



# COUNTER TERROR WITH JUSTICE: A CHECKLIST FOR THE NEXT US PRESIDENT

GOVERNMENT RESPONSES TO THE ATTACKS IN THE USA ON 11 SEPTEMBER 2001 AND IN OTHER COUNTRIES SINCE THEN HAVE UNDERMINED THE FRAMEWORK OF HUMAN RIGHTS. MUCH OF THIS ASSAULT ON HUMAN RIGHTS HAS BEEN THE RESULT OF POLICIES AND PRACTICES AUTHORIZED AND JUSTIFIED BY THE US EXECUTIVE, LED BY THE US PRESIDENT. THE NEW US PRESIDENT HAS THE AUTHORITY AND ABILITY TO UNDO SOME OF THE DAMAGE.

AMNESTY INTERNATIONAL IS SETTING A HUMAN RIGHTS CHALLENGE FOR THE FIRST 100 DAYS OF THE NEXT US PRESIDENT'S TERM IN OFFICE. WE ARE CALLING ON HIM TO:

## CLOSE GUANTÁNAMO AND END ILLEGAL DETENTION

- Confirm that the USA will permanently close the detention facility at Guantánamo and set a relatively short deadline for the closure.
- Issue an executive order ending any use of rendition, secret detention or prolonged incommunicado detention by or on behalf of the US authorities anywhere.
- Revoke the 20 July 2007 Executive Order which authorized the continuation of the CIA's programme of secret detention and interrogation.
- Revoke the 13 November 2001 Military Order on the Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism.
- End trials by military commission and the system of Combatant Status Review Tribunals and Administrative Review Boards.
- Announce a plan to promptly charge Guantánamo detainees and send them for trial before US federal courts or to release them with full protection against further violations of their human rights, and ensure that the plan is adequately resourced.
- Ensure Guantánamo detainees who would be at risk of serious human rights violations if returned to their country of origin are offered the opportunity to live in the USA, if they wish to do so, and work with other governments to ensure that other such detainees are offered protection.
- Commit the US administration not to arbitrarily deprive anyone of their liberty (including by denying or interfering with effective judicial review), and immediately end the US government's opposition to full habeas corpus hearings for detainees in Guantánamo and other similar situations.

## ERADICATE TORTURE AND OTHER ILL-TREATMENT

Issue an executive order that the USA will not, under any circumstances, resort to torture or other cruel, inhuman or degrading treatment, as defined under international law.

Announce that the administration will not use any information obtained under torture or other ill-treatment in any proceedings, except against an alleged perpetrator of the abuse.

Commit to work with Congress to withdraw all reservations and limiting understandings relating to torture and other ill-treatment attached to US ratification of human rights

treaties, including the International Covenant on Civil and Political Rights and the UN Convention against Torture.

Order the declassification of all legal opinions and other documents authorizing or approving interrogation techniques and detention conditions that discuss whether the techniques or conditions are consistent with the national or international prohibition of torture or other cruel, inhuman or degrading treatment or punishment.

## END IMPUNITY

Ensure that criminal investigations into the programmes of rendition and secret detention operated by or on behalf of the US authorities are initiated.

Reject impunity for crimes under international law such as torture and other ill-treatment of detainees, and enforced disappearance.

Ensure that an independent commission of inquiry is established into all aspects of the USA's detention and interrogation practices in the "war on terror".

Make known the name, nationality, present whereabouts, status and circumstances of detention of all those who are or have been detained as part of the programmes of rendition and secret detention.

Announce that his administration will work to ensure that victims of human rights violations for which the US authorities may be responsible will have meaningful access to redress and remedy.

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AMNESTY  
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**Amnesty International** is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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