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UNITED STATES OF AMERICA

Amnesty International submits memorandum to the US government on torture and Guantánamo

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If the US government is serious about eradicating torture and other Cruel, Inhuman or Degrading Treatment and championing the “non-negotiable rights of human dignity” as it has so often asserted, it should fully implement the recommendations of the United Nations Committee Against Torture, ratify the Optional Protocol to the UN Convention Against Torture which has just come into force, and close the Guantánamo detention camp, Amnesty International has submitted in a new 38-page memorandum to the US government (see <http://web.amnesty.org/library/Index/ENGAMR510932006>).

The Committee Against Torture issued its recommendations on 19 May. It found serious violations of the USA’s obligations under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Amnesty International is concerned by the administration’s initial negative reaction to the Committee’s findings and the organization’s memorandum seeks to persuade the government to adopt a more positive stance.

The Committee called for closure of the Guantánamo detention camp, a call that Amnesty International first made a year ago. In recent weeks President Bush and other members of his administration have made comments indicating that this goal is now seriously being entertained by the US authorities. Because officials have both questioned how closure of the detention camp can be achieved and indicated that suggestions from the international community would be welcomed, Amnesty International has included in its memorandum “*A framework for closing Guantánamo*”.

It is essential that closure of the base and the release or trial of the detainees be fully in accordance with international law and standards. Closure must not be at the cost of transferring the lawlessness and the human rights violations elsewhere. As Amnesty International has pointed out since it first made the call to close Guantánamo, all other US detention facilities must be fully disclosed, all detainees fully and properly registered, and human rights law and standards fully applied. Any other facility which is being used to hold detainees beyond the protection of international human rights and humanitarian law must also be closed.

On 22 June 2006, the Optional Protocol to the Convention against Torture came into force after the 20th country ratified it. At least another 31 states have signed the Optional Protocol which requires state parties to allow visits to all places of detention by an international expert body and national visiting bodies that states parties must put in place. In 2002, the USA attempted to block the adoption of the Optional Protocol. Given all that has been revealed since then about the USA’s detention and interrogation policies and practices in the “war on terror”, there can be no better time for the USA to change its attitude towards this treaty and to ratify it.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM
