

Status of Human Rights in the United States of America for the 50th Session of the Universal Periodic Review

Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the United States of America (United States) for the 50th session of the Universal Periodic Review (UPR).

Background

2. The United States is a country located in North America and has a population of approximately 331.4 million people.¹ The population is predominantly Christian, with approximately 70.6% identifying as Christian, 22.8% as unaffiliated, 1.9% as Jewish, 0.9% as Muslim, 0.7% as Buddhist, and 0.7% as Hindu.²

3. The United States' last review was held on November 9, 2020.³ As a result of the review, the United States received 347 recommendations, 263 of which it accepted.⁴ It was recommended by Bulgaria, and supported by the United States, that the government “[m]aintain religious freedom as a high priority and continue to engage the international community in constructive initiatives.”⁵ It was also recommended by Canada, and supported by the United States, that the government “[t]ake action to support equitable access to sexual and reproductive health and rights services, and review policies that effectively limit foreign assistance for sexual and reproductive health and rights services abroad.”⁶

Legal Framework

Religious Freedom

4. The right to religious freedom is a fundamental right that is enshrined in the United States Constitution. Under the First Amendment to the United States Constitution: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech”⁷

¹ Adam Gopnik et al., *United States*, BRITANNICA, <https://www.britannica.com/place/United-States> (last updated Apr. 2, 2025).

² *Religious Landscape Study*, PEW RESEARCH CENTER, <https://www.pewresearch.org/religious-landscape-study/database/> (last visited Apr. 2, 2025).

³ *Universal Periodic Review – United States of America*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/us-index> (last visited Apr. 2, 2025).

⁴ *United States – Infographic*, OHCHR, <https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session36/US/infographic-UNITED-STATES.pdf>.

⁵ OHCHR, UPR of United States of America (3rd Cycle – 36th Session) Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/session36/US/UPR36_United_States_of_America_Thematic_List_of_Recommendations.docx.

⁶ *Id.*

⁷ U.S. CONST. amend. 1.

5. Additionally, the United States is a party to the International Covenant on Civil and Political Rights (ICCPR).⁸ Under Article 18 of the ICCPR:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.⁹

Abortion

6. The idea that all humans are equal is a principle that is enshrined in the foundational document of the United States, the Declaration of Independence. The Declaration of Independence states: “We hold these truths to be self-evident, that all men are *created equal*, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”¹⁰

7. Article 6 of the ICCPR recognizes that “[e]very human being has the inherent right to life.”¹¹ It further states that “[t]his right shall be protected by law. No one shall be arbitrarily deprived of his life.”¹² Also, under Article 19, “[e]veryone shall have the right to hold opinions without interference.”¹³

8. In addition, the United States has a responsibility to uphold pro-life principles enshrined in other international agreements such as the UN Charter, the Universal Declaration of Human Rights (UDHR), and the 1994 Cairo Conference on Population and Development.

Religious Freedom and Conscientious Protection

Background

9. In our last UPR, we commended the United States for advancing freedom of religion, respecting the freedom of conscience, and recognizing the humanity of children in the womb. However, under the Biden Administration, Christians have been targeted for peacefully practicing their faith, conscientiously objecting to performing abortions and praying outside of abortion clinics. The Biden Administration’s efforts to target Christians were highlighted in a February 2025 Executive Order (EO):

Yet the previous Administration engaged in an egregious pattern of targeting peaceful Christians, while ignoring violent, anti-Christian offenses. The Biden Department of Justice sought to squelch faith in the

⁸ *Ratification Status for the United States of America*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=187&Lang=en (last visited Apr. 2, 2025).

⁹ International Covenant on Civil and Political Rights art. 18, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

¹⁰ THE DECLARATION OF INDEPENDENCE para. 2 (U.S. 1776).

¹¹ ICCPR, *supra* note 9, art. 6.

¹² *Id.*

¹³ *Id.* art. 19.

public square by bringing Federal criminal charges and obtaining in numerous cases multi-year prison sentences against nearly two dozen peaceful pro-life Christians for praying and demonstrating outside abortion facilities.¹⁴

Religious Freedom

10. Since the United States' last UPR, hostile incidences against churches have been on the rise.¹⁵ One report found that in 2023, there were 436 incidents carried out against churches that year alone.¹⁶ This is more than double the number of incidents carried out in 2022 and eight times the number of incidents in 2018.¹⁷ Out of those incidents, seventy-five were for arson attacks, twenty were for bomb threats, and ten involved gun-related incidents.¹⁸ While most of the gun-related incidents resulted in no one getting hurt, this number does include a shooting at a Presbyterian school, which resulted in the deaths of six people including three children.¹⁹ The vast majority of attacks involved acts of vandalism.²⁰ In addition to these violent incidents, Christians have also been denied their right to peacefully gather and participate in Bible studies.

11. For example, in 2024, a Christian pastor requested to use a community meeting room in his town's library to hold Bible studies and gatherings for grief support.²¹ Even though the library's policies state that rooms are available for regular use and open for the public for informational, educational, cultural, and civic benefit, the Town Administration and Legal Counsel informed them that they could not reserve the room for recurring events such as Bible studies.²²

12. Throughout 2024, numerous Christians were denied from holding Bible studies in senior living centers.²³ The ECLJ's affiliate, American Center for Law and Justice (ACLJ), sent a letter to the U.S. Department of Housing and Urban Development informing them about the discrimination that had been uncovered:

Instances of discrimination we have addressed include: (1) Bible studies prohibited from common areas/rooms while other resident-led groups are able to utilize the same area for other gatherings such as card games, board games, and knitting clubs; (2) religious decorations banned while allowing a variety of other decorations; (3) Bible studies and other religious gatherings banned from advertising the event in common areas where other resident-led groups

¹⁴ *Eradicating Anti-Christian Bias*, THE WHITE HOUSE (Feb. 6, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/eradicating-anti-christian-bias/>.

¹⁵ Samantha Kamman, *436 Acts of Hostility Against US Churches Documented in 2023: Report*, THE CHRISTIAN POST (Feb. 22, 2024), <https://www.christianpost.com/news/436-acts-of-hostility-against-us-churches-documented-in-2023.html>.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ Nathan Moelker, *ACLJ Takes Action After Government Blocks Church From Using Public Library Meeting Space and Orders Newspaper to Remove Church's Ad*, ACLJ (Aug. 15, 2024), <https://aclj.org/religious-liberty/aclj-takes-action-after-government-blocks-church-from-using-public-library-meeting-space-and-orders-newspaper-to-remove-churchs-ad>.

²² *Id.*

²³ Jordan Sekulow, *ACLJ Fires Off Demand Letter to Biden's DOJ and HUD to Stop Senior Living Centers from Banning Resident Bible Studies*, ACLJ (July 19, 2024), <https://aclj.org/religious-liberty/aclj-fires-off-demand-letter-to-bidens-doj-and-hud-to-stop-senior-living-centers-from-banning-resident-bible-studies>.

advertise their events; and (4) religious literature banned in common areas used by other individuals for various pamphlets, flyers, and business cards.²⁴

13. That same year, a fourteen-year employee of the Transportation Security Administration (TSA) was denied a religious accommodation to attend church.²⁵ The employee offered to make up the missed hours by working another shift but was told that, according to TSA policy she could not work a shift that she was not assigned.²⁶ However, the TSA had permitted another coworker for working an alternate schedule for a nonreligious reason.²⁷ All the employee wanted to do was attend a weekly church service on Sunday.²⁸

14. Christians have also been targeted by government agencies such as the Federal Bureau of Investigation (FBI). It was reported that investigators from the FBI requested that banks filter and search customer transactions using terms like “MAGA” and “Trump” and that purchasing “religious texts” could be a sign of extremism.²⁹ One congressional report noted that those who “purchased religious texts like a bible, may also have had their transactions flagged.”³⁰

15. Unfortunately, the FBI’s targeting of Christians did not stop there. On January 23, 2023, an intelligence analyst with the FBI published a document titled “Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology.”³¹ This document noted that the FBI has determined that there is an overlap between far-right white nationalist groups and Traditional Catholics who attend the “traditional Latin mass.”³² It is extremely concerning that the FBI would be targeting Catholics as far-right white nationalist, just because of the mass they choose to attend.

16. In 2023, a school teacher in Texas gathered with friends and other teachers to pray at the school flagpole.³³ The teachers were later called into the principal’s office and were told that they could not pray in the presence of students.³⁴ They were informed that it was against the law to pray publicly where students could see them, and thus the teachers were prohibited from praying in the school parking lot.³⁵

17. Thankfully, after the 2024 election the Trump administration has once again been committed to advancing and protecting religious freedom. On February 7, 2025, an EO was

²⁴ *Id.*

²⁵ Garrett Taylor, *ACLJ Taking on TSA as Agency Denied Our Client’s Religious Accommodation to Attend Church*, ACLJ (July. 23, 2024), <https://aclj.org/religious-liberty/aclj-taking-on-tsa-as-agency-denied-our-clients-religious-accommodation-to-attend-church>.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Jordan Sekulow, *FBI Obtained Bank Records Flagging Conservatives “MAGA” & “Trump” Purchases*, ACLJ (Jan. 18, 2024), <https://aclj.org/government-corruption/fbi-obtained-bank-records-flagging-conservatives-maga-and-trump-purchases>.

³⁰ *Federal Government Flagged Transactions Using Terms Like “Maga” and “Trump” for Financial Institutions*, HOUSE JUDICIARY COMMITTEE (Jan. 17, 2024), <https://judiciary.house.gov/media/press-releases/federal-government-flagged-transactions-using-terms-maga-and-trump-financial>.

³¹ *FBI Targeting Christians*, ACLJ, <https://aclj.org/religious-liberty/fbi-targeting-christians> (last visited Apr. 2, 2025).

³² *Id.*

³³ Nathan Moelker, *ACLJ Wins Victory for Teacher to Have Right to Pray at the Pole*, ACLJ (Sept. 24, 2024), <https://aclj.org/religious-liberty/aclj-wins-victory-for-teacher-to-have-right-to-pray-at-the-pole>.

³⁴ *Id.*

³⁵ *Id.*

issued establishing the White House Faith Office.³⁶ Section 1 of the EO states, “[t]he executive branch is committed to ensuring that all executive departments and agencies [] honor and enforce the Constitution’s guarantee of religious liberty and to ending any form of religious discrimination by the Federal Government.”³⁷ It further stated that the White House Faith Office shall “support agencies in developing and implementing training and education regarding religious liberty exceptions, accommodations, or exemptions” and

(x) work in collaboration with the Attorney General, or a designee of the Attorney General, to identify concerns raised by faith-based entities, community organizations, and houses of worship about any failures of the executive branch to enforce constitutional and Federal statutory protections for religious liberty; and

(xi) identify and propose means to reduce burdens on the free exercise of religion, including legislative, regulatory, and other barriers to the full and active participation of faith-based entities, community organizations, and houses of worship in government-funded or government-conducted activities and programs.³⁸

Protections for Life and Conscientious Objectors

18. Christians have also been targeted for peacefully praying outside of abortion clinics. Further, Christian healthcare workers have been forced to violate their deeply held religious beliefs and forced to participate in carrying out abortions.

19. For example, on December 28, 2024, a pro-life advocate and his wife traveled to the Northeast Ohio Women’s Center (NEOWC), an abortion clinic located in Ohio.³⁹ Outside the abortion clinic, the pro-life advocate used a small battery-powered megaphone to speak out against abortion in hopes of reaching those passing by or entering the clinic.⁴⁰ His purpose was to share his deeply held religious beliefs regarding the sanctity of human life and offer hope to women who were considering having an abortion.⁴¹ It is important to note that the couple remained on a public sidewalk and never encroached on the property or visitors.⁴² The couple was met with hostility, threats, and taunts from people walking women in to the clinic.⁴³ Eventually, the police received a noise complaint and cited the pro-life advocate for disorderly conduct.⁴⁴ This was done even though the police never spoke to the advocate nor asked anyone else what happened.⁴⁵ Further, the abortion escorts were not cited for threatening the advocate and making excessive noise.⁴⁶ The advocate was then informed by police that if he ever “caused annoyance or a disturbance” at that location again, regardless of whether he had a megaphone, he could be arrested and face

³⁶ *Establishment of the White House Faith Office*, THE WHITE HOUSE (Feb. 7, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/establishment-of-the-white-house-faith-office/>.

³⁷ *Id.* § 1.

³⁸ *Id.* § 4.

³⁹ *A Growing Threat to Pro-Life Advocates: Challenging Unconstitutional, Weaponized Prosecution*, ACLJ (Jan. 8, 2025), <https://aclj.org/pro-life/a-growing-threat-to-pro-life-advocates-challenging-unconstitutional-weaponized-prosecution>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

further penalties.⁴⁷

20. Unfortunately, this story is not an isolated experience. Numerous individuals have been arrested for praying and demonstrating outside abortion clinics.⁴⁸ Thankfully, on January 23, 2025, pardons were issued for twenty-three individuals who were arrested for demonstrating outside abortion clinics.⁴⁹

21. Those who stand up for the life of preborn babies have also been labeled as “terrorist groups.”⁵⁰ For example, Operation Rescue, a pro-life nonprofit organization, was labeled as a terrorist group in Army training materials at Fort Liberty.⁵¹ In response to this, we sent a demand letter to the Army.⁵² As we explained in the letter:

The idea that those who stand for the sanctity of life – a fundamental tenet of many faiths and a constitutionally protected belief – could be equated with terrorists is not only factually incorrect but also represents a dangerous conflation of peaceful advocacy with violent extremism. This situation is reminiscent of past attempts by government entities to stigmatize and marginalize conservative and Christian viewpoints.⁵³

22. Thankfully, after our demand letter, and with the help of Rep. Banks, the Army apologized for labeling Operation Rescue as a terrorist group and stated that labeling non-profit publicly advocacy groups, like Operation Rescue, is “inconsistent with the Army’s Antiterrorism policy and training.”⁵⁴

23. Healthcare workers have also been forced to choose between their jobs and their deeply held religious beliefs to not participate in the killing of preborn babies. For example, in October 2024, Presbyterian Hospital in Albuquerque, New Mexico, changed its policy requiring that ultrasound technicians assist in abortions.⁵⁵ The hospital stipulated that exemptions could not be guaranteed.⁵⁶ If an accommodation is not granted and the employee is unwilling to participate in the abortion, he would risk job reassignment or termination.⁵⁷

24. Since January 2025, the Trump administration has taken action to advance the pro-life cause and affirm that all human life has dignity, even preborn babies. In January 2025, the United States informed the other signatories that it fully intends to rejoin the Geneva

⁴⁷ *Id.*

⁴⁸ *Eradicating Anti-Christian Bias*, *supra* note 14.

⁴⁹ Kurt Jensen, *Trump Pardons 23 Pro-Life Activists Convicted of FACE Act Violations*, NATIONAL CATHOLIC REPORTER (Jan. 24, 2025), <https://www.ncronline.org/news/trump-pardons-23-pro-life-activists-convicted-face-act-violations>.

⁵⁰ Jordan Sekulow, *Victory: After ACLJ Demand Letter, Army Acknowledges That Operation Rescue was Wrongfully Called a Terrorist Group*, ACLJ (Oct. 21, 2024), <https://aclj.org/pro-life/victory-after-aclj-demand-letter-army-acknowledges-that-operation-rescue-was-wrongly-called-a-terrorist-group>.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ Olivia Summers, *ACLJ Sends Demand Letter to Hospital to Prevent 5 Ultrasound Technicians From Being Forced to Assist in Abortions*, ACLJ (Feb. 18, 2025), <https://aclj.org/pro-life/aclj-sends-demand-letter-to-hospital-to-prevent-5-ultrasound-technicians-from-being-forced-to-assist-in-abortions>.

⁵⁶ *Id.*

⁵⁷ *Id.*

Consensus Declaration on Promoting Women’s Health and Strengthening Family.⁵⁸ This declaration, among other things, recognizes the importance of countries to:

Improve and secure access to health and development gains for women, including sexual and reproductive health, which must always promote optimal health, the highest attainable standard of health, without including abortion;

Reaffirm that there is no international right to abortion, nor any international obligation on the part of States to finance or facilitate abortion, consistent with the long-standing international consensus that each nation has the sovereign right to implement programs and activities consistent with their laws and policies.⁵⁹

25. Additionally, it was recommended during the United States’ last UPR that the government “review policies that effectively limit foreign assistance for sexual and reproductive health and rights services abroad.”⁶⁰ Thankfully, this recommendation has effectively been rejected as it is not the responsibility of the United States taxpayers to fund such a horrific and barbaric procedure in other countries. In January 2025, the Mexico City Policy was reinstated to ensure that foreign aid did not go to any organization that provides abortion services in any other country.⁶¹

26. The United States is justified in preventing foreign aid from going to organizations that promote abortion abroad. This is because there is no such thing as an international right to abortion. In fact, the opposite is true. Numerous fundamental human rights documents recognize the inherent dignity of the human being, regardless of stage of life. Again, the ICCPR states, “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”⁶² Further, the UDHR states that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,” and that “[e]veryone has the right to life.”⁶³ Further, this goes to show that there is no right to an abortion, and in fact, that 1994 Cairo Conference on Population and Development calls on U.N. Member States to “reduce the recourse to abortion.”⁶⁴

Recommendations

⁵⁸ Marco Rubio, *United States Renewed Membership in the Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family*, U.S. DEP’T OF STATE (Jan. 24, 2025), <https://www.state.gov/united-states-renewed-membership-in-the-geneva-consensus-declaration-on-promoting-womens-health-and-strengthening-the-family/#:~:text=Today%2C%20the%20United%20States%20informed,has%20more%20than%2035%20signatories>.

⁵⁹ Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family, <https://www.theiwh.org/wp-content/uploads/2024/11/Geneva-Consensus-Declaration-GCD-English-2024.pdf>.

⁶⁰ OHCHR, *supra* note 5.

⁶¹ Rachel Carlson and Fatma Tanis, *Trump Re-Enacts Policy Banning Aid to Groups Abroad that Discuss or Provide Abortions*, NPR (Jan. 24, 2025), <https://www.npr.org/sections/goats-and-soda/2025/01/24/g-s1-42914/trump-abortion-re-enacts-policy-cutting-aid-to-groups-abroad-that-discuss-or-provide-abortions>.

⁶² ICCPR, *supra* note 9, art. 6.

⁶³ G.A. Res. 217 (III) A, Universal Declaration of Human Rights, pmbl., art. 3 (Dec. 10, 1948).

⁶⁴ International Conference on Population and Development, *Report of the International Conference on Population and Development*, ¶ 8.25, U.N. Doc. A/CONF.171/13/Rev. 1, https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/a_conf.171_13_rev.1.pdf.

27. We are hopeful that the new administration will take steps to advance religious freedom and uphold protections for all human life. We want to encourage the United States to protect religious freedom, the conscience of religious healthcare workers, and the lives of preborn babies. We also want to commend the United States for the efforts it has taken since January 2025 to undo the damage done by the previous administration.