

The Universal Periodic Review of United States of America

Third Cycle
Human Rights Council

Submitted by the National Jericho Movement to Free all Political Prisoners and
The US Human Rights Network (USHRN) People of African Descent Working Group

This statement is endorsed by Abolitionist Law Center, P.A.; The National Coalition for a Truth & Reconciliation Commission; International Peace Research Association; Ashanti Alston (former Black Panther Political Prisoner) and Family; Laura Whitehorn (Former Political Prisoner), Release Aging People in Prison/RAPP; AFSC Prison Watch; N'COBRA -National Coalition of Blacks for Reparations in America; New Abolitionist Movement; Lynne Stewart Organization; The ProLibertad Freedom Campaign to Free All U.S.-Held Political Prisoners (1994-2020); Holyrood Episcopal Church; Call to Action of Puerto Rico; Ajamu Baraka, International Human Rights Activist; United National Antiwar Coalition (UNAC); Ubuntu Institute; The Westside Justice Center; and individual supporting attorneys.

1. TOPIC: *Access to Justice; Right to Life, Liberty, and Security of Persons*
“COINTELPRO¹/United States (U.S.) Civil Rights Era Political Prisoners²”

2. ISSUE:

In the United States there are dozens of political prisoners from the 1960s-70s Civil Rights era who actively challenged and fought against centuries of systemic racial violence, bigotry, and repression. Some women and men took up arms to defend themselves and their communities against racial police violence, as it is a peoples' human right to protect themselves against sustained and systematic violence, abuse, and oppression. Many were framed and convicted of crimes they did not commit. Continued repression under the U.S. Federal Bureau of Investigation's (FBI) infamous and illegal Counter Intelligence Program (COINTELPRO) resulted in murders, injuries, false arrests, malicious prosecutions, exile, and dozens of political prisoners that languish in prisons throughout America, many for well over 40 years. U.S. political prisoners have died in prison, endured years of solitary confinement, suffered from medical neglect, and received perfunctory parole hearings, resulting in routine denial of release.

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

3. RELEVANT HISTORY

This issue has been raised since the very first UPR with civil society submission “Political Repression - Political Prisoners,” USA UN Universal Periodic Review, Ninth Session of the Working Group on the UPR Human Rights Council, 22 November - 3 December 2010,

¹ FBI's illegal Counter Intelligence Program. US Senate Church Hearings
<http://unwittingvictim.com/Cointelpro.html>; <https://www.zinnedproject.org/materials/fbi-war-on-black-america/>
<https://libguides.princeton.edu/c.php?g=84534&p=541974>

² Partial List of Political Prisoners <https://www.colorlines.com/articles/16-black-panthers-still-behind-bars>

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

pp 148-159, Submitted by: National Conference of Black Lawyers , Malcolm X Center for Self Determination, Endorsed by 42 organizations and 50 individuals. In this, the International Decade for People of African Descent (2015-2024), we note previous UPR Recommendations 92.94, 92.153 and 92.154 that call on the U.S. government to “end the discrimination against persons of African descent;” and to “release all of its political prisoners...”

4. ACTION NOT TAKEN ON RELEVANT HISTORY

The United States has continuously failed to act on the recommendations of the UPR, CAT, CERD, and ICCPR and various Working Groups (UNWGEPAD, UNWGAD) in violation of the rights guaranteed under UDHR Articles 3, 5, 7, 8, 9, and 10. We urge the Committee to acknowledge these COINTELPRO political prisoners. We respectfully make the following recommendations:

5. REQUESTED RECOMMENDATIONS:

The U. S. Government must:

- i. adopt and implement previous related UPR Recommendations (92.94, 92.153 and 92.154) and ICCPR Committee List of Issues paragraph 16 to end the criminalization, isolation and incarceration/exile of COINTELPRO/Civil Rights Era political activists, including immediate release of all the aged, terminally, severely, chronically ill, or immunocompromised;
- ii. review the findings of the 1976 Senate Church Committee Hearings on the FBI’s illegal Counter Intelligence Program, which confirm the U.S. did in fact violate the human rights of hundreds of African Descendant/Black Americans, and created the consequence of its own citizens being political prisoners due to their activism in building their own communities and fighting against virulent racial violence and repression;
- iii. investigate all instances of torture and cruel, inhuman, and degrading treatment and punishment of those considered U.S. political prisoners, including, but not limited to, length of time served, insufficient medical treatment, age, segregation and repeated denial of parole;
- iv. establish a Truth and Reconciliation Commission (TRC), similar to that of South Africa and other countries seeking to remedy racially motivated injustices and social unrest. This TRC would commission a broad conscious spectrum of educators, religious communities, lawyers, community activists, and appropriate government officials, with the goal of (a) reviewing this era in history – its causes and consequences, (b) freeing those individuals who are by international law and popular opinion, political prisoners, and (c) compensating deaths and prosecutions of COINTELPRO/Civil Rights era activists.

6. QUESTION:

Why does the U.S. fail to release these senior citizens who were racially targeted and denied access to justice under the laws of its constitution, global human rights obligations, and the human rights treaties to which the U.S. is a party?

7. CONTACT INFORMATION:

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