

**Appendix to the Addendum  
to the Report on the  
Second Universal Periodic Review of the United States of America**

This document is provided to the Office of the High Commissioner for Human Rights in response to its request for additional explanations, in more detail than we could provide under the strict word limit applicable to our Second Cycle UPR Addendum, of the U.S. positions on UPR recommendations that we supported in part. It is to be read in conjunction with our Second Cycle UPR Addendum.

\*\*\*\*\*

Some recommendations ask us to achieve an ideal, e.g., end discrimination or police brutality, and others request action not entirely within the power of our Federal Executive Branch, e.g., adopt legislation, ratify treaties, or act at the state level. We support or support in part these recommendations when we share their ideals, are making serious efforts to achieve their goals, and intend to continue doing so. Nonetheless, we recognize, realistically, that the United States may never completely accomplish what is described in these recommendations' literal terms.

We support recommendations to take actions we are already taking or have taken, and intend to continue taking, without in any way implying that our ongoing or prior efforts have been unsuccessful or that these actions are necessarily legally required. With respect to judicial remedies, we note that we cannot make commitments regarding, and do not control, the outcome of court proceedings.

Where recommendations include inaccurate assumptions, assertions, or factual predicates, we have decided whether we support them or support them in part by looking past their rhetoric to the proposed action or objective.

#	Recommendation text	Position	Expanded Explanation
2	Ratify the international human rights instruments from which it is not a party.	Support in Part	We support the part of this recommendation asking us to ratify those treaties of which the Administration is most committed to pursuing ratification: the CEDAW, the CRPD, and ILO Convention 111. We also support the part of this recommendation asking us to ratify the CRC, as we support its goals and intend to review how we could move toward its ratification. We do not support the part of this recommendation related to other treaties. For more information, please refer to paragraphs 113-116 of our UPR Report.
3	Ratify all international human rights instruments to which it is not yet a State party.	Support in Part	Please refer to the explanation for recommendation #2.
4	Take genuine steps towards the ratification of Treaties and Optional Protocols to Conventions that the United States has already signed, but not yet ratified.	Support in Part	Please refer to the explanation for recommendation #2.
5	Accelerate the ratification of outstanding international human rights legal instruments.	Support in Part	Please refer to the explanation for recommendation #2. We understand the part of this recommendation asking us to accelerate ratification as not intended to prejudice appropriate

			review and consideration of these treaties in accordance with Constitutional procedures.
6	Consider ratifying more human rights instruments.	Support in Part	Please refer to the explanation for recommendation #2.
8	Work more to join the international treaties on human rights.	Support in Part	Please refer to the explanation for recommendation #2.
14	Adhere to international legal instruments to which it is not yet a party, particularly the Second Optional Protocol to the ICCPR.	Support in Part	Please refer to the explanation for recommendation #2.
16	Step up efforts to ratify ICESCR, CEDAW and CRC.	Support in Part	Please refer to the explanation for recommendation #2.
18	Proceed to the ratification of CRC, signed in 1995, CEDAW signed in 1980, ICESCR, signed in 1977, and transpose them into national law.	Support in Part	Please refer to the explanation for recommendation #2.
19	Promptly ratify CEDAW and CRPD, as well as other core human rights conventions such as the ICESCR and CRC.	Support in Part	Please refer to the explanation for recommendation #2.
20	Accede to the key international human rights instruments CRC, ICESCR, CRPD and CEDAW.	Support in Part	Please refer to the explanation for recommendation #2.
22	Reinforce its role as a global leader on human rights by becoming a party to the ICESCR, the CEDAW, the CRC, and the CRPD.	Support in Part	Please refer to the explanation for recommendation #2.
26	Ratify CRC and ICESCR.	Support in Part	Please refer to the explanation for recommendation #2.
28	Ratify in due course instruments, such as ICRMW, CRC and ICESCR.	Support in Part	Please refer to the explanation for recommendation #2.
29	Ratify international human rights treaties particularly the OP-ICESCR, CEDAW, and CRC.	Support in Part	Please refer to the explanation for recommendation #2.
30	Ratify the core international human rights instruments, in particular CRC and CEDAW.	Support in Part	Please refer to the explanation for recommendation #2.
33	Ratify CRC, ICRMW, ICPPED, CRPD, CEDAW and the Rome Statute.	Support in Part	Please refer to the explanation for recommendation #2.
36	Ratify CRC, CEDAW, CRPD and the ICC statute, as previously recommended.	Support in Part	Please refer to the explanation for recommendation #2.
37	Continue to exert efforts to ratify major international human rights instruments,	Support in Part	Please refer to the explanation for recommendation #2.

	particularly including CEDAW and CRC.		
45	Ratify OP-CAT and take swift measures to ensure the human rights of convicts and persons in custody.	Support in Part	We support the part of this recommendation asking us to promote, protect, and respect the human rights of those convicted of crimes and persons in custody. For more information, please refer to paragraphs 43-48 of our UPR Report. We do not support the part of this recommendation asking us to ratify the OP-CAT.
51	Pass legislation domestically to prohibit the passing of life imprisonment without the possibility of parole on offenders who were children at the time of offending, and ratify without any further delay the CRC.	Support in Part	We support the part of this recommendation asking us to ratify the CRC, as we support its goals and intend to review how we could move toward its ratification. Please refer to the explanation for recommendation #234.
52	Ratify the CRC and OP-CAT.	Support in Part	Please refer to the explanation for recommendation #2.
53	Ratify the major human rights instruments, in particular the CRC and ICRMW.	Support in Part	Please refer to the explanation for recommendation #2.
54	Ratify, among others, CRC, CRPD, ICRMW / Accede to the American Convention on Human Rights and recognize the competence of the Inter-American Court on Human Rights.	Support in Part	Please refer to the explanation for recommendation #2. We also do not support the part of this recommendation concerning the Inter-American Convention and Court. For more information, please refer to paragraph 117 of our UPR Report.
57	Improve the protection of children at national level by ratifying the Convention on the Rights of the Child and its Optional Protocols.	Support in Part	Please refer to the explanation for recommendation #2. We note that we have already ratified two of the Optional Protocols to the Convention on the Rights of the Child in 2002: the Optional Protocol on the Involvement of Children in Armed Conflict and the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.
70	Ratify all international human rights conventions and protocols, and those of the ILO and the Rome Statute.	Support in Part	Please refer to the explanation for recommendation #2.
91	Adopt an action plan consistent with the Durban Declaration and Programme of Action in an effort to eradicate racial discrimination effectively.	Support in Part	We support the part of this recommendation asking us to make efforts to eradicate racial discrimination. We have extensive Federal, state, and tribal legislation and strategies in place to combat all forms of discrimination, including racial discrimination. For more information, please refer to paragraphs 11-19 and 25-34 of our UPR Report. We are working diligently toward better enforcement and implementation of these laws and programs, and will consider suggestions for further improvement. We do not support the part of this recommendation referring to the Durban Declaration, and we do not at the current time have plans to develop a supplemental national action plan.
92	Adopt and implement a national plan in accordance with the Durban Declaration and Program of Action.	Support in Part	We support the aspect of this recommendation that is asking us to implement policies and strategies to combat racial discrimination. Please refer to the explanation for recommendation 91. We do not support the part of this recommendation referring to the Durban Declaration, and we do not at the current time have plans to develop a supplemental national action plan.
93	Take all legal measures to adopt and	Support	We support the aspect of this recommendation asking us to take legal measures to promote

	implement a national racial justice plan consistent with the Durban Declaration and Programme of Action.	in Part	justice without racial discrimination. Please refer to the explanation for recommendation #91. We do not support the part of this recommendation referring to the Durban Declaration, and we do not at the current time have plans to develop a supplemental national action plan.
94	Undertake measures to combat racial discrimination, including adoption of a National Action Plan to Combat Racial Discrimination as recommended by the Committee on the Elimination of Racial Discrimination.	Support in Part	We support the part of this recommendation asking us to undertake measures to combat racial discrimination. Please refer to the explanation for recommendation #91. We do not support the part of this recommendation asking us to adopt a national action plan, as we do not at the current time have plans to develop such a plan.
95	Adopt and implement a national plan inspired by the Durban Declaration and Program of Action, for the benefit especially of disadvantaged minorities, which are Afro-Americans and indigenous peoples.	Support in Part	We support the part of this recommendation asking us to implement policies and strategies for members of disadvantaged minorities, including African-Americans and indigenous individuals. Please refer to the explanation for recommendation #91. We do not support the part of this recommendation referring to the Durban Declaration, and we do not at the current time have plans to develop a supplemental national action plan.
100	Ensure that the US international aid allows access to sexual and reproductive health services for women victims of sexual violence in conflict situations.	Support in part	We support this recommendation in part in that U.S. foreign assistance funds are programmed in a manner consistent with applicable U.S. law and policy to support the needs of women who have been victims of sexual violence in conflict situations. This includes support through interventions such as family planning, post-exposure HIV prophylaxis, post-abortion care, fistula care, psychosocial support, community gender-based violence prevention, health provider training, and linkages with economic empowerment and livelihood programs.
108	That a mechanism be established at the federal level to ensure comprehensive and coordinated compliance with international human rights instruments at federal, local and state level.	Support in Part	We support the part of this recommendation asking us to establish a mechanism to coordinate efforts related to international human rights instruments at the federal level, as we have already taken steps to implement such mechanisms. For example, our interagency UPR Working Groups, under the leadership of the White House, are charged with reviewing UPR recommendations and related concluding observations and recommendations from treaty bodies and sharing best practices and information. We do not support the part of this recommendation asking us to create a single mechanism with respect to the state and local levels. U.S. international human rights obligations are implemented through a comprehensive system of laws and policies at all levels of government. Many state and local governments have their own human rights institutions and mechanisms. The U.S. Department of Justice also has statutory authority to investigate many allegations of human or civil rights violations or abuses by state or local government officials. We are considering ways to improve such implementation.
111	Enhance further co-operation with human rights mechanisms including issuing a standing invitation to special procedures and providing full access to the Special Rapporteur on Torture.	Support in Part	We support the part of this recommendation asking us to enhance further cooperation with human rights mechanisms. We have made reports to the treaty bodies for the <u>Convention Against Torture</u> , the <u>Convention on the Elimination of All Forms of Racial Discrimination</u> , the <u>International Covenant on Civil and Political Rights</u> , and two of the <u>Optional Protocols to the Convention on the Rights of the Child</u> since 2013. We also work regularly with Special Rapporteurs to facilitate their visits on mutually-agreed terms, and we are hosting one trip in

			the week of November 30-December 2 and another one in early 2016. We do not support the part recommending issuance of a standing invitation to special procedures. We are currently working with the Special Rapporteur on Torture to facilitate his visit request on mutually-agreed terms.
113	End various forms of inequality.	Support in Part	We support the part of this recommendation asking us to make efforts to achieve the ideal of equality. We are making serious efforts to reach this goal, and intend to continue doing so. For example, we note that we have federal, state, and tribal legislation and strategies in place to combat discrimination, including racial discrimination, and we take effective measures to counter intolerance, violence, and discrimination against members of all minority groups, including African-Americans, Muslims, Arabs, and indigenous persons. We support this recommendation "in part" because we recognize, realistically, that the United States may never completely accomplish what is described in this recommendation's literal terms.
116	Eliminate discrimination against women by introducing paid maternity leave and providing equal pay for women for the same work.	Support in Part	We support the part of this recommendation asking us to work toward eliminating discrimination against women and providing equal pay to women. We have comprehensive laws aimed at ensuring gender equality at work, and we aggressively enforce those laws, and we are taking further action to promote pay equity through the President's Equal Pay Taskforce. For more information, please refer to paragraphs 74-75 of our UPR Report. President Obama has called for the passage of federal legislation guaranteeing every working American paid family and medical leave to care for a new child, a seriously ill family member, or their own serious illness. U.S. law does not require employees to take any allotted leave; those who would prefer to return to the workplace sooner may do so. Under the Family and Medical Leave Act, eligible employees are entitled to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for the birth and care of a newborn child, or placement of a child for adoption or foster care and care of the newly placed child. Both mothers and fathers are entitled to take such leave. The leave can also be used for prenatal care or pregnancy-related incapacity. However, we support this recommendation "in part" because currently, U.S. law does not require provision of paid family leave for every individual employee. For more information, see: <a href="http://www.dol.gov/featured/paidleave/">http://www.dol.gov/featured/paidleave/</a> .
117	Issue a decree on compulsory maternity leave and equal wages for men and women.	Support in Part	We support the part of this recommendation asking us to work toward providing equal wages to women. President Obama signed two executive actions in 2014 aimed at ensuring fair pay for women. We do not support the part of this recommendation asking us to issue a decree on compulsory maternity leave. Please refer to the explanation for recommendation #116.
120	Strengthen the existing laws and legislation in order to combat different forms of discrimination, racism and hatred.	Support in Part	We support the part of this recommendation asking us to combat discrimination. We take effective measures at all levels of government to counter racial and religious discrimination and combat hate crimes, including through the Matthew Shepard/James Byrd, Jr., Hate Crimes Prevention Act of 2009. For more information, please refer to paragraphs 11-42 of our UPR Report. We do not support the parts of this recommendation that ask us to restrict Constitutionally-protected belief or expression.
122	Bring in line the definition of racial	Support	We support the aspect of this recommendation asking us to combat racial discrimination

	discrimination in federal and state legislation with the provisions of ICERD.	in Part	through our federal and state laws. For more information, please refer to paragraphs 11-19 and 25-34 of our UPR Report. We do not support the part of this recommendation implying that our federal and state laws are not in compliance with our international obligations: although we recognize there is always room for improvement, we believe that our law is consistent with our CERD obligations.
125	End discrimination in law and practice against all minorities and migrants, particularly against women and children from poor families and take effective steps to prevent and combat violence against them.	Support in Part	We support the part of this recommendation asking us to take effective steps to prevent and combat violence against women, children, and members of minorities. We also support the part of this recommendation asking us to make efforts to achieve the ideal of ending discrimination. We are making serious efforts to reach this goal, and intend to continue doing so. For more information, please refer to paragraphs 11-9, 25-34, 54-60, 68-71, 74-75, and 80-82 of our UPR Report. We support this recommendation "in part" because we recognize, realistically, that the United States may never completely accomplish what is described in this recommendation's literal terms.
126	Abolish any discriminatory measures that target Muslims and Arabs at airports.	Support in Part	We support the part of this recommendation asking us to prohibit measures that discriminate against Muslims and Arabs at airports. For more information, please refer to paragraph 71 of our UPR Report. We do not support the part of this recommendation implying that we currently have in place measures at U.S. airports that target or discriminate against Arabs or Muslims.
132	Toughen its efforts to prevent religion and hate crimes as it is evident that the crimes are on the increase.	Support in Part	We support the part of this recommendation asking us to toughen our ongoing efforts to prevent and punish hate crimes, including those motivated by religious hatred. For more information, please refer to paragraphs 20-24 of our UPR Report. We do not support the assertion in this recommendation that it is evident that hate crimes are on the rise in the United States.
135	Strengthen the laws and mechanisms at the federal and state level to further combat racial discrimination in all its forms as well as against hate speech and hate crimes, to ensure that people are protected therefrom.	Support in Part	Please refer to the explanation for recommendation #120.
136	Prohibit racial discrimination and racist hate speech, as well as broaden the protection afforded by law.	Support in Part	We support the part of this recommendation asking us to prohibit racial discrimination. Please refer to the explanation for recommendation #91. We do not support the parts of this recommendation that ask us to restrict Constitutionally-protected belief or expression.
142	Address discrimination, racial profiling by the authorities, Islamophobia and religious intolerance by reviewing all laws and practices that violate the rights of minority groups, with a view to amend them.	Support in Part	We support the part of this recommendation asking us to address discrimination and racial profiling by government authorities. We take effective measures to counter intolerance, violence, and discrimination against all members of all minority groups, including Muslims. Profiling – the invidious use of irrelevant individual characteristics including race, ethnicity, national origin, or religion – is prohibited under our Constitution and federal government policy. For more information, please refer to paragraphs 11-34 of our UPR Report. We do not support the part of this recommendation that asks us to restrict Constitutionally-protected belief or expression, and we do not support the implication of this recommendation that the

			laws of the United States currently violate the human rights of members of minority groups.
147	Eliminate the practice of racial profiling and surveillance by law enforcement officials.	Support in Part	We support the part of this recommendation asking us to work toward eliminating racial profiling. Please refer to the explanation for recommendation 142. For more information, please refer to paragraphs 9 and 11-16 of our UPR Report. We also support the part of this recommendation on surveillance to the extent it applies to unlawful surveillance in violation of U.S. law; however, we do not support this recommendation to the extent that it asks us to prohibit surveillance by law enforcement that is authorized by law or by a valid court order as part of a criminal investigation. The United States does not monitor communications to disadvantage individuals based on their ethnicity, race, gender, sexual orientation or religion.
154	Adopt measures at the federal level to prevent and punish excessive use of force by law enforcement officials against members of ethnic and racial minorities, including unarmed persons, which disproportionately affect Afro American and undocumented migrants.	Support in Part	We support the part of this recommendation asking us to prevent and punish excessive use of force by law enforcement. We have extensive Federal, state, and tribal legislation and strategies to combat all forms of discrimination, including racial discrimination. For more information, please refer to paragraphs 9, 11-16, and 64 of our UPR Report. We are working diligently toward better enforcement and implementation of these laws and programs, and will consider suggestions for further improvement. We do not support the implication of this recommendation that excessive use of force disproportionately affects undocumented migrants, as we are not aware of data on those impacts.
155	End police brutality against African Americans and rectify the judicial as well as socio-economic systems that systematically discriminate against them.	Support in Part	We support the part of this recommendation asking us to make efforts to end excessive use of force against African-Americans and to end discrimination in the criminal justice and other systems. We are making serious efforts to reach this goal, and intend to continue doing so. For more information, please refer to paragraphs 9, 11-19, 25-34, and 64 of our UPR Report. Please also refer to the explanation for recommendation #91. We support this recommendation "in part" because we recognize, realistically, that the United States may never completely accomplish what is described in this recommendation's literal terms.
156	Correctly address the root causes of racial discrimination and eliminate the frequently occurred excessive use of force by law enforcement against of African-Americans and other ethnic minorities.	Support in Part	We support the part of this recommendation asking us to make efforts to address the causes of racial discrimination. We also support the part of this recommendation asking us to work to eliminate use of excessive force against African-Americans and members of other minorities. We are making serious efforts to reach this goal, and intend to continue doing so. For more information, please refer to paragraphs 9, 11-16, and 64 of our UPR Report. Please also refer to the explanation for recommendation #91. We support this recommendation "in part" because we recognize, realistically, that the United States may never completely accomplish what is described in this recommendation's literal terms.
158	Take measures to put an end to police abuses, including the merciless killing of coloured people, and all racial discrimination.	Support in Part	We support the part of this recommendation asking us to take measures to end police abuses and racial discrimination. For more information, please refer to paragraphs 9, 11-19, 25-34, and 64 of our UPR Report. Please also refer to the explanation for recommendation #91. We do not support the part of this recommendation about the merciless killings of individuals by law enforcement.
164	Take affirmative steps to ensure that individuals' religious refusals are regulated to	Support in Part	We support this recommendation insofar as it recommends compliance with our domestic law and international human rights obligations, including regarding freedom of religion. We do

	conform with international human rights standards that protect sexual and reproductive rights and the rights to equality and non-discrimination on the basis of sex, gender, sexual orientation or gender identity.		not support the parts of this recommendation that ask us to restrict Constitutionally-protected belief or expression
180	Introduce a national moratorium on the death penalty aiming at complete abolition and take all necessary measures to ensure that the death penalty complies with minimum standards under international law. Exempt persons with mental illness from execution. Commit to ensuring that the origin of drugs being used is made public.	Support in Part	We support the part of this recommendation asking us to ensure that our implementation of capital punishment complies with international human rights obligations and commitments. We also support the part of this recommendation concerning exclusion from the death penalty with respect to prosecutions of persons with intellectual disabilities as defined by U.S. courts, but not regarding all persons with any mental illness. <i>See, e.g., Atkins v. Virginia</i> , 536 U.S. 304 (2002). For more information, please refer to paragraphs 48-54 of our UPR Report. We do not support the parts of this recommendation asking us to introduce a moratorium on the death penalty nor the part of this recommendation concerning the origin of drugs used for purposes of capital punishment.
196	When continuing to implement the death penalty, do not apply it to persons with intellectual disabilities.	Support in Part	We support this recommendation concerning exclusion from the death penalty with respect to prosecutions of persons with intellectual disabilities as defined by U.S. courts. <i>See, e.g., Atkins v. Virginia</i> , 536 U.S. 304 (2002). For more information, please refer to paragraph 49 of our UPR Report. We do not support this recommendation to the extent it is interpreted differently.
197	Ensure that no person with a mental disability is executed.	Support in Part	We also support the part of this recommendation concerning exclusion from the death penalty with respect to prosecutions of persons with intellectual disabilities as defined by U.S. courts, but not regarding all persons with any mental disability. <i>See, e.g., Atkins v. Virginia</i> , 536 U.S. 304 (2002). We do not support this recommendation to the extent it is interpreted differently.
198	Take specific measures in follow-up to the recommendations of the Human Rights Committee to the US in 2014 with regards to capital punishment such as measures to avoid racial bias, to avoid wrongful sentencing to death and to provide adequate compensation if wrongful sentencing happens.	Support in Part	We support this recommendation to the extent that it calls upon us to consider the non-binding 2014 recommendations from the Human Rights Committee. While we support measures to avoid racial bias and wrongful sentencing to death, and to provide adequate compensation in the event of wrongful sentencing, we do not support other parts of the recommendation, including the part asking that we take specific measures in follow-up to the recommendations on moratorium or abolishment of the death penalty.
203	Put an end to unlawful practices which violate human rights including extrajudicial executions and arbitrary detention, and close any arbitrary detention centres.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to ensure that our practices do not violate human rights. We do not support the part of this recommendation that constitutes unsubstantiated allegations of ongoing serious violations of international law, or that implies that the United States engages in practices that violate human rights, including extrajudicial executions and arbitrary detention, or that we maintain arbitrary detention centers.
204	Take legal and administrative measures to address civilian killings by the US military	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this



	troops during and after its invasion of Afghanistan and Iraq by bringing perpetrators to justice and remedying the victims.		recommendation asking us to take appropriate measures to address any unlawful killings of civilians in armed conflict. We take great care to ensure that our uses of force – including targeted strikes – conform to all applicable domestic and international law, including the law of war principles of proportionality and distinction. The Department of Defense investigates all credible allegations of misconduct by its personnel and pursues judicial or administrative action against alleged perpetrators as appropriate. We do not support certain premises in this recommendation that constitute unsubstantiated accusations of ongoing serious violations of international law in Iraq and Afghanistan, or that suggest that there is a legal duty to remedy all victims in armed conflict. If we determine that non-combatants were killed or injured in a U.S. military operation, we may, where appropriate, offer condolence or other ex gratia payments to those injured and the families of those killed.
205	Desist from extrajudicial killings such as drone strikes and ensure accountability for civilian loss of life resulting from extraterritorial counter terrorism operations.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law, including in its counterterrorism operations. In particular, we support the part of this recommendation asking us to take appropriate measures to address any unlawful killings. The Department of Defense investigates all credible allegations of misconduct by its personnel and pursues judicial or administrative action against alleged perpetrators as appropriate. We do not support the part of this recommendation implicitly asking us to desist from lawful, targeted counterterrorism action or implying that such targeted action against al-Qaeda and its associated forces, including with remotely piloted aircraft, constitutes unlawful extrajudicial killing per se. We conduct lawful, targeted action against al-Qaeda and its associated forces, including with remotely piloted aircraft, as necessary to prevent terrorist attacks on the U.S. and to save lives. We take great care to ensure that our uses of force – including targeted strikes – conform to all applicable domestic and international law, including the law of war principles of proportionality and distinction.
206	Stop extrajudicial killings of citizens of the United States of America and foreigners, including those being committed with the use of remotely piloted aircraft.	Support in Part	Please refer to the explanation for recommendation #205.
207	Use armed drones in line with existing international legal regimes and pay compensation to all innocent victims without discrimination.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to conduct military operations in line with existing international legal obligations. We take great care to ensure that our uses of force – including targeted strikes – conform to all applicable domestic and international law, including the law of war principles of proportionality and distinction. We do not support any premise underlying this recommendation that there is a legal duty to “pay compensation” to all victims in armed conflict. If we determine that non-combatants were killed or injured in a U.S. military operation, we may, where appropriate, offer condolence or other ex gratia payments to those injured and the families of those killed.

209	Punish those responsible for torture, drone killings, use of lethal force against African Americans and compensate the victims.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to prosecute and punish individuals responsible for unlawful acts when appropriate. Please refer to the explanations of recommendations #204 and #205. We remain committed to investigating and prosecuting willful use of excessive force by law enforcement officers. We do not support certain premises in this recommendation, which constitute unsubstantiated accusations of ongoing serious violations of international law. We also do not support the part of this recommendation implying that targeted action against al-Qaeda and its associated forces, including with remotely piloted aircraft, is unlawful per se.
210	Strengthen safeguards against torture in all detention facilities in any territory under its jurisdiction, ensure proper and transparent investigation and prosecution of individuals responsible for all allegations of torture and ill-treatment, including those documented in the unclassified Senate summary on CIA activities published in 2014 and provide redress to victims.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to investigate credible allegations of torture and to prosecute where appropriate.
211	Enact comprehensive legislation prohibiting all forms of torture and take measures to prevent all acts of torture in areas outside the national territory under its effective control.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. Federal and state laws are already in place that criminalize acts that encompass torture throughout the United States. Additionally, 18 U.S.C. § 2340 et seq. provides federal criminal jurisdiction over an extraterritorial act or attempted extraterritorial act of torture committed under color of law if (1) the alleged offender is a national of the United States or (2) if the alleged offender is present in the United States, irrespective of the nationality of the victim or alleged offender.
212	Stops acts of torture by US Government officials, not only in its sovereign territory, but also in foreign soil.	Support in part	We support this recommendation insofar as it calls upon the United States to uphold its obligations under international and domestic law to prevent acts of torture. In particular, we support the part of this recommendation asking us to prohibit torture at all times and in all places. We do not support certain premises in this recommendation, which constitute unsubstantiated accusations of ongoing serious violations of international law.
217	Respect the absolute prohibition on torture and take measures to guarantee punishment of all perpetrators.	Support in Part	We support this recommendation insofar as it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to respect the absolute prohibition on torture. We do not support the part of this recommendation that asks us to “guarantee” punishment. The Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court proceedings, which are based on the application of applicable law to the specific facts of each case.
218	Ensure the independent and objective investigation of all cases of police	Support in Part	We support the part of this recommendation asking us to ensure investigation of all credible allegations of police misconduct. We do not support the premise of this recommendation that

	arbitrariness, including murders, torture, arbitrary, detention, use of military equipment and seizure of property.		certain of these acts are always arbitrary, nor the part of this recommendation asking us to investigate activities by police that are permitted or authorized by law in certain circumstances (e.g., seizure of property pursuant to a lawfully-obtained court order).
224	Ensure a sustained human rights training for law enforcement officers in order to curb killings, brutality and the excessive use of force targeting racial and ethnic minorities, particularly African-Americans.	Support in Part	We support the part of this recommendation asking the federal government to conduct and promote human rights training. For more information, please refer to the explanation for recommendation #91. Although training largely occurs at the local level, the federal government promotes best practices through technical assistance, investigations, and agreements to reform police practices. We support this recommendation “in part” because we recognize, realistically, that the United States may never completely accomplish what is described in this recommendation’s literal terms and because the federal government does not exercise control over the training of state and local law enforcement officers.
226	Punish perpetrators of abuse and police brutality, which are increasingly alarming and constitute irrefutable acts of increasing racism and racial discrimination, particularly against African-Americans, Latinos and women.	Support in Part	We support the part of this recommendation asking us to investigate credible allegations of abuses by law enforcement, and to prosecute officers responsible where appropriate. We note that we have federal, state, and tribal legislation and strategies in place to combat discrimination, including racial discrimination, and we take effective measures to counter intolerance, violence, and discrimination against members of all groups, including African-Americans, Latinos, and women. For more information, please refer to paragraphs 11-16 of our UPR Report. We do not support the part of this recommendation that implies that there is irrefutable evidence that incidents of abuse and racial discrimination are increasing, but we are committed to combating discrimination and promoting tolerance.
227	Take appropriate measures to eliminate the excessive use of force by the law enforcement officers. We refer to the case of killing the Kazakh national, Kirill Denyakin, by a US police officer in 2011 in Virginia.	Support in Part	We support the part of this recommendation asking us to take appropriate measures to combat excessive use of force by law enforcement. We note that we have federal, state, and tribal legislation and strategies in place to combat discrimination, including racial discrimination, and we take effective measures to counter intolerance, violence, and discrimination. For more information, please refer to paragraphs 11-16 of our UPR Report. We do not support the part of this recommendation regarding the particular case cited, as the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court proceedings, which are based on the application of applicable law to the specific facts of each case.
229	Investigate cases of deaths of migrants by customs and border patrols, particularly those where there have been indications of an excessive use of force, and ensure accountability and adequate reparation to the families of the victims.	Support in Part	We support the part of this recommendation asking us to investigate cases of deaths of migrants in the custody of U.S. Customs and Border Protection, and to ensure accountability, where appropriate. We do not support the part of this recommendation concerning reparations. Although mechanisms for effective remedies are available through U.S. courts, the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court proceedings, which are based on the application of applicable law to the specific facts of each case.
230	Adopt legislation expanding the verification of personal backgrounds for all acquisitions of firearms.	Support in part	We support the part of this recommendation concerning expanding the number of firearms transfers that are subject to background checks but with limited, common-sense exceptions (e.g., certain transfers between family members, temporary transfers for hunting/sporting).

233	Consider the adoption of legislation to enhance the verification of the records for all fire arms transfers and the revision of the laws that stipulate self-defence without limitations.	Support in Part	Please refer to the explanation for recommendation #230. We do not support the part of this recommendation asking us to revise laws that permit individuals to defend themselves when violently attacked.
234	End the use of life imprisonment without parole for offenders under the age of 18 at the age of crime, regardless of the nature of that crime.	Support in Part	We support the part of this recommendation concerning sentences of life imprisonment without parole imposed on juveniles for non-homicide crimes, which violate the Eighth Amendment's prohibition on cruel and unusual punishment. <i>See, e.g., Graham v. Florida</i> , 560 U.S. 48 (2011). Additionally, life without parole cannot be made mandatory for juvenile offenders, even those who have committed murder. <i>See, e.g., Miller v. Alabama</i> , 132 S. Ct. 2455 (2011). The United States has put forward legislative measures that would allow courts discretion to reduce a term of imprisonment imposed upon a juvenile defendant convicted of any offense after that defendant has served 20 years' incarceration. We do not support the part of this recommendation asking for complete elimination of life without parole sentences for juvenile offenders, as the United States is not currently contemplating legislative measures to completely eliminate the availability of life without parole sentences for juveniles.
235	Abolish life imprisonment without possibility of parole for non-violent offenses.	Support in Part	Please refer to the explanation for recommendation #234. We also do not support the part of this recommendation concerning life without parole sentences for non-violent adult offenders, as the United States is also not currently contemplating legislation to revise existing life without possibility of parole laws as they apply to adult offenders.
241	Immediately close the prison in Guantanamo and cease the illegal detention of terrorism suspects at its military bases abroad.	Support in Part	We support the part of this recommendation asking us to close the detention facility at Guantanamo Bay. The President has clearly stated our desire to close the detention facility and to continue working with Congress, the courts, and other countries to do so in a responsible manner that is consistent with our international obligations. Until it is closed, we will continue to ensure that operations there are consistent with our international obligations. For more information, please refer to paragraphs 87-99 of our UPR Report. We do not support the part of this recommendation implying that the U.S. engages in illegal detention of terrorism suspects.
243	Close the Guantanamo prison and release all detainees still held in Guantanamo, unless they are to be charged and tried without further delay.	Support in Part	Please refer to the explanation for recommendation #241. We do not support the part of this recommendation asking us to release all individuals detained at Guantanamo unless they are to be charged and tried without further delay. The detainees who remain at the Guantanamo Bay detention facility continue to be detained lawfully, both as a matter of international law and under U.S. domestic law. All U.S. military detention operations conducted in connection with armed conflict, including at Guantanamo Bay, are carried out in accordance with international humanitarian law, including Common Article 3 of the Geneva Conventions, and all other applicable international and domestic laws.
245	Close, as soon as possible, the detention centre at Guantanamo Bay and put an end to the indefinite detention of persons considered as enemy combatants.	Support in Part	Please refer to the explanation for recommendation #241. We do not support the part of the recommendation that calls for "an end to the indefinite detention of persons considered as enemy combatants." The detainees who remain at the Guantanamo Bay detention facility continue to be detained lawfully, both as a matter of international law and under U.S.

			domestic law. All U.S. military detention operations conducted in connection with armed conflict, including at Guantanamo Bay, are carried out in accordance with international humanitarian law, including Common Article 3 of the Geneva Conventions, and all other applicable international and domestic laws.
247	Fully disclose the abuse of torture by its Intelligence Agency, ensure the accountability of the persons responsible, and agree to unrestricted visit by the Special Rapporteur on Torture to Guantanamo facilities.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to be as transparent as possible, consistent with the protection of national security, and to investigate credible allegations of torture. Please refer to the explanation for recommendation #210. For more information, please refer to paragraphs 87-99 of our UPR Report. We have extended an invitation to the Special Rapporteur on Torture to visit Guantanamo Bay consistent with the terms of other comparable visits. That invitation remains open. However, we do not support the part of this recommendation asking us to permit an unrestricted visit for the Special Rapporteur to Guantanamo due to security concerns.
248	Engage further in the common fight for the prohibition of torture, ensuring accountability and victims' compensation and enable the Special Rapporteur on torture to visit every part of the detention facility at Guantanamo Bay and to conduct unmonitored interviews.	Support in Part	We support the part of this recommendation asking us to engage further in the fight for the prohibition of torture. We do not support the part of this recommendation asking us to "ensure" compensation. Although mechanisms for remedies, including compensation, may be available through U.S.-based courts, the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court proceedings, which are based on the application of applicable law to the specific facts of each case. Regarding the Special Rapporteur on torture, please refer to the explanation for recommendation #247.
250	End illegal detentions in Guantanamo Bay or bring the detainees to trial immediately.	Support in Part	Please refer to the explanation for recommendation #241. We do not support the part of this recommendation implying that the U.S. engages in illegal detention of terrorism suspects. As part of its conflict with al-Qaeda, the Taliban, and associated forces, the United States has captured and detained enemy combatants, and is permitted under the law of war to hold them until the end of hostilities. Thus, we also do not support the part of this recommendation asking us to bring all detainees to trial immediately.
252	Halt the detention of immigrant families and children, seek alternatives to detention and end use of detention for reason of deterrence.	Support in Part	We support the part of this recommendation asking us to seek alternatives to detention for immigrant families and children. We actively utilize alternatives to detention where appropriate, and are working to shorten the length of detention that families may face while their immigration proceedings are resolved. We have discontinued invoking general deterrence as a factor in custody determinations in cases involving families. Conditions at Family Residential Centers are continually being evaluated and improved to ensure a safe and productive environment. For more information, please refer to paragraphs 61-67 of our UPR Report. We do not support the part of this recommendation asking us to halt all detentions of immigrant families and children.
256	Guarantee the right to access to justice and effective remedies to all indigenous women who were victims of violence.	Support in Part	We support the part of this recommendation regarding access to justice. For more information, please refer to paragraphs 59 and 70 of our UPR Report. We do not support the part of the recommendation asking that we "guarantee" effective remedies. Although

			mechanisms for remedies may be available through U.S.-based courts, the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court cases, which are based on the application of applicable law to the specific facts of each case.
258	Redouble efforts to prevent sexual violence in the military and ensure effective prosecution of offenders and redress for victims.	Support in Part	We support the part of this recommendation asking us to redouble efforts to prevent sexual violence in the military and ensure effective prosecution. Eliminating sexual assault from the military through continuous assessment and improvement to prevention and response programs remains one of the Department of Defense's top priorities. Within the past couple of years, the Department of Defense has implemented monumental reform efforts. Congress passed 33 sexual assault-related provisions in the National Defense Authorization Act for Fiscal Year 2014 that will improve the services provided to victims and the military's response capability. We do not support the part of this recommendation that asks us to "ensure" redress for all acts of sexual violence. Although mechanisms for remedies may be available through U.S.-based courts, the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court cases, which are based on the application of applicable law to the specific facts of each case.
260	Conduct impartial and objective investigations of all cases of cruel treatment of adopted children in order to eliminate impunity for such crimes.	Support in Part	We support the part of this recommendation asking us to investigate all credible allegations of mistreatment of adopted children. We do not support the premise of the recommendation that there is impunity for such crimes in the United States.
265	Prohibit corporal punishment of children in all settings, including the home and schools, and that the United States encourage non-violent forms of discipline as alternatives to corporal punishment	Support in Part	We support the part of this recommendation asking us to encourage non-violent forms of discipline. We encourage creating positive school climates and equitable discipline practices, and we take effective measures to help ensure non-discrimination in school discipline policies and practices. Excessive or arbitrary corporal punishment in schools is prohibited under our Constitution, and 31 of the 50 States have outlawed corporal punishment in schools. We do not support the part of this recommendation related to the prohibition of corporal punishment in all settings.
274	Devise a national strategy for the re-insertion of former detainees and to prevent recidivism.	Support in Part	We support the part of this recommendation asking us to work to prevent recidivism. Recidivism is an important criminal justice concern, and we support and have undertaken efforts to address it, including through the Federal Interagency Reentry Council, led by the U.S. Department of Justice. We do not support the part of this recommendation asking us to devise a national strategy on this issue.
279	Comply with the international cooperation principles laid down in General Assembly Resolution 3074 regarding extradition of persons accused of crimes against humanity, and extradite former Bolivian authorities legally charged for their trail in the country of origin.	Support in Part	We support the part of this recommendation asking us to support the principle of cooperation when considering extradition of persons accused of crimes against humanity. We do not support the part of this recommendation asking us to extradite particular individuals, as we note that decisions on extradition cases are made on a case-by-case basis, consistent with our international obligations, and we cannot prejudice the outcomes of particular cases. For more information, please refer to paragraphs 52-53 of our UPR Report.

286	Further ensure that all victims of torture and ill-treatment – whether still in US custody or not - obtain redress and have an enforceable right to fair and adequate compensation and as full rehabilitation as possible, including medical and psychological assistance.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to ensure that victims of torture have an enforceable right to fair and adequate compensation consistent with our obligations under the Convention Against Torture. For more information, please refer to paragraphs 87 and 91-96 of our UPR Report. We do not support certain premises in this recommendation, which constitute unsubstantiated accusations of ongoing serious violations of international law.
288	Investigate torture allegations, extrajudicial executions and other violations of human rights committed in Guantanamo, Abu Ghraib, Bagram, NAMA and BALAD camps and to subsequently close them.	Support in Part	We support this recommendation to the extent that it calls upon the United States to uphold its obligations under international and domestic law. In particular, we support the part of this recommendation asking us to investigate credible allegations of human rights violations. The Department of Defense investigates all credible allegations of misconduct by its personnel. For more information, please refer to paragraphs 87-96 of our UPR Report. We do not support certain premises in this recommendation, which constitute unsubstantiated accusations of serious violations of international law.
289	Improve access to justice, including due process and redress, for victims of sexual violence in the military; this would include removing from the chain of command the decision about whether to prosecute cases of alleged assault.	Support in Part	We support the part of this recommendation asking us to improve access to justice for victims of sexual assault in the military. Please refer to the explanation for recommendation #258. The Department of Defense has also established victim representation programs for sexual assault victims eligible for legal assistance. We do not support the part of this recommendation asking us to remove prosecutorial decisions from the chain of command in these cases, consistent with the findings of an independent study that doing so was not needed to improve victims' access to justice.
291	Ensure that youth in conflict with the law are handled by the juvenile justice system and have access to free legal advisory assistance.	Support in Part	We support the part of this recommendation asking that we provide free legal assistance to juveniles in criminal and delinquency proceedings. Juveniles have the right to free legal representation in all such proceedings, and in many cases, it is also available for civil proceedings. We do not support the part of this recommendation asking that all youthful offenders be handled through a juvenile justice system. Although the vast majority of criminal matters involving youth are handled through the juvenile justice system, factors weighed by courts deciding whether exceptional circumstances warrant trial as an adult include age/background, type/seriousness of the alleged offense, the juvenile's role, and prior record/past treatment.
292	Ensure that children under 18 are handled by the juvenile justice system in all circumstances.	Support in Part	We support this recommendation to the extent that the vast majority of criminal matters involving youth are handled through the juvenile justice system. Please refer to the explanation for recommendation #291.
297	Provide effective legal and procedural guarantees against collection and use by security services of personal information, including abroad.	Support in Part	We support this recommendation to the extent it applies to unlawful or arbitrary collection and use of personal information. The United States collects information only in accordance with U.S. law and international obligations. Additionally, President Obama has stated and set forth in Presidential Policy Directive 28 that all persons should be treated with dignity and respect, regardless of their nationality or place of residence, and that all persons have legitimate privacy interests in the handling of their personal information. The U.S. intelligence oversight

			system is robust and transparent, and includes executive, legislative, and judicial bodies. We do not support this recommendation to the extent it asks us to provide legal and procedural guarantees against collection and use of personal information that is authorized by law and necessary in furtherance of valid law enforcement or national security interests.
298	Take all necessary measures to ensure an independent and effective oversight by all Government branches of the overseas surveillance operations of the National Security Agency, especially those carried out under the Executive Order 12333, and guarantee access to effective judicial and other remedies for people whose right to privacy would have been violated by the surveillance activities of the United States.	Support in Part	We support this recommendation with respect to the importance of independent and effective oversight of U.S. intelligence operations. We collect information only in accordance with U.S. law and policy and our international obligations, including obligations contained in Article 17 of the ICCPR, within the scope of its application. The U.S. intelligence oversight system is robust and transparent. This system – which at various times and stages involves executive, legislative, and judicial bodies – provides for rigorous oversight of U.S. signals intelligence activities and procedures, including those pertaining to the use, retention and dissemination of personal information as set forth in Presidential Policy Directive-28. A new statute, the USA FREEDOM Act of 2015, was enacted in June 2015 and contains a number of provisions that modify U.S. surveillance authorities and other national security authorities through legislation, and increase transparency regarding the use of these authorities. The Act requires the declassification (or, where that is not possible, declassified summaries) of opinions by the Foreign Intelligence Surveillance Court or Court of Review that involve significant or novel interpretations of the law. It also increases the U.S. government’s public reporting obligations regarding specific uses of FISA authorities, and permits recipients of FISA orders to make either annual or semiannual reports of the approximate aggregate number of FISA orders they have received. For more information, please refer to paragraphs 83-86 of our UPR Report.
299	Ensure that all surveillance policies and measures comply with international human rights law, particularly the right to privacy, regardless of the nationality or location of those affected, including through the development of effective safeguards against abuses.	Support in Part	We support this recommendation to the extent it recommends compliance with U.S. obligations contained in Article 17 of the ICCPR, which applies to individuals within a State’s territory and subject to its jurisdiction. We note in this regard that U.S. efforts to safeguard the legitimate privacy interests of all persons in the conduct of signals intelligence activities extend, pursuant to Presidential Policy Directive 28, to all persons regardless of nationality or place of residence. Please refer to the explanation for recommendation #298 concerning additional safeguards.
304	Strengthen the independent federal-level judicial and legislative oversight of surveillance activities of all digital communications with the aim of ensuring that the right of privacy is fully upheld, especially with regard to individuals outside the territorial borders of the United States.	Support in Part	Please refer to the explanation for recommendation #298.
305	Respect the privacy of individuals outside the US in the context of digital communications and data.	Support in Part	Please refer to the explanation for recommendation #298.



306	Amend visa application system by removing any requirements that violate the right to privacy.	Support in Part	We support this recommendation insofar as it recommends respect for the ICCPR, Article 17, which applies to individuals within a State's territory and subject to its jurisdiction. We do not support the part of this recommendation that implies that the current U.S. visa application system violates any of our human rights obligations.
308	Uphold a consistent and robust protection of religious freedom, including religious speech and conscientious objection, and provide for accommodation of religious views and actions regarding social issues.	Support in Part	We support this recommendation insofar as it recommends compliance with our obligations under domestic law and international human rights law, including obligations regarding freedom of religion. We note that litigation on issues material to this recommendation is ongoing in U.S. courts. We support this recommendation "in part" because the Executive Branch of the U.S. government cannot make commitments regarding, and does not control, the outcome of court cases, which are based on the application of applicable law to the specific facts of each case.
309	Guarantee the right by all residents in the country to adequate housing, food, health and education, with the aim of decreasing poverty, which affects 48 millions of people in the country.	Support in Part	We support this recommendation to the extent that it asks us to improve access to adequate housing, food, health, and education with the aim of decreasing poverty in the United States. For more information, please refer to paragraphs 28-34 and 100-106 of our UPR Report. We do not support this recommendation to the extent it asks us to assume obligations under international instruments to which the United States is not a party. The United States is not a party to the International Covenant on Economic, Social, and Cultural Rights, and we understand that the rights therein are to be realized progressively.
310	Amend laws that criminalize homelessness and which are not in conformity with international human rights instruments.	Support in Part	We support this recommendation to the extent it asks us to help communities nationwide pursue alternatives to local legislation that allows for the arrest and prosecution of individuals for various behaviors associated with homelessness. For more information, please refer to paragraphs 28-29 and 205 of our UPR Report. We do not support the part of this recommendation that implies that current laws in the United States are not in conformity with our international human rights obligations. While we recognize there is always room for improvement, we believe that our laws are consistent with our international human rights obligations.
311	Continue efforts to implement the human right to safe water and sanitation, ensuring this human right without discrimination for the poorest sectors of the population, including indigenous peoples and migrants.	Support in Part	We support this recommendation to the extent that it asks us to improve access to safe drinking water and sanitation in the United States. For more information, please refer to paragraph 106 of our UPR Report. We do not support this recommendation to the extent it asks us to assume obligations under international instruments to which the United States is not a party. The United States is not a party to the International Covenant on Economic, Social and Cultural Rights, although we understand this recommendation as referencing the right to safe drinking water and sanitation, which is derived from the right to an adequate standard of living contained therein and is to be realized progressively.
312	Ensure compliance with the human right to water and sanitation according to General Assembly Resolution 64/292.	Support in Part	Please refer to the explanation for recommendation #311. Furthermore, General Assembly Resolution 64/292 is not a legally binding instrument.
314	Continue efforts regarding access to the right to health.	Support In Part	We support this recommendation to the extent that it asks us to improve access to health services in the United States. For more information, please refer to paragraphs 33-34, 44, 55,

			69, and 100-101 of our UPR Report. We do not support this recommendation to the extent it asks us to assume obligations under international instruments to which the United States is not a party. The United States is not a party to the International Covenant on Economic, Social, and Cultural Rights, and we understand the rights therein are to be realized progressively.
321	Guarantee the enjoyment of human rights of the minorities and vulnerable groups in the country, including the indigenous peoples and migrants.	Support in part	We support this recommendation to the extent it asks us to promote, protect, and respect the human rights of all individuals, including members of minorities and vulnerable groups, indigenous individuals, and migrants. We note that we have federal, state, and tribal legislation and strategies in place to combat discrimination, including racial discrimination, and we take effective measures to counter intolerance, violence, and discrimination against members of all minority groups, including African-Americans, Muslims, Arabs, and indigenous persons. For more information, please refer to paragraphs 25-42, 54-60, and 68-70 of our UPR Report. We do not support the possible implication of this recommendation that groups, rather than individuals, have human rights.
338	Guarantee the right to family reunification of migrants held in detention and continue with the efforts to protect the human rights of migrant persons, particularly their economic, social and cultural rights.	Support in Part	We support this recommendation insofar as it recommends compliance with our obligations under international human rights law. In particular, we support the part of this recommendation asking us to continue efforts to respect the human rights of migrants. For more information, please refer to paragraphs 61-70 of our UPR Report. We do not support the part of this recommendation that refers to a "right to family reunification," which is not a right recognized under our domestic laws or in any international binding instrument.
339	Ensure due process for all immigrants in immigration proceedings, using the principle of the best interest, especially in the case of families and unaccompanied children.	Support in Part	We support this recommendation to the extent it asks us to provide appropriate procedural safeguards in immigration proceedings, including those concerning unaccompanied children. Noncitizens in the U.S. facing removal receive significant procedural protections. The best interest of a child is an important consideration in many areas of U.S. law and in the exercise of prosecutorial discretion. We support this recommendation "in part," however, because it generally is one factor – not the only factor – in determinations made by an immigration judge or adjudicator in ensuring that interviews and hearings involving children are child-appropriate, and that the child is able to discuss freely the elements and details of his or her claim. The Department of Health and Human Services (HHS) provides care and placement for children who enter the United States without an adult guardian, considering the best interests of the child in all placement decisions. For more information, please refer to paragraphs 61-70 of our UPR Report.
341	Take up the commitment to address, in a framework of shared but differentiated responsibility and along with the international community, the world problem of climate change and its negative impact.	Support in Part	We support this recommendation insofar as it encourages domestic action on climate change and international efforts to reach an agreement that is ambitious, inclusive, and applicable to all countries. For more information, please refer to paragraphs 109-112 of our UPR Report. We do not support this recommendation to the extent it attempts to pre-judge the outcome of ongoing negotiations on the UN Framework Convention on Climate Change.
342	Continue to actively participate in the climate change negotiations for a strong legally binding outcome of the UNFCCC process.	Support in Part	Please refer to the explanation for recommendation #341.

343	Ensure federal legislation to prohibit environmental pollution and reduce greenhouse gas emissions to control climate change.	Support in Part	We support this recommendation insofar as it encourages domestic action on climate change and international efforts to reach an agreement that is ambitious, inclusive, and applicable to all countries. We also support the principle of this recommendation, which is to continue our efforts to reduce the impact of pollution and greenhouse gas emissions on the environment. For more information, please refer to paragraphs 109-112 of our UPR Report. We do not support the part of this recommendation asking us to introduce federal legislation to prohibit all environmental pollution.
-----	---	-----------------	--