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Guantánamo: Amnesty International delegate to observe first military commission hearings

An Amnesty International delegate, Jumana Musa, will attend the preliminary hearings, scheduled to take place on 23 August, in the cases of four Guantánamo Bay detainees facing trial by military commission.

These will be the first military commission proceedings under the Military Order on the Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism, signed by President George W. Bush on 13 November 2001. The Order allows non-US citizens to be held indefinitely without charge or trial, or to be tried by military commissions -- executive bodies, not independent or impartial courts.

Amnesty International has called for the Military Order to be rescinded ever since it was signed, on the grounds that it is fundamentally flawed and because trials under its provisions will violate international fair trial standards. The military commissions will entirely lack independence from the executive, will place severe restrictions on the defence, provide no right of appeal to any court, and may admit coerced evidence. The fact that only foreign nationals are eligible for such trials violates the prohibition on the discriminatory application of fair trial rights.

"We deeply regret that the US administration has continued its preparations for these trials and we will continue to call for an end to them", Amnesty International said. "Nevertheless, the only thing that could have been worse would have been for the trials to have gone ahead entirely closed to independent human rights observers. In that respect, we welcome the administration's invitation to observe the proceedings."

Jumana Musa is a lawyer and a staff member of Amnesty International's US section. She is a fluent Arabic speaker. She will report back her findings to the organisation's International Secretariat in London, UK.

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