PAG letter to the State Department 2025-09-17: dialogue for correction of U.S. treaty compliance, coincident to the 83rd session of the CAT

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For the personal attention of:
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VIA EMAIL AND U.S. POSTAL MAIL

Dialogue on UNCAT compliance by the United States of America and the establishment of the missing independent investigative mechanism of international law required for treaty compliance under the UNCAT and the Istanbul Protocol

Dear Professor Trumbull,

I am writing to you because you are personally identified as the contact person for the latest Periodic Report by the United States of America to the United Nations Committee Against Torture (CAT). The writings that you have supplied to the CAT on behalf of the United States, identify the position of our government with respect to the United Nations Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). As a scholar, and as a person most knowledgeable in the eyes of our government to be entrusted with its representations to the world in a matter that would criminalize the conduct of the public officials on whose behalf you speak, I acknowledge the magnitude of the responsibility entrusted to you by our government. I also recognize that you speak on behalf of three branches of government on the subject of U.S.-UNCAT compliance.

The mandatory Reports to the CAT, and the confirmation by the Executive and the Legislature about the absolute non-derogability of the rights described by the UNCAT, as well as legislation of some domestic statutes to partially implement the UNACT, reflect that no political question remains in the matter of the U.S. ratification of the treaty or the commitment of Congress and the Executive to full compliance with the UNCAT. My letter discusses the question whether our government erred in the ratification of the UNCAT and maintains its non-compliance with the treaty despite findings by the approved world authority and the corrections required.

The assurance of the continuous equivalence of protections, relief, remedy and punishment under domestic mechanisms in comparison with direct enforcement of the UNCAT, combined with the identification of the judicial process as a mechanism of ensuring compliance, lends credence to the conclusion that Congress and the Executive have distinctly identified the judicial process as a corrective mechanism to ensure treaty compliance ‘if all else fails’.

The non-compliance by the United States reported by the CAT in 2014, and the position of the United States that we are

compliant, is therefore a matter for judicial scrutiny for "mistakes" in the ratification and the domestic implementation of the UNCAT, according to *jus cogens* and the object and purpose of the treaty. Since our judiciary refuse to provide advisory opinions, I write to inform you of outstanding cases and controversies requiring judicial action that directly address this issue. However, the matter cannot wait for a judicial determination as it has already exhausted all domestic remedies multiple times since 2020, and requires CAT intervention.

Based on public reports and my personal experiences, corroborated by the independent experience and the reports of others, I inform you that the judiciary throughout the United States do not recognize the UNCAT according to Article VI of the U.S. Constitution or according to the law of nations, and no equivalence exists between the protections, relief, remedy and punishment under domestic mechanisms in comparison with direct enforcement of the UNCAT. To confirm these findings based on my public records, I refer you to the cases enumerated in my letter to the Supreme Court of the United States, attached.

The judiciary violate the UNCAT through the administration of justice in our courts, primarily through rule-based, procedure-centric cruelty, and the absence of mechanisms to recognize and value human rights in the course of jurisprudence. The judiciary will adjudicate UNCAT causes of action only under very limited circumstances, further eroding treaty compliance. Since the CAT has confirmed that the UNCAT's object and purpose may not be modified by our RUDs, and the U.S. has acknowledged that no withdrawal from the UNCAT is possible, the controversy remains as a matter for exercise of jurisdiction by the federal judiciary to scrutinize and ensure U.S. treaty compliance through fair construction and precedent. However, this cannot reliably occur, and the controversy cannot be settled, as the judiciary are perpetrators of UNCAT violations in doing their routine work.

In short, the judiciary of the United States, both state and federal, strictly prohibit and prevent any correction of U.S. non-compliance with the treaty while systemically violating the UNCAT as a mandatory judicial policy. This state of affairs persists even after domestic remedies have been exhausted, and even after the original federal court is presented with the opportunity to establish national precedent to bring the U.S. into compliance with the UNCAT.

Despite the structural constitutional division of responsibilities between three branches, no Report by the United States to the CAT, except for a small reference, discusses the compliance of the judicial branch and the effectiveness of the judicial process in ensuring compliance by our nation. Every text assumes judicial candor, and the tiny reference to judicial non-compliance appears highly focused, and not cause for general alarm, or investigation by the CAT.
Your accounts report prosecutions and judicial outcomes that appear compliant with the outcomes expected from a direct implementation of the UNCAT, but through the use of allegedly equivalent mechanisms. I regret to inform you that the judicial process itself, by design, systemically violates the UNCAT in our state and federal courts on a routine basis. Therefore, reliance on the judicial process for correction of U.S. non-compliance is a matter for conisderation. This presents the question of whether or not, the outcomes you reported in the particular cases that you covered in your

Reports, would have produced substantively different results under a test of equivalence, and more particularly, if they would have produced any outcome had the CAT not subjected them to scrutiny by the United States.

My communication is on the subject of systemic UNCAT violations by judges, injuring litigants through Article 16 violations which graduate to Article 1 violations, and depriving them of rights and Justice, leaving them injured, deprived of inalienable rights and alienated from their own nation.

I invite you to communicate with me so that I can engage your intellect and your conscience, with facts, analysis and matters of grave concern to our nation, which are not reflected in your Reports. These issues systemically oppress the People of the United States through our government's failure to domestically implement the UNCAT. Because of these issues, the People are uniting in expression, increasing the public loss of trust in government, and acting to address the important issues that our government will not. They report injustice and absence of domestic remedies and are forced to activate international human rights mechanisms. In the process, the legitimacy of our courts is seen in a negative light, our government is distrusted, our Constitution is injured, and the peoples of other nations look upon us with disrespect and disappointment.

In this letter, I refer to the Institute for the Advancement of Justice & Human Rights (IAJ)[1] as the repository of information provided by the public for the purpose of accessing a new independent national investigative mechanism that is based on the Paris Principles and follows the Istanbul Protocol. I leverage the information from those complaints which are "flagged" by each submitter for disclosure to the Private Attorney General (PAG). Thereby, I am able to refer to the emergent facts provided directly by the People, with means of substantiation identified by them for scrutiny, to generally support my thesis to you. I do not attach this information to this letter, but expect that it will become publicly available from the IAJ through its national database, and I intend to update my reports to you and the CAT and to SCOTUS with those investigations.

This is a preliminary writing informs you and the CAT's 83rd session about matters of national concern which confirm the accuracy of the 2014 CAT Concluding Observations, prior to submission of case-by-case evidence of Article 20 UNCAT non-compliance to the CAT. I make efforts through communication with you to render an Article 20 investigation moot. Since I believe that the United States must be a leader in world human rights, I am deeply vested in ensuring that our nation demonstrate its unique ability rsolve its own issues and to revere freedom and liberty and the dignity of each individual human being, all of which are human rights that reflect our inherent respect for the primacy of all human rights, including absolutely non-derogable rights encapsulated by the UNCAT.

In particular, I encourage you to contact state legislators and inquire about the nature and volume and time-based

[1] http://iaj.institute

statistics of public complaints about public officials and authority figures, and identify trends, and I would be grateful for the feedback.

To establish a basis for my discussion, I refer to the U.S. Initial Report to the CAT, paragraph 5 as a demonstration of our nation's expert knowledge of UNCAT, and its stated commitment to the object and purpose and the success of the treaty:

> *"The United States has long been a vigorous supporter of the international fight against torture. U.S. representatives participated actively in the formulation of the UN Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in 1975, and in the negotiation of the Convention Against Torture. The United States continues to be the largest donor to the U.N. Voluntary Fund For Victims of Torture, having contributed over $12.6 million as of August 1999. The U.S. Government pursues allegations of torture by other governments as an integral part of its overall human rights policy, highlighting such issues in its annual Country Reports on Human Rights Conditions."*

Based on its declared expert-level knowledge of the UNCAT, the United States has expressed its unequivocal respect for the UNCAT on behalf of the three branches of its federal government, and that no political question remains in the matter of its compliance with the absolute prohibition of torture and ill-treatment:

> *"Torture is prohibited by law throughout the United States. It is categorically denounced as a matter of policy and as a tool of state authority. Every act constituting torture under the Convention constitutes a criminal offense under the law of the United States. No official of the government, federal, state or local, civilian or military, is authorized to commit or to instruct anyone else to commit torture. Nor may any official condone or tolerate torture in any form. No exceptional circumstances may be invoked as a justification of torture. U.S. law contains no provision permitting otherwise prohibited acts of torture or other cruel, inhuman or degrading treatment or punishment to be employed on grounds of exigent circumstances (for example, during a "state of public emergency") or on orders from a superior officer or public authority, and the protective mechanisms of an independent judiciary are not subject to suspension. The United States is committed to the **full and effective implementation of its obligations under the Convention** throughout its territory."*

As you know from the writings of our federal government, and from the responses from the CAT published as its 2014 Concluding Observations (C.O.), and the absence of any change in position by the CAT since its 2014 C.O., a controversy exists in 2025. The controversy is the structural absence of U.S. compliance with UNCAT and with *jus cogens*.

In the eyes of the CAT, the United States has not achieved the "***full and effective implementation of its obligations under the Convention***." The United States recognizes the competence of the CAT, and your Reports confirm its authority. A few

implementing statutes by Congress confirm the U.S. commitment to the UNCAT treaty. I report that its efforts has not resulted in a body of statutes that specifically and fully implement the treaty's object and purpose and provide equivalent protection, relief, remedy and punishment. Your Reports represent that full compliance by the United States is in effect, and shall always remain in effect through equivalence.

For simplicity and to clarify the gravity of the U.S. non-compliance with its treaty obligations, I paraphrase the U.S. position on the UNCAT RUDs as follows: *there is complete equivalence of domestic laws and remedies with the State's obligations under the UNCAT. The declared non-self-execution and the other RUDs are, in principle, intended in their majority to reduce the burden on our government by preventing two equivalent pathways to relief, remedy and punishment through the courts, and holding to the customary and familiar constitutional and statutory judicial pathway which provides the same outcomes as the direct enforcement of the UNCAT. Therefore there is no need for any independent investigation, or for the direct enforcement of the UNCAT, or for implementing domestic statutes to effect full compliance with the UNCAT.*

In your recent Report (2021), you dispute the non-compliance of our nation as identified by the 2014 C.O..You characterize violations of the UNCAT as non-systemic and isolated in contrast to the C.O.. By reason of observing a structural defect in U.S. compliance, the presumption from the C.O. arises that, in the domestic environment where the UNCAT is not fully and specifically implemented by statutes, UNCAT violations may systemically remain unpunished, and eliminate relief or remedy as a systemic norm. The need for domestic implementing statutes reflects an underlying and plausible acknowledgement of a myopic focus of domestic judicial processes on domestic statutes, and the inherent difficulties of integration of the domestic judicial process with the requirement of interpretation and incorporation of 'external laws'. Thus the logic indicates that absent implementing statutes, judges will not cognize what is required of them with respect to ensuring national compliance with the UNCAT.

We cannot underestimate the promotion of UNCAT violations that is fostered by a State whose domestic failure to implement encourages treaty-prohibited conduct by failures to recognize or abate it equivalently to the treaty proper. This is documented in my cases, notably with one chief federal judge remarking in his order that even if he is committing torture, there is no private right of action, and thus he may proceed to continue his prohibited conduct[2]. The systemic judicial conduct is confirmed by independent litigants[3].

I confirm that the CAT is correct in its Concluding Observations. The failure of our State to comply with its treaty obligations is uncorrectable by its judicial process because of inherent defects in our state and federal jurisprudence and not because of Separation of Powers or judicial abstention by virtue of an outstanding political question. The United States, through its instrument of ratification, has represented equivalence of established domestic measures and the self-execution of the UNCAT, with the assurance in legislative considerations that the judicial process will ultimately

[2] See PACER: Bankruptcy Court Northern Dist, of California 23-50690 SLJ, Order July 1, 2024, page 8
[3] See for example, 2024 reports to Special Procedures, declarations of Eva Danilak, Julia Minkowski, Leslie Hagan

guarantee equivalence. It cannot and does not. The judicial process is designed to violate the UNCAT as a judicial norm and policy.

Through the deposit of the instrument of ratification, the Initial Report and the subsequent Periodic Reports by the United States, including your 2015 response to the 2014 CAT Concluding Observations, the world is notified of our federal government's published position on the UNCAT. You have noted the State objections to our RUDs. Despite the incessant written assurances of full compliance, measurements and emergent data indicate a contrasting picture of the truth. I write to inform you of truths that may not have been available to you except through my communication.

Under the treaty, U.S. compliance relies upon independent investigation of UNCAT violations. By logic and by definition, 'independence' requires independence from influence of the perpetrator(s), and from the system that encourages violations. The has been no independent investigation of UNCAT violations systemically inflicted by our judiciary and others acting under the color of authority of the courts, according to the sage and considered Istanbul Protocol and according to the Paris Principles.

The reason that the U.S. acceded to the authority of the CAT, and has ratified other human rights treaties is because of the essential and exceptional work that human rights experts perform in establishing and the trust and respect that they have historically earned, by holding and enhancing the baseline of world human rights. The lessons from two world wars cannot be forgotten, and the security of our nation and of every nation hinges on human rights and a world baseline held firm by every nation, in solidarity. Therefore the work of human right experts cannot be ignored or discarded, and their judgment must be considered with exceptional attentiveness. The CAT deserves our respect, and its existence and work is essential for all of our sakes.

The U.S characterizes its confirmed non-compliance as "normal" failures and exceptions that occur in every nation. This is in contrast with the measured systemic UNCAT violations "built-into" the judicial process in the United States. Unfortunately, through our nation's structural non-compliance with the treaty, and 'non-compliance with its UNCAT obligations, our government has promoted and emboldened the systemic UNCAT violations by our judiciary who, by logic and by definition, cannot act as the independent investigative body required by an appropriate and compliant domestic implementation of the UNCAT. The logical promotion of UNCAT violations by other public officials resulting from the failure of the judicial process to address UNCAT violations must be presumed and cannot be ruled out. I confirm this cascading chain of violations is real and in force throughout the United States and promoted by systemic failure. My findings appear to be corroborated by the sampling of complaints being filed with the IAJ from around the country, and I await the investigations of numerous cases being filed with the IAJ. One case that I considered with six highly trained AI was that of Amy Betts from North Carolina, and I refer you to the IAJ archived letter[4].

I have personally measured the US non-compliance in the judicial process in 10 state and federal courts over seven and a

[4] https://iaj.institute/investigation/2/IAJ-PAG-20250905-001-PUB.pdf

half years and through evaluations of over 40 judges, based on a scientific and statistically valid approach, and documented the measurements and the results and recorded them chronologically in the public records. The uniqueness of the dependence of my bodily integrity on my judicial treatment, and the jurisdictional control over my bodily autonomy that deprived me of life-saving medical treatment for seven+ years and constituted judicial torture documentes in the public record to my detriment and to the benefit our nation,. These public record expose UNCAT violations not as matters of evidence and interpretation, but as matters of objective and scientifically accurate measurements of serious physical and mental injuries from prohibited acts that "shock the conscience" and are exclusively under the knowing and willful control of judges.

To give you an introduction to my treatment, I refer you to PACER, which as you know is the national database of federal court actions, and the following introductory sample cases: Ninth Circuit District Court of Northern California case# 19-cv-04392-BLF, Ninth Circuit Court of Appeals case# 24-6312, and 25-3879. If you wish to see the sealed records documenting my medical degradation by licensed treating physicians and care providers and witnesses, please let me know and I will give you access. You may note the statement by one physician, ignored by multiple judges with impunity, which reads as follows:

> *"Mr. Hazari's distress is not theoretical—it is a direct result of coercive and unaccommodated legal demands. These legal impositions and the resulting pattern of unaccommodated distress caused by courts are the direct cause of repeated medical crises and severe pain and suffering. Having examined and treated Mr. Hazari … it is my medical opinion that the refusal of courts to honor Mr. Hazari's accommodations—despite documented injury and medical warnings—meets the clinical criteria of torture and cruel, inhuman, and degrading treatment as defined in the UN Convention Against Torture."*

In response to this report, in the referenced case# 25-3879, the Ninth Circuit judiciary deliberately increased the severity of their UNCAT-prohibited conduct, violating even established court rules and procedures to inflict severe pain and suffering, and deprecated constitutional requirements to ensure continuity of their prohibited acts. The judiciary insist that violations of the UNCAT are a necessary and required feature of national jurisprudence. The records are provided to the IAJ and the CAT, and copies are attached except for the medical records to be sealed. I trust that your government-level access to domestic information systems provides you much broader electronic access than the public, including to sealed records.

When the price of accessing our nation's courts is potential death, serious injury and deprivation of Liberty through torture, and the litigant is trapped and cannot withdraw without even greater harm, we find an incompatibility between our expectations of Justice idealistically ingrained into us by society, and the radical divergence of the admninistratuion of justice by our judiciary.

I confirm that the U.S. position on its alleged compliance with the UNCAT cannot be true based on more than seven and a half years of measurements[5] and based on emergent data, and evidence provided by other litigants to me and to the IAJ. The CAT continues to be correct, despite your information in your last two Reports, and I hope this will incentivize you to investigate for yourself. Therefore I request that you consider a higher level of scrutiny through your access to information to ensure that you are not informed in any manner that does not serve the extent and quality of your inquiries and the best interests of the People of the United States, and the establishment of the truth and Justice.

The alleged equivalence promised by the United States is in fact, impossible under the current judicial process of the states and federal courts, by virtue of historical roots that inherently promote systemic UNCAT violations by public officials and persons acting under color of authority. Congress has even admitted by its writings that this equivalence does not exist[6,7].

The judicial process in our nation does not correct or induce U.S. compliance with the UNCAT, and therefore, systemic failures in equivalence are uncorrected and uncorrectable. The CAT‟s 2014 C.O. must form the basis of judicial considerations, and *Marbury v. Madison, Charming Betsy,* and *Medellin* as modified by the C.O. and thereby provide the platform under precedent for judicial correction of U.S. non-compliance independently of political and institutional comity. However, our judiciary is uninformed about the C.O. and sadly, in majority uninformed and dismissive when UNCAT applies to the facts.

To illustrate the significance of this axis of investigation, I indulge your consideration of an ‘equivalence’ scenario: assume *arguendo* that it is established, according to *jus cogens* and customary international law, and confirmed by an advisory opinion, that our judges systemically violate the UNCAT according to judicial policy. Then, potentially, outcomes of the judicial process would have to be analyzed for the impact of judicial violations of the UNCAT in the course of the judicial process through a Protocol-compliant investigation process. If no NHRI is recognized by our government, how is it possible to independently investigate violations pursuant to Protocol? To assume that a judge or panel may be disqualified and another appointed keeps the systemic non-compliance while changing faces. Separation of Powers prohibits another branch of government from intrusion in judicial affairs. So who will provide the Protocol-compliant independent investigation?

[5] measurement of 10 state and federal courts and over 40 judges over a period exceeding seven and a half years, and referenced as of September 2025

[6] On Page 8, Section 2, paragraph 2 of the Senate Executive Report 101-30, we find: “The administration takes the position that the reference in article 16 to “cruel” and “inhuman” treatment or punishment appears to be roughly equivalent to the treatment or punishment barred in the United States by the 5th, 8th, and/or 14th amendments to the Constitution. However, “degrading” treatment or punishment has been interpreted, for example by the European Commission on Human Rights, to include treatment that would probably not be prohibited by the U.S. Constitution and may not be illegal in the United States. In view of the ambiguity of the terms, the administration believes that U.S. obligations under this article should be limited to conduct prohibited by the U.S. Constitution.” Thus Congress chose to give the People of the United States less human rights than the rest of the world.

[7] Note the textual addition of “inhumane treatment or punishment” to the 5th, 8th and 14th Amendments in Senate Executive Report 100-20 in order to attempt equivalence, with no amendment of these Amendments, and no pathway to implementation except reliance on precedent which cannot be relied upon due to the systemic failure of the judicial process to recognize and enforce the object and purpose of the treaty

Since the perpetrators must be punished without immunity, and the victims must receive remedy and relief commensurate with the treaty requirements, how does a judicial process that is non-compliant with the UNCAT, and is tainted by human rights illegitimacy, and attributes immunity to every judge, and recognizes no domestic authority that criminalizes Article 1 and 16 violations according to the C.O. and *jus cogens*, implement relief, remedy and punishment with legitimacy and constitutional authority?

Is adjudication that is commensurate with treaty compliance possible absent judicial process reform and ethics redesign[8] that would meet CAT scrutiny, public approval, and maintain public trust in our courts? When the UN Secretariat educated me, upon the filing of my 2024 with Special Procedures, to also consider the Special Rapporteur for judges, I set about challenging the ethics of our judiciary, with the consistent state-wide and federal-wide confirmation that judges consider acts prohibited under UNCAT to be their ethical duty to inflict and endorse[9].

And how does finality of litigation result when judicial actors are found complicit in torture and ill-treatment, whose consequence to justice is not *de minimis*, and no statute of limitation applies to their UNCAT violations? Each judge has evaded compliance, even under injunction, with impunity.

When our judicial branch of government charged with prevention of tyranny violates human rights by engaging in systemic UNCAT violations as a norm, do we not discover a crisis of constitutional proportion?

In the context of unaddressed non-compliance that the CAT must report and the U.S. must address, I look with concern that the United States can be construed as appearing to speak in its Reports as a defendant, as opposed to a defender and champion of human rights who initiates and conducts its own comprehensive investigations upon any hint of non-compliance. Our nation must not act inconsistently with its human rights leadership stance identified in its Initial Report. I must presume that you do not intend this appearance of defense of charges by an authority that has no agenda except the defense and promotion of human rights.

The imposition on you is caused by RUDs that the C.O. considers non-essential and severed by operation of *jus cogens*. Neither you nor I would have any work to do on the subject were the U.S. RUDs curtailed according to the C.O.. The IAJ would have remained a sleeping requirement, and our judges would not dare transgress and exterminate human rights. As Americans, we value our national morality and defense of freedom and Liberty. We the People stand resolute that we must lead the world in human rights, not follow it. I suggest that it would be more sage and consistent with the image we promote domestically and internationally if our federal government would concede ground to the CAT, particularly with our government's international stance on the promotion and defense of the baseline of world human rights, peace and international security around the world.

[8] I refer to my comments on ethics to SCOTUS in my letter, attached
[9] I refer to my filings in the California Superior and Appeals courts, the District courts of the Ninth and Tenth Circuits, and their courts of Appeals, the Ninth Circuit Bankruptcy court and Bankruptcy Appellate Panel, and SCOTUS

There is only benefit to be gained by compliance with the CAT's C.O., in terms of individual rights. Numerous 'issues' in the domestic treatment of our People will also be cleared by recognition of individually-enforceable treaty rights, and uprooting a judicial process rooted in monarchy and replanting it in the fertile and secure soil of human rights preeminence. It should not be intellectually challenging for our judges to adapt their norms and customs to incorporate the adjudication of human rights treaties alongside conventional adjudication. Judges do not complain about the difficulty of understanding law, but the lack of time, resources and support. And secretly, good men and women who are our judges do not approve of their own judicial policies controlling their treatment of litigants.

In 2017, distinguished scholar and federal judge Richard Posner publicly exposed the systemic cruel, inhuman and degrading treatment of pro se litigants in our courts[10], and I confirm in 2025 that this invariant uniform national judicial pattern of cruel, inhuman and degrading treatment of pro se litigants persists in every court with high statistical predictability. Posner subsequently took action by founding a charity to assist litigants, and his charity was quickly shut down by the volume of applicants and the resource limitations that prevented meaningful assistance.

The Posner admission is consistent with my measurements, and emergent data from the IAJ. The trending large numbers of cases from around the country which are being filed with the IAJ appear, at first sampling, to lend credence to my statistical findings, demonstrating that state and federal court judges systemically inflict, instigate, consent to, and acquiesce to UNCAT violations with impunity. They must not be entrusted with the investigation of UNCAT violations, and must be incentivized to ensure UNCAT compliance by international 'oversight'. None of those cases that I have referred to, have received the same international attention as yours. If they did, I suspect based on my sampling that their outcomes would be different that what we finding the public record. This is only possible through a Protocol-complaint investigation and international reporting. Why must this be the necessary and inevitable course of action?

As you are well aware, by virtue of federalism and fragmentation, the U.S. system of government divides authority between federal, state, and local levels. Any human rights enforcement is scattered across agencies (e.g. DOJ, EEOC, HUD), none of which are independent or comprehensive enough to qualify as an NHRI under the Paris Principles. The United States has ensured the absence of a legal mandate for the creation of an NHRI. The U.S. has ratified key treaties like UNCAT**,** ICERD, and the ICCPR, but it treats them as non-self-executing—expressing the intent of Congress that they don't automatically create enforceable rights unless Congress passes implementing legislation[11]. Congress has never passed a law to create an NHRI, and successive administrations have declined to do so. The United States is resistant to international oversight, but often positions itself as a global human rights monitor and resists domestic accountability under international law. This refusal is not a bureaucratic oversight—it's a deliberate structural omission.

[10] Debra Cassens Weiss, Posner: Most judges regard pro se litigants as 'kind of trash not worth the time', ABA Journal Sept 11, 2017
[11] Thus the individual rights conferred upon the People of the United States by treaties may only be enforced by other nations

The U.S. lacks a central, independent body to monitor compliance with human rights treaties, investigate abuses like torture or discrimination, and engage with UN mechanisms as a domestic counterpart. Instead, it relies on fragmented enforcement**,** political discretion**,** and civil society advocacy. This is why the People's move to create and position the IAJ as a de facto NHRI is both legally justified and strategically necessary. It is also because, in 2015, after the CAT 'required' one, the U.S. formally responded to a coalition of 23 countries urging NHRI creation by saying it had no plans to establish one[12].

It is a very important consideration under equivalence, that the United States has never established a National Human Rights Institution (NHRI)[13]—despite decades of recommendations from U.N. treaty bodies, civil society, and international allies. The 'closest' national entity to an independent investigative mechanism, the U.S. Commission on Civil Rights, is not an NHRI, and has been disregarded[14] and undermined. No existing NGO has taken the lead or been endorsed by government, and a nation expectant of inalienable rights continuously awaits government leadership or 'someone else's' action. The reality is that the People must create their own independent investigation mechanism without accreditation by government, and provide the requisite proof of systemic harm for appeal to the CAT under Article 20, and to other State parties to the UNCAT for protection, relief, remedy and punishment from inside a nation who, by morality not government, remains a leader in human rights. Thereafter, through credibility, the mechanism of independent investigation may receive traction by law-abiding and reasonable minds who establish it as a national asset. It is an extraordinary departure from reason and leadership in human rights for government to necessitate such a laborious and socially harmful destiny for a national asset that can only benefit human rights and the People.

The People of the United States expect recognition of rights conferred upon them individually by the UNCAT, without derogation by RUDs, or by any operation of the People's government that in any manner undermines the object and purpose of the treaty, or violates Article VI of the U.S. Constitution. What is of great concern is that the UNCAT, like other human rights treaties and the Universal Declaration of Human Rights, operates as a key to identification of un-enumerated rights enshrined in the U.S. Constitution, and inseparable from it. The prohibition of torture and cruel, inhuman and degrading treatment and punishment are not only absolutely prohibited under the treaty and *jus cogens*, they are also prohibited by the U.S. Constitution itself as embedded **un-enumerated** rights. They are not provided for by the 5th, 8th or 14th Amendments. Therefore derogation, and non-compliance with UNCAT, strips the People of rights to which they are inherently entitled, and for which they expect respect from their government. In the public record lies proof that our judges do not recognize these un-enumerated rights and use the RUDs as justification for derogation of rights.

It is harmful for the People not to receive their rights, and not to have every means of enforcing their individual rights meaningfully. A non-derogable right, conferred by a treaty that does not require ratification to be binding on our State,

[12] https://williamsinstitute.law.ucla.edu/publications/us-nhri/
[13] It may not be claimed that the U.S. Commission on Civil Rights is an NHRI. The power of this entity has been curtailed, and its findings, such as the requirement that the U.S. Supreme Court treat disability under strict scrutiny, are ignored.
[14] For example, it designated disability accommodation as requiring strict scrutiny and was disregarded by SCOTUS and every other court

cannot be individually enforced by law. This is a farcical and nonsensical state of affairs. We, the United States of America, categorically confirm our full compliance with an absolute prohibition under *jus cogens* and recognized by our Constitution, but only permit foreign nations to enforce the rights of our People.

It is my hope, and the expectation of the IAJ, that its database of complaints of human rights violations and independent investigations will be publicly available and provide a 'live feed' to the nation and to human rights bodies including the CAT, measuring the systemic compliance of our government with the human rights treaties and *jus cogens*. Thus the IAJ, as the missing mechanism of U.S. compliance with the CAT, must be integral to your considerations, and an on-going litmus test of equivalence promised by the United States. Until the IAJ, or equivalent independent and similarly organized institute is not formally recognized by government, no compliance with the 2014 C,O, is possible, even if Congress withdraws the offending RUDs.

It is also my hope that corrective and comprehensive reform of the judicial process to integrally incorporate human rights will radically reduce the need for any IAJ. Our judiciary must be audited and enhanced in quality to impress not oppress. And an NHRI must be, in practical terms redundant by virtue of the impeccable quality of a reformed world-leading judicial process, not one that is condemned by the world. Like the ICJ, it must only be necessary in exceptional circumstances and not required to conform the daily operations of courts to human rights law.

You have the means and connections to recommend extra-judicial compliance of the United States with the CAT's recommendations, and thereby to establish the mandate to 'fix' the judicial process. I see the benefit of your counsel for Congress to yield ground, and withdrawn the RUDs implicated by the C.O. and enact the UNCAT proper as self-executing domestic law. I see only benefit for the People, who can only be enriched by the addition of enumerated rights.

I also invite you to note that the cases you describe in your Reports, provide no measurement of substantive justice as experienced by the victims or other affected persons, or any examination of equivalence. In contrast, none of the cases that I am informed about and bring to your attention, have received the benefit of international attention, or any relief, remedy or punishment, and each complainant sampled reports non-equivalent outcomes and injustice. One complainant sampled reported that her daughter died from Takotsubo (broken heart) syndrome, after failing for years to reunite with her children 'taken unlawfully' by the courts, and that her brother died one year later unable to cope with his sister's suffering and death.

Our judges systemically recast judicial fact-inventions and UNCAT-prohibited judicial conduct as lawful[15], and as required judicial candor in accord with judicial norms and policies, and as necessary and lawful sanctions. Therefore, it is prudent and appropriate to ask, academically and by survey of real people and real cases, how a judicial process that is riddled with such limitations can deliver on treaty obligations. Thus the question remains whether or not the cases that

[15] See SCOTUS writ 23-7017 pages 32-33

the CAT selected and that you reported on provide an accurate representation of the national state of U.S. compliance with the object and purpose of the treaty, and equivalence promised by the United States, despite the appearance of outcomes that are presented as justice done. I represent to you that it cannot.

Since our judges are the last bastion of human rights protections and enforcement in our nation, which relies on the judicial process for remedy of UNCAT violations, the assurances in the U.S. Reports to the CAT should be re-examined for equivalence, and domestic public records of courts researched for systemic judicial norms that violate the treaty. Absent this scrutiny, the non-compliance of the U.S. identified by the C.O. may not be characterized as isolated instances.

I invite you to explore the judicial branch of government and its operations, and determine for yourself its compliance with the UNCAT. The IAJ is likely to provide a long-absent independent view on human rights in the judicial process over the coming months, and describe systemic patterns if found. This may provide a useful comparison with your findings. The educational value of the IAJ's work is essential to our security and general welfare.

The wisdom of an independent investigative mechanism under Separation of Powers is noteworthy. When law enforcement must prosecute judges for UNCAT violations and appear in courts to do so, and judges insist on UCAT violations, the appearance of bias is adjudication is a bar to legitimacy.

Speaking particularly on the subject of derogation by means of the federal government relinquishing authority to the states with respect to equivalence and treaty compliance, I suggest that only our own national initiative, and independent scrutiny of suspect cases will reveal how our federal government routinely abandons the rights promised by our Constitution to the sovereignty of the states, which our RUD's enable and both the UNCAT and Article VI prohibit. Our state judges violate the UNCAT despite their personal obligation under Article VI and the supremacy of treaties. Our state and federal judges will predictably and systemically erase the human rights of litigants, and will treat them with cruelty, inhumanity and degradation, with actual cases evidencing UNCAT-prohibited acts in the public record. Thus a federal report about treaty compliance, for comprehensive scope and showing of good faith in meeting treaty obligations, would markedly benefit from exploration of all aspects of state compliance and interaction of federal and state governments in eliminating prohibited conduct in the nation. For this purpose, the IAJ is a valuable national tool, which by documenting investigations of violations reports, provides for the identification of key and systemic issues.

I also point out to you, with concern, that the appearance of undue influence and retaliation by the United States against the CAT and the United Nations Human Rights bodies must be prevented at all costs. In reviewing the financial reports by the United Nations, and the cancellation of the 83rd session of the CAT earlier this year due to 'starvation of funds', and the prospect of further cancellations, I express not only a concern for our People, but also a concern for the world. The competence of the CAT, and its function must not be undermined or compromised, because the maintenance of the

baseline for human rights absolutely requires the diligence and the commitment of every State, acting together, at all times, with a functioning CAT whose oversight and operation is not compromised or interrupted even for a moment.

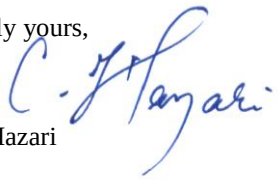
Recent findings by one Special Rapporteur moved the world, and demonstrated the importance of pluralism and international solidarity, united for world peace and security around a baseline of human rights. The United States must lead the world in human rights, consistently with its own words in its Initial Report, and recently expressed through the strong representations by our current President regarding the role that our nation must and will play in human rights and world peace. We the People are the historical holders of the light of Liberty and Rights in the world, and our morality demands leadership in human rights at all times. Therefore, the financial contributions of the United States, and its commitment to United Nations Human Rights bodies must be urgently restored, and maintained without lapse.

As a human being speaking to another human being, I share my thoughts with the remaining little life and quality of life that the courts have left me because of my torture. I reflect on the emergence of a new consciousness on this living planet spinning through space. The rapid proliferation of knowledge and information is accelerating the universal realization that we are one humanity living together and intricately dependent on one-another, and only in danger from ourselves. With physics now acknowledging consciousness as more fundamental than matter, space and time, and every human being seeking love and happiness and security in society, and the people of the world increasingly realizing our similarities as one human race, I ask you to reflect on the possibility that a single consciousness is fragmented into 8 billion individuals and experiencing itself. This would form a basis for a more just implementation of Equal Protection, and a mythology that unites instead of dividing. Therefore I speak to you as if I am speaking to myself, with compassionate concern that you do not endorse a systemic deviation of government from an absolute prohibition of international law that holds each person in the chain of prohibited acts criminally accountable. Do not endorse the systemic violations of the UNCAT by our government, because you inevitably enable crimes to be committed against yourself. Human rights violations are in progress, and absent full compliance with the CAT's Concluding Observations, they are endorsed and systemically promoted by government.

The matters that I report are not isolated instances of deviation from the object and purpose of the UNCAT, but systemic and structural non-compliance despite absolute prohibitions which hold our nation in the light of placing its sovereignty above human rights. I ask you to join me in continually ensuring, through our own independent interest in benefiting all humanity, that human rights are recognized and enforced as primal and preeminent considerations in government. This independent individual diligence is necessary both our sakes, and for everyone else's sake, who are also us and fragments of the same consciousness. As a first step, we must ensure U.S. compliance with the UNCAT according to the CAT's Concluding Observations, through independent investigations by the IAJ which must be recognized by government, and then corrected is necessary. This must be our nation's initiative, leaving the CAT confident that human rights in the United States, are secure and cleared from doubt.

I invite your correspondence, and scholarly engagement. I look forward to it. However, in the event that I may not reply, I inform you that I am now at even greater risk of stroke, heart attack, catastrophic immune-induced injury and sudden death from my torture by the judiciary over the past seven and half years. In that event, I hope you will engage with the IAJ, spearhead the leadership of the Executive branch in human rights treaty compliance with love for every human being, and support the IAJ's establishment as a feature of national pride for our country.

Sincerely yours,



Cyrus Hazari

Attachments:

- SCOTUS letter
- Sample recent filing in the Ninth Circuit