found that over the previous 12 months, a third (33 percent) of African Americans age 45+ had problems paying rent or mortgage, 44 percent had problems paying for essential items, such as food and utilities, almost one in four (23 percent) lost their employer-sponsored health insurance, more than three in ten (31 percent) had cut back on their medications, and a quarter (26 percent) prematurely withdrew funds from their retirement nest eggs to pay for living expenses. Even in the tough employment environment, 12 percent of African Americans age 65+ returned to the workforce from retirement, while nearly 20 percent of African Americans age 45 to 64 increased the number of hours worked and 12 percent took a second job (The Los Angeles Times, February 23, 2010). In 2009, there were more than 30,000 black children living in poverty in the nation's capital, almost 7,000 more than two years before. Among black children in the city, childhood poverty shot up to 43 percent, from 36 percent in 2008. In contrast, the poverty rate for Hispanic children was 13 percent, and the rate for white children was 3 percent (The Washington Post, September 29, 2010).

The U.S. minority groups face obvious inequality in education. A latest report released by America's Promise Alliance, Civic Enterprises, and the Everyone Graduates Center at Johns Hopkins University showed that 81 percent of white, 64 percent of Hispanic, and 62 percent of African-American students graduated from high schools in 2008 (The World Journal, December 2, 2010). As of 2008, among white men aged 55 to 64, the college completion rate was 43 percent, while 19 percent of Hispanics. Among white men aged 25 to 34, the completion rate was 39 percent, compared with 14 percent of Hispanics (The Washington Post, October 20, 2010). In New York City, the number of white adults with a master degree were three times more than Hispanics. According to a report released by the Sacramento State University, only 22 percent of Latino students and 26 percent African American students completed their two-year studies in the university, compared with 37 percent of white students (The San Jose Mercury News, October 20, 2010). A report released from New York City's Department of Education in January 2010 found that 6,207 or 4.7 percent-out of a total of 130,837 disciplinary incidents reported in

the City's public schools during the 2008-09 school year were bias-related with gender, race/color, gender identity, gender expression, or sexual orientation (The China Press, January 18, 2010). The USA Today on October 14, 2010 reported that African American boys who were suspended at double and triple the rates of their white male peers. At the Christina School District in Delaware, 71 percent of black male students were suspended in a recent school year, compared to 22 percent of their white male counterparts. African-American students without disabilities were more than three times as likely to be expelled as their white peers. African-American students with disabilities were over twice as likely to be expelled or suspended as their white counterparts (USA Today, March 8, 2010).

The health care for African-American people is worrisome. Studies showed that nearly a third of ethnic minority families in the United States did not have health insurance. Life expectancy was lower and infant mortality higher than average (BBC, the social and economic position of minorities). Mortality of African American children was two to three times higher than that of their white counterparts. African American children represented 71 percent of all pediatric HIV/AIDS cases. African American women and men were 17 times and 7 times, respectively, more likely to contract HIV/AIDS than white people, and twice more likely to develop cancer.

Racial discrimination is evident in the law enforcement and judicial systems. The New York Times reported on May 13, 2010, that in 2009, African Americans and Latinos were 9 times more likely to be stopped by the police to receive stop-and-frisk searches than white people. Overall, 41 percent of the prison population was estimated to be African American. The rate of African Americans serving a life sentence was more than 10 times higher than that of whites. Males of African descent who dropped out of school had a 66 percent chance of ending up in jail or being processed by the criminal justice system (UN document A/HRC/15/18). A report said 85 percent of the people stopped in New York to receive stop-and-frisk searches over the past six years had been black or Latino (The Washington Post, November 4, 2010). According to a report of the Law School of the Michigan State University, among the 159 death row inmates in North Carolina, 86 were black, 61 were white and 12 were from other ethnic groups. During the trial process of the 159 capital cases, the number of black members taken out from the jury by prosecutors more than doubled that of non-black members. According to statistics from the Chicago Police Department, the proportion of black people being the criminals and the victims of all murder cases is the highest, reaching 76.3 and 77.6 percent respectively (portal.chicagopolice.org). The Homicide Report of the Los Angeles Times showed 2,329 homicides in Los Angeles County from January 1, 2007 to November 14, 2010, with victims of 1,600 Latinos and 997 black people (projects.latimes.com/homicide/map/).

Racial hate crimes are frequent. The FBI said in an annual report that out of 6,604 hate crimes committed in the United States in 2009, some 4,000 were racially motivated and nearly 1,600 were driven by hatred for a particular religion. Overall, some 8,300 people fell victim to hate crimes in 2009. Blacks made up around three-quarters of victims of the racially motivated hate crimes and Jews made up the same percentage of victims of anti-religious hate crimes. Two-thirds of the 6,225 known perpetrators of all U.S. hate crimes were white (AFP, November 22, 2010).

Immigrants' rights and interests are not guaranteed. Lawmakers in the Arizona Senate in April 2010 passed a bill to curb illegal immigration. The law requires state and local police to determine the status of people if there is "reasonable suspicion" that they are illegal immigrants and to arrest people who are unable to provide documentation proving they are in the country legally (The Los Angeles Times, April 13, 2010). Another proposed Arizona law, supported by Republicans of the state, would deny birth certificates to children born in the United States to illegal immigrant parents (CNN U.S., June 15, 2010). A group of UN human rights experts on migrants, racism, minorities, indigenous people, education and cultural rights expressed serious concern over the laws enacted by the state of Arizona, saying that "a disturbing pattern of legislative activity hostile to ethnic minorities and immigrants has been established". The Arizona immigration law requires state law enforcement officers to arrest a person, without a warrant. It also makes it a crime to be in the country illegally, and specifically targets day laborers, making it a crime for an undocumented migrant to solicit work, and for any person to hire or seek to hire an undocumented migrant. The law may lead to detaining and subjecting to interrogation persons primarily on the basis of their perceived ethnic characteristics. In Arizona, persons who appear to be of Mexican, Latin American, or indigenous origin are especially at risk of being targeted under the law. The Atlanta Journal-Constitution reported on November 19, 2010 that a large group of human rights organizations prepared to hold a vigil in South Georgia in support of suspected illegal immigrants being held in a prison in Lumpkin. As of September 17, 2010, the prison was holding 1,890 inmates. Court cases for inmates at the prison were pending for 63 days on average. With regard to immigration detainees, the Special Rapporteur on the human rights of migrants said, in a report to the Human Rights Council in April 2010, that he received reports of detainees being willfully and maliciously denied proper medical treatment, to which they are entitled by legislation, while they are in the custody of the national authorities. The Special Rapporteur observed during his country missions that irregular migrant workers are often homeless or living in crowded, unsafe and unsanitary conditions (UN document A/HRC/14/30).

V. On the rights of women and children

The situation regarding the rights of women and children in the United States is bothering.

Gender discrimination against women widely exists in the United States. According to a report released on August 11, 2010 by the Daily Mail, 90 percent of women have suffered some form of sexual discrimination in the workplace. Just 3 percent of Fortune 500 CEOs are women. A report by the American Association of University Women released on March 22, 2010 showed that women earned only 21 percent of doctorate degrees in computer science, around one-third of the doctorates in earth, atmospheric, and ocean sciences, chemistry, and math. Women doing the same work as men often get less payment in the United States. According to a report on September 17, 2010 by the Washington Post, in nearly 50 years, the wage gap has narrowed by only 18 cents. The census report released on September 16, 2010 showed that working women are paid only 77 cents for every dollar earned by a man. The New York Times reported on April 26, 2010 that Wal-Mart was accused of systematically paying women less than men, giving them smaller raises and offering women fewer opportunities for promotion in the biggest employment discrimination case in the nation's history. The plaintiffs stressed that while 65 percent of Wal-Mart's hourly employees were women, only 33 percent of the company's managers were (The New York Times, April 26, 2010).

Women in the United States often experience sexual assault and violence. Statistics released in October 2010 by the National Institute of Justice show that some 20 million women are rape victims in the country (www.justice.gov/opa/pr/2010/october/10-ag-1220.html). About 60,000 female prisoners fall victims to sexual assault or violence every year. Some one fifth female students on campus are victims of sexual assault, and 60 percent of campus rape cases occurred in female students' dorms (World Journal, August 26, 2010).

According to the Human Rights Watch report released in August last year, 50 detainees in the Immigration and Customs Enforcement detention centers have been alleged victims of sexual assault since 2003. Most of these victims were women, and some of the alleged assailants, including prison guards, were not prosecuted. In one case, a guard in a Texas detention center pretended to be a doctor and sexually assaulted five women in the center's infirmary (World Journal, August 26, 2010). According to figures from Pentagon, cited by the Time magazine on March 8, 2010, nearly 3,000 female soldiers were sexually assaulted in fiscal year 2008, up 9 percent from the year before. Close to one third of the retired female soldiers said they were victims of rape or assault while they were serving.

Women are also victims of domestic violence. In the United States, some 1.3 million people fall victim to domestic violence every year, and women account for 92 percent. One in four women

is a victim of domestic violence at some point during her life, and the violence kills three women each day in the United States by a current or former intimate partner (CNN, October 21, 2010). In 2008, police in the New York City received reports of more than 230,000 domestic violence cases, which equals to 600 cases per day (China Press, April 3, 2010). In all homicide cases in 2009, of the female murder victims for whom their relationships to the offenders were known, 34.6 percent were murdered by their husbands or boyfriends (www2.fbi.gov). In the Santa Clara County in California, police receive more than 4,500 domestic violence related calls every year, and more than 700 women and children live in shelters to avoid domestic violence (World Journal, October 15, 2010; China Press, October 9, 2010).

Women's health rights are not properly protected in the United States. According to the Amnesty International, more than two women die every day in the United States from complications of pregnancy and childbirth. African-American women are nearly four times more likely to die of pregnancy-related complications than white women in the past 20 years. Native American and Alaska Native women are 3.6 times, African-American women 2.6 times and Latina women 2.5 times more likely than white women to receive no or late pre-natal care (UN document A/HRC/14/NGO/13).

Children in the U.S. live in poverty. The Washington Post reported on November 21, 2010, that nearly one in four children struggles with hunger, citing the U.S. Department of Agriculture. More than 60 percent of public school teachers identify hunger as a problem in the classroom. Roughly the same percentage go into their own pockets to buy food for their hungry students (The Washington Post, November 21, 2010). According to figures released on Sept. 16, 2010 by the U.S. Census Bureau, the poverty rate increased for children younger than 18 to 20.7 percent in 2009, up 1.7 percentage points from that in 2008 (www.census.gov). Poverty among black children in the Washington D.C. is as high as 43 percent (The Washington Post, September 29, 2010), and some 2.7 million children in California live in impoverished families. The number of poor children in six counties in the San Francisco Bay Area has increased by 15 to 16 percent. Statistics show that at least 17 million children in the United States lived in food insecure households in 2009 (World Journal, May 8, 2010).

Violence against children is very severe. Figures from the official website of Love Our Children USA show that every year over 3 million children are victims of violence reportedly and the actual number is 3 times greater. Almost 1.8 million are abducted and nearly 600,000 children live in foster care. Every day one out of seven kids and teens are approached online by predators, and one out of four kids are bullied and 43 percent of teens and 97 percent of middle schoolers are cyberbullied. Nine out of 10 LGBT students experienced harassment at school. As many as

160,000 students stay home on any given day because they're afraid of being bullied (www.loveourchildrenusa.org). According to a report released on October 20, 2010 by the Washington Post, 17 percent of American students report being bullied two to three times a month or more within a school semester. Bullying is most prevalent in third grade, when almost 25 percent of students reported being bullied two, three or more times a month. According to a UN report of the Special Rapporteur on the right to education, 20 states and hundreds of school districts in the United States still permit schools to administer corporal punishment in some form, and students with mental or physical disabilities are more likely to suffer physical punishment (UN document A/HRC/14/25/ADD.1).

Children's physical and mental health is not ensured. More than 93,000 children are currently incarcerated in the United States, and between 75 and 93 percent of children have experienced at least one traumatic experience, including sexual abuse and neglect (The Washington Post, July 9, 2010). According to a report made by the Child Fatality Review Team from the New York City Department of Health and Mental Hygiene, between 2001 and 2008, injury-related deaths among children aged one to 12 years old in the United States was 8.9 deaths per 100,000. The figure for those in the New York City was 4.2 deaths per 100,000 (China Press, July 3, 2010). Thirteen children and young adults have died at a Chicago care facility for children with severe disabilities since 2000 due to failure to take basic steps to care for them (Chicago Tribune, October 10, 2010). According to a study published on October 14, 2010 in the Journal of the American Academy of Child and Adolescent Psychiatry, about half of American teens aged between 13 and 19 met the criteria for a mental disorder. Fifty-one percent of boys and 49 percent of girls aged 13 to 19 had a mood, behavior, anxiety or substance use disorder, and the disorder in 22.2 percent of teens was so severe it impaired their daily activities (World Journal, October 15, 2010). Pornographic content is rampant on the Internet and severely harms American children. Statistics show that seven in 10 children have accidentally accessed pornography on the Internet and one in three has done so intentionally. And the average age of exposure is 11 years old - some start at eight years old (The Washington Times, June 16, 2010). According to a survey commissioned by the National Campaign to Prevent Teen and Unplanned Pregnancy, 20 percent of American teens have sent or posted nude or seminude pictures or videos of themselves. (www.co.jefferson.co.us, March 23, 2010). At least 500 profit-oriented nude chat websites were set up by teens in the United States, involving tens of thousands of pornographic pictures.

VI. On U.S. Violations of Human Rights against Other Nations

The United States has a notorious record of international human rights violations.

The U.S.-led wars in Iraq and Afghanistan have caused huge civilian casualties. A trove, released by the WikiLeaks website on October 22, 2010, reported up to 285,000 war casualties in Iraq from March 2003 through the end of 2009. The documents revealed that at least 109,000 people were killed in the Iraq war, and 63 percent of them were civilians (World Journal, October 23, 2010). In an attack in Baghdad in July 2007, an American helicopter shot and killed 12 people, among whom were a Reuters photographer and his driver (The New York Times, April 5, 2010). On February 20, 2011, a U.S. military operation in northeastern Afghanistan killed 65 innocent people, including 22 women and more than 30 children, causing the most serious civilian casualties in months (The Washington Post, February 20, 2011). According to a report in the Washington Post on October 15, 2010, Iraq's Human Rights Ministry reported in 2009 that 85,694 Iraqis were killed from January 2004 to October 31, 2008. Iraq Body Count, an organization based in Britain, said that a total of 122,000 civilians had been killed since the U.S. invasion of Iraq (Newsday, October 24, 2010).

The U.S. military actions in Afghanistan and other regions have also brought tremendous casualties to local people. According to a report by McClatchy Newspapers on March 2, 2010, the U.S.-led North Atlantic Treaty Organization (NATO) troops had caused 535 Afghan civilian deaths and injuries in 2009. Among them 113 civilians were shot and killed, an increase of 43 percent over 2008. Since June 2009, air strikes by the U.S. military had killed at least 35 Afghan civilians. On January 8, 2010, an American missile strike in the northwestern region of Pakistan killed four people and injured three others (The San Francisco Chronicle, January 9, 2010). During an American Special Operation in Afghanistan on February 12, five innocent civilians were shot to death, and two of them were pregnant mothers (The New York Times, April 5, 2010, page A4). On April 12, American troops raked a passenger bus near Kandahar, killing five civilians and wounding 18 others (The New York Times, April 13, 2010). The Washington Post reported on September 18, 2010, that from January 2010, a "kill team" formed by five soldiers from the 5th Stryker Combat Brigade, 2nd Infantry Division of the U.S. forces in Afghanistan, had committed at least three murders, where they randomly targeted and killed Afghan civilians, and dismembered the corpses and hoarded the human bones (The Washington Post, September 18, 2010).

The U.S. counter-terrorism missions have been haunted by prisoner abuse scandals. The United States held individuals captured during its "war on terror" indefinitely without charge or trial, according to a joint study report submitted to the United Nations Human Rights Council in May 2010 by the UN's Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Working Group on Arbitrary

Detention. The report said the United States established detention centers in Guantanamo Bay and many other places in the world, keeping detainees secretly. The U.S. Central Intelligence Agency (CIA) established secret detention facilities to interrogate so-called "high-value detainees". The study said the U.S. Principal Deputy Assistant Attorney General Stephen G. Bradbury had stated that the CIA had taken custody of 94 detainees, and had employed "enhanced techniques" to varying degrees, including stress positions, extreme temperature changes, sleep deprivation, and "waterboarding," in the interrogation of 28 of those detainees (UN document A/HRC/13/42). The United States makes arrests outside its border under the pretext of the "war on terror." According to a report of the Associated Press on December 9, 2010, documents released by the WikiLeaks website indicated that in 2003, some U.S. agents were involved in an abduction of a German citizen mistakenly believed to be a terrorist. The U.S. agents abducted him in Macedonia, and secretly detained him in a CIA-run prison in Afghanistan for five months. However, a top diplomat at the U.S. Embassy in Berlin warned the German government not to issue international arrest warrants against the involved CIA agents.

The United States has seriously violated the right of subsistence and right of development of Cuban residents. On October 26, 2010, the 65th session of the UN General Assembly overwhelmingly adopted a resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba," the 19th such resolution in a row. Only two countries, including the United States, voted against the resolution. The blockade imposed by the United States against Cuba qualifies as an act of genocide under Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, which was adopted in 1948.

The United States refuses to join several key international human rights conventions, failing to fulfill its international obligations. To date, the United States has ratified neither the International Covenant on Economic, Social and Cultural Rights, nor the Convention on the Elimination of All Forms of Discrimination against Women. In 2006, the UN General Assembly adopted the Convention on the Rights of Persons with Disabilities. Up to now 96 countries have ratified the Convention. The United States, however, has not ratified it. So far, a total of 193 countries have joined the Convention on the Rights of the Child as states parties, but the United States is among the very few countries that have not ratified it.

On August 20, 2010, the U.S. government submitted its first report on domestic human rights situation to the UN Human Rights Council. During the UN Universal Periodic Review (UPR) of the record on November 5, the United States received a record 228 recommendations by about 60 country delegations for improving its human rights situation. These recommendations referred

to, inter alia, ratifying key international human rights conventions, rights of ethnic minorities and indigenous peoples, racial discriminations and Guantanamo prison. The United States, however, only accepted some 40 of them. On March 18, 2011, the UN Human Rights Council adopted the outcome of the UPR on the United States, and many countries condemned the United States for rejecting most of the recommendations. In the discussion on the United States, speakers from some country delegations expressed their regret and disappointment over the United States' refusal of a large number of the recommendations. They noted that the United States' commitment to the human rights area was far from satisfying, and they urged the United States to face up to its own human rights record and take concrete actions to tackle the existing human rights problems.

The above-mentioned facts illustrate that the United States has a dismal record on its own human rights and could not be justified to pose as the world's "human rights justice." However, it released the Country Reports on Human Rights Practices year after year to accuse and blame other countries for their human rights practices. The United States ignores its own serious human rights problems, but has been keen on advocating the so-called "human rights diplomacy," to take human rights as a political instrument to defame other nations' image and seek its own strategic interests. These facts fully expose its hypocrisy by exercising double standards on human rights and its malicious design to pursue hegemony under the pretext of human rights.

We hereby advise the U.S. government to take concrete actions to improve its own human rights conditions, check and rectify its acts in the human rights field, and stop the hegemonistic deeds of using human rights issues to interfere in other countries' internal affairs.