



U.S.-based Civil Society Organizations Demand International Attention and Action to the Systemic Anti-Black Racism in the Criminal Legal System

On behalf of U.S.-based civil society organizations committed to addressing the many injustices of the United States' criminal legal system*, we actively invite international vigilance and explicit attention to the structures of oppression in our country that marginalize and criminalize people of African descent, and violate both their human rights as well as their civil rights under the U.S. Constitution.

While we demand attention to the inherent anti-Black racism in the criminal legal system, we share the analysis that Professor E. Tendayi Achiume, the UN Special Rapporteur on Racism, delivered in the context of this summer's historic urgent Human Rights Council debate on systemic racism and police brutality. She offered that where racial injustice is most rampant is where a country has failed to "undo structures of racism originating in colonialism and the transatlantic slave trade." As such, we uplift indigenous people, migrants, and other marginalized communities who are harmed by our country's policies and institutions, like the criminal legal system, designed to uphold and protect white supremacy. We are convinced that only when root causes of injustice are explicitly acknowledged can they be meaningfully addressed.

In this critical period of mass uprising and global reckoning with anti-Black racism accompanied by a call to fundamentally reimagine policing, surveillance, and imprisonment, we encourage every UN Member State to make explicit references to the ways in which the U.S.' criminal legal system is designed to disproportionately harm people of African descent, particularly those who exist at the intersections of marginalization (e.g. Black people with disabilities, Black women and Black people with marginalized genders, Black people living in poverty, Black sex workers and people in survival economies, and Black youth). We also urge Member States to make recommendations that call for specific and effective international mechanisms, such as an international commission of inquiry, to investigate systemic anti-Black racism in the United States.

* While we recognize the linguistic parameters of human rights discourse, we do not recognize justice within our systems of policing, imprisonment and surveillance, and therefore join social movements in using the term "criminal legal system" as opposed to the widely used term "criminal justice system."

In advance of the upcoming [Universal Periodic Review of the United States](#) on November 9, 2020, we urge the strongest possible recommendations with regard to the following anti-Black practices and policies of our criminal legal system:

- Systemic racism and violence of policing and incarceration, including the killing of Black people at a disproportionate rate, mass incarceration and the use of incommunicado detention;
- Excessive and disproportionate sentences, life imprisonment or death-by-incarceration sentences, the death penalty, and all forms of torture or cruel, inhuman or degrading treatment or punishment, including prolonged solitary confinement;
- Criminalization of Black people protesting and organizing for racial justice, and the release of Civil Rights-era political prisoners, many of whom were targeted by the U.S. government's widely-discredited COINTELPRO program and now belong to a vulnerable demographic of elderly and aging people in prison;
- Urging the creation of an International Commission of Inquiry to investigate systemic anti-Black racism and police violence in the United States, in the form and function articulated by the African Group in calling for the historic urgent debate on systemic racism and police brutality at the Human Rights Council on 17 June 2020.

In this, the International Decade for People of African Descent (2015-2024) with its themes of Recognition, Justice, and Development, we welcome your partnership and commitment to dismantling the systems that are incompatible with the realization of human rights for all.

Dated: November 2, 2020

Signed By:

Abolitionist Law Center
American Friends Service Committee
American Civil Liberties Union
Amistad Law Project
Center for Constitutional Rights
Center for Justice & Accountability
Chicago Alliance Against Racist and
Political Repression
Global Human Rights Clinic at the
University Chicago
Haitian Bridge Alliance
Hawai'i Institute for Human Rights
National Jericho Movement

National Lawyers Guild
Pittsburgh Human Rights Cities Alliance
The GAP Gyriz & Gyz
The Sex Workers Project at the Urban
Justice Center
University Network for Human Rights
US Human Rights Cities Alliance
USC International Human Rights Clinic
US Human Rights Network
Westside Justice Center
Women's All Points Bulletin
Woodhull Freedom Foundation