

Human Rights Record of the United States in 2012

2012年美国的人权纪录

**State Council Information Office of
the People's Republic of China
中华人民共和国国务院新闻办公室**

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Apr. 21, 2013

Foreword

The State Department of the United States recently released its *Country Reports on Human Rights Practices for 2012*, posing as “the world judge of human rights” again. As in previous years, the reports are full of carping and irresponsible remarks on the human rights situation in more than 190 countries and regions including China. However, the U.S. turned a blind eye to its own woeful human rights situation and never said a word about it. Facts show that there are serious human rights problems in the U.S. which incur extensive

criticism in the world. *The Human Rights Record of the U.S. in 2012* is hereby prepared to reveal the true human rights situation of the U.S. to people across the world by simply laying down some facts.

The human rights situation in the U.S. in 2012 has deeply impressed people in the following aspects:

- Firearms-related crimes posed serious threat to the lives and personal security of citizens in the U.S. Some shootings left astonishing casualties, such as the school shooting in Oakland, the Century 16 theater shooting in Colorado and the school shooting in Connecticut.

- In the U.S., elections could not fully embody the real will of its citizens. Political contributions had, to a great extent, influenced the electoral procedures and policy direction. During the 2012 presidential election, the voter turnout was only 57.5 percent.

- In the U.S., citizens' civil and political rights were further restricted by the government. The government expanded the scope of eavesdropping and censoring on personal telecommunications. The police often abused their power, resulting in increasing complaints and charges for infringement upon civil rights. The proportion of women in the U.S. who fell victims

of domestic violence and sexual assault kept increasing.

- The U.S. has become one of the developed countries with the greatest income gap. In 2011, the Gini index was 0.477 in the U.S. and about 9 million people were registered as unemployed; About 16.4 million children lived in poverty and, for the first time in history, public schools reported more than one million homeless children and youth.

- There was serious sex, racial and religious discrimination in the U.S. Indigenous people suffered serious racial discrimination and their poverty rate doubled the national average. A movie produced by a U.S. director and aired online was deemed insulting to the Prophet Mohammed, sparking protests by the Muslims worldwide.

- The U.S. seriously infringed upon human rights of other nations. In 2012, U.S. military operations in Yemen, Afghanistan and Pakistan caused massive civilian casualties. U.S. soldiers had also severely blasphemed against local residents' religion by burning copies of the Muslim holy book, *the Koran*, and insulting bodies of the dead. There was a huge rise in birth defects in Iraq since the war against Iraq with military actions in which American forces used metal contaminant-releasing white phosphorus shells and depleted uranium bombs.

– The U.S. was not able to effectively participate in international cooperation on human rights. To date, the U.S. remains a country which has not participated in or ratified a series of core UN conventions on human rights, such as *the International Covenant on Economic, Social and Cultural Rights*, *the Convention on the Rights of the Child*, *the Convention on the Elimination of All Forms of Discrimination against Women*, and *the Convention on the Rights of Persons with Disabilities*.

I. On Life and Personal Security

The U.S. was haunted by serious violent crimes in 2012 with frequent occurrence of firearms-related criminal cases. Its people's lives and personal security were not duly protected.

According to statistics released by the FBI in September 2012, an estimated 1,203,564 violent crimes occurred in the U.S. in 2011, about 386.3 violent crimes per 100,000 inhabitants. Aggravated assaults accounted for 62.4 percent of violent crimes reported to law enforcement. Robbery reached 29.4 percent of violent crimes, forcible rape accounted for 6.9 percent, and murder amounted to 1.2 percent of estimated violent crimes in 2011. And firearms were used in 67.7 percent

of the nation's murders, 41.3 percent of robberies, and 21.2 percent in all crimes in the U.S.

Americans are the most heavily armed people in the world per capita. According to a CNN report on July 23, 2012, there were an estimated 270 million guns in the hands of civilians in the U.S. and more than 100,000 people were shot by guns each year. In 2010, there were more than 30,000 deaths caused by firearms. However, the U.S. government has done little in gun control. In 2008 and 2010 landmark Supreme Court rulings on two firearms-related cases dramatically diminished the authority of state and local governments to limit gun ownership. Roughly half of the 50 U.S. states have adopted laws allowing gun owners to carry their guns openly in most public places. And many states have 'stand your ground' laws that allow people to kill if they come under threat, even, in some cases, if they can escape the threat without violence. According to an article on the website of *the Hindu* on August 7, 2012, in population-adjusted terms, civilians in some parts of the U.S. are more likely to become the victim of a firearms-related murder than their counterparts in war-torn regions like Iraq or Afghanistan. On January 16, 2013, the U.S. president announced 23 steps on gun control to take

immediately without congressional approval. And the president signed three of the measures. But the public opinion generally believes that the gun-control measures will encounter great resistance.

According to a report on *the USA Today's* website on October 17, 2012, the violent crime rate went up 17 percent in 2011. Firearms-related violent crimes posed as one of the most serious threats to the lives and personal security of the U.S. citizens. Statistics showed that an estimated 14,612 people fell victims of murder in 2011 and 9,903 of them were firearms-related murder victims (Website of the Federation of American Scientists, www.fas.org, November 14, 2012). The U.S. witnessed more firearms-related violent crimes in 2012. According to NYPD statistics published on September 2, 2012, there had been 1,001 shootings so far that year in New York, about 3.4 percent more than the 968 reported at the same time the previous year (*NY Daily News*, September 9, 2012). According to statistics from the website of Chicago Police Department, there were 2,460 shooting incidents in Chicago in 2012, up 10 percent year on year. Some of the shootings were quite bloody and terrifying, such as the movie theater shooting in Colorado and the school shooting in Connecticut.

On July 20, 2012, James E. Holmes, 24, entered a movie theater in Aurora, Colorado, carrying an AR-15 rifle, a 12-gauge shotgun and at least one handgun. He sprayed people at the theater who were watching a movie, leaving at least 12 dead and 59 wounded. A witness said: “He was just literally shooting everyone, like hunting season.” According to a CNN report on July 21, law enforcement documents showed that the weapons were purchased legally by Holmes at sporting goods stores in the Denver area over a six-month period before the shooting happened. According to a CNN report on July 23, in wake of the shooting rampage in Colorado, New York City Mayor Michael Bloomberg said: “I don’t think there’s any other developed country in the world that has remotely the problem we have.”

On December 14, 2012, 20-year-old Adam Lanza fatally shot 20 children and six adult staff members at Sandy Hook Elementary School in Newtown, Connecticut. He committed suicide after that. But before he came to the school, he had shot and killed his mother. The incident was the second deadliest school shooting in the U.S. history, after the 2007 Virginia Tech massacre which left 32 killed.

II. On Civil and Political Rights

The recent years have seen closer surveillance of American citizens by the U.S. government. In the country, abuse of suspects and jail inmates is common occurrence, and equal suffrage enjoyable by citizens continues to be undermined.

The U.S. government continues to step up surveillance of ordinary Americans, restricting and reducing the free sphere of the American society to a considerable extent, and seriously violating the freedom of citizens. The U.S. congress approved a bill in 2012 that authorizes the government to conduct warrantless wiretapping and electronic communications monitoring, a move that violates people's rights to privacy. According to a report carried on May 4, 2012 by the CNET website, the FBI general counsel's office has drafted a proposed law requiring that social-networking websites and providers of VoIP, instant messaging, and Web e-mail to alter their code to ensure their products are wiretap-friendly (news.cnet.com, May 4, 2012). Documents released by the American Civil Liberties Union on September 27, 2012, reveal that federal law enforcement agencies are increasingly monitoring American's electronic communications. Between 2009 and 2011, the Justice Department's combined number

of original orders for “pen registers” and “trap and trace devices” used to spy on phones increased by 60 percent, from 23,535 in 2009 to 37,616 in 2011. The number of authorizations the Justice Department received to use these devices on individuals’ email and network data increased 361 percent between 2009 and 2011. The National Security Agency collects purely domestic communications of Americans in a “significant and systematic” way, intercepting and storing 1.7 billion emails, phone calls and other types of communications every day. A Wired investigation published in March 2012 revealed the NSA is currently constructing a huge data center in Utah, meant to store and analyze “vast swaths of the world’s communications” from foreign and domestic networks (*The Guardian*, July 10, 2012). As the American Civil Liberties Union explained in its December 2011 report, the U.S. could potentially use military drones to spy on its citizens (*Fars News Agency*, June 26, 2012).

On September 17, 2012, on the first anniversary of Occupy Wall Street’s initial demonstration, confrontations between protesters and police around the Wall Street resulted in the arrests of more than 100 people (*The New York Times*, September 17, 2012). The U.S. journalist community is worried about

the continued toughening up of legislation on mass media. It is frequent that journalists in the U.S. lose their jobs because of “politically incorrect” opinions (www.mid.ru, October 22, 2012).

Complaints and allegations of American police violating rights of suspects and jail inmates are going up. A litany of lawsuits was brought against the New York City Police Department, with police officers charged with violating civil rights in law enforcement. According to a report carried by *the Chicago Tribune* on March 6, 2012, jail inmate Eugene Gruber, 51, was paralyzed a day after he walked into a jail where he was believed to have been maltreated. He died of injury four months after the jail incident. Another report by the *Chicago Tribune* on March 21, 2012 showed that suspect Darrin Hanna suffered trauma from physical restraint and Taser shocks during a struggle with North Chicago police and died a week later. The CNN reported on May 17, 2012 that some 9.6 percent of the prisoners in state prisons are sexually victimized during confinement, more than double the rate cited in a report on the subject in 2008. In Texas state prisons, many inmates are housed in triple-digit temperatures in Fahrenheit. Four inmates – Larry Gene McCollum, 58; Alexander

Togonidze, 44; Michael David Martone, 57; and Kenneth Wayne James, 52 – died in summer of 2011 from heat stroke, and at least five others were believed to have died from heat-related causes (www.texascivilrightsproject.org, July 7, 2012).

American citizens have never really enjoyed common and equal suffrage. Despite an increase of over eight million citizens in the eligible population in the U.S. presidential election of 2012, voter turnout registered a drop of five million from four years before, with only 57.5 percent of eligible citizens voting (bipartisanpolicy.org, November 8, 2012). A February 2012 report by the Pew Center said America's voter registration system is plagued with errors and inefficiencies that undermine voter confidence and fuel partisan disputes over the integrity of the country's elections (www.pewstates.org).

The U.S. election is like money wars, with trends of the country's policies deeply influenced by political donations. The 2012 election had an estimated cost totalling six billion U.S. dollars. The Obama campaign and the Democratic camp raised 1.06 billion dollars, and the Romney campaign and the Republican camp raised a total of 954 million dollars (www.standard.co.uk, November 6, 2012). Both groups have funding support from business giants. An opinion poll showed that

nearly 90 percent of Americans believe the 2012 election is marked by too many political donations from business circles, which will mean the increased influence of the rich over the country's policy-making (*The International Herald Leader* [Chinese newspaper], November 16, 2012). A Harvard professor said America's political system is sinking into serious crisis as it is under manipulation of interest groups and their sponsors. Election donations give a loose rein to all other defects. American politics are corroding the people, making them increasingly dependent on interest groups (*Internationale Politik*, November & December issue, 2012).

Citing a world-known analyst, the Christian Science Monitor website in a report on November 5, 2012 said America's trouble-prone voting machines, the risk of tampering in those machines, the lack of transparency in vote tabulation, and then the Electoral College system, combine to give the country an election system that leaves much to be desired.

III. On Economic and Social Rights

To date, the U.S. government has not approved the *International Covenant on Economic, Social and Cultural Rights*,