

AI Index: PRE 01/165/2009  
29 April 2009

## **USA: President Obama's first 100 days on counter terrorism - Timeline**

### **2009**

#### **20 January**

President Obama's first day in office and inaugural speech, in which he underscored the need for a break from the past and rejected as 'false' the choice between security and ideals. Amnesty International welcomed this.

Prosecutors filed a motion seeking a 120-day suspension of military commission proceedings in the case of 5 detainees previously held in secret CIA custody so that the new administration can conduct a review of detainees' cases.

In a separate decision, the military judge in Omar Khadr's case postponed his trial which had been due to start on 26 January.

Before the presidential inauguration, Amnesty International and four other human rights organizations had called on President Obama to halt military commission proceedings, and to ensure that the trial of Omar Khadr did not go forward.

#### **21 January**

Two military judges granted the government's motion in the military commission cases before them and stayed proceedings – involving six detainees – until 20 May 2009.

#### **22 January**

President Obama signed three executive orders and one memorandum on detentions and interrogations:

- Ordering the closure of the detention facility at Guantánamo “as soon as practicable” but no later than 22 January 2010, ordering an immediate review of all Guantánamo detentions and for steps to be taken to halt military commission proceedings. This order also required the Secretary of Defense to undertake an immediate review of conditions of detention at Guantánamo.
- Ordering the CIA to close any long-term secret detention facilities that it was operating and prohibiting it from operating such facilities in the future. The order also prohibited the use of any interrogation technique not authorized by the Army Field Manual and ordered a review on interrogation and transfer policies.
- Setting up a special Interagency Task Force on Detainee Disposition

- Instructing a review of the status of the detainee Ali Saleh Kahlah al-Marri who is the only “enemy combatant” held on US mainland.

### **23 January**

The US Supreme Court granted the new administration’s request to delay filing a brief in the al-Marri case until 23 March 2009 in order to consider its position.

### **9 February**

In a case brought by five former or current detainees against a subsidiary of Boeing for arranging flights for the USA’s rendition programme, the US Justice Department invoked the “state secrets privilege” to seek dismissal of the lawsuit, as had the Bush administration.

Amnesty International issued an Urgent Action on behalf of 50 detainees participating in a hunger strike at Guantánamo.

### **17 February**

The review of conditions at Guantánamo, ordered in one of President Obama’s three executive orders was completed. The document was made public a few days later. Amnesty International issued a public statement on 25 February expressing concerns at some aspects of the review’s report which concluded that prison conditions at Guantánamo complied with Article 3 common to the Fourth Geneva Conventions and other “applicable” law.

### **18 February**

A federal appeals court overturned a lower court ruling from October 2008 that had ordered the government to release into the USA the 17 Uighurs held in Guantánamo.

### **20 February**

The US Justice Department informed a federal judge that the new administration was adopting the position of its predecessor on the detainees held at the US airbase in Bagram in Afghanistan. The Bush administration had argued that the detainees held there had no rights under the Constitution or rights under international law enforceable in the US courts, and therefore could not challenge the lawfulness of their detentions in US courts.

### **20 February**

The US Attorney General announces the appointment of Matthew Olson to act as the Executive Director of the interagency task force charged with reviewing the cases of the Guantánamo detainees under the 22 January executive order, with a view to determining whether they should be released, transferred, charged or subject to some other disposition.

### **23 February**

UK resident Binyam Mohamed is the first detainee to be released by the new administration. He had been held for over six years in secret detention facilities and Guantánamo.

### **26 February**

The UK government revealed that two individuals had been handed over to the USA in Iraq in 2004 and were subsequently then transferred to US custody in Afghanistan where they remain five years later. It is unclear whether the two individuals are detained in Bagram.

### **26 February**

A federal grand jury in Illinois charged Ali al-Marri with providing and conspiring to provide “material support and resources to a foreign terrorist organization”. His trial is set for 26 May.

### **2 March**

The US Department of Justice released seven previously undisclosed legal opinions prepared in 2001 and 2002 by the Department's Office of Legal Counsel which, among other things, provided legal advice on questions of presidential authority with regard to the use of force, the detention and trial of individuals designated as "enemy combatants", and the transfer to third countries of al-Qa'ida and Taleban detainees captured outside the USA.

## **2 March**

Documents in a lawsuit filed by the American Civil Liberties Union against the CIA seeking details of interrogation of terror suspects reveal the CIA destroyed nearly 100 tapes of terror interrogations, far more than has previously been acknowledged.

## **13 March**

The Obama administration filed a memorandum in District Court claiming broad authority to continue to hold detainees at Guantánamo. An accompanying Justice Department news release emphasises that these detainees will no longer be labelled "enemy combatants".

## **13 March**

In a lawsuit claiming remedy for their unlawful treatment by the USA brought by four UK nationals previously held at Guantánamo, the new administration argued in court documents that the case should be dismissed and sought a blanket ban on such lawsuits.

## **17 March**

The Irish Taoiseach (Prime Minister) Brian Cowan announced that Ireland would be willing to accept a small number of Guantánamo detainees who are to be released.

## **30 March**

US Secretary of State Hillary Clinton tells reporters that the Obama administration has stopped using the phrase "war on terror" to describe the efforts to fight terrorism around the world.

## **2 April**

A federal judge ruled that three detainees held at the US airbase in Bagram in Afghanistan can challenge the lawfulness of their detention in US District Courts.

## **9 April**

Amnesty International released a report to mark 10 months since the US Supreme Court ruled in *Boumediene v. Bush* that detainees held at Guantánamo were entitled to a prompt habeas corpus hearing to determine the legality of their detention. Since that ruling only a handful of detainees have received such a hearing.

## **16 April**

President Obama released Justice Department memorandums from 2002 and 2005 describing interrogation techniques, authorized for use by the CIA against detainees in secret detention, that violate the international prohibition of torture other ill-treatment. The Obama administration announced that it would not prosecute any CIA officials who had relied in "good faith" on the interrogation memos.

See Amnesty International's report "[Mixed messages: Counter terror and human rights President Obama's first 100 days](#)"