

## AI's framework for ending illegal detention - parliamentary action

- The USA should close the detention facility at Guantánamo Bay.
- The USA's secret detention program should be immediately and permanently ended and any secret detention facilities, wherever in the world they may be situated, closed down.
- All detainees held in the "war on terror", including those held at Guantánamo, should be released immediately unless they are to be charged and given a fair trial.
- The USA must publicly announce that it will not resort to secret detention, "rendition", or enforced disappearance in seeking to bring individuals suspected of terrorist offences to justice.
- Released detainees should not be forcibly sent to any country where they may face serious human rights abuses.
- There must be a fair and transparent process to assess the case of each detainee to be released, in order to establish whether they can return safely to their country of origin or whether another solution should be found.
- Those to be tried must be charged with recognizably criminal offences and given a fair trial before an independent and impartial tribunal, such as a US federal court. There should be no recourse to the death penalty.
- No information obtained under torture or other cruel, inhuman or degrading treatment or punishment should be admissible in any proceeding, except against those responsible for such treatment.
- All US officials should desist from further undermining the presumption of innocence in relation to the Guantánamo detainees and others captured as part of the "war on terror".
- The Military Commissions Act 2006 should be repealed or substantially amended in line with international law as it does not guarantee fair trial rights, denies *habeas corpus* rights and entrenches impunity for human rights violations.
- The US authorities should invite the five UN experts – four Special Rapporteurs and the chairperson of the Working Group on Arbitrary Detention – to visit Guantánamo and other US run detention centres without restrictions. There should be no restrictions on the experts' ability to talk privately with detainees.
- International human rights organizations, including Amnesty International, should also be given such access.
- The USA must provide prompt and adequate reparation, including restitution, rehabilitation and fair and adequate financial compensation, to released detainees.

**Signed**.....

**Full name**..... **Country**.....