

UNCLASSIFIED

2127



United States Department of State

S12

Washington, D.C. 20520

Revised - 200204233

100 100 20 2 02

FEB 26 2002

INFORMATION MEMORANDUM

S/ES
2760

UNCLASSIFIED

21/2

TO: The Secretary

FROM: WHA - Otto J. Reich
USOAS - Roger F. Noriega

RELEASED IN PART
B5

SUBJECT: Potential Guantanamo Detainees Case at Inter-American Commission on Human Rights

The Center for Constitutional Rights filed a petition before the Inter-American Commission on Human Rights (IACHR) on February 25 alleging that U. S. treatment of detainees at Guantanamo violates international law.

[Redacted]

B5

The Commission's findings and recommendations are not legally binding, but can prove politically embarrassing.

Background:

The IACHR was established by the Charter of the Organization of American States (OAS) and is located in Washington. The IACHR investigates cases of alleged human rights abuse in the Americas by considering petitions, conducting site visits, issuing country reports, and requesting precautionary measures in cases of potential violations. The Commission's role has evolved under the American Convention on Human Rights, which we signed in 1979 but have not ratified.

The United States is the subject of several petitions per year, most involving the death penalty. Once filed, the content of the petition and subsequent responses are confidential until the Commission issues a final ruling. We respond to petitions brought against us before the Commission. Any response to a petition on Guantanamo detainees would be drafted by L with interagency clearance.

UNCLASSIFIED

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
DATE/CASE ID: 30 SEP 2004 200303827

UNCLASSIFIED

UNCLASSIFIED

WPS
Drafted: WHA/USOAS - Mary P. Stickles; X79916; 2/25/2002
F:\searoas\sticklesmp\human rights\info memo - potential gitmo
detainees case

Cleared: WHA - LGutierrez
WHA/USOAS - PdeShazo
WHA/USOAS - CFuller
WHA/PPC - ASherinian
WHA/CCA - JCarragher
L/HRR - ASurena
PM - GSuchan
S/WCI - MNewton
P - MHammer
D - RGilchrist
S/P MZarin

*OK
M. E. T. for*

UNCLASSIFIED