

Report Submitted to the UPR Mechanism on The Review of USA

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Submitted by: Partners for Transparency (granted consultative status with the ECOSOC)

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Introduction

Partners for Transparency submits this report to the Working Group on the UPR to assess the progress made by the USA in implementing the recommendations made to it during the periodic review of its human rights record in November 2020, and to monitor the State party's compliance with its international human rights commitments and obligations undertaken during the third UPR cycle.

Partners Foundation has noticed that the US authorities have not committed to taking decisive and tangible measures to implement a wide range of the recommendations it accepted. Over the past years, it has failed to improve its human rights record and address the most serious human rights violations plaguing the country, including violations related to the escalation of racial discrimination and inequality, crimes and racist hate speech, in addition to the spread of corruption and the lack of transparency in the transfer and trade of weapons used to kill civilians in third countries, and the escalation of armed violence and the unlawful use of force. In light of the above, Partners for Transparency reviews the most significant human rights developments and updates that have occurred in the US' human rights record since the last UPR cycle, as follows:

Scope of international obligations and cooperation with international human rights mechanisms and bodies

During the previous UPR cycles in 2010, 2015, and 2020, the US received a number of recommendations calling on it to expand its international obligations and ratify relevant international human rights treaties. However, out of the 9 core international human rights instruments, the US has ratified only 3. It remains the only country in the world that has not yet ratified the Convention on the Rights of the Child. The US is also not a party to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Covenant on Economic, Social, and Cultural Rights.

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The US has also not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize, Protocols I and II to the Geneva Conventions, the Rome Statute of the International Criminal Court, the Comprehensive Nuclear-Test-Ban Treaty, the Treaty on the Prohibition of Nuclear Weapons, and the Arms Trade Treaty.

In addition, Partners Foundation followed with concern the US' withdrawal from the UN Human Rights Council on 4 February 2025. This means cutting off American financial and political support for the Council, raising concerns about the impact of this withdrawal on the global human rights system, especially since the US government is one of the largest financial contributors to the Council and the UN system. In addition, funding was suspended for the UN Relief and Works Agency for Palestine Refugees (UNRWA), which provides assistance to Palestinian refugees.¹ This was in addition to the imposition of US sanctions on officials of the International Criminal Court on 6 February 2025, in response to the court's issuance of arrest warrants against Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant, on charges of committing war crimes and crimes against humanity. This undermines international justice institutions and limits the ability of international human rights mechanisms and bodies to carry out their roles in protecting and promoting human rights.²

Partners Foundation emphasizes that the US' withdrawal from international organizations and the imposition of sanctions on some of them demonstrates a clear lack of cooperation by the US government with international bodies and mechanisms for the protection of human rights, and ignores the recommendations submitted to the US government by UN member states during previous periodic reviews.

Corruption, lack of transparency and accountability in arms transfers and trade

The US is the world's largest arms exporter, controlling 42% of the global arms trade, surpassing its many competitors combined. However, the US arms trade is plagued by corruption, lack of transparency, and lack of accountability, which have serious repercussions for the lives of civilians in many countries. In this regard, Partners Foundation notes that the US arms trade is highly opaque, secretive, and lacks transparency. Data and information related to the arms trade are largely classified, withheld, unavailable in a timely manner, or otherwise difficult to access.³ According to recent data released by the State Department's Office of the Inspector General in December 2024, more than 4,211 arms transfers were carried out clandestinely without notifying the US Congress between 2017 and 2020, with a total value of approximately \$11 billion. This indicates a lack of transparency in the US arms trade.⁴

This is in addition to the decline in the quality and quantity of government reports on US arms sales and military aid to countries importing these weapons. Annual reports on foreign military sales have

¹ Trump withdraws the U.S. from the United Nations Human Rights Council. npr. February 4, 2025. Link: <https://tinyt.co/3BX4>

² IMPOSING SANCTIONS ON THE INTERNATIONAL CRIMINAL COURT. The White House. February 6, 2025. Link: <https://tinyt.co/3BX9>

³ The Hidden Costs: Transparency and the US Arms Trade. Stimson Center. December 16, 2024. Link: <https://tinyt.co/3BbL>

⁴ The Hidden Costs: Transparency and the US Arms Trade. STIMSON. December 2024. Link: <https://tinyt.co/3Bib>

shifted from detailed data containing comprehensive details to aggregate figures that are limited to general totals without clarification, which limits the possibility of comprehensive insight into the size and scope of the arms trade with various countries and the impact of this trade on the human rights situation in countries importing weapons. The US administration has also increasingly used secret classifications such as “for official use only” to restrict access to information and facts about the final destinations and volume of weapons, with frequent delays in publishing reports related to arms sales of up to several months or even years, which raises serious concerns about transparency and accountability in the US arms trade.⁵

Partners Foundation notes that the decline in transparency in the arms trade and sales in the US has significantly undermined government accountability efforts, particularly in cases where these weapons are used to commit gross human rights violations in importing countries. The lack of accountability, strict oversight, and transparent mechanisms in the US arms trade and arms deals has contributed to the prolongation of armed conflicts, encouraged gross human rights violations, and exacerbated genocide in several countries around the world.

For example, Israel imports the bulk of its weapons and military equipment from the United States. Data shows that 69% of Israel's arms imports came from the US 2019 and 2023.⁶ US authorities have circumvented the law by secretly offering more than 100 arms deals to Israel, exploiting legal loopholes to avoid congressional oversight since the start of the war on the Gaza Strip. This raises concerns about transparency and accountability in US arms sales, especially in light of the ongoing conflict in Gaza and its humanitarian repercussions.⁷

In this context, US arms sales and trade with Israel have contributed to the commission of gross human rights violations and crimes of genocide against the Palestinian people, particularly in the context of the Israeli aggression on Gaza since October 2023. This is despite international warnings issued by the UN and its representatives, which emphasized that the transfer of arms and ammunition to Israel constitutes serious violations of human rights and international humanitarian laws and threatens the complicity of the US and other arms-exporting countries in international crimes and crimes of genocide committed against the Palestinian people in the Gaza Strip.⁸ This is despite the fact that providing military assistance to Israel violates US law itself, as Section 502B of the Foreign Assistance Act of 1961 prohibits arms transfers to countries that do not abide by the laws of armed conflict and violate human rights. Section 620I of the same law also prohibits the provision of military and security assistance to countries that obstruct the transfer or delivery of US humanitarian aid, which Israel has done, according to the USAID.⁹

Violence and Racial Hate Crimes

⁵ Diminishing Transparency in the US Arms Trade. Stimson Center. July 9, 2024. Link: <https://tinyurl.com/3BbM>

⁶ US Arms Transfers To Israel – A Complex Legal And Political Issue. Australian Institute of International Affairs. 28 Nov 2024. Link: <https://tinyurl.com/22yvwzhq>

⁷ US uses loophole to keep 100 arms sales to Israel under the radar amid Gaza war – report. The guardian. 6 Mar 2024. Link: <https://tinyurl.com/3Bij>

⁸ States and companies must end arms transfers to Israel immediately or risk responsibility for human rights violations: UN experts. OHCHR. 20 June 2024. Link: <https://tinyurl.com/23dh4h8q>

⁹ Why Courts Don't Enforce Arms Transfer Restrictions Under U.S. Law. Global Security Wire. September 26, 2024. Link: <https://tinyurl.com/3BiA>

In recent years, the US has witnessed a significant increase in incidents of racist violence and hate crimes, particularly against people of immigrant origin, people of African descent, and ethnic and religious minority communities. This raises serious concerns about the US' commitment to the values of equality and pluralism.

In this regard, the latest official data released by the Federal Bureau of Investigation in September 2024 indicated that 11,862 hate crimes occurred in the US in 2023, with 52.5% of these crimes being racially or ethnically motivated. Anti-Black or anti-African American incidents accounted for more than half of these incidents (51.3%), occurring more than 3 times as frequently as incidents targeting other racial or ethnic groups.¹⁰ While unofficial estimates show that unreported racial hate crimes in the US have reached extremely high levels, according to the 2024 National Crime Victimization Survey, an average of approximately 246,000 hate crimes occur annually in the US, indicating significant underreporting of these crimes.¹¹

Police violence and excessive use of force by law enforcement authorities in the US are also on the rise against individuals belonging to racial and ethnic minority communities and people of African descent. In this regard, data indicates that black or African Americans are 3 times more likely to be killed by the police than whites, and 4.5 times more likely to be imprisoned. This indicates a pattern of bias or racial profiling in the American police's treatment of people of African descent, which makes them constantly view them as criminals or suspects.¹²

In addition, the US has witnessed a marked escalation in hostile rhetoric, double standards, and incitement against foreigners and immigrants at the political level, with a disturbing trend emerging among political leaders and government officials to refuse to accept immigrants, particularly those of Arab origin, and to continually call for their deportation. In this regard, Partners Foundation notes that US authorities have taken arbitrary measures against immigrants of Arab origin participating in pro-Palestinian activities, arresting dozens of them in preparation for their deportation outside the country, while supporting the holding of pro-Israel demonstrations. In March 2025, for example, Immigration and Customs Enforcement arrested Palestinian student Mahmoud Khalil in preparation for his deportation for participating in a demonstration at Columbia University rejecting the Israeli war on the Gaza Strip. This constitutes a disturbing pattern of racial bias, double standards, and a clear violation of the right to freedom of expression and peaceful assembly.¹³

With anti-Arab and anti-Muslim sentiment on the rise, US authorities launched the first US National Strategy to Combat Islamophobia and Anti-Arab Hatred in December 2024, aiming to address the discrimination and threats facing these communities. However, hostile rhetoric and discriminatory policies remain a major challenge for Arab and Muslim communities in the United States.¹⁴

Racial discrimination against religious and ethnic minorities

¹⁰ 2023 FBI Hate Crimes Statistics, Us Department of Justice. Link: <https://tinyt.io/C23v>

¹¹ 10 Numbers that Reveal the Real State of Hate in 2024, Life After Hate, January 31, 2025 . link: <https://tinyt.io/C241>

¹² Mapping Police Violence, Updated August 8, 2024, link: <https://tinyt.io/BKgX>

¹³ Immigration agents arrest Palestinian activist who helped lead Columbia University protests. March 10, 2025. Link: <https://tinyt.io/3BpS>

¹⁴ White House releases national strategy to combat Islamophobia. Voice of America English News. December 12, 2024. Link: <https://tinyt.io/3BxG>

Racial discrimination against individuals belonging to religious and ethnic minority communities is a growing concern in the United States. Individuals of immigrant origin, people of African descent, and ethnic and religious minority communities face widespread, systemic discrimination, particularly in hiring, promotion, salary payments, and access to housing and education.

In this regard, a recent study released in June 2024 showed that more than 75% of Black Americans or people of African descent faced widespread racial discrimination in the US, particularly in employment, housing, and healthcare services.¹⁵ During 2024, more than 8,658 racial discrimination complaints against Muslims and Arabs were recorded in several areas, including employment, immigration, and education. This represents a 7.4% increase compared to 2023, the highest number recorded in 30 years.¹⁶ This indicates a disturbing increase in incidents of racial discrimination against ethnic and religious minorities in the US.

In the same context, Black Americans or people of African descent face discrimination and racial disparities in access to housing and home ownership. The latest data indicates that the rate of home ownership among Black Americans has reached about 45.7%, compared to about 74.3% among white Americans. This means that there is a gap in home ownership between white and black Americans of about 28.6 percentage points, indicating the persistence of racial disparities in homeownership opportunities.¹⁷

Additionally, Black Americans or people of African descent face discrimination in hiring and wages. A recent study revealed that job applicants with names that indicate they are white are 50% more likely to be contacted for interviews than those with names that indicate they are black, despite their similar qualifications and resumes.¹⁸ Recent statistics released in February 2025 showed that the national unemployment rate for blacks and whites in the US in 2024 was 1.9 to 1, meaning that unemployment among blacks was nearly twice as high as that of whites. This indicates a persistent gap in employment opportunities between black and white Americans.¹⁹ Furthermore, the average income of black Americans was 20% lower than that of their white counterparts, even after adjusting for education and age.²⁰

Recommendations

In light of the above, Partners for Transparency presents its recommendations to the US government as follows:

Scope of international obligations and cooperation with international human rights mechanisms and bodies

¹⁵ Racial discrimination shapes how Black Americans view their progress and U.S. institutions. Pew Research Center. June 15, 2024. Link: <https://tinyl.co/3Bxx>

¹⁶ Israel-Gaza war behind record high US anti-Muslim incidents, advocacy group says. Reuters. March 11, 2025. Link: <https://tinyl.co/3ByA>

¹⁷ Rate of homeownership in the United States in 2023, by race. Statista. Jul 5, 2024. Link: <https://tinyl.co/3ByP>

¹⁸ Workplace and Employment Discrimination Statistics | Update 2024. Link: <https://tinyurl.com/2apudyf>

¹⁹ State Unemployment by Race and Ethnicity. Economic Policy Institute. February 2025. Link: <https://tinyurl.com/y3y77fz5>

²⁰ New 2024 Data Highlights Ongoing Economic Disparities Faced By Black People Due to Systemic Discrimination. FPWA . August 28, 2024. Link: <https://tinyurl.com/27lp3jkw>

- Ratify core international human rights treaties that the US has not yet ratified, such as 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.
- Rejoin the UN Human Rights Council and support it financially and politically to strengthen the global human rights system.
- Halt sanctions imposed on International Criminal Court officials and respect its independence in achieving international justice.

Corruption and Lack of Transparency and Accountability in Arms Transfers and Trade

- Enhance transparency in the arms trade by publishing detailed and periodic reports on arms deals, including final destinations and sales volumes.
- Fix legal loopholes that allow for clandestine arms transfers without congressional oversight, and ensure that all deals are subject to parliamentary review.
- Halt arms transfers to countries that violate human rights and international humanitarian laws, such as Israel, in accordance with relevant US laws.
- Establish an independent mechanism to monitor the arms trade and assess its impact on human rights in importing countries.

Racial Violence and Hate Crimes

- Strengthen legislation and laws that criminalize hate crimes and racial violence, and ensure perpetrators are held accountable.
- Improve hate crime reporting to ensure all cases are accurately recorded, and support victims with legal and psychological services.
- Train police forces to address racial and religious diversity and prevent excessive use of force against minorities.

Racial Discrimination Against Religious and Ethnic Minorities

- Pass strict legislation to combat discrimination in employment, housing, and education, and ensure equal opportunity for all citizens without exception.
- Support fair housing initiatives to close the homeownership gap between white and Black Americans.
- ☐ Conduct periodic reviews of employment and wage policies to ensure equality and address racial income disparities.