

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

ADVANCE UNEDITED VERSION

**PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING
AND URGENT ACTION PROCEDURES**

Statement 1 (2020)

United States of America

The Committee on the Elimination of Racial Discrimination,

Acting under its Early Warning and Urgent Action Procedures;

Alarmed by the horrific killing of George Floyd in Minneapolis on 25 May 2020;

Also alarmed by the recurrence of killings of unarmed African Americans by police officers and individuals over the years;

Deeply concerned by the continuing practice of racial profiling, the brutality and excessive use of force by law enforcement officials against persons belonging to racial and ethnic minorities, including unarmed individuals, leading to disproportionately recurrent killings of unarmed African Americans without appropriate accountability for, and sanctions imposed to those responsible;

Disturbed by the excessive use of force by law enforcement officials against peaceful protesters across the country calling for ending racial discrimination and ensuring justice regarding the death of George Floyd, including the use of pepper spray, rubber bullets and batons on protesters, media and bystanders, and which has led to extensive arrests and detentions;

Convinced that systemic and structural discrimination permeates State institutions and disproportionately promotes racial disparities against African Americans, notably in the enjoyment of the rights to equal treatment before the tribunals, security of person and protection by the State against violence or bodily harm, and other civil, economic, social and cultural rights enshrined in the International Convention on the Elimination of all Forms of Racial Discrimination;

Noting the criminal investigation launched against the four police officers responsible for the death of George Floyd, including of the police officer whose direct action caused the death of the victim, and their ongoing prosecution;

Noting the announcement of police reforms by the local authorities in Minneapolis, as well as similar announcements by other local governments to redirect policing budget to social services;

Noting the peaceful protests held worldwide in solidarity with African Americans and other ethnic minorities in the United States of America as well as against racial discrimination in their own country;

Recalling and supporting the statement of United Nations special procedures condemning modern day racial terror lynching and calling for systematic reform and justice and their statement on the protests against systemic racism in the United States of America, both issued on 5 June 2020;

Recalling its previous concluding observations of May 2008 (CERD/C/USA/CO/6) and August 2014 (CERD/C/USA/CO/7-9) on the United States of America and its previous decision regarding the horrific events in Charlottesville of 11-12 August 2017;

Recalling its general recommendations No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, No. 34 (2011) on racial discrimination against people of African descent and No. 35 (2013) on combatting racist hate speech:

Calls upon the Government of the United States of America to fully respect its international obligations, in particular those arising from the International Convention on the Elimination of All Forms of Racial Discrimination to which it is a party;

Urges the Government of the United States of America to ensure that the death of George Floyd is thoroughly investigated, alleged perpetrators prosecuted, and if convicted, punished with sanctions commensurate with the gravity of the crime;

Calls upon the Government of the United States of America to increase the oversight of police misconduct, and to ensure that each allegation of excessive use of force by law enforcement officials, including in the context of ongoing peaceful protests, is promptly and effectively investigated irrespective of race, colour, descent, national or ethnic origin and that the alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions;

Urges the Government of United States of America to desist from calling on the military to ensure public order in the context of these peaceful protests, which could lead to the excessive use of force against African Americans and other ethnic minorities;

Calls upon the Government of the United States of America to intensify efforts to prohibit and eradicate in practice racial profiling and the excessive use of force by law enforcement officials towards persons belonging to racial and ethnic minorities;

Urges the Government of the United States of America to publicly recognize the existence of structural racial discrimination in the society, as well as to unequivocally and unconditionally reject and condemn racially motivated killings of African Americans and other minorities;

Urges the Government of the United States of America, State and local authorities to take immediate and appropriate reforms aimed at eliminating racially disparate impacts or structural discrimination in the police and the criminal justice system, taking into account the rights of victims of racially motivated crimes;

Recommends the Government of United States of America, State and local authorities to ensure a wide dissemination of the Convention in training and education curricula for law enforcement officials;

Invites the United States of America to urgently submit its combined tenth to twelfth periodic reports, which is overdue since 20 November 2017, and include information on the measures taken to give effect to the recommendations of the present statement.

12 June 2020