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

Written statement* submitted by China Foundation for Human Rights Development, a non-governmental organization in special consultative status

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

[30 May 2025]

* Issued as received, in the language of submission only.



The United States of America Has Long Violated the Basic Rights of Undocumented Immigrants

The international community has reached a broad consensus at the multilateral level of the United Nations, solemnly committing to promoting and ensuring the safety, order and normalization of migration activities based on international human rights law, so that migrants can share the fruits of development and fairness and justice. In recent years, the United States of America's government policies and measures towards undocumented immigrants in its southern border region have run counter to this international consensus, blatantly disregarding the legitimate rights and interests of the immigrants and wantonly trampling on the basic human rights of undocumented immigrants. On May 16, 2024, the UN Human Rights Council's Special Rapporteur on Contemporary Forms of Racism, racial Discrimination, xenophobia and Intolerance released a report concerning that how systemic racism, including pervasive anti-Blackness and antipathy to other non-white migrants, is deeply embedded within migration governance in the United States of America. Some policies and practices of the United States of America's government have disregarded the international obligations that the United States of America undertakes towards asylum seekers.

1. Xenophobic Immigration Policies Violate Fundamental Principles of International Human Rights Law

Under the guise of so-called "national security," the government of the United States of America unjustly stigmatizes undocumented immigrants entering the country as potential security threats and social burdens, rather than individuals who should be treated and protected equally. This policy thinking of "otherizing" and "demonizing" the immigrant community provides policy grounds and public opinions for a series of violations of the human rights of immigrants. It is reported that during the 2024 presidential campaign of the United States of America, politicians have frequently used degrading language against undocumented immigrants in their campaign speeches, accusing them of having the "bad genes of murderers" in order to incite public hatred. Such unfair treatment is at odds with the equality and inclusiveness advocated by international human rights law. It not only deprives community of the legitimate rights of the immigrants to pursue a better life, but also places them in a survival crisis of marginalization and deportation.

2. Violent Law Enforcement Against Undocumented Migrants Leads to a Serious Humanitarian Crisis

The government of the United States of America has carried out "Prevention by deterrence" policies on the southern border, and law enforcement officers often use excessive force, resulting in a large number of undocumented immigrants being physically injured and mentally traumatized. The above-mentioned report of the Special Rapporteur noted that Shocking imagery reminiscent of chattel slavery, including one image of border patrol personnel on horseback allegedly lassoing a Haitian man returning after having procured food for his family, convey the degrading and dehumanizing treatment of asylum-seekers. A series of highly controversial extreme measures have also been taken in the southern border region of the United States of America. Texas, for example, has militarized border control by installing barbed wire at entry points and setting up spike buoys on the Rio Grande, forcing undocumented immigrants to choose to cross deserts or swift rivers, as a result of which many have lost their lives. In 2023, the International Organization for Migration listed the United States of America-Mexico border as the world's deadliest land route for migrants. According to statistics, more than 500 migrants died while crossing the United States of America-Mexico border in 2023, including lots of women and children.

3. Detained Undocumented Migrants are Subjected to Torture or Inhumane Treatment

The United States of America's immigration detention system is highly dependent on private prison companies, with a large number of undocumented immigrants detained in detention facilities owned or managed by private enterprises, and the government of the United States of America has committed serious dereliction of duty in the management of immigration detention facilities. There are reports of overcrowding, poor sanitation and lack of medical care in immigration detention facilities in the United States of America, and the basic living needs and health rights of undocumented immigrants are not guaranteed. Some law enforcement officers have also committed serious human rights violations such as racist abuse and sexual assault. The government of the United States of America has set up many obstacles on the path for immigrants to seek judicial relief. The immigration justice system is complex, lengthy and inefficient, with a backlog of immigration cases and long processing periods. Many undocumented immigrants have exhausted their energy and money in the long judicial process, yet still fail to obtain a fair verdict.

4. The Rights of Undocumented Immigrants of Women and Children are Ruthlessly Trampled Upon

The government of the United States of America has taken extreme measures of "separation of family members" against undocumented immigrant families crossing the border illegally, forcibly separating children from their parents and confining them in separate detention facilities. Countless children have fallen into a state of fear, anxiety and helplessness without the protection of their parents, and their physical and mental health has been severely damaged. Although the government of the United States of America was forced to halt this policy under the pressure of international community, the psychological trauma of families that were forced to separate their children as a result are hard to heal.

It has also been reported that more than 300,000 immigrant children have lost contact with government placement agencies and are unaccounted for after the government released "unaccompanied" immigrant children entering the country to adult sponsors in the United States of America who had not been properly reviewed. In dozens of states across the United States of America, a large number of migrant children are being forced to take up dangerous jobs such as construction sites and slaughterhouses in order to survive and pay their sponsors' fees, not only facing physical harm at work, but also constantly being abused, exploited and trafficked.

5. The United States of America' Disregard for Itself is a Major Root Cause of the Problem of Undocumented Immigrants

It is well known that the United States of America's long-term intervention and unilateral sanctions in Latin America, which have led to poverty, unemployment, and increased violent crimes in those countries, have been the main cause of many people leaving their own countries. However, the government of the United States of America has never sought solutions to the root causes. Instead, it has adopted arbitrary and harsh law enforcement policies, which further worsen the situation in the region and dragging the immigration issue into a long-term quagmire. The government of the United States of America's approach to undocumented immigrants fully exposes its hypocrisy and double standards in terms of human rights protection.

The international community should continue to pay attention to the issue of immigration on the southern border of the United States of America, urge the government of the United States of America to fulfill its international human rights obligations, correct its wrong policies and practices, and safeguard the basic human rights and legitimate rights of undocumented immigrants.