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<sup>1</sup> [www.aidhdes.org](http://www.aidhdes.org).

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# Introduction

## Human Rights in the United States: a brief review.

The history of the United States is commonly presented to the world as a progressive evolution of human rights, from the Declaration of Independence of 1776 to the constitutional amendments and struggles for human rights<sup>6</sup>. However, in the U.S., they present a trajectory that is marked by contradictions<sup>7</sup>. Human rights are part of the domestic and foreign policy of the United States<sup>8</sup> and also serve to promote national security policies that safeguard its geopolitical interests. Sixty-two percent of the main international treaties on human rights have not been ratified by Washington, not to mention the fact that it has not ratified other international conventions and statutes. This corroborates the above mentioned.<sup>9</sup>

The US has found itself in situations that do not fully align with the norms of public international law and human rights, including the UN Charter and the International Covenant on Civil and Political Rights (ICCPR). In addition, it faces significant human rights challenges. Although the U.S. has made some changes, it has not seen significant progress in its UPR commitments.

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<sup>6</sup> OHCHR Honduras. History of Human Rights (2025). Par. 6. Online: <https://oacnudh.hn/historia/>.

<sup>7</sup> Conclusion of the authors of this report after having listened to various victims of human rights violations in the U.S. and outside the U.S. due to its policies on the matter.

<sup>8</sup> HRC. Report of the Working Group on the Universal Periodic Review of the United States. (2021) §6. Online: <https://docs.un.org/es/A/HRC/46/15>.

<sup>9</sup> Committee on the Elimination of Racial Discrimination. Concluding observations on the combined seventh to ninth periodic reports of the United States of America. 25 September 2014. CERD/C/ USA/C/7-9; Committee on the Rights of the Child. Concluding observations on the second periodic report of the United States of America, submitted under article 12 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. July 2, 2013; Report of the Working Group of Experts on People of African Descent. 6 August 2010. A/HRC/15/18; Report of the Working Group on the Question of Discrimination against Women in Law and Practice. 4 August 2016. A/HRC/32/44/Add.2.

# Internal and external legal framework for human rights

## U.S. Constitution and fundamental rights.

The U.S. Constitution, enacted in 1787, defines the structure of the U.S. state and government. It includes 27 amendments, with the first 10 known as the "Bill of Rights"<sup>10</sup>, which protect civil and political rights and limit governmental power<sup>11</sup>. However, the constitution does not adequately guarantee Economic, Social and Cultural Rights (ESCR), making it difficult to ensure social justice and protect vulnerable sectors<sup>12</sup>.

The US is one of the few countries that has not ratified key international treaties, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of Discrimination against Women and the Convention on the Rights of the Child despite the latest UPR recommendations<sup>13</sup>. The U.S. Constitution has a narrow approach to human rights, focusing on individual freedoms, omitting basic social rights such as health, housing and decent work

The omission in the recognition of basic social rights and even the application of international policies has led to the persistence of profound inequalities and violations of rights that also affect individual rights. In this context, it is pertinent to highlight four problematic and thematic areas derived from this normative gap :

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<sup>10</sup> NATIONAL ARCHIVES. The Bill of Rights (2023). Online: <https://www.archives.gov/espanol/declaracion-de-derechos>.

<sup>11</sup> USA GOV. Historical documents of the U.S. (2025) Online: <https://www.usa.gov/es/documentos-historicos-estados-unidos>.

<sup>12</sup> U.S. DEPARTMENT OF JUSTICE. Goal 3: Protect civil rights. Objective 3.4: Expand equal access to justice. Par. 1 (2024). Online : <https://www.justice.gov/es/objetivo-34-ampliar-el-acceso-igual-la-justicia>.

<sup>13</sup> UNITED NATIONS (UNHCR). Report of the Working Group on the Universal Periodic Review. United States of America (2020). Chap. Conclusions and/or recommendations. Online: [https://upr-info.org/sites/default/files/documents/2021-04/a\\_hrc\\_46\\_15\\_s.pdf#:~:text=26,Pakist%C3%A1n](https://upr-info.org/sites/default/files/documents/2021-04/a_hrc_46_15_s.pdf#:~:text=26,Pakist%C3%A1n).

1. Racial inequality.
2. Situation of Indigenous Peoples.
3. Labor and social rights.
4. Foreign policy.

Here the tensions between the constitutional ideals of equality and justice and the reality.<sup>14</sup>

## Facts by

### Racial inequality and discrimination.

The 14th Amendment to the U.S. Constitution, ratified in 1868, is crucial in American constitutional history; it proclaims equality under the law by addressing several key aspects of fundamental rights. Yet, disturbing developments continue to occur, for example, police violence against African Americans and other minorities, illustrating unresolved systemic and structural discrimination<sup>15</sup>. The assassination of George FLOYD in 2020 gave rise to massive protests in the USA, but the figures show a worsening, registering 1093 people killed by the police in 2022<sup>16</sup> and 1'250 people in 2024 being the deadliest year ever recorded by organizations specialized in the matter. The location of these crimes is increasingly reproduced in rural areas and suburbs of large cities where most of them are of African descent and migrants<sup>17</sup> being more and more victims babies, young children and children of African descent.

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<sup>14</sup> UNITED NATIONS. UNITED NATIONS HUMAN RIGHTS COUNCIL. UPR of the United States. A/HRC/46/15 (2021).

<sup>15</sup> UNITED NATIONS. Racial discrimination in the United States permeates all contacts with the Police, sometimes as early as school (2023). Online: <https://news.un.org/es/story/2023/05/1520742>.

<sup>16</sup> LATINO TIME. Political violence in the United States: the numbers that show Latinos and African Americans are in the crosshairs (2023). Online : <https://eltiempolatino.com/2023/09/18/nacional/violencia-de-la-policia-en-estados-unidos-latinos-y-afroamericanos/>.

<sup>17</sup> According to a report by the Institute on Taxation and Economic Policy and Tax Fairness, undocumented immigrants paid USD 96.7 billion in taxes. Of this amount, 39% corresponds to state and local taxes. That is more than USD 37 billion. In terms of federal taxes, undocumented immigrants paid 5.27% of their income, a higher percentage than Exxon Mobile, which paid 2.5%, and AT&T, which paid 3.1%. In 40 of the 50 states, undocumented immigrants paid more taxes than some of the wealthiest households. We are talking about a difference of about 10.1% of the undocumented, compared to 7.2% of the richest households. Source : <https://x.com/UniNoticias/status/1900381552195878944>.

teenagers in policing<sup>18</sup>. In its latest UPR, several states recommended that the US combat systemic and structural racism by addressing it in state agencies, as despite the George Floyd Justice in Policing Act, racial profiling continues to persist<sup>19</sup>.

Racial disparity in the criminal justice system is evident. African Americans and Latin Americans face higher arrest, prosecution and conviction rates than white citizens. This is affirmed by the Bureau of Justice Statistics, the FBI and NGOs specializing in criminal justice<sup>20</sup><sup>21</sup>. In 2020, 40% of those incarcerated in the U.S. were African Americans, although they represent only 15% of the national population<sup>23</sup>. It also highlights the number of incarcerated Latinos by 2022 which is 426 per 100'000 Latinos, approximately 2.3 times the rate of whites<sup>24</sup>. By the end of that year 32% of those sentenced were of African descent, 23% Latino, 2% Native American, and 1% Asian, Native Hawaiian or other Pacific Islander<sup>25</sup>.

Racial inequality is also present in education and the economy, the result of structural segregationist policies<sup>26</sup>. More than 60 years after the famous *Brown v. Board of Education*

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<sup>18</sup> WWS. US police Killed record number of people in 2024. (2025). Online: <https://www.wsws.org/en/articles/2025/01/03/xynt-j03.html>.

<sup>19</sup> Ibidem 10

<sup>20</sup> NAACP. Criminal Justice Fact Sheet (2023). Online : <https://naacp.org/resources/criminal-justice-fact-sheet#:~:text=compared%20to%2056,8%20million%20correctional%20population>.

<sup>21</sup> PEW. Racial disparities persist in many U.S. jails (2023). Online : <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2023/05/racial-disparities-persist-in-many-us-jails#:~:text=The%20large%20growth%20of%20the,3>.

<sup>22</sup> FBI. Crime in the United States. Table 43. Arrests. (2019). Online : <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/table-43#:~:text=.percent%20were%20Hispanic%20or%20Latino>.

<sup>23</sup> MICROJURIS. Racism: entwined in the U.S. criminal justice system. (2010). Online : <https://aldia.microjuris.com/2020/06/17/el-racismo-entroncado-en-el-sistema-de-justicia-penal-de-los-estados-unidos/#:~:text=Las%20estad%C3%ADsticas%20nos%20deben%20proveer,uno%20de%202005%20est%C3%A1%20preso>.

<sup>24</sup> BUREAU OF JUSTICE STATISTICS. Racial disparities in prison incarceration rates, 2022. Number of people incarcerated in state and federal prisons per 100'000 in each racial or ethnic category. (2022). Table 5.

<sup>25</sup> BUREAU OF JUSTICE STATISTICS. Prisoners in 2022 - Statistics Tables (2023). Online : <https://bjs.ojp.gov/press-release/prisoners-2022-statistical-tables#:~:text=Examining%20prisoners%20by%20demographics%20revealed,Hawaiian%2C%20or%20Other%20Pacific%20Islander>.

<sup>26</sup> URBAN INSTITUTE. Structural Racism Explainer Collection (2021). Online: <https://www.urban.org/racial-equity-analytics-lab/structural-racism-explainer-collection/causes-and-consequences-separate-and-unequal>.



ruling, school segregation throughout the country was declared unconstitutional. Even so, schools in many parts of the country continue to de facto segregate children and adolescents based on race and socioeconomic status<sup>27</sup>. Racial separation in education goes hand in hand with economic inequalities. Thus, schools in poorer U.S. neighborhoods tend to have lower funding and thus lower graduation rates and college access for black and Latino students, limiting opportunities for a decent life in the future. In 2022, for every dollar of wealth owned by a white family, an African or Latino family would have just 24 cents or 23 cents respectively<sup>28</sup>.

The latest national census data show that the inequality index between blacks and whites, which ranges from 0 to 100 points, is around 55, which is an extremely high level. With respect to Latinos and whites, the figure is somewhat lower, but no less significant: the national figure is around 45 points<sup>29,30</sup>. There is thus a structural economic disadvantage evidenced by gaps in income, employment, wealth and social mobility. Today, 1 in 4 Afros lives in a high-poverty neighborhood for more than 2 generations, where more than 30% of residents are poor, compared to only 1 in 13 whites.

Also, approximately 1 in 6 Latinos live in neighborhoods of concentrated poverty living in economic neglect where there is a lack of private investment, public services and safety<sup>31</sup>.

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[neighborhoods#:~:text=America%E2%80%99s%20separate%20and%20unequal%20neighborhoods,levels%20of%20crime%20and%20violence&as\\_qdr=y15.](#)

<sup>27</sup> LATINO TIME. Increasing segregation: more Latinos than whites in U.S. suburban schools (2024). Online : <https://eltiempolatino.com/2024/05/17/nacional/aumento-de-segregacion-hay-mas-latinos-que-blancos-en-las-escuelas-suburbanas-de-eeuu/#:~:text=Entre%202010%20y%202020%20el,distritos%20escolares%20negros%20y%20latinos.>

<sup>28</sup> HRW. United States. Events of 2023. (2024). Online: <https://www.hrw.org/es/world-report/2024/country-chapters/united-states#:~:text=Justicia%20racial.>

<sup>29</sup> OTHERING & BELONGING INSTITUTE AT UC BERKELEY. Housing Segregation and Racial Inequality. The California Task Force on Reparations (2021). Online : <https://oag.ca.gov/system/files/media/task-force-witness-menendian-jd-102021.pdf#:~:text=%E2%80%A2%20As%20of%202020%20census%3A,white%20dissimilarity%20score%20is%2040.>

<sup>30</sup> GAO. U.S. GOVERNMENT ACCOUNTABILITY OFFICE. K-12 Education: Student Population has significantly diversified, but many schools remain divided along racial, ethnic and economic lines. GAO-22-104737. (2022). Online: <https://www.gao.gov/products/gao-22-104737#:~:text=Schools%20remain%20divided%20along%20racial%2C,student%20population%20grows%20more%20diverse.>

<sup>31</sup> BROOKINGS. Tackling the legacy of persistent urban inequality and concentrated poverty (2020). Online : <https://www.brookings.edu/articles/tackling-the-legacy-of-persistent-urban-inequality-and-concentrated->

## Rights of Indigenous Peoples.

Native people in what is now the United States have endured the denial of their fundamental rights to this day. It is true that Washington recognizes the existence of 574 tribes and has reaffirmed its support for the UN Declaration on Indigenous Peoples (UNDRIP), but in practice blatant violations of Native land rights persist<sup>32</sup>.

Many American Indian Nations continue to fight for the respect of treaties signed with the federal government and for the right to participate in decisions affecting their lands and resources. Cases such as the Dakota Access Pipeline<sup>33</sup>, Enbridge Line 3 in Minnesota<sup>34</sup>, Thacker Pass in Nevada<sup>35</sup>, Western Shoshone<sup>36</sup>, among others, have shown this dynamic that violates fundamental US legal principles such as Tribal Sovereignty (Legal Doctrine), Federal-Tribal Treaties (Art. VI of the Constitution), the Federal Trust Responsibility Doctrine or the National

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[poverty/#:~:text=Being%20born%20and%20raised%20in,far%20more%20persistent%20and%20damaging.](#)

<sup>32</sup> Ibidem 10.

<sup>33</sup> GIZMODO. A threat to the environment and sovereignty: The case of the Standing Rock Sioux Tribe and the Dakota Access Pipeline (2025). Online: <https://es.gizmodo.com/una-amenaza-para-el-medio-ambiente-y-la-soberania-el-caso-de-la-tribu-standing-rock-sioux-y-el-oleoducto-dakota-access-pipeline-2000142349>.

<sup>34</sup> VOX. The Indigenous-led fight to stop the Line 3 oil pipeline expansion in Minnesota, explained (2021). Online: <https://www.vox.com/22333724/oil-pipeline-expansion-protest-minnesota-biden-climate-change>.

<sup>35</sup> THE GUARDIAN. 'We were not consulted': Native Americans fight lithium mine on site of 1865 massacre (2023). Online: <https://www.theguardian.com/us-news/2023/oct/13/native-americans-1865-massacre-lithium-mine-thacker-pass>.

<sup>36</sup> AIDHDES held a meeting within the framework of the 58th session of the UN Human Rights Council with the executive director of the Western Shoshone Nation Defense Project, Fermina Stevens, in Geneva (CH), who stated that this Western Nation is the victim of multiple systematic violations of their collective rights as Indigenous Peoples, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples (2007), ILO Convention 169 and the ICCPR. In a report submitted to AIDHDES, it highlights the lack of recognition of the right to self-determination, the unauthorized occupation and exploitation of their ancestral territories - despite the validity of the Treaty of Ruby Valley of 1863 - and the carrying out of more than 900 nuclear tests on their lands since the 1950s, with devastating impacts on the environment and the health of their inhabitants. Likewise, reference is made to observations made by the IACHR, which in its report on the USA (2018) urged the State to guarantee the territorial rights of Indigenous Peoples and to respect their self-government mechanisms. Similarly, the UN Committee on the Elimination of Racial Discrimination (CERD) has expressed concern about the lack of prior consultation and the continued exploitation of natural resources on Indigenous lands without consent. In this context, the Shoshone Nation demands formal recognition of their sovereignty, respect for and compliance with historical treaties, and the adoption of comprehensive reparation measures that include guarantees of non-repetition.



Environmental Policy Act. In the last UPR of the USA, Washington was recommended to carry out free, prior and informed consultations with Indigenous Nations before approving any project that seriously impacts the territories and livelihoods of their inhabitants<sup>37</sup>. There is environmental degradation with extractivist economic policies that seriously affect Native Peoples, putting their lives at risk. This is the case, for example, of the Alaskan Peoples who see their lands polluted, endangering the food security of the population and the environment<sup>38</sup>.

To this must be added that, according to indicators, Indigenous Peoples have some of the worst socioeconomic indicators in the United States, confirming the social injustice that reigns in the country. Thus, the poverty rate by ratio is recognized as the highest by ethnicity<sup>39</sup> where 23% of the population lives in poverty by 2022, i.e., double the national average<sup>40</sup>. In this sense, there is a high unemployment rate, with limitations to public resources making the life expectancy of indigenous people much lower than the national average. They continue to be relegated geographically, politically and economically, a reality that contrasts with the principles of human dignity and non-discrimination<sup>41</sup>.

## Social and labor rights.

Thomas Jefferson always had a passion for freedom, which is why he created a topic for the United States known as the "empire of liberty". A liberty that lives with deep social and economic inequalities that many believe still do not exist. The Magna Carta does not guarantee the right to health care, decent housing or employment, which has fortified structural poverty and the precariousness of various sectors of the American population. Our organization had the

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<sup>37</sup> Ibidem 10.

<sup>38</sup> UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. Climate change and the health of indigenous populations (2023). Online : <https://www.epa.gov/sites/default/files/2016-10/documents/indigenous-health-climate-change-sp.pdf#:~:text=%E2%80%A2%20vivir%20en%20comunidades%20aisladas,son%20vulnerables%20al%20cambio%20clim%C3%A1tico.>

<sup>39</sup> US CENSUS. Fig.3. Distribution of Total Population and Poverty by Race and Hispanic Origin Using the Official Poverty Measure : 2023. (2023). Online : <https://www.census.gov/content/dam/Census/library/visualizations/2024/demo/p60-283/figure3.pdf>.

<sup>40</sup> STATIST. Poverty rate in the United States in the year 2022, broken down by ethnicity.(2024). Online : <https://es.statista.com/estadisticas/634043/tasa-de-pobreza-en-estados-unidos-en-por-grupo-etnico/#:~:text=En%202022%2C%20el%2025%25%20de,%2C6%25%20de%20los%20asi%C3%A1ticos..>

<sup>41</sup> Ibidem 10.

opportunity to speak in situ at the end of 2023 with the American population in places such as New York, North Carolina and Washington. It was able to confirm that there are undoubtedly millions of Americans who work full time but still cannot make ends meet. While it is true that the minimum wage will go up in some states across the country, it will be raised in only twenty-one, one less than in 2024<sup>42</sup>. The federal minimum wage equivalent of \$7.25 USD that has not changed since 2009 will then apply for those states where there is no minimum wage law<sup>43</sup>. Wage earnings by race reflect that unequal opportunities exist, a result of structural segregation. In 2023, the median income of a family of African descent was about 56'500 USD per year, about 63% of the median income of non-Hispanic white households which hovers around 89'000 USD per year. Hispanic households were \$65'500 USD<sup>44</sup>. Thus, it is also no coincidence that blacks and Latinos are overrepresented among the homeless population<sup>45</sup>. It is not surprising that, in 2022, of the 129 million households in the USA, 54 million people (42%) were below the poverty line<sup>46</sup> being this factor the fourth leading cause of death in the country by 2023<sup>47</sup>. In that sense and according to the US Department of Health and Human Services (HSS), the poverty threshold for a family of four in 2025 is 31'150 USD per year. For an individual, the figure is 15'600 USD per year nationwide. Referenced in these figures, although there is a slight decrease in the poverty rate which dropped by 0.4% in 2023, there are still millions of Americans living in poverty with a 1.3% increase in the child poverty rate for the same year<sup>48</sup>.

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<sup>42</sup> CNN. US minimum wage increase in 2025: how much will it be and when does it go into effect (2024). Online: <https://cnnespanol.cnn.com/2024/12/10/estados-unidos/aumento-salario-minimo-ee-uu-2025-cantidad-orix>.

<sup>43</sup> U.S. DEPARTMENT OF LABOR. Minimum Wage. (2025). Online : <https://www.dol.gov/agencies/whd/minimum-wage>.

<sup>44</sup> UNITED STATES CENSUS BUREAU. Median Household Income Increased in 2023 for first time since 2019. (2024). Online : <https://www.census.gov/library/stories/2024/09/household-income-race-hispanic.html#:~:text=households>.

<sup>45</sup> OPINION. Homelessness hit record high in 2023 in U.S. (2023) Online : <https://laopinion.com/2023/12/15/la-cantidad-de-personas-sin-hogar-alcanzo-un-record-en-2023-en-ee-uu/#:~:text=Las%20minor%C3%ADas%20est%C3%A1n%20entre%20las,por%20la%20falta%20de%20vienda>.

<sup>46</sup> UNITED FOR ALICE. Alice in the crosscurrents. COVID and financial hardship in the United States (2022). ACT 2024. P.1. § 2. Online: <https://www.unitedforalice.org/national-overview-mobile>.

<sup>47</sup> MISSION TRUTH. Poverty is the fourth leading cause of death in the U.S. (2023). Online: <https://misionverdad.com/la-pobreza-es-la-cuarta-causa-principal-de-muerte-en-eeuu>.

<sup>48</sup> OPINION. With what income are you in poverty in the U.S. in 2025. (2025). Online: <https://laopinion.com/2025/01/24/con-que-ingreso-estas-en-la-pobreza-en-ee-uu-en-2025/#:~:text=en%202025%3A,un%20hogar%20de%203%20personas>.

Regarding social rights, the country's health care system should be mentioned, as it is one of the sectors of greatest concern in the USA. Despite the existence of the "Affordable Care Act (ACA)" there are 26.4 million people who did not have health insurance according to three reports of the US Census Bureau in 2023<sup>49</sup>. On the other hand, even though Washington spends nearly twice as much on health care as any other country in the developed world, U.S. citizens die younger and face more preventable deaths, calling into question the effectiveness of health care across the country. There are administrative inefficiencies and lack of coordination in the delivery of services that make access to health care an arduous race through a bureaucratic maze. It is difficult for a low-income person to enjoy quality health care, widening the social and economic disparities in the United States. There is a shortage of physicians and hospital beds, drastically prolonging patients' access to specialized care. These are frustrating and deadly shortages especially when immediate attention is required<sup>50</sup>.

Regarding the right to housing, the number of homeless people nationwide is of concern. Although it is complex to find figures for the year 2025, in 2022-2023 the US Department of Housing and Urban Development (HUD) reported 653'104 people which represents a 12% increase of homeless citizens in the country driven by factors such as inflation, lack of affordable housing and the cessation of welfare implemented in the COVID-19 pandemic. In 2024, the number of street dwellers was over 770'000 where the most worrying trend resided in the almost 40% increase of homeless families. The 33% increase in the number of children without a roof over their heads in 2024 is frightening, accounting for almost 150'000 minors<sup>51</sup>. Public investment in the issue is insufficient and in some states the response is the criminalization of homelessness, showing how costly and dangerous the "American dream" is for the poorest<sup>52</sup>. The Grants Pass Vs. Johnson ruling is no more encouraging because it gives cities across

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<sup>49</sup> UNITED STATES CENSUS. Income, poverty, and health insurance coverage in the United States : 2023. (2024). Online : <https://www.census.gov/newsroom/press-releases/2024/income-poverty-health-insurance-coverage/income-poverty-health-insurance-coverage-spanish.html>.

<sup>50</sup> THE COMMONWEALTH FUND. A Portrait of the Failing U.S. Health System. Comparing Performance in 10 Nations (2024). Online : <https://consultorsalud.com/estados-unidos-crisis-sistema-de-salud/>.

<sup>51</sup> EURONEWS. US homelessness hits record high due to housing costs (2024). Online : <https://es.euronews.com/2024/12/28/el-numero-de-personas-sin-hogar-en-eeuu-alcanza-un-nivel-record-debido-al-coste-de-la-vivi>.

<sup>52</sup> NHLC - UNIVERSITY OF MIAMI SCHOOL OF LAW (HUMAN RIGHTS CLINIC). The criminalization of homelessness and mental health in the United States (2023). P.4 - P.13. Online : <https://homelesslaw.org/wp-content/uploads/2023/09/US-Joint-SR-Report.pdf>.

the country the ability to fine or arrest homeless people for sleeping on the street, even if there are no shelters available. The courts hold that there is no unconstitutionality in doing so under the guise of regulating public spaces by overriding the 8th Amendment's prohibition on "cruel and unusual treatment"<sup>53</sup>.

The precariousness of labor and erosion of workers' rights is a structural factor that does not help to solve the aforementioned social problems in the country.

The unemployment rate in the U.S. rose to 4.1% in February 2025<sup>54</sup>. 45% of US citizens get their insurance through their employers. For this reason, losing a job means relying on programs such as Medicaid, which is at risk due to cuts in federal funding and financial reforms promoted by President Trump amounting to USD 2.3 trillion<sup>55</sup>. Similarly, the "Gig Economy" and temporary employment without benefits is spreading across the US, also causing problems in the healthcare sector, as there is no boundary between work and rest<sup>56</sup>. Companies such as Uber, Lyft or DoorDash have hired millions of people as freelancers avoiding responsibilities such as health insurance, vacations, pension contributions or other types of social security. Generally, these people have low and irregular salaries with unsafe working conditions<sup>57</sup> where many of them have "at will" type labor contracts<sup>58</sup>. On the other hand, it is important to bear in mind that the USA is the only industrialized country that does not guarantee paid maternity/paternity leave

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<sup>53</sup> NEW YORK STATE BAR ASSOCIATION. Grant's Pass v. Johnson : Supreme Court Decision Illustrates the Difficulties in Solving Homelessness (2024). Online : <https://nysba.org/grants-pass-v-johnson-supreme-court-decision-illustrates-the-difficulties-in-solving-homelessness/#:~:text=On%20June%2028%2C%202024%2C%20the,violate%20those%20individuals'%20constitutional%20rights.>

<sup>54</sup> U.S. BUREAU OF LABOR STATISTICS. Civilian unemployment rate. Graphic for Economic News Releases. (2025). Online : <https://www.bls.gov/charts/employment-situation/civilian-unemployment-rate.htm>.

<sup>55</sup> KFF. Medicaid : What to Watch in 2025. (2025). Online : <https://www.kff.org/medicaid/issue-brief/medicaid-what-to-watch-in-2025/>.

<sup>56</sup> ETHIC. The 'gig economy' is killing our health. (2023). Online: <https://ethic.es/2023/03/la-gig-economy-esta-acabando-con-nuestra-salud/>.

<sup>57</sup> HUMAN RIGHT WATCH. United States. Events 2023. (2023). Online : <https://www.hrw.org/es/world-report/2024/country-chapters/united-states#:~:text=Los%20trabajadores%20reclutados%20por%20plataformas,impredecibles%20y%20condiciones%20laborales%20inseguras.>

<sup>58</sup> FOOTHOLD AMERICA. Employing a US worker. (2024). Online : <https://www.footholdamerica.com/what-is-at-will-employment/>.

by law<sup>59</sup> nor paid family and medical leave<sup>60</sup> nor paid vacation or sick leave<sup>61</sup>. In its last UPR, Washington was recommended to align itself with international standards and ratify the ECOSOC treaties but has not yet done so<sup>63</sup>.

In that sense, the existence of people working in poverty in the wealthiest nation in the world is an ethical contradiction that undermines the credibility of the United States when it presents itself as a pioneer of human rights.

## U.S. foreign policies and their impact on global human rights.

In a radio broadcast on December 29, 1940, Franklin Delano Roosevelt described U.S. foreign policy as the world's "arsenal of democracy," pointing to freedom and human rights as its main components.

However, its foreign policy has shown contradictions and has had devastating consequences for the world since the end of World War II, regardless of the party governing from the White House. The coups d'état in Latin America from the 60's to the 70's<sup>64</sup> or the wars and military interventions led by Washington after September 11, 2001 in the Middle East have left a very high human cost. Since the latter date the country has launched a "war against terrorism" in at least 85 countries<sup>65</sup>, leaving a cost of 929'000 direct deaths of which 387'000 are innocent civilians. Add to that at least 38 million displaced persons in Iraq, Afghanistan, Syria, Somalia and Yemen<sup>66</sup>. Deaths from US military interventions around the world amount to 4.5 million

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<sup>59</sup> DEEL. Maternity and paternity leave around the world by 2025. United States (2025). Online : <https://www.deel.com/es/blog/licencia-de-maternidad-y-paternidad-en-el-mundo/>.

<sup>60</sup> US DEPARTMENT OF LABOR. Family and Medical Leave Act (2025). Online : <https://www.dol.gov/agencies/whd/fmla>.

<sup>61</sup> APOLITICAL. Paid vacation is not a privilege, it is a public health priority (2019). Online : <https://apolitical.co/solution-articles/es/vacaciones-pagas-no-es-un-privilegio-es-una-prioridad-de-salud-publica>.

<sup>62</sup> Ibidem 55.

<sup>63</sup> Ibidem 10.

<sup>64</sup> EOM. US interventionism in Latin America. Major interventions since 1950.(2018). Online : <https://elordenmundial.com/mapas-y-graficos/intervencionismo-estadounidense-latinoamerica/>.

<sup>65</sup> USA TODAY. Exclusive : US counterterrorism operations touched 85 countries in the last 3 years alone. (2021) : Online : <https://www.usatoday.com/in-depth/news/2021/02/25/post-9-11-us-military-efforts-touched-85-nations-last-3-years/6564981002/>.

<sup>66</sup> IGLOBE. Cost of war project of Brown University : The price of the militarization of society (2021). Online : <https://www.iglobenews.org/cost-of-war-project-of-brown-university-the-price-of-the-militarization-of-society-2/#:~:text=,human%20rights%20and%20civil%20liberties>

people killed<sup>67</sup>. US expenditure on Israel's military operations and operations by Israel in the region amount to approximately USD 22,760 million<sup>68</sup> leaving 96% of the Gazan population in levels of food insecurity where 62'413 people have died of famine<sup>69</sup>. In 2021 the budget base to cover the cost of the US wars was estimated to be approximately USD 700 Billion per year<sup>70</sup> and in 2025 USD 895 Billion<sup>71</sup>, enough money with which to solve the problems mentioned in the previous sections of this report.

It is important to recognize that, although its direct presence in conflicts such as those in Afghanistan and Iraq has diminished, it continues to develop covert operations, establishing strategic alliances in regions where its activities destabilize peace. Such is the case of the Indo-Pacific area, with the aim of containing China, and Eastern Europe, vis-à-vis Russia. The increasing use of drones and special forces in areas such as Africa and the Middle East, with the aim of minimizing own casualties, but at a high humanitarian cost for civilians, remains in force. Military interventions such as in Syria or Yemen are structured by geopolitical interests (control of resources, containment of Iran) that provoke prolonged humanitarian crises. Under the Biden administration, the US prioritized multilateralism in theory, but in practice continued to act unilaterally when its interests were at stake. Despite talk of "peace and stability," military interventions remain, even under the Trump administration, a central tool of US foreign policy, albeit now with greater discretion and focus on proxy wars<sup>72</sup>.

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<sup>67</sup> WATSON INSTITUTE FOR INTERNATIONAL & PUBLIC AFFAIRS. BROWN UNIVERSITY. How dead outlives war : the reverberating impact of the post-9/11 wars on human health.

<sup>68</sup> WATSON INSTITUTE FOR INTERNATIONAL & PUBLIC AFFAIRS. BROWN UNIVERSITY. United States spending on Israel's military operations and related U.S. operations in the region, October 7, 2023 - September 30, 2024. (2024). Online :

<https://watson.brown.edu/costsofwar/papers/2024/USspendingIsrael>.

<sup>69</sup> WATSON INSTITUTE FOR INTERNATIONAL & PUBLIC AFFAIRS. BROWN UNIVERSITY. The human toll : indirect deaths from war in Gaza and the West Bank, October 7, 2023. Forward (2024). Online :

<https://watson.brown.edu/costsofwar/papers/2024/IndirectDeathsGaza>.

<sup>70</sup> Ibidem 60.

<sup>71</sup> LET'S DISINFORM. U.S. military budget 2025: a risk for the region? (2024). Online :

<https://desinformememos.org/presupuesto-militar-de-estados-unidos-2025-un-riesgo-para-la-region/>.

<sup>72</sup> FOREIGN POLICY. Foreign agenda: military interventions (2021). Online :

<https://www.politicaexterior.com/agenda-exterior-intervenciones-militares/>.



It should not be forgotten that the US continues to have places of illegal detention and torture such as Guantanamo and Abu Ghraib prisons where 13-year-old children have been tortured for more than 10 years<sup>73</sup>. The role of the Biden administration in the Russian-Ukrainian conflict has been significant, investing USD 40 billion in it. Military intelligence has been used to target civilian infrastructure and military deployments. In addition, the presence of mercenaries and private companies has been used extensively. Washington warned Russia that it would not restrict the use of U.S. weapons in Ukraine, which increased tensions and generated disastrous results in terms of human rights<sup>74</sup>.

While it is true that under President Trump there is now a paradigm shift in US global conflict dynamics, there remain troubling White House policies that distressingly affect human rights<sup>75</sup>. Despite the destruction of Gaza and the orders of the International Court of Justice (ICJ), Washington continues to support genocide against the Palestinian people<sup>76</sup>. On the other hand, the unilateral coercive measures (UCM) imposed on several countries<sup>77</sup>, such as Cuba, have generated accumulated losses of more than 154 billion dollars from the beginning of the blockade until 2021. Adjusting this figure for inflation, the amount exceeds USD 1.3 trillion. Annually, in recent years, the cost of the blockade has exceeded 3 billion dollars, affecting economic development.

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<sup>73</sup> Interview with Dr. Hanane Thamik of Renmin University of China.

<sup>74</sup> MINISTRY OF FOREIGN AFFAIRS OF THE RUSSIAN FEDERATION. US involvement in the Ukrainian conflict (2023). Online : [https://mid.ru/es/foreign\\_policy/historical\\_materials/1895553/](https://mid.ru/es/foreign_policy/historical_materials/1895553/).

<sup>75</sup> The policies adopted by Washington in 2025 represent an aggression against multilateralism and fracture the pillars of UN international cooperation. The combination of tariffs, deregulation and abandonment of multilateral agreements and spaces deepens all the crises known today, with effects on human rights and sustainable development. AIDHDES conclusion after reading the following article and its participation in #HRC58: <https://theconversation.com/los-aranceles-de-trump-lejia-economica-para-los-estadounidenses-253786>.

<sup>76</sup> EL PAIS. US reiterates support for Israel after resuming attacks in Gaza Strip (2025). Online : <https://www.elpais.cr/2025/03/23/eeuu-reitera-apoyo-a-israel-tras-reanudar-los-ataques-en-la-franja-de-gaza/>.

<sup>77</sup> VENEZUELAN ANTI-BLOCKADE OBSERVATORY. Geopolitical map of sanctions: According to the most recent data available as of March 2025, 30 countries are affected by MCUs, applied mainly by the US (38%), the EU (15%) and other international actors. A total of 37'875 MCUs are counted. This information is derived from official sources and analysis presented by the Venezuelan Anti-Blockade Observatory, supported by international platforms and UN resolutions. For primary source and more information: <https://observatorio.gob.ve/mapa-geopolitico-sanciones/>.

Cuba by limiting its imports of essential goods and services<sup>78</sup>. Venezuela (and Cuba as well) have had difficulties in obtaining essential medical supplies for the health system<sup>79</sup>. These same difficulties have caused the minimum wage in Venezuela to fall to less than US\$10 per month, putting millions of Venezuelans in delicate human rights situations. They end up migrating to countries such as the USA<sup>80</sup> where they are currently being deported to El Salvador applying the Enemy Alien Act of the 18th century. The US thus offers this Central American country USD 20'000 per prisoner per year<sup>81</sup> even though many of them have no criminal charges and despite the order of federal judge James Boasberg to block these deportations<sup>82</sup>. The White House flouted this order by invoking the "state secrets privilege" not to disclose details, thus violating fundamental principles of international human rights law, which is why the federal judge declared it "woefully inadequate"<sup>83</sup>.

These are just some of the repercussions of US international policies. It is clear that these have had an adverse impact on human rights and development in many countries globally and have also caused lethal harm to the US population

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<sup>78</sup> MAGAZINE DE FRENTE. BLOCKADE ON CUBA // "Unilateral coercive measures constitute a crime against humanity". By International Platform for Human Rights (2024). Online : <https://www.revistadefrente.cl/bloqueo-cuba-las-medidas-coercitivas-unilaterales-constituyen-un-crimen-contra-la-humanidad-por-plataforma-internacional-por-los-ddhh/>.

<sup>79</sup> REDH. Negative repercussions of the "sanctions" against Venezuela. Some clarifications. By Pascualina Cursio (2021). Online: <https://redh-cuba.org/2021/02/repercusiones-negativas-de-las-sanciones-contra-venezuela-algunas-precisiones-por-pasqualina-curcio-curcio/>.

<sup>80</sup> UNITED NATIONS. OHCHR. Preliminary conclusions of the visit to the Bolivarian Republic of Venezuela of the United Nations Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. (2021). Online: <https://www.ohchr.org/es/2021/02/preliminary-findings-visit-bolivarian-republic-venezuela-special-rapporteur-negative-impact?LangID=S&NewsID=26747>.

<sup>81</sup> BBC. "Bukele is offering to turn his country into a kind of Central American Guantanamo": what El Salvador's president gains by accepting Trump's deportees. (2025). Online: <https://www.bbc.com/mundo/articles/cy0d29e1rglo>.

<sup>82</sup> ACLU. Federal Appeals Court Keeps Block on Trum Use of Alien Enemies Act to Deport Immigrants (2025). Online : <https://www.aclu.org/press-releases/federal-appeals-court-keeps-block-on-trump-use-of-alien-enemies-act-to-deport-immigrants>.

<sup>83</sup> NEWSWEEK. Judge considers explanation on Venezuelans expelled to El Salvador "insufficient" (2025). Online: <https://newsweekespanol.com/elsalvador/2025/03/21/juez-venezolanos-expulsados-a-el-salvador/>.



## Recommendations.

1. **Racial inequality and discrimination:** Establish independent oversight and legislative reforms to eliminate structural racial discrimination. Ensure educational and economic equity by promoting social integration through investments in housing and employment for marginalized communities.
2. **Indigenous Peoples' Rights:** Ensure the effective implementation of the UNDRIP through free, prior and informed consultation, strengthening tribal sovereignty and allocating federal resources to improve the quality of life of Indigenous Peoples.
3. **Social and labor rights:** Increase the federal minimum wage, regulate the gig economy to ensure labor rights, expand health care coverage towards a universal public system, and ratify ILO conventions to improve labor and social conditions.
4. **Global foreign policies and human rights:** Suspend military support to actors that violate human rights, lift the MCUs harmful to the civilian population, close the Guantanamo prison and respect the self-determination of Peoples, ensuring compliance with relevant international resolutions.