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USA: Return of military commissions would not serve justice

Amnesty International today said that if President Barack Obama revives the military commissions to try Guantánamo detainees he would be “short-changing justice.”

“You cannot revamp a system that is, in essence, unfair,” said Rob Freer, US Researcher at Amnesty International. “The US has a functioning civilian criminal justice system that is used to dealing with complex trials. This is the system that the US administration should be using for any Guantánamo detainee it decides to prosecute.”

“Military commissions were conceived and developed as part of an unlawful detention regime, to facilitate convictions while minimizing judicial scrutiny of the executive’s treatment of detainees,” said Rob Freer.

“No amount of tinkering with their rules can fix this discredited system. The commissions – which President Obama has himself described as an ‘enormous failure’ – should be scrapped.”

Amnesty International has been calling on the new US administration to abandon the military commissions, withdraw all charges under the Military Commissions Act (legislation which, as a Senator, Barack Obama, voted against), and to immediately transfer to the US mainland any Guantánamo detainee who is to be charged. These detainees should be brought before a civilian judicial authority, and promptly charge him with specific offences under applicable federal law.

For more information, please see: “USA: Any return to unfair trials must be rejected: Time to take military commissions off the table” <http://www.amnesty.org/en/library/info/AMR51/061/2009/en>

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