

## FOLLOW UP TO THE PREVIOUS REVIEW

1. During the USA's third Universal Periodic Review in 2020, it received 347 recommendations.<sup>1</sup> It supported 177, rejected 68, and gave qualified or partial support to the rest.<sup>2</sup> Amnesty International draws attention to the USA's lack of action on recommendations regarding ratification since the previous UPR.

## NATIONAL HUMAN RIGHTS FRAMEWORK

2. 65 recommendations concerned ratifications or withdrawal of reservations to previous ratifications.<sup>3</sup> The USA rejected some<sup>4</sup> but fully supported others.<sup>5</sup> However, it has yet to ratify any of these treaties.
3. Despite committing to engage with international mechanisms during the previous review, since 2025, the USA has taken the opposite approach – withdrawing from the WHO and UN Human Rights Council, reviewing its UNESCO membership, cutting UNRWA funding, and sanctioning the ICC.<sup>6</sup> The Trump administration withdrew the USA for a second time from the Paris Climate Agreement.<sup>7</sup>
4. Additionally, the Trump administration placed a 90-day freeze on all foreign aid, impacting development and humanitarian assistance globally.<sup>8</sup>

## HUMAN RIGHTS ON THE GROUND

### Sexual and reproductive rights

5. In June 2022, the U.S. Supreme Court overturned *Roe v. Wade*, removing the federal constitutional right to abortion and placing abortion policies back in the hands of individual states.<sup>9</sup> Following the decision, state abortion law and policy reforms have varied.<sup>10</sup> As of April 2025, 19 states have total or near-total abortion

<sup>1</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, United States of America, UN Doc. A/HRC/46/15, 15 December 2020, [documents.un.org/doc/undoc/gen/g20/348/52/pdf/g2034852.pdf](https://documents.un.org/doc/undoc/gen/g20/348/52/pdf/g2034852.pdf).

<sup>2</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, United States of America, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, UN Doc. A/HRC/46/15/Add.1, 4 March 2021, [documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf](https://documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf).

<sup>3</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, United States of America, UN Doc. A/HRC/46/15, 15 December 2020, [documents.un.org/doc/undoc/gen/g20/348/52/pdf/g2034852.pdf](https://documents.un.org/doc/undoc/gen/g20/348/52/pdf/g2034852.pdf).

<sup>4</sup> The US rejected recommendations calling for the ratification of certain treaties, the Rome Statute, the Second Optional Protocol to the ICCPR, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Protocol of 1948 to the Forced Labour Convention 1930 (No.29) of the International Labour Organization. Human Rights Council, Report of the Working Group on the Universal Periodic Review, United States of America, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, UN Doc. A/HRC/46/15/Add.1, 4 March 2021, [documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf](https://documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf).

<sup>5</sup> The USA supported, without reservations, calls to ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, and the International Covenant on Economic, Social and Cultural Rights. Human Rights Council, Report of the Working Group on the Universal Periodic Review, United States of America, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, UN Doc. A/HRC/46/15/Add.1, 4 March 2021, [documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf](https://documents.un.org/doc/undoc/gen/g21/055/32/pdf/g2105532.pdf).

<sup>6</sup> Executive Order, Withdrawing the United States from and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to all International Organizations, 4 February 2025, [whitehouse.gov/presidential-actions/2025/02/withdrawing-the-united-states-from-and-ending-funding-to-certain-united-nations-organizations-and-reviewing-united-states-support-to-all-international-organizations/](https://whitehouse.gov/presidential-actions/2025/02/withdrawing-the-united-states-from-and-ending-funding-to-certain-united-nations-organizations-and-reviewing-united-states-support-to-all-international-organizations/); Executive Order, Imposing Sanctions on the International Criminal Court, 6 February 2025, [whitehouse.gov/presidential-actions/2025/02/imposing-sanctions-on-the-international-criminal-court/](https://whitehouse.gov/presidential-actions/2025/02/imposing-sanctions-on-the-international-criminal-court/); Executive Order, Withdrawing the United States from the World Health Organization, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/withdrawing-the-united-states-from-the-worldhealth-organization/](https://whitehouse.gov/presidential-actions/2025/01/withdrawing-the-united-states-from-the-worldhealth-organization/).

<sup>7</sup> Executive Order, Putting America First in International Environmental Agreements, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/](https://whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/).

<sup>8</sup> Executive Order, Reevaluating and Realigning United States Foreign Aid, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/](https://whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/).

<sup>9</sup> US Supreme Court, *Roe v. Wade*, 410 US 113 (1973) 13 December 1971, [supreme.justia.com/cases/federal/us/410/113/](https://supreme.justia.com/cases/federal/us/410/113/); US Supreme Court, *Dobbs, State Health Officer of the Mississippi Department of Health, et al. v. Jackson Women's Health Organization et al.*, 597 US 215, 24 June 2022, [supremecourt.gov/opinions/21pdf/19-1392\\_6i37.pdf](https://supremecourt.gov/opinions/21pdf/19-1392_6i37.pdf).

<sup>10</sup> Guttmacher Institute, Interactive Map: US Abortion Policies and Access After *Roe*, 1 May 2024, [states.guttmacher.org/policies/](https://states.guttmacher.org/policies/).

bans.<sup>11</sup>

6. These bans and restrictions have caused fear, confusion and harm; forced people to delay care and threatened their health and life; and forced people to give birth against their will.<sup>12</sup> The impact is unequal, with added barriers for many, including Black and other people of colour, Indigenous people, migrants, transgender people, rural residents, or those living in poverty.<sup>13</sup>

## Refugee and migrant rights

7. The United States continues to implement migration policies limiting access to asylum at the US-Mexico border, resulting in harm to thousands of individuals seeking safety.<sup>14</sup> On 20 January 2025, President Trump declared a national emergency at the US-Mexico border, suspending entry for foreign nationals without valid visas.<sup>15</sup> The CBP One mobile application's scheduling system for asylum seekers was terminated and all existing appointments were cancelled,<sup>16</sup> leaving no way for individuals to seek asylum at the border.<sup>17</sup>
8. Government agencies have begun to enforcing immigration laws aggressively, deporting individuals without due process to places where they may be at real risk of serious human rights abuses.<sup>18</sup>
9. The Trump administration has revoked temporary protections for people seeking safety who have entered the US in recent years, including ending the Cuban, Haitian, Nicaraguan, Venezuelan (CHNV) Parole Program and Temporary Protection Status for Venezuela, putting thousands of individuals at risk of unlawful deportation.<sup>19</sup>

## Freedom of peaceful assembly

10. Since the previous review, Congress and 41 states introduced 184 bills restricting the right to protest, with 23 bills enacted in 12 states.<sup>20</sup> Many of the laws criminalize specific forms of protest, the wearing of masks or blocking roadways, or increase penalties for existing crimes. Vague and broad laws were used to suppress

<sup>11</sup> The New York Times, "Tracking Abortion Bans Across the Country," The New York Times, 1 April 2024, [nytimes.com/interactive/2024/us/abortion-laws-roe-v-wade.html](https://www.nytimes.com/interactive/2024/us/abortion-laws-roe-v-wade.html).

<sup>12</sup> Amnesty International, *Abortion in the USA – The human rights crisis in the aftermath of Dobbs* (Index: AMR 51/8406/2024), August 2024, [amnestyusa.org/wp-content/uploads/2024/08/Abortion\\_in\\_the\\_USA.pdf](https://www.amnestyusa.org/wp-content/uploads/2024/08/Abortion_in_the_USA.pdf).

<sup>13</sup> Amnesty International, *Abortion in the USA – The human rights crisis in the aftermath of Dobbs* (Index: AMR 51/8406/2024), August 2024, [amnestyusa.org/wp-content/uploads/2024/08/Abortion\\_in\\_the\\_USA.pdf](https://www.amnestyusa.org/wp-content/uploads/2024/08/Abortion_in_the_USA.pdf), pp. 98-123.

<sup>14</sup> Amnesty International, *Americas: Pushback Practices and their Impact on the Human Rights of Migrants and Refugees* (Index: AMR 01/3658/2021) 8 February 2021, [amnesty.org/en/documents/amr01/3658/2021/en/](https://www.amnesty.org/en/documents/amr01/3658/2021/en/), p. 1; Amnesty International, *USA: CBP One – A blessing or a trap?* (Index: AMR 51/7985/2024) 8 May 2024, [amnesty.org/en/documents/amr51/7985/2024/en/](https://www.amnesty.org/en/documents/amr51/7985/2024/en/), pp. 10-19.

<sup>15</sup> Presidential Action, *Declaring a National Emergency at the Southern Border of the United States*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/](https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/); Presidential Action, *Guaranteeing the States Protection against Invasion*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/#:~:text=Under%20the%20authorities%20provided%20to,in%20the%20invasion%20across%20the](https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/#:~:text=Under%20the%20authorities%20provided%20to,in%20the%20invasion%20across%20the); Executive Action, *Securing our Borders*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/securing-our-borders/](https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/).

<sup>16</sup> CBP, "CBP One™ Mobile Application", 20 January 2025, [iptp-production.s3.amazonaws.com/media/documents/CBP\\_One\\_Mobile\\_Application\\_Website\\_Update\\_1.20.25.pdf](https://www.production.s3.amazonaws.com/media/documents/CBP_One_Mobile_Application_Website_Update_1.20.25.pdf).

<sup>17</sup> Amnesty International, *USA: Lives in Limbo - Devastating Impacts of Trump's Migration and Asylum Policies* (Index: AMR 51/9029/2025) 20 February 2025, [amnesty.org/en/documents/amr51/9029/2025/en/](https://www.amnesty.org/en/documents/amr51/9029/2025/en/).

<sup>18</sup> Presidential Action, *Guaranteeing the States Protection against Invasion*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/#:~:text=Under%20the%20authorities%20provided%20to,in%20the%20invasion%20across%20the](https://www.whitehouse.gov/presidential-actions/2025/01/guaranteeing-the-states-protection-against-invasion/#:~:text=Under%20the%20authorities%20provided%20to,in%20the%20invasion%20across%20the); Executive Action, *Securing our Borders*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/securing-our-borders/](https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/).

<sup>19</sup> Executive Action, *Securing our Borders*, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/securing-our-borders/](https://www.whitehouse.gov/presidential-actions/2025/01/securing-our-borders/); DHS, Memorandum for ICE, CBP & USCIS, 23 January 2025, [dhs.gov/sites/default/files/2025-01/25\\_0123\\_er-and-parole-guidance.pdf](https://dhs.gov/sites/default/files/2025-01/25_0123_er-and-parole-guidance.pdf); US Committee for Refugees and Immigrants, "The Administration stops temporary humanitarian protection pathways for Cubans, Haitians, Nicaraguans and Venezuelans", 22 January 2025, [refugees.org/the-administration-stops-temporary-humanitarian-protection-pathway-for-cubans-haitians-nicaraguans-and-venezuelans/#:~:text=On%20January%2020%2C%20the%20Administration,nationals%20with%20U.S.%2Dbased%20sponsors](https://www.refugees.org/the-administration-stops-temporary-humanitarian-protection-pathway-for-cubans-haitians-nicaraguans-and-venezuelans/#:~:text=On%20January%2020%2C%20the%20Administration,nationals%20with%20U.S.%2Dbased%20sponsors); Federal Register, Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status, 90 FR 9040, 2025-02294, 5 February 2025, [federalregister.gov/documents/2025/02/05/2025-02294/termination-of-the-october-3-2023-designation-of-venezuela-for-temporary-protected-status](https://www.federalregister.gov/documents/2025/02/05/2025-02294/termination-of-the-october-3-2023-designation-of-venezuela-for-temporary-protected-status).

<sup>20</sup> International Center for Not-for-Profit Law, US Protest Law Tracker, [icnl.org/usprotestlawtracker/?location=&status=enacted&issue=&date=custom&date\\_from=2021-01-01&date\\_to=2024-12-31&type=](https://icnl.org/usprotestlawtracker/?location=&status=enacted&issue=&date=custom&date_from=2021-01-01&date_to=2024-12-31&type=).

protest movements.<sup>21</sup>

11. In 2023/2024, students and staff at universities across the country engaged in protests in opposition to Israel's genocide in Gaza and the USA's continued supply of munitions. Largely peaceful protests and encampments faced violence from counter-protesters and use of force from law enforcement summoned by college administrations.<sup>22</sup> Police used force, including the use of batons, rubber bullets and rounds, pepper spray and tear gas to disperse and detain protesters. At least 3,100 students, staff and others were arrested or detained during the spring protests.<sup>23</sup>

## Right to life/Police use of force

12. According to media sources, police shot and killed 4,484 people between 2021-2024. Black people were disproportionately impacted, comprising nearly 23% of deaths from police use of firearms during this period, despite representing approximately 13% of the population.<sup>24</sup> After 10 years, the government still has not fully implemented the Death in Custody Reporting Act to document how many people are killed by law enforcement every year.
13. Amnesty International research has shown that state and federal laws on the use of force - where they exist - do not comply with international law and standards regarding the use of firearms force.<sup>25</sup>
14. Congress repeatedly failed to pass the George Floyd Justice in Policing Act which would implement several policies regarding policing practices and law enforcement accountability, such as restricting the use of lethal force, prohibiting chokeholds and racial profiling, among others.

## Death Penalty

15. There were over 80 executions in the USA since its previous review in 2020.<sup>26</sup> In numerous cases, individuals were executed despite serious concerns about the proceedings that led to their convictions, including without adequate legal representation. People with serious mental and intellectual disabilities were executed in violation of international law. Studies demonstrate that race, particularly of the murder victim, plays a role in who is sentenced to death.<sup>27</sup>
16. The Federal government executed 13 individuals from July 2020-January 2021 following a 17-year hiatus. Former President Biden renewed a moratorium on executions in 2021 and commuted 37 federal death sentences before leaving office in December 2024, leaving seven individuals on federal and military death rows. Congress failed to pass legislation to abolish the federal death penalty.
17. Two states abolished the death penalty since 2020, Virginia (2021) and Washington (2023), bringing the total number of states to outlaw this punishment to 23 including the District of Columbia. Governors in several

<sup>21</sup> For instance, in 2023, Georgia charged 61 people with violating the state's Racketeer Influenced and Corrupt Organizations Act with their protests against the construction of a law enforcement and fire department training facility. Many were also charged under a vague and broad domestic terrorism law. All still await trial as of April 2025.

<sup>22</sup> Amnesty International, "Amnesty International Urges University Administrations to Respect and Protect Students' Rights to Protest", 24 April 2024, [amnestyusa.org/press-releases/amnesty-international-urges-university-administrations-to-respect-and-protect-students-rights-to-protest/](https://www.amnestyusa.org/press-releases/amnesty-international-urges-university-administrations-to-respect-and-protect-students-rights-to-protest/).

<sup>23</sup> Amnesty International, "Amnesty International USA Condemns University Administrations' Responses to Campus Protests", 3 May 2024, [amnestyusa.org/press-releases/amnesty-international-usa-condemns-university-administrations-responses-to-campus-protests/](https://www.amnestyusa.org/press-releases/amnesty-international-usa-condemns-university-administrations-responses-to-campus-protests/).

<sup>24</sup> The Washington Post, "10,429 people have been shot and killed by police from 2015 to 2024", 31 December 2024, [washingtonpost.com/graphics/investigations/police-shootings-database/](https://www.washingtonpost.com/graphics/investigations/police-shootings-database/).

<sup>25</sup> Amnesty International, USA: *The World is Watching - Mass Violations by U.S. Police of Black Lives Matter Protesters' Rights* (Index: AMR 51/2807/2020) 2020, [amnestyusa.org/wp-content/uploads/2020/07/WorldisWatchingFullReport080220.pdf](https://www.amnestyusa.org/wp-content/uploads/2020/07/WorldisWatchingFullReport080220.pdf).

<sup>26</sup> Death Penalty Information Center, Execution Database, [deathpenaltyinfo.org/facts-and-research/data/executions?year=2021&year=2022&year=2023&year=2024&year=2020](https://deathpenaltyinfo.org/facts-and-research/data/executions?year=2021&year=2022&year=2023&year=2024&year=2020).

<sup>27</sup> Death Penalty Information Center, Ways that Race Can Affect Death Sentencing, [deathpenaltyinfo.org/policy-issues/biases-and-vulnerabilities/race/ways-that-race-can-affect-death-sentencing](https://deathpenaltyinfo.org/policy-issues/biases-and-vulnerabilities/race/ways-that-race-can-affect-death-sentencing).

states also used their executive authority regarding executions and the death penalty.<sup>28</sup>

18. In 2024, Alabama was the first state to use nitrogen hypoxia as a method of execution. Five men have now been executed via this method. UN experts urged a ban of this method, describing it as “cruel, inhuman and degrading” and “tantamount to torture”.<sup>29</sup> Other states have introduced an adopted legislation to utilize the method despite these concerns.

## Arbitrary detention/Accountability for Torture

19. Following the USA’s previous review, 40 Muslim men remained in the US detention facility in Guantánamo Bay, Cuba. The Biden administration transferred 25 of those men since 2021, leaving 15 men arbitrarily and indefinitely detained at the facility in violation of international law. Three individuals remain cleared for transfer.<sup>30</sup> Recently, Guantanamo detention facility has begun to be used as a migratory detention centre, raising concerns over conditions and the lawfulness of these detentions.
20. There continues to be no accountability, redress or adequate medical treatment for detainees who have been subjected to torture and other ill-treatment and/or enforced disappearance.<sup>31</sup> The US government continuously fails to declassify the full report of the Senate Select Committee on Intelligence on the CIA detention and interrogation programme, as well as other relevant information relating to the CIA programmes of rendition, detention and interrogation between 2001 and 2009.
21. Nine of the current detainees, including five men accused of participating in the 11 September 2001 attacks, have faced charges in the military commission system, in breach of international law and standards relating to fair trials. Two have been convicted. Seven await trial. Six could face the death penalty if convicted, which would constitute arbitrary deprivation of life since proceedings did not meet international standards. All were systematically tortured. Three of the defendants in the 9/11 military commission case reached an agreement to plead guilty and avoid the death penalty, but the then-Secretary of Defense attempted to quash that agreement, and the case remains in limbo.

## Overseas impact of US policies

22. The USA continues to use lethal force, which in some cases could amount to extrajudicial executions, around the world and has withheld information regarding the legal and policy standards and criteria applied by US forces to the use of lethal force.
23. The Biden administration created a new civilian harm mitigation and response policy in which it agreed to take additional steps to prevent, more thoroughly investigate and better respond to civilian harm caused by US lethal force. However, it refused to re-investigate many well-documented cases of civilian deaths and harm and failed to provide reparations or amends for the vast majority of past civilian killings, including those it had acknowledged. The Trump administration announced plans to review the program with a view towards abolishing it.<sup>32</sup>

<sup>28</sup> In December 2020, Ohio Governor Mike Dewine put executions on hold, joining California, Pennsylvania and Oregon with ongoing Governor-imposed moratoriums. Oregon Governor Kate Brown commuted the sentences of all individuals on the state’s death row in 2022.

<sup>29</sup> OHCHR, “United States: Experts call for urgent ban on executions by nitrogen gas in Alabama”, 20 November 2024, [ohchr.org/en/press-releases/2024/11/united-states-experts-call-urgent-ban-executions-nitrogen-gas-alabama](https://www.ohchr.org/en/press-releases/2024/11/united-states-experts-call-urgent-ban-executions-nitrogen-gas-alabama); OHCHR, “United States: UN experts horrified by Kenneth Smith’s execution by nitrogen in Alabama”, 30 January 2024, [ohchr.org/en/press-releases/2024/01/united-states-un-experts-horrified-kenneth-smiths-execution-nitrogen-alabama](https://www.ohchr.org/en/press-releases/2024/01/united-states-un-experts-horrified-kenneth-smiths-execution-nitrogen-alabama).

<sup>30</sup> US Department of Defense, “Guantanamo Bay Detainee Transfer Announced”, 6 January 2025, [defense.gov/News/Releases/Release/article/4022534/guantanamo-bay-detainee-transfer-announced/](https://www.defense.gov/News/Releases/Release/article/4022534/guantanamo-bay-detainee-transfer-announced/). Congress continues to block the transfer of Guantánamo detainees to the USA, so they can only be transferred to third countries where their human rights would be respected.

<sup>31</sup> Amnesty International, “22 years of justice denied”, 22 March 2024, [amnesty.org/en/latest/news/2024/03/22-years-of-justice-denied/](https://www.amnesty.org/en/latest/news/2024/03/22-years-of-justice-denied/); Just Security, “Accountability and Legacy at Guantanamo: Some Progress, Still A Long Way to Go”, 11 January 2024, [justsecurity.org/91156/accountability-and-legacy-at-guantanamo-some-progress-still-a-long-way-to-go/](https://www.justsecurity.org/91156/accountability-and-legacy-at-guantanamo-some-progress-still-a-long-way-to-go/).

<sup>32</sup> Newsweek, “US Military’s Treatment of Civilians in War to Change Under Trump Proposal”, 30 January 2025, [newsweek.com/military-treatment-civilians-change-under-trump-proposal-2023628](https://www.newsweek.com/military-treatment-civilians-change-under-trump-proposal-2023628).

24. US-made bombs and components were identified by Amnesty International in unlawful deadly air strikes by the Israeli military on residential homes and a makeshift camp for displaced people in the occupied Gaza Strip in January,<sup>33</sup> April,<sup>34</sup> and May.<sup>35</sup> The continued supply of arms to Israel violated US laws and policies regarding the transfer and sale of arms, intended to prevent arms transfers that risk contributing to civilian harm and violations of human rights or international humanitarian law.
25. In December 2024, the USA announced the pending transfer of "non-persistent antipersonnel mines" to Ukraine, in violation of its own June 2022 U.S. Anti-Personnel Landmine Policy. This followed earlier transfers of landmines to Ukraine of types prohibited by the Mine Ban treaty and in violation of the US 2022 policy. In 2024 the USA also repeatedly transferred cluster munitions to Ukraine. Cluster munitions are inherently indiscriminate weapons and present grave threats to civilians. Their use, stockpiling, production and transfer have been prohibited by the majority of the world's countries under the Convention on Cluster Munitions.

## Right to life and security of person/gun violence

26. Firearm deaths surged during the COVID-19 pandemic - from 45,222 deaths in 2020 to 48,830 deaths in 2021 – before slight declines the following two years to 46,728 deaths in 2023, the most recent year for which provisional official government data exists. Gun violence became the leading cause of death among children and adolescents since the USA's previous review.<sup>36</sup> Many more people are injured by firearms each year.<sup>37</sup> Many of those injured lack access to quality medical or psychological care or other support, impacting their rehabilitation.<sup>38</sup> The government's failure to enact evidence-based firearm regulations jeopardizes the human rights of the whole population.
27. Following the passage of the first law regulating firearm possession in 2022, Congress failed to consider further firearm reform policies. President Biden created the first-ever White House Office of Gun Violence Prevention in September 2022, and additionally issued several executive orders on gun violence prevention. President Trump subsequently disbanded the White House Office of Gun Violence Prevention and ordered the US Attorney General to conduct a review of all other gun violence prevention initiatives initiated under the Biden administration.
28. The USA has failed to ratify the Arms Trade Treaty after President Trump attempted to "unsign" the USA from the treaty in 2019.

## Discrimination<sup>39</sup>

<sup>33</sup> Amnesty International, "Israel/OPT: New evidence of unlawful Israeli attacks in Gaza causing mass civilian casualties amid real risk of genocide", 12 February 2024, [amnesty.org/en/latest/news/2024/02/israel-opt-new-evidence-of-unlawful-israeli-attacks-in-gaza-causing-mass-civilian-casualties-amid-real-risk-of-genocide/](https://www.amnesty.org/en/latest/news/2024/02/israel-opt-new-evidence-of-unlawful-israeli-attacks-in-gaza-causing-mass-civilian-casualties-amid-real-risk-of-genocide/).

<sup>34</sup> Amnesty International, "Israel/OPT: Israeli air strikes that killed 44 civilians further evidence of war crimes - new investigation", 27 May 2024, [amnesty.org/en/latest/news/2024/05/israel-opt-israeli-air-strikes-that-killed-44-civilians-further-evidence-of-war-crimes-new-investigation/#:~:text=The%20strikes%20%E2%80%93%20one%20on%20a%20in%20the%20last%20seven%20months.](https://www.amnesty.org/en/latest/news/2024/05/israel-opt-israeli-air-strikes-that-killed-44-civilians-further-evidence-of-war-crimes-new-investigation/#:~:text=The%20strikes%20%E2%80%93%20one%20on%20a%20in%20the%20last%20seven%20months.)

<sup>35</sup> Amnesty International, "Israel/OPT: Israeli attacks targeting Hamas and other armed group fighters that killed scores of displaced civilians in Rafah should be investigated as war crimes", 27 August 2024, [amnesty.org/en/latest/news/2024/08/israel-opt-israeli-attacks-targeting-hamas-and-other-armed-group-fighters-that-killed-scores-of-displaced-civilians-in-rafah-should-be-investigated-as-war-crimes/](https://www.amnesty.org/en/latest/news/2024/08/israel-opt-israeli-attacks-targeting-hamas-and-other-armed-group-fighters-that-killed-scores-of-displaced-civilians-in-rafah-should-be-investigated-as-war-crimes/).

<sup>36</sup> CDC, WISQARS Fatal and Nonfatal Injury Reports - Injury Counts and Rates, [wisqars.cdc.gov/reports/?o=MORT&y1=2020&y2=2023&t=0&d=&i=0&m=20890&g=00&me=0&s=0&r=0&ry=2&e=0&yp=65&a=ALL&g1=0&g2=199&a1=0&a2=199&r1=Y&EAR&r2=NONE&r3=NONE&r4=NONE](https://wisqars.cdc.gov/reports/?o=MORT&y1=2020&y2=2023&t=0&d=&i=0&m=20890&g=00&me=0&s=0&r=0&ry=2&e=0&yp=65&a=ALL&g1=0&g2=199&a1=0&a2=199&r1=Y&EAR&r2=NONE&r3=NONE&r4=NONE); The Trace, "Gun Deaths Fell in 2023 — Except Among Kids", 6 August 2024, [thetrace.org/2024/08/gun-deaths-cdc-data-homicide-suicide/](https://thetrace.org/2024/08/gun-deaths-cdc-data-homicide-suicide/).

<sup>37</sup> CDC, WISQARS Fatal and Nonfatal Injury Reports - Injury Counts and Rates, [wisqars.cdc.gov/reports/?o=MORT&y1=2020&y2=2023&t=0&d=&i=0&m=20890&g=00&me=0&s=0&r=0&ry=2&e=0&yp=65&a=ALL&g1=0&g2=199&a1=0&a2=199&r1=Y&EAR&r2=NONE&r3=NONE&r4=NONE](https://wisqars.cdc.gov/reports/?o=MORT&y1=2020&y2=2023&t=0&d=&i=0&m=20890&g=00&me=0&s=0&r=0&ry=2&e=0&yp=65&a=ALL&g1=0&g2=199&a1=0&a2=199&r1=Y&EAR&r2=NONE&r3=NONE&r4=NONE).

<sup>38</sup> Amnesty International, USA: Scars of survival: Gun violence and barriers to reparation in the USA (Index: AMR 51/0566/2019), 10 July 2019, [amnesty.org/en/documents/amr51/0566/2019/en/](https://www.amnesty.org/en/documents/amr51/0566/2019/en/).

<sup>39</sup> Please see the submission from the Cornell Law School Gender Justice Clinic, Miami School of Law Human Rights Clinic and the Nathaniel R. Jones Center for Race, Gender, and Social Justice at the University of Cincinnati College of Law which focuses on state laws and policies that impact LGBTI community's rights education, and access to health and housing.

29. Individuals experience worrying levels of violence based on their actual or perceived sexual orientation or gender identity, especially racialized transgender people. At least 2,900 hate crimes against LGBTI people were reported in 2023.<sup>40</sup> In 2024, State legislatures introduced 574 bills which would impact LGBTI individuals' access to healthcare and public facilities, ability to access legal documents in their preferred identity, and participation in school activities, among others.<sup>41</sup> 46 passed into law.<sup>42</sup>
30. A January 2025 executive order declared that the US only recognizes two sexes, male and female.<sup>43</sup> Multiple executive orders have targeted diversity, equity, inclusion and accessibility (DEIA) initiatives, dismantling decades of federal anti-discrimination policy.<sup>44</sup>

## Gender-based Violence

31. American Indian and Alaska Native (AI/AN) women suffer disproportionately high levels of rape and sexual violence, being more than 2.2 times more likely to experience sexual violence than non-Indigenous women.<sup>45</sup> They continue to face barriers to accessing post-rape care, including forensic examinations necessary for criminal cases.<sup>46</sup>

## RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

### International law, standards and funding:

32. Ratify or adhere to and implement into domestic law the Convention on the Elimination of All Forms of Discrimination against Women; Convention on the Rights of the Child; International Covenant on Economic, Social and Cultural Rights and its Optional Protocol; Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; International Convention for the Protection of All Persons from Enforced Disappearance; Optional Protocols to the International Covenant on Civil and Political Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Rome Statute of the International Criminal Court; American Convention on Human Rights; and the Vienna Convention on the Law of Treaties.
33. Withdraw reservations, understandings and declarations previously promulgated upon past ratifications of human rights treaties which are considered by treaty bodies to defeat the object and purpose of the respective treaty.
34. Re-engage with the UN Human Rights Council, including through constructive responses to all communications sent to the USA by Special Procedures of the Human Rights Council.
35. Reverse the decision to withdraw from the Paris Climate Agreement.

<sup>40</sup> Human Rights Campaign, "New FBI Data: Anti-LGBTQ+ hate crimes continue to spike, even as overall crime rate declines", 23 September 2024, [hrc.org/press-releases/new-fbi-data-anti-lgbtq-hate-crimes-continue-to-spike-even-as-overall-crime-rate-declines](https://hrc.org/press-releases/new-fbi-data-anti-lgbtq-hate-crimes-continue-to-spike-even-as-overall-crime-rate-declines).

<sup>41</sup> ACLU, Mapping attacks on LGBTQ rights in U.S. state legislatures in 2024, [aclu.org/legislative-attacks-on-lgbtq-rights-2024](https://aclu.org/legislative-attacks-on-lgbtq-rights-2024).

<sup>42</sup> ACLU, Mapping attacks on LGBTQ rights in U.S. state legislatures in 2024, [aclu.org/legislative-attacks-on-lgbtq-rights-2024](https://aclu.org/legislative-attacks-on-lgbtq-rights-2024).

<sup>43</sup> Executive Order, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/](https://whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/).

<sup>44</sup> Executive Order, Ending Radical and Wasteful Government DEI Programs and Preferencing, 20 January 2025, [whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/](https://whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/); Leadership Conference on Civil and Human Rights, Trump's Executive Orders on Diversity, Equity, and Inclusion, Explained, 2025, [civilrights.org/wp-content/uploads/2025/02/LDF-FactSheet-Anti-DEIA-EOs\\_202501.pdf](https://civilrights.org/wp-content/uploads/2025/02/LDF-FactSheet-Anti-DEIA-EOs_202501.pdf).

<sup>45</sup> National Congress of American Natives, Research Policy Update – State of the data on violence against American Indian and Alaska Native Women and Girls, October 2021, [ncai.org/section/vawa/overview/key-statistics](https://ncai.org/section/vawa/overview/key-statistics); RAINN, Victims of Sexual Violence: Statistics, [rainn.org/statistics/victims-sexual-violence?&ga=2.54642349.760352232.1739406289-1631440071.1739406289#::~text=Native%20Americans%20Are%20at%20the%20Greatest%20Risk%20of%20Sexual%20Violence&text=American%20Indians%20are%20twice%20as,an%20intimate%20or%20family%20member](https://rainn.org/statistics/victims-sexual-violence?&ga=2.54642349.760352232.1739406289-1631440071.1739406289#::~text=Native%20Americans%20Are%20at%20the%20Greatest%20Risk%20of%20Sexual%20Violence&text=American%20Indians%20are%20twice%20as,an%20intimate%20or%20family%20member).

<sup>46</sup> Moreover, US law restricts Tribes' ability to prosecute non-Indigenous perpetrators of violence against Indigenous women, though provisions of the 2022 Violence Against Women Act, enacted in 2024, included the ability for some Tribes to do so. Thirty-one of the 574 federally recognized tribes are able to exercise this special jurisdiction. Nation Congress of American Indians, Currently Implementing Tribes, [archive.ncai.org/tribal-vawa/get-started/currently-implementing-tribes](https://archive.ncai.org/tribal-vawa/get-started/currently-implementing-tribes).

36. Reverse the decision to freeze all Congressionally appropriated foreign aid funds.

### **Sexual and reproductive rights:**

37. Guarantee sexual and reproductive rights for all people who can become pregnant, including effective access to abortion care by adopting an explicit law protecting the right to abortion.
38. State governments must fully decriminalize abortion, by stopping punishment of pregnant people for their pregnancy outcomes, healthcare providers and others for obtaining, assisting with or providing abortion services, removing abortion from criminal laws and all other punitive laws, policies and practices, and avoiding new restrictions or barriers.

### **Refugee and migrant rights:**

39. Guarantee the right of individuals to seek asylum, including by immediately restoring access to asylum at the US-Mexico border.
40. Guarantee the right of *non-refoulement* and ensure that people are not returned to places where their lives or safety are at risk. This includes ensuring that people have access to individual reviews of their cases with due process guarantees prior to any removal from the US.
41. Stop arbitrary mass Immigration and Customs Enforcement operations in the US.
42. Invest in the creation of a system of welcome where people seeking safety have safe pathways and access to ports of entry to enter the US and pursue their asylum claims in communities supported by family, lawyers, and case management and social services.

### **Criminal Justice and Policing:**

43. Ensure that state and federal authorities impose a moratorium on executions with a view to abolishing the death penalty, and that prosecutors in all jurisdictions cease pursuing death sentences.
44. Ensure that state legislatures introduce, or review and amend, statutes that authorize the use of firearms to ensure they are in line with international law and standards.
45. Ensure that state legislatures review their laws so that they do not infringe on the freedom of peaceful assembly. All law enforcement agencies must revise their policies and practices for the policing of protests to ensure compliance with international human rights standards.

### **Arbitrary detention/Accountability for Torture/Military Commissions at Guantanamo:**

46. Transfer all detainees out of Guantánamo to countries where their human rights will be respected. Provide fair judicial resolutions for all pending military commission cases, without recourse to the death penalty.
47. Provide accountability for torture by declassifying, with redactions only where strictly necessary, the full report of the Senate Select Committee on Intelligence on the CIA detention and interrogation programme, relating to the CIA programmes of rendition, detention and interrogation between 2001 and 2009.
48. Prosecute any individuals who carried out crimes under international law on behalf of the US government, such as torture and enforced disappearance.

49. Bring US lethal force operations and policies into conformity with international human rights law and, where applicable, international humanitarian law and investigate and acknowledge all civilian casualties and potentially unlawful killings caused by US operations around the world. Provide reparations or redress to civilians whose human rights have been violated by the USA.
50. Immediately suspend the direct and indirect supply, sale, and transfer of all weapons and other military equipment to countries that the US has determined are engaging in human rights violations.
51. End the use, stockpiling, production and transfer of anti-personnel land mines and cluster munitions, in alignment with the core provisions of the Mine Ban Treaty and the Convention on Cluster Munitions.

#### **Gun Violence:**

52. Implement a system of laws to restrict access to firearms by those most at risk of abusing them and take effective steps to put in place and implement violence-reduction or protection measures with an intersectional approach that focuses on children, communities of color and other impacted communities.
53. Ensure that survivors of firearm violence have access to rehabilitation, including long-term, affordable and quality medical and psychological care, and sufficient victim compensation programs.
54. Ratify the Arms Trade Treaty.

#### **Discrimination:**

55. Rescind executive orders and other actions that violate the rights of LGBTI+ individuals, pass legislation that prohibits discrimination based on sexual orientation or gender identity and ensure bias crimes definitions include sexual orientation and gender identity as a motivating factor.
56. Restore federal diversity, equity, inclusion and accessibility (DEIA) initiatives.

#### **Gender-based Violence:**

57. Ensure that all reports of sexual violence against Indigenous women are promptly and thoroughly investigated, and that perpetrators are prosecuted and appropriately punished, in accordance with due process norms and without recourse to the death penalty.