

Issue 3 Paragraph 17 (Interrogation techniques): “

NGO Assessment of the Action of the State party (government) on the Recommendations made by the Committee

<p>Recommendation by the Committee</p>	<p><i>The State party should ensure that interrogation methods contrary to the provisions of the Convention are not used under any circumstances. The Committee urges the State party to review Appendix M of Army Field Manual No. 2-22.3 in the light of its obligations under the Convention. In particular, the State party should abolish the provision regarding the “physical separation technique” which states that “use of separation must not preclude the detainee getting four hours of continued sleep every 24 hours”. Such provision, applicable over an initial period of 30 days, which may be extended upon due approval, amounts to sleep deprivation — a form of ill-treatment —, and is unrelated to the aim of the “physical separation technique”, which is preventing communication among detainees. The State party should ensure the needs of detainees in terms of sleep time and sleeping accommodation provided for prisoners, are in conformity the requirements of rule 10 of the Standard Minimum Rules for the Treatment of Prisoners. Equally, the State party should abolish sensory deprivation under the “field expedient separation technique”, which is aimed at prolonging the shock of capture, by using goggles or blindfolds and earmuffs on detainees in order to generate the perception of separation. Based on recent scientific findings, sensory deprivation for long durations has a high probability of creating a psychotic-like state in the detainee, 2 which raises concerns of torture and ill-treatment.</i></p>
<p>Actions taken by the State party</p>	<p><i>none</i></p>
<p>Current situation / Update of the Issue</p>	<p><i>The US continues to interrogate Yamasi People and individuals with physical force, deprivation of safety, hostage-taking, drugging, and assault. While not always incarcerated the interrogation occurs in a political situation that imprisons Yamasi People through apartheid ‘Indian Law’.</i></p>
<p>Impact of the Action of the State party (if any)</p>	<p><i>The situation is getting worse with the US employing state actors using US military technology to drug, kidnap, incarcerate, or assault Yamasi for the purpose of obtaining cultural knowledge and children.</i></p>
<p>Other Comments</p>	<p><i>US apartheid ‘Indian Law’ is used to justify subordination of Yamasi People to US interrogation</i></p>

Overall NGO Grades for the follow-up Action of the State party¹:

A: Action largely satisfactory; **B1:** Substantive action taken, but further action desirable; **B2:** Initial steps taken, but substantial action required;
C1: Some actions taken, but recommendations are not really implemented; **C2:** No action taken; **E:** measures taken are contrary to the recommendations

E

¹ The NGO Grades are made in accordance with the assessment grades of the HR Committee (see page 1) so that both grades can be directly compared.

Issue 4 Paragraph 26 (c) and (d) (Excessive use of force and police brutality):

NGO Assessment of the Action of the State party (government) on the Recommendations made by the Committee

Recommendation by the Committee	<i>The State party should (c): Provide effective remedies and rehabilitation to the victims;</i>
Actions taken by the State party	<i>The US has since incarcerated victims of US law enforcement police brutality.</i>
Current situation / Update of the Issue	<i>The US will not communicate with Yamasi People to end the police brutality.</i>
Impact of the Action of the State party (if any)	<i>Humans protected by Yamasi People are incarcerated because they are victims of police brutality. Yamasi People continue to try to heal our victims of police brutality but there are no structures to prevent it from occurring again thus the terror that US aggression is intended to create through police brutality is achieved.</i>
Other Comments	<i>The US state actor targets Yamasi for assault, torture, rape, kidnapping, and murder in an attempt to traffick us away from our resources.</i>
Recommendation by the Committee	<i>The State party should (d) Provide redress for Chicago Police Department torture survivors by supporting the passage of the ordinance entitled Reparations for the Chicago Police Torture Survivors.</i>
Actions taken by the State party	<i>none</i>
Current situation / Update of the Issue	<i>The US has no institutional means of communicating with Indigenous Peoples on issues of police brutality. Yamasi last contacted the US by calling their Department of Justice at (202) 514-4609 and have not been able to dialogue, address, or document with US incidences of police brutality.</i>
Impact of the Action of the State party (if any)	<i>Yamasi People continue to suffer from physical wounds and the terror created by the threat of US police/military force.</i>
Other Comments	<i>Chicago is not part of Yamasi People. Yamasi People, winds, lands, and waters are not part of the US but are occupied by the US</i>

Overall NGO Grades for the follow-up Action of the State party²:

A: Action largely satisfactory; **B1:** Substantive action taken, but further action desirable; **B2:** Initial steps taken, but substantial action required;
C1: Some actions taken, but recommendations are not really implemented; **C2:** No action taken; **E:** measures taken are contrary to the recommendations

E

² The NGO Grades are made in accordance with the assessment grades of the HR Committee (see page 1) so that both grades can be directly compared.