

# AMNESTY INTERNATIONAL

## Open Letter

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## Sana'a Appeal

**22 Safur 1425 - 11 April 2004**

The continuing arbitrary and illegal detentions of thousands of persons in Guantánamo Bay and a number of other places in the world - represents a fundamental challenge to the rule of law and constitutes a betrayal of fundamental human rights principles. This abuse generated by the often sweeping security measures adopted by many governments after the 11 September 2001 attacks in the USA which Amnesty International has unreservedly condemned, amounts to a human rights crisis that poses a threats to people of the world.

The United States Government has created a legal black hole in Guantánamo Bay and other locations. We believe the stripping of detainees of any access to due process of law or even their fundamental entitlement to the most basic human rights standards constitutes an unprecedented human rights scandal.

As human rights defenders, it is our most central belief that every woman, man, and child has inherent rights that belong to them as human beings. In fact, this is the notion that is enshrined in the Universal Declaration of Human Rights - that all human beings are born free and equal in dignity and rights. Basic rights do not come to us as an extension of citizenship or as a gift of government. They derive from our humanity and it is our duty as members of civil society to claim them, to assert them, and to protect them both for ourselves and for others.

The undefined legal status and harsh conditions of detention of the Guantánamo Bay detainees have also had far reaching consequences on their communities. It has punished their families, including voiceless women and children, whose rights must also be recognized and respected. Family members find themselves in emotional turmoil, financial hardship and legal limbo and stigmatized by association with crimes for which their relatives have not been charged, let alone convicted.

This Appeal is the outcome of a gathering of relatives of the detainees, human rights organizations, lawyers from throughout the Middle East and around the world, activists and members of civil society institutions. Assuming the obligation to promote and protect human rights that every person has under the Universal Declaration of Human Rights, Amnesty International urgently and solemnly appeals...

### **To the United Sates Government and Governments concerned with the detainees to:**

End the legal limbo of all detainees, including those held in undisclosed locations and grant them full access to lawyers, doctors, families and immediate access to the International Committee of the Red Cross;

Provide adequate support and assistance to families of detainees including the granting of legal aid;

Ensure that all those held are charged and given fair trials or released;

Ensure that the detainees are treated humanely;

Investigate all allegations of torture and bring to justice anyone found responsible;

Halt the forcible return of foreign nationals to countries where they would face serious human rights violations;

Ensure strict compliance with human rights standards in any security cooperation between states and in all security training programs;

Grand Amnesty International and other human rights organizations access to detainees and officials in Guantánamo Bay, Bagram Air Base, and all other undisclosed locations.

**To the Arab League to:**

Act to amend the 1998 Arab Convention for the Suppression of Terrorism to include provisions for human rights safeguards, including in relation to extradition processes.

**To the International Community to:**

Ensure that the UN Human Rights mechanisms address as a matter of utmost urgency the abrogation of fundamental norms in the detention and treatment of persons in Guantánamo Bay, Bagram Air Base and other undisclosed locations;

Request that the UN High Commissioner for Human Rights coordinates an international audit of security legislation enacted around the world in the wake of 11 September 2001, to determine its conformity with international human rights law.

**To NGOs and Civil Society Organizations to:**

Develop initiatives to educate the public regarding human rights obligations and initiate a campaign to insist on respect for fundamental human rights standards;

Create and support a mechanism for lawyers and jurists in the region to share information and coordinate efforts on legal appeals for detainees;

Urge their own governments to review security legislation against the standards of international human rights law;

Urge their governments to actively seek respect for the fundamental human rights of nationals of their own country held in Guantánamo Bay;

Support and disseminate this Appeal

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

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