

## THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

### **Biased Rule of Law and Racial Discrimination in the US**

18 December, 2014

International Movement Against All Forms of Discrimination and Racism (IMADR) deplores the recent decisions of grand jury in New York and Ferguson, Missouri, which failed to find white police officers guilty for the deaths of unarmed African Americans, Michael Brown and Eric Garner. The overrepresentation of racial and ethnic minorities in prison, especially African Americans, indicates the lack of impartiality of the criminal justice system.

Recently, the United Nations Committee on the Elimination of Racial Discrimination reiterated its previous concern on the excessive use of force by law enforcement officials against unarmed individuals who belong to racial and ethnic minorities, especially African Americans.<sup>1</sup> African American men have been suffering the specific targeting by law enforcement as a threat to society which derived from the persistent prejudice and discrimination. We deeply regret the need to reiterate the Committee's concern in light of the outcome of the recent two cases of impunity for the misconduct of law enforcement officers.

The Rule of law must be objective and free from any discrimination based on race, colour, ethnicity, nationality, religion or descent. The Judicial system is often a last recourse for persons belonging to minority groups to seek justice and remedies when their human rights are abused. However, the recent decisions of the grand jury have failed to ensure their equal rights; this intensified distrust of the justice system among African Americans and other minorities in the US. The decisions once again showed that racial discrimination prevails in the country.

We voice our support to the demand of concerned US citizens to reform the national criminal justice system to respect and protect the human rights of all persons without distinction of any kind. We also denounce excessive use of force by law enforcement officers against racial and ethnic minorities. With this regard, IMADR reiterates the CERD recommendation to the US to "*intensify its efforts to prevent the excessive use of force by law enforcement officials by ensuring compliance with the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*"<sup>2</sup>.

We urge the U.S. government to: (a) ensure justice in the recent cases involving the deaths of Michael Brown and Eric Garner; (b) ensure no excessive use of force by law enforcement officials against racial and ethnic minorities is exercised; (c) promptly investigate and prosecute law enforcement officers who are accused of criminal misconduct against racial and ethnic minorities; (d) respect citizens' right to protest and assemble peacefully; and (e) implement the recent recommendations of the UN Committee on the Elimination of Racial Discrimination.

<sup>1</sup> Office of the High Commissioner for Human Rights (OHCHR) (September 2014), "*Concluding observations on the combined seventh to ninth periodic reports of the United States of America (CERD/C/USA/CO/7-9)*", paragraph 17

<sup>2</sup> Ibid, paragraph 17 (b)