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USA must address Omar Khadr rights violations following plea deal

Amnesty International today called on the US authorities to address any human rights violations committed against Canadian national Omar Khadr, in spite of him pleading guilty to the charges against him at a military commission at the Guantánamo Bay detention centre.

This morning Omar Khadr pleaded guilty to five "war crime" charges, including a murder charge for allegedly throwing a grenade that fatally wounded a US soldier. He had been held in US military custody for eight and half years, after being detained in late July 2002 in Afghanistan when he was aged 15.

"While military trial proceedings may be coming to an end in Omar Khadr's case, the obligation on the US authorities to address serious concerns about human rights violations suffered by him does not end" said Rob Freer, Amnesty International's USA researcher.

"The USA authorities have ignored their international duties in the treatment of children, which was the case when Omar Khadr was arrested eight years ago."

The guilty plea is the result of an agreement between Omar Khadr, his lawyers and the US authorities. According to the Pentagon, with the military judge having accepted the plea after questioning Omar Khadr in court today, the sentencing hearing will begin tomorrow.

While the details of the plea bargain have not yet been made public, the deal reportedly provides for an eight-year prison term with the USA supporting Omar Khadr's transfer to Canada to serve the final seven years of the sentence there.

The USA has also failed to recognize that his case fell under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Omar Khadr has repeatedly alleged that he was subjected to interrogation techniques and detention conditions that amounted to torture or other cruel, inhuman or degrading treatment.

"The USA must abandon military commissions and bring any Guantánamo detainee it intends to prosecute to trial in ordinary civilian federal court, in accordance with international fair trial standards. Any detainee it does not intend to prosecute should be immediately released," said Rob Freer.

"The fact that the military commission system falls short of international fair trial standards is not changed by a plea deal being reached in Omar Khadr's case," said Rob Freer.

Earlier this month, the expert UN body which monitors implementation of the UN Convention on the Rights of the Child called on the USA and Somalia to ratify this treaty. These two countries are the only ones not to have done so.

For further information on the Khadr case, see USA: Denying human rights, failing justice: Omar Khadr's military commission trial set to start at Guantánamo, 11 August 2010,

<http://www.amnesty.org/en/library/info/AMR51/069/2010/en>; Canada: Supreme Court of Canada rules that Canadian authorities violated Omar Khadr's rights; fails to order effective remedy, 29 January 2010, <http://www.amnesty.org/en/library/info/AMR20/001/2010/en>; USA: In whose best interests? Omar Khadr, child 'enemy combatant' facing military commission, 16 April 2008, <http://www.amnesty.org/en/library/info/AMR51/028/2008/en>