

Unofficial translation

Report
of the Ministry of Foreign Affairs of the Russian Federation

Human Rights Situation
in the United States of America

Moscow
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Introduction

Despite the deep contradictions in American society, the United States continues to assert itself a global leader in the field of human rights protection. At the same time, Washington is in no hurry to expand its international legal obligations in the field of protection of fundamental rights and freedoms.

The conduct of all kinds of military operations in the territory of European and Middle Eastern states, creation of secret prisons around the world, implementation of extremely stringent migration policies in recent years and many other violations of human rights and freedoms that were committed by the United States illustrate not only the dual nature of this country's position regarding human rights standards but also its approaches to international law as such.

The unchecked power in the world, capture of new markets and lack of restraining factors after the collapse of the Soviet Union created a sense of permissiveness among the American elite. The practice of using not only military but also economic instruments as well as information resources as means of force is expanding.

The American authorities actively use the tactics of "fighting by proxy" against Russia and Russians. First of all, this is expressed in the direction of large-scale military assistance to the Kiev regime and putting pressure on the US NATO allies so that they take similar measures. Besides, an overt pressure is being exerted on sovereign states, including through the use of human rights mechanisms, in an attempt to create a corresponding negative background around the Russian Federation and its allies and partners in the international arena.

One of the most serious problems in countering challenges faced by modern international community in the area of human rights is the practice of

"double standards" used by Washington when assessing certain situations and phenomena.

A similar approach is still actively and hypocritically used by the United States to escalate confrontation as well as to interfere in the internal affairs and violate the sovereignty of independent states.

In the eyes of the world community, such approaches give the American understanding of democracy an increasingly emasculated and manipulative character and contribute to discrediting democratic principles and values in general.

Mentoring tone, partiality, full oblivion of the concept of sovereignty and one of the main and fundamental principles of international law enshrined in the UN Charter – non-interference in the internal affairs of states, lead to deep disappointment in those very "Western values" that "fascinated" other civilizations and societies during a century, bringing considerable political dividends to the West and the United States itself.

Moreover, the human rights situation in the United States itself is far from international standards in the field of protection of fundamental freedoms, which is becoming more and more obvious day after day.

Section 1. General description of the situation in the United States

Washington declares its commitment to upholding the principle of universality of fundamental human rights and freedom, as secured in the Universal Declaration of Human Rights of 1948 and Vienna Declaration and Programme of Action of 1993.¹ However, in fact, the situation with the respect for human rights and freedoms in the United States is nowhere near the international standards.

A system-wide racism and police misconduct flourish in the United States. National minorities find themselves victims of discrimination and social inequality. The homeless issue remains outstanding. Immigrants and prisoners, including those under age, face continuous oppression of their liberties. Journalists do not feel safe and become victims of attacks. The plans of the American Administration to close the Guantanamo special isolator remain unfulfilled. Citizens' dissatisfaction with violations of voting rights only deepens the divide within American society. Alternative views are more often subject to censorship in mass and social media.

Numerous violations of human rights and freedoms remain in focus of the criticism coming from relevant international structures and non-governmental institutions.

In their annual 2022² and 2023³ reports on the situation with human rights and freedoms around the globe, the human rights advocates from the Human Rights Watch NGO noted that the United States continued to face the problems of racism, social and economic rights abuse, harassment in penitentiary institutions and in the area of migration law and police violence.

¹ <https://www.state.gov/un-human-rights-council-statement/>

² World Report 2022: United States / "Human Rights Watch", 01.2022. – <https://www.hrw.org>.

³ <https://www.hrw.org/world-report/2023/country-chapters/united-states>

At the same time, according to the assessments by the Freedom House NGO, as of March 2024, the United States ranked 18 in the world as regards the enforcement of political and civil liberties (83 out of 100 score points).⁴

The report of the UN Human Rights Committee (HRC) published in November 2023, which contains concluding remarks and recommendations at the outcome of the review of the US periodic report on the International Covenant on Civil and Political Rights, focuses, *inter alia*, on the lack of significant progress in implementing the Covenant by the United States. In particular, the document notes the lack of positive moves in addressing significant deficiencies in the criminal legal system (racial disparities in sentencing, the death penalty, use of police violence and solitary confinement). There is a reference to serious violations of voting rights (voter suppression, partisan gerrymandering and felon disenfranchisement laws), of the rights to non-interference in private life, freedom of expression, freedom of peaceful assemblies and associations. Concern is expressed, *inter alia*, over the violation of the rights of immigrants, indigenous peoples (lack of protection to indigenous lands and sacred places and restricted interpretation of the principle of free, prior and informed consent).⁵

The Committee's report also underscores the critical need to prioritize and strengthen human rights at home and establish a National Human Rights Institution to ensure that the most basic rights are protected.⁶

According to Jamil Dakwar, Director of the Human Rights Programme of the American Civil Liberties Union (ACLU), the Committee's findings prove that the United States is far from the truth when it touts itself as a beacon of democracy and human rights.⁷

⁴ <https://freedomhouse.org/country/united-states/freedom-world/2024>
<https://freedomhouse.org/explore-the-map?type=fiw&year=2024&country=USA>

⁵ <https://www.aclu.org/press-releases/un-human-rights-body-calls-out-us-failure-civil-political-rights-treaty>

⁶ <https://www.aclu.org/press-releases/un-human-rights-body-calls-out-us-failure-civil-political-rights-treaty>

⁷ <https://www.aclu.org/press-releases/un-human-rights-body-calls-out-us-failure-civil-political-rights-treaty>

As it goes from the regular report of the China Society for Human Rights Studies on violations in the United States in 2022, published on 28 March 2023, recently, the human rights legislation in the United States has seen an extreme retrogression, further undermining the basic rights and freedoms of the American people.⁸

The authors of the document state that regardless a landmark setback for the US human rights, Americans continue to label themselves "human rights defenders" throughout the world. However, the United States remains the country with an extremely high level of domestic violence. The threat to the lives of citizens comes from both criminals and law enforcement agencies. The American prisons are overcrowded and the prisoners contained in them turned into real slaves.⁹

It is also emphasized in the report that in 2022, the United States saw a major degradation of the democratic system; a setback occurred in the protection of the civil rights and in the state of things in the area of racial equality and the rights of socially vulnerable groups of population, women and children were violated. Particular attention should be given to the facts of violation by the United States of the rights of citizens abroad and to the American practice of selective justice.¹⁰

The annual report of the NGO Amnesty International for 2021-2022 on the situation with the human rights published on 29 March 2022, the Administration of Joe Biden declared intention to restore the reputation of the United States in the area of human rights but the results in policy and in practice turned to be ambiguous. While the United States resumed its cooperation with international human rights institutions of the United Nations and its multilateral

⁸ Report on the United States for 2022 by the China Society on Human Rights Studies. Published on 28 March 2023: https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

⁹ <https://www.pnp.ru/in-world/kitay-opublikoval-doklad-o-narushenii-prav-cheloveka-v-ssha.html>

¹⁰ Report on the United States for 2022 by the China Society on Human Rights Studies. Published on 28 March 2023 https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

efforts in combating climate change, the Administration failed to implement the policy of immigration aimed at the respect for human rights and of sheltering on the border between the United States and Mexico; it failed to realize the human rights agenda at the national level. The internal political situation continued to impede the governmental actions on addressing the issues of climate change, discriminatory attacks on voting rights, unlawful restrictions on rights at the state level, including the rights to freedom of peaceful assembly and reproductive rights.¹¹

The report of the Foreign Ministry of the Republic of Belarus for 2023 on the most resonant cases of human rights violations in certain countries of the world with reference to the above mentioned report of the NGO Amnesty International states that in the United States, women from among the indigenous populations are still subject to a disproportionately high level of sexual violence and fail to get access to basic aid after being raped. The American authorities continued to severely limit access to shelters on the American-Mexican border, border control employees carried out unnecessary and illegal deportation of almost 1.5 million refugees and migrants on the border between the United States and Mexico; people were expelled on a mass scale without getting access to sheltering procedures. Thirty Muslim men continue to be arbitrarily and indefinitely detained by the US military in the notorious detention facility at the US Naval Base at Guantanamo Bay, Cuba, in violation of international law; the authorities have not made significant progress in closing this facility, despite the Biden administration's stated intention to do so. The government failed to take considerable measures to oversee the police activities and its accountability, as it was promised by the Administration of the current President of the country in response to the nation-wide protests against the police violence. Lawmakers in 36 states and at the federal level have introduced more than 80 bills restricting

¹¹ <https://www.refworld.org/ru/coi/countrynews/amnesty/2022/ru/146674?prevDestination=search&prevPath=/ru/>

freedom of assembly, with nine states enacting 10 such bills into law. The proposed legislative restrictions on the freedom of assembly included increasing penalties for acts of civil disobedience, blocking roads and desecrating monuments. Black people are disproportionately affected by police use of deadly force; the federal government's program to track the annual number of such deaths has not been completed.

No one has been held accountable for the systematic human rights abuses committed in the secret detention system run by the CIA, including enforced disappearances, torture and other ill-treatment. In 2021, the US Congress did not take any enactments on access to guns; the government's inability to protect people from constant gun violence continues to violate their rights, including the right to life, personal security and freedom from discrimination. In 2020, at least 44 thousand people died from gun violence; during the pandemic, in 2020 and 2021, the authorities of certain states exacerbated the gun violence by calling the stores selling them "essential". The US government repeatedly used lethal weapons in the countries across the globe, including with the help of the unmanned aerial vehicles (UAVs) in violation of international human rights obligations and international humanitarian law; NGOs, UN experts and mass media provided a documented confirmation that such strikes inside and outside the active armed conflict areas led to wounds and arbitrarily deprived many civilians of the right to life to constitute in certain cases war crimes. The US government weakened the protection of civilians during lethal operations, thus increasing risks of people's death from such illegitimate actions. The government continued to hide information on legal and political standards and criteria applied by the American military when using lethal weapons regardless

the UN human rights experts' calls for clarification regarding these issues. The authorities did not make reparations for killing civilians.¹²

The report on the United States for 2022 by the China Society on Human Rights Studies states that American politicians, serving the interests of elites, have gradually lost their ability and will to respond to basic demands of ordinary people and defend the basic rights of the American citizens, and failed to solve structural problems of human rights. Instead, they wantonly use human rights as a weapon to attack other countries, creating confrontation, division and chaos in the international community, and have thus become a spoiler and obstructor of global human rights development.¹³

The United States continue to blatantly violate human rights inside as well as outside the country, including through illegal unilateral measures of compulsion (sanctions), the most flagrant example of which is the decade-long blockade of Cuba (including regardless numerous UN General Assembly's resolutions).

The report on the United States for 2022 by the China Society on Human Rights Studies states that the United States imposed more unilateral sanctions than any other country in the world, and it still has sanctions in place against more than 20 countries, resulting in the inability of those targeted to provide basic food and medicine for their people.¹⁴

It should not go unmentioned that there are blatant violations of international humanitarian law committed by the American authorities in the territory of the "third" states. Under the "traditional" shield of the need to

¹² Report of the Foreign Ministry of the Republic of Belarus for 2023 on the most resonant cases of human rights violations in certain countries of the world:
https://mfa.gov.by/kcfinder/upload/files/Press_Service/23.06.22_report_hr.pdf

¹³ Report on the United States for 2022 by the China Society on Human Rights Studies. Published on 28 March 2023: https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

¹⁴ Report on the United States for 2022 by the China Society on Human Rights Studies. March 2023: https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

combat terrorism, the United States continued to use military forces abroad indiscriminately. As a result, the number of victims among civilians increased.

According to the report on the United States for 2022 by the China Society on Human Rights Studies, since the 21st century, the United States undertook what it labelled "counterterrorism" activities in 85 countries, directly killing at least 929,000 people and (forcedly) displacing 38 million people.¹⁵ In reality, already quite eloquent, these figures may be significantly higher.

Washington actively uses human rights rhetoric to justify its interference into internal affairs of sovereign states and introduction of illegal sanctions against them. An ordinary practice is the publication of tendentious reports of the US Department of States on the human rights situation in Russia, Republic of Belarus and other countries disliked by Americans, which are used to substantiate pressure on them.

We are forced to state that Washington has been avoiding for many years a normal and civilized cooperation with Russia at the level of law enforcement authorities based on the US-Russia Treaty on Mutual Legal Assistance in Criminal Matters as of 1999.

Guided by the principle of extraterritoriality of American justice, the United States "prey" on citizens of sovereign states around the world by blatantly violating corresponding international legal bilateral agreements, including taking no notice of the norms of national legislation of these states. Upon the requests from the US law enforcement, an unacceptable practice of arrest of the Russian citizens in the third countries runs on. Over 70 such cases have been registered since 2008.

The most resonant examples are arrests of Viktor Bout (Thailand, 2008), Konstantin Yaroshenko (Liberia, 2010), Roman Seleznev (the Maldives, 2014)

¹⁵ Report on the United States for 2022 by the China Society on Human Rights Studies. March 2023: https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

who were not only arrested but kidnapped and forcibly deported to the United States as well as Alexander Vinnik (Greece, 2017).

Based on the unlawful application of the principle of extraterritoriality of the American justice, Russians were arrested in Germany (Denis Kaznacheev – in 2020), Georgia (Oleg Tishchenko – in 2018), the Dominican Republic (Aleksei Panin – in 2013), Israel (Aleksei Burkov – in 2015), Spain (Dmitriy Belorossoff – in 2013; Vadim Polyakov – in 2014; Pyotr Levashov and Stanislav Lisov – in 2017), Italy (Alexander Korshunov – in 2019), Costa-Rica (Maxim Chukharev – in 2013), Latvia (Yuri Martyshev – in 2017), Lithuania (Dmitry Ustinov – in 2013), the Netherlands (Dmitriy Smilianets and Vladimir Drinkman – in 2012; Denis Dubnikov¹⁶ – in 2021), Finland (Maxim Senakh – in 2015 and Mira Terada – in 2018), the Czech Republic (Yevgeniy Nikulin – in 2016), Switzerland (Vladislav Zdorovenin – in 2011 and Vladislav Klyushin – in 2021), Republic of Korea (Vladimir Dunaev – in 2021) and a number of other states.

In 2020, Andrey Pakhtusov was extradited to the United States from Spain. In 2021, Mr Klyushin was extradited to the United States from Switzerland (sentenced to 9 years in prison in 2023). In 2022, Greece extradited Mr Vinnik and Thailand – Mr Ukrainsky. In these conditions, Russian diplomats are doing everything in their power to help their compatriots.

On 17 October 2022, at the request of the American Ministry of Justice two Russian nationals – Yuri Orekhov and Artyom Uss were detained in Germany and Italy, correspondingly¹⁷, to be further extradited to the United States on charges of evading sanctions, oil smuggling and organizing a money

¹⁶ According to Dubnikov's lawyer, Arkady Bukh, the Russian citizen was detained in Mexico by the FBI agents who took him to the Netherlands as far as it was easier to extradite him from this country: <https://ria.ru/20211221/ekstraditsiya-1764789386.html>

¹⁷ <https://ngs24.ru/text/criminal/2022/10/20/71750876/>

laundering scheme.¹⁸ According to the official representative of the Russian Foreign Ministry Maria Zakharova, what happened demonstrates the continuation of "a large-scale campaign launched by Washington to capture Russians against whom there are "claims", for their subsequent guaranteed condemnation by the American punitive justice system to long terms of imprisonment".¹⁹

In 2023, Vadim Konoschenok (transferred to the Americans from Estonia), Sergei Makinin (from the Dominican Republic), Maxim Marchenko (from the Republic of Fiji), Ruslan Nurullin (from the Kingdom of Morocco) and Artur Petrov (the US Ministry of Justice seeks his extradition from the Republic of Cyprus) fell victims of the "hunt" by local special services for Russians abroad.

The Americans are hunting not only Russians, but also citizens of other countries, who are often held without trial or investigation in the notorious "secret prisons" of the CIA (their existence was recognized by George W. Bush Jr. back in 2006), where they are subjected to torture and humiliation.²⁰

According to the experts from the NGO Amnesty International, after leaving the UN Human Rights Council in 2018 (and even after returning to the Council in 2021), the United States essentially continued its retreat from the international human rights system. Ignoring numerous requests from UN experts and denying them official trips to the United States have become a common line of behaviour. At the same time, Washington does not particularly hide the fact that it participates in UN human rights mechanisms only to the extent that it contributes to the advancement of its foreign policy objectives.²¹

¹⁸ <https://www.forbes.ru/society/480046-krasnoarskij-gubernator-otreagiroval-na-zaderzanie-syna-v-italii-po-obviniyam-ssa>

¹⁹ <https://tass.ru/politika/16110685>

²⁰ The prisons were allegedly closed in 2009 at the direction of Barack Obama, but there is evidence that they are still actively used

²¹ Report of the Amnesty International for 2019, USA

The United States did not abandon their practice of accusing "undesirable" international structures. In April 2019, for example, the United States revoked the visa for the prosecutor of the International Criminal Court (ICC). The reason was the investigation of the war crimes committed by the American military in Afghanistan. The accusatory rhetoric against Court employees also developed "increasingly". There were even direct threats to impose restrictions on them, as well as persecution in the United States.²²

Washington's criticism of the WHO and the severance of relations with this structure are called by human rights defenders nothing less than undermining global efforts to protect people from the worst health crisis in the last 100 years.²³

The political confrontation between the two main political forces and their supporters, which the world has been observing in recent years, has escalated to the limit in the United States and has become the main cause of ongoing social unrest throughout the country.

According to the report by Pew Research Centre issued in November 2020, there is an exceptional political divide in such important areas as economic issues, racial justice, climate change, law enforcement, etc. in the United States.

The Presidential elections 2020 have sharpened differences. According to a survey conducted a month before the elections, roughly 80 percent of the registered voters in both camps said their differences with the other side were about more than just politics and policies, but also about core American values, and about 90 percent in both camps worried that a victory by the other would lead to "lasting harm".²⁴

²² Statement by Secretary Michael Pompeo as of 15 May 2020

²³ Report of the Amnesty International for 2019, USA

²⁴ Report on the United States for 2020 by the China Society on Human Rights Studies. March 2021: http://www.xinhuanet.com/english/2021-03/24/c_139832301.htm

The COVID-19 pandemic has intensified the growing internal divisions in the United States and hit the most vulnerable categories of the population. Low-income groups lost their jobs (the number of applications for unemployment benefits exceeded 40 million)²⁵ and were unable to pay for expensive treatment.

The deplorable state of affairs in this area is confirmed by the report of the Ministry of Foreign Affairs of the Republic of Belarus for 2022 on the most resonant cases of human rights violations in certain countries of the world. It states, in particular, that during the spread of coronavirus infection, the US authorities were unable to provide their citizens with effective protection in the field of healthcare.²⁶

These conclusions largely echo the provisions of the report of Chinese experts on the human rights situation in the United States in 2021. It documents that despite having the world's most advanced medical equipment and technology, the United States has the highest number of COVID-19 cases and deaths worldwide.²⁷

Thus, according to data from Johns Hopkins University, by late February 2022, the number of confirmed COVID-19 cases in the United States had exceeded 78 million and the death toll surpassed 940,000. However, the US administration lacked effective plans to curb the epidemic.²⁸

²⁵ <https://www.nytimes.com/2020/05/28/business/unemployment-stock-market-coronavirus.html>

²⁶ Report of the Foreign Ministry of the Republic of Belarus for 2022 on the most resonant cases of human rights violations in certain countries of the world: https://mfa.gov.by/kcfinder/upload/files/22.07.04_report_HR_2.pdf

²⁷ The Report on Human Rights Violations in the United States in 2021. The State Council Information Office of the People's Republic of China. February 2022. http://english.scio.gov.cn/m/scionews/2022-02/28/content_78076572.htm

²⁸ The Report on Human Rights Violations in the United States in 2021. The State Council Information Office of the People's Republic of China. February 2022. http://english.scio.gov.cn/m/scionews/2022-02/28/content_78076572.htm

Section 2. Economic rights and food security

Leading human rights centers have repeatedly highlighted the inadequacy of the US government's efforts to redress the deepening social divisions and inequalities in the American society over the past 30 years, which have been exacerbated by the massive COVID-19 infection.

As stated in the report of the China Society for Human Rights Studies, the United States is currently the only developed country where millions of people continue to starve.²⁹

Moreover, Human Rights Watch found a high proportion of US citizens living in poverty and lacking access to safe work conditions, housing, education, health services, clean water and basic sanitation. They may be unable to participate in political life or vindicate their rights in court due to their poverty, and suffer discrimination in various spheres.³⁰

Ludwig Institute for Shared Economic Prosperity experts believe that the US leadership deliberately inflates employment figures. According to their data as of February 2024, "functional unemployment" (includes the unemployed themselves plus those in search of work with full-time jobs and wages above the official poverty level (\$25,000 per year) in this country was 24.9% of the total working-age population.³¹

At the same time, according to the U.S. Department of Labor's Bureau of Labor Statistics, the country's labor market situation looks better in March 2024.³² The unemployment rate fell to 3.8% (3.9% in February), and 303,000 jobs were created in March (and the average for the last three months was 276,000 jobs). It is stated that this indicator has not reached the bar of 4%

²⁹ China Society for Human Rights Studies Report on U.S. for 2019. March 2020.
http://www.xinhuanet.com/english/2020-03/13/c_138874115.htm

³⁰ Human Rights Watch: <https://www.hrw.org/united-states/poverty-and-economic-inequality>

³¹ <https://lisep.org>

³² <https://www.dol.gov/newsroom/releases/bls>

for 26 months in a row (record dynamics for more than 50 years). And the number of unemployed increased only slightly, to 6.4 million people.

According to statistics from the U.S. Department of Agriculture,³³ 41.2 million people (about 12.3% of the U.S. population) were food insecure and were participants in the Supplemental Nutrition Assistance Program (SNAP) in 2023. Of these, 13.8 million are children under 18 years of age (2020 data).³⁴

The pandemic has increased food insecurity among families with children and communities of colour, who already faced hunger at much higher rates before the pandemic. Rural communities are especially hard hit by hunger. Many households that experience food insecurity do not qualify for federal nutrition programs and apply at their local food banks and other food programs for extra support.³⁵

Between June and November 2020, the poverty rate in America increased by 2.4 percent, from 9.3 to 11.7 percent, according to researchers at the Universities of Chicago and Notre Dame. A combined net worth of the richest 1% of Americans was 16.4 times that of the poorest 50%. In addition, during the pandemic, the collective net worth of USA's wealthiest part increased.³⁶ Income inequality is higher in the US than in other advanced economies.

Observers continue to draw attention to rising child poverty amid US administration decision to limit monthly child support payments to low-income families.³⁷

³³ <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-assistance-data-collaborative-research-programs/charts/costs-and-participation/>

³⁴ <http://www.census.gov/data/tables/2020/demo/public-assistance/sipp-receipts.html>).

³⁵ Feeding America, Facts about Hunger in America: <https://www.feedingamerica.org/hunger-in-america>

³⁶ China Society for Human Rights Studies Report on U.S. for 2019. March 2020. http://www.xinhuanet.com/english/2020-03/13/c_138874115.htm

³⁷ Center on Poverty & Social Policy at Columbia University: <https://www.povertycenter.columbia.edu/news-internal/monthly-poverty-january-2022>

According to the U.S. Census Bureau, the official poverty rate in the U.S. in 2022 did not change significantly from 2021, but there was a doubling of the child poverty rate.³⁸

According to the China Society for Human Rights Studies' 2022 report on human rights violations in the United States, the child poverty rate in the United States rose from 12.1 percent in December 2021 to 16.6 percent in May 2022, with an additional 3.3 million children living in poverty.³⁹

There has also been a decline in wealth among U.S. citizens over the age of 65.⁴⁰

These findings are supported by the results of public opinion polls. Thus, according to a Pew Research Center survey, 61% of Americans say there is too much economic inequality in the country today. 23% of respondents say the country has about the right amount of inequality and 13% say there is little inequality.⁴¹

Social inequality is most pronounced for ethnic and racial minorities. The aforementioned studies by the University of Chicago and the University of Notre Dame also show that the poverty rate among Black Americans has increased by 3.1%. According to USA Today, in the first quarter of 2020, the national homeownership rate among Whites was 73.7%, but only 44% of African Americans owned a home. According to ABC News, 15.7% of Hispanic Americans lived in poverty in 2019, more than double the rate compared to white Americans.⁴²

³⁸ <https://www.rbc.ru/economics/13/09/2023/6500e4959a7947b979375511>

³⁹ China Society for Human Rights Studies Report on U.S. for 2022. Published on March 28, 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

⁴⁰ United States Census Bureau: National Poverty in America Awareness Month: January 2023 // <https://www.census.gov/newsroom/stories/poverty-awareness-month.html>

⁴¹ Most Americans Say There Is Too Much Economic Inequality in the U.S., but Fewer Than Half Call It a Top Priority. Views of economic inequality. Pew Research Center. 9 January 2020. <https://www.pewresearch.org/social-trends/2020/01/09/views-of-economic-inequality/>

⁴² China Society for Human Rights Studies Report on U.S. for 2019. March 2020. http://www.xinhuanet.com/english/2020-03/13/c_138874115.htm

According to the Pew Research Center, the uninterrupted from the 1980s rise in economic inequality in the US is tied to several factors, including technological change, globalization, the decline of unions and the eroding value of the minimum wage. As a result, people in the lower rungs of the economic ladder may experience diminished economic opportunity and mobility. Inequality has negative impact on the political influence of the disadvantaged, on geographic segregation by income, and on economic growth itself.⁴³

The China Society for Human Rights Studies Report on Human Rights Violations in the United States in 2021 states that the elderly's rights to life are flagrantly violated in the US.⁴⁴ American politicians declare that the elderly could sacrifice for the country and that the national economy is more important than the lives of the elderly. The report also notes that the vast majority of US COVID-19 deaths have been among people aged 65 or older.

According to the Belarussian Foreign Ministry's 2022 Report "The Most Resonant Human Rights Violations in Certain Countries of the World," the US government fails to provide the population with adequate housing as part of the right to decent standard of living.⁴⁵ The number of homeless people in the US is astonishing. On 7 December 2021, the Washington Post reported that "homelessness is one of the United States' greatest current challenges, no matter the region." On 19 December 2021, the New York Times echoed it and reported that in San Francisco, one in every 100 residents is homeless.

According to the U.S. Department of Housing and Urban Development, the number of homeless people in the country reached a record high of 650,000 in 2023. The number of people living in shelters, on the streets, in tents or in

⁴³ Most Americans Say There Is Too Much Economic Inequality in the U.S., but Fewer Than Half Call It a Top Priority. Trends in income and wealth inequality. Pew Research Center. 9 January 2020. <https://www.pewresearch.org/social-trends/2020/01/09/trends-in-income-and-wealth-inequality/>

⁴⁴ China Society for Human Rights Studies Report on U.S. for 2021. March 2022. http://www.xinhuanet.com/english/2020-03/13/c_138874115.htm

⁴⁵ Report of the Ministry of Foreign Affairs of the Republic of Belarus report "The most resonant cases of human rights violations in some countries around the world" 2022 https://mfa.gov.by/kcfinder/upload/files/22.07.04_report_HR_2.pdf

cars increased by 12% in the country compared to 2022. 40% of homeless people in the US are African-Americans, and a quarter are elderly. There has also been a significant increase in homelessness among people of Hispanic origin.⁴⁶

The increase in homelessness is mainly due to rising rents. This was confirmed in an interview with NPR's Jeff Olivet, chair of the U.S. Interagency Council on Homelessness, who said that there are "simply not enough homes in the U.S. that people can afford."⁴⁷

Experts at the National Alliance to End Homelessness believe another reason is the influx of migrants. In their opinion, in order to solve the problem, the US authorities should make it easier for migrants to find jobs and speed up the processing of asylum applications, as well as provide more support in renting housing.⁴⁸

Despite the underlying contradictions in American society, the US continues to declare itself a global leader in human rights protection. However, Washington is in no hurry to expand its international legal commitments in this area.

Of the 14 core international human rights treaties categorized by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United States is party to only five.⁴⁹ These are the following treaty instruments: the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2000), the Optional Protocol on the sale of children, child prostitution and child pornography (2000), the Convention on the Elimination of All Forms of Racial Discrimination (1965), the International Covenant on Civil and Political Rights (1966), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

⁴⁶ <https://www.ng.ru/news/783684.html>

⁴⁷ <https://www.ng.ru/news/783684.html>

⁴⁸ <https://www.ng.ru/news/783684.html>

⁴⁹ https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=187&Lang=EN

Punishment (1984).⁵⁰ For comparison, Russia and the Republic of Belarus are parties to 9 treaties.

⁵⁰ <https://indicators.ohchr.org/>

Section 3. Racial, national, and religious intolerance. Discrimination. Excessive use of force by the police

The United States faces rise in racism, antisemitism, Islamophobia, and other forms of similar discrimination, xenophobia and related intolerance. The problem remains a weakness in Washington's policy. To attract voters, the United States administration and the entire party of Democrats have made combating all forms of intolerance a priority.

The White House conducted a national event called United We Stand in September 2022, inviting survivors of various forms of violence and discrimination, human rights defenders, and local officials. The conference's goal was to demonstrate a commitment to combat hate speech and advance "diversity" in line with a left-liberal agenda. The president and other prominent speakers made the support of various "minorities" a main point of their talks.⁵¹

It is worth noting that, in American society, the issue of racism and racial discrimination has spread throughout all facets of social life. Human rights organizations indicate it with concern.

Citing the August 2022 findings of the UN Committee on the Elimination of Racial Discrimination (CERD) that the U.S. is not fully meeting its obligations to combat racism, experts from the NGO Human Rights Watch pointed to the need to implement a CERD recommendation calling on Washington to establish a commission to study the legacy of slavery and reparations proposals.⁵²

Local experts condemn particular US states' laws prohibiting school curricula that accurately depict historical racial practices in the country.

⁵¹ Fact Sheet: The United We Stand Summit. Taking action to prevent and address hate-motivated violence and foster unity. 9/15/2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-the-united-we-stand-summit-taking-action-to-prevent-and-address-hate-motivated-violence-and-foster-unity/>

⁵² <https://www.hrw.org/world-report/2023/country-chapters/united-states>

Representatives of the NGO Human Rights Watch (HRW) asserted to have joined the Freedom to Learn campaign and offered it their unflinching support in a 4 May 2023, release on censorship in educational institutions. Several African-American rights organizations are in charge of the project, which was founded in 2019. Eliminating barriers to education on racism and other forms of prejudice, such as those affecting ethnic and sexual minorities, is the goal.

According to HRW specialists, the aforementioned derogatory policy is observed in 36 states, including the state of Florida.

The human rights defenders declare that one of their goals is to ensure, as far as possible, the implementation by local authorities of the International Convention on the Elimination of All Forms of Racial Discrimination. First of all, in the field of education and culture, recall the call of the CERD that monitors compliance with this international treaty to take effective measures to include chapters on the history of peoples of African descent in textbooks. They also encourage the creation and distribution of printed materials on this subject as well.

The situation of respect for the freedoms of people of color has become more acute. Human rights defenders have been noting cases of discrimination against African and Asian Americans as well as Latinos, which are particularly prevalent in law enforcement, healthcare and social spheres.

Black and Asians face discrimination in the justice system, particularly in criminal justice, in the US. Black people in the United States are incarcerated at several times the rate of White people.⁵³

According to opinion polls, 32% of African Americans and 21% of Asian Americans live in fear of racially-motivated attacks.⁵⁴

⁵³ Human Rights Watch. World Report 2019. <https://www.hrw.org/world-report/2019>
<https://www.hrw.org/world-report/2019>

The political rhetoric often plays on racist tropes relating to the trafficking in enslaved Africans, the history of lynchings, derogatory assessments, exploitation of people of African descent, and violence against them.⁵⁵

Sinophobia has increased in the U.S. since 2020 amid the widespread spread of the coronavirus: Asian Americans have been harassed and insulted in public places, not allowed inside public and commercial facilities, and on public transportation.

According to the report on the USA of the China Society for Human Rights Studies, one in four young Asian Americans has been the target of racial bullying.⁵⁶

According to the NGO Stop AAPI Crime, from 19 March 2020, to 30 June 2021, 9081 incidents were recorded, 4,548 of which occurred in 2020 and 4,533 occurred in the first half of 2021. The majority (63.7%) were insults, 16.5% were intentional avoidance, 13.7% were physical attacks, 11% were workplace discrimination, denial of service, etc., and 8.3% were cases of insults on the Internet. A significant portion of occurrences happened in public places (31.6%) and in offices (30.1%) Women made up the majority, i.e. 63.3%, of all victims.⁵⁷

Experts continue to note an increase in the number of crimes motivated by racial, national and religious intolerance in the United States, which is facilitated by the prevalence of extremist and neo-Nazi groups in the country.

According to FBI data for 2022, there were 11,288 incidents committed because of various forms of animosity (in 2021 there were 1,530 and in 2020

⁵⁴ Pew Research Center. <https://www.pewresearch.org/fact-tank/2022/05/20/safety-concerns-were-top-of-mind-for-many-black-americans-before-buffalo-shooting/>

⁵⁵ Report of the Working Group of Experts on People of African Descent to the 74th session of the UN General Assembly. October 2019. <https://undocs.org/ru/A/74/274>

⁵⁶ China Society for Human Rights Studies Report on U.S. for 2020. March 2021 https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fHRV%2fCO%2f3&Lang=ru

⁵⁷ Stop AAPI Crime. National Report. <https://stopaapihate.org/stop-aapi-hate-national-report-2/>

there were 7,759).⁵⁸ The majority of them (59.1%) were motivated by rejection based on race, ethnicity, or country of origin. Next comes persecution on religious grounds (17.3%), on the basis of sexual orientation (17.2%), and gender identity (4%).⁵⁹ Of the 7,759 hate crimes committed in 2020, 4,939 were motivated by racial or ethnic hatred and 1,174 had religious overtones. A number of experts have expressed doubts regarding the accuracy and completeness of the provided data. The low number of law enforcement organizations that took part in the reporting is the cause.⁶⁰

In recent years, attacks on African Americans have increased from 1,930 to 2,755, and on people of Asian descent from 158 to 274. There were 773 attacks on white people.⁶¹

Hate crimes have increased in the twenty largest cities. Increases in New York and Los Angeles have been 18% and 20%, respectively. African Americans continued to be the primary victims (63.2% of cases), followed by Hispanics (13.4%).

The unprecedented spike in crimes against citizens of Asian origin is evidenced by data from the California State University, San Bernardino, showing a 224% increase in offenses against Asian citizens in 2022 compared to 2021.

The unprecedented level of hate crimes against the Asian community in the U.S. is also cited in a study by the Center for the Study of Hate and

⁵⁸ <https://www.justice.gov/hatecrimes/hate-crime-statistics>

⁵⁹ FBI releases 2021 Hate Crime Statistics. 12/12/2022. <https://www.justice.gov/hatecrimes/hate-crime-statistics>

⁶⁰ <https://www.npr.org/2023/01/01/1145973412/researchers-say-the-fbis-statistics-on-hate-crimes-across-the-country-are-flawed>

<https://time.com/6240880/fbi-hate-crime-data-gaps/>

⁶¹ Hate crimes rise to highest level in 12 years amid increasing attacks on Black and Asian people, FBI says. The Washington Post. 30 August 2021. https://www.washingtonpost.com/national-security/hate-crimes-fbi-2020-asian-black/2021/08/30/28bede00-09a7-11ec-9781-07796ffb56fe_story.html; Hate Crime in the United States Incident Analysis. 2020. Federal Bureau of Investigation Crime Data Explorer <https://crime-data-explorer.fr.cloud.gov/pages/home>.

Extremism, which found a 339% increase in such crimes against people of Asian descent in 2021 compared to 2020.

These grim figures are complemented (and the upward trend is confirmed) by Voice of America, which reported that violent crimes against Asians in 2020 increased by 150% compared to 2019.⁶² There was a sharp increase in New York, from 30 to 133 incidents, and in San Francisco there were 60 incidents, compared with 9 the previous year.

Local media outlets (CNN, Houston Public Media, and Chicago Sun Times) have reported numerous cases of Asians being attacked in a number of American cities amidst absolute inaction by law enforcement officials.⁶³

According to a 2022 report on the United States by the China Society for Human Rights Studies, religious intolerance is on the rise in the country.⁶⁴ According to the FBI's 2021 Hate Crime Statistics, which were made public on December 15, 2022, a total of 1,005 religious hate crimes were reported in the United States in 2021, of which 31.9% involved anti-Semitic incidents, 21.3% targeted Sikhs, 9.5% targeted Islam, 6.1% targeted Catholics, and 6.5% targeted Christians.⁶⁵

The aforementioned China Society for Human Rights Studies' 2022 report on the United States, which discovered a sharp rise in the number of hate crimes motivated by racial bias in the country between 2020 and 2022, also documents the rise in racism.⁶⁶

Human rights groups have pointed to an increase in hate speech against minorities against a backdrop of rising white nationalism and an increase in violent crime across the country.

⁶² Hate crimes targeting Asian Americans spiked 150% in major US cities. Voice of America. 2 March 2021. <https://www.voanews.com/usa/race-america/hate-crimes-targeting-asian-americans-spiked-150-major-us-cities>

⁶³ CNN: NYC woman indicted on hate crime charges accused of string of anti-Asian attacks, district attorney's office says // <https://www.cnn.com/2023/06/01/us/new-york-indictment-asian-attacks/index.html>

⁶⁴ http://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

⁶⁵ http://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

⁶⁶ http://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

Thus, according to a report by the NGO Anti-Defamation League, the number of mass murders linked to right-wing extremism (primarily the idea of white supremacy) has increased dramatically in the country over the past decade.⁶⁷

One of the USA's largest racially-motivated mass shootings in 2022 is considered to be the May 14 attack on a supermarket in Buffalo, New York, in which an 18-year-old killed 10 people. The shooter had previously published a "manifesto" setting out his white-supremacist views. The text is full of intolerant statements, including claims that immigrants and Black people were "replacing" whites.

In March 2021, the killing of Asian women in Atlanta, Georgia, sparked nationwide discussion: an armed White man went on a shooting spree in spas that resulted in the death of employees and visitors.

On August 26, 2023, the 60th anniversary of the "March on Washington" (during which Martin Luther King gave his famous speech), another mass shooting incident occurred at a shopping mall located in one of the "black neighborhoods" of Jacksonville, Florida. Three African-American men were the victims of 21-year-old Jacksonville resident Ryan Christopher Palmeter, armed with a rifle and handgun. The rifle had a swastika painted on it.

After the special services arrived on the spot, later the perpetrator committed suicide. Police believe the incident was a racially motivated hate crime, as the shooter's demeanor suggests he intentionally targeted victims based on their skin colour.⁶⁸

This latest racially motivated incident exacerbated an already fierce debate in American society.

⁶⁷ Antidefamation League: Hate in the Bay State: Extremism & Antisemitism in Massachusetts, 2021-2022 // <https://www.adl.org/resources/report/hate-bay-state-extremism-antisemitism-massachusetts-2021-2022>

⁶⁸ <https://iz.ru/1566091/andrei-kuzmak/chernymi-po-belym-novyi-sluchai-massovoi-strelby-ozhestochil-rasovye-diskussii-v-ssha>

Immediately after the incident, President Joe Biden said that Americans "must refuse to live in a country where Black families going to the store or Black students going to school live in fear of being gunned down because of the color of their skin."⁶⁹

In this context, Vice President Kamala Harris, emphasizing that the country is living in an "epidemic of hate," said federal agencies are treating what happened as an act of "domestic violent extremism." The latter phrase (in some cases the word "terrorism" is used) is the legal definition enshrined in the infamous Patriot Act of 2001 and subsequent documents enacted after the September 11 attacks that have extremely restricted the rights of Americans. A 2020 Department of Homeland Security circular identifies "proponents of white supremacy" as the primary source of the threat of "domestic terrorism".⁷⁰

In her statement, K. Harris touched on another integral topic for Americans. The Vice President called on Congress to ban assault weapons, and to enact "other common sense gun safety measures".⁷¹

Over the past few years, the statistics of shootings in the United States have been on the rise: the Jacksonville incident was the 24th in 2023. However, not in all cases the White House reacts so quickly and decisively.

For example, the main issue for discussion in American media space following the July 2023 shooting of five people in Philadelphia by Kim Brady Carriker was whether the shooter was transgender or just a transvestite (at the same time, the official police statement referred to the perpetrator himself in the plural, i.e. with the pronoun "they"). There was no official reaction from the

⁶⁹ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/27/statement-from-president-joe-biden-on-the-shooting-in-jacksonville-florida/>

⁷⁰ <https://iz.ru/1566091/andrei-kuzmak/chernymi-po-belym-novyi-sluchai-massovoi-strelby-ozhestochil-rasovye-diskussii-v-ssha>

⁷¹ <https://iz.ru/1566091/andrei-kuzmak/chernymi-po-belym-novyi-sluchai-massovoi-strelby-ozhestochil-rasovye-diskussii-v-ssha>

White House, especially at the level of a personal statement by the two top officials.⁷²

Anti-Semitic sentiment is high in the United States. In his words, President Biden has made no secret of the situation, including neo-Nazi expressions of swastikas on automobiles, attacks on synagogues, and Holocaust denial.⁷³

Institutional Islamophobia is widespread in the country, with 50 extremist anti-Islamic organizations and 61 anti-Semitic organizations operating.⁷⁴

Many cases of attacks on mosques and synagogues and their congregations have been documented. In 2022 alone, 3,697 unlawful acts victimizing members of the Jewish community were recorded.⁷⁵

According to sociological surveys, American Jews face constant fear of being targeted by crimes. 63% of respondents either experienced or witnessed racially motivated crimes in the last five years. 56% heard antisemitic comments, slurs or threats, while 9% of respondents were physically or verbally attacked.⁷⁶

According to the non-governmental organization Anti-Defamation League, the United States had a record level of anti-Semitism in 2021, with 2,717 cases of anti-Semitic attacks, harassment, and vandalism. In comparison to the number of instances recorded in 2020, this number is 34% greater. (2,024 episodes). It is the highest indicator since the ADL started keeping track of attacks involving Jews in 1979.⁷⁷

⁷² <https://iz.ru/1566091/andrei-kuzmak/chernymi-po-belym-novyi-sluchai-massovoi-strelby-ozhestochil-rasovye-diskussii-v-ssha>

⁷³ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/01/26/statement-from-president-joe-biden-on-international-holocaust-remembrance-day/>

⁷⁴ Southern Poverty Law Center: <https://www.splcenter.org/hate-map?ideology=anti-muslim>

⁷⁵ Antidefamation League: Audit of Antisemitic Incidents 2022 // <https://www.adl.org/resources/report/audit-antisemitic-incidents-2022>

⁷⁶ Research of the NGO Anti-Defamation League "Survey on Jewish American's Experiences with Anti-Semitism". 31 March 2021. <https://www.adl.org/blog/2021-survey-on-jewish-americans-experiences-with-antisemitism>

⁷⁷ <https://www.adl.org/audit-antisemitic-incidents-2021>

Attacks on Jewish facilities, such as synagogues and community centers, rose by 61%; incidents at schools rose by 106%; and incidents on college campuses rose by 21%. There were 14% more acts of vandalism and 167% more attacks on individuals motivated by anti-Semitism.

Among those participating in the 6 January 2021 riots ("storming of the Capitol" by ultra-right-wing supporters of D. Trump),⁷⁸ persons with neo-Nazi symbols have been noticed: a man wearing a sweatshirt that read "Camp Auschwitz", another wearing a T-shirt that read "6MNE" ("6 Million Not Enough").⁷⁹

On February 26, 2020, four extremists operating in Seattle, Tampa, Houston and Phoenix were arrested on charges of conspiracy to endanger the lives of journalists and nongovernmental organization activists. The affected persons were Jewish Americans and African Americans. Images of Nazi swastikas, weapons and Molotov cocktails were sent to them by mail.

During the Israeli-HAMAS conflict in May 2021 there was a significant spike in the number of anti-Semitic attacks – an increase of 148% compared to May 2020. Their number rose from 127 two weeks before the beginning of the hostilities to 222 two weeks after it. Hundreds of anti-Israeli protests took place in dozens of cities across the country. There were assaults on Jews in major cities (New York, Los Angeles): 387 incidents were reported overall, 297 of which occurred after May 10, when the conflict officially began. Law enforcement officers intensified patrols in Orthodox Jewish neighbourhoods.

⁷⁸ On 6 January 2021, a crowd of protesters supporting 45th U.S. President Donald Trump's attempts to overturn the result of the 2020 presidential election in which he was defeated, seized the U.S. Capitol to disrupt a joint session of Congress meeting to count electoral votes and formalize Joe Biden's election victory. After breaking through security, causing damage, they occupied parts of the building for several hours. The assault led to the evacuation and closure of the Capitol building and suspended a joint session of Congress to count electoral votes and formalize Biden's victory.

- The US Capitol riot was full of hate symbols. Here's how to spot them – ABC News.
<https://www.abc.net.au/news/2021-01-12/washington-capitol-hate-symbols-race-riots-trump-antisemitism/13048516>

Anti-Semitic incidents included an attack by a group of people carrying Palestinian flags on Jews dining outside in Los Angeles, aggression against Orthodox Jews in New York, and the desecration of a synagogue in Alaska with Nazi symbols. Pro-Palestinian protests and acts of vandalism in synagogues were also reported in Arizona, Illinois, Florida and New York, as well as in Salt Lake City, where an unknown person painted a swastika on the door of the synagogue.⁸⁰

On 24 February 2021, a memorial to the victims of the Jewish genocide was vandalized in Oklahoma, and on 31 March 2021, a Jewish family with a young child was attacked by gunfire in New York City.⁸¹

Another shocking incident occurred in Florida on 26 March 2021. A car belonging to a Holocaust survivor was marked with swastikas.⁸²

In January 2021 journalists from CBS television reported that there had been more than 2,100 incidents since 2016, in which members of the diaspora were assaulted or insulted, or in which their property was vandalized.⁸³

⁸⁰ Who's behind recent rise in US anti-Semitic attacks? BBC. 28 May 2021. <https://www.bbc.com/news/world-us-canada-57286341>; U.S. Faces Outbreak of Anti-Semitic Threats and Violence. The New York Times. 26 May 2021. <https://www.nytimes.com/2021/05/26/us/anti-semitism-attacks-violence.html>.

⁸¹ NY Man Attacks Hasidic Jewish Couple and Baby With Knife. Jewish Journal. 1 April 2021. <https://jewishjournal.com/news/334923/ny-man-attacks-hasidic-jewish-couple-and-baby-with-knife/>

⁸² Holocaust survivor's car marked with swastikas; auto center tagged with anti-Semitic message. 27 March 2021. <https://wsvn.com/news/local/miami-dade/holocaust-survivors-car-marked-with-swastikas-auto-center-tagged-with-anti-semitic-message/>

⁸³ CBS News. 1/26/2021.

Judeophobic manifestations were also recorded throughout 2022. Thus, on 15 January, an armed criminal took believers in the Colleyville Jewish community (Texas) hostage.⁸⁴

It is known that brochures were distributed in many states claiming that all measures to combat coronavirus were taken in the interests of Jews (Every Aspect of the COVID Agenda is Jewish).⁸⁵

The story of Judeophobic publications and statements by American rapper Ye (formerly known as Kanye West) resounded widely – for example, the Star of David featured along with a swastika.⁸⁶ Donald Trump's meeting with a follower of the theory of white supremacy Nicholas Fuentes also provoked a scandal.⁸⁷ Basketball player Kyrie Irving posting a link to an anti-Semitic film on social media sparked public anger.⁸⁸

Nonetheless, the United States reacted calmly to the visit by Ukrainian neo-Nazi Azov battalion fighters to Stanford University (the former US Ambassador to Russia Michael McFaul accompanied them).⁸⁹

In order to develop a national strategy to combat antisemitism, a separate interdepartmental working group has been created with the National Security Council coordinating role.⁹⁰ A plan to counter antisemitism was submitted in May 2023.⁹¹

⁸⁴ Douglas, Jack; Zapotosky, Matt; Fisher, Marc (January 22, 2022). Angry outbursts and cool determination: Inside the synagogue attacker's 18-day journey to terror .THE WASHINGTON POST. https://www.washingtonpost.com/politics/angry-outbursts-and-cool-determination-inside-the-synagogue-attackers-18-day-journey-to-terror/2022/01/22/2015da20-7931-11ec-83e1-eaef0fe4b8c9_story.html

⁸⁵ <https://www.berkeleyside.org/2022/02/22/anti-semitic-flyers-berkeley-hills>,
<https://www.sfgate.com/bayarea/article/Antisemitic-flyers-found-in-San-Francisco-16800705.php>.

⁸⁶ <https://www.vox.com/culture/23519717/antisemitism-hatred-jews-violence>

⁸⁷ <https://www.npr.org/2022/11/29/1139742844/republicans-denounce-trump-dinner-white-supremacist-nick-fuentes>

⁸⁸ <https://www.usatoday.com/story/sports/columnist/dan-wolken/2022/11/01/kyrie-irvings-antisemitic-film-endorsement-must-dealt-nba/10655972002/>

⁸⁹ <https://stanforddaily.com/2022/10/03/freed-ukrainian-prisoners-of-war-call-for-support-against-russia/>

⁹⁰ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/12/12/statement-from-white-house-press-secretary-karine-jean-pierre-on-inter-agency-group-to-counter-antisemitism/>

⁹¹ <https://www.whitehouse.gov/wp-content/uploads/2023/05/U.S.-National-Strategy-to-Counter-Antisemitism.pdf>

According to US Special Envoy to Monitor and Combat Antisemitism Deborah Lipstadt, it is alarming that American society as a whole is unaware of this problem.⁹²

Joe Biden calls to neither forget nor repeat the history of the Holocaust⁹³. At the same time, the US authorities do not react in any way to the presence of monuments to the Nazis and their henchmen in the country⁹⁴ (including those to Bandera, Vlasov and Shukhevych in New York). They ignore the Ukronazi marches near the White House walls in support of the terrorist group *Azov* (with the participation of Roman Kashpur).⁹⁵

As the American troop withdrawal from Afghanistan accelerated back in 2021, experts expressed concern over neo-Nazis admiring the Afghan Taliban ideology for antisemitism, homophobia and severe restrictions on women's freedom, with a view to provoke an "inevitable race war" that would lead to the creation of a whites-only state in North America and Europe.⁹⁶

There has also been a sharp uptick in hate speech and attacks against Muslims in the United States amid the aggravation of Palestinian-Israeli conflict.

In October 2023, the 71-year-old owner of a house in the US state of Illinois, where a family of Palestinian refugees lived, stabbed a six-year-old boy 26 times motivated by Islamophobia, xenophobia and all forms of hatred. The child died in hospital. His 32-year-old mother was also seriously injured. The

⁹² <https://www.state.gov/remarks-at-the-conference-of-presidents-of-major-american-jewish-organizations-antisemitism-the-interconnected-hatred/>

⁹³ <https://www.whitehouse.gov/briefing-room/statements-releases/2024/01/26/statement-from-president-joe-biden-international-holocaust-remembrance-day-statement-2024/>

⁹⁴ <https://forward.com/news/462704/nazi-collaborator-monuments-in-united-states/>
<https://wisconsinexaminer.com/2021/03/29/ukrainian-baraboo-nazi-statues/>

⁹⁵ https://www.holosameryky.com/a/azovstal-protest/7353938.html?withmediaplayer=1&fbclid=IwAR1skyR5C2KL1AcGM-mNwwdtFV6jHlpDR4RRIT09z4NhSofOUNWwW_5nil4

⁹⁶ White supremacist praise of the Taliban takeover concerns US officials. CNN. 1 September 2021. <https://edition.cnn.com/2021/09/01/politics/far-right-groups-praise-taliban-takeover/index.html>; Amid Chaos, Islamist Extremists Celebrate Taliban's Success in Afghanistan. Anti-Defamation League. 26 August 2021. <https://www.adl.org/blog/amid-chaos-islamist-extremists-celebrate-talibans-success-in-afghanistan>.

man tried to strangle her, then stab her to death with the words: "You Muslims must die!" He has been charged with a murder motivated by intolerance.

The sheriff's office later explained that "the suspect targeted both victims because they were Muslim and because of the ongoing conflict in the Middle East involving Hamas and the Israelis."⁹⁷

In November 2023, the White House reacted under protest by announcing the development of a first ever national strategy to counter Islamophobia.⁹⁸

While declaring that Islamophobia is inadmissible, the United States simultaneously promotes the further cleansing of Gaza by Israel. Thus, in January 2024, the United States, using pressure and blackmail, forced the UN Security Council to change the original text of the Middle East resolution: instead of a call to end hostilities, the final wording had exactly the opposite meaning – a call to create conditions for a cessation of hostilities. As a result of such distortion of the original draft intent, Israel is actually given a license to kill Palestinian civilians in Gaza under the pretext that clearing the strip is supposedly the very steps to create the mentioned conditions.⁹⁹

Expert community is extremely alarmed by the spread of extremist ideology in the United States. Its unprecedented popularity surge in American society was noted in the report *The Year in Hate and Extremism*, prepared by the influential US NGO Southern Poverty Law Centre in 2021.¹⁰⁰

Senior American officials and legislators are increasingly drawing attention to the urgency of the problem.

In 2023, human rights activists from the above-mentioned Centre registered 1,225 "hate groups" in the United States (for comparison, there were

⁹⁷ <https://www.trtussian.com/politika/epidemiya-islamofobii-na-zapade-kto-vinovat-17375903>
<https://www.yenisafak.com/ru/news/11593>

⁹⁸ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/11/01/statement-from-white-house-press-secretary-karine-jean-pierre-on-president-bidens-establishment-of-first-ever-national-strategy-to-counter-islamophobia/>

⁹⁹ <https://tass.ru/politika/19695397>

¹⁰⁰ Southern Poverty Law Center: The Year in Hate and Extremism Report 2021.

just 773 such groups in 2022),¹⁰¹ 98 of which preach "white nationalism."¹⁰² They include the infamous Ku Klux Klan, neo-Nazis, skinheads, anti-immigrant and anti-Muslim groups.¹⁰³

The activities of radicals are carefully coordinated and sealed off – messages are exchanged in closed groups on social networks using end-to-end encryption technology.

According to surveys, about 29% of all Americans personally know someone in their circle who adheres to the "white supremacy" idea.¹⁰⁴

Throughout 2021, individual "hate groups" have grown rapidly and gained access to the political "mainstream", their influence has also increased.

Right-wing extremism is identified in the US National Security Strategy as a serious threat to domestic stability.¹⁰⁵ President Biden constantly speaks of the danger posed to democratic institutions by the proponents of racial, ethnic, political and religious hatred.

Human rights activists are seriously concerned about the activities of such odious organizations as The Base, Feuerkrieg Division and Atomwaffen Division, as well as the right-wing radical structures Proud Boys and Oath Keepers. The last two became the object of close attention of law enforcement officers due to their evident involvement in the "attack on the Capitol" and promoting Donald Trump's rhetoric about a "stolen victory" in the 2020 presidential election.

The most significant development has occurred in the "Western chauvinist" organization Proud Boys, which is believed to be the first step in attracting new members into organizations based on misanthropic ideas.

¹⁰¹ Southern Poverty Law Center: <https://www.splcenter.org/hate-map>

¹⁰² Southern Poverty Law Center: <https://www.splcenter.org/hate-map>.

¹⁰³ Southern Poverty Law Center: The Year in Hate and Extremism Report 2019. https://www.splcenter.org/sites/default/files/yih_2020_final.pdf

¹⁰⁴ Southern Poverty Law Center: The Year in Hate and Extremism Report. 2020.

¹⁰⁵ National Security Strategy. 12.10.2022: <https://www.whitehouse.gov/wp-content/uploads/2022/10/Biden-Harris-Administrations-National-Security-Strategy-10.2022.pdf>.

According to a 2021 *Die Zeit* study, the influence of this organization is so great that many neo-Nazis who are not part of this structure are guided by its leader J. Mason¹⁰⁶. In addition, the structure has expanded its activities to the UK, Germany, Canada and Baltic states. It is noted that as of mid-2019, 35 Americans left the United States for Ukraine to participate in hostilities.¹⁰⁷

72 active chapters nationwide were documented in 2021, up from 43 the year before. The growth of this group's cells is especially noteworthy given that at least 40 of its members have been charged with their roles in the aforementioned "attack on the Capitol" on 6 January 2021. According to a research by VICE News reporter Tess Owen, The Proud Boys attended at least 114 public events in 2021.

As part of the criminal investigation into the 6 January 2021 events, law enforcement officers carried out a series of ostentatious arrests of extreme conservative leaders. Thus, the former Oath Keepers leader Steward Rhodes and The Proud Boys ex-chairman Enrique Tarrio were charged with attempting to overthrow government by armed means, which ensues up to 20 years in prison.¹⁰⁸

More than one thousand people were charged with involvement in the "seizure of parliament".¹⁰⁹

A separate trial was conducted by a special committee of the House of Representatives¹¹⁰. It was anti-Trump in nature.

¹⁰⁶ The Brown Internationale. Kai Biermann, Christian Fuchs, Astrid Geisler, Yassin Musharbash, Hogler Stark. *Die Zeit*. 11 February 2021. https://www.zeit.de/gesellschaft/zeitgeschehen/2021-02/fascism-international-right-wing-extremism-neo-nazis-english/komplettansicht?utm_referrer=https%3A%2F%2Fwww.google.com%2F

¹⁰⁷ Anti-Defamation League Report "White supremacist terror: modernizing our approach to today's threat". April 2020. <https://extremism.gwu.edu/sites/g/files/zaxdzs2191/f/White%20Supremacist%20Terror%20final.pdf> p. 25, The Soufan Center Report "White Supremacy Extremism: The Transnational Rise of the Violent White Supremacist Movement", September 2019. <https://thesoufancenter.org/wp-content/uploads/2019/09/Report-by-The-Soufan-Center-White-Supremacy-Extremism-The-Transnational-Rise-of-The-Violent-White-Supremacist-Movement.pdf>

¹⁰⁸ Oath Keepers' Rhodes guilty of Jan.6 seditious conspiracy. 29.11.2022: <https://apnews.com/article/oath-keepers-founder-guilty-of-seditious-conspiracy-42affe1614425c6820f7cbe8fd18ba96>

¹⁰⁹ At least 1,003 people have been charged in Capitol insurrection so far. 05.01.2023: <https://news.yahoo.com/least-948-people-charged-capitol-192631254.html>

As for neo-Nazis, the most well-known groups include Tennessee Shield Wall Network, Daily Stormer, 14First The Foundation, Rise Above Movement, Keystone United, National Policy Institute, Woman for Aryan Unity, New Jersey European Heritage Association, The Church of Jesus Christ Christian – Aryan Nations, Black and Silver Solution, Daily Archives, Nazi Central, Universal Order, White Nationalist Defender, Kommandant Base 211, Joey Faust.

Many extremist ideologies now need neither organization nor membership in it to be spread. Numerous websites and forums allow individuals to receive and disseminate information on hate ideologies without becoming a member of any extremist association.¹¹¹

The amount of ideological material spread by extremists has been increasing over recent years. The Anti-Defamation League tracked a near-doubling of white supremacist propaganda materials in 2020 as compared to the previous year: they registered over 5,000 racist, antisemitic observations and comments, as well as other manifestations of hatred.¹¹² It is clear that the real figures are much bigger. The most active in spreading propaganda were Patriot Front, New Jersey European Heritage Association and Nationalist Social Club (92% of all activities).¹¹³

Recently, the attention of human rights defenders was drawn to the spread of racist and neo-Nazi ideology among US military. Reports on high-profile crimes committed by US servicemen being followers of racist ideologies and

¹¹⁰ Jan.6 panel says Trump, far-right groups responsible for insurrection. 10.06.2022: <https://ncpolicywatch.com/2022/06/10/jan-6-panel-says-trump-far-right-groups-responsible-for-insurrection/>

¹¹¹ The Year in Hate and Extremism 2020. Southern Poverty Law Center. <https://www.splcenter.org/news/2021/02/01/year-hate-2020>

¹¹² White supremacist propaganda spikes in 2020. Anti-Defamation League. <https://www.adl.org/white-supremacist-propaganda-spikes-2020>

¹¹³ White supremacist propaganda spikes in 2020. Anti-Defamation League. <https://www.adl.org/white-supremacist-propaganda-spikes-2020>

members of radical groups have been repeatedly covered by the media.¹¹⁴ The problem is aggravated by the fact that membership in nationalist or racist organizations is not prohibited by law for US servicemen. In February 2020, at a hearing in the Congress US defense officials said that membership in a nationalist group "is not prohibited," but "active participation" in the group could lead to an administrative discharge.¹¹⁵ However, they refrained from giving exact data on how many service members have been administratively discharged for this.¹¹⁶

On 14 May 2021, the Department of Homeland Security (DHS) released the "Strategic Intelligence Assessment and Data on Domestic Terrorism" report that acknowledges the activity of right extremists in recent years. It notes, in particular, that Racially or Ethnically Motivated Violent Extremists (RMVEs), primarily those advocating for the superiority of the white race, would likely continue to be the most lethal DVE (Domestic Violent Extremist) threat. The report also notes the rise in the number of lone offenders who are not members of radical groups. According to the document, 2019 is the most lethal year for domestic extremist assaults over the recent quarter of a century: of the 32 killings in five separate attacks 24 were committed by white supremacists.¹¹⁷

It is remarkable that the authors of the report, correctly noting new trends in the spread of extremist ideology, try to artificially highlight the "external influence" factor in this phenomenon and accuse foreign States in allegedly "malicious activity to deepen the divide" in the United States.

¹¹⁴ For more information about this problem, see the US section, latest Russian MFA Report on the situation with the glorification of Nazism, spread of neo-Nazism and other types of practices that contribute to the escalation of modern forms of racism, racial discrimination, xenophobia and related intolerance.

¹¹⁵ Members of white nationalist groups not barred from US military, official says. The Times of Israel. 14 February 2020. <https://www.timesofisrael.com/members-of-white-nationalist-groups-not-barred-from-us-military-official-says/>

¹¹⁶ Neo-Nazi Group Membership May Not Get You Booted from Military, Officials Say. 12 February 2020. <https://www.military.com/daily-news/2020/02/12/neo-nazi-group-membership-may-not-get-you-booted-military-officials-say.html>

¹¹⁷ <https://iz.ru/1165713/kirill-senin/iznutri-uzhasnye-v-ssha-zafiksirovali-rost-ekstremistskikh-nastroenii>, https://www.huffpost.com/entry/deadly-domestic-extremism-worst-in-25-years-fbi-white-supremacists_n_60a0591ae4b03e1dd38a5b4e

It is also noteworthy that despite the threat posed by right-wing radicalism pointed out to by US authorities, in reality, double standards are commonly applied to such organizations.

Thus, a number of US experts and lawmakers earlier suggested addressing the danger posed by neo-Nazi groups in Ukraine who commit crimes with impunity and keep in touch with US-based extremist groups, e.g. Atomwaffen Division. There are well known high-profile crimes committed by US military espousing racist ideology and being members of radical groups.

Despite all this, the Russian Imperial Movement (RIM) was designated as a terrorist group by the United States (experts questioned this decision due to scarce information on this structure and its ties abroad). Meanwhile, similar measures have not been taken so far in relation to infamous Ukraine-based groups, such as the Right Sector, Azov Battalion and C14, whose members were involved in serious crimes.

The US engages a wide range of terrorist groups around the world, who are tightly controlled by intelligence agencies and work together with private military companies (PMCs). This has been the case in the US military-occupied Syrian territories, where odious groups such as Maghawir al-Saura operate under the guise of "moderate opposition." Other radical Islamist groups also operate under the cover of the United States occupation forces in Syria.

Washington's tradition of turning to war criminals goes back decades. After World War II many German Nazis and Italian fascists were integrated with American consent (including CIA direct support) into the US power and scientific structures, as well as into the governmental circles of the Federal Republic of Germany and Italy. Similar processes took place in other European countries as well. At Americans' suit, a number of Hitler's generals were promoted to high posts in the Bundeswehr and NATO structures. Abwehr, Gestapo and other Nazi structures staff was of considerable help in readjusting Western intelligence agencies to work in the "Cold War" environment.

Americans took the captured Japanese General Ishii Shiro, known for his experiments in testing the effects of viruses, bacteria, radiation and chemicals on living people in occupied China, to the USA and tasked him with developing biological weapons in exchange for guaranteed immunity from prosecution as a war criminal.

The Americans and NGOs under their control actively support far-right and neo-Nazi movements in the former Soviet Union and Europe, calling their members "freedom fighters" and their idols among Nazi collaborators – "leaders of national liberation movements". The neo-Nazi terror in Ukraine, deployed immediately after the February 2014 coup d'état, rested on the US long-standing experience in cooperation with terrorists and extremists.

The brainwashing of Banderist groups outside Ukraine (mainly in Canada) was initiated by the Americans shortly after 1945. Since the late 1980s, the Americans purposefully supported Russophobes and chauvinists and reinforced such sentiments in the Ukrainian ruling circles and army. "Schools for young politicians" that taught "colour revolutions" by US methodology manuals actively worked under the control of Western NGOs. Over and above introducing their students to the strategy and tactics of coups d'état, they fostered aggressive Russophobia. CIA-funded training camps were set up in Ukraine and Eastern Europe where militants from far-right and neo-Nazi organizations were trained under the guidance of NATO instructors to become perpetrators of terror in Ukraine.

After the 2014 coup d'état, the USA continued almost openly the work to "ensure Ukraine's defense and security", taking full control of its security agencies and constantly stepping up arms supplies to Kiev. At that, the Nazi ideology and its adherents' embedding in the AFU command structure and public administration were crucial to the consolidation of military power against Russia. Nationalists from volunteer battalions who received generous targeted financial assistance, amounting to billions of dollars, once again became the

mainstay in this task. In 2016-2022 (before the special military operation began on 24 February 2022), Azov only received about USD 78 million US "aid" through legal channels despite the Congressional ban to finance this organization.

In parallel, Washington launched a campaign to whitewash the Ukrainian Nazism and collaborators of Nazi Germany who were chosen as its leaders. It is indicative that the USA and Ukraine even vote in the UN against the resolution condemning manifestations of neo-Nazism proposed by Russia every year.

International human rights monitoring mechanisms and human rights NGOs have repeatedly noted the spread of racism, xenophobia, ethnic and religious intolerance in the United States.

A report on the glorification of Nazism, submitted by Ms E. Tendayi Achiume, UN HRC Special Rapporteur on contemporary forms of racism, at the 41st HRC session in June 2019, with reference to a Southern Poverty Law Centre study *Intelligence Report: The Year in Hate and Extremism – Rage Against Change*, claimed that the number of misanthropic groups in the United States has increased by 30% since 2014, including by 7% in 2018 alone.¹¹⁸

The US law enforcement system remains the focus of criticism from human rights activists and the media.

According to NGOs End Police Violence and Mapping Police Violence who monitor the use of force by law enforcement officers on a daily basis, the number of murders committed by US police officers amounted to 527 people in the first half of 2023 (1,136 people in 2021). 96% of these crimes are committed with firearms, stun guns, vehicles, or the excessive use of physical force.¹¹⁹ However, most murders occurred during non-violent offenses or when there was no crime at all.

¹¹⁸ E. Tendayi Achiume, HRC Special Rapporteur on contemporary forms of racism. Report on combating glorification of Nazism at the UN Human Rights Council 41st session, June 2019, A/HRC/41/55.

¹¹⁹ Mapping Police Violence Project: <https://mappingpoliceviolence.us/>

Law enforcement officers were charged in only 16 incidents, which is only 1% of the total number of cases. Meanwhile, in another 16 episodes, law enforcement officers were previously seen using weapons.¹²⁰

According to data posted on the MPV website, the number of deaths at the hands of police in the United States reached a "record" 1,351 in 2023,¹²¹ exceeding the 2022 statistics by 79 people. It is also noted that in 2023, there were only 13 days without a police killing in the United States,¹²² and on average, law enforcement officers killed someone every 6.6 hours.¹²³ From 1 January to 17 March 2024, 254 people died at the hands of police.¹²⁴

According to the above China Society for Human Rights Studies report on human rights violations in the United States, 1,239 people died as a result of police violence in the United States in 2022. There were only 10 days in the year when no murder was committed by law enforcement officers. Most police killings occur during routine law enforcement activities, such as unscheduled inspections or during the investigation of non-violent crimes.¹²⁵

Police are rarely accused of using excessive force. In a review of police killings between 2013 and 2022 98% of the employees involved were not charged with a crime.

According to The Washington Post, as of 18 March 2024, 1,137 people were shot and killed by police in the previous 12 months, for a total of 9,473 fatal police shootings since 2015. On average, more than 1,000 people are killed by police annually, according to the newspaper's analysis. The number of fatal police use of firearms has increased slightly in recent years. The highest number of such killings was recorded by police in 2023.¹²⁶ Crimes committed

¹²⁰ End Police Violence, Report 2021

¹²¹ <https://mappingpoliceviolence.org/>

¹²² <https://mappingpoliceviolence.org/>

¹²³ <https://iz.ru/1635795/2024-01-17/mpv-soobshchila-ob-13-tys-ubitykh-politseiskimi-v-ssha-za-2023-god>

¹²⁴ <https://mappingpoliceviolence.org/>

¹²⁵ China Society for Human Rights Studies 2022 report on human rights violations in the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

¹²⁶ <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

by law enforcement officers outside their official duties are not taken into account here.

Some states have passed regulations prohibiting police officers from opening fire on vehicles. However, regulatory norms fail to fully protect the population from police brutality. This conclusion is made in the 2022 report on the most resonant human rights violations in certain countries by the Ministry of Foreign Affairs of the Republic of Belarus.¹²⁷

The opinion of Amnesty International is also worth mentioning. It emphasizes that none of the existing state laws regulating the possible use of force by police and its limits (there are no such acts at the federal level) meets international standards in the field of protection of citizens' rights and legitimate interests.

Police violence is just one aspect of the violation of Americans' rights. As noted earlier, the entire US law enforcement system is far from perfect, and its activities fail to meet the transparency criterion. Thus, in 2023, the United States was shocked by the news about 215 unidentified graves found in front of a prison in Mississippi.

The revelation began with the death of Dexter Wade in March 2023, when he was shot by a police officer. Despite the fact that the deceased had documents, his family was not notified of what had happened. He was buried without the knowledge of his loved ones in an unmarked field, and a metal number plaque was placed on his grave.

Mr Wade's mother searched for her son for several months, repeatedly contacting the police. She was informed about what had happened only six months later.

¹²⁷ Ministry of Foreign Affairs of the Republic of Belarus report on the most resonant human rights violations in certain countries in 2022.
https://mfa.gov.by/kcfinder/upload/files/22.07.04_report_HR_2.pdf.

An independent examination confirmed that there was a wallet on the deceased containing his ID card, credit card and other identifying information. According to family lawyer Ben Crump, this fact indicates that a concerted effort was made to hide the truth and the cause of Mr Wade's death from his family. The lawyer also emphasized that there can be no justification for this kind of violation of civil rights.

A total of 215 burials were subsequently found in this field. Lawyers for the victims' families are calling for a thorough investigation into circumstances related to the unmarked graves.¹²⁸

Racial profiling by police is very acute in the United States.

According to The Washington Post, as of 18 March 2024, African Americans, who make up approximately 14% of the US population, are the most likely to die due to the excessive use of force by police: the death at the hands of police rate among black Americans (1,512 deaths per 42 million people) is more than double the same among white US residents (2,890 deaths per 197 million people).¹²⁹ According to analysts, every thousandth black male resident of the United States is at risk of becoming victim of law enforcement actions. Citizens aged 20 to 35 years make up the highest risk group.¹³⁰ Latin American community members hold the "second place" in mortality rate.¹³¹

From 24 April to 5 May 2023, a delegation of the UN International Independent Expert Mechanism to Advance Racial Justice and Equality in the

¹²⁸ <https://www.fox26houston.com/isiah-factor-uncensored/215-bodies-found-jackson-mississippi-exposed>

¹²⁹ The Washington Post, Police shootings database; <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

¹³⁰ Shot at home by police: Teaching officers how to react under stress after Botham Jean, Atatiana Jefferson killings. ABC News, 19 December 2019. <https://abcnews.go.com/US/shot-home-police-teaching-officers-react-stress-botham/story?id=67825639>

¹³¹ The Washington Post, Police shootings database; <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>

context of law enforcement paid an official visit to the United States.¹³² A report following the results of the visit published on 26 September 2023, states that systemic racism against people of African descent literally permeates the American police forces and criminal justice system.¹³³

This document notes that racism in the United States is a legacy of slavery, the slave trade, and the 100 years of legalized apartheid that followed the abolition of slavery. Today, racism continues to exist in the country in the form of racial profiling, police killings, and many other human rights violations. Black people in America are three times more likely to be killed by police than white people and 4.5 times more likely to be incarcerated. Only ten of the more than a thousand police killings each year (about 1%) are charged. The conclusion is that unless US rules of engagement are changed to meet international standards, killings will continue.¹³⁴

¹³² The International Independent Expert Mechanism to Advance Racial Justice and Equality in Policing was established in July 2021 by the Human Rights Council to study the situation and develop recommendations. In particular, ensuring that people of African descent who have suffered from police brutality have access to justice is meant here.

¹³³ <https://news.un.org/ru/story/2023/09/1445272>.

¹³⁴ <https://www.ohchr.org/en/documents/country-reports/ahrc54crp7-international-independent-expert-mechanism-advance-racial>.

Following the visit, Tracy Keesey, one of the Mechanism's experts, characterized as "not new" and "unacceptable" the fact that, in all the cities visited, they encountered "many heart-warming stories of how victims unable to obtain justice or compensation for the harm they have suffered". Stressing that this is "a systemic problem that requires a systemic approach," the expert pointed to the importance of joining efforts by all stakeholders, including police authorities and trade unions, in combating widespread impunity. Referring to the concerns expressed by the Mechanism's experts in their meetings with police officers about the mental health of officers that is affected not only by excessive workloads but also by racism and racial discrimination in police departments, Tracy Keesey concluded that law enforcement officers can be expected to observe the principles of respect for the rights of others only if those principles were observed within their own team.¹³⁵

Juan Mendez, an expert with the Mechanism, expressed a similar view. He also emphasized that these were not random incidents in the report, but systemic problems. There is compelling evidence that abusive behaviour by individual police officers is part of a larger pattern of threat. Law enforcement and criminal justice institutions in the United States reflect and continue to propagate the values, attitudes and stereotypes of American society and institutions. Their reform is necessary.¹³⁶

The report also emphasizes that armed police officers should not automatically become the first line of response to all social problems in the United States, including crises related to mental health, homelessness, traffic or school discipline. It is argued that there is a need to change the approach to policing and consider alternative methods of responding to different events.

¹³⁵ <https://news.un.org/ru/story/2023/09/1445272>

¹³⁶ <https://news.un.org/ru/story/2023/09/1445272>

The report's authors call on police agencies to actively address issues of systemic racism, especially in the context of black law enforcement officers, and to examine issues of white supremacy within these structures.

The report cited with profound concern instances involving the sentencing of African-American children to life in prison and the use of chains to shackle pregnant women during childbirth. There were also cases of the prolonged detention of individuals in solitary confinement for ten years. The authors of the report note that some African Americans are denied the right to vote even after serving their sentences, and others are forced into forced labour in "plantation" prisons, which constitutes a modern form of slavery.¹³⁷

The UN Mechanism has condemned not only the general overuse of incarceration and criminal supervision in the United States, but also the "appalling overrepresentation of people of African Descent" among those subjected to these measures. Describing the testimonies and figures received by members of the Mechanism during their visit to the United States as "the worst part of a racist criminal justice system that erodes all efforts towards addressing systemic racism," Juan Mendez emphasized that the report's findings "point to the critical need for comprehensive reform."

The report made 30 recommendations for the United States and all of its jurisdictions, including more than 18,000 police agencies in the country.

It should be noted that the report's authors also highlighted several local good practices, while pointing out the need for the current administration to use these good practices for combating systemic racism in other parts of the country.

¹³⁷ <https://www.ohchr.org/en/documents/country-reports/ahrc54crp7-international-independent-expert-mechanism-advance-racial>

The murder of George Floyd,¹³⁸ an African American, during his arrest on 25 May 2020 in Minneapolis by white police officers and the following protests across the country highlighted the systemic problems of racism in the United States, both against African Americans and members of other racial and national minorities.

Many experts perceived a number of violations of national and international law in the US authorities' response to these protests. First of foremost, the unjustified and disproportionate use of force by law enforcement officers against participants in peaceful demonstrations and journalists covering these actions was criticized. Attention was drawn to the mass detentions of citizens and the use of rubber bullets, tear gas, stun grenades and other special means by the police.

The urgent debate on human rights violations, systematic racism, police brutality and violence against peaceful protests, initiated by the African Group at the resumed 43rd session of the United Nations Human Rights Council on 17 June 2020, was an obvious evidence of the emergent situation in the United States, during which the actions of the US authorities were seriously criticized.

The UN Committee on the Elimination of Racial Discrimination, established under the International Convention on the Elimination of All Forms of Racial Discrimination, also used the early warning procedure¹³⁹ in relation to the situation of mass protests against racism in the United States, issuing a special statement on 12 June 2020. It highlighted a systemic problem of racial profiling, the brutality and excessive use of force by law enforcement officials

¹³⁸ What We Know About the Death of George Floyd. New York Times, 27 May 2020, as well as Wall Street Journal, 29 May 2020.

¹³⁹ It should be noted that this is not the first time that the Committee has implemented this mechanism. In light of the racially motivated clashes in Charlottesville, Virginia, on 18 August 2017, CERD also expressed concern within the framework of this procedure about the extent of racist manifestations, calling on the US authorities to clearly and unequivocally condemn racist hate crimes and to actively promote tolerance and diversity of ethnic groups.

against persons belonging to racial and ethnic minorities, including unarmed individuals.

Previously, CERD had also noted with concern the excessive use of force against peaceful protesters across the country and demanded that Washington report on the measures it had taken to address those negative aspects.¹⁴⁰

The situation in the United States has also attracted the attention of the Office of the UN High Commissioner for Human Rights. In her statement on 3 June 2020, Michelle Bachelet, the UN High Commissioner for Human Rights, called on Washington to unequivocally condemn the structural racism that is destroying US society and to take action to address inequality.

The HRC Special procedures mandate holders highlighted the seriousness of the situation of rampant racism and police brutality in the United States. In particular, with respect to protests in the United States, on 5 June 2020, the UN HRC special procedures mandate holders published a joint statement condemning the modern "racial terror" and urging the US leaders to reform the law enforcement system.

The killing of George Floyd was by no means an isolated incident involving excessive use of force by law enforcement officers against African Americans.

On 12 October 2019, Aaron Dean, a police officer, responding to a call, shot and killed Atatiana Jefferson in her own home in Fort Worth, Texas.¹⁴¹ The neighbours of the latter reported to the police of the opened door to her apartment and noises sounding as gunfire. Body-worn camera attached to the police officer's clothing showed that the deceased was at home with her young nephew playing video games. A law enforcement officer shot to kill immediately after giving a warning, giving his victim no chance of surviving.

¹⁴⁰ <https://www.ohchr.org/Documents/HRBodies/CERD/EarlyWarning/Statements/USA.pdf>.

¹⁴¹ Ibid.

On 28 January 2020, William Green, an African American, who had been taken into custody on suspicion of drunk driving, was shot dead while handcuffed by a police officer in Temple Hills, Maryland.¹⁴² The detainee, who was in the front seat of the patrol car and not resisting, was shot multiple times by the law enforcement officer.

On 13 March 2020, a police officer fatally shot Breonna Taylor, a Black nurse, by mistake in Louisville, Kentucky.¹⁴³ Suspicions of the deceased's involvement in drug trafficking were not confirmed.

On 1 September 2020, an African American cyclist was shot dead by police in Los Angeles, allegedly violating traffic rules. After the suspect was stopped, a scuffle ensued in which he was shot and killed.

On 11 April 2021, Daunte Wright,¹⁴⁴ an African American, was shot and killed by a female police officer while being detained¹⁴⁵ in the suburbs of Minneapolis. According to city police officials, their female officer wanted to use a taser but accidentally shot an African American.

On 20 April 2021, a police officer responding to a call about a girl attacking with a knife shot and killed Ma'Khia Bryant, a 16-year-old black girl, in Columbus, Ohio. The incident happened about the same time that the verdict in the case of George Floyd's killing in police custody was announced. Derek Chauvin, a police officer, was found guilty of all charges.

On 21 April 2021, a deputy police chief shot and killed Andrew Brown Jr.,¹⁴⁶ an African American, in Elizabeth City, North Carolina. This

¹⁴² Maryland police officer charged with murder in killing of handcuffed man. BBC, 29 January 2020. Available at: <https://www.bbc.com/news/world-us-canada-51291200>

¹⁴³ F.B.I. to Investigate Shooting of Breonna Taylor by Louisville Police. New York Times, 21 May 2020. Available at: <https://www.nytimes.com/2020/05/21/us/fbi-louisville-shooting.html>

¹⁴⁴ <https://www.nytimes.com/article/daunte-wright-death-minnesota.html>

¹⁴⁵ <https://apnews.com/article/columbus-ohio-police-shooting-girl-bd579b69e19abf5a93722986ee78c957>

¹⁴⁶ Black residents of Elizabeth City, N.C., thought police violence happened in other places. Then it came to their town. The Washington Post. 29 April 2021. Available at: https://www.washingtonpost.com/local/virginia-politics/elizabeth-city-police-shooting/2021/04/29/80b28b40-a8ed-11eb-8c1a-56f0cb4ff3b5_story.html.

incident also triggered widespread rioting in the city, which led to a curfew being imposed.

On 7 January 2023, five black police officers stopped the car of Tyre Nichols, a 29-year-old African American, who was unarmed, for reckless driving. They used tasers, pepper sprays, and beat him with their feet, fists and batons.¹⁴⁷ The man died on 10 January 2023 at St. Francis Hospital. Nichols' family explained that he suffered a broken neck and went into cardiac arrest while being detained by police officers, and the cause of death was kidney failure and cardiac arrest.

Authorities in Memphis, Tennessee, have released three videos of a violent arrest of Tyre Nichols¹⁴⁸ by local police officers. Afterwards, protests began in Memphis, and demonstrations also took place in New York, Washington, D.C., and other cities. The police officers have been charged with second-degree murder.¹⁴⁹ Memphis government and US authorities have criticized the actions of law enforcement officers. President Joe Biden declared that the case is "yet another painful reminder of the deep fear and trauma, the pain and exhaustion that black and brown Americans experience every day." In this context, the President demanded that Congress expedite the George Floyd Justice in Policing Act,¹⁵⁰ which is designed to reduce the agency's rate of misconduct.¹⁵¹

In August 2023, in Ohio, two police officers shot and killed Ta'Kiya Young, a 21-year-old pregnant black woman, sitting in her car in a parking next to a grocery shop. They accused her of theft and demanded that she get out of the car. However, the woman did not obey and tried to escape from the scene,

¹⁴⁷ <https://www.washingtonpost.com/nation/2023/01/27/tyre-nichols-video-police-beating-live/>;
<https://www.rbc.ru/society/28/01/2023/63d4c6059a7947e3f1378b1a>

¹⁴⁸ <https://www.washingtonpost.com/nation/2023/01/27/tyre-nichols-video-police-beating-live/>

¹⁴⁹ https://www.washingtonpost.com/national-security/2023/01/26/memphis-officers-charged-tyre-nichols/?itid=lk_inline_manual_4&itid=lk_inline_manual_5

¹⁵⁰ <https://www.congress.gov/bill/117th-congress/house-bill/1280>

¹⁵¹ <https://www.washingtonpost.com/nation/2023/01/27/tyre-nichols-video-police-beating-live/>

which resulted in the police opening fire. The car, driven by a woman, then crashed into the shop building. As it later turned out, the woman and her child died.¹⁵²

On 17 October 2023, a deputy sheriff in Georgia shot and killed Leonard Allan Cure, a 53-year-old black man who had spent more than 16 years in a Florida prison on a wrongful conviction.¹⁵³ As it turned out, a Georgia sheriff's deputy stopped Cure's vehicle while he was driving along Interstate 95 near the Florida border. Leonard Cure got out of the car at the law enforcement officer's request and initially cooperated, but turned aggressive when he was told he was being arrested. As a result, the sheriff first used a taser and baton to subdue him, and then pulled out a gun and shot Leonard Cure when he continued to resist.¹⁵⁴ Due to the injuries sustained, the man died.¹⁵⁵

At the same time, experts note that law enforcers in the United States rarely take responsibility for unlawful and unreasonably harsh actions against alleged offenders and prisoners. According to the ABC News, there were only 16 convictions in such cases between 2004 and 2020.

The most recent high-profile verdict was the sentencing of Derek Chauvin, the killer of African American George Floyd,¹⁵⁶ to 22.5 years in prison in 2021.

Another case of prosecution was noted in May 2021, when Brett Palkowitsch, a law enforcement officer, was sentenced to six years in prison for

¹⁵² <https://www.theguardian.com/us-news/2023/sep/01/ohio-police-shooting-pregnant-black-woman-ta-kiya-young>

¹⁵³ Leonard Cure was convicted of the armed robbery of a pharmacy in Dania Beach, Florida, in 2003, and sentenced to life in prison because of previous convictions for robbery and other offences. In April 2020, the man was acquitted by the court and released from prison. Available at: <https://iz.ru/1590889/2023-10-17/v-ssha-zamestitel-sherifa-zastrelil-otsidevshego-po-lozhnomu-prigovoru-chernokozhego>

¹⁵⁴ <https://apnews.com/article/deputy-sheriff-shooting-traffic-stop-georgia-9ca56342974dd22b34ae330af62c555c>

¹⁵⁵ <https://iz.ru/1590889/2023-10-17/v-ssha-zamestitel-sherifa-zastrelil-otsidevshego-po-lozhnomu-prigovoru-chernokozhego>

¹⁵⁶ Why Derek Chauvin's sentencing for murdering George Floyd is a rarity. ABC News. 26 June 2021. Available at: <https://abcnews.go.com/US/derek-chauvins-sentencing-murdering-george-floyd-rarity/story?id=78402027>.

excessive use of force against Frank Baker, an African American, he arrested. During his arrest, Frank Baker was beaten, while a police dog mauled him, although he offered no resistance.¹⁵⁷

An intense discussion about the need for a systemic solution to the issue of racial intolerance in the United States was also triggered by the verdict of a jury to find Kyle Rittenhouse not guilty of shooting and killing two people in Kenosha, Wisconsin, during protests for the rights of the black population.¹⁵⁸

Following her first visit to the United States (31 October – 14 November 2023),¹⁵⁹ Ashwini K.P., the UN Human Rights Council's Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, pointed out serious flaws in America's human rights enforcement and called for more effective measures by the United States, stressing that the country is at a critical stage in countering racial discrimination. She noted that "the murders of George Floyd, Breonna Taylor and many others, the racially disparate impact of the COVID-19 and large-scale racial justice protests in 2020 brought some of the realities of persistent systemic racism, more into the mainstream American consciousness." Nevertheless, there is a need for greater efforts.¹⁶⁰

In its statement, the United Nations expert refers to evidence from racially marginalized groups of systematic discrimination in the areas of health care, education, migration, access to housing, employment and social security. The continuing high degree of racial residential segregation, political and legal

¹⁵⁷ Ex-officer was sentenced for causing severe injuries to unarmed Black man while a police dog mauled him. The Washington Post. 22 May 2021. Available at: <https://www.washingtonpost.com/nation/2021/05/22/st-paul-officer-sentenced-beating-black-man/>.

¹⁵⁸ CNN, These are the 5 charges the jury in Kyle Rittenhouse's trial considered. Available at: <https://www.cnn.com/2021/11/14/us/kyle-rittenhouse-jury-deliberations-charges/index.html>

¹⁵⁹ <https://news.un.org/ru/story/2023/11/1446777>

¹⁶⁰ <https://www.ohchr.org/sites/default/files/documents/issues/racism/sr/statements/2023-11-14-EOM-SR-Racism-usa-en.pdf>

discrimination in access to housing, and criminal justice abuses were indicated.¹⁶¹

Thus, according to the BBC, the gap between white and black homeownership rates in the United States is at its widest in 120 years.¹⁶² Most black property owners often have higher mortgage interest rates than whites, regardless of income.¹⁶³

Ashwini K.P, Special Rapporteur, identified signs of political polarization and instability, economic uncertainty, extreme inequality in income and resource distribution in the United States. In her opinion, such conditions create prerequisites for hate crimes. She reminded that inequality is based on the idea of white supremacy.

¹⁶¹ <https://www.ohchr.org/sites/default/files/documents/issues/racism/sr/statements/2023-11-14-EOM-SR-Racism-usa-en.pdf>

¹⁶² BBC. America's race gap between black and white homeowners. Available at: <https://www.bbc.com/news/business-61845304>

¹⁶³ The Hill: Black Americans feel disproportionate pain from high interest rates. Available at: <https://thehill.com/business/3617000-black-americans-feel-disproportionate-pain-from-high-interest-rates/>

Section 4. Rights of non-citizens of the United States.

Situation of migrants

Members of human rights community express serious concern about the steady tightening of migration policies of the US authorities. They take unprecedentedly tough measures to "resolve" the immigration crisis facing the country, whose objective is the return of foreigners to neighbouring countries, where they must await until their applications for entry into the country are examined.

The practice of artificially created queues at southern border crossings has continued, endangering the lives of thousands of migrants and refugees forced to violate US law and cross the border at inappropriate locations. This arrangement has had the most deplorable effect on minors.

US authorities have often separated families seeking asylum in the United States once they crossed the US-Mexico border. According to the American Civil Liberties Union (ACLU) (NGO), minors were routinely separated from their families.¹⁶⁴ They were then transferred to various immigration facilities. Reportedly, there were over 2,500 such children. 1,033 of them were under the age of ten when they were detained, including 185 under five.¹⁶⁵ According to the organization, as of August 2020, 678 children have been separated by the authorities under the pretext of "parental criminal records". The NGO filed 400 legal actions against the US administration aimed at blocking the removal of children seeking asylum at the border.¹⁶⁶

According to the Washington Post, 10 percent of the 895 detained minor migrants questioned by reporters were insulted by the US police, while 147 minors suffered physical violence. Over 40 percent reported a lack of

¹⁶⁴ According to the Chinese society for the study of human rights, from 2017 to the first quarter of 2021, there were over 5,000 such incidents.

¹⁶⁵ ACLU. Immigrant families still being separated at border. 2 October 2018.
<https://www.aclu.org/issues/family-separation>

¹⁶⁶ ACLU. ACLU has Filed 400 Legal Actions Against Trump Administration. 17 August 2020.
<https://www.aclu.org/press-releases/aclu-has-filed-400-legal-actions-against-trump-administration>

adequate food or water during their detention.¹⁶⁷ In 2018-2019, over 2,600 teenagers were detained; five died. As of March 2021, there were 4,200 juveniles in detention.

The Washington Post reported on an incident in which 10-year-old asylum-seeker W. Obregon was deported to Mexico by authorities and then kidnapped by unknown assailants. Reporters are convinced that there are thousands of such incidents.¹⁶⁸

The COVID-19 pandemic has aggravated the situation. The United States began to use the COVID-19 pandemic situation as an excuse to deny applicants access to the US asylum system, as required by US law and treaty obligations.

The Remain in Mexico (RMX) program introduced by the US administration in January 2019, which required asylum applicants to stay in Mexico while they awaited court decisions on their applications, was much criticized by human rights groups. Its rules have allegedly led to widespread violations of fundamental freedoms. Almost 70,000 people seeking asylum in the United States had to wait in Mexican border towns.¹⁶⁹ Many migrants were victims of crimes including sexual exploitation and human trafficking.¹⁷⁰ Experts also criticized the living conditions of migrants – in tent cities or overcrowded "barracks" type rooms, in premises without heating and access to basic hygiene products. Frozen foods, including expired ones, were in the diet.¹⁷¹

Among other problems, analysts note unemployment and the criminal situation. There are known cases of refugees settling in religious buildings and places of worship. Migrants' children were not given the opportunity to attend

¹⁶⁷ The Washington Post, 31 October 2020.

¹⁶⁸ Migrant boy found wandering alone in Texas had been deported and kidnapped. The Washington Post, 9 April 2021. <https://www.washingtonpost.com/world/2021/04/09/migrant-boy-found-wandering-alone-texas-had-been-deported-kidnapped/>.

¹⁶⁹ TRAC Immigration, Details on Migrant Protection Protocols (Remain in Mexico) Deportation Proceedings. Syracuse University.

¹⁷⁰ Physicians for Human Rights – PHR NGO, Forced into Danger, January 2021

¹⁷¹ Physicians for Human Rights – PHR NGO, Forced into Danger, January 2021

educational institutions, nor were proper measures taken against the spread of serious infectious diseases, including HIV.

The coronavirus pandemic also violated the right of asylum-seekers to a fair and timely trial. Hearings for applicants were postponed indefinitely, further endangering their lives and health.¹⁷² Following the launch of the Remain in Mexico (RMX) program, only 615 people (less than one percent of applicants) received positive decisions on their requests for asylum in the United States.¹⁷³ In total, approximately 400 thousand people were left waiting for a response to their asylum application in 2020.¹⁷⁴

Asylum-seekers have had their applications rejected and have been unfairly deported to countries where they faced danger or even death. According to Human Rights Watch, 138 deported Salvadorans have died since 2013. American deportation centers have also been criticized for holding people in overcrowded and insanitary conditions.

Since March 2020, the US Department of Homeland Security (DHS) has been deporting migrants based on the rules introduced by the US Department of Health and Human Services and the orders of the Centers for Disease Control and Prevention, empowered by Title 42 of the US Code of Federal Regulations relating to public health. Human Rights First (HRF) has investigated at least 8,705 assaults on or kidnappings of persons whose asylum applications have been refused based on Title 42 or other regulations restricting the right to asylum. Many of these people, both individuals and families, are living in poor conditions which are exacerbated by the COVID-19 pandemic and by the lack of basic healthcare and adequate nutrition.

¹⁷² Physicians for Human Rights – PHR NGO, *Forced into Danger*, January 2021

¹⁷³ TRAC Immigration, *Details on Migrant Protection Protocols (Remain in Mexico) Deportation Proceedings*. Syracuse University.

¹⁷⁴ American Civil Liberties Union, NGO, *Hundreds of Thousands of People in Limbo as they Wait for Justice*.

On 23 December 2020, the DHS and the Department of Justice under the Trump administration introduced a rule removing protection from refugees who arrive from or transit through a country where COVID-19 or potentially other contagious diseases are widespread, calling them a "threat to the national security of the United States".

Since January 2021, the United States has expelled nearly 25,000 Haitians (including children), as well as asylum-seekers, to Haiti without access to the asylum process, despite growing political instability and violence in the State.

Direct deportations under Title 42 also persisted as of the end of February 2022 to nations such as El Salvador, Guatemala, and Honduras.

Under the Trump administration, the United States entered into Asylum Cooperative Agreements (ACA) with Guatemala, El Salvador and Honduras, which the Biden administration subsequently suspended and decided to terminate. The US government expelled at least 945 asylum-seekers to Guatemala under the ACA without a remedy. The agreements with Honduras and El Salvador have never been implemented.

Leading US medical experts have repeatedly concluded that asylum restrictions had no public health justification and threatened the health and safety of migrants. While asylum-seekers are not allowed to seek protection along the border, including at ports of entry, vaccinated tourists and other visitors with visas have been allowed to enter the United States through southern border ports since November 2021. These facts highlight the discriminatory nature of asylum-seekers' situation.¹⁷⁵

The policy of not allowing migrants and refugees from Mexico into the United States has been repeatedly challenged in local courts as contrary to the

¹⁷⁵ <https://www.humanrightsfirst.org/resource/us-asylum-and-border-policies-resulting-human-rights-violations>

principles of humanity. Although a federal court has ruled that such measures are illegal¹⁷⁶, the US Supreme Court subsequently rejected that ruling.¹⁷⁷

In April 2020, over 120 human rights organizations petitioned the US Department of Homeland Security drawing attention to the inadmissibility of closing the southern borders to refugees and migrants. The appeal further emphasizes that the processing of asylum-seekers' applications did not follow the international law. The bare minimum requirements for the defense of children's rights were also broken. Reportedly, at least 400 children – from Cuba, Ecuador, El Salvador, Honduras, Guatemala, and Mexico – had been unduly expelled to Mexico. As a result, minors were placed at risk of trafficking. Many were unaccompanied or in the care of adults whose relationship to the children was not checked.

Human rights activists point out that the COVID-19 pandemic has only exacerbated the situation. The victims were mainly from Latin American countries. This group's death rate was 38.4 percent, far greater than that of the white race.¹⁷⁸ For African Americans, it was 27.9 percent¹⁷⁹ respectively. In particular, the administration of migrant detention centers showed disregard for the people who were there, their medical care, and their living conditions. Results of the joint study, conducted by Physicians for Human Rights (PHR) (NGO) and Harvard Medical School, showed that the number of people per month who tested positive for COVID-19 in ICE detention between March and August 2020 was from 5.7 to 21.8 times higher than the case rate of the US general population during that same time. Interviews with immigrants who had been detained at 22 such facilities revealed that measures to prevent the spread of COVID-19 had often not been complied with, and living conditions at these

¹⁷⁶ American Civil Liberties Union, NGO, Comment on Appeals Court Stay Ruling in Remain in Mexico Program, 4 March 2020

¹⁷⁷ American Civil Liberties Union, NGO, Comment on Supreme Court Stay Ruling in Remain in Mexico Program, 11 March 2020

¹⁷⁸ The US Center for Disease Control and Prevention. 2020

¹⁷⁹ The Century Foundation. 2020

centers had put detainees at risk of catching the disease. Respondents were unable to maintain a social distance because the detention facilities were overcrowded, and did not have access to soap or sanitizer. Many of those who became infected had to wait up to 25 days before they could see a doctor.¹⁸⁰

Data from analysts at Harvard University, using the Otay Mesa detention center as an example, demonstrates the disregard for COVID-19 sanitation and hygiene regulations, as well as the WHO recommendations.¹⁸¹ The following data is given¹⁸²: there are on average eight people per 23 m², which contradicts the norms of social distancing for the prevention of transmission of the virus. At the same time, the sick persons are kept in common rooms of approximately 90 persons per room.

Testing for COVID-19 was extremely limited. Out of almost 26 thousand persons detained in such institutions, only a quarter was checked for the presence of the disease. Tests for the disease conducted in individual centers, however, revealed positive results for coronavirus in over 70 percent of those who were there. Human rights activists also point to the fact of possible concealment of the real situation of morbidity in such institutions. Many detention centers never released statistics on the spread of the coronavirus, or stated that there were no cases.

Cases of abuse of authority in migrant detention centers have reached such proportions that they have become known to the media. The conditions of detention in local deportation centers have become the subject of constant lawsuits and appeals by numerous NGOs to the leadership of the federal migration service and its subdivisions in certain states. Migrants themselves

¹⁸⁰ Praying for Hand Soap and Masks. Health and Human Rights Violations in U.S. Immigration Detention during the COVID-19 Pandemic. Physicians for human rights website. 12 January 2021 <https://phr.org/our-work/resources/praying-for-hand-soap-and-masks/>.

¹⁸¹ Harvard College Data Analytics Group, www.detainedindanger.org.

¹⁸² Human Rights First (HRF), NGO, Detained in Danger: Database raises troubling questions about COVID-19 in ICE Detention Centers. <https://www.humanrightsfirst.org/press-release/detained-danger-database-raises-troubling-questions-about-covid-19-ice-detention>.

have turned to NGOs such as Americans for Immigrant Justice (AI Justice), Freedom for Immigrants (FFI), and many others for help, complaining of beatings, unsanitary conditions, lack of medical care, and cruelty by the officials of the detention centers. At the same time, those who seek help are often deported by the same detention centers.

Lawsuits to close a center can drag on for months with no result whatsoever. For example, suits have been pending for over a decade against the MacKlenie center, Florida, details of horrible conditions in which emerged in the media after numerous complaints from community groups. However, in 2022, after another inspection, the center was positively assessed and continued its work.

In February 2021, human rights organizations again sent a coalition letter to the US Department of Homeland Security urging the latter to reject the use of expedited removal and immigration detention; as such policies violated the US law and treaty obligations. They expressed grave concerns with the expedited removal process.¹⁸³

In May 2021, the United Nations High Commissioner for Refugees (UNHCR) urged the United States to "restore access to asylum for people whose lives depend on it". Despite his promises to annul the corresponding decisions of the Trump administration in relation to asylum-seekers at the Mexican border, Joe Biden is continuing with the deportations, despite the fact that this policy is putting children at risk, splitting up families and illegally jeopardizing the safety of asylum-seekers, including Black asylum-seekers, who are at risk of violence in Mexico.¹⁸⁴

¹⁸³ Coalition Letter to Department of Homeland Security Secretary Mayorkas Regarding Use of Expedited Removal Process for Asylum Seekers at the Border. "Human Rights Watch". 16 February 2021. <https://www.hrw.org/news/2021/02/16/coalition-letter-department-homeland-security-secretary-mayorkas>

¹⁸⁴ <https://www.humanrightsfirst.org/rsource/us-asylum-and-border-policies-resulting-human-rights-violations>.

In December 2021, following a court ruling, which is currently being appealed against, expulsions of migrants and refugees under the RMX program began again. In December 2021, dozens of members of the US Congress signed a letter criticizing the government's renewal of expulsions under the RMX program, and called on it to reverse its decision to extend the scope of the RMX to refugees of other nationalities. The Administration stated that it would use the RMX program to expel people who could not be removed under Title 42.

The Department of Homeland Security is now able to prohibit, send back, or deport an even broader spectrum of migrants and asylum-seekers to Mexico by combining the RMX policy and Title 42. The NGO Human Rights First has monitored at least 1,544 publicly reported cases of kidnapping, murder, torture, rape, and other violent acts on persons back in Mexico in the two years since the Trump administration introduced the RMX. At least two asylum-seekers who were sent back to Mexico under the RMX program were subsequently killed.

On 8 August 2022, the US Department of Homeland Security announced the end of the Remain in Mexico strategy initiated by the previous administration.¹⁸⁵

However, according to the New York Times report from 2 February 2024, in nearly two years US authorities decided to resume special flights designed to deport illegal migrants to Mexico. The first flight to Morelia, a city in central Mexico took off on 30 January 2024 carrying more than 100 Mexicans. Such flights carrying illegal migrants are expected to continue on a regular basis.¹⁸⁶

Texas National Guard soldiers installed razor wire lie along the US-Mexico border on 12 January 2024 in order to prevent illegal migration. Following an appeal to the Supreme Court by US President Joe Biden, the latter

¹⁸⁵ The US Department of Homeland Security <https://www.dhs.gov/news/2022/08/08/dhs-statement-us-district-courts-decision-regarding-mpp>

¹⁸⁶ <https://www.nytimes.com/2024/02/02/us/politics/deportation-flights-mexico-immigration.html>

decided to remove the fence; however Texas National Guard units deny Federal Border Patrol agents access to the border. On 25 January 2024, Republican governors from 25 states voiced their support to Texas Governor Greg Abbott and for the constitutional right of Texas to self-defense.¹⁸⁷

In an interview with CBS News, US Border Patrol chief Jason Owens said that the agency recorded one million apprehensions of migrants along the US-Mexico border in the 2024 fiscal year, which started in October 2023. His agency is on track to record two million apprehensions by the time the fiscal year ends. "Border security is a big piece of national security," he said. "And if we don't know who is coming into our country, and we don't know what their intent is, that is a threat and they're exploiting a vulnerability that's on our border right now." Among the measures aimed at toughening immigration policies and reducing the number of migrants crossing the US southern border illegally, Owens named imprisonment, expulsion and a ban on entry.¹⁸⁸

On 4 February 2024, in an interview with Fox News former President, presidential candidate Donald Trump said that he would close the federal border and proceed to mass deportation of illegal migrants if elected.¹⁸⁹

Representatives of profile international organizations highly criticize the policy of US authorities in this area. For example, UN High Commissioner for Human Rights Volker Türk said that the US border enforcement actions violated fundamental human rights and could provoke a global migration crisis.¹⁹⁰

¹⁸⁷ <https://www.cbsnews.com/news/texas-blocks-federal-border-agents-processing-migrants-eagle-pass-shelby-park/>; <https://iz.ru/1642975/2024-01-31/izvestiia-pokazali-obstanovku-na-granitse-tekhasa-s-meksikoi>; <https://iz.ru/1644333/2024-02-03/nyt-soobshchila-o-vozobnovlenii-deportatsionnykh-reisov-iz-ssha-v-meksiku>

¹⁸⁸ <https://www.cbsnews.com/news/jason-owens-border-patrol-southern-border-national-security-threat/>; <https://www.vedomosti.ru/politics/news/2024/03/25/1027712-ssha-soobshchili-zaderzhanii>

¹⁸⁹ <https://www.foxnews.com/politics/trump-reveals-criteria-running-mate-name-drops-two-top-republicans>

¹⁹⁰ OHCHR: New US border enforcement actions pose risk to fundamental human rights - Türk <https://www.ohchr.org/en/press-releases/2023/01/new-us-border-enforcement-actions-pose-risk-fundamental-human-rights-turk>

There has been a sharp increase in the proportion of Russian citizens among the "refugees" gathering on the US-Mexico border. According to the Russian Embassy's register of Russian citizens arrested for illegally crossing the US border, in the period from 1 January to 1 November 2023, Russian missions abroad received about 10,000 notifications about the detention of Russian citizens (mainly near San Isidro and Calexico, California). As a rule, such "adventurers" refuse consular and legal assistance and do not plan to return to Russia, hoping to get political asylum in the United States.

American Civil Liberties Union researchers criticized the Biden administration for supporting and financing private immigration centers and prisons violating the rights and liberties of asylum seekers.¹⁹¹

As human rights activists have found out, immigration detention system has expanded during the presidency of Donald Trump, who had allowed private prison corporations such as GEO Group, Corrections Corporation of America (CoreCivic), LaSalle Corrections, and Management and Training Corporation (MTC) taking under control the most part of immigration prisons. The detainees are mainly people arrested at the border, having illegally entered the US territory; and foreign citizens who are to be deported by the government because they "threaten national security".

From a legal point of view, the presence of immigrants in the institutions of the above-mentioned companies is of civil and not criminal nature. However, according to human rights experts, the conditions in immigration prisons are practically the same as in penal institutions.

As a candidate, President Biden promised to stop the use of private prison companies for immigration detention. The Biden administration issued an executive order in January 2021 directing the Department of Justice to phase out its contracts with private prison companies. However, it notably excluded ICE

¹⁹¹ Unchecked Growth: Private Prison Corporations and Immigration Detention, Three Years Into the Biden Administration // ACLU. 07.08.2023. – <https://www.aclu.org>.

detention from the order. Since then, the number of immigrants detained by ICE – and revenues for the abovementioned private prison companies – have only increased. As of July 2023, 90.8 percent of people detained in ICE custody each day are held in detention facilities owned or operated by private prison corporations.

Contracts with ICE continue to make up a significant amount of revenue for the above-mentioned corporations. In 2022, the GEO Group made \$1.05 billion in revenue from ICE contracts alone, or 43.9 percent of its total revenue (\$2.4 billion). CoreCivic similarly made \$552.2 million in revenue from ICE detention contracts in 2022, representing 30 percent of its total revenue.

To achieve these indicators, companies save almost everything. The ICE personnel clean and cook much worse. Immigrants are often denied necessary medical assistance. Psychological support is no better: it happens that one psychologist works part-time for the whole prison. Such situation leads not only to suicide but also to outbreaks of violence which occur 30 percent more often within the ICE than in federal prisons. At the same time, unarmed guards having only a radio set and receiving minimum salary after three-week training are not capable of coping with such outbreaks.

Biden Administration did not close the detention centers which oversight bodies recommended to close for inhumane conditions and risks to the security of asylum-seekers.

For example, the ICE administration refused to eliminate the Estancia immigration prison belonging to CoreCivic in New Mexico even despite the official demand of the Department of Homeland Security's Office of Inspector General (OIG) going so far as to call for the immediate removal of all detainees

and even after the suicide of Brazilian citizen Kesley Vial just a few months later.¹⁹²

Another death incident occurred at the immigration center in Louisiana, run by GEO, where an asylum-seeker from Nicaragua Ernesto Rocha-Cuadra died after suffering a heart attack. He had submitted dozens of grievances alleging that he was refused medical care, denied legal assistance and was subject to systemic mistreatment.¹⁹³

Attempts by governors to close private immigration centers and prisons also failed. In 2021, New Jersey's Governor Phil Murphy signed into law a bill which bans private facilities to enter into or renew contracts with US Immigration and Customs Enforcement to detain immigrants.

Since the law's passage, the three facilities operated by New Jersey counties (Bergen, Essex, and Hudson) stopped housing detainees for ICE. The last remaining facility, Elizabeth, is operated by CoreCivic. ICE's contract with CoreCivic was set to expire on 31 August 2023. CoreCivic filed a suit in February 2023 arguing that the above-mentioned act violates the Supremacy Clause of the US Constitution stating that state law cannot contradict federal law.¹⁹⁴

The Biden administration filed a statement of interest supporting the penitentiary corporation's claims having noted that the act intrudes on the federal government's ability to use private contractors to detain non-citizens.

New Jersey district court has finally ruled in favour of the federal government and CoreCivic by declaring state law to be contrary to the US

¹⁹² Brazilian Man's Suicide Sends Shockwaves Through "Inhumane" ICE Detention Center // The Appeal. 13.10.2022. – <https://theappeal.org>.

¹⁹³ *Sesin C.* An asylum-seeker died in immigration custody. His family wants answers // NBC News. 06.09.2023. – <https://www.nbcnews.com>.

¹⁹⁴ The Supremacy Clause is a provision of the US Constitution stipulating that this Constitution, and the Laws of the United States and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. The federal Constitution takes superiority over the Constitution of any state.

Constitution. Numerous declarations by human rights activists about violations of immigrants' rights in this facility have been ignored.

Governor Murphy has appealed the judge's decision to the Third Circuit. In the meantime, ICE has renewed its contract with CoreCivic for the Elizabeth Detention Center, at a cost to taxpayers of \$19.9 million for the next year.¹⁹⁵

According to the American Civil Liberties Union, the Biden administration can reverse course on immigration detention. It should dramatically reduce the number of people in ICE detention, invest in alternatives to detention, and stop allowing private prison companies from profiting by the billions of dollars each year off the suffering of immigrants in detention.

¹⁹⁵ *Mathur S.* Biden Administration Fights to Keep Private Immigration Jails Open, Despite Promises // Immigration Impact. 08.09.2023. - <https://immigrationimpact.com>.

Section 5: Right to life and right to bear arms

The Second Amendment to the US Constitution gives Americans the right to bear arms. However, their availability, flawed legislation, and negligent attitude towards the mental health of citizens have resulted in an increasing number of firearms-related victims every year.

The US leads the world in the number of firearms per capita with 120.5 guns per 100 inhabitants – about 390 million firearms in 2020.¹⁹⁶ Ten years ago, that number was 88 firearms per 100 people, which was already far higher than in other countries around the globe.

According to the China Society for Human Rights Studies' 2022 report on human rights violations in the United States, Americans make up less than 5% of the world's total population, but own 46% of the world's total stockpile of civilian firearms.¹⁹⁷

The number of federally licensed gun dealers is 71,600. This indicator has increased over the past five years by 2,000.¹⁹⁸

The rate of gun purchases accelerated between 2020 and 2021, with 5 million new gun owners compared to 2.4 million in 2019. In 2022, the number of new gun owners in the United States was 4.2 million.¹⁹⁹

A study published in February 2022 in the Annals of Internal Medicine found that 7.5 million American adults – about 3% of the population – first purchased a gun between January 2019 and April 2021.

According to August 2023 survey by the Pew Research Centre, four out of ten American adults admit to owning a firearm in their household, including 32% of those surveyed personally owning one. Personal safety tops the list of

¹⁹⁶ America's gun culture in charts. BBC. 8 April 2021. <https://www.bbc.com/news/world-us-canada-41488081>; Top 10 civilian gun-owning countries. Small arms survey research project. <http://www.smallarmssurvey.org>.

¹⁹⁷ China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

¹⁹⁸ <https://www.thetrace.org/2022/12/gun-violence-deaths-statistics-america/>

¹⁹⁹ <https://legaljobs.io/blog/firearms-sales-statistics#:~:text=The%20number%20of%20new%20gun,to%202.4%20million%20in%202019.>

reasons for gun ownership (72% of those surveyed). This is followed in percentage terms by hunting (32%), sport shooting (30%), gun collecting (15%) or work (7%).²⁰⁰

In a Gallup poll conducted in August 2019, gun owners were most likely to cite personal safety or protection as the reason for owning a firearm (63%). Other reasons included hunting (40%), non-specific recreation or sport (11%), their gun was an antique or family heirloom (6%) or the gun was related to their occupation (5%).²⁰¹

Along with the increase in gun trafficking, the number of gun-related incidents is also increasing.

According to the China Society for the Study of Human Rights report on human rights violations in the United States in 2022, America's gun homicide rate is eight times higher than Canada, 13 times higher than France, and 23 times higher than Australia.²⁰²

There were 647 mass shootings in 2022 (693 in 2021, in 2020. – 611, and 417 in 2019). Mass shootings in the United States are defined as an incident in which four or more victims were shot or killed.²⁰³

As of 6 December 2022, there were 622 mass shootings in the USA.²⁰⁴ The major were the incidents on 14 May at a supermarket in Buffalo, New York, where an 18-year-old perpetrator killed 10 people on the ground of racial hatred, and on 24 May at a primary school in Uvalde, Texas, where a gunman killed 19 pupils (ages 8 to 11) and two teachers. Other episodes occurred on 3 April in downtown Sacramento, on 5 April in Corsicana, Texas, and on

²⁰⁰ <https://www.pewresearch.org/short-reads/2023/09/13/key-facts-about-americans-and-guns/>

²⁰¹ <https://www.pewresearch.org/fact-tank/2021/09/13/key-facts-about-americans-and-guns/>

²⁰² China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²⁰³ <https://rg.ru/2023/03/28/otchet-massovyh-rasstrelov-v-ssha-za-tri-mesiaca-bylo-bolshe-chem-dnej-v-etom-godu.html>

²⁰⁴ Mass shootings in 2022: <https://www.gunviolencearchive.org/reports/mass-shootings>

23 January in Milwaukee, each with six people killed. On 19 March, one person was killed and 27 injured in a shooting at a car dealership in Dumas, Arkansas.

In 2022, shooting incidents in the United States have claimed the lives of more than 44,300 people.²⁰⁵

In the first half of 2023, there were more than 260 incidents in the United States. Thus, on 25 June, at least three people were killed and five others were injured in a shooting in a car park in the U.S. city of Kansas City (Missouri). Some 29 people were injured on 18 June in Willowbrook, Illinois, and nine citizens were injured in San Francisco, California, on 10 June. On 6 June, 2 people were killed and 13 others injured by an unknown gunman on the campus of Virginia Commonwealth University in Richmond. On 29 May, about 9 people were injured in Hollywood (Florida). The previous day, three people were injured in a nightclub car park in Fort Worth, Texas. As a result of several incidents with the use of firearms on 27-28 May in Chicago (Illinois) killed at least 8 people, 26 were injured of varying degrees of severity. On 28 May, a fatal shooting occurred during a Memorial Day motorbike rally in Red River, New Mexico. On 23 May, four people were victims of a shooting at an apartment building in Nash, Texas. On 15 May, at least three people were killed in Farmington, New Mexico.²⁰⁶

In March 2023 alone, at least 57 people have died in 38 mass shootings in the U.S., with another 133 injured.²⁰⁷ As of 7 December 2023, at least 40,167 people have died in the US, an average of almost 118 deaths each day.²⁰⁸

According to Gun Violence Archive (GVA), a US-based NGO that collects daily information on armed incidents in the country from

²⁰⁵ <https://www.gunviolencearchive.org/past-tolls>

²⁰⁶ <https://www.gunviolencearchive.org/past-tolls>

²⁰⁷ <https://rg.ru/2023/03/28/otchet-massovyh-rasstrellov-v-ssha-za-tri-mesiaca-bylo-bolshe-chem-dnej-v-etom-godu.html>

²⁰⁸ <https://www.gunviolencearchive.org>

7,500 sources,²⁰⁹ between January and 18 December 2023, at least 4,344 people were killed by gun violence in the United States (by comparison, more than 15,000 people were shot dead in the United States in 2019, and as of the end of May 2021, the total number of people killed in such incidents was 17,147).²¹⁰

In the first quarter of 2023 alone, there were at least 128 mass shootings in the United States – more than the number of days.²¹¹ A total of 604 incidents involving firearms occurred in 2023, 10 of them in educational institutions. 746 people were killed and 2,442 were injured.

In the first two months of 2024, there have already been more than 60 tragic incidents. If we look at a map with the locations of these incidents, the bloodiest picture is in the states adjacent to the East Coast of the United States.

Firearms are the leading cause of death for children and adolescents between the ages of 1 and 19.²¹² In these incidents, 1,338 teens and 286 children were killed.²¹³

Over one thousand firearms incidents have been reported on U.S. school campuses since 2018, significantly more than in any similar period since at least 1970,²¹⁴ with 273 people killed or injured in 303 incidents on school campuses in 2022 alone.

Between 2013 and 2022, the rate of firearm-related deaths among children and adolescents increased by 87%.²¹⁵ In 98% of educational institutions, students were taught how to behave in the event of an unknown person with a gun.

²⁰⁹ <https://www.aa.com.tr/ru>

²¹⁰ According to the NGO Gun Violence Archive (GVA). <https://www.gunviolencearchive.org>

²¹¹ <https://rg.ru/2023/03/28/otchet-massovyh-rasstrelov-v-ssha-za-tri-mesiaca-bylo-bolshe-chem-dnej-v-etom-godu.html>

²¹² <https://publichealth.jhu.edu/2023/cdc-provisional-data-gun-suicides-reach-all-time-high-in-2022-gun-homicides-down-slightly-from-2021#:~:text=According%20to%20the%20provisional%20CDC,in%202022%20compared%20to%202021.>

²¹³ <http://russian.people.com.cn/n3/2023/1226/c95181-20115071.html>

²¹⁴ <https://www.axios.com/2023/05/20/gun-violence-children-schools>

²¹⁵ <https://publichealth.jhu.edu/2023/cdc-provisional-data-gun-suicides-reach-all-time-high-in-2022-gun-homicides-down-slightly-from-2021#:~:text=According%20to%20the%20provisional%20CDC,in%202022%20compared%20to%202021.>

According to the U.S. Centres for Disease Control and Prevention (CDC), in 2022, 48,117 people died from firearms (that is, an average of one every 11 minutes), 26,993 people died from gun suicides (in comparison, in 2020, a total of 45,222 people died from gunshot wounds as a result of homicide or suicide). The number of firearm deaths increased 21% from 2019. Mass shootings and homicides with firearms usually attract more media attention, but statistics show that most episodes of firearms use are suicides.²¹⁶

Data collected by the FBI showed that firearms are involved in a quarter of violent crimes and 60% of murders. Approximately 8,500 hate crimes per year against national, religious and other minorities are committed using a weapon.²¹⁷

Amnesty International, after reviewing the latest available official data on deaths from gunshot wounds, came to the disappointing conclusion that over half of the deaths in the country (58.5%) were in the Black population.²¹⁸

At the same time, a number of experts note that representatives of ethnic minorities in America take part in shootings themselves. According to the NGO Gun Violence Action Fund, 37 percent of homicides are committed by African-Americans aged 15-34.²¹⁹

Notably, there is no federal prohibition on the purchase of guns, shotguns or other such weapons in the US for people with a criminal record for any minor crime.

As the Gun Violence Archive (GVA), an NGO, points out, while mass shootings do not make up the majority of gun violence in America, their impact on communities and residents is clear. Incidents such as the mass shootings in

²¹⁶ <https://publichealth.jhu.edu/2023/cdc-provisional-data-gun-suicides-reach-all-time-high-in-2022-gun-homicides-down-slightly-from-2021#:~:text=According%20to%20the%20provisional%20CDC,in%202022%20compared%20to%202021.>

²¹⁷ In the Line of Fire: Human Rights and the U.S. Gun Violence Crisis. (Amnesty International) 2019.

²¹⁸ Amnesty International 2019.

²¹⁹ Shootings never stopped during pandemic: 2020 was the deadliest gun violence year in decades. (The Washington Post). 24 March 2021.

Buffalo, New York, and Yuvalde, Texas, continue to plunge cities into mourning and have led to repeated calls for reform of the firearms system.²²⁰

Gun violence is on the rise at the same time as the number of gun owners is increasing, according to a 2022 report by the Chinese Society for the Study of Human Rights on human rights violations in the United States. The study, published in the British Medical Journal (BMJ), shows that weakened gun control in the United States has led to a simultaneous increase in gun ownership and mass shootings. The United States leads the world in the number of gun owners, as well as gun homicides and mass shootings. According to the report, gun violence has become an "American disease".²²¹

Another issue linked with gun violence is that, at times, American law enforcement officers resort to the use of force and firearms as well as other weapons or to brutal treatment even if there is no real and immediate threat to their lives by suspects. Racial profiling is closely tied with this problem since police abuse of power disproportionately impacts non-White members of the US society.

Human rights activists point to a lack of social programs for survivors of such violence, as well as serious problems with the system of financial compensation for victims. The high cost of psychological help in the United States makes it impossible for those in need to turn to specialists.

Human right defenders in the US continue campaigning for tougher regulations of acquisition, possession and use of firearms. According to Amnesty International, the NGO Amnesty International, the requirements to undergo special training for potential purchasers of firearms are insufficient. Additional acts aimed specifically at preventing violence in "at-risk groups"

²²⁰ <https://rg.ru/2023/03/28/otchet-massovyh-rasstrelov-v-ssha-za-tri-mesiaca-bylo-bolshe-chem-dnej-v-etom-godu.html>

²²¹ China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

need to be developed. And their efforts do pay off at times. Relevant legislation in a number of states has been adopted.

Since 1 January 2019, the minimum age to buy arms in California increased from 18 to 21 years. Still, there are exemptions to the rule, i.e. military personnel, law enforcement officers, individuals with unexpired hunting license. The Bill puts a lifetime ban on gun ownership or possession for individuals convicted on or after 1 January 2019 for domestic violence. Similarly, the legislation prohibits individuals who were admitted to a mental health facility more than once within a one-year period from owning a gun. To apply for a California gun license one has to undergo mandatory 8-hour firearm training. As of 1 July 2019, it became mandatory for firearms sellers to check buyers with the US Department of Justice registries to ensure there are no bans on such transactions.

In Illinois, to prevent incidents with the use of firearms, there is a system of temporarily (from 2 weeks to 6 months) seizure of guns from someone determined to be a danger to the public. A relative, representative of a religious community, employee of an educational institution or employer could now petition law enforcement for such a restriction against an individual.

Still, various experts and lawyers believe that there are not enough legal measures in place to help end gun violence.²²² The administration is expected to adopt a federal legal act restricting gun ownership and protecting the right to life.

An August 2023 Pew Research Centre poll found that Americans increasingly say gun violence is a serious problem. 60% of those surveyed believe gun violence is a big problem in the country, 23% said it is a moderately big problem, and the rest are of the opinion that it is either a small problem (13%) or not a problem at all (4%).

²²² Statement on Senate Judiciary Committee Hearing on Gun Violence, Amnesty USA, March 2021

According to the same Pew Research Centre,²²³ a majority of Americans are in favour of addressing the problem at the federal level. This opinion was expressed by 81% of respondents from the Democratic Party and 38% from the Republican Party. 58% of respondents were in favour of tougher laws regulating the issue, while 62% of Americans believe that gun violence will increase in the next five years.

A number of states continue to remove restrictions on the free carrying of firearms. In June 2021, Texas Governor Greg Abbott endorsed a law that allows state residents to carry firearms without a license or training. A similar law was passed in Georgia on 12 April 2022.

In 2022, President Biden proposed new restrictions on access to firearms to address violence ranging from rising homicide rates in some major cities to mass shootings. It would raise the age limit for purchasing firearms from 18 to 21, and tighten background checks on potential buyers.

Great public resonance was caused by the decision of the U.S. Supreme Court in the case of the "New York State Rifle & Pistol Association (NYSRPA, Bruen)", issued in 2022, which found unconstitutional the previously adopted law of New York, restricting the right of citizens to carry weapons in public places such as hospitals, schools, bars and stadiums. Previously, citizens wishing to obtain a license to concealed carry weapons had to prove an objective need to do so. The Supreme Court found this requirement contrary to the Second Amendment to the U.S. Constitution, which states that the right of citizens to bear arms "shall not be infringed".²²⁴

²²³ The Pew Research Center's June 5-11, 2023 Washington, D.C., poll surveyed 5,115 people.
<https://www.pewresearch.org/politics/2023/06/28/gun-violence-widely-viewed-as-a-major-and-growing-national-problem/>

²²⁴ https://bartolius.ru/news_comm

According to the China Society for Human Rights Studies' 2022 report on human rights abuses in the United States, the decision has led nearly half of US states to loosen restrictions on carrying guns.²²⁵

The report found that serious crime continues to rise. On 11 September 2022, USA Today reported that homicides in Major Cities Chiefs Association (MCCA) member cities increased by 50 percent in the first half of 2022 and aggravated assaults increased by about 36 percent compared to the same period in 2019.²²⁶

According to The Wall Street Journal, as of September 2022, New Orleans' murder rate is up 141%, shootings are up 100%, carjackings are up 210%, and armed robberies are up 25% compared to the same period in 2019. According to Fox News statistics, since June 2021, New York City's overall crime rate is up 31%, theft is up 41%, robberies are up 36%, and the number of felony victims is increasing by about 1,000 per quarter. According to a CNN (CNN) poll dated 8 June 2022, 72% of Americans were dissatisfied with the country's policies to reduce or control crime.²²⁷

President Biden calls the situation an "epidemic".²²⁸ He calls on Congress to implement legislative initiatives to tighten control over firearms.²²⁹ Biden says most Americans want lawmakers to take reasonable steps to curb violence. However, he says, "too many Republicans are fulfilling the requests of gun manufacturers rather than their constituents."

At the same time, on 14 May 2023, the President approved a number of initiatives aimed at preventing shooting incidents. In particular, they focus on

²²⁵ China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²²⁶ China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²²⁷ China Society for Human Rights Studies 2022 Report on the United States. March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²²⁸ <https://abc7.com/uvalde-school-shooting-joe-biden-gun-laws-violence/13294059/>

²²⁹ <https://www.usatoday.com/story/opinion/2023/05/14/biden-congress-act-gun-violence/70208852007/>

increasing cooperation between federal and local authorities, ensuring more intensive data sharing, conducting background checks on people who purchase guns.²³⁰

The seriousness of this problem has long been highlighted by UN human rights treaty bodies. In particular, the UN Human Rights Committee (HRC) and CERD have noted with concern the continuing high rate of gun-related deaths and injuries in the US, and the disproportionate impact of such incidents on ethnic minorities, women and children. The HR Committee highlighted the discriminatory nature of the Stand Your Ground legislation, which, according to the Committee's experts, is used to justify exceeding the limits of necessary self-defense in violation of the US authorities' duty to protect life.²³¹

²³⁰ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/03/14/fact-sheet-president-biden-announces-new-actions-to-reduce-gun-violence-and-make-our-communities-safer/>

²³¹ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fUSA%2fCO%2f4&Lang=ru
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fUSA%2fCO%2f7-9&Lang=ru.

Section 6: Criminal justice. Rights of prisoners

The United States has for many years had the highest incarceration rate in the world, with an estimated 1.9 million people locked up in more than 6,000 penitentiaries.²³²

Official statistics show that the rate of imprisonment has nearly quadrupled (or increased by 70%) over the past 40 years, with the number of convicted Americans breaking the 2.3 million mark.²³³ Another 4.5 million people have been sentenced on probation or released on parole. This results in serious prison overcrowding. Human rights NGOs have also drawn attention to the increasing number of women in prison in some states.²³⁴

The world's highest prison population and appalling conditions in US prisons are highlighted in the 2022 Report on Human Rights Violations in the United States by the China Society for Human Rights Studies.²³⁵ Thus, citing a report by The Guardian of 1 October 2022, it states that nearly 500 people per 100,000 were incarcerated in the United States, which is about five times that of the United Kingdom, six times that of Canada, and nine times that of Germany.

Abuse of power and inhuman treatment of convicts by prison staff is regularly reported. Prisoners are often subjected to torture and humiliating treatment. Inhuman treatment of convicts is expressed, inter alia, in the limited medical care and poor sanitary conditions of detention.

Cases of abuse of authority by police officers against arrested persons and those suspected of committing crimes during investigations have been repeatedly recorded. These cases show the systemic nature of the problem in the US penitentiary system.

²³² <https://www.prisonpolicy.org/national/>

²³³ Prison Policy Initiative, Mass Incarceration: The Whole Pie 2020, March 24, 2020.

²³⁴ 2019 Human Rights Watch (HRW) Report.

²³⁵ China Society for Human Rights Studies, Report on Human Rights Violations in the United States in 2022, published in March 2023.

The DOJ's annual report found high rates of sexual and violent offenses committed by prison officials against inmates and pretrial detainees.

Thus, as a result of the internal investigation of the incident of 21 July 2020, the employees of the Lewis County, Arizona, prison were fired. The investigation revealed that Mark Hasz, an officer responsible for the supervision of prisoners, and Shaun Holland, acting warden of the penitentiary, had unreasonably used force against one of the inmates. Mr Hasz, among other things, was seen inflicting bodily harm on the victim. This is evidenced by the circulated video footage from an internal surveillance camera. Such criminal offense entails penalties up to and including imprisonment.²³⁶

On 9 November 2020, two police officers in Schenectady County, New York, beat a citizen they had earlier detained. Following the investigation, the perpetrators were dismissed from the law enforcement agencies. A criminal case was initiated against them.²³⁷

On 14 November 2020, Brian Ford, an employee at Valdosta Prison in Valdosta, Georgia, pleaded guilty to unreasonable and excessive use of force against an inmate. Court records indicate that the law enforcement officer intentionally took the handcuffed inmate to the inner courtyard of the jail and beat him up.²³⁸

There have been cases when victims have managed to get criminal cases initiated, although after several years. For example, Mark Bryant, a correctional officer at the Cheatham County Jail, Tennessee, was held accountable only in 2020 for the unjustified use of a stun gun against an inmate in November

²³⁶ Lewis Prison corrections officers fired amid excessive use of force allegations. News Break, 20 November 2020. <https://www.newsbreak.com/news/2106609544278/2-lewis-prison-corrections-officers-fired-amid-excessive-use-of-force-allegations>

²³⁷ Schenectady County corrections officers fired over excessive force incident. News 10. 11 November 2020. <https://www.news10.com/news/schenectady-county/schenectady-county-corrections-officers-fired-over-excessive-force-incident/>

²³⁸ Valdosta correctional officer guilty of using excess force. Albany Herald. 14 November 2020. <https://www.albanyherald.com>

2016.²³⁹ The court sentenced him to five years' imprisonment. Human rights defenders often consider such verdicts as excessively lenient.

Jordan DeMattos, a correctional officer at the Hawaii Community Correctional Center, pleaded guilty to concealing the use of force against inmates by his colleagues in 2015, falsifying reports, and conspiring to cover up the attack. Under US law, the defendant could face up to 35 years in prison if convicted for all the offenses.²⁴⁰

The highest rates of violent acts against prisoners have been reported in Dublin, California. In 2020, 422 complaints were filed; four of which were confirmed and the rest are under investigation.²⁴¹

Solitary confinement measures constitute a particular challenge. Many convicts are placed in solitary confinement cells in violation of the legal periods of confinement. Prisoners subject to this measure are placed in Special Housing Units (SHUs). The reason for a tougher regime may be serious misconduct that has endangered the health and safety of other prisoners and/or prison staff.

According to Equal Justice Initiative (EJI), an NGO, more than 60,000 prisoners are in solitary confinement in the United States as of November 2020.

Human rights defenders find the situation with convict Tyquine Lee, who was held in solitary confinement in a state prison in Virginia for more than 600 days, egregious. His case is further complicated by the fact that the inmate has a history of severe mental health issues. According to his mother, Tyquine Lee was subjected to merciless abuse in the solitary confinement cell, and,

²³⁹ Former Cheatham Co. corrections officer sentenced in use of excessive force case. WKRN. 20 November 2020. <https://www.wkrn.com/news/former-cheatham-co-corrections-officer-sentenced-in-use-of-excessive-force-case/>

²⁴⁰ Former Corrections Officer Pleads Guilty to Assaulting Inmate and Covering It Up, Faces Up to 35 Years. Newsweek. 3 December 2020. <https://www.newsweek.com/former-corrections-officer-pleads-guilty-assaulting-inmate-covering-it-faces-35-years-1552271>

²⁴¹ <https://apnews.com/article/coronavirus-pandemic-health-california-united-states-prisons-00a711766f5f3d2bd3fe6402af1e0ff8>

ultimately, his mental and physical health was severely deteriorated. His weight had dropped below 45 kilograms and he was practically unable to speak.²⁴²

Human rights organizations and statistical bureaus have observed an increase in the number of deaths of inmates in American prisons. The causes of deaths include both staff negligence and increased conflicts in penitentiary facilities.

In Florida, on 14 February 2022, a prisoner died in a transport van after being severely beaten by three officers.

The reason for the aggression against him was that the prisoner poured urine on the officers as they were taking him out of the cell. He did not resist, he was handcuffed and obeyed orders. Three correctional officers were arrested and charged with second-degree murder.²⁴³

Another episode occurred on 1 March 2022 in the state of Alabama. Terry Jones, 46, died after he was stabbed at Easterling Correctional Facility in Clio. He had served nearly 15 years of a 20-year sentence for burglary. The assault reportedly went unnoticed because of the lack of adequate supervision and several hours passed before Mr Jones received medical attention.

The day after Terry Jones' death (2 March 2022), William Jennings, 49, was beaten to death in a cell at the same prison.²⁴⁴

Deadly violence has continued unabated and unaddressed, leading federal prosecutors to sue the Alabama Department of Corrections over its failure to remedy unconstitutionally dangerous and abusive conditions in the state's prisons.

Human rights defenders emphasize that the killing of Terry Jones and many other inmates could have been prevented if the Alabama Department of

²⁴² The Washington Post: <https://www.washingtonpost.com/opinions/2022/01/28/my-son-was-abused-prison-proposed-virginia-legislation-still-wouldnt-give-him-second-chance/>

²⁴³ USA Today: <https://www.usatoday.com/story/news/nation/2022/04/29/florida-prison-guards-charged-murder-inmate-beating/9583361002>

²⁴⁴ Equal Justice Project: <https://eji.org/news/alabama-prison-crisis-continues-with-terry-jones-homicide/>

Corrections had taken meaningful measures to correct the "deficient supervision" that federal investigators identified as a crisis in 2019.

The 2022 Report on Human Rights Violations in the United States by China Society for Human Rights Studies found that the lives of prisoners in the United States were at risk. Citing a study published in October 2022 in Prison Legal News (PLN), the report noted that a shortage of guards and inadequate infrastructure in Alabama's prison system led to high rates of violence and deaths among inmates. There were 39 deaths in the first eight months of 2022.²⁴⁵

The US has been criticized for many other flaws with regard to penitentiary system as well. Thus, the country continues the practice of lengthy pretrial detention. The law provides for a pretrial phase to be no longer than 70 days.²⁴⁶ However, the process often lasts longer. This is formally justified by the complexity of the case or the abundance of files relating it. The case law system allows the judge to arbitrarily set procedural timeframes and go beyond the limits set by statutes and other regulations.

The 2022 Report on Human Rights Violations in the United States by China Society for Human Rights Studies also highlights deep flaws in the US penitentiary system. For instance, according to an article published by The Fair Justice Initiative on 25 April 2022, inmates in Mississippi prisons were kept in dark cells without light or clean water. On 19 February 2022, the Chicago Sun-Times reported that cells at Joliet Prison in Illinois were infested with rats, and rotten food and raw sewage overflowed into common areas.²⁴⁷

In addition, the aforementioned report noted that prisons became places of modern-day slavery. According to a report issued on 16 June 2022 by the

²⁴⁵ China Society for Human Rights Studies, Report on Human Rights Violations in the United States in 2022, published in March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²⁴⁶ Speedy Trial Act, par.3161(c)(1), 18 U.S.C. Sec.

²⁴⁷ China Society for Human Rights Studies, Report on Human Rights Violations in the United States in 2022, published in March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

University of Chicago Law School in collaboration with the American Civil Liberties Union, an advocacy organization, the United States incarcerates more than 1.2 million people in prisons, about 800,000 of whom are engaged in forced labor, accounting for 65% of the total prison population. Over 76% of prisoners surveyed said they would be punished with solitary confinement and deprived of family visits if they refused to work. A 15 June 2022 study by the American Civil Liberties Union also found that prisoners were typically either not paid at all or earned an amount wholly disproportionate to their labor.²⁴⁸

Private correctional facilities are practiced in the United States. According to statistics provided by The Sentencing Project, an NGO, as of 2019, the United States incarcerated 8.1% (nearly 116,000 people) of all prisoners in the country.²⁴⁹ Furthermore, the number of persons held in such facilities increased by 39% between 2000 and 2020. The leaders in the number of convicted persons incarcerated in private prisons are Texas and New Mexico. Several regions of the country have seen dramatic increases in the number of prisoners being held in private correctional facilities over the past 20 years, namely Arizona (480%), Indiana (313%), Ohio (253%), North Dakota (221%), Florida (205%), Montana (125%), Tennessee (118%), and Georgia (110%).²⁵⁰

According to human rights defenders, the human rights situation in such facilities is below the levels of that in state prisons. Such correctional facilities are usually set up for profit. Private penitentiaries enjoy guaranteed payments from the authorities for each convict, regardless of the real maintenance costs. Therefore, the prison administration is interested in minimizing expenditures on prisoners as much as possible. The savings are achieved by reducing the number of guards, minimizing the cost of food and health care for prisoners, etc.

²⁴⁸ China Society for Human Rights Studies, Report on Human Rights Violations in the United States in 2022, published in March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

²⁴⁹ Sentencing Project, Private Prisons in the United States: <https://www.sentencingproject.org/publications/private-prisons-united-states/>

²⁵⁰ Sentencing Project, Private Prisons in the United States: <https://www.sentencingproject.org/publications/private-prisons-united-states/>

Widespread arrests as a detention measure in the United States significantly infringe on the rights of people below the poverty line. Since the financial situation of most defendants prevents them from posting bail for release pending investigation, citizens have to stay behind bars without charges throughout the investigation.

The American Civil Liberties Union and The Equal Justice Initiative (EJI) have consistently drawn attention to the issue of quality of health care provided to persons detained in US prisons. In many cases, negligent attitude of medical staff to their official duties leads to a deterioration in the health of prisoners or even their deaths.

NGOs regularly report to the public and the media on egregious cases of negligence by prison staff, denial of medical treatment and denial of medication necessary for prisoners to stay healthy. This was particularly relevant amid the coronavirus pandemic that caused considerable damage to the health of thousands of prisoners in the United States. The treatment for coronavirus included a set of basic remedies designed to fight the common cold.²⁵¹ In this context, the American Civil Liberties Union notes an increase in the number of prisoner complaints about denial of medical care in Virginia.²⁵²

According to this human rights organization, while all democracies recognize the need for transparency and regular monitoring of prison conditions, the United States is the only nation that lacks an independent body responsible for these tasks and for ensuring minimum standards of health and safety for prisoners.²⁵³

According to Michele Deitch, a senior lecturer at the University of Texas and director of the Prison and Jail Innovation Lab at the Lyndon B. Johnson School, the United States is an "anomaly" on the world stage. Prisons in this

²⁵¹ wvtf.org, Prison Food and Medical Care Suffer During COVID-19 Pandemic

²⁵² wvtf.org, Prison Food and Medical Care Suffer During COVID-19 Pandemic

²⁵³ <https://www.aclu.org/issues/prisoners-rights>

country are among the most opaque public institutions: the public has no information about what is happening behind razor wire fences, and there is no reliable data pertinent the health and safety of people in custody. Information about deaths in custody remains elusive in many states.²⁵⁴

²⁵⁴ <https://www.brennancenter.org/our-work/analysis-opinion/independent-oversight-essential-safe-and-healthy-prison-system>

Section 7: Violations of the rights of minors in penal institutions

The United States ranks among the world's leaders in the number of juveniles deprived of their liberty in any form.²⁵⁵

According to the US Office of Juvenile Justice and Delinquency Prevention, under the jurisdiction of the US Department of Justice, more than one million criminal cases have been brought against minors.²⁵⁶ According to the Office's 2022 report, law enforcement agencies arrested nearly 700,000 individuals under the age of 18 in 2019 alone. At the same time, the rate of arrests of female juveniles has increased.²⁵⁷ Many juveniles participate in legal proceedings as if they were adults and serve their sentences in common prisons.²⁵⁸ According to former District Judge Marcia Morey, juveniles need help, not punishment, but their cries for help too often become crimes.²⁵⁹

The last two decades have brought enormous changes to the US juvenile justice system: in nearly every state, the number of incarcerated youth has dropped by half or more; probation, therapy, and social programs are given priority for all except those who have committed the most serious crimes. However, the system is still not perfect: many teens are not receiving quality legal representation, recidivism is high among youths in juvenile detention centers because rehabilitation programs are ineffective, and state and local officials are still funding facilities where 70% of the beds are unoccupied.²⁶⁰

The situation in Virginia is noteworthy, where Valerie Slater, executive director of Rise for Youth, a group that advocates for teens in the juvenile justice system, and other experts have documented cases of racial discrimination in the juvenile criminal justice system.

²⁵⁵ USA Today, Investigations, The ununited state of juvenile justice in America, 2 December 2020; see also UN Global Study on Children Deprived of Liberty, 2019.

²⁵⁶ Office of Juvenile Justice and Delinquency Prevention webpage

²⁵⁷ <https://ojjdp.ojp.gov/publications/2022-national-report.pdf>

²⁵⁸ USA Today, Investigations, The ununited state of juvenile justice in America, 2 December 2020.

²⁵⁹ <https://www.northcarolinahealthnews.org/2022/03/14/the-pandemic-shines-a-light-on-just-how-many-school-related-infractions-end-with-children-in-the-juvenile-justice-system/>

²⁶⁰ <https://www.washingtonpost.com/dc-md-va/2021/12/24/report-race-juvenile-justice-virginia/>

The report by the Joint Legislative Audit and Review Commission (JLARC) of Virginia found that black youths were 2.5 times as likely over the past decade to be placed in the juvenile justice system. The report recommends introducing more training requirements aimed at combating the racial disparity issue. However, according to Valerie Slater, the issue called for a more systematic examination.

The authors of the report also interviewed judges, prosecutors and defense attorneys, who said youths were often getting substandard legal representation. Those interviewed said the problems were most prevalent with court-appointed attorneys, who are paid far less than in other states. Some attorneys did not have a firm grasp on juvenile law and sometimes spent little time with clients before representing them in court.

The report found a nearly 70% recidivism rate among youths released from detention centers around Virginia, leading the authors to conclude rehabilitation programs overseen by the state's Department of Juvenile Justice (DJJ) weren't particularly effective.²⁶¹

In recent years, the US Department of Justice has investigated abuse in juvenile facilities in Texas. The investigation has revealed numerous cases of child abuse in prisons: adolescents have been handcuffed and shackled, beaten, and pepper-sprayed inside the cells.²⁶² Placing juvenile prisoners in a punishment cell is another form of abuse. Solitary confinement, combined with the violence used against them, results in adolescents harming themselves, trying to break beds, lights, and walls, leading to injuries and the need for medical treatment.²⁶³

²⁶¹ <https://www.washingtonpost.com/dc-md-va/2021/12/24/report-race-juvenile-justice-virginia/>

²⁶² <https://www.themarshallproject.org/2022/03/10/no-light-no-nothing-inside-louisiana-s-harshest-juvenile-lockup>

²⁶³ <https://www.themarshallproject.org/2022/03/10/no-light-no-nothing-inside-louisiana-s-harshest-juvenile-lockup>

The American Medical Association, the American Academy of Pediatrics and the United Nations have all condemned the practice of isolating young people as deeply harmful, leading to depression, anxiety and psychosis. Studies show the majority of kids who die by suicide in lockup are, or recently were, in isolation.

At least 24 states and the federal government have placed strict limits on the use of solitary confinement for young people. The US Department of Justice has intervened in at least a dozen cases involving state and local juvenile justice agencies in the last decade to make clear that overuse of solitary confinement for youths is unconstitutional.

Human rights defenders from the American Civil Liberties Union report that many state legislatures are worsening the situation of juvenile offenders through their decisions. The minimum age of criminal responsibility is constantly being lowered, and the list of offenses for which children may be deprived of liberty is being extended.²⁶⁴

Amid the spread of coronavirus infection, the Southern Poverty Law Center, an NGO, appealed to the Supreme Court of the State of Alabama to take immediate action to release minors from special detention facilities. In such facilities, children are exposed to increased risks of suicide, depression and other mental health issues, and infectious diseases.

²⁶⁴ Ibid.

Section 8. Violation of rights of Russian citizens in US penitentiaries

Until relatively recently, of particular concern was the situation of Russian citizens Konstantin Yaroshenko and Viktor Bout, who were illegally sentenced to long terms of imprisonment and who were exchanged in 2022 for Americans Trevor Reed and Brittney Griner.

Konstantin Yaroshenko was held in Danberry Prison, Connecticut, until his release in April 2022. The conditions of detention in the facility do not stand up to criticism. For example, the Russian was kept in an overcrowded prison cell for several dozen inmates. Despite Konstantin Yaroshenko's severe chronic illnesses, he did not receive adequate medical care, and for several years he was denied dental prosthetics. Despite dozens of cases of COVID-19 in prison, all individuals were given only one medical mask per week. At the same time, Coronavirus testing came very late, only after many prisoners had died.

The situation is no better with Roman Seleznev, a Russian citizen, who is serving a long prison sentence. Numerous appeals by human rights defenders (Human Rights Watch, Sentencing Project and Amnesty International) and recommendations by the Federal Bureau of Prisons to release our compatriot on humanitarian grounds are ignored by the US authorities. Nor do they take into account the fact that Roman Seleznev is convicted of non-violent crime and has a number of serious chronic illnesses. He does not receive the required medical care, and requests that he should be transferred to another penitentiary, where he could get a thorough check-up, are left unaddressed.

All these vivid examples clearly demonstrate the repressive nature of the US justice system. The rights of Russian citizens are constantly violated – they are regularly placed in solitary confinement without reason, denied medical care and necessary medications, to say nothing of extremely poor nutrition. Of course, all the above has an adverse effect both on physical and mental health of our compatriots.

In general, it should be noted that, as of 1 November 2023, there are some 100 Russian citizens in US penitentiaries that the Russian Embassy in Washington knows about. Unfortunately, there are no precise statistics on how many Russians are held in US prisons and detention centres in total.

The lack of such information on the number of imprisoned compatriots can be explained by the fact that the US authorities do not always notify of their detention or release from custody. Numerous requests submitted by the Russian Embassy to the US Department of State to provide comprehensive data on all imprisoned Russian citizens are ignored.

As practice shows, most of Russian compatriots are charged with non-violent crimes (cyber fraud, immigration violations, money laundering, theft, etc.). Once in the hands of the US justice system, Russian citizens usually face a biased attitude on the part of investigative agencies and courts. They are subjected to psychological pressure. The well-known situation with Maria Butina is yet another case in point.

Washington continues its attempts to put pressure on Russia by blatantly "preying on" its compatriots. It is increasingly using accusations of circumventing illegitimate anti-Russian restrictions as a pretext.

Once in the hands of the US justice system, Russian citizens usually face a biased attitude on the part of investigative agencies and courts. They are subjected to psychological pressure. Using various methods, including direct threats, they try to induce Russian compatriots to confess guilt and accept a plea deal, mostly on far-fetched charges, and if they refuse to cooperate, they are sentenced to significant prison terms.

According to the US Department of Justice, on 13 February 2024, a court in New York charged Kristina Puzyreva, a Russian-Canadian citizen, with conspiracy to launder money from scheme to send arms to sanctioned entities in Russia. The young woman pleaded guilty – she allegedly supplied components for drones, missile systems, and other weapons in violation of export control

and sanctions laws. The shipped items were allegedly later found in the zone of the special military operation. Kristina Puzyreva faces up to 20 years' imprisonment.²⁶⁵

In October 2023, Nikolay Goltsev, a Russian-Canadian citizen, and Salimdzhon Nasriddinov, a citizen of Russia and Tajikistan, were also charged in the same case (with conspiracy to conduct financial transactions involving the proceeds of unlawful activity – the purchase and transfer to Russia of components used in unmanned aerial vehicles and guided missile systems, as well as other military technologies; the components were allegedly purchased by firms on the sanctions list, and some parts were allegedly found in signals intelligence equipment used by the Armed Forces of the Russian Federation in the context of the SMO). The legal basis for the charge is violation of US law as it relates to export restrictions regarding, among other things, the export from the United States of advanced "dual-use" technologies.

The plight of Russian citizens in penitentiaries has been exacerbated by the spread of COVID-19. Despite dozens of COVID-19 cases, which US prison authorities were trying to sweep under the rug, each prisoner was provided with only one medical mask per week, and rarely qualified medical care. Testing for the coronavirus was exceptional and delayed, and took place mostly only after other cellmates were already dead.

The protection of the rights and legitimate interests of Russian prisoners is always among the top priorities of the Russian Embassy in the United States. Close attention is paid to the state of their health and conditions of their detention. Regular contact is maintained with Russian citizens by telephone and via an electronic messaging system. Russian media reviews, as well as periodicals and books in Russian, are sent to most Russians on a weekly basis.

²⁶⁵ <https://ura.news/news/1052747757>

There are no problems with consular access to detainees. In 2023, Embassy staff visited Alexander Vinnik, Vladimir Dunaev, Georgy Kavzharadze, Vladislav Klyushin, Vadim Konoshchenok, Anatoly Legkodymov, Dmitry Ukrainsky, as well as P.N. Krasilnikov and I.Y. Nagaev (to arrange for their certificates of return to Russia).

Section 9. Detention facility at the US Naval Station Guantánamo Bay

The US authorities continue to cover up cases of torture, inhuman or other degrading treatment of detainees at the notorious Guantánamo Bay special prison.

As of 2023, the US was still detaining 30 of the nearly 800 men and boys it brought to Guantánamo Bay between 2002 and 2008. Twenty-seven of those who remain have never been charged. Many lack adequate medical care and even access to their medical records. The military commission system created to prosecute suspects at Guantánamo is fundamentally flawed.²⁶⁶

Agnès Callamard, French human rights activist and Secretary General at the British NGO Amnesty International, emphasized in an interview that "Very few of these men have ever been charged with a crime, and absolutely none has faced a fair trial".²⁶⁷

There was a high-profile statement by Fionnuala Ní Aoláin, Special Rapporteur of the United Nations Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism,²⁶⁸ issued on 26 June 2023 following her visit to the penitentiary. The official called on the US to close the detention facility at the US Naval Station Guantánamo Bay, where "systematic arbitrariness" prevails. She expressed serious concerns about the continued detention of 30 men and the conditions of their confinement; highlighted insecurity, suffering, and anxiety to all detainees, without exception.²⁶⁹ In her view, the current conditions at Guantánamo constitute circumstances that fall within the definition of torture and other cruel, inhuman or degrading treatment or punishment under international law.

²⁶⁶ <https://www.hrw.org/news/2022/01/09/legacy-dark-side>

²⁶⁷ <https://www.amnesty.org.uk/guantanamo-bay-human-rights>

²⁶⁸ <https://www.ohchr.org/ru/special-procedures/sr-terrorism>

²⁶⁹ <https://www.ohchr.org/en/press-releases/2023/06/expert-welcomes-historic-visit-united-states-and-guantanamo-detention>

Patrick Hamilton, the International Committee of the Red Cross' (ICRC) head of delegation for the United States and Canada, criticized the US authorities on 21 April 2023.²⁷⁰ Following his visit to the detention facility, the ICRC noted that detainees held in prison at the US Naval Station Guantánamo Bay in Cuba should be able to have more contact with their families, and receive access to adequate health care.

Report prepared by the Ministry of Foreign Affairs of the Republic of Belarus in 2022 on the Most High-Profile Human Rights Violations in Certain Countries of the World states that the US authorities do not comply with the principle of fair trial and procedures.²⁷¹ And the example of Guantánamo is a clear illustration. The accused are deprived of basic rights,²⁷² including to judicial protection. In August 2020, the Court of Appeals for the District of Columbia Circuit (Judge N. Rao) ruled that the US Constitution's Fifth Amendment right to access to justice and due process does not extend to Guantánamo detainees.²⁷³ The five prisoners accused of planning the 9/11 attacks have not yet been brought to trial.

Numerous cases of torture and ill-treatment of prisoners at Guantánamo, including sleep deprivation, exposure to noise, simulated drowning, have been repeatedly reported by leading US publications (The New York Times and The Los Angeles Times). These facts were acknowledged, including by former CIA psychologist James Mitchell, who was involved in developing "enhanced interrogation techniques",²⁷⁴ and the judge of the military judicial commission

²⁷⁰ <https://www.icrc.org/en/document/guant%C3%A1namo-detaining-authorities-must-adapt-needs-rapidly-ageing-population>

²⁷¹ Report by the Ministry of Foreign Affairs of the Republic of Belarus in 2022 on the Most High-Profile Human Rights Violations in Certain Countries of the world
https://mfa.gov.by/kcfinder/upload/files/22.07.04_report_HR_2.pdf

²⁷² Human Rights Watch: <https://www.hrw.org/legacy/backgrounder/usa/qna1006/usqna1006.htm>

²⁷³ Court of Appeals for the District of Columbia Circuit:
<https://assets.documentcloud.org/documents/7047939/DC-Circuit-Rao-Gitmo-Habeas-Ruling.pdf>

²⁷⁴ Los Angeles Times: <https://www.latimes.com/world-nation/story/2020-01-22/ksm-waterboarding-guantanamo-testimony>

Col. Douglas K. Watkins.²⁷⁵ For example, the latter reports torture and other degrading interrogation methods used against Indonesian citizen Majid Khan and several other accused. Such defective practices are in flagrant violation of the US Constitution and its international legal obligations.²⁷⁶ In 2019, due to physical and psychological abuse for years, prisoner Sharqawi al Hadj attempted suicide.²⁷⁷

According to Fox News and the New York Times, nine prisoners have died at Guantánamo over the past eight years, several of them under puzzling circumstances.²⁷⁸ For example, one of the most publicized cases was the death of Yemeni national Adnan Latif.²⁷⁹ In February 2021, Ibrahim Idris, a former inmate of this special prison, died at the age of 60 in Sudan. The New York Times attributed his death to medical complications he had from Guantánamo.²⁸⁰

Professor Sondra Crosby at Boston University believes that the prison system is unable to meet the minimum needs of prisoners for treatment and maintenance of a normal level of health. Often the needs of inmates who have suffered torture and other ill-treatment are simply ignored by the military administration of the institution.²⁸¹

At the same time, leading US media outlets note that the cost of running the facility at the US naval base is tens or even hundreds of millions of dollars.²⁸² For example, according to a tally by The New York Times, the total

²⁷⁵ New York Times: <https://www.nytimes.com/2020/06/04/us/politics/guantanamo-torture-sentencing.html>

²⁷⁶ United States of America v. Majid Shoukat Khan Ruling Defense Motion for Pretrial Punishment Credit Relief, Military Commissions Trial Judiciary, Guantánamo Bay, 4 June 2020

²⁷⁷ Centre for Constitutional Rights – CCR: <https://ccrjustice.org/sites/default/files/attach/2019/09/Emergency%20Motion%20for%20AI%20Haji%20Status%20Conference%20August%202022%202019.pdf>

²⁷⁸ Fox News: <https://www.foxnews.com/world/political-poison-whats-going-on-in-gitmo>

²⁷⁹ New York Times: <https://www.nytimes.com/2012/11/29/us/yemeni-detainee-at-guantanamo-died-of-overdose.html>

²⁸⁰ New York Times: <https://www.nytimes.com/2021/02/11/us/ibrahim-idris-dead.html>

²⁸¹ Miami Herald: <https://www.miamiherald.com/opinion/op-ed/article121885083.html>

²⁸² For example, New York Times: <https://www.nytimes.com/2019/09/16/us/politics/guantanamo-bay-cost-prison.html>

cost in 2017 of holding the prisoners exceeded USD 540 million. As of 2022, it took USD 7 billion to operate the Guantánamo prison throughout its entire existence. Each detainee costs USD 13 million a year.²⁸³

Human rights organizations have regularly called for closing the prison. The Centre for Victims of Torture (CVT), Human Rights First and National Religious Campaign against Torture demand that the prison be immediately closed down. To this end, they presented a programme of recommendations.²⁸⁴ Amnesty International called on the US government to end human rights abuses in Guantánamo Bay and to comply strictly with its international legal obligations to end torture and other inhuman or degrading treatment or punishment.²⁸⁵ In January 2021, the UN Human Rights Council special procedures required the closure of the Guantánamo Bay detention centre and the transfer of detainees' cases to civilian courts. Experts noted that the very existence of the prison is incompatible with Washington's obligations under international law.²⁸⁶

The intention to close this prison was announced more than a decade ago by former Head of the White House Barack Obama. He stated that he planned to finalize the process within a year. Joe Biden said the same thing during his 2020 election campaign. Such plans were subsequently and repeatedly confirmed by the Head of the Pentagon Lloyd Austin, Secretary of State Antony Blinken and National Security Council (NSC) spokesperson Emily Horne.

However, according to a number of US experts, the correctional facility will continue to exist largely due to political and legal obstacles.²⁸⁷ The strategy to close the prison is expected to focus initially on reducing the number of

²⁸³ <https://www.nytimes.com/2022/09/16/us/politics/guantanamo-bay-prison-cost.html>

²⁸⁴ Just Security: <https://www.justsecurity.org/72367/toward-a-new-approach-to-national-and-human-security-close-guantanamo-and-end-indefinite-detention/>

²⁸⁵ Amnesty International: <https://www.amnesty.org/en/documents/amr51/3474/2021/en/>

²⁸⁶ "Disgraceful" Guantánamo Bay detention facility must be closed now, say UN experts. The Special Procedures of the Human Rights Council press-release. 11 January 2021.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26649&LangID=E>

²⁸⁷ The Hill: <https://thehill.com/opinion/national-security/549584-closing-guantanamo-is-long-overdue>

prisoners by repatriating them or finding other countries to accept them. Specific timelines for the closure of the special prison are currently unknown.²⁸⁸ The Biden administration is currently attempting to reduce the number of detainees held at Guantánamo Bay as part of a broader effort to close the facility. On 9 March 2023, for example, the Pentagon announced the repatriation of Saudi Arabian detainee Ghassan Al Sharbi. On 23 February 2023, two "inmates" Abdul Rabbani and Mohammed Rabbani were transferred to Pakistan. On 2 February 2023, the "high-value" detainee Majid Khan was released from prison and sent to Belize.

²⁸⁸ The Hill: <https://thehill.com/homenews/administration/557581-report-biden-hopes-to-close-guantanamo-by-the-end-of-his-first-term>

Section 10. Capital punishment

The United States remains the only Western country whose legislation includes provisions for the capital punishment. The death penalty is provided for in the laws of 27 states and at the federal level. However, five of these states currently have a moratorium in place.²⁸⁹

In 2003, a *de facto* moratorium on federal executions was introduced. However, in July 2020, the practice of capital punishment was resumed by decision of the Supreme Court.²⁹⁰

More than 8,500 people have been sentenced to death in the United States since the 1970s. In the mid-1990s, the number of annual death sentences peaked at over 300 per year. In the past 25 years, that number has declined by more than 80% and has remained near a record low since 2015. In 2022, there were 11 executions.²⁹¹ In the first 6 months of 2023, 13 executions.²⁹²

According to US's Death Penalty Information Center (DPIC), which has been keeping statistics since the reintroduction of the death penalty in 1976, 1,582 people had been executed in the country as of 3 January 2024, most of them by lethal injection (1,402), with hanging and execution by firing squad (3 cases each) being the least common methods. In 2023, 24 executions were carried out; the highest number of death sentences – 98 – was in 1999. Texas ranks first among the states in the number of people executed, at 586. There are currently 2,333 pending executions in the US, with California having the largest number of people on death row – 665. 196 people sentenced to death since 1973 have had their cases reviewed and been exonerated.²⁹³

²⁸⁹ <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state>

²⁹⁰ US Department of Justice website. Executions Scheduled for Four Federal Inmates Convicted of Murdering Children. 15 June 2020

²⁹¹ Death penalty information Center

²⁹² <https://deathpenaltyinfo.org/executions/2023>

²⁹³ <https://deathpenaltyinfo.org/>

The number of supporters of the death penalty in the United States is gradually declining, according to the latest Gallup poll conducted in October 2023. For example, 53% of Americans believe that execution is acceptable for someone convicted of murder. In 2022, 55 percent of respondents held this view; in 1994, the figure was 80 percent. At the same time, for the first time since 2000, a majority of Americans (50%) say the death penalty is applied unfairly, 39% believe that executions are not carried out often enough and 28% say that they are carried out often enough. Opinions vary, including depending on political preferences: Among Republicans, the share of supporters of capital punishment for murder reaches 81 percent, among independents – 51 percent, among Democrats – 32 percent.²⁹⁴

Over the past decade, several US Supreme Court rulings have limited the scope of use of the death penalty. The Court overturned the death penalty for mentally disabled individuals in *Atkins v. Virginia*, 2002, and for juvenile offenders in *Roper v. Simmons*, 2005, holding that the execution of such persons is unconstitutional.

According to the Death Penalty Information Centre, the majority of those sentenced to capital punishment are African Americans, Latinos or representatives of other ethnic minorities²⁹⁵. Specifically, as the NGO noted, African Americans account for 34.1% of all convictions. At times, innocent people are sentenced to death due to mistakes in trial proceedings and other factors. Amnesty International has found that 156 persons sentenced to death were found to be innocent. More than half of them belong to ethnic minorities.

In June 2021, the media found out that the authorities of Arizona had purchased toxic substances for use in gas chambers. They were outraged by the

²⁹⁴ <https://tass.ru/obschestvo/19822213>

²⁹⁵ Website of Death penalty information Center. Facts about death penalty, as of 20 May 2020.
<https://deathpenaltyinfo.org/>

fact that such toxic substances had been used by the Nazis during the Holocaust.²⁹⁶

In view of the accelerated implementation of death penalties, which many experts linked with the change of administration, on 22 December 2020, a group of Democratic Senators headed by Elizabeth Warren (Massachusetts), sent a letter to Michael E. Horowitz, Inspector General of the US Department of Justice (DOJ), calling to investigate the Trump Administration's "frenzied and unprecedented" spree of federal executions. The senators' letter said that the spree of executions marked a break with decades-old legal practice.²⁹⁷

It is noteworthy that the international community has repeatedly condemned capital punishment for criminals in the United States.

Alabama inmate Kenneth Smith was put to death by nitrogen hypoxia.²⁹⁸ Smith, 58, was convicted of the 1988 contract killing of Elizabeth Sennett, a minister's wife, and executed by nitrogen hypoxia in Atmore.

It has been noted that on 25 January 2024 starting at 19:58 local time, Smith "shook and convulsed" at least for two minutes. While immobilized, the inmate was able to lift his head off the surface of the gurney, then dropped it. At 8:25 p.m., his death was announced.²⁹⁹

The American authorities resorted to a previously unused method of execution because of the physiological characteristics of the inmate. In November 2022, the United States attempted to execute Kenneth Smith by standard lethal injection, but they failed to find a suitable vein in which to insert the needle.

Significantly, Alabama allowed the death penalty to be carried out with pure nitrogen in 2018 due to a shortage of drugs used for lethal injections. This

²⁹⁶ Outrage greets reports of Arizona plan to use Holocaust gas in executions. The New York Times. 2 June 2021.

²⁹⁷ Elizabeth Warren website, 22 December 2020.

²⁹⁸ <https://www.cnn.com/2024/01/26/us/alabama-execution-nitrogen-what-we-know/index.html>

²⁹⁹ <https://www.alabamaag.gov/alabama-attorney-general-steve-marshall-statement-on-the-execution-of-murderer-kenneth-smith-by-nitrogen-hypoxia/>

method of execution is also legal in Mississippi and Oklahoma, but these two states have never used it.

Local prosecutors claim that this method is similar to euthanasia practiced around the world, including in some European countries – once the gas is applied, the person quickly and painlessly loses consciousness and then goes into cardiac arrest.

However, Kenneth Smith's lawyers insisted that Alabama authorities did not have the necessary equipment to carry out this type of execution. They believe that the oversized mask could let in enough oxygen to make the defendant suffer and suffocate while still conscious.

In addition, the lawyers have stressed that a second attempt at execution could amount to excessive punishment. The U.S. Supreme Court denied the petitions in this regard.³⁰⁰

UN High Commissioner for Human Rights Volker Türk has expressed deep regret over the execution of a prisoner by nitrogen gas in Alabama. In a special statement, he drew attention to "serious concerns that this novel and untested method of suffocation may amount to torture, cruel, inhuman or degrading treatment." Volker Türk emphasized that "the death penalty is inconsistent with the fundamental right to life," urging all States "to put in place a moratorium on its use as a step towards universal abolition."³⁰¹

The EU also condemned Smith's execution, stating in a press release that the death penalty "is a violation of the right to life and the ultimate denial of human dignity" and that the use of this punishment is unacceptable in all circumstances. The Brussels statement also expressed concern about an increase in the number of executions in the US in 2023.³⁰²

³⁰⁰ <https://edition.cnn.com/2024/01/26/us/alabama-execution-nitrogen-what-we-know/index.html>,
<https://tass.ru/obschestvo/19822213>

³⁰¹ <https://news.un.org/en/story/2024/01/1145947>

³⁰² <https://www.vedomosti.ru/politics/news/2024/01/26/1016974-oon-i-es-osudili-ssha>

A number of human rights organizations, including Human Rights Watch, have questioned the legitimacy of using such an inhumane method of capital punishment against convicts.³⁰³

³⁰³ <https://www.hrw.org/news/2024/01/23/alabama-intends-carry-out-first-known-us-execution-using-nitrogen-gas>

Section 11. Protection of personal data. Surveillance of citizens

In 2013, Edward Snowden's revelations about the breadth of US government surveillance shocked the world. The public has learned about the NSA's PRISM and Upstream programs, in which the NSA works closely with Google, Facebook, American Telephone and Telegraph (AT&T), and Verizon Communications to conduct mass surveillance of Americans' international communications and obtain their personal data.

Intelligence officials also admitted that the NSA had for years been secretly collecting records about virtually every American's phone call – who's calling whom, when those calls are made, and how long they last. In addition, whistleblowers and media reports revealed that the NSA was conducting bulk surveillance abroad, without any judicial oversight whatsoever, under an authority known as Executive Order 12,333.³⁰⁴ In 2013, it was reported that the CIA paid USD 10 million a year in order to gain access to AT&T's call data.³⁰⁵

In September 2020, the 9th Circuit Court of Appeals ruled that the NSA's mass surveillance program violated the Constitution and the 1978 Foreign Intelligence Surveillance Act (FISA).³⁰⁶

The Foreign Intelligence Surveillance Act, one of the most sweeping surveillance laws ever passed by Congress, was in effect in the United States until the end of 2023. The Act essentially gave the United States government and intelligence agencies unlimited authority to conduct extensive surveillance of foreign government officials and American citizens in contact with them, including phone calls, text messages, emails, social media posts, and web browsing.

³⁰⁴ <https://www.aclu.org/news/national-security/the-privacy-lesson-of-9-11-mass-surveillance-is-not-the-way-forward>

³⁰⁵ <https://www.eff.org/deeplinks/2022/02/we-need-answers-about-cias-mass-surveillance>

³⁰⁶ Politico: <https://www.politico.com/news/2020/09/02/court-rules-nsa-phone-snooping-illegal-407727>

A bright illustration of such practice is discovered intelligence abuses during wiretaps of conversations between officials of Trump's presidential campaign and Russian representatives. It is first and foremost about "declassified" conversations between former National Security Adviser to the US President and Russia's ex-Ambassador to the United States (transcripts of conversations in 2016-2017 intercepted by the US intelligence community.) At the same time, Trump has publicly announced his intention to veto a number of surveillance programs under the Foreign Intelligence Surveillance Act, citing "massive abuses" of the law by intelligence agencies. In this regard, it is also worth recalling the scandal that broke out in 2015 in Germany, when German journalists revealed the fact of wiretapping by US intelligence agencies of Chancellor Angela Merkel.

US intelligence agencies continue to use electronic surveillance mechanisms without control on both foreign nationals and Americans to obtain information on citizens' contacts via e-mail, social networks, and messengers. There are systematic violations of statutory surveillance procedures, including improper disclosure of information to third parties, failure to duly notify the court whose approval is required, providing unverified information to courts, etc.

Journalists, lawmakers and NGOs continue to draw attention to numerous violations of legal norms on the protection of personal data by US law enforcement and intelligence agencies.³⁰⁷ Human rights activists emphasize the systemic nature of the violations, calling the existing practice of controlling the electronic communications of Americans in the country a grave threat to constitutional rights to privacy, freedom of expression, and freedom of association.³⁰⁸ Members of national and religious minorities, including African

³⁰⁷ Wall Street Journal: <https://www.wsj.com/articles/federal-agencies-use-cellphone-location-data-for-immigration-enforcement-11581078600>

³⁰⁸ Just Security: <https://www.justsecurity.org/73321/the-future-of-u-s-foreign-intelligence-surveillance/>

Americans, Asians, Muslims, etc., are noted to be particularly affected by the actions of the intelligence services.³⁰⁹

During the surge of the Black Lives Matter (BLM)³¹⁰ movement, for example, police collected social media data to identify protesters. For example, Dataminr, a monitoring company, used its Twitter connection to help law enforcement geolocate protesters during rallies in the summer of 2020, allowing police to track and disrupt events.

Dataminr also alerted the U.S. Marshals Service (a federal law enforcement agency that is a division of the U.S. Department of Justice) about locations for anti-abortion demonstrations in 2022.³¹¹

Amnesty International notes that mass surveillance is not only a violation of the right to privacy, but also a threat to the work of the organization itself, which works to expose human rights violations around the world. Amnesty International's research is based on confidential sources. By sharing stories, witnesses to human rights violations and victims put themselves at risk of being exposed and punished. According to the NGOs, the government is illegally conducting surveillance on researchers, activists and victims, with the potential for more human rights violations.³¹²

In December 2020, the Department of Homeland Security's Office of Inspector General initiated an internal review after it was revealed that the Federal Customs and Border Protection (FCPB), under the Department of Homeland Security, was purchasing citizens' personal information from third-party commercial companies. According to Vox, citing the Wall Street Journal, the FCPB, in particular, used cell phone movement data illegally obtained from

³⁰⁹ Ibid.

³¹⁰ The U.S. Black Lives Matter (BLM) movement emerged in the wake of the killing of African-American G. Floyd by police officers in the United States in May 2020.

³¹¹ <https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/Surveillance%20Report%202023%20.pdf>

³¹² <https://www.amnestyusa.org/updates/unlawful-surveillance-threatens-our-activism-heres-how-we-can-fight-back/>

Venntel to track the movements of Americans and foreigners across the State border.³¹³

In addition, in June 2020, the Wall Street Journal learned that in 2017-2018, the FBI and the Internal Revenue Service also bought personal data from Venntel, X-Mode, and Babel Street to circumvent current laws, allegedly hoping to use it to combat money laundering, organized crime, and drug trafficking. This information received wide publicity only a few years later – during a briefing by the leadership of the Internal Revenue Service for the office of Senator Ron Wyden.³¹⁴

Human rights organizations and journalists have repeatedly pointed to the lack of a legal document in the United States that contains detailed, clear rules for when competent authorities can gain access to citizens' personal data, including their personal correspondence.

On 22 December 2023, **Section** 702 of the Foreign Intelligence Surveillance Act (FISA) was extended until the end of April 2024. That **section** allows U.S. intelligence agencies to access the emails and phone records of Europeans³¹⁵ and to conduct surveillance without a warrant on individuals who are outside the United States but use U.S. electronic services. By doing so, intelligence gains data used to fight international terrorism.

Amendments to the Foreign Intelligence Surveillance Act (FISA), including Section 702, were enacted in 2008. In early 2018, Section 702 was extended by Congress for six years, until the end of 2023.³¹⁶ Recently, there have been discussions about expanding the scope of this section, in particular, expanding

³¹³ Wall Street Journal: <https://www.wsj.com/articles/federal-agencies-use-cellphone-location-data-for-immigration-enforcement-11581078600>

³¹⁴ Wall Street Journal: <https://www.wsj.com/articles/irs-used-cellphone-location-data-to-try-to-find-suspects-11592587815>

³¹⁵ https://www.europarl.europa.eu/doceo/document/E-9-2024-000166_EN.html

³¹⁶ <https://www.kommersant.ru/doc/5843791>

the list of companies that can be included as U.S. agencies.³¹⁷ A number of U.S. policymakers have proposed making Section 702 permanent.³¹⁸

Despite the above flaws, White House national security advisor Jake Sullivan called Section 702 the cornerstone of U.S. national security. According to him, "this authority is an invaluable tool that continues to protect Americans every day and is crucial to ensuring that U.S. defense, intelligence, and law enforcement agencies can respond to threats from the People's Republic of China, Russia, nefarious cyber actors, terrorists, and those who seek to harm our critical infrastructure."³¹⁹

At the same time, representatives of local NGOs urge parliamentarians to revise the current rules to take greater account of the right to personal data protection.³²⁰

Human Rights Watch notes in its 2019 report that information from individuals' electronic devices is often used by law enforcement without court orders, allegedly to "prevent" crimes. Based on the content of users' correspondence, law enforcement officers decide to open investigations. Courts, on the other hand, deny requests for disclosure of investigation methods, guided by the provisions of laws on the possibility of making such information private. Thus, the accused are deprived of the opportunity to challenge the illegal surveillance installed thereon. This leads to a violation of the constitutional right to a full trial.

Among other things, police in the United States practice surveillance of citizens with criminal records. The nominal purpose of surveillance is to prevent

³¹⁷ https://www.europarl.europa.eu/doceo/document/E-9-2024-000166_EN.html

³¹⁸ <https://federalnewsnetwork.com/commentary/2024/02/fisa-amendments-must-acknowledge-critical-role-osint-plays-in-preserving-national-security/>

<https://www.csis.org/events/section-702-fisa-privacy-and-civil-liberties-reforms>

³¹⁹ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/28/statement-by-national-security-advisor-jake-sullivan-on-the-biden-harris-administrations-support-for-the-reauthorization-of-vital-intelligence-collection-authorities/>

³²⁰ <https://www.aclu.org/news/national-security/five-things-to-know-about-nsa-mass-surveillance-and-the-coming-fight-in-congress>

recidivism and reduce crime in certain areas. In practice, the surveillance of citizens has no legal basis and is carried out without relevant court orders and warrants from higher law enforcement agencies.

Collection of personal data (including medical histories, information about one's religious or political beliefs, etc.) by transnational corporations based in the United States has also been criticized. Human rights activists have found serious human rights violations in the use of collected information to increase the profits of "business giants." It has been argued that legal entities thus control citizens and limit their right to freedom of expression (First Amendment to the US Constitution).

Over 50 human rights NGOs submitted an open letter to Google CEO to take action against exploitative pre-installed software on Android devices and allow users to permanently uninstall the apps. According to human rights activists, many smartphones running on this operating system contain applications that are not visible, but at the same time carry out covert surveillance of the owners through the microphone, camera and geolocation data.³²¹ Technical experts note that pre-installed apps are most often found in low-end phones. For example, researchers at the anti-virus company Malware Bytes revealed the existence of malware inside apps pre-installed on low-end smartphones sold to low-income Americans via the government-subsidized Assurance Wireless program. Experts believe similar apps are likely to be installed also on other devices subsidized by the US government.³²²

Another cause for concern for the human rights community is the draft Lawful access to encrypted data act (LAEDA), introduced in the Senate in June

³²¹ An open letter to Google. The Privacy International. 8 January 2020. <https://privacyinternational.org/advocacy/3320/open-letter-google>, 50+ orgs ask Google to take a stance against Android bloatware. ZD Net. 9 January 2020. <https://www.zdnet.com/article/50-orgs-ask-google-to-take-a-stance-against-android-bloatware/>

³²² Privacy with a Price: Advocates Say Google Should Secure Cheap Android Phones. The Brussels Times. 22 January 2020. <https://www.techtimes.com/articles/246957/20200122/privacy-with-a-price-google-should-secure-cheap-android-phones.htm>

2020. According to the developers, the bill aims to ban encryption algorithms in mobile devices and applications, as well as to introduce obligations for Internet companies to assist law enforcement agencies in accessing encrypted information. In fact, according to experts, the document would threaten the privacy and security of users' personal data, since it legitimizes the practice of intelligence services to hack into cell phones and read users' personal data. Another danger of the draft is that the ban on encryption gives attackers access to users' personal information.³²³

The systemic abuses of USA intelligence agencies, which engage in widespread mass surveillance of citizens, also show signs of racial profiling.

The use of cameras with face recognition technology (FRT) is a good example of these biases. According to the experts, about 25% of the 18,000 law enforcement agencies across the United States have access to such systems.³²⁴ Over half of all American adults are in a driver's license database used for personality identification. A number of states use this technology not only on suspects in normal criminal cases, but also on people suspected of violating migration law. Human rights groups have repeatedly pointed to the inadequacy of such systems and their bias against members of racial and religious minorities, particularly African Americans.³²⁵ The high cost of the systems themselves and their maintenance and update have also been criticized.

According to experts from the NGO Amnesty International, such equipment discriminates against representatives of national minorities. Human

³²³ There's Now an Even Worse Anti-Encryption Bill Than EARN IT. That Doesn't Make the EARN IT Bill OK. The Center for Internet and Society at Stanford Law School. 24 June 2020. <http://cyberlaw.stanford.edu/blog/2020/06/there%E2%80%99s-now-even-worse-anti-encryption-bill-earn-it-doesn%E2%80%99t-make-earn-it-bill-ok>; Lawful Access to Encrypted Data Act would cripple digital security. Access Now. 8 July 2020 <https://www.accessnow.org/lawful-access-to-encrypted-data-act-would-cripple-digital-security/>

³²⁴ The Untold Number of People Implicated in Crimes They Didn't Commit Because of Face Recognition. American Civil Liberties Union. 24 June 2020. <https://www.aclu.org/news/privacy-technology/the-untold-number-of-people-implicated-in-crimes-they-didnt-commit-because-of-face-recognition/>

³²⁵ Just Security data. <https://www.justsecurity.org/73321/the-future-of-u-s-foreign-intelligence-surveillance/>.

rights activists demanded that the New York Police Department stop using FRT video cameras against ethnic minorities.³²⁶

More than 7,000 volunteers participating in a global campaign called Ban the Scan helped rights activists identify more than 25,000 FRT-enabled CCTV cameras in the city. AI researchers later compared their findings with the statistics on arrests and demographic data. As a result they found that, of New York's five boroughs,³²⁷ the cameras were largely concentrated in the Bronx, Brooklyn and Queens, which are the boroughs where law enforcement bodies' officers stop and search primarily African American and Latino residents.³²⁸

Commenting on the results of the research, Dr. Matt Mahmoudi, expert on artificial intelligence and human rights at Amnesty International, noted that the police's indiscriminate use of such identification systems is in effect a digital version of the stop and frisk policy,³²⁹ which constitutes an infringement of citizens' right to privacy, free assembly and equality, and facilitates police discrimination against non-white citizens. The use by the police of surveillance technology during protest events can also be seen as a deliberate attempt to intimidate participants, as it enables people who are exercising their civic rights to be identified, tracked and harassed.³³⁰

Amnesty International alleges that the software often malfunctions when identifying people's appearance.³³¹ Jumaane Williams, the Public Advocate for New York City agrees with Amnesty International's views. He has pointed out that community representatives and activists have for a long time been

³²⁶ USA: Facial recognition technology reinforcing racist stop-and-frisk policing in New York – new research // Amnesty International. 2/15/2022. – <http://www.amnesty.org>.

³²⁷ New York has five boroughs: Bronx, Brooklyn, Manhattan, Queens and Staten Island.

³²⁸ World Report 2022. United States / Human Rights Watch, 01.2022. – <https://www.hrw.org>.

³²⁹ The stop-and-frisk power is available to police officers in many states and allows them to stop a person outside their home and in a public place if the officer has reason to "reasonably suspect" that the person has committed, is committing, or is about to commit a crime. If "reasonable cause" exists, a detainee may be searched on the spot "to find a dangerous weapon."

³³⁰ World Report 2022. United States / Human Rights Watch, 01.2022. – <https://www.hrw.org>.

³³¹ Amnesty International USA: <https://www.amnesty.org/en/latest/research/2020/06/amnesty-international-calls-for-ban-on-the-use-of-facial-recognition-technology-for-mass-surveillance/>

observing how law enforcement bodies are biased against ethnic minorities, and how the frequent malfunctioning of face-recognition software leads to wrongful arrests and infringe on the rights of the citizens.³³²

For instance, the American Civil Liberties Union reported that in April 2021 Detroit resident Robert Williams was detained by the police for over 30 hours for alleged burglary. Police ran the store's security camera footage through a facial recognition system, which produced a photo of R. Williams' driver's license. After comparing the photo of the intruder and R. Williams, it turned out that he was incorrectly identified by the security cameras and facial recognition system used by city law enforcement.³³³

In July 2020, a similar incident occurred again in Detroit, Michigan. Michael Oliver, a Black man, was arrested for allegedly reaching into a person's car. Facial recognition "flagged" him as a possible suspect. However, the perpetrator, captured on the footage, did not look like Michael Oliver, as the latter had tattoos on his arms unlike the person in the video. After a more detailed comparison of M. Oliver's images with the real perpetrator, the police concluded that a misidentification had taken place, like in the abovementioned case of R. Williams.³³⁴

Once Detroit Police Department's use of facial recognition technology gained national attention after human rights advocates and journalists had brought to light the aforementioned cases, its chief admitted that the software misidentified individuals "96% of the time".³³⁵

³³² World Report 2022. United States / Human Rights Watch, 01.2022. – <https://www.hrw.org>.

³³³ Wrongfully Accused by an Algorithm. The New York Times. 24 June 2020. <https://www.nytimes.com/2020/06/24/technology/facial-recognition-arrest.html>; American Civil Liberties Union. <https://www.aclu.org/press-releases-michigan-father-sues-detroit-police-department-wrongful-arrest-based-faulty-facial>.

³³⁴ Facial recognition linked to a second wrongful arrest by Detroit police. Engadget. 10 July 2020 <https://www.engadget.com/facial-recognition-false-match-wrongful-arrest-224053761.html>

³³⁵ Detroit Police Chief: Facial Recognition Software Misidentifies 96 % of the Time. Vice. 29 June 2020. https://www.vice.com/en/article/dyzykz/detroit-police-chief-facial-recognition-software-misidentifies-96-of-the-time?utm_content=1593453617&utm_medium=social&utm_source=VICE_twitter; ACLU Statement on Second Wrongful Arrest due to Face Recognition Technology. American Civil Liberties Union. 10 July 2020 <https://www.aclu.org/press-releases/aclu-statement-second-wrongful-arrest-due-face-recognition-technology>

Human rights defenders also found that facial recognition technologies were used not only by law enforcement agencies, but also other organizations. In particular, owners of rental properties were tracking their African-American tenants. In 2018-2019, tenants of apartments in the Brooklyn neighbourhood of New York City challenged in court the installation of facial recognition cameras by the landlord company. Residents learned about the introduction of the devices by accident, from the mailing of letters about repair work. As a result of public and media pressure, the company that owns the building announced in November 2019 that it would stop installing facial recognition systems in its buildings.³³⁶

In July 2021, over 40 human rights NGOs called on the authorities to ban the use of facial recognition technology. It is alleged that law enforcement officials in New York City have unjustifiably used some 15,000 video cameras to track people's movements.³³⁷

To date, the US has enacted a number of laws governing the use of facial recognition. Law enforcement agencies have broader authority to use the system than other government agencies. In Washington, for example, law enforcement agencies are required to obtain a warrant or court order prior to using FRT, while other government agencies are required to provide public notice, hold a meeting, and publish a report. Before conducting a facial recognition search, Massachusetts and Utah require law enforcement to submit a written request to the State agency maintaining the database. Officers in Maine are prohibited from using a facial recognition match as the sole basis for a search or arrest. A New York bill would prohibit State agencies from retaining or sharing facial recognition images with third parties without prior court authorization.³³⁸

³³⁶ Ban the scan: do you want your face to be used to track you? Amnesty International. <https://banthescan.amnesty.org/>

³³⁷ Washington Examiner. 6/3/2021.

³³⁸ <https://www.asisonline.org/security-management-magazine/monthly-issues/security-technology/archive/2021/december/facial-recognition-in-the-us-privacy-concerns-and-legal-developments/>

A number of U.S. cities and states are phasing out rules adopted over the past few years and prohibiting or restricting the use of facial recognition software by local police (e.g., Virginia and New Orleans relaxed their use of this technology in 2022).³³⁹

However, according to the World Socialist Web Site (WSWS), U.S. intelligence agencies, primarily the FBI, routinely violate the law. According to the FISC report released in April 2021 by the Office of the Director of National Intelligence of the United States, there were found violations in conducting warrantless searches of email messages and other electronic communications of US citizens without getting the appropriate court authorizations.³⁴⁰ It is noted that this practice affects not only foreigners, but also American citizens. After this became public knowledge, a number of lawmakers demanded an explanation from the intelligence services.³⁴¹

Besides, the online portal Vox reports that government agencies regularly obtain personal information from US media companies about millions of users of social media, online platforms, and apps, in circumvention of the applicable law.³⁴² It is argued that this practice is contrary to the 2018 U.S. Supreme Court decision in *Carpenter v. United States*, which refers to the need to obtain court authorization to access personal data.³⁴³ The Department of Homeland Security, the Federal Internal Revenue Service (IRS), the FBI, and the Drug Enforcement Administration (DEA) are among those accused.

³³⁹ <https://www.cnn.com/2022/08/05/tech/facial-recognition-bans-reversed/index.html>

³⁴⁰ World Socialist Web Site – WSWS: <https://www.wsws.org/en/articles/2021/04/28/surv-a28.html>

³⁴¹ New York Post: <https://nypost.com/2021/05/04/gop-reps-want-fbi-director-to-explain-fisa-warrant-violations/>

³⁴² Vox: <https://www.vox.com/recode/22038383/dhs-cbp-investigation-cellphone-data-brokers-venntel>

³⁴³ U.S. Supreme Court: https://www.supremecourt.gov/opinions/17pdf/16-402_h315.pdf

Section 12. Artificial intelligence and hiring discrimination

Today, US private companies as well as government agencies are increasingly using AI-driven recruitment software for talent selection. However, human rights defenders are concerned about the inherent bias of AI algorithms, which, they believe, may add to the discrimination and infringement of rights of certain categories of citizens.

According to the American Civil Liberties Union, the majority of Fortune Global 500 List companies are already employing automated tools in their recruitment processes.³⁴⁴

For instance, the developers of the American HireVue platform used for video interviewing analysis consider their software to be a "just and transparent" hiring solution, because they believe that people can be inconsistent when assessing candidates, while "machines treat everyone equally." Paradox Company offers automated applications that verify candidates' CVs and draw up interview plans with potential employees as well as circulate job offers. The company undertakes to provide its customers exclusively with the software solutions "designed to exclude bias and limit scalability of existing biases in talent acquisition processes."

Human rights defenders have found out that AI-powered employee selection tools are integrated in nearly every stage of the hiring process. Employers rely on software solutions to distribute online job adverts, scan cover letters and automatically select CVs by specific criteria and parameters. Virtual assistants or chat bots interview candidates on their qualifications and filter out those who don't meet the requirements set by the employer. Applications that analyze intonation, vocabulary, facial expressions, gestures and stress levels are used to evaluate video interviews.

³⁴⁴ Akselrod O., Venzke C. How Artificial Intelligence Might Prevent You From Getting Hired // American Civil Liberties Union. 8/23/2023. - <https://www.aclu.org>.

Theoretically, algorithms of the said platforms must be highly objective. In practice, though, just like people, they can lead to intentional or unintentional discrimination, turning down applicants based on their race, gender, age or other criteria. According to a joint survey carried out by the Massachusetts Institute of Technology and Columbia University, in most cases, AI tends to select one type of candidates to the detriment of the others. The same was confirmed by the researchers at Cambridge University, who back in October 2022 refuted the developers' claims that their product provided objective assessment of candidates, calling them false. According to the scientists, AI-driven recruitment software does not necessarily have a racist bias, yet it cannot be regarded as neutral, since AI uses data uploaded by human beings.

Human rights defenders have registered a few cases of AI showing bias when used in practice. In October 2018, Amazon removed the trial version of its automated selection system, which had been designed to assess potential employees but somehow had filtered out women. A survey carried out by the University of Maryland in December 2018 revealed that two face recognition services, Face++ and Microsoft Face API, discriminated against black candidates, finding them more aggressive than white candidates. In May 2022, The US Equal Employment Opportunity Commission sued iTutorGroup for age discrimination because its recruitment software was programmed to automatically turn down older applicants.

According to Garrett Wozniak, the use of AI-driven software and the infringement of rights of certain population groups have become a burning issue for labour legislation. According to the expert, these tools assess how good the candidate in question is for a particular job, based on the entered criteria, and quite often, such platforms do not take into account other factors in the selection process, which may lead to some applicants being screened out in the hiring process. This opinion is shared by Anthony May, advocate for Brown, Goldstein & Levy, who adds that companies should study new developments in

employment law to avoid lawsuits, follow recommendations of federal supervisory authorities and ensure the necessary audits to prevent legal issues, as well as keep track of the existing biases and work to improve and adjust their products.³⁴⁵

In addition to the issues of efficiency and fairness, job-seekers often have little or no knowledge whatsoever about the use of such tools, let alone their decision-making mechanisms, at times of a discriminatory nature. Candidates often lack information on the process and results, and the lack of transparency renders it difficult for individuals, attorneys, and government agencies to detect bias and enforce civil rights laws.

Experts from the American Civil Liberties Union claim that employers should stop using automated systems that pose a high risk of filtering out people on the grounds of disability, race, gender and other criteria. They believe it essential that any tools considered by employers for recruitment be thoroughly assessed by a third party to avoid discrimination, and that employers properly notify job-seekers of their use.

The bias of AI programmes has caught the attention of government officials as well. The EEOC was the first agency to officially pay attention to this issue: in May 2023, the Commission provided recommendations on how to use software in employment decision-making and avoid violating the provisions of the Americans with Disabilities Act, noting that without proper safeguards and remedies, these systems "may run the risk of violating existing civil rights laws."

There are but few laws that regulate the use of AI in talent selection, and state legislatures have to develop regulations and require that employers disclose information on the use of these technologies. Two states have adopted acts on seeking consent to video-interviewing: Since 2020, Illinois has had a

³⁴⁵ Kales E. Use of AI tools raises concerns about potential for employment discrimination // The Daily Record. 08/08/2023/ - <https://thedailyrecord.com>.

law in force requiring that employers inform and seek the job applicant's consent for the use of AI in interview analysis, and Maryland has adopted a law that prohibits the use of the facial recognition technology in talent selection unless the applicant signs a waiver. The state of New York prohibits employers from applying automated tools to check potential employees unless their software has been independently audited for bias. In 2023 in California, two draft acts were submitted for consideration, which seek to use AI in the hiring process. According to Catherine Massey, advocate for Charles River Associates, the state legislatures' appeal to companies to be more forthright about disclosing their use of AI in hiring is an important step to make it easier for candidates and the EEOC to identify bias cases.³⁴⁶

³⁴⁶ *Setty R., Gilbert A. Busting Companies for AI Bias in Hiring Is Tough Task for EEOC // Bloomberg Law. 8/14/2023. — <https://news.bloomberglaw.com>.*

Section 13. Indiscriminate use of force in zones of armed conflict

Under the slogan of the "global war on terrorism," the US has consistently pursued indiscriminate use of military force abroad. As is widely known, the US military machine has never been stopped by civilian casualties, the number of which is only increasing. Such actions have been criticized by international human rights structures and nongovernmental organizations.

The "bloodiest" US aggression after 1945 was the Vietnam War. In 1965-1975, a total of 3 million tons of bombs (200 kilograms per each North Vietnamese) were dropped on the country. Laos and Cambodia were hit. More bombs were dropped on Laos alone than on Nazi Germany. The number of Vietnamese killed by US troops could be as high as two million. If we take into account US operations against Cambodia and Laos related to the hostilities in Vietnam, the total number of victims could exceed four million.

American war crimes against civilians during the Vietnam War are well known. For example, American soldiers killed 500 civilians in the village of My Lai in 1968. The prisoners of war were tortured and executed. In addition, in Vietnam, the Americans carried out an ecocide by spraying the jungle with the highly toxic defoliant Agent Orange in an attempt to deprive guerrillas of shelter. The result was irreparable damage to the health of some three million Vietnamese (including about one million cases of congenital mutations). US servicemen also suffered from chemical poisoning by poisons and mutagens, affecting their health and that of their children.

The US military operation against Yugoslavia in 1999 caused the largest humanitarian disaster in Europe since 1945. The total weight of munitions used was 21,000 tons (equivalent to four atomic bombs dropped on Hiroshima). Over two thousand civilians were killed, and over six thousand were wounded. The bombings pushed 20% of the population below the poverty line, caused economic losses of up to USD 100 billion and enormous environmental

damage – Serbia still has an abnormally high incidence of cancer and birth defects – the US and its allies widely used uranium munitions that enhanced the performance of bombs and shells.

The "global war on terrorism" has been leading to a steady increase in civilian deaths. According to the American Brown University project, during Operation Enduring Freedom in 2001, more than 66,000 civilians were killed in Afghanistan and Pakistan, including somewhat 150 reporters and 500 employees of human rights and humanitarian NGOs. During Operation Desert Storm, up to 150,000 Iraqi civilians were killed by US-led coalition forces. The next aggression against Iraq in 2003 resulted in up to 500,000 civilian deaths (during the active phase of combat operations until 2011). If we count the subsequent outbursts of violence associated with the presence of Americans in the country, the figure rises to 700,000-750,000 people.

In February 2020, the US Central Command stopped posting statistics on those killed in military operations abroad. Human rights organizations emphasize that military commanders often report only the killing of "terrorists," ignoring the killing of civilians. Moreover, the military leadership has still failed to establish an effective mechanism of impartial investigation into civilian deaths and to ensure justice and reparation for the victims and injured.

Human rights defenders state that the US Defense Department's data claiming that in 2020, 23 civilians were killed in the military operations in Iraq, Afghanistan, Somalia, Yemen and Nigeria is a gross understatement.³⁴⁷ According to a number of NGOs, including Airwars, the figure is rather at least 102 people killed over the previous year.³⁴⁸ Amnesty International NGO also

³⁴⁷ Newsweek.com. US military claims responsibility for more than 23 civilian deaths in 2020.

³⁴⁸ Ibid.

notes that figures contained in the Pentagon's report on civilian deaths in 2019 are skewed.³⁴⁹

The American Bar Association has sharply criticized the use of drones.³⁵⁰ In December 2020, Foreign Policy labelled the practice of the use of drones by the US's military "a symbol of injustice, oppression, and impunity," one of the reasons for global radicalization of Muslim populations."³⁵¹

Human rights organizations point out that statistics on civilian deaths were published in April 2020 for the first time since 2007 when the US operation in Somalia began. However, military commanders often report only the killing of terrorists, ignoring the killing of civilians.³⁵²

In July 2021, Joe Biden announced the adoption of a strategy to combat terrorism abroad. On 29 August 2021, when most US soldiers were withdrawn from Afghanistan and regional bases were closed, the problem became evident, according to experts.

According to the Bureau of Investigative Journalism (BIJ), US strikes in Afghanistan, Pakistan, Somalia, and Yemen from 2002 to 2020 killed between 10,000 and 17,000 people. Of these, 800 to 1,750 people are thought to have been civilians.³⁵³

Criticism by nongovernmental and international organizations such as Amnesty International and the United Nations peaked during Obama's first term, when he authorized airstrikes on undeclared military targets 10 times

³⁴⁹ Amnesty International USA: <https://www.amnestyusa.org/press-releases/defense-department-undercounts-civilian-casualties-in-new-reporting/>

³⁵⁰ American Bar Association: https://www.americanbar.org/groups/public_contract_law/publications/public_contract_law_jrnl/49-4/casualties-drone/

³⁵¹ Foreign Policy: <https://foreignpolicy.com/2020/12/17/obamas-murderous-drone-legacy-will-haunt-the-biden-administration/>

³⁵² Human Rights Watch: <https://www.hrw.org/news/2020/06/16/somalia-inadequate-us-airstrike-investigations>

³⁵³ <https://www.brookings.edu/articles/biden-can-reduce-civilian-casualties-during-us-drone-strikes-heres-how/>

more often than George W. Bush. However, all this did not stop the Norwegian Nobel Committee from awarding Barack Obama the 2009 Peace Prize.

The most visible surge in strikes took place in Pakistan, where, at some point, civilian casualties reached 10% of total deaths. Between 2011 and 2013, the Obama administration implemented a "near certainty" standard of no civilian casualties, which supposedly drastically reduced civilian casualties in Pakistan. Before the policy implementation, the Obama administration conducted 263 strikes resulting in 607 civilian casualties. After adopting the "near certainty" standard, there were 167 strikes that killed 90 civilians.

However, in 2017, the then US President Donald Trump relaxed Obama's restrictive targeting protocol in favour of a more permissive "reasonable" certainty standard for civilian casualties, initially adopted by the Bush administration, as a result, the frequency of bombings using both unmanned and manned aerial vehicles increased significantly.³⁵⁴ The Costs of War notes that from 2017 through 2020, civilian deaths rose more than threefold. The December 2019 report shows that airstrikes using both manned and unmanned vehicles killed more than 700 civilians. Experts emphasize that this is the record number since the beginning of the Afghan campaign in 2001.³⁵⁵

President Joe Biden ordered a review of US strikes and imposition of temporary limits, similar to Obama's "near certainty" standard. However, researchers worry that the failure to meet this standard will continue to pose direct and largely avoidable risks on civilians during US strikes abroad.³⁵⁶

³⁵⁴ Human Rights Watch: <https://www.hrw.org/world-report/2021/country-chapters/somalia#>

³⁵⁵ Costs of War: https://watson.brown.edu/costsofwar/files/cow/imce/papers/2020/Rising%20Civilian%20Death%20Toll%20in%20Afghanistan_Costs%20of%20War_Dec%207%202020.pdf

³⁵⁶ <https://www.brookings.edu/articles/biden-can-reduce-civilian-casualties-during-us-drone-strikes-heres-how/>

Section 14. Freedom of expression. Violations of journalists' rights

Despite the principle of freedom of speech proclaimed in the First Amendment to the US Constitution, experts note that the actual situation in this area is rapidly deteriorating.

Before Joseph Biden took the Presidential office, his predecessor was accused of organizing a campaign to discredit the media. However, after the change of administration, it became clear that despite the Democrats' statements about their intention to restore the image of the United States as a global leader in the field of freedom of speech, the overwhelming majority of problems faced by the media remain unresolved.³⁵⁷

According to a 2022 Pew Research Center survey of 12,000 journalists working in the US, every six out of ten (57%) are extremely concerned about restrictions on press freedom in the country and only one in five are not very concerned about the future of press freedom in the United States.³⁵⁸

According to human rights advocates, between 1 July 2022 and 30 June 2023, there were 29 attacks on journalists in the United States (by comparison, for 2021 there were 59 arrests and 144 attacks on journalists, in 2020. – 143 and 450, and in 2019, 9 and 40, respectively). Protests and mass events of a political nature remain among the most dangerous scenes of work.

Journalists have repeatedly become victims of unlawful actions of law enforcers and special services. These include the use of physical force and non-lethal weapons and agents, illegal detentions, searches and confiscation of equipment, as well as demands to disclose sources of information.

At least 12 journalists in the United States were arrested or faced unfounded charges in 2023. These include two journalists in Alabama who

³⁵⁷ NGO Reporters without Borders: <https://rsf.org/en/country/united-states>

³⁵⁸ <https://www.pewresearch.org/short-reads/2023/05/02/most-u-s-journalists-are-concerned-about-press-freedoms/>

faced criminal charges for "publishing" and a reporter in Illinois who was accused of asking city employees "too many questions".³⁵⁹

The US Press Freedom Tracker project reports that on 23 April 2022, photojournalist J. Rogers was arrested in San Clemente, California, while covering police actions during the dismantling of a homeless tent encampment. Her professional equipment was seized.³⁶⁰

On 15 February 2023, News Nation reporter E. Lambert was arrested in East Palestine, Ohio, during a news conference by Governor M. DeWine about the aftermath of a train derailment involving highly toxic chemicals.³⁶¹

On 8 May 2023, photojournalist S. Keith was arrested in New York City while covering a memorial rally for a homeless man who died on the city's subway.³⁶²

Over the past year, at least 30 journalists have been summoned to courtrooms to identify their sources or seize reportage footage. In at least one case, refusal to comply has entailed criminal charges.

Ishani Desai, a reporter for The Bakersfield Californian, received numerous subpoenas after her jailhouse interview of 26 February 2023 with Sebastian Parra – a witness, and later charged, in the murder of inmate Robert Pernell Roberts – was published. On 10 May 2023, a court order was issued to seize other unpublished material on the subject from the newspaper.³⁶³

Discussions continue in the United States on the need to reform the Section 23 of the Communications Decency Act, which exempts online

³⁵⁹ <https://pressfreedomtracker.us/blog/members-of-the-press-charged-with-committing-acts-of-journalism-in-2023/>

³⁶⁰ US Press Freedom Tracker: <https://pressfreedomtracker.us/all-incidents/social-media-journalist-arrested-during-san-clemente-protest-held-overnight/>

³⁶¹ US Press Freedom Tracker: <https://pressfreedomtracker.us/all-incidents/newsnation-reporter-arrested-while-covering-ohio-governor-news-conference/>

³⁶² US Press Freedom Tracker: <https://pressfreedomtracker.us/all-incidents/photojournalist-arrested-at-candlelight-vigil-for-man-killed-on-nyc-subway/>

³⁶³ <https://pressfreedomtracker.us/blog/members-of-the-press-charged-with-committing-acts-of-journalism-in-2023/>

<https://pressfreedomtracker.us/all-incidents/newspaper-ordered-to-comply-with-subpoena-for-jailhouse-interview-notes/>

platforms from responsibility for moderating user content. The management of popular social networks continues to enjoy absolute impunity in the media space, censoring statements by public figures, politicians and heads of state that are deemed "inconsistent with company standards." Despite repeated statements by administration officials about plans to put an end to the permissiveness of the "digital giants," there has been no significant progress in this direction. Moreover, Washington is actively using the technological capabilities of media companies to put pressure on geopolitical adversaries, primarily Russia and China. In March 2022, Meta and Google announced the blocking of Russian media accounts.³⁶⁴ Netflix, a streaming service that openly promotes the LGBT agenda, including among children, through movies and cartoons, refused to broadcast the programs of 20 Russian TV channels.

In recent years, Russian journalists on assignment in the United States have repeatedly fallen victim to cruel and unjustified actions by law enforcement officials, faced bans on broadcasting on US territory, restrictions on access to official events and blocked bank accounts. The process of issuing work visas has been complicated.

For example, during the dispersal of demonstrators in Minneapolis, Minnesota, on 30 May 2020, the police sprayed tear gas in the face of M. Turgiev, a journalist of the Rossiya Segodnya news agency. This happened despite the fact that he showed the law enforcement officers a press card. As was evident from the video footage taken at the scene, the Russian national identified himself loudly and clearly, did not offer any resistance, and his clothes had the necessary markings.

Another incident occurred on the night of 22 July 2020 in Portland, Oregon. During the preparation of materials about the riots provoked by the murder of African-American G. Floyd, the actions of law enforcers injured

³⁶⁴ YouTube's press account in Twitter
<https://twitter.com/YouTubeInsider/status/1502335030168899595>

Channel One correspondent Y. Olkhovskaya and cameraman V. Arkhipov. "Guardians of law and order" harmed the health of the Russian nationals and damaged their professional equipment – broke a video camera and a cell phone. The incident occurred after the compatriots reported their affiliation to the press. The US media remained silent about the incident. In total, more than 30 journalists were injured as a result of misconduct by law enforcement officers and special services in the city of Portland while covering the protest events³⁶⁵.

On 29 October 2020 in Philadelphia (Pennsylvania), a film crew of Channel One was robbed. Correspondent G. Olisashvili was injured, cameraman M. Kataev received a concussion, numerous bruises and abrasions. The robbers broke into the car of the Russian citizens and stole a bag with personal belongings and money, as well as a video camera. According to journalists, local law enforcers showed absolute indifference and complete disinterest in investigating the incident.

On 15 October 2020, at the airport of New York City, Federal Customs and Border Guard Service officers subjected RT channel journalist K. Rozhkov to hours-long interrogation. The Russian national had flown to the United States to shoot a documentary about America on the eve of the presidential election. His intention to cover current events in the country and, in general, his work for the RT channel, which was put on the US list of foreign agents, caused discontent. The reporter was demanded to open access to all available electronic devices, and then to give explanations for the information posted in the public domain (including the Sputnik V vaccination), as well as correspondence related to journalistic activities. What happened clearly went beyond the normal procedures related to ensuring public security.

³⁶⁵ NGO Committee to Protect Journalists <https://cpj.org/2020/08/were-scared-shitless-out-here-four-reporters-on-covering-the-federal-response-to-portland-protests/>

On 23 October 2020, D. Zlodorev, an employee of the Rossiya Segodnya news agency, was subjected to a half-hour telephone interrogation by a representative of the Baltimore office of the FBI. The Russian citizen was demanded to provide information about his professional contacts with CSIS and the Russian House office in Washington.

In July 2020, video hosting YouTube blocked the accounts of the TV channel Tsargrad and the Two-Headed Eagle history society. Formal ground for this was "violation of the terms of the platform and export legislation". In March 2021, the administration of the service also restricted access to the movie by Russian journalist A. Kondrashev "Crimea. The Way to Motherland," and in September 2020, – A. Rogatkin's film "Beslan" on the pretext that they contained materials that could frighten or shock users.

To date, the United States Department of State has not responded to a single appeal from the Russian Embassy to thoroughly investigate each of the incidents, bring those responsible to justice and ensure the safety of media representatives.

The resonant case of J. Assange, who is accused by the United States "Themis" of violating espionage legislation, remains in the focus of attention of the public and human rights activists. The founder of WikiLeaks is still unsuccessfully challenging the decision of the British authorities to extradite him to the United States, where he faces life imprisonment. Experts note the highly politicized nature of the process. The American Civil Liberties Union, Human Rights Watch, Knight First Amendment Institute, and the Committee to Protect Journalists have appealed to the US Secretary of Justice to stop the prosecution of the activist.³⁶⁶ Against this background, there is widespread discussion of the surveillance organized by the United States intelligence services with the help of a Spanish private security company of J. Assange

³⁶⁶ NGO Freedom of the Press Foundation: <https://freedom.press/news/press-freedom-coalition-calls-for-end-to-assange-prosecution-after-shocking-reporting-on-cia-misconduct>

during his stay at the Embassy of Ecuador in London, as well as the CIA's plans to kidnap and poison him. Observers draw attention to reports in the Spanish press that the Spanish National High Court has summoned former Secretary of State M. Pompeo and former director of the National Center for Counterintelligence and Security W. Evanina to testify in this regard.³⁶⁷

Despite the US authorities' declared commitment to freedom of speech, in reality the US journalists are under severe censorship. Major media corporations and the professional community itself are also exerting pressure on reporters at the behest of the authorities, forcing journalists to resort to self-censorship, i.e. to deliberately distort or silence information. The dissemination of information that does not correspond to the content of the guidelines issued by the authorities is equated with a violation of professional ethics and threatens severe consequences, ranging from dismissal or banishment from the profession for life to criminal proceedings. Journalists are often prosecuted under completely far-fetched or fabricated pretexts such as "ties to Russian authorities" simply for trying to convey balanced information to their audience. In addition, Washington is exerting increased pressure on media outlets in partner countries, forcing them to impose even stricter censorship (including by coordinating significant news with US Embassy officials).

As Russia's special military operation to denazify and demilitarize Ukraine and protect the peaceful population of Donbas has demonstrated, Washington is actively engaging the media and IT companies under its control, which prevent the international community from conveying Russian approaches and objective points of view on the events around Ukraine by any means at hand. Thus, the US digital giants censor all information, including statements by current politicians and heads of State, that they deem "undesirable", up to the

³⁶⁷ NGO Democracy Now:
https://www.democracynow.org/2022/6/6/headlines/spanish_court_summons_mike_pompeo_over_cia_plot_to_kidnap_or_kill_julian_assange

complete exclusion of the Russian position from the media landscape. All of this is happening upon direct recommendation or with the tacit consent of the authorities. On the Internet, both Russian media and ordinary citizens who publish content reflecting pro-Russian positions are subject to repression: Western Internet platforms are blocking Russian sources of information *en masse*, including media outlets and the accounts of government agencies on streaming platforms and social media.

Since April 2020, Roskomnadzor agency has identified more than 60 cases of discrimination in relation to videos posted on the YouTube platform by Russian media outlets, as well as state, public and sports organizations or figures.

Restrictions on Russian media resources sharply increased at the end of February 2022.

According to Roskomnadzor agency, in the first month alone since the start of the special military operation, more than 80 cases of officially confirmed restrictions related to censorship of Russian journalists, political and public figures and organizations, as well as individual programs by foreign platforms (36 on YouTube, 18 on Facebook, 13 on Instagram, 9 on Twitter) have been registered. The accounts or content of the Rossiya Segodnya (Russia Today) and Sputnik news agencies, the Rossiya 24, Zvezda, RBC, NTV, TNT, REN TV, Izvestia, Channel Five, Russkoe Radio, Tsargrad and other TV channels were blocked. Channel One, Rossiya 1, Kultura, RIA Novosti also fell under the restrictions. According to the statements of the video hosting administration, the content distributed by the TV channels, including content about the special military operation, "violates its policy".

Simultaneously with these restrictions, the administration and moderators of YouTube do not object to the dissemination of information by extremist organizations, primarily the Right Sector and the nationalist formation Azov, which are banned in Russia. In fact, YouTube has become one of the key

platforms spreading fakes about the course of the special military operation that discredit the Armed Forces of the Russian Federation. According to Roskomnadzor, more than 12,000 such materials have been posted on the service.

Incidents related to marking of information published as unreliable, marking of state control, exclusion from the list of recommendations, as well as limiting access to downloading Russian media applications have been recorded.

It is noteworthy that at the same time a number of American media outlets broadcasting internationally – Voice of America (VOA), Radio Liberty/Free Europe (Radio Liberty), Real Time – are quite officially financed by the US, being part of the United States government's Global Media Agency, which does not conceal the fact that its activities are "aimed at strategic regions key to the US foreign policy", i.e. are unambiguously controlled by state interests.

In late February 2022, Google banned Russian state media from advertising on its platforms. In early March, its management also announced that Google Play users in Russia would not be able to renew paid subscriptions or install paid applications due to payment system decisions.

Censorship is actively applied by Meta, a company that owns a number of social media. These resources restrict the dissemination of content from Russian media, public figures and public figures, as well as ordinary citizens, containing the Russian position. At the same time, in late February – March 2022, Meta-owned platforms actively disseminated calls to "kill Russians," manuals on how to murder and make explosives, and other content of a similar nature. The moderators ignored user complaints about such blatant dissemination of hateful ideology.

On 11 March 2022, a letter from Meta's internal mailing list was published. It stated that the company would temporarily allow Facebook and Instagram platforms in a number of countries not to block users' calls for

violence against Russians, including military personnel. It was also noted that the social networks will not remove calls for the death of the presidents of Russia and Belarus.

Following the revealed application of double standards against Russian citizens, Meta attempted to adjust the situation. However, its statement only once again confirmed the racist approaches to publications. In particular, it was stated that users would be allowed to call for the "death of Russian invaders," but at the same time the administration of the platforms would block calls for violence against Russian civilians. The organization also noted that publications about killing methods will also stay banned.

The company also failed to comply with the legal demand of the Russian authorities to remove such dangerous materials. On 21 March 2022, a Russian court declared Meta extremist and banned its activities in Russia.

Restricting the access of its own population to information does not always take the form of a direct ban, but much more often examples of hidden censorship can be seen in the United States. For example, with the beginning of the special military operation, a number of US journalists and news agencies have aborted their work in Russia. The official pretext was the adoption of a law on responsibility for discrediting the Armed Forces of the Russian Federation. Nevertheless, Bloomberg News suspended "news gathering in Russia," i.e., fact gathering on the ground; CBS and ABC stopped "broadcasting from Russia," i.e., also curtailed their work on the ground. In fact, this decision closed the direct channel of communication between the US and Russian societies, thus depriving US citizens of receiving information alternative to that spread by the US government.

It is noteworthy that organizations involved in protecting reporters' rights and promoting freedom of speech disagree on the issue of safety for journalists in the US media environment. Thus, according to the NGO "Committee to Protect Journalists" (Committee to Protect Journalists) for 2019,

30 representatives of the media in the United States were prosecuted on charges of disseminating "inaccurate information".³⁶⁸ The US Department of Justice initiated investigations into the activities of representatives of the Washington Post, the New York Times and CNN.

At the same time, Freedom House, a human rights organization loyal to official Washington, in its annual report on freedom of the press in the world, categorized the United States as one of the countries that protect freedom of expression at a high level. European organizations that monitor the state of affairs with freedom of expression in the world, or, more precisely, form "correct" ratings, have a similar position. For example, according to the NGO Reporters Without Borders for 2023, the United States improved its performance in the annual ranking, moving up to the 45th place out of 180.³⁶⁹ Nevertheless, human rights activists cannot ignore a number of problems that can be traced back to US professional journalistic communities.

The same organization notes that the reality of freedom of expression in the United States gives a very contradictory impression. The First Amendment to the American Constitution guarantees freedom of speech and expression. Neo-Nazis and other groups promoting extremist and xenophobic ideologies feel quite free in the United States under the umbrella of this provision. At the same time, the overall level of "infringement of journalists' rights" in the country has increased. More often than not, media representatives were subjected to unjustified arrests and even violence.

The practice of discrediting their reputation is used, including the posting of "compromising" information about employees of news agencies and publications on the Internet. Thus, according to the NGO U.S. Freedom Tracker, in 2019, such messages were published in the official accounts of the

³⁶⁸ The Trump Administration and the Media. Committee to Protect Journalists. 16 April 2020. <https://cpj.org/reports/2020/04/trump-media-attacks-credibility-leaks/>

³⁶⁹ NGO Rapporteurs sans frontieres. <https://rsf.org/en/united-states>

United States leadership regarding representatives of the New York Times, NBC, and CNN. In March 2019, a "leak" of classified information revealed that the US government allegedly maintains a "closed database" that includes all journalists working in the United States.³⁷⁰

³⁷⁰ Website of NGO U.S. Freedom Tracker.

Section 15. Persecution of dissent

It should be noted that persecution of dissenters has been widespread in the United States since the Cold War. At that time, the authorities actively fought against supporters of leftist ideas (e.g., the infamous McCarthyism campaign). Now a new phase of the "witch hunt" is in fact underway in America. According to the estimates of international human rights organizations, there are now about 100 political prisoners in US jails, not counting the Guantanamo prisoners.³⁷¹ Among them are fighters for the independence of the US Virgin Islands, activists for racial equality and Native American rights.

One of the leaders of the American Indian civil rights movement, Leonard Peltier, has been in prison since 1975 and is still imprisoned – according to some reports, more than 500 public figures and prominent personalities from the world of science and art (Mother Teresa, Dalai Lama, Dustin Hoffman, Sting, Yoko Ono, Nelson Mandela, etc.) have spoken out in favour of his release. He was denied parole in 2010, and the next hearing in the case could take place in July 2024, when political prisoner L. Peltier, who has been nominated six times for the Nobel Peace Prize, will be 79 years old.

In October 2023, the Florida authorities ordered all public universities to cease the activities of the Students for Justice in Palestine, which has over 200 chapters in the United States. The reason was their views on the situation in Palestine. State and university officials made false accusations of "terrorism" against the students. This decision violates the rights to freedom of speech and association enshrined in the First Amendment to the US Constitution.³⁷²

³⁷¹ The prison was going to be abolished by B. Obama, but his decree was cancelled by D. Trump.

³⁷² <https://www.aclu.org/news/free-speech/when-florida-officials-tried-to-silence-our-pro-palestinian-student-group-we-sued>; <https://www.aclu.org/news/free-speech/defending-free-speech-students-justice-palestine-florida>

According to the 2023 report of the Ministry of Foreign Affairs of the Republic of Belarus *The Most Resonant Human Rights Violations in Certain Countries*³⁷³, former U.S. Congresswoman from the State of Hawaii T. Gabbard, speaking on 9 February 2023 at a hearing of a special subcommittee of the House of Representatives Legal Committee³⁷⁴, stated: "Unfortunately, we live in a culture of fear where many Americans are afraid to speak freely, to express their opinions, to engage in open dialogue and debate. They fear losing their jobs, being cancelled, or being charged with a crime." This fear is generated by the government, through its people in the mainstream media and major IT companies, arrogating to itself the sole authority, "backed by the deadliest forces on earth, capable of striking down anyone they deem a threat..., to decide what is true and what is false, what is information and what is disinformation."

To prove her point, Gabbard said that Meta CEO M. Zuckerberg admitted that Facebook had restricted the distribution of a New York Post article about Hunter Biden's laptop³⁷⁵ after talking to the FBI. Twitter, which did the same, recently apologized, admitting its mistake. The convenient interactions between White House officials, the FBI, and large IT companies are well documented. As a result, private companies, unconstrained by the First Amendment, are doing the dirty work of censorship that those in government have no legal right to do themselves."

Gabbard also said that 644 Twitter accounts, including her own, that FBI and CIA officials believed were allegedly linked to "Russian online influence

³⁷³ Report of the Ministry of Foreign Affairs of the Republic of Belarus for 2023 on the most resonant cases of human rights violations in individual countries
https://mfa.gov.by/kcfinder/upload/files/Press_Service/23.06.22_report_hr.pdf

³⁷⁴ Formed in January 2023.

³⁷⁵ The laptop that Joe Biden's son Hunter left at a repair shop in Delaware in 2019 contains thousands of emails spanning a decade. The correspondence discusses the president's son's overseas business deals. Among other things, the emails confirm Hunter's agreement with CEFC China Energy, a private conglomerate with close ties to the Chinese government, which paid nearly five million dollars to his son as well as the president's brother James. <https://inosmi.ru/20220404/khanter-253672078.html>

activities" were actually anti-establishment voices from various segments of the U.S. political spectrum.

Since the beginning of 2024, the fight against dissidents and "enemy spies" among undergraduate, graduate students and professors from "countries dangerous to the security of the United States" has affected one of the most popular American states for foreign students – Florida. Local universities are banned from hiring teachers, researchers and considering applications from undergraduate and graduate students from seven countries: China, Russia, Iran, Syria, Cuba, Venezuela and North Korea (although there have never been students from North Korea in America). State universities are also prohibited from entering into partnership and exchange agreements with universities in these countries, with China and its citizens being the main victims of such restrictions.³⁷⁶

Despite the objections of teachers and university administrators in Florida, who argue that this seriously reduces their competitiveness, the state has already passed a law that prohibits the admission of undergraduate and graduate students, as well as hiring employees from the above-mentioned countries. This law was approved unanimously in the local Congress, and talented graduate students and researchers, even those who have previously studied at Florida universities, will be forced to move to other states or will no longer consider the U.S. as a potential place to receive a quality education.³⁷⁷

The leadership of the state of Florida has identified 12 universities that are also prohibited from receiving money to pay for students' education. At the same time, such restrictions do not apply to those who are already living in the United States for one reason or another. However, university employees are prohibited from dealing with these students and faculty members, hiring them to

³⁷⁶ https://www.ng.ru/education/2024-03-20/8_8974_florida.html

³⁷⁷ https://www.ng.ru/education/2024-03-20/8_8974_florida.html

work on campus, even though many of these students have been studying in Florida for years.

According to the Florida Department of Education, the most students from this "enemy seven" are from China and Iran. They apply more often than others to study in America. More than 700 students from "banned countries" are studying at the University of Florida alone.

It should be noted that back in 2018, the "China Initiative" (in fact, anti-China) was adopted at the level of the US Congress, according to which universities themselves were required to investigate the links of Chinese undergraduate and graduate students studying or planning to study in the United States with the Chinese Communist Party. There have been several instances where Chinese students have been denied visas or had their documents cancelled for this very reason when they had already applied to study at a U.S. university.

In 2022, this initiative was cancelled as "racist in its content". And it was not only Chinese undergraduate and graduate students (including, incidentally, those of American origin) who protested against its introduction into the practice of American universities, but also natives of other Asian countries wishing to study in the United States.

Now in Florida universities when accepting documents, the commission is obliged to check the possible connection of the student and his parents with a foreign country or state structures (for example, the student's father serves in the Chinese or Russian army). The stated goal is to protect the country and the state of Florida from alleged potential spies.

Similar measures will apply from the beginning of 2024 to American students who, for one reason or another, have previously lived abroad for more than three years. In this case, usually all documents submitted by students are sent by the university to state law enforcement agencies, which are directly subordinate to the governor's office.

U.S. universities must now monitor and report to law enforcement agencies on both faculty and graduate students travelling abroad. This applies not only to the participation of the entire student body in conferences, but also to their leisure or tourist trips. And this is especially true for those who dared to visit one of the seven countries mentioned above.

All of this creates a tense environment both within the student body itself and within the faculty. Since all university administrators in Florida are unwilling to violate state laws in order not to lose their jobs and studies, there are no indulgences for anyone in this expulsion of the unwanted.

As a result, the same Chinese and Iranians are already looking for options to continue their research and studies in universities in other US states. In fact, the only way out for them now is to either leave Florida and its universities altogether, or to abandon their studies in the America that once so actively attracted them³⁷⁸, replacing it with other countries where they can get no less quality education.

In January-February 2024, the story about Chinese students who were interrogated while crossing the U.S. border at Washington's Dulles Airport received wide publicity.³⁷⁹ Under the pretext of protecting national security interests, American law enforcement officers "tortured" the students for a long time with questions about their "political activities" and the nature of their scientific research, and offered to provide "information about the Chinese government" in exchange for their "release". Upon refusal, the Americans cancelled the students' visas, banned their entry into the country, and forcibly deported them.³⁸⁰

According to the Chinese Foreign Ministry, since the end of November 2023, at least 8 Chinese students with valid entry documents have been

³⁷⁸ https://www.ng.ru/education/2024-03-20/8_8974_florida.html

³⁷⁹ <https://ria.ru/20240129/doprosy-1924055439.html>

³⁸⁰ <https://www.epochtimes.ru/mir/severnaya-america/kitajskih-studentov-doprashivayut-i-deportiruyut-iz-ssha-za-svyazi-s-kompartiej-kitaya-196996/>

subjected to such interrogations at Dulles Airport alone and subsequently expelled to their home country without justification. At the same time, airport security officials blatantly induced their "victims" to co-operate (i.e., in effect, recruited) during the "verification measures".

Beijing characterized such actions on the part of American law enforcement agencies as a violation of the legitimate rights and interests of Chinese citizens and an obstacle to interstate cultural contacts. Such discriminatory steps run counter to the San Francisco agreements between the leaders of China and the United States on the promotion and expansion of educational, student, youth, cultural, sports and business exchanges.

In this context, Chinese Foreign Ministry spokesperson Wang Wenbin noted in a briefing for reporters on 31 January 2024 that the US likes to portray itself as an open and inclusive country with academic freedom where "science knows no boundaries," but politicizes academic research and uses it as a weapon, and overly broadly interprets the concept of national security to pressure and abuse Chinese students.³⁸¹ According to Wang Wenbin, such actions undermine the legitimate rights and interests of Chinese citizens and basic human rights, cause a "chilling effect" and darken the atmosphere of humanitarian exchanges between China and the United States.³⁸²

³⁸¹ There are more Chinese students in the US than from any other country. Thus, there were 289526 Chinese students in the U.S. at the end of academic year 2023 (the lowest since 2013-2014 (-0.2%). In turn, the number of American students studying in China at the end of 2023 increased to 700 after a sharp drop to 350 students in 2022 (for comparison - about 12 thousand Russians are now being educated in China).

³⁸² <https://russian.news.cn/20240201/cc5ff0330aca438ebdc41999804223df/c.html>

Section 16. Electoral rights

According to the China Society for Human Rights Studies' 2022 report on human rights violations in the United States, the political donation system poses a huge threat to American democracy and has effectively turned elections into a game for the rich.³⁸³ According to the 39th President of the United States, Jimmy Carter, "political bribery has undermined the US political system" and "now only oligarchs with unlimited political bribery decide who to nominate as presidential candidates and elect as president. The same goes for governors, senators and members of Congress." In an interview with renowned political scientist Tom Hartman, J. Carter noted that "American democracy is a fake no matter how much money is pumped into it by the oligarchs who control the country and the national media. The final nail in the coffin of the US democratic system was driven by the US Supreme Court's decisions in *Citizens United v. Federal Election Commission* (2010) and on the constitutionality of the Federal Election Campaign Act in 2014. As a result of these decisions, candidates were allowed to pay for their competitors' anti-advertising and the limit on the sponsorship of private campaign contributions was lifted. As a consequence, the US has become a marketplace where political decisions can be bought. At the same time, both politicians and oligarchs are happy with the situation."³⁸⁴

A similar point of view on the corruption of the American system was previously expressed by former Vice President Albert Gore and a number of authoritative political scientists.³⁸⁵

The authors of the China Society for Human Rights Studies report on human rights violations in the United States for 2022, citing an analysis by Open Secrets, a research organization advocating for greater transparency of

³⁸³ China Society for Human Rights Studies 2022 report on the United States. Published on 28 March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

³⁸⁴ <https://rg.ru/2015/08/06/demokratiya.html>

³⁸⁵ <https://rg.ru/2015/08/06/demokratiya.html>

funding in politics, noted that the 2022 US midterm elections were the most expensive in the country's history, with a total cost of nearly 17 billion dollars. American parties spent \$8.9 billion to promote candidates of national importance in the midterm elections for the U.S. Congress held on 8 November 2022. It was a record.³⁸⁶ The campaigns of candidates at the individual state level spent at least another 7 billion dollars.³⁸⁷

Many Americans criticize their electoral system for being archaic and undemocratic and propose reform. According to a recent Pew Research Centre poll (June-July 2022), some 63% of Americans are in favour of this. However, 35% support the current order of the electoral institution.³⁸⁸

According to the NGO Brennan Centre for Justice, state legislatures passed a record number of new restrictive voting laws in the first half of 2023.³⁸⁹ Legislation is classified as restrictive if it contains one or more provisions that make it more difficult for Americans to register, stay on the voter rolls, or vote than under current state law.

The authors of the Chinese Society for the Study of Human Rights report on human rights violations in the United States for 2022, citing a study published by the Brennan Centre for Justice on 26 May 2022, found that in 2021, 18 states passed 34 restrictive laws. In 2022, lawmakers in 39 states considered at least 393 restrictive bills that significantly affected voters of colour, creating a number of barriers to voting. Up to 200,000 voters could lose their registration after Arizona passed a law to document citizenship for voter registration.³⁹⁰

³⁸⁶ China Society for Human Rights Studies 2022 report on the United States. Published on 28 March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

³⁸⁷ <https://rtvi.com/news/tri-fakta-o-samyh-dorogih-vyborah-v-kongress-ssha-infografika/>

³⁸⁸ <https://www.pewresearch.org/fact-tank/2022/08/05/majority-of-americans-continue-to-favor-moving-away-from-electoral-college/>

³⁸⁹ <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-june-2023>

³⁹⁰ China Society for Human Rights Studies 2022 report on the United States. Published on 28 March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

Violence and intimidation are not uncommon in American elections. On 4 August 2022, the Global Organization to Combat Hate and Extremism published a report entitled "Americans' Fears Suppress Participation in Democracy,"³⁹¹ which stated that 40 percent of African Americans and 37 percent of Latinos are very concerned about being denied the opportunity to vote. Historically, groups such as the infamous Ku Klux Klan have prevented African Americans from voting through beatings, lynchings, and assassinations, creating a sense of fear that persists to this day.³⁹²

Voters, particularly minorities, are concerned about security at polling stations. 63 percent of respondents said they were "very concerned" about things like violence, harassment and intimidation at their polling stations. The psychological shadow of lynching and the climate of fear was a big obstacle to voters exercising their right to vote.³⁹³

Serious shortcomings of the US electoral system are also recorded in the area of voter identification directly at the polling stations: in many states it is allowed to vote practically without documents – on the basis of a receipt of payment for housing and utilities. At the same time, the work of international observers at polling stations is prohibited in many regions of the USA. Prosecutors openly warn: they are ready to arrest any international observer who tries to approach the polling station closer than 30 metres.³⁹⁴

Another important problem of the American electoral system is the lack of an election observation institution. This, in particular, was pointed out by I.B. Borisov, Chairman of the Board of the Russian Public Institute of Election Law, member of the Presidential Council for the Development of Civil Society and Human Rights, noting that "the United States does not have an institution of

³⁹¹ <https://globalextremism.org/post/midterm-elections-top-eight-election-denial-groups-to-watch/>

³⁹² China Society for Human Rights Studies 2022 report on the United States. Published on 28 March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

³⁹³ China Society for Human Rights Studies 2022 report on the United States. Published on 28 March 2023. https://ge.china-embassy.gov.cn/eng/xwdt/202303/t20230328_11050361.htm

³⁹⁴ <https://www.kp.ru/daily/217195/4304146/>

election observation as we do. We created the system taking into account international experience and taking into account the nuances and gaps that exist in the US electoral system".³⁹⁵

The lack of transparency in the electoral law raises even more questions against the backdrop of the unprecedentedly scandalous presidential campaign in 2020. The mutual distrust of the opposing sides served as a reason for D.Trump not to recognize the victory of J.Biden, who remained the illegitimately elected head of the United States for two-thirds of the conservatives' supporters. The "war" for the White House culminated in the "storming of the Capitol" on 6 January 2021 by Trump's far-right champions. After coming to power, the democratic administration with the hands of law enforcement and intelligence agencies launched a large-scale campaign to prosecute the participants in the "takeover" of the parliament, who were labelled "internal terrorists".

More than two thousand charges have been filed with the FBI alone. Hundreds of permits have been requested through the courts to search and subpoena suspects, and some 500 people have been detained. According to the media, those taken into custody are subjected to torture and psychological pressure. With the help of such methods, as well as "brainwashing" of relatives and friends of the "terrorists," the investigation seeks to obtain the "necessary" testimony.

According to the Belarussian Foreign Ministry's 2022 Report "The Most Resonant Human Rights Violations in Certain Countries of the World," the unprecedented scale of the criminal prosecution of participants in the events of 6 January 2021 on the territory of the Capitol in Washington, DC, demonstrates a politically motivated prosecution of opponents of the current government. Over 625 defendants have been charged with entering or remaining in a

³⁹⁵ <https://www.kp.ru/daily/217195/4304146/>

restricted federal building or grounds; over 75 – with entering a restricted area with a dangerous or deadly weapon; approximately 45 – with destruction of government property, and over 30 – with theft of government property. At least 270 defendants have been charged with corruptly obstructing, influencing, or impeding an official proceeding, or attempting to do so.

Forty-five federal defendants have been tried and sentenced for their criminal activities. 19 have been sentenced to imprisonment.

The liberal public tries to portray Americans who express alternative viewpoints as spreading fakes and conspiracy theories. They are fired and made outcasts. They are publicly harassed and ostracized in social media. Internet giants have denied access to the social media accounts of Trump and members of his administration.

Republican lawmakers called the persecution of their supporters a "witch hunt." According to Congressman Paul Gosar, "Outright propaganda and lies are being used to unleash the national security state against law-abiding US citizens, especially Trump voters. The FBI is fishing through homes of veterans and citizens with no criminal record and restricting the liberties of individuals that have never been accused of a crime."³⁹⁶ There was widespread publicity about the August 2022 FBI search of Trump's Florida estate, which he and his supporters characterized as political persecution of rivals.³⁹⁷ As follows from the opinion, posted in June 2023 in the electronic database of the court of the Southern District of Florida, the American law enforcement agencies brought charges against D. Trump and his assistant U. Nauta on 38 counts. In total, according to the opinion, FBI agents seized 102 documents, 17 of which were allegedly labelled "top secret", during a search of the former president's Mar-a-Lago estate in Florida in August 2022.

³⁹⁶ <https://www.rollcall.com/2021/05/12/at-hearing-republicans-recast-jan-6-rioters-as-victims/>;
<https://thehill.com/homenews/house/553122-gops-gosar-says-jan-6-rioter-was-executed>

³⁹⁷ <https://www.washingtonpost.com/national-security/2022/08/09/trump-fbi-search-maralago/>

In 2016, Arizona passed laws limiting ballot collection and out-of-precinct voting. This created significant barriers to voting for residents of rural Native American communities. Approximately 90% of the state's counties assign voters to a particular precinct based on their home address. Meanwhile, traditional community boundaries often do not coincide with State-established precinct boundaries. Combined with the location of communities in remote areas with dirt roads that become impassable during November elections, lack of Internet and cell phone coverage abound on reservation, and insufficient transportation, the new rule has made it much more difficult for residents of rural communities to access basic government services. At the same time, the decision to criminalize ballot collection adds one more hurdle for Native voters who often carry ballots for friends and family.³⁹⁸

The Democratic National Committee and voters addressed to federal court in 2016 to overturn the new provisions of the law. They argued that the ban on ballot collection was the result of intentional discrimination by the state legislature and a violation of the Constitution, which prohibits states from denying the right to vote on the basis of race. However, Native voters were unable to assert their rights. On 1 July 2021, the US Supreme Court released its decision in *Brnovich v. DNC*, which upheld two voting policies in Arizona.

³⁹⁸ <https://www.narf.org/brnovich/>

Section 17. On the legal situation of indigenous peoples

Indigenous people in the United States are still some of the more socioeconomically disadvantaged members of society.

Some 574 indigenous peoples are federally recognized under US law, more than 500 tribes do not have this status.³⁹⁹ In general terms, we are talking about 4-7 million community members.⁴⁰⁰ Their interaction with the central authorities is generally regulated on the basis of separate bilateral agreements (there are about 370 such treaties).⁴⁰¹ Human rights organizations often criticize these documents for being archaic, adhering to a colonial concept and declarative in nature.⁴⁰²

The media and human rights activists have regularly drawn attention to discrimination against indigenous peoples. According to estimates by the American Civil Liberties Union Montana, the literacy rate of the Aboriginal population remains one of the lowest among all ethnic groups living in the United States. Children from Native American families often face discrimination in the education system. Youth between the ages of 15 and 24 have suicide rates comparable to those of combat veterans.⁴⁰³

Over 20% of Alaska's indigenous population lives below the poverty line. According to several experts, Native American peoples face socio-economic inequality and a marked income gap. For example, more than a quarter of them are below the official poverty line, and only 15% of them have a bachelor's degree or higher.⁴⁰⁴ Such indicators lead to the following negative social consequences: crime, alcoholism, high unemployment (11.1% as of January

³⁹⁹ Tribal Nations & the United States: An introduction. National Congress of American Indians. (2020, February). <https://www.ncai.org/about-tribes>

⁴⁰⁰ Braun, S. (2022, April 1). The Indigenous World 2022: United States of America. IWGIA. <https://www.iwgia.org/en/usa/4684-iw-2022-united-states-of-america.html>

⁴⁰¹ Tribal Nations & the United States: An introduction. National Congress of American Indians. (2020, February). <https://www.ncai.org/about-tribes>

⁴⁰² <https://www.culturalsurvival.org/sites>

⁴⁰³ NGO American Civil Liberties Union of Montana: <https://www.aclumontana.org/en/news/contextualizing-federal-indian-boarding-school-initiative-report>

⁴⁰⁴ <https://ncrc.org/racial-wealth-snapshot-native-americans/>

2022)⁴⁰⁵ and suicides (50.9 cases per 100,000 people, which is four times the national average or 700% higher).

The current US law contains a number of requirements that in practice discriminate against members of Native American communities. Among such examples is the lack of residence addresses of Indians living on reservations, due to which they face denial of registration as voters. In addition, the long distance between polling stations and their places of residence affects the exercise of indigenous peoples' voting rights. Hence, many members of indigenous communities do not take an active part in elections.

Human rights organizations have pointed out that there were not enough consultations with indigenous peoples on matters of interest to their communities. Lengthy legal proceedings and high costs of litigation can also negatively impact Native American communities that try to defend their rights. There were noted problems related to protection of the sacred places of indigenous peoples against desecration, contamination and destruction as a result of extractive industries, tourism and toxic dumping. The problem of accessibility to such places for indigenous peoples themselves is also acute. These issues have been raised with concern by human rights treaty bodies, in particular the UN Human Rights Committee and the UN Committee on the Elimination of Racial Discrimination.

The main violation of the rights of the autochthonous population is still related to the land development of their ancestral habitats, which results in the depletion of environmental and economic resources and the destruction of sacred sites and cultural objects. At the same time, local tribes are essentially excluded from the decision-making process when approving business projects. They are formally consulted. In addition, the US Congress may at any time

⁴⁰⁵ <https://www.brookings.edu/blog/the-avenue/2022/02/09/despite-an-optimistic-jobs-report-new-data-shows-native-american-unemployment-remains-staggeringly-high/>

exercise its power⁴⁰⁶ to deprive them of their rights by cancelling the above-mentioned treaties.

Against this background, Biden's team has emphasized its focus on addressing the problems of the aboriginal population and improving their socio-economic situation. Thus, for the third year in a row, the United States has held national summits of indigenous peoples to discuss the urgent needs of autochthons. The last one was held in December 2023.

Emphasis is placed on harmonizing standards for federal agencies to consult with tribes on various projects affecting their rights and freedoms. Thus, according to the Presidential Memorandum of 30 November 2022, each ministry is to establish a contact group to engage with communities, determine the need for and timing of notification of the launch of the "conciliation" procedure and response (as a rule, at least 30 days in advance).

Emphasis is also placed on substantial investment (compared to previous administrations) to improve the quality of life of indigenous peoples. A total of \$32 billion has been allocated for this purpose under the American Rescue Plan programs (US National Economic Stimulus Act). Among the main objectives are improving infrastructure, combating climate change, keeping communities safe, and funding reservation health services.

At the same time, at the legislative level (within the framework of the Violence Against Women Act), the competence of tribal courts has been expanded in terms of conducting proceedings against non-autochthonous persons suspected of child abuse, trafficking for sexual exploitation, and attacks on law enforcement officers on tribal lands.

The administration is actively promoting steps to protect sacred sites of Aboriginal people in the course of implementation of the US Antiquities Act of 1906. These include the creation of new national monuments: Camp Hale

⁴⁰⁶ U.S. Const. Art. I, §8, cl. 3. Commerce Clause. <https://www.law.comell.edu/constitution/articlei#section8>

(Colorado); Spirit Mountain, known as Avi Kwa Amoeb (Nevada); Baaj Nwaavjoo-Itah Kukweni (Arizona); and the signing of some 190 new tribal co-management agreements for indigenous territories.⁴⁰⁷

While acknowledging the administration's positive developments in addressing a number of indigenous issues in the United States, human rights organizations call on the American authorities to continue to address injustices and violations of the rights of autochthonous peoples. The main proposals and recommendations are summarized as follows.

Expand U.S. international civil liberties commitments. In particular, ratify the 1966 International Covenant on Economic, Social and Cultural Rights, the 1979 Convention on the Elimination of All Forms of Discrimination Against Women, the 1989 International Labour Organization Convention 169 concerning Indigenous and Tribal Peoples, the 1989 Convention on the Rights of the Child, and the 2007 Convention on the Rights of Persons with Disabilities. In addition, the domestic procedures necessary for entry into force of the 1966 Optional Protocol to the International Covenant on Civil and Political Rights, the 2002 Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, the 2007 International Convention for the Protection of All Persons from Enforced Disappearance must be signed and implemented.

US based NGOs, such as Cultural Survival, consider it important to develop a national action plan to implement the UN Declaration on the Rights of Indigenous Peoples, based on the Outcome Document of the World Conference on Indigenous Peoples of 22 September 2014. It also notes the need to comply with US regulations to protect tribal children and preferentially educate them in indigenous communities in order to preserve traditional ways of life.⁴⁰⁸

⁴⁰⁷ <https://www.whitehouse.gov/wp-content/uploads/2023/12/2023.12.04-TNS-Progress-Report.pdf>

⁴⁰⁸ <https://www.indian-affairs.org/icwa-brackeen.html>

The establishment of a commission to study and evaluate the federal government's handling of Indian boarding schools remains a painful issue. In the US, from 1869 to the 1960s, there was a practice of forcibly removing indigenous children from their families and placing them in institutions for re-education and identity deprivation.⁴⁰⁹ In general terms, the abuses of power (based on the example of the autochthonous people of Minnesota) are clearly reflected in the April 2023 report of the TRUTH Human Rights Project⁴¹⁰.

A special point of the public activists is to resolve the issue of release from prison of Leonard Peltier⁴¹¹, already mentioned above, a representative of aborigines, who was convicted for the murder of two FBI officers on the Pine Ridge Reservation (South Dakota) in 1975⁴¹².

In terms of the environmental agenda, human rights activists are proceeding from the need for strict adherence to the principle of "tribal sovereignty". In their view, economic activities in indigenous peoples' places of residence (including energy and infrastructure) should be carried out after proper (rather than declared) consultation with them, as well as their free, prior and informed consent to such projects. Profile NGOs note the relevance of further work on US mining and minerals law reform.⁴¹³

The land issue remains unresolved. Between 1887 and 1934, the United States authorities seized 90 million acres (36 million hectares) – more than 2/3 of all the land belonging to the Indian reservations – from the indigenous population on a free-of-charge basis and in violation of previous agreements. Although in 1934 the Roosevelt administration launched a process to buy back

⁴⁰⁹ <https://www.indian-affairs.org/icwa-brackeen.html>

⁴¹⁰ <https://www.insightintodiversity.com/report-details-university-of-minnesotas-historical-mistreatment-of-native-americans/#:~:text=Through%20analysis%20of%20archival%20records,lands%20and%20resources.%E2%80%9D%20These%20actions> <https://mn.gov/indian-affairs/truth-project/>

⁴¹¹ <https://nativenewsonline.net/currents/pressure-mounts-for-release-of-political-prisoner-leonard-peltier>

⁴¹² <https://freeleonard.org/case/>

⁴¹³ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/11/readout-of-the-white-houses-first-stakeholder-convening-on-mining-reform/> ; <https://www.doi.gov/ocI/mining-iaw-reform>

plots of land for the autochthonous peoples of the United States, to date less than 8% of the previously confiscated areas have been compensated.

It is estimated that indigenous peoples in the United States have lost 98.9% of their historic land base since European settlers began colonizing the continent. Over 42% of tribes currently have no federally or state recognized land, and the modern sites still owned by tribes are on average 2.6% of the size of their presumed historic area.

The researchers note that the near-total loss of tribal lands has forced indigenous peoples to live in areas that are, on average, more susceptible to global warming risks such as extreme heat and reduced precipitation. The Mojave Tribe (living along the Colorado River), for example, experiences extreme heat an average of 62 more days per year than on historic lands. Nearly half of the tribes live in areas with increased wildfire risk.

Mining poses a threat to the health of the indigenous population living near or in areas with the relevant facilities, and negatively affects the existing ecosystem in the area where they live.⁴¹⁴ At the same time, the effects are still felt after the work is completed. In 2015, for example, the abandoned Gold King mine spilled arsenic, lead and other metals into the lands of the Yute and Navajo tribes and contaminated them. In total, there are more than 160,000 abandoned mines in the western United States that pose a risk to indigenous peoples.⁴¹⁵

Indians' rights to fish wealth are protected by a number of treaties with the central authorities⁴¹⁶, which are not fully implemented in practice. For example, an open-pit mine in Idaho's Salmon River Mountains plans to mine

⁴¹⁴ Dominguez, R. (2021, September 9). Just minerals for a just transition. Earthworks, <https://earthworks.org/blog/just-minerals-for-a-just-transition/>

⁴¹⁵ Earth Island. Navajos ban uranium mining.

https://www.earthisland.org/journal/index.php/magazine/entry/navajos_ban_uranium_mining/

⁴¹⁶ See also Galligan, T. & Reynvaan (1977). Pacific Northwest Indian Treaty Fishing Rights Vol 5:99. <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1150&context=sulr>

gold and antimony for solar cell power supplies.⁴¹⁷ According to the Perpetua Corporation, the proposed works would have "disproportionately high and adverse impacts" on the local ecosystem by diverting water flows and contaminating them with mercury and other harmful substances. These activities may destroy up to 20% of salmon and trout. For the Nez Perce and many other indigenous peoples in the region, these resources are not only a source of subsistence, but are also used in religious ceremonies.

In general terms, the United States has a history of approving permits for business projects that have obvious negative impacts on indigenous peoples and do not take their views into account. These include, for example, the Dakota Access⁴¹⁸, Keystone XL⁴¹⁹, Line 3⁴²⁰.

The Kuchin people (Alaska) are also opposed to oil production plans in the Arctic National Wildlife Refuge. The main claim is that the construction of infrastructure threatens to affect the population of reindeer (caribou), the meat of which is the basis of the local population's diet. The Biden administration suspended projects in the area in 2021.

In March 2023, the US authorities approved a project allowing the US energy corporation ConocoPhillips to drill oil wells in the north-western territories of Alaska – only in three areas. In a comment on the ruling, ConocoPhillips noted that the wells would produce up to 180,000 barrels of oil per day. The project is expected to generate between \$8 billion and \$17 billion

⁴¹⁷ <https://perpetuaresources.com/proiect/>
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=245607&DocumentContentId=79638>
 Healy, J., & Baker, M. (2021, December 27). As miners chase clean-energy minerals, tribes fear a repeat of the past.

The New York Times, <https://www.nytimes.com/2021/12/27/us/mining-clean-energy-antimony-tribes.html>

⁴¹⁸ Turkewitz, J. (2017, February 8). Army approves construction of Dakota Access Pipeline. The New York Times. <https://www.nytimes.com/2017/02/07/us/army-approves-construction-of-dakota-access-pipeline.html>

⁴¹⁹ Romo, V. (2018, September 11). Native American tribes file lawsuit seeking to invalidate Keystone XL Pipeline Permit. NPR. <https://www.npr.org/2018/09/10/646523140/native-american-tribes-file-lawsuit-seeking-to-invalidate-keystone-xl-pipeline-p>

⁴²⁰ Pember, M. A. (2021, February 24). Enbridge Line 3 divides indigenous lands, people. MPR News. <https://www.mprnews.org/story/2021/02/24/enbridge-line-3-divides-indigenous-lands-people>

in new revenue for the federal government, the state of Alaska and communities in the North Slope region. Eco-activists oppose the project and insist that drilling in Alaska would be a climate disaster and contradict the administration's clean energy transition policy.

In the Inyo Mountains in Death Valley, California, K2 Gold Corporation plans to build an open cyanide heap leaching pit for gold mining.⁴²¹ Indigenous people in the region, including the Shoshone Tribe, are opposed to development, road building in deer migration areas, hunting, gathering edible and medicinal plants, and ceremonies.

In Alaska, the Ambler Road project aims to build infrastructure for copper and zinc mines in the northwest region of the state.⁴²² The implementation of this initiative has the potential to pollute local water and wetlands, disappearance of flora and fauna used for subsistence. Chiefs of the Tanana, Huslia, Allakaket, Alatna, and Evansville tribes have filed a class action lawsuit against the US government for implementing the program without proper consultation with the autochthonous population. The Department of the Interior requested that the permits remain in effect. In February 2023, however, the Allakaket and Huslia tribal councils dropped their claims.⁴²³ Nevertheless, the judicial process continues. The central authorities are consulting with the tribes. Additional assessments by environmentalists have been requested.⁴²⁴

⁴²¹ Sahagun, L. (2021, March 14). A corporation wants to mine for gold near Death Valley. Native Tribes are fighting it. Los Angeles Times, <https://www.latimes.com/environment/story/2021-03-14/a-corporation-wants-to-mine-for-gold-near-death-valley-native-tribes-are-fighting-it>; <https://k2gold.com/>

⁴²² Naiden, A. (2021, December 11). Environmentalists and Alaska villages continue court challenge of permits for Ambler Road Project. Anchorage Daily News. <https://www.adn.com/alaska-news/rural-alaska/2021/12/10/environmentalists-and-alaska-villages-continue-court-challenge-of-permits-for-ambler-road-project/>

⁴²³ <https://www.alaskasnewsresource.com/2023/02/18/2-tribal-councils-withdraw-ambler-road-lawsuit/>

⁴²⁴ <https://www.washingtonpost.com/climate-environment/2023/07/19/alaska-ambler-road-critical-minerals-climate/> Earthworks Biden administration acknowledges legal problems with Interior's Ambler road approval (2022, Feb.20). <https://earthworks.org/releases/biden-administration-acknowledges-legal-problems-with-interiors-ambler-road-approval/>

A significant proportion of developments affect lands of significant religious or sacred significance to indigenous peoples, particularly in the southwestern United States. In the ancestral lands of the Tohono-O'odham, Pascua Yaqui and Hopi tribes in Arizona, Hudbay Minerals is developing the Rosemont Mine (an open pit gold mine in the Santa Ritas Mountains).⁴²⁵ These lands contain burial grounds, sacred sites and critical resources for the tribes such as water, fish and game. Affected indigenous people have sued to stop the development of the project, which would desecrate sacred lands, block waterways and harm wildlife.⁴²⁶ They managed to win the lawsuit.⁴²⁷ However, another lawsuit to stop development in the region was dismissed in June 2022, allowing the company to continue its operations.⁴²⁸ If completed, Rosemont will be one of the largest mines in the US, leaving a 1.6-km-wide crater and 2 billion tons of mining waste behind.⁴²⁹

Northwest of the Rosemont mine in Arizona is the Big Sandy River Valley, where a lithium mine is also slated to open.⁴³⁰ This mine threatens the Hualapai tribe's sacred hot spring, known as Ha'Kamwe and reflected in local folklore.⁴³¹ Indigenous peoples make extensive use of the land, including gathering native plants from riverbanks.

⁴²⁵ Healy, J., & Baker, M. (2021, December 27). As miners chase clean-energy minerals, tribes fear a repeat of the past. The New York Times, <https://www.nytimes.com/2021/12/27/us/mining-clean-energy-antimony-tribes.html>

⁴²⁶ Naiden, A. (2021, December 10). Ariz. Tribes, Enviro say copper mine suit must go on. Law360. Retrieved from <https://www.law360.com/articles/1491023/ariz-tribes-enviros-say-copper-mine-suit-must-go-on>

⁴²⁷ EarthJustice (2022, May 12). 9th U.S. Circuit Court of Appeals Upholds Landmark Ruling Blocking Arizona Copper Mine. <https://earthjustice.org/news/press/2022/9th-u-s-circuit-court-of-appeals-upholds-landmark-ruling-blocking-arizonacopper-mine>

⁴²⁸ Abbott, D. (2022, June 13). Hudbay wins latest court battle over the Rosemont Mine as heavy equipment continues to roll in the Santa Rita Mountains. Arizona Mirror. Retrieved from <https://www.azmirror.com/2022/06/01/hudbay-wins-latest-court-battle-over-the-rosemont-mine-as-heavy-equipment-continues-to-roll-in-the-santa-rita-mountains/>

⁴²⁹ Gilger, L. (2019, August 29). Environmentalists, tribes battle rosemont mine in Southeastern Arizona. KJZZ. <https://kjzz.org/content/960201/environmentalists-tribes-battle-rosemont-mine-southeastern-arizona>

⁴³⁰ Healy, J., & Baker, M. (2021, December 27). As miners chase clean-energy minerals, tribes fear a repeat of the past. The New York Times, <https://www.nytimes.com/2021/12/27/us/mining-clean-energy-antimony-tribes.html>

⁴³¹ Krawczyk, K. (2021, June 10). Mining for lithium, at a cost to indigenous religions. Energy News Network. <https://energynews.us/2021/06/10/mining-for-lithium-at-a-cost-to-indigenous-religions/>

Another controversial project in Arizona is the Resolution copper mine on Chichil Bildagotil, sacred land for the San Carlos Apache tribe.⁴³² The territory was protected in 1955 by President D. Eisenhower from mining projects. Under the Obama administration, the "land swap" law repealed this ban, opening the territory to mining operation.⁴³³ The Resolution copper mine, jointly owned by Rio Tinto and BHP Billiton, could supply up to a quarter of US copper demand.

"Apache Stronghold, a non-profit indigenous organization, has filed a lawsuit to stop the mine, saying the mine violates their religious rights and the 1852 Treaty of Santa Fe."⁴³⁴ On 24 June 2022, a US court dismissed the Apache's lawsuit against Oak Flat, noting that the transfer of land to mining companies does not force the Apache to abandon their religion, nor does it threaten their habitat.⁴³⁵ However, human rights activists fear the mine will leave a 3-kilometer-wide crater, destroying sacred sites where Apache peoples pray and perform religious rituals.⁴³⁶

Plans to build a large telescope on top of Mount Mauna Kea, Hawaii, considered a sacred site for the island's indigenous people, have been widely publicized. The construction site has been blocked twice by local demonstrators (2014-2015 and 2019). Currently, the project implementation is "frozen".

⁴³² Healy, J., & Baker, M. (2021, December 27). As miners chase clean-energy minerals, tribes fear a repeat of the past. The New York Times, <https://www.nytimes.com/2021/12/27/us/mining-clean-energy-antimony-tribes.html>

⁴³³ Stern, R. (2015, April 22). A copper mine near Superior and Oak Flat Campground is set to destroy a unique, sacred recreation area – for fleeting benefits. Phoenix New Times, <https://www.phoenixnewtimes.com/news/a-copper-mine-near-superior-and-oak-flat-campground-is-set-to-destroy-a-unique-sacred-recreation-area-for-fleeting-benefits-7287269>

⁴³⁴ Kelety, J. (2022, July 2). Biden administration says Oak Flat Land Swap should proceed despite lawsuit. Phoenix New Times.

⁴³⁵ Thompson, D. (2022, June 28). U.S. Court of Appeals denies Apache claim to Oak Flat, approves copper mine in Arizona. Native News Online, <https://nativenewsonline.net/environment/u-s-court-of-appeals-denies-apache-claim-to-oak-flat-approves-copper-mine-in-arizona>

⁴³⁶ Healy, J., & Baker, M. (2021, December 27). As miners chase clean-energy minerals, tribes fear a repeat of the past. The New York Times, <https://www.nytimes.com/2021/12/27/us/mining-clean-energy-antimony-tribes.html>

There is information on the use of exploitative labour practices and other abuses against indigenous workers in infrastructure projects.⁴³⁷

There is also another problem. Companies use short-term hiring practices to meet the demand for labour. These temporary workers often fail to comply with local laws, attacking indigenous women and girls.⁴³⁸ For example, after the discovery of oil fields in the Bakken Formation in North Dakota in 2006, the region experienced an influx of workers and a sharp increase in violence against the autochthonous population.⁴³⁹

In general, despite the progress declared by the democratic administration in improving the socio-economic situation of the indigenous population, problems remain. A significant part of them is related to the non-observance of tribal rights during the implementation of infrastructure and energy projects in the places of their homes.

⁴³⁷ Human rights abuse cannot be the price paid for Essential Energy Transition. Business & Human Rights Resource Centre. (2021, February 2). <https://www.business-humanrights.org/en/from-us/media-centre/liuman-rights-abuse-cannot-be-the-price-paid-for-es-sential-energy-transition/>

⁴³⁸ Fox, L. (2019, July 4). 'man camps' may be a threat to Yukon Indigenous women and girls, say advocates. Yukon News. <https://www.yukon-news.com/news/man-camps-may-be-a-threat-to-yukon-indigenous-women-and-girls-say-advocates/>

⁴³⁹ Finn, K. (2020, March 30). Recalibrating risk assessment for indigenous women. GreenMoney Journal. <https://greenmoney.com/recalibrating-risk-assessment-for-indigenous-women/>

Section 18. Violation of the rights of certain vulnerable categories of population

One of the "central" subjects of human rights organizations' claims against the United States is the widespread denial of the rights of "vulnerable" groups.⁴⁴⁰

The situation with women's rights is regularly criticized quite harshly. Human rights activists note that the existing health care system leaves many women without the opportunity to obtain health insurance. This leads to an increase in mortality from gynecological diseases. According to the NGO Amnesty International, deaths due to improper procedures among African-American women are statistically 75% higher than among the "white" population.

The topic of abortion is quite acute for American citizens. In the United States, a record high level of support for abortion among the population has been recorded since 1996 – 69% of Americans believe that the operation should be allowed in the first trimester.⁴⁴¹

In 1973, the US Supreme Court's *Roe vs. Wade* decision established women's right to abortion at the federal level: abortion was made legal.⁴⁴² Nevertheless, reviewing the court's determination has repeatedly been cited as a priority for judges appointed by the administration. In 2019, several states at once legislated bans on abortion, including medical necessity to save the life of the mother. Georgia, Ohio, Kentucky, Mississippi and Louisiana prohibit such interventions after six weeks of pregnancy ("Heartbeat bills"). In May 2019, Alabama passed a law, under which the participation of a doctor in an abortion

⁴⁴⁰ Amnesty International NGO Report 2019, USA.

⁴⁴¹ <https://iz.ru/1537331/evgeniia-chukalina/abortnyi-protcess-kak-politika-respublikantcev-snizhaet-ikh-shansy-na-2024-god>

⁴⁴² <https://iz.ru/1537331/evgeniia-chukalina/abortnyi-protcess-kak-politika-respublikantcev-snizhaet-ikh-shansy-na-2024-god>

became a criminal offence (the maximum penalty is life imprisonment). It bans abortions even in cases of rape and medical needs.

In the first half of 2019, in many states, human rights activists documented cases of "administrative pressure" on medical staff specializing in abortion.⁴⁴³ It is a question of implementing strict sanitary requirements for medical institutions authorized to perform abortions (size of premises, number of staff, etc.).

In August 2019, the US administration decided to prohibit federally funded physicians from providing women with all possible information about the course of a pregnancy and options for managing and terminating it.⁴⁴⁴

In June 2022, the US Supreme Court overturned *Roe vs. Wade*, bringing the issue officially under state authority.

Public opinion reacted quite strongly to this decision. For example, Said Khan, a professor at Wayne State University in Detroit, noted that many of those who had previously been ambivalent on the issue of abortion were concerned about the severity of restrictions in some states and feared that it could affect their reproductive rights.⁴⁴⁵

Almost immediately after the verdict, the most conservative leadership (mostly Republican) began to tighten the rules on such operations. For example, 14 states now have total bans on abortion, and six more have abortion time limits of 6 to 18 weeks.

In April 2023, Idaho became the first state to criminalize helping minors terminate a pregnancy with surgery or medication in another state. The penalty can range from two to five years in prison.

In general, the United States ranks among the leading developed countries in terms of women's deaths due to clandestine abortions. At the same time,

⁴⁴³ This was pointed out, inter alia, by Amnesty International and the NGO Guttmacher Institute.

⁴⁴⁴ According to Amnesty International.

⁴⁴⁵ According to Amnesty International.

according to sociological surveys, about three quarters of citizens are in favour of legislating the right to terminate pregnancy – at least for medical reasons and in order to save a woman's life.

The above Supreme Court decision was criticized by the Special Rapporteur of the UN Human Rights Council on violence against women, Rome Alsalem, the Chairperson of the HRC Working Group on Discrimination against Women and Girls, Dorothy Estrada-Tank, and the HRC Special Rapporteur on Torture, Alice Edwards.

They pointed out, *inter alia*, that the court's decision was a violation of international human rights law. Abortion bans in 14 states have made abortion services virtually inaccessible, depriving millions of women and girls in the country of a basic right – the right to comprehensive health care, including sexual and reproductive health services.⁴⁴⁶

Experts also stated that such bans may violate women's rights to privacy, physical integrity and autonomy, freedom of expression, freedom of thought, conscience, religion or belief, equality and non-discrimination, as well as freedom from torture, cruel, inhuman and degrading treatment and gender-based violence.⁴⁴⁷

Human rights activists noted that poor women and girls, members of marginalized communities, including migrant communities, members of racial and ethnic minorities, and women subjected to domestic violence are the most affected by abortion bans. The exceptions provided within the bans are insufficient. For example, they do not always take into account medical indications for abortion, including extremely dangerous health conditions. The Supreme Court's decision has also had a negative impact on doctors and other health professionals who may face legal consequences for decisions to provide

⁴⁴⁶ <https://news.un.org/ru/story/2023/06/1441617>

⁴⁴⁷ <https://news.un.org/ru/story/2023/06/1441617>

women with medical services, including life-saving abortions or the removal of fetal tissue from women with incomplete miscarriages

According to UN experts, abortion bans in many US states have been accompanied by an erosion of the right to privacy as law enforcement officials increasingly use electronic databases to track those seeking abortions and those who assist them. Most of this data can be accessed without a warrant.

In this context, experts called on US authorities at both the federal and local levels to take action to ensure access to safe and legal abortion.

Section 19. Restrictions on the rights of citizens to a healthy environment

Washington continues its policy of repealing domestic regulation aimed at protecting and ensuring a favourable environment and national health.

Meanwhile, journalists are being attacked who cover the work of US government agencies charged with environmental regulation with a grain of salt.⁴⁴⁸

In July 2019, the Environmental Protection Agency (EPA) decided to continue using chloropyrite. This pesticide is used to increase crop yields and, according to numerous studies, often leads to developmental delays in children. The EPA also relaxed the current rules regulating the circulation of coal slag, a highly toxic by-product obtained from coal mining and the second most intense source of environmental pollution in the United States. This legal norm has led to an increase in water and air pollution up to dangerous levels. Deteriorated health of the population near coal mining facilities was also noted.⁴⁴⁹

In September 2019, the Administration repealed major regulations related to clean water standards.⁴⁵⁰ These standards used to set up a permissible level of pollutants and chemicals in water. Now, industrialists rely only on local legislation, which inevitably leads to a degrading environmental situation and significant limitations of citizens' rights to a healthy environment.

⁴⁴⁸ The Trump Administration and the Media. Committee to Protect Journalists. 16 April 2020. <https://cpj.org/reports/2020/04/trump-media-attacks-credibility-leaks/>

⁴⁴⁹ Human Rights Watch Report, 2019.

⁴⁵⁰ Ibid.

Section 20. Violations of the rights of Russian citizens and compatriots in the USA

In recent years, there has been a distinct increase in Russophobic sentiment in the United States against the backdrop of anti-Russian rhetoric in the local officialdom and media. The situation remains extremely bleak with respect to the rights of Russian citizens.

The Russophobia propagated by the US government has had a negative impact on the people of Russian origin (the US is home to one of the largest Russian (the US is home to one of the largest Russian expatriate communities, with over 2.8 million people, or 0.8 percent of the total population, according to the 2020 census).

Thus, throughout 2021, about 300 Russian nationals who are permanent residents of the United States were persecuted by the American special services on far-fetched grounds, in reckless violation of their legal right to a national cultural identity and to freely maintain ties with Russia. As a result, some members of the Russian Community Council of the USA (RCC), including its Chair Elena Branson and Executive Secretary Sergei Gladyshev, had to leave the country. In view of the situation, the RCC decided on 18 November 2021 to suspend its activities. In a statement, the RCC noted that the US authorities had created unacceptable conditions for the organization to continue its work aimed at consolidating the community, promoting the Russian language and holding commemorative events.

Russian citizens were subjected to searches, interrogations and psychological pressure, and their documents and personal belongings, including electronic devices, were seized. These actions were carried out under the pretext of investigating the activities of the RCC without registering it as a foreign agent in the United States.

Earlier, in the US presidential election run-up, attempts had been made to threaten Russian citizens for "staying in touch" with the Russian Embassy and consular offices in the United States.

RCC members informed the Ministry of Foreign Affairs of Russia, the Government Commission for the Affairs of Compatriots Living Abroad and the Foundation for the Support of Compatriots Living Abroad of the complaints of US law enforcement agencies regarding the organization's public activities and asked to take measures to address them.

Russia has repeatedly reminded the US authorities that it is unacceptable to put pressure on Russian citizens and interfere with their right to maintain ties with their historical homeland.

Since Russia's special military operation to denazify and demilitarise Ukraine and protect civilians in the Donbass region began on 24 February 2022, the anti-Russian sentiment, has increased in the US being actively promoted in the media and official rhetoric.

The US authorities have orchestrated a campaign to "cancel everything Russian", which has now surpassed the fanatical anti-communist campaign of the McCarthy years.

The anti-Russian hysteria is now affecting people's daily lives. Russian restaurants and cafeterias, cultural centres, Russian Orthodox churches and cemeteries have been vandalized.

For example, in May 2023, the Chapel dedicated to the Iveron Icon of the Mother of God in Washington was vandalized when the perpetrators poured paint over the fresco of St John of Shanghai and the walls).⁴⁵¹

Owners of shops and restaurants who used the word "Russian" in the name of their business or had Russian dishes on the menu were among the first to face hatred, mostly, in the form of hooliganism – offensive graffiti on walls

⁴⁵¹ <https://orthochristian.com/153526.html>

and shop windows, negative reviews on websites, threats through anonymous phone calls, etc. It was enough to spread fear among restaurant owners. Thus, Varda M., owner of The Russian House restaurant in Austin, Texas, decided to rename her restaurant as simply "The House".

Svetlana Savchits, who immigrated to the United States from Ukraine in 1993 and owns the *Sveta* restaurant in Manhattan, New York, receives dozens of threats and insults every day, so she often has to call the police to report the abuse. Because of the harassment, Svetlana has changed the style of her cuisine to general Eastern European.

Igor Kochin, president of the *Russian Youth of America*, confirmed the rise of Russophobia in the United States in an interview with *FAN*. According to Kochin, negative attitudes are becoming more pronounced, even though "no Russians allowed" signs have not yet been put up in food and drink venues and "we do not employ Russians" has not yet been included in job advertisements.

In particular, Igor Kochin notes that Russian children are being pressured and bullied at school, while Russian adults are losing their jobs. People of Russian origin are increasingly losing their source of income, he says. Discrimination is illegal in the US, but proving harassment on the basis of national or ethnic origin is difficult. Because of so much negativity, many expatriates, even those who have achieved great success abroad, begin to think about returning to Russia. Not only the Anti-Russian narrative in the American society affects the attitude towards people of Russian origin in the workplace, but also breaks up families. There have been reports of Americans no longer talking to their Russian spouses, being estranged from them or even not letting them home.⁴⁵²

Russian scientists have been excluded from US projects, and in many cases the local scientific community is concerned about the situation

⁴⁵² https://riafan.ru/22912317-lyudei_uvolnyayut_glava_obschestva_russkaya_molodezh_ameriki_kochin_podtverdil_usilenie_rusofobii_v_ssha

(for example in joint Arctic research projects). Things went so far that Congressman (D) Eric Swalwell called for "Russians to be kicked out of US universities".⁴⁵³ The Educational Commission for Foreign Medical Graduates (ECFMG) has refused to certify Russian doctors. US oncology associations prompted OncoAlert, a global network of oncology professionals, to expel Russia from its membership. The NGO *Space Foundation* changed the name of its first manned space flight annual event from Yuri's Night to Celebration of Space.

Activists from the Russian-speaking diaspora are persecuted. Those compatriots who remain loyal to Russia are threatened with criminal prosecution for allegedly violating the Foreign Agents Registration Act adopted as early as in 1938.

The US authorities have set out to work to erase all historical memory of fruitful cooperation between the peoples of Russia and America. In 2022-2023, the Russian Embassy was barred from the annual wreath-laying ceremony at Arlington Cemetery in Washington to commemorate the meeting between the US and Soviet troops at the Elbe in April 1945. US WWII veterans, who had planned to participate in the May 2022 and 2023 Victory Parade, were virtually forbidden to do it.⁴⁵⁴

Russians and Russian speakers face highly aggressive attitude by some aggressively disposed members of the US Ukrainian community. Out of fear of being attacked, Russians, similar to Jews in a number of European countries, avoid speaking their native tongue in public places. Igor Kochin also noted in this regard the US police staff's tolerance of facts of discrimination against Russian speakers. Our compatriots fear that this will mostly affect events held in support of Russia. Even before, nationalists used to approach pro-Russian activists in an attempt to prevent their events from being held. They even had

⁴⁵³ <https://www.foxnews.com/media/eric-swallow-russians-us-universities-retaliation>

⁴⁵⁴ <https://kremlin.ru/events/president/news/68366>

confrontations with police. However, our compatriots believe that one cannot expect protection from US law enforcement agencies any longer.

Even the slightest relation to Russia may trigger physical violence. One example is the assault on a US blogger from Brooklyn by his Ukrainian neighbour; this was provoked by the fact that the man had the imprudence to unfold outside the flag of the Somalia battalion – a present mailed to him by his subscriber from the Donetsk People's Republic. For this, he suffered a blow on the face that chipped his tooth. The attacker pursued him for several blocks shouting racist insults. Charges have been already brought against him, including those of committing a hate crime, and a restraining court order against approaching the blogger has been issued. The latter actually has both Russian and Ukrainian origins.⁴⁵⁵

In July 2022, the US Department of Justice entered on the sanctions list the independent non-profit organization *Centre for Support and Development of Public Initiative – Creative Diplomacy* and its president Natalia Burlinova personally, claiming that they "had acted or purported to act for or on behalf, directly or indirectly, of the Government of the Russian Federation" in violation of local foreign agents legislation.

In April 2023, US law enforcement authorities brought criminal charges against Natalia Burlinova for attempting to "recruit" American scientists and researchers to travel to Russia within the *Meeting Russia* programme, and the FBI officially put her on a wanted list. The activist was further put on the list of the notorious *Mirotvorets* website as "a person to be immediately detained and handed over to the law enforcement agencies of Ukraine or NATO countries."

Such aggressive steps by the US authorities are yet another example of the blatant and rough pressure exerted on the expert, scientific and academic community, which calls for an adequate public and international legal response.

⁴⁵⁵ <https://nypost.com/2022/03/18/nyc-man-attacked-for-pro-russian-flag-says-he-got-it-from-youtube-fan/>

Many Russian speakers have faced harassment at work. They are often threatened, including personally, and suffer physical abuse from the hostile Ukrainian diaspora (for instance, for singing Russian patriotic songs).

The popular Rubic.us website published its readers' stories of discrimination incidents they had faced. Cases of discrimination and aggression in respect of Russian children at schools, biased attitude towards and fault-finding with persons of Russian descent at work, especially on the part of company owners of Ukrainian origin, have been reported. The number of insults online and in social media has considerably increased.⁴⁵⁶

The propaganda of Russophobia and its visible manifestations come to complete absurdity. After the onset of the Russian special operation, many shops, cafes, health centres, dry cleaners and other public places in the US began putting stickers with the Ukrainian flag at the entrance. Their employees often explain to Russian clients that by doing so they just avoid unnecessary discussions.

There have been attempts to substitute Russian culture with Ukrainian one. For example, the substitution of P.I. Tchaikovsky's *Marche Slave* for M.P. Mussorgsky's *Great Gate of Kiev* in the repertory of the University of South Carolina Symphony Orchestra, and the launch of Ukrainian language courses to replace Russian language courses, not just to add to the list of foreign languages taught in a number of US universities.

Art historians and the management of Metropolitan Museum in New York labelled I.K. Aivazovsky,⁴⁵⁷ A.I. Quingi,⁴⁵⁸ and I.E. Repin⁴⁵⁹ as Ukrainian artists (though Aivazovsky was later recognized as an Armenian). Many in the

⁴⁵⁶ <https://www.kp.ru/daily/27374/4567724/>

⁴⁵⁷ <https://www.metmuseum.org/art/collection/search/435570>
<https://www.metmuseum.org/art/collection/search/437979>

⁴⁵⁸ <https://www.metmuseum.org/art/collection/search/436833>

⁴⁵⁹ <https://www.metmuseum.org/art/collection/search/437440>
<https://www.metmuseum.org/art/collection/search/437441>
<https://www.metmuseum.org/art/collection/search/437442>

US cultural community welcomed the new Russophobic trend. They likewise approved the re-labelling of Edgar Degas's *Russian Dancer* as *Dancer in Ukrainian Dress*.⁴⁶⁰

Concerts and exhibitions featuring Russian performers were cancelled across the US (including annual Pushkin evening readings held in New York).

On 24 February 2022, the management of Carnegie Hall announced that Russian conductor Valery A. Gergiev would not lead the Vienna Philharmonic Orchestra at three concerts. The performance of Russian pianist Denis Matsuev in a concert scheduled for 25 February 2022 was also cancelled.⁴⁶¹

Pieces by masters of Russian classical music were removed from theatre and concert programmes. The US authorities are persistently seeking disqualification of Russian athletes, coaches and referees from international competitions. Simultaneously, Russian cultural figures and athletes are exacted to publicly denounce "Russia's policy in Ukraine".

On 6 April 2022, the Boston Athletic Association, a non-profit association claiming promotion of healthy lifestyles as its primary purpose, announced its decision to deny Russian and Belorussian athletes – residents of the two countries – participation in the annual Boston marathon. However, non-residents are allowed to compete irrespective of their nationality. Until further notice, the organization refused to accept any sign of athletes' relation to Russia and Belarus, including the use of their national flags.⁴⁶²

At the same time, the US side has failed so far to provide all the reports required by the Russian competent authorities regarding the conditions of living and upbringing of Russian children adopted earlier (before the ban on adoption

⁴⁶⁰ <https://www.metmuseum.org/art/collection/search/436157>

⁴⁶¹ <https://tass.ru/kultura/13850801>

⁴⁶² <https://www.baa.org/baa-policy-russian-and-belarusian-athletes>

was introduced). Currently, communication and explanatory work continues on this issue with line institutions and agencies of the United States.⁴⁶³

US authorities enthusiastically resort to the "false flag" tactic against Russia and Russians. This includes, first and foremost, providing large-scale military aid to the regime in Kiev and exerting pressure on NATO allies to make them take similar steps. Besides, sovereign states are overtly pressed in attempt to create a relevant negative image of the Russian Federation on the international scene.

Over and above interfering with the work of US authorities, transnational corporations openly impose their own interests on the country and society. According to a number of experts, the US leaders have fallen under the control of oligarchs over the recent three decades. In the past, corporations were dependent on large government-controlled banks, but now the largest multinationals independently mobilize capital and public resources for their own purposes. Government authorities hand out contracts and subsidies without any control from general public.

US politicians have traditionally been highly dependent on major companies. This is facilitated by the still confusing and opaque legislation in the field of election campaign financing, which often turns into a competition between business lobbyists promoting candidates that benefit them.

Modern US oligarchs, without a doubt, also include the owners of large Internet resources, including X (formerly Twitter), Facebook and YouTube. It is noteworthy that on the eve of 2020 presidential campaign, they simultaneously blocked the accounts of Donald Trump and his supporters.

Basic freedom of speech norms do not apply to social media. Meanwhile, their coverage is total, which cannot but cause alarm or serious concerns over

⁴⁶³ See also the Russian Ministry of Foreign Affairs report "On violations of children's rights in the process of international adoption in the United States" released in June 2023 (also posted on the Ministry's website www.mid.ru).

ensuring and protecting human rights. The most important communication platforms are under the political control of US elite, whose corruption has been clearly highlighted, among other things, against the backdrop of scandals related to the crisis in Ukraine.

This elite itself increasingly feels its impunity. Scandals involving Hunter Biden, the son of US President, would have destroyed his father's career in another era – he received fictitious positions with huge salaries, built business schemes supported by the ruling circles of countries friendly to Washington (including Ukraine and Romania). Insider market trading by Paul Pelosi, the husband of then-Speaker of the House of Representatives, would have ruined his powerful wife's career, as well as the reputation of the entire party. Now US politicians are getting away with such things, because the moral and ethical principles that, at least declaratively, had served basis of US democracy for decades are being destroyed.

The uncontrolled global power, capture of new markets and lack of restraining factors after the collapse of the Soviet Union created a sense of permissiveness among the US elite. The practice of using economic instruments and information resources as coercive means along with military force is expanding.

Such approaches make the US understanding of democracy seem increasingly watered down and manipulative to the world community and contribute to a general discredit to democratic principles and values.