



AMNESTY INTERNATIONAL

ORANGE COUNTY

GROUP #141 ORANGE

GROUP #178 IRVINE

Newsletter

January 2003

From the Executive Director: Asking the Tough Questions

This column, by AIUSA Executive Director Bill Schulz, is taken from the December 2002 AIUSA Monthly Mailing.

Of all the questionable activities the U.S. Government has engaged in since September 11, 2001, one of the most recent and most serious has received virtually no critical attention—except from Amnesty International. I am referring to the apparent summary executions of six individuals, including a U.S. citizen, in Yemen on November 3 when their car was hit by a missile launched from a CIA-controlled Predator drone aircraft.

These individuals may well have been active terrorists plotting nefarious deeds against innocent civilians. If that is the case, they certainly should have been rounded up, charged with a crime and put on trial. If in the course of trying to take them into custody, they resisted arrest and force was required as a last resort that resulted in their injury or deaths, so be it.

But, as Amnesty International Secretary General Irene Khan wrote to President Bush, “If this was the deliberate killing of suspects in lieu of arrest, in circumstances in which they did not pose an immediate threat, the killings would be extrajudicial executions in violation of international law.”

Much is not known about the incident. Amnesty has asked the U.S. to clarify, for example, whether the U.S. asked Yemeni authorities to cooperate in the arrest and extradition of these suspects. But on the face of it, it looks as if the U.S. thought itself warranted to kill criminal suspects without even attempting to take them into custody first.

If that is true, there are at least four things wrong with the action.

1. It violates basic legal obligations as laid down, for example, in the International Covenant on Civil and Political Rights, to which the U.S. is a State Party.
2. Such violations damage our reputation as an upholder of the rule of law in whose name the war on terrorism is being fought.
3. Such violations also make us appear hypocritical since the U.S. has frequently criticized other countries for extrajudicial executions, including Israel’s policy of assassinations.
4. Such summary killings put every U.S. official at similar risk in the future.

U.S. officials argue of course that the targets of these killings were Al-Qaeda military operatives and hence their executions were legitimate acts of war. But the U.S. cannot have it both ways, cannot under some circumstances treat terrorist suspects as criminals (witness the criminal trial of the so-called 20th hijacker, Zacarias Moussaoui, or the arrests of the so-called Buffalo Six), other times as warriors and still other times ambiguously (as in the case of the Guantanamo detainees who, though taken into custody in the course of military action, are not being given the full rights and privileges of prisoners of war).

We must decide under what circumstances we are acting in accordance with the laws of war and under what circumstances we are engaging in law enforcement efforts designed to interdict criminals.

If the U.S. Government can unilaterally decide who is a terrorist warrior and hence a legitimate candidate for execution and who is not, absent a context of military action, it will in effect turn the whole world into a battlefield and make the rule of law a meaningless anachronism that ceased to be applicable on 9/11.

And this is a critical question to resolve if for no other reason than that U.S. Ambassador at Large Francis X. Taylor has suggested that such assassination tactics could well spread to Southeast Asia and perhaps beyond.

When I first heard of the Yemeni executions, I assumed that at least some in Congress or in the news media would raise questions about this apparent new policy. But the killings were met with almost universal silence. Amnesty was virtually alone in raising objections. But then that, I guess, is why we exist: to pose the uncomfortable challenges that escape others’ sight.

It is a tough role to play and often an unpopular one but someone has to do it. In this case it is not only our reputation as a law-abiding country that is at stake. To the extent to which we make it easy for our adversaries to convince others around the world that we are a force for injustice that is out of control, what is at stake as well may be our very lives.

USA: Legal Limbo of Guantánamo Detainees Continues

The U.S. government must end the legal black hole into which it has thrown hundreds of detainees in Guantánamo Bay in Cuba, Amnesty International said January 10, the first anniversary of the first prisoner transfers from Afghanistan to the U.S. Naval Base. There are currently more than 600 detainees of around 40 nationalities held in Guantánamo.

“This legal limbo is a continuing violation of human rights standards which the international community must not ignore,” Amnesty International said.

“No access to the courts, lawyers or relatives; the prospect of indefinite detention in small cells for up to 24 hours a day; the possibility of trials by executive military commissions with the power to hand down death sentences and no right of appeal: is this how the USA defends human rights and the rule of law?”, Amnesty International asked, recalling the Secretary of State’s promise last year that the USA would ‘not relax our commitment to advancing the cause of human rights’.

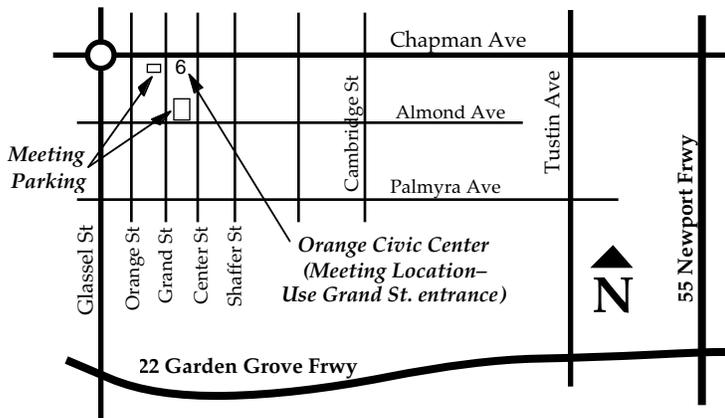
Calendar January

21 Tuesday 7:00 PM

Group #141 Orange Monthly Meeting at the Orange Civic Center, Conference Room C, at 300 E. Chapman Avenue, in Orange. Group #141 meets the third Tuesday of each month. For further information about the group, contact Deidre Jackson at (562) 430-7381.

27 Monday 7:00 PM

Huntington Beach Group Monthly Meeting at Saints Simon and Jude Church, Room 7B, 20111 Magnolia Street in Huntington Beach. The group meets the last Monday of each month. For further information about the group, contact Darcie Guy at (714) 374-5786.



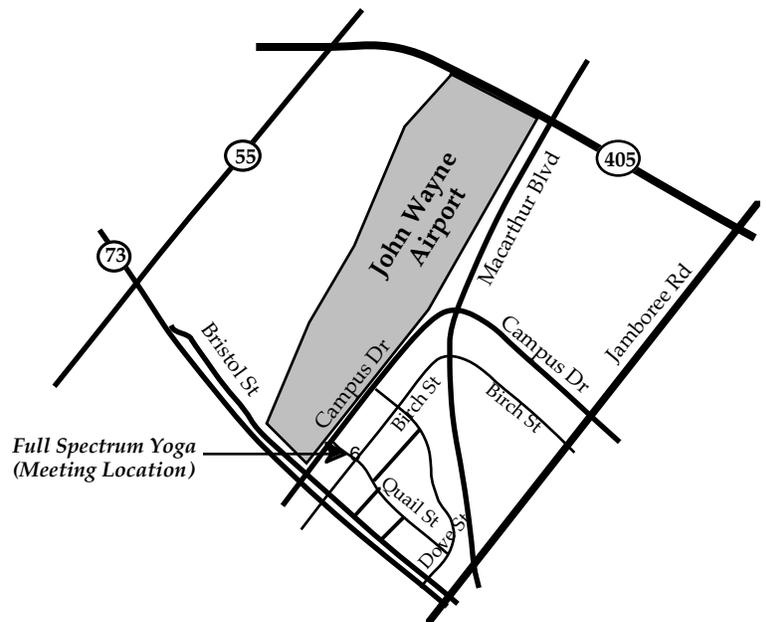
Group #141 Orange Meeting Location

28 Tuesday 7:00 PM

Group #175 Long Beach Monthly Meeting at the Unitarian Universalist Church, 5450 Atherton Street, Long Beach. Letter-writing from 7:00–7:30. Group #175 meets on the fourth Tuesday of each month. For further information about the group, contact Bobbi Kendig at (562) 420-1155.

28 Tuesday 7:30 PM

Group #178 Irvine Monthly Meeting at Full Spectrum Yoga, 2018 Quail Street, Newport Beach (across from John Wayne Airport). Group #178 meets the last Tuesday of each month. For more information about the group, contact Jacques Kilchoër at (714) 557-8427.



Group #178 Irvine Meeting Location

Amnesty International Group #178
P.O. Box 16243
Irvine, CA 92623