

Human Rights Council
Working group on the Universal Periodic Review
Ninth session
Geneva, 1–12 November 2010

Draft report of the Working Group on the

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1, held its ninth session from 1 to 12 November 2010. The review of the United States of America was held at the 9th meeting, on 5 November 2010. The delegation of the United States of America was headed jointly by the Honourable Esther Brimmer, Assistant Secretary, Bureau of International Organizations, Department of State; the Honourable Harold Hongju Koh, Legal Adviser, Office of the Legal Adviser, Department of State; and the Honourable Michael Posner, Assistant Secretary, Democracy, Human Rights and Labour, Department of State. At its 13th meeting, held on 9 November 2010, the Working Group adopted the report on the United States of America.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the United States of America: Cameroon, France and Japan.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of the United States of America:

for a more perfect union. By admitting the possibility of imperfection, new opportunities to improve are revealed – the ability to do this has been and continues to be a source of national strength.

7. The United States explained that it encourages the involvement of its civil society, and works through law-abiding executives, democratic legislatures and independent courts to make progress. The United States expressed pride in its accomplishments, recognized that there remains room for further progress and reiterated its commitment to principled engagement with the international system to advance human rights at home and abroad.

B. Interactive dialogue and responses by the State under review

8. Cuba made recommendations.

9. The Bolivarian Republic of Venezuela expressed the hope that President Obama would make a commitment to human rights.

10. The Islamic Republic of Iran expressed concern over the situation of human rights and systematic violations committed by the United States at both the national and international levels.

11. The Russian Federation positively assessed the current Government's efforts to

20. Egypt expressed the hope of seeing concrete steps undertaken by the United States to ensure the protection of the human rights of the members of Muslim, Arab, African-American and South Asian communities. It remained concerned about certain policies and practices in the human rights field.

21. China noted the Government's efforts in past years to promote and protect human rights and to make progress in health care and education. However, China expressed concern about the gaps in human rights legislation and the fact that the United States had not become a party to a number of core international human rights instruments. It was also concerned, inter alia, that the law enforcement agencies tended to use excessive force and that the incidence of poverty was higher among Afro-Americans, Latinos and Native Americans.

22. India commended the United States for its commitment to human rights and its acknowledgment of the remaining challenges. India was concerned about human rights abuses by business corporations and inquired about the United States' position on its Alien Tort Claims Act. It was concerned at the sexual harassment of women in the United States military and the disproportionately high conviction rates for African-Americans, as well as their low access to education, health and employment.

23. Bangladesh stated that, while progress had been made in the protection of civil and political rights,

Government's efforts to address discrimination on various grounds and to promote equality before the law for all.

39. The Libyan Arab Jamahiriya was concerned at, inter alia, the racial discrimination

49. Morocco expressed appreciation for the United States' commitment to development assistance and referred to a number of programmes and innovative solutions concerning housing rights.

50. Cyprus noted with appreciation that the United States had signed the Rome Statute of ICC. It was concerned about the use of the death penalty and referred to the concerns expressed by a number of treaty bodies related to allegations of brutality and the use of excessive force by law enforcement officials against migrants.

51. Spain asked questions about the closing of the Guantanamo prison, the new regulations on military commissions and the right to a fair trial, and the guarantees for the remaining detainees; and about the United States' obligations related to consular access to foreign detainees, particularly in relation to the *Avena* ruling.

52. The delegation addressed issues raised by a number of states, including the relationship between human rights and national security, the death penalty, and indigenous issues. The United States was committed to establishing national security policies that respect the rule of law. It has redoubled its efforts over the past two years to ensure that all

56. Turning to indigenous issues, the delegation noted the many challenges faced by Native Americans – poverty, unemployment, health care gaps, violent crime, and discrimination – and the laws and programmes it has in place to address these problems. The United States stated its belief that tribes and their members will flourish if they are empowered to deal with the challenges they face. This conclusion is reflected in law and policy regarding tribal self-determination. President Obama hosted the White House Tribal Nations Conference at which he directed all agencies to submit plans for and progress reports on implementation of the Executive Order on Consultation and Coordination with Indian Tribal Governments. As a result, the level of tribal consultations is now at an historic high.

57. In response to questions from Australia, Cyprus, Finland, and Norway, the delegation noted the considerable attention that has been paid to the interagency consultations with tribal leaders as a part of the United States review of its position on the United Nations Declaration on the Rights of Indigenous Peoples. The decision to review its position was made in response to calls from tribes and other indigenous groups and individuals.

58. The United States has also taken numerous steps to address particular challenges faced by indigenous communities. These include health care reform, the settlement of certain claims, and improvements in criminal justice issues.

59. Denmark urged the Government to follow the recommendations of the international community that it ensure that state and federal authorities applied a moratorium on executions with a view to ultimately abolishing the death penalty nationwide. It would like to see the United States join the vast majority of States that adhered to ICESCR, CEDAW, CRC and OP-CAT.

60. Finland, while welcoming the progress made by the United States in enhancing the rights of indigenous peoples, including the ongoing review of its position on the United Nations Declaration on the Rights of Indigenous Peoples, asked how the Government was conducting the review and about the current situation with respect to the process. Finland also asked about measures undertaken to combat discrimination against women.

61. Ghana commended the United States for, inter alia, efforts that had transformed the country into a multi-racial, multi-ethnic and multi-religious society. It noted with appreciation that the Government continued to work to ensure that equal opportunity was not only guaranteed in law, but experienced by all Americans. Ghana, however, referred to the concerns expressed by several special procedures concerning ongoing structural discriminations.

62. Hungary recognized that the United States had a well-developed system of domestic human rights laws. However, the United States had limited obligations under the international human rights treaties. Hungary welcomed the change in the country's attitude towards ICC, and hoped for further steps to deepen relations with it.

63. Slovakia stated that the United States had been one of the prominent global defenders and promoters of human rights, dedicating significant resources to that commitment.

64. The Netherlands, while noting the Government's support for the ratification of CEDAW by the United States, noted with concern that no specific steps had been taken thus far to that end. The Netherlands also expressed concern at the use of death penalty in 35 states. The Netherlands commended the United States for having received many visits by Special Rapporteurs.

65. Turkey welcomed the decision of the United States to become a member of the Human Rights Council. Turkey expressed its belief that the increasing multilateral

cooperation and engagement that the United States had embraced would contribute to global peace and stability and constitute an important factor for the protection of the human rights of those belonging to minority groups, in particular Muslims and immigrants.

66. Norway noted with appreciation the role that the United States played in the international human rights arena. It welcomed the answers provided by the United States to advance questions that it had posed. Norway stated that it looked forward to the transparent and inclusive follow-up in the universal periodic review implementation phase.

67. Sweden welcomed the repeal of the use of capital punishment in some states, but regretted the recurring sentencing to the death penalty and executions in many states. Sweden asked the United States to elaborate on the status of the death penalty and about the plans to impose an official moratorium on executions towards the complete abolition of the death penalty. It also asked about the measures taken by the United States to ensure the full enjoyment of the human rights of persons deprived of their liberty.

68. The Holy See noted that “Operation Streamline” against irregular migrants should be suspended and asked for information about the Government’s decision to review its position on the United Nations Declaration on the Rights of Indigenous Peoples.

69. Italy noted with appreciation the Government’s efforts to fight economic, social, gender and ethnic discrimination. It noted that the death penalty was still in force in 35 states, even though some states had applied a de facto moratorium.

70. Uruguay made recommendations.

71. The United States delegation noted that the United States criminal justice system is based on the protection of individual rights. The United States has acted to address a history of racially based law enforcement, through, among other things, enactment and enforcement of laws that prohibit discrimination based on race, colour or national origin by

detention was used only when appropriate, in light of legal requirements and the need to ensure public safety. In 2010 the United States lifted a 22-year ban on travel to the country by HIV-infected individuals. The United States delegation discussed recent programmes to combat international trafficking in persons.

74. In consultation with civil society and the United Nation High Commissioner for Refugees, the United States established that each arriving alien with a credible fear of persecution or torture would be considered for release; and that those who established their identity and did not pose a flight risk or a danger to the community would not be detained pending completion of their immigration proceedings. For detained aliens, the United States recognizes the need to improve conditions of confinement, medical care, and the ability to exercise their human rights. DHS is revising standards governing immigration detention conditions, implemented a new detainee locator system, and assigned new oversight personnel nationwide. In the context of immigration enforcement, the United States recognized concerns regarding racial and ethnic profiling by local law enforcement officials and reaffirmed its commitment and recent actions to combat profiling through significantly strengthened protections and training against such discrimination.

75. The Republic of Moldova underlined the important involvement of the United States in countering human trafficking. It noted with appreciation the fact that the number of applied death penalties had been decreasing and that the death penalty as a punishment was excluded for those offenders who were under the age of 18 at the time of the offence.

76. Trinidad and Tobago noted the Government's efforts to respect human rights, including those to eliminate all forms of racial discrimination, and the enactment of legislation in 2009 to combat gender-based wage discrimination.

77. New Zealand stated that the United States had demonstrated leadership in the promotion of human rights. It noted with appreciation that the United States had excluded the death penalty for those under 18 years of age at the .

83. Guatemala made recommendations.

84. Costa Rica acknowledged the United States' openness and commitment to the protection and promotion of the human rights of its people. Costa Rica noted with appreciation the constructive contribution of the United States in the formulation of international law and mechanisms. However, it noted the gap between the Government's ratification and contribution to international law.

85. The United States delegation responded to a number of questions and concerns regarding discrimination against Muslims, Arab Americans, and South Asians. The United States is committed to addressing negative stereotypes, discrimination and hate crimes through measures such as the creation of a 9/11 backlash taskforce, litigation to protect religious freedom including the right of school girls to wear the hijab, nationwide community outreach, and enforcement of employment discrimination laws. The United States is taking concrete measures to make border and aviation security measures more effective and targeted to eliminate profiling based on race, religion, or ethnicity.

86. Regarding online privacy, the United States recognized that new technologies like the Internet demand legitimate and effective law enforcement as well as protection of privacy, free expression, and the rule of law. Secretary Clinton was deeply committed to Internet Freedom at home and around the world, and to ensuring that the rights of free expression and association through the Internet were protected and defended.

87. Regarding questions related to economic, social and cultural rights, what Franklin Roosevelt described as "freedom from want," the United States has focused on democratic solutions and civil society initiatives while courts have defined constitutional obligations primarily by focusing on procedural rights to due process and equal protection of the law. As a matter of broader public policy, the United States is committed to help create a society in which prosperity is shared, including social benefits provided by law.

88. The United States is committed to working to pursue laws and policies that will build an economy and society that lifts up all Americans. The Government is taking on the structural inequalities that have too often held back some citizens. The United States is taking significant measures to ensure equal opportunities and access to areas including housing, education, and health care. The Government is actively responding to the foreclosure crisis by helping millions of families restructure or refinance their mortgages to avoid foreclosure. The United States has taken important measures to help lift up every child in every school in the country, particularly those most disadvantaged. Recent legislation allowed schools to invest in technology, teacher development, and other measures. In 2010, President Obama signed into law the Affordable Care Act, which is projected to expand health insurance to 32 million Americans who would otherwise lack coverage.

89. The United States is also committed to enforcing employment and labor laws to protect workers' rights, has revitalized its engagement with ILO, and is renewing work on ratification of ILO conventions.

90. In closing, the United States delegation expressed its deep appreciation to civil society – not only for helping in the preparation of its report and presentation, but also in continuing to push the government to do better. United States civil society has been invaluable to the United States' Universal Periodic Review, and commended to other states active engagement with civil society throughout the process.

91. It is a testament to the steady erosion of barriers of race, gender, sexual orientation, religion, disability, and ethnicity that United States delegation members of such diversity were present to speak for the United States today. The United States is proud of its record

of accomplishments, humbled by the recognition that more work remains, and remains committed to improvement and to continuing this dialogue going forward.

II. Conclusions and/or recommendations

92. **In the course of the discussion, the following recommendations were made to the United States of America:**

92.1. **Ratify without reservations the following conventions and protocols: CEDAW; the ICESCR; the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Statute of the International Criminal Court; those of the ILO; the United Nations Declaration on Indigenous Peoples, and all those from the Inter-American Human Rights System (Bolivarian Republic of Venezuela);**

92.2. **Continue the process to ratify CEDAW and adhere to the other human rights fundamental instruments, such as the Statute of Rome of the**

- 92.9. **Ratify all core international instruments on human rights, in particular ICESCR, CEDAW, the Convention on the Rights of the Child (Viet Nam);**
- 92.10. **Consider ratifying ICESCR, CEDAW and CRC at the earliest (India);**
- 92.11. **Consider undertaking necessary steps leading to ratification of the parent/umbrella United Nations Convention on the Rights of the Child and CEDAW respectively (Malaysia);**
- 92.12. **Ratify ICESCR (Democratic People's Republic of Korea, Ghana); Become a party to the ICESCR (Australia);**
- 92.13. **Proceed with ratifying the CRPD and CRC (Qatar);**
- 92.14. **Ratify, and ensure implementation into domestic law of CEDAW and CRC (Turkey);**
- 92.15. **Ratify the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Haiti);**
- 92.16. **Endeavour to ratify international instruments that USA is not party, in particular among others the CRC, OP-CAT; CEDAW; and Rome Statute of the International Criminal Court (Costa Rica);**
- 92.17. **Ratify ICESCR, CEDAW, the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities and other core human rights treaties as soon as possible (China);**
- 92.18. **Ratify additional human rights treaties such as the ICESCR; the Convention of the Rights of the Child; the International Convention for the Protection of All Persons from Enforced Disappearances and the Convention**

Convention on the Rights of the Child, ICESCR, and the Convention on the Rights of Persons with Disabilities (Thailand);

92.25. Ratify the ICESCR, CEDAW, CRC the CRPD, the Additional Protocol I and II (1977), to the Geneva Conventions, the ICC Statute, as well as the 1st and 2nd Protocol to the Hague Convention 1954 (Hungary);

92.26. Consider ratifying ILO Convention 100 on equal remuneration for men and women for work of equal value, and ILO Convention 111 on discrimination in employment and occupation (India);

92.27. Accede to ICESCR, the CRC and ILO convention No. 111 (Islamic Republic of Iran);

92.28. Consider ratifying the Rome Statute of the International Criminal Court and the Additional Protocols I and II of the Geneva Conventions (Austria);

92.29. Ratify the Convention on the Protection of the Rights of All Mig ofl RCT8y3N(e)6.490.4679 0.1(o7

- 92.41. Continue the process to ratify and implement into domestic law the several international human rights instruments that still wait for this formal acceptance (Holy See);
- 92.42. Accede to the universal core treaties on human rights and those of inter-American system, in particular the recognition of the jurisdiction of the Inter-American Court on Human Rights (Brazil);
- 92.43. Consider the signing, ratification or accession, as corresponds, of the main international and Inter-American human rights instruments, especially the Convention on the Rights of the Child (Uruguay);
- 92.44. Withdraw all reservations and declarations on the international instruments to which it is a party that undermine its obligations or the purpose of the treaty (Spain);
- 92.45. Withdraw reservations, denunciations, and interpretations of the Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture, that undermine their compliance, and accept their individual procedures (Bolivarian Republic of Venezuela);
- 92.46. Withdraw reservations to the Convention against Torture (Brazil);
- 92.47. Consider lifting reservations to a number of ICCPR articles (Indonesia);
- 92.48. Take the necessary measures to consider lifting the United States reservation to article 5, paragraph 6 of the International Covenant on Civil and Political Rights that bans the imposition of the death penalty for crimes committed by persons under 18 (France);
- 92.49. Consider the withdrawal of all reservations and declarations that undermine the objective and spirit of the human rights instruments, in particular reservation to article 6 paragraph 5 of the International Covenant on Civil and Political Rights that bans the imposition of the death penalty to those who committed a crime when they were minors (Uruguay);
- 92.50. Withdraw the reservation to article 6, paragraph 5 of the International Covenant of Civil and Political Rights and consider further to abolish the death penalty in all cases (Austria);
- 92.51. Comply with its international obligations for the effective mitigation of greenhouse gas emissions, because of their impact in climate change (Bolivarian Republic of Venezuela);
- 92.52. Ensure the implementation of its obligations under international humanitarian law vis-à-vis Palestinian people. (Islamic Republic of Iran);
- 92.53. Respect the ruling of the International Court of Justice of the Hague, of 27 June 1986, which orders the United States Government to compensate Nicaragua for the terrorist acts that the people of Nicaragua suffered on those years from the part of the American President Ronald Reagan (Nicaragua);
- 92.54.

- 92.55. **Repeal the amendment which allows for slavery as a punishment (Bolivarian Republic of Venezuela);**
- 92.56. **Repeal the norms that limit freedom of expression and require journalists to reveal their sources, under penalty of imprisonment (Bolivarian Republic of Venezuela);**
- 92.57. **Abolish its extrajudicial and extraterritorial laws and refrain from the application of unilateral measures against other countries (Islamic Republic of Iran);**
- 92.58. **Make fully consistent all domestic anti-terrorism legislation and action with human rights standards (Islamic Republic of Iran);**
- 92.59. **Legislate appropriate regulations to prevent the violations of individual privacy, constant intrusion in and control of cyberspace as well as eavesdropping of communications, by its intelligence and security organizations (Islamic Republic of Iran);**
- 92.60. **Take effective legal steps to halt human rights violations by its military forces and private security firms in Afghanistan and other States (Islamic Republic of Iran);**
- 92.61. **Unconditionally abolish its extraterritorial legislation on human rights**

92.70. Take appropriate legislative and practical measures to improve living conditions through its prisons systems, in particular with regard to access to health care and education (Austria);

92.71. Consider raising to 18 years the minimum age for the voluntary recruitment to the armed forces, and explicitly define as a crime the violation of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Uruguay);

92.72. Establish a national human rights institution, in accordance with the Paris Principles (Egypt, Germany, Ghana, Sudan, Bolivarian Republic of Venezuela);

92.73. Implement recommendations of the United Nations human rights bodies concerning the establishment of an independent national human rights institute in line with the Paris Principles (Russian Federation); Taking necessary steps to establish an independent national human rights institution, in accordance with Paris Principles, in order to strengthen human rights at federal and state level in addition to the local level. (Qatar); Establish an independent national human rights institution in accordance with Paris Principles, to monitor compliance with international standards and to ensure coordination in implementing its humatsf Tc0.1135 Tw[necessa)r2(n7()6aa)-0..3()-6.3(imp)10.3(l)-0.7(eme .

92.80. Spare no efforts to constantly evaluate the enforcement of the immigration federal legislation, with a vision of promoting and protecting human rights (Guatemala);

92.81. Take the necessary measures in favor of the right to work and fair

- 92.93. Consider extending a standing invitation to special procedures (Cyprus); (Denmark); (Republic of Korea);
- 92.94. End the discrimination against persons of African descent (Cuba);
- 92.95. Undertake studies to determine the factors of racial disparity in the application of the death penalty, to prepare effective strategies aimed at ending possible discriminatory practices (France);
- 92.96. Take appropriate legislative and practical measures to prevent racial bias in the criminal justice system (Austria);
- 92.97. Review the minimum mandatory sentences in order to assess their disproportionate impact on the racial and ethnic minorities (Haiti);
- 92.98. Devise specific programs aimed at countering growing Islamophobic and xenophobic trends in society (Egypt);
- 92.99. Eliminate discrimination against migrants and religious and ethnic minorities and ensure equal opportunity for enjoyment of their economic, social and cultural rights (Bangladesh);
- 92.100. End all forms of racial discrimination in terms of housing, education, health care, social security and labor (Libyan Arab Jamahiriya);
- 92.101. Ban, at the federal and state levels, the use of racial profiling by police and immigration officers (Plurinational State of Bolivia); Prohibit expressly the use of racial profiling in the enforcement of immigration legislation (Mexico);
- 92.102. Revoke the national system to register the entry and exit of citizens of 25 countries from the Middle-East, South Asia and North Africa, and eliminate racial and other forms of profiling and stereotyping of Arabs, Muslims and South Asians as recommended by CERD. (Sudan);
- 92.103. Ensure the prosecution and punishment, according to the law, of those responsible of racial hate and xenophobic criminal acts, as well as guarantee a fair compensation to the victims, such as the case of the Ecuadoreans Marcelo Lucero and Jose Sucuzhañay, murdered in the United States (Ecuador);
- 92.104. Make further efforts in order to eliminate all forms of discrimination

92.121. Take all necessary measures in order to impose a moratorium on the use of the death penalty, with a view to abolishing it both at the federal and State levels (Cyprus);

92.122. Abolish the death penalty and in any event, establish a moratorium as an interim measure towards full abolition (Australia); Abolish capital punishment and, as a first step on that road, introduce as soon as practicable a moratorium on the execution of death sentences (Hungary); That steps be taken to set federal and state-level moratoria on executions with a view to abolish the death penalty nationwide (Norway);

92.123. Impose a nationwide moratorium on executions and commute existing death sentences to imprisonment term with a view to abolish the capital punishment entirely (Slovakia);

92.124. Consider abolishing death penalty (Turkey);

92.125. Abolish the death penalty (Germany);

92.126. Implement at the federal level a moratorium on executions (France);

92.127. Begin a process leading to the ending of the death penalty punishment (Ireland); Pursuing the process to abolishing the death penalty (Holy See);

92.128. Abolish as soon as possible the death penalty in the 35 Federal States where this brutal practice is authorized (Nicaragua);

92.129. Study the possibility for the Federal Government of campaigning in favour of applying the United Nations Moratorium on the death penalty (Algeria);

92.130. Establish a de jure moratorium of the death penalty at the federal level and in the military justice, in view of its abolition and as an example for the States that still retain it (Spain);

92.131. That, until a moratorium is applied, steps be taken to restrict the number of offences carrying the death penalty (Denmark);

92.132. A review of federal and state legislation with a view to restricting the number of offences carrying the death penalty (Norway);

92.133. Abolish the death penalty, which is also applied to persons with mental disabilities and commute those which have already been imposed (Bolivar sdbtrizmenV8.2((ezu2((el4.9(.3(wa)-

92.130.

92.138. Heed the call of the High Commissioner to launch credible independent investigations into all reliable allegations made to date of violations of international human rights law committed by American forces in Iraq, including extrajudicial killings, summary executions, and other abuses (Egypt);

92.139. That measures be taken to eradicate all forms of torture and ill-treatment of detainees by military or civilian personnel, in any territory of jurisdiction, and that any such acts be thoroughly investigated (Norway);

92.140. Stop the war crimes committed by its troops abroad, including the killings of innocent civilians and prosecute those who are responsible (Cuba);

92.141. Halt immediately the unjustified arms race and bring to justice those

92.151. **Strengthen oversight with a view to ending excessive use of force by law enforcement bodies, particularly when it is directed to the racial minorities and bring those responsible for violation of laws to justice (China);**

92.152. **Prevent and repress the illegitimate use of violence against detainees (Belgium);**

92.153. **Release the five Cuban political prisoners – arbitrarily detained, as acknowledged by the Working Group on Arbitrary Detentions in its Opinion No. 19/2005, serving unjust sentences that resulted from a politically manipulated trial in open disregard for the rules of due process (Cuba);**

92.154. **End the unjust incarceration of political prisoners, including Leonard Peltier and Mumia Abu-Jamal (Cuba);**

92.155. **Close Guantanamo and secret centers of detention in the world, punish agents that torture, disappear and execute persons who have been arbitrarily detained, and compensate victims (Bolivarian Republic of Venezuela);**

92.156.

- 92.166. **Take effective measures to put an end to gross human rights abuses including violence against women, committed for decades by the United States military personnel stationed in foreign bases (Democratic People's Republic of Korea);**
- 92.167. **Take effective steps to put an end to child prostitution, and effectively combat violence against women and gun violence (Islamic Republic of Iran);**
- 92.168. **Define, prohibit and punish the trafficking of persons and child prostitution (Bolivarian Republic of Venezuela);**
- 92.169. **Insist more on measures aiming to combat the demand and provide information and services to victims of trafficking (Republic of Moldova);**
- 92.170. **Guarantee civilians to be tried by their natural judge and not by military commissions (Bolivarian Republic of Venezuela);**
- 92.171. **Prosecute or extradite for trial Luis Posada Carriles and dozens of other well-known terrorists living in impunity in the United States³ (Cuba);**
- 92.172. **Extradite the confessed terrorist Luis Posada Carriles (Bolivarian Republic of Venezuela);**
- 92.173. **Comply with the principles of international cooperation, as defined in Resolution 3074 of the General Assembly, for the extradition of persons accused of crimes against humanity and proceed to extradite former Bolivian authorities that are legally accused of such crimes, in order to be brought to trial in their country of origin (Plurinational State of Bolivia);**
- 92.174.

92.172

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- 92.198. Reinforce the broad range of safeguards in favour of the most vulnerable groups such as persons with disabilities and the homeless to allow them the full enjoyment of their rights and dignity (Morocco);
- 92.199. End the violation of the rights of indigenous peoples (Cuba);
- 92.200. Guarantee the rights of indigenous Americans, and to fully implement the United Nations Declaration on the Rights of Indigenous Peoples (Islamic Republic of Iran);
- 92.201. Recognize the United Nations Declaration on the Rights of Indigenous Peoples without conditions or reservations, and implement it at the federal and state levels (Plurinational State of Bolivia);
- 92.202. Adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples (Libyan Arab Jamahiriya);
- 92.203. Endorse the United Nations Declaration on the Rights of Indigenous Peoples when completing its national review process (Finland);
- 92.204. That the United Nations Declaration on the Rights of Indigenous People be used as a guide to interpret the State obligations under the Convention relating to indigenous peoples (Ghana);
- 92.205. Continue its forward movement on the Declaration of the Rights of Indigenous Peoples (New Zealand);
- 92.206. Guarantee the full enjoyment of the rights on natives of America in line with the United Nations Declaration on the Rights of Indigenous Peoples (Nicaragua);
- 92.207. End violence and discrimination against migrants (Cuba);
- 92.208. Prohibit, prevent and punish the use of lethal force in carrying out immigration control activities (Mexico);
- 92.209. Guarantee the prohibition of use of cruelty and excessive or fatal force

92.217. **Halt serious violations of human rights and humanitarian law-including covert external operations by the CIA, carried out on the pretext of combating terrorism (Islamic Republic of Iran);**

92.218. **Do not prosecute those arrested for terrorist crimes or any other crime in exceptional tribunals or jurisdictions, but bring them to judicial instances legally established, with the protection of due process and under all the guarantees of the American Constitution (Ecuador);**

92.219. **Enact a national legislation that prohibits religious, racial and colour profiling particularly in context of the fight against terrorism (Qatar);**

92.220. **Smarten security checks so as to take into account the frequent**

Annex

Composition of the delegation

The delegation of the United States of America was headed jointly by the

- Suzanne Nossel, Deputy Assistant Secretary, Bureau of International Organization Affairs Department of State;
- Karen Lynn Stevens Pierce, Acting Chief, Policy and Strategy Section, Civil Rights Division; Department of Justice;
- Catherine Powell, Policy Planning Staff Member, Office of Policy Planning Department of State;
- Phillip Rosenfelt, Deputy General Counsel for Program Services Department of Education;
-