

Systemic Human Rights Violations Against Immigrants in the United States

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Presented by the Cameroon Advocacy Network, Haitian Bridge Alliance, and
The Robert & Ethel Kennedy Human Rights Center on Behalf of Coalition Partners

I. Mass Detention of Immigrants

Related Previous UPR Cycle Recommendations

- Make efforts in favor of the human rights of migrants, asylum seekers and refugees (El Salvador, Myanmar, Turkey, Bolivarian Republic of Venezuela)
- Ensure that detention conditions for immigrants, particularly for minors, comply with international human rights law (Norway, Fiji, Ghana, Mexico)
- Ensure that the detention and separation of migrant families and asylum seekers are not used as punitive measures to deter irregular entry into the country (Peru)
- Seek alternatives to immigration detention and improve conditions of confinement (Thailand, Zambia, China, Cuba)

I. Mass Detention of Immigrants

Recent Escalation in Systemic Rights Violations

- Historic record **65,000 immigrants** in detention
- **90% of detained immigrants** held detention centers run for-profit by private prison companies
- In the past year alone, the U.S. government has opened **152 new detention centers across 39 states.**
- Family detention centers reopened and re-detention of migrant children
- Detention centers characterized by intentionally cruel and punishing conditions
- Since 2020, at least **78 immigrants have died in detention, 95% of surveyed deaths** were medically preventable

I. Mass Detention of Immigrants

Suggested Recommendations

- **Abolish immigration detention and release all people currently detained**, including immigrant children, and implement community-based alternatives;
- **In the interim, end the use of solitary confinement** in immigration detention and **ensure medical care for detained people**, including those who are particularly vulnerable to detention, such as people with disabilities, mental health conditions, pregnant people and LGBTQ+ people;
- **Abolish government collusion schemes** with private prison companies operating for-profit immigration detention facilities in the U.S.

II. Enforced Disappearances

Related Previous UPR Cycle Recommendations

- Step up measures to protect and ensure the rights of migrants (Myanmar);
- Institute adequate mechanisms and means to deal with migratory flows in full respect with human dignity and international standards (Turkey)
- Stop the cruel, inhuman and degrading treatment of migrants and asylum seekers and the separation of hundreds of minors from their families (Cuba)
- Guarantee respect for the life, dignity, security and human rights of migrants and refugees, ensure adequate conditions in detention centres, prioritize the family unit and safeguard the best interests of the child (Mexico)

II. Enforced Disappearances

Recent Escalation in Systemic Rights Violations

- **Systemic transfers without notice** to Guantanamo Bay, a military facility with no independent oversight and no meaningful access to counsel or courts;
- **Systemic transfers without notice** within the interior of the United States detention system, resulting in denial of access to counsel and separation from family and community;
- **Third Country removals** without due process resulting in **torture**, indefinite detention, and risk of chain refoulment

II. Enforced Disappearances

Suggested Recommendations

- **Immediately end the use of Guantanamo Bay** and other military facilities for immigration detention;
- **Implement a mechanism** that accurately provides timely notice to the family members and attorneys of detained people when they are detained and transferred by the United States government, including transfers within the interior of the U.S.;
- **Immediately halt** transfers and removals of non-citizens to third countries and military bases; end all third country removal agreements until such agreements are accompanied by a monitoring process to ensure compliance with human rights standards; United Nations organizations, including the IOM, should **cease all efforts to facilitate third country removals**

III. Racially Discriminatory Immigration Enforcement, Corruption of Humanitarian Programs, and Due Process Violations

Related Previous UPR Cycle Recommendations

- Combat systemic racism and police violence (Togo, Angola, Australia, Azerbaijan, Belarus)
- Ensure that use of force standards are in line with international law (Zambia,
- Review administrative measures that criminally penalize migrants who enter the country without authorization (Argentina, Costa Rica)
- Ensure an environment in which immigrant human rights defenders can do their work freely, without threat of immigration detention and deportation (South Sudan)
- Take further measures to prevent, investigate and punish the excessive use of force by law enforcement, including against minorities and migrants at the border (Germany)
- Take legal and practical measures to end deep-rooted racism and racial discrimination, police brutality, killings by guns and torture in national detention facilities (Democratic People's Republic of Korea)

III. Racially Discriminatory Immigration Enforcement, Corruption of Humanitarian Programs, and Due Process Violations

Recent Escalation in Systemic Rights Violations

- Increased **ICE-local police cooperation** and **raids at workplaces and sensitive locations**, including **excessive use of force**
- **Re-detention** of people previously paroled into the U.S. and **arrests at asylum hearings** in immigration courts
- Implementation of **mandatory detention** against individuals who previously entered the U.S. irregularly
- Detention as **retaliation for political speech**

III. Racially Discriminatory Immigration Enforcement, Corruption of Humanitarian Programs, and Due Process Violations

Suggested Recommendations

- **Repeal mandatory detention laws**, which rely on racially discriminatory policing to subject people to mandatory immigration detention;
- **Adopt the “necessary and proportional” standard for use of force** and amend state and federal use of force policies to match international human rights standards;
- **Fully resume refugee processing and admissions** under a nondiscriminatory framework;
- **Ensure independent oversight** of immigration enforcement

Thank You

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