



# General Assembly

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## Human Rights Council

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Agenda item 9

**Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action**

**Joint written statement\* submitted by International Organization for the Elimination of All Forms of Racial Discrimination, Association Ma'onah for Human Rights and Immigration, International-Lawyers.Org, Union of Arab Jurists, United Towns Agency for North-South Cooperation, non-governmental organizations in special consultative status, International Educational Development, Inc., World Peace Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[02 June 2020]

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\* Issued as received, in the language(s) of submission only.



# **Justice for George Floyd and countless other black Americans whose stories are becoming much too familiar**

## **Introduction**

The systematic injustices embedded into the American criminal justice system are being held under a microscope by the public as people are growing tired of the countless injustices displayed against black communities. In the United States of America (USA), black people are faced with daily prejudices because of the color of their skin. The injustices committed are becoming tragically normal. Structural racism is becoming a more apparent reality that must be falsified.

The aim of this statement is to analyze the death of George Floyd and condemn the institutional racism and implicit race bias embedded into America's criminal justice system. As another black man's life is taken by the police force in America, our aim is to show that institutional racism must come to an end and needs to be taken into consideration by the Human Rights Council and Member States.

## **Institutional racism and implicit race bias**

On Monday, the 25<sup>th</sup> of May, a black man named George Floyd, was killed by police authorities in Minneapolis, Minnesota. The police had received a call about a suspected forgery. After the suspect, George Floyd, was apprehended and handcuffed, an officer used his knee against Mr. Floyd's neck to hold him down. In a video recorded by a bystander, George Floyd was clearly motionless for several minutes. However, the police officer continued to press his knee on Floyd's neck resulting in his unconsciousness and consequent death. As Floyd uttered, "Please, I can't breathe" several times, the police officer and his colleagues continued to inhumanely pin him down.

The Minneapolis Police Department wrote up a report following the incident writing that Mr. Floyd died of a medical condition. This appears to be their attempt to cover up their violent, inappropriate actions that symbolize the injustice of the entire system.

After analyzing the deeply disturbing video, investigators concluded that handcuffed Floyd did not show obvious resistance. Derek Chauvin, the police officer who knelt on Floyd's neck, betrayed his oath of office. He swore to serve and protect the people of his city, but, instead, deprived Floyd of his life neglecting due process of law. This catastrophic failure of training resulted in unequal protection for Floyd because of the color of his skin. As a police officer, you are required to be a first responder. If you are trying to obtain compliance, but someone is hurt, you have a duty to render aid. If someone is in positional asphyxia, in which they lack access to air due to their body position, you need to adjust them accordingly. Derek Chauvin failed to uphold his duties in this tragic incident resulting in the death of George Floyd.

## **Aftermath**

### **Consequences**

All four police officers at the scene, Derek Chauvin, Thomas Lane, Tou Thao, and J. Alexander Kueng, have been fired from their positions. This was the first step. However, as of May 30<sup>th</sup>, Derek Chauvin has been taken into custody by the Minnesota Bureau of Criminal Apprehension and charged with third-degree murder and manslaughter. The investigation into the other three officers who were at the scene is ongoing.

### **Protests**

Large protests have followed in the past days in response to police conduct towards black people, and the demonstrators have been fired at with rubber bullets and tear gassed in response. This reminds us of the fact that black people in America are consistently persecuted

by state violence. This tragic loss of life calls for justice. Black people living in America deserve to feel safe and should not have to continuously fear for their lives.

Pain and anguish have resulted in these protests transitioning into riots and looting. The violence and destruction that is involved in these protests shows that people have had enough. Curfews have been instilled in major cities around the country and the National Guard has been mobilized by approximately half of the United States. However, the protests continue despite these restraints. People do not feel listened to and are demanding change within the system, feeling as if they cannot obtain change any other way. One thing is certain- wrongful black deaths will not be in vain.

### **Past Incidences**

This is not a new phenomenon. To be black in America is seen as a constant danger. Institutional racism must come to an end. The injustices involved in racial profiling that are embedded into the criminal justice system has resulted in a death sentence for black Americans across the country.

This horrific incident is not isolated, but is part of a larger story within American history where the color of one's skin determines how one is treated. The Mayor of Minneapolis, Jacob Frey, stated earlier this week that if Floyd were white, he would still be living today. This is a clear injustice.

Philando Castile, who was shot dead by a police officer during a traffic stop (2016); Eric Garner, who passed away after being held in a chokehold (2014); and Breonna Taylor, who was brutally murdered in a wrongful police investigation (2020), to name a few, are incidents that have become much too common. The black victims who have been stripped of their lives solely based on the color of their skin goes on and on. When police officer Daniel Pantelo fatally choked Eric Garner in 2014, the country saw an outburst of people across the country condemning his actions and seeking justice so this never happens again. Six years later in 2020, history is repeated because the criminal justice system is chained to a legacy of violence against black people in America.

People from around the world hear of George Floyd's story, Garner's story, Taylor's story, and countless others, and are left heartbroken and disgusted. America needs to be in solidarity with black communities and the criminal justice system needs to stand accountable for their actions against black lives. This system needs to change- and it needs to change now. George Floyd's death is reminiscent of so many other black people whose lives have been taken away. Clear measures need to be taken against the perpetrators and they need to be held accountable for their horrific behavior.

According to the Minneapolis Police Department's Internal Affairs, two of the four officers involved in this incident had multiple prior complaints against them (Derek Chauvin – 18 complaints, Tou Thao – 6 complaints), many for situations involving inappropriate conflicts between the police and minorities. There should be restrictions in place against officers with previous complaints to prevent wrongful actions from occurring.

### **Recommendations**

In a matter of days, the world has seen a black, handcuffed man pleading to breathe at the hands of a white police officer. This has resulted in omnipresent anger, peaceful as well as violent protests, and a demand that the officers involved face criminal charges.

We demand justice for George Floyd, his family, and the lives of countless other black Americans who have been mistreated and violated by the current criminal justice system. We believe the institutional racism embedded into America's criminal justice system can be changed, and this starts with perpetrators of all acts of police brutality to be held accountable for their actions. We denounce the police involved in the death of George Floyd because the devaluation of human lives is never tolerated. We urge the international community to encourage accountability for this atrocity.

- We encourage the investigators looking at the situation to guarantee justice for Floyd, his family, and for all black communities.
- We stand with Floyd's family and agree that the officers involved should be charged and that appropriate justice is served.
- We call on the international community to speak up against racism and act against implicit race bias to develop a normal standard for treating all people equally.

**We call on the United Nations (UN) Human Rights Council to:**

- End the legacy of unequal treatment by implementing strategies for a newfound peace amongst those of different skin colors.
- Put pressure on the USA in order to alter the training process of its criminal justice system to encourage equal treatment for all citizens under the law and to strictly implement accountability measures. This altered training process should focus heavily on the equal treatment of all citizens and to uphold the values of the Constitution of the United States.
- There needs to be greater transparency with the public in regards to prior misconducts an officer has violated.
- There needs to be clearer and more thorough guidelines for situations of police brutality to avoid consequences such as violent protests.
- Both local and national governments need to be responsible for maintaining order and public safety as their top priority.
- We call on all UN Member States to implement the Durban Declaration and Programme of Action and its 'programme of activities' towards ending racial discrimination and injustices; and to adopt concrete measures at the national level with the aim of promoting positive action to create equal opportunities for all peoples especially at the social, cultural, economic, and political level.

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Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, Just Atonement Inc., Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organization for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.