



INFORMATION NOTE
COMMITTEE AGAINST TORTURE
Consideration of the 3rd to 5th report of United States of America
Presentation of the report: 12 November 2014 Responses: 13/11/14
Previous consideration: 25 July 2007 (36th session of the CAT)
53rd Session of the CAT

Summary of child related issues

Rapporteurs:

Mr. David Bitkower, Deputy Assistant Attorney General for the Human Rights and Special Prosecution Section of the United States Department of Justice

I- **Issues pertaining to juvenile justice and the rights of the child in general**

1. **Issue n°1: juvenile justice**

CAT Experts	Questions / Remarks	Responses by United States of America
Mr. David Bitkower	<ul style="list-style-type: none">• Commentary on how the Juvenile detention reform is in the process, especially regarding the violations of the 8th Amendment of the US Constitution	-

2. **Issue n°2 : Detention of Immigration Children to USA**

CAT Experts	Questions / Remarks	Responses by United States of America
	<ul style="list-style-type: none">• Dramatic phenomena of unaccompanied children entering US illegally, more 68,000 appearing at the border between US and Mexico• Showed up to avoid violence• More than 68,000 family unites, illegally crossing US border• The majority of them in placed	<ul style="list-style-type: none">• There is an individualised consideration process for immigrants• Alternatives to detention programmes are used, especially for unaccompanied minors• The officers receive special training• Individuals receive a list of free or low cost legal counsel• Minors are only held for the time necessary

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	<ul style="list-style-type: none"> in detention for extended unlimited periods of time Or immediately placed in detention without identity registration 	<ul style="list-style-type: none"> If it is found that a child is in fear of having to return to his/her country, the child will be protected
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3. Issue n°3: Minors Detained in Adult Prisons, situation in these prisons

CAT Experts	Questions / Remarks	Responses by United States of America
	<ul style="list-style-type: none"> Number of minors detained in adult prisons, number of minors subjected to sexual violence by authorized personnel? As well as number of cases that have been reported? 	<ul style="list-style-type: none"> Approximately 7'400 youths were held in adult prisons and jails in 2011 9.5 % of them experienced sexual victimisation
	<ul style="list-style-type: none"> As for the use of solitary confinement, please explain the use and regulation of this practice? If the US understand the negative impact on the mental state of detainees, what is the US's position on this and what structures are in place to regulate these violations? 	<ul style="list-style-type: none"> Solitary confinement is prohibited Detainees are only separated from other detainees in very few cases and when absolutely necessary

4. Issue n°4: Reported Suicides and Sexual Violations against juveniles

Questions / Remarks	Responses by United States of America
<ul style="list-style-type: none"> Provide the number of suicide, number of attempted suicides from solitary detainment practices? 	-
<ul style="list-style-type: none"> Juveniles have reported sexual misconducted, how many have been reported and investigated? 	See above



- **Other relevant issues brought to the State's attention at the review:**
- More than 600 people have died to the use of Tasers, especially young people, even people as young as 8-16 years old, why would that history, do you find yourself in such a situation in Chicago where there is a systematic use of Tasers. No guidelines, or structure, or trials. Or maybe there is. Can you give information on this problem? Inequality in courts, POC not guarantee the rights that non-POC experience.
- The drone operations have direct impact on people in Yemen, especially children and women, suffer PTSD. Impact of civilian population, is state department aware of this trauma. Can define this as ill treatment
- Conversion by clergy for LBGT, also mentioned as a problem, especially for youths
- Commentary on detainment on children, LBGT, women, etc.
- **Concluding observations:**
 - The delegation sees common ground with the Committee against Torture
 - Torture is not practiced anymore and American courts, Congress, and the American people have condemned the practice
 - The results of the past will be that we will strengthen legislation against torture