

I. COINTELPRO/Civil Rights Era Political Prisoners - No Access to Justice: IMPRISONED COINTELPRO / U.S. Civil Rights Era HR Defenders Political Activists, And Other Persons at Risk

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II. Reporting Organizations:

Malcolm X Center for Self Determination¹

American Friends Service Committee Prison Watch Project²

National Jericho Movement to Free for All U.S. Political Prisoners³

III. SUMMARY OF THE ISSUES

1. As the United States government celebrates the rise of its first President and Attorney General of African Decent, the 50th anniversary of the passage of the 1964 Civil Rights Act and prepares for next year's anniversary of the now gutted 1965 Voting Rights Act⁴, it continues to criminalize, imprison, and isolate COINTELPRO/Civil Rights Era racial justice activists and human rights defenders.⁵ The imprisonment of these indigent, aged, frail, and infirmed human rights advocates reflects continued persistent virulent systemic racial discrimination, pernicious suppression of dissent, and federal, state, and local government and law enforcement commitment to the disgraced and outlawed policies and practices of COINTELPRO, its predecessors and current configuration. Instead of preventing further victimization of these survivors of COINTELPRO's⁶ massive human rights violations, found by the U.S. Senate's 1976 Church Committee,⁷ the United States continues to criminalize them, impose, at a minimum, cruel, inhuman, and degrading treatment and punishment (CIDT), if not torture; attached "in their own words" summaries tell some of the story.

2. Federal, state, and local governments, working under COINTELPRO, precipitated hundreds of arrests, false prosecutions, incarceration, maiming, murder, destruction and mayhem throughout the country. It infiltrated every organization and association that aspired to bring about social change or self determination, whether sought through peaceful means or armed resistance. Prosecutors and the courts were complicit in the destruction meted out by the FBI and local law enforcement. Prosecutors routinely over charged and withheld exculpatory evidence. Courts handed down punitively long, draconian sentences.⁸

3. The United States' use of its criminal punishment system for surveillance and suppression of African (African American/Black) people dates back to our forced migration and enslavement, 1619. It was institutionalized with the first state-sponsored police forces---"slave patrols" enforcing slave and Black codes, Jim Crow segregation come drug and, now, terrorism laws. Today, U.S. law protects vigilantism under "Stand Your Ground" statutes which results in the deaths of Black children, women, and men every 28 hours--- Operation Ghetto Storm.

4. The modern day surveillance and suppression of Africans and the U.S. freedom struggle began with the FBI assault on the Honorable Marcus Mosiah Garvey and the Universal Negro Improvement Association (UNIA), 1919. Activists in the modern Civil Rights Movement (for racial justice) were primary targets of Federal, State, and Local law enforcement and suffered massive human rights violations based on race, political ideas and affiliations. They were targeted under the covert program popularly known as COINTELPRO, mid-50's into the 1970s, when it assumed another name.

5. In an official FBI memorandum, dated March, 1968, the U.S. government specifically set out to "...(1) prevent the "coalition of militant black nationalist groups;"

(2) prevent the rise of a “messiah” who could “unify and electrify” the movement, naming specially Martin Luther King, Stokely Carmichael, H. Rap Brown (Imam Jamil Al-Amin (currently held in Florence (Colorado) federal, super max prison, subject to medical neglect for cancer), Huey P. Newton, Max Stanford (Muhammad Ahmed), Malcolm X and Elijah Muhammad; (3) prevent violence on the part of black nationalist groups, by pinpointing “potential troublemakers” and neutralizing them ‘before they exercise their potential for violence;’ (4) prevent groups and leaders from gaining “respectability: by discrediting them to the “responsible” Negro community, to the white community and the “liberals” (the distinction is the Bureau’s), and to “Negro radicals”; and (5) prevent the long range growth of these organizations, especially among youth, by developing specific tactics to “prevent” these groups from recruiting young people.”

6. Although some political prisoners have been exonerated, after serving years for crimes they did not commit, the majority still remain behind bars. They are subject to cruel, inhumane, and degrading conditions, including indefinite prolonged cellular isolation⁹. Several have died in prison¹⁰, most are aged and chronically or critically ill¹¹, others have endured years of solitary confinement, suffer poor to no medical health care, and various other forms of abuse. They are given perfunctory parole hearings resulting in routine denial of statutory and/or compassionate release--- despite exemplary prison records.¹² Requests for new trials have been frustrated at every turn by law enforcement and the prosecution. Statutory release is denied despite having maxed out; even when court ordered. Most recently, the State of New Jersey, U.S. Department of Justice, and the FBI doubled the bounty on the head of former Black Panther Party member and Cuba exile, Assata Shakur to \$2 million Dollars and retroactively declared her a “terrorist.”

7. COINTELPRO / Civil Rights Era Activists and human rights defenders, Political Prisoners/Prisoners of War (PP/POW), are or have been confined in “prolonged Isolation” or “control units” due solely to their status as political prisoners or prisoners of war, not because of disciplinary infractions, a violation of Article 7, as well as The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

8. Solitary Confinement as applied to, COINTELPRO / Civil Rights Era Activists and human rights defenders, violates CAT and ICCPR Article 7 (protection from torture and cruel, inhuman or degrading treatment or punishment); Article 10 (right to be treated with humanity and with respect for the inherent dignity of the human person when deprived of their liberty)) In addition to abuse of political prisoners, the American Friends Service Committee Prison Watch Project shows that the United States falls way short of its obligations to those in custody, “Speaking Truth to Power: A Collection of Testimonies From Prisoners in United States Prisons, Documenting Uses of Physical, Chemical, and No-Touch Torture, Among Other Human Rights Abuses,” August, 2014.

9. In 2006 and 2007, the Federal Bureau of Prisons (BOP or “Bureau”) secretly created the Communications Management Unit (CMU), a prison unit designed to isolate and segregate certain prisoners in the federal prison system from the rest of the BOP population. The Bureau claims that CMUs are designed to hold dangerous terrorists and other high-risk inmates, requiring heightened monitoring of their external and internal communications. Many prisoners, however, are sent to these isolation units for their constitutionally protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights violations in the federal prison system, among them are the COINTELPRO/Civil Rights Era political activists.

10. The newly enacted 2012 National Defense Authorization Act (NDAA), which contains provisions authorizing the U.S. military to pick up and imprison people, including U.S. citizens, without charging them or putting them on trial expands the specter of solitary confinement to again include ordinary unpopular citizens.

COINTELPRO 21st CENTURY: Tanks in the street in Ferguson, Missouri, Department of Justice to “train community leaders to spot ‘radicals,’ <http://m.theweek.com/speedreads/index/268143/speedreads->

[the-doj-to-train-community-leaders-to-spot-radicals](#); Ritchie , Andrea J, Mogul, Joey L. ,” *In the Shadows of the War on Terror: Persistent Police Brutality and Abuse of People of Color in the United States,*” [file:///F:/9-11%20In%20the%20Shadows%20of%20the%20War%20on%20Terror%20%20Persistent%20Police%20Brutality%20and%20Abuse%20of%20People%20of%20Color%20in%20the%20United%20States%20%20National%20Police%20Accountability%20Project.htm](#) (2007)

11. Specifically, the legislation “affirms the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force (Public Law 107-40) includes the authority for the Armed Forces of the United States to detain covered persons (as defined in subsection (b)) pending disposition under the law of war.”

12. It specifically authorizes “Detention under the law of war without trial until the end of the hostilities authorized by the Authorization for Use of Military Force,” referring to the bill passed by Congress more than ten years ago that authorized an endless “war on terror.”

IV. Concluding Observations

13. The UN Human Rights Commission has specified “prolonged solitary confinement” is prohibited as a form of torture under the CAT. Despite their excellent prison record, PP/POWs are placed in “control units.” The men’s federal prison in Marion, Illinois, which includes several political prisoners among its 400 inmates, has been condemned by Amnesty International for violating international standards on the minimum treatment of prisoners. The men in Marion and other “supermax” prisons are locked in their cells 23 hours per day and are sometimes chained spread-eagle to their beds for days at a time.

14. The United States, despite recurring evidence, denies that it engages in torture. In its current report, it points to the Obama administration’s 2009 ban on torture to persons in custody outside of the United States. But it continues to ignore claims of Human Rights violations against PP/POWs. These claims go back to December 11, 1978, when the National Conference of Black Lawyers, the National Alliance Against Racist and Political Repression and the United Church of Christ’s Commission on Racial Justice filed a Petition to the United Nations Commission on Prevention of discrimination and Protection of Minorities – raised the plight of political prisoners and victims of racist repression.

15. In, 1981, Amnesty International issued a “Proposal for a Commission on Inquiry into the Effect of Domestic Intelligence Activities on Criminal Trials in the United States of America.” Amnesty urged an investigation in to the plight of political prisoners.

16. Independent examiners, such as Yale Law Professor Thomas I. Emerson, could not avoid the “inescapable message of [such material] that is the FBI jeopardizes the whole system of free expression which is the cornerstone of our society...At worst it raises the specter of a police state...In essence, the FBI conceives on itself as an instrument to prevent radical social change in America...The Bureau’s view of its function leads it beyond data collection and into political warfare.” Yet not only were the FBI personnel involved in the activities which so concerned Dr. Emerson rewarded rather than punished, the bureau itself was left essentially unchanged in the wake of public revelations concerning COINTELPRO. The most that can be said is that, in 1979, it was subjected to a “rechartering,” the terms of which it itself had taken a most prominent role in formulating.

V. U.S. Government Reports

17. The U.S. Government’s Reports are entirely silent on its treatment of its imprisonment of COINTELPRO/Civil Rights Era political activists. However, the 1976 U.S. Senate subcommittee, popularly known as the Church Committee, was formed to investigate and study the FBI’s covert action programs. In its report, The Church Committee concluded that the FBI had “conducted a sophisticated

vigilante operation aimed squarely at preventing the exercise of First Amendment rights of speech and association, on the theory that preventing the growth of dangerous groups and the propagation of dangerous ideas would protect the national security and deter violence." It went on to report that "Many of the techniques used would be intolerable in a democratic society even if all of the targets had been involved in violent activity. "

18. The herein referenced political prisoners, prisoners of war, and exiles are the survivors of this official misconduct. The Church Committee made factual findings which amounted to massive human rights violations against US citizens based on race, political ideas, and political affiliations. In the final reports of the Committee permanent means of congressional review was recommended. But, none of the recommendations addressed the human rights violations suffered by dozens of political prisoners who were victimized by the U.S. government's political repression against African-Americans, Puerto Ricans, and Native American communities. Such repression resulted in murders, injuries, false arrests, malicious prosecutions and lengthy imprisonments of scores of political activists. Many of these political prisoners and prisoners of war languish in prisons throughout the United States. U.S. political prisoners have languished in U.S. prisons for decades under conditions cruel and inhumane conditions. Several have died in prisons, others have endured years of solitary confinement, poor medical health care, and profunctorary parole hearings resulting in routine denial of release. To this day they remain without remedy.

VI. Legal Framework

19. ICCPR Articles 1,2,4,7,10,15,16, and 26 apply to issues of criminalization of dissent in the United States which has result in long term incarceration of political activists and their subjugation to torture and solitary confinement. Criminally punishing individuals for resisting often time brutal and violent racial oppression when no meaningful legal alternative existed or exists is cruel, inhuman and degrading. Disparate enforcement of facially neutral laws against imprisoned political activists often discriminates on multiple, intersecting grounds, including race, gender, social origin, property and disability status and results in denial of medical care, parole, or compassionate release when terminally ill. For domestic advocates, it is important to establish the norms under ICCPR Articles 1,2,4,7,10,15, 16 and 26 for potential use in litigation. The United States' imprisoned political are otherwise without adequate remedies or protection.

VI. Human Rights Committee General Comments

20. General Comment No. 3 (2012) Clarifies that under CAT Article 14 the States parties have a duty to provide substantive process and compensation, and to ensure meaningful stakeholder participation in the resolution.

VII. Other UN Body Recommendations

21. During the November 2010 Universal Periodic Review (UPR) of the United States called for the release of all imprisoned U. S. political activists. Six of the historic 228 Recommendations referred to U.S. held political activists, particularly Recommendations 92-153 - 154.

22. At the 2014 ICCPR Review of the United States, Committee members expressed concern regarding the conditions of confinement of COINTELPRO/Civil Rights Era political Activists and human rights defenders, especially those of poor health, being held in super max prisons, "prolonged cellular isolation, and those without access to family and attorneys. Particular concern was raised regarding the ill-treatment of Herman Wallace who had been held in solitary confinement for over forty (40) years and died 4 days after his court ordered released and reversed conviction. Consequently, the ICERD COMMITTEE requested further information, as reported on page 12, point 26: "The Committee requests the State party to provide, in its next periodic report, detailed information on: (d) the current status of political activists from the Civil Rights era who reportedly continue to be incarcerated."

Human Rights Committee

23. Concluding observations on the fourth report of the United States of America to Committee on CERD Conditions of detention and use of solitary confinement The Committee is concerned about the continued practice of holding persons deprived of their liberty, including juveniles and persons with mental

disabilities under certain circumstances, in prolonged solitary confinement, and about detainees being held in solitary confinement also in pretrial detention. The Committee is furthermore concerned about poor detention conditions in death row facilities (arts. 7, 9, 10, 17, and 24). The State party should monitor conditions of detention in prisons, including private detention facilities, with a view to ensuring that persons deprived of their liberty be treated in accordance with the requirements of articles 7 and 10 of the Covenant and the UN Standard Minimum Rules for the Treatment of Prisoners. It should impose strict limits on the use of solitary confinement, both pretrial and following conviction, in the federal system, as well as nationwide, and abolish the practice in respect of anyone under the age of 18 and prisoners with serious mental illness. It should also bring detention conditions of prisoners on death row in line with international standards.

24. In 2006, the Committee Against Torture recommended that the U.S. investigate, prosecute, and punish perpetrators of torture as well as “senior military and civilian officials authorizing, acquiescing, or consenting, in any way, to acts of torture committed by their subordinates.”

25. The Committee also recommended victims of torture have access to mechanisms to obtain full redress, compensation and rehabilitation, and stated that the U.S. must not “limit the right of victims to bring civil actions.” These issues will come up again in the U.S. Third Periodic Report to the Committee Against Torture, which was due in July 2011 and—as of this writing—has not yet been submitted.

26. The United States has ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which obligates it to refrain from participating in torture or cruel, inhuman, or degrading treatment, even in states of war or public emergency. Furthermore, the Convention obligates the United States to investigate any potential acts of torture and provide full redress to victims.¹³

27. Under ICERD Article 1.4 General Recommendation #32¹⁴, the Obama Administration should and can take corrective action. It can engage the Department of Justice, the U.S. Institute of Peace,¹⁵ and imprisoned activists/ representatives to form a South Africa-like National Truth and Reconciliation Commission.¹⁶ He can use executive powers to release COINTELPRO survivors in federal custody and incentivize states to release or fairly retry state held political activists.¹⁷ The Department of Justice Cold Cases and Special Prosecution Unit should be tasked to investigate all COINTELPRO/ Civil Rights Era political activists’ convictions and deaths¹⁸ for human rights violations.

28. Under CAT and ICERD, the Obama Administration is obliged and urged to take corrective action. It can, for instance, engage the Department of Justice, the U.S. Institute of Peace,¹⁹ and imprisoned activists/ representatives to form a South Africa-like National Truth and Reconciliation Commission.²⁰ He can use executive powers to release COINTELPRO survivors in federal custody and incentivize states to release or fairly retry state held political activists.²¹ The Department of Justice Cold Cases and Special Prosecution Unit should be tasked to investigate all COINTELPRO/ Civil Rights Era political activists’ convictions and deaths²² for human rights violations.

29. The United States has ratified the International Covenant on Civil and Political Rights (ICCPR), Article 7 of which forbids torture and cruel, inhuman, or degrading treatment or punishment.²³ General Comment 20 interprets the prohibition as applying to acts that cause mental suffering in addition to physical pain.²⁴ Article 9 forbids arbitrary arrest and detention, requires those in detention to be informed of the reason for their detention, and promptly tried when charged.²⁵ General Comment 8 requires those in preventative detention settings also receive the protections afforded in the treaty.²⁶ Article 10 protects the inherent dignity of those detained and Article 14 provides standards of due process to those in criminal proceedings.²⁷

VIII. RECOMMENDED QUESTIONS

1. What steps have or will the Obama administration take to resolve this matter, e.g. form a National Truth and Reconciliation Commission, and close the book on this shameful chapter of U.S. history?.
2. What steps will the Obama Administration take or direct to be taken for immediate and unconditional release of all aged, critically or chronically ill COINTEL PRO – Civil Rights Era political activists?

3. What steps will the Obama Administration take to ensure that the Church Committee safe- guards are restored, remain in place to avoid a recurrence of these events?.
4. What steps will the States party take to train personnel in CAT and other human rights standards and to cease the use of solitary confinement as a disciplinary tool?
5. What steps to ensure criminal prosecution of all personnel who abuse persons in custody.

IX. SUGGESTED RECOMMENDATIONS

1. That the United States and its state governments immediately and unconditionally release all COINTELPRO-Civil Rights Era political activists?
2. That the Obama administration direct the Justice Department, the State Department and the U.S. Institute for Peace, join with COINTELPRO/ Civil Rights Era political activists and form a South Afrika-like National Truth and Reconciliation Commission to resolve these matters and close the book on this shameful chapter of U.S. history.
3. That the Obama Administration take or direct to be taken steps necessary for the immediate and unconditional release of all aged, critically or chronically ill COINTEL PRO – Civil Rights Era political activists.
4. That the Obama Administration take steps to ensure that the Church Committee safe-guards are restored, remain in place to avoid a recurrence of these civil and human rights violation not re-occur.
5. That the a Special Prosecutor be named to investigate the deaths and imprisonment of al l COINTELPRO/Civil Rights Era human rights defenders and political activist to identify human and civil rights violation and right to compensation.
6. That a special program be designed and funded to train all levels of law enforcement of CAT and other human rights standards and prosecute those who violate them.

¹ Malcolm X Center for Self Determination (MXC): founded in 1991, is a multi-issue, volunteer, grassroots, community based resource and action center. It serves as a public space for developing, testing, training and implementation of approaches to community capacity building, popular education, strategic planning, technical, artistic and communications skill enhancement for self-determination and human rights advocacy of people of Afrikan descent.

² The American Friends Service Committee (AFSC) is a Quaker organization that promotes lasting peace with justice, as a practical expression of faith in action. Drawing on continuing spiritual insights and working with people of many backgrounds, we nurture the seeds of change and respect for human life that transform social relations and systems. AFSC works to end mass incarceration, improve conditions, stop privatization, and promote a reconciliation and healing approach to criminal justice issues.

³ National Jericho Movement: founded 1998, is the official international, multi-movement prisoner organized voice of imprisoned U.S. political activists and human rights defenders (political prisoners). Noted are the COINTELPRO/Civil Rights Era survivors who fought for Black, Latino/a, and Native American social, economic, political, racial justice and in support and defense of freedom and self-determination.

⁴ The Voting Rights Act of 1965 - http://www.justice.gov/crt/about/vot/intro/intro_b.php

⁵ Jericho List of Political Prisoners, <http://www.thejerichomovement.com/prisoners.html>

⁶ FBI's illegal Counter Intelligence Program. US Senate Church Hearings <http://unwittingvictim.com/Cointelpro.html>; <http://www.npr.org/templates/story/story.php?storyId=516181>; Churchill, Ward and Wall, Jim Vander, The COINTELPRO PAPERS: Documents From the FBI's Secret Wars Against Dissent in the United States, South End Oress Classics, 1990 and 2002); Glick, Brian and Smith, Abbe, "Covert Action against U.S. Activists and What We Can Do," (South End Press, 1989), p.11, <http://whatreallyhappened.com/RANCHO/POLITICS/COINTELPRO/>

⁷ <http://en.wikipedia.org/wiki/COINTELPRO>

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⁹ TORTURE: CRIMINALIZATION OF DISSENT, Malcolm X Center for Self Determination
National Jericho Movement for Amnesty and Freedom of All (U.S.) Political Prisoners, List of Issues Submitted,
United States Compliance with the ICCPR, 107th Session of the Human Rights Committee, Geneva 11-28 March 2013
http://www.ushrnetwork.org/sites/ushrnetwork.org/files/16_malcolm_x_center_for_self_determination_and_national_jericho_movement.pdf

¹⁰ Deaths include: Safiya Asya Bukari, Albert “Nuh” Washington, Teddy “Jah” Heath, Kuwazi Balagoon, Merle Africa, Celetayo Tabor, Herman Wallace, Bashir Hameed, Richard Williams, Eddie Hatcher, Marilyn Buck, Geronimo Ji Jaga, Dr. Alan Berkman; National Jericho Movement for Amnesty and Freedom of All US Political Prisoners, <http://www.thejerichomovement.com/images17/safiya-poster.pdf>

¹¹ Health conditions,

¹² Perfunctory hearings, routine denials,

¹³ Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, G.A. Res. 39/46, U.N. GAOR, 39th Sess., Supp. No. 51, U.N. Doc. A/Res/39/46 (Dec. 10, 1984), <http://www.un.org/documents/ga/res/39/a39r046.htm>; COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION, Seventy-fifth session 3 - 28 August 2009, General recommendation No. 32, <file:///C:/Documents%20and%20Settings/Efia%20Nwangaza/My%20Documents/Downloads/G0945147.pdf>, CERD/C/GC/32, 24 September 2009

¹³ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., “Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

¹⁴ COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION, Seventy-fifth session 3 - 28 August 2009, General recommendation No. 32, <file:///C:/Documents%20and%20Settings/Efia%20Nwangaza/My%20Documents/Downloads/G0945147.pdf>, CERD/C/GC/32, 24 September 2009

¹⁵ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., “Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

¹⁶ Dr. Mutulu Shakur, Towards a Truth and Reconciliation Commission for New African/Black Political Prisoners, Prisoners of War and Freedom Fighters: A Discussion Paper by Dr. Mutulu Shakur (May 5th, 2010); Justice and Amnesty: Applying the South African Truth and Reconciliation Process to the North American Black Liberation Movement by Dr. Mutulu Shakur (January 1st, 2011) <http://mutulushakur.com/site/truth-reconciliation/>

¹⁷ Presidential pardons, commutations; Pardon Power: The President...shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment. U. S. Constitution ARTICLE II, SECTION 2, CLAUSE 1; Department of Justice grants, awards, and conditions

¹⁸ Department of Justice Cold Cases Division, Office of Special Prosecution

¹⁹ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., “Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

²⁰ Dr. Mutulu Shakur, Towards a Truth and Reconciliation Commission for New African/Black Political Prisoners, Prisoners of War and Freedom Fighters: A Discussion Paper by Dr. Mutulu Shakur (May 5th, 2010); Justice and Amnesty: Applying the South African Truth and Reconciliation Process to the North American Black Liberation Movement by Dr. Mutulu Shakur (January 1st, 2011) <http://mutulushakur.com/site/truth-reconciliation/>

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²² Department of Justice Cold Cases Division, Office of Special Prosecution

²³ International Covenant on Civil and Political Rights, G.A. Res. 2200, U.N. GAOR, 21st Sess., Supp. No. 16, U.N. Doc. A/6316 (Dec. 16., 1966), Art. 7 [hereinafter ICCPR], <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

²⁴ UN Human Rights Committee. General Comment No. 20 (Article 7), UN Doc. CCPR/C/21/Rev. 1/Add. 13, 2004.

²⁵ ICCPR, *supra* note 2, at Art. 9.

²⁶ UN Human Rights Committee. General Comment No. 8 (Article 9). UN Doc. HRI/GEN/1/Rev. 6, 1982.

²⁷ ICCPR, *supra* note 2, at Art. 10 and 14.

APPENDIX

CAT 1 List: CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

CAT 2 Ruchell Magee:

World's Longest Held Political Prisoner 51st year (Angela Davis', Co-Defendant)

<http://kiilunyasha.blogspot.com/2014/08/ruchell-magee-and-black-august-2014.html>,

www.freedomarchives.org/audio_samples/Ruchell_Magee.html

http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf

CAT 3 Political Prisoner Survey: In Their Own Words

http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf

CAT 4 SPEAKING TRUTH TO POWER:

Testimonies from Prisoners in United States Prisons, Documenting Uses of Physical, Chemical, and No-touch Torture, Among Other Human Rights Abuses

<http://www.afsc.org/friends/profound-spiritual-crisis-prison-voices-call-change>

http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf

CAT 5 Framing the Omaha Black Panther Party

"The only White House article on COINTELPRO" from 1977. The free breakfast program at the Vivian Strong Liberation School was a particular target of the FBI before the bombing. http://www.n2pp.info/print/OWH_12-06-77.jpg

AMNESTY INTERNATIONAL CALLS FOR NEW TRIAL

http://www.n2pp.info/print/Amnesty_International_11-2009.pdf (And in German.)

http://www.n2pp.info/print/Amnesty_International_2011.pdf

Articles and the National Jericho Movement press section.

<http://n2pp.info/commentary.htm>

<http://sfbayview.com/tag/linda-kennedy/>

<http://www.thejerichomovement.com/omaha2.html>

CAT 1 (CIDT): CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

Imam Jamil Al Amin 71yrs old; 10 yrs., and counting, ad max solitary confinement; has Cancer; monitoring and treatment required at medical facility, nearer family; <http://sfbayview.com/2014/08/biopsy-results-released-for-imam-jamil-al-amin-h-rap-brown/> ; www.danielpipes.org/97/the-curious-case-of-jamil-al-amin;

Bill Dnn 61 yrs old; Imprisoned 35yrs, has Degenerative spinal disk disease, basal cell carcinoma, cataracts;
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/bill-dunne/>

Sundiata Acoli (Clark Squire) 77 years old; Imprisoned 41 years Deteriorating health, including poor eyesight, hearing, teeth, and blood circulation) <http://prisonradio.wordpress.com/2012/04/29/sundiata-acoli-political-prisoner-for-39-years-wins-appeal-and-is-up-for-parole-again/>; <http://www.thejerichomovement.com/prisoners.html> ; <http://www.assatashakur.org/poem3.htm>

Abdul Maumin Khabiir 67 yrs old; Imprisoned 19 yrs, has Mandela's Disease (COPD); wheelchair bound; Lung transplant needed; <http://www.thejerichomovement.com/prisoners.html> ; [Black Talk Radio News: August 19, 2012](#) blacktalkradio.blogspot.com/2012_08_19_archive.html

Mondo we Langa (David Rice), 67 yrs old; Imprisoned 44 yrs, has Mandela Disease (COPD); significant lung capacity loss) <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/mondo-we-linga/>

Dr. Mutulu Shakur, 64 yrs old; Imprisoned ;stroke, inadequate rehab; <http://mutulushakur.com/site/> ; <http://www.biography.com/people/mutulu-shakur-507004>.; en.wikipedia.org/wiki/Mutulu_Shakur

Jalil Muntaquin, 63 yrs old; Imprisoned 43 yrs, stroke (inadequate rehab, brain damage, hypertension, weak right ventricle heart valve) <http://www.freejalil.com/>; <http://rense.com/general88/parole.htm> ; <http://rense.com/general88/parole.htm>

Robert Seth Hayes, 66 yrs old ; Imprisoned 41 years, Uncontrolled Diabetes, frequent black outs <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/robert-seth-hayes/> ; <http://kersplebedeb.com/sethhayes/>; nationinside.org/.../release.../robert-seth-hayes-deserves-to-be-released/

Edward Poindexter 71 yrs old; Imprisoned 43 yrs; Uncontrolled Diabetes nebraskansforjustice.org/; <http://n2pp.info/>;
<http://omahatwo.wordpress.com>

Abdullah Majid, 65 yrs old; Imprisoned 32 years, recent back surgery; <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/abdul-majid/>; <http://www.thejerichomovement.com/prisoners.html>

Tom Manning, 68 yrs old; Imprisoned 29 yrs [http://en.wikipedia.org/wiki/Tom_Manning_\(prisoner\)](http://en.wikipedia.org/wiki/Tom_Manning_(prisoner));
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/thomas-manning/>;

Russell Shoatz 71 yrs old;Imprisoned 44 yrs (22yrs solitary confinement), need cataract surgery (3 yrs)
<http://russellmaroonshoats.wordpress.com>

Sekou Odinga 70 yrs old; Imprisoned 41 yrs, respiratory inflammation, <http://sekouodinga.com/>

Hugo Pinell 69 yrs old; Incarcerated 51 years, 43 yrs in solitary confinement; <http://www.hugopinell.com/>

Mohammad Koti 88 yrs old; Imprisoned 36 years, scheduled release 9 / 2014;
http://www.nytimes.com/2013/10/09/nyregion/hes-over-80-but-a-convict-gets-no-parole.html?_r=0

LAKE, RICHARD MAFUNDI, 74 yrs old, 3rd Stroke; <http://www.thejerichomovement.com/prisoners.html>;
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/richard-mafundi-lake/>

CAT 2: RUCHELL CINQUE MAGEE, CASE UPDATE

World's Longest Held Political Prisoner, 51st year (Angela Davis' Co-Defendant)

<http://kiilunyasha.blogspot.com/2014/08/ruchell-magee-and-black-august-2014.html>,

[www.freedomarchives.org/audio_samples/Ruchell Magee.html](http://www.freedomarchives.org/audio_samples/Ruchell_Magee.html)

[http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT CAT CSS USA 18533 E.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf)

CAT 3 : POLITICAL PRISONER SURVEY: In Their Own Words

Documenting the Existence of Political Prisoners in the United States and their Conditions of Confinement; UN Link to be added.

http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf

CAT 4 SPEAKING TRUTH TO POWER:

Testimonies from Prisoners in United States Prisons, Documenting Uses of Physical, Chemical, and No-touch Torture, Among Other Human Rights Abuses

<http://www.afsc.org/friends/profound-spiritual-crisis-prison-voices-call-change>
http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/USA/INT_CAT_CSS_USA_18533_E.pdf

CAT 5 Framing the Omaha Black Panther Party

"The only White House article on COINTELPRO" from 1977. The free breakfast program at the Vivian Strong Liberation School was a particular target of the FBI before the bombing. http://www.n2pp.info/print/OWH_12-06-77.jpg