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January 29, 2009

Dr. Santiago Canton
Executive Secretary
Inter-American Commission on Human Rights
1889 F Street NW
Washington, D.C. 20006

Re: Letter in Support of Request for Thematic Hearing Regarding Accountability for Human Rights Violations

Dear Dr. Canton:

North Carolina Stop Torture Now is a statewide coalition of faith, human rights, peace, veteran, and student groups, as well as numerous human rights advocates. Since 2005, we have been working to expose and end North Carolina's central role in the program of extraordinary rendition conducted by the United States government under the Bush Administration.¹

We are writing to support the World Organization for Human Rights USA's and the Center for Constitutional Rights' request for a thematic hearing on Accountability for Human Rights Violations, proposed for the Commission's 134th Session in March 2009.

We support this request because there is abundant evidence that the U.S. government has violated both national and international laws and treaties in carrying out torture, including renditions for the purpose of secret, indefinite detention and interrogation involving torture. Indeed, U.S. government officials have publicly and explicitly admitted these renditions have occurred.² There is extensive documentation of rendition missions, the use of private contractors to carry them out in circumvention of the law, and the torture of specific rendered persons. This

¹ Our special focus has been on the "torture taxis" of Aero Contractors, Ltd. of Smithfield, and Centurion Aviation of Fayetteville. Both are nominally private companies that have operated aircraft in clandestine support of the rendition program. Aero Contractors is headquartered at the Johnston County Airport and has also housed a Boeing business jet, used in dozens of rendition missions, at its own hangar at the taxpayer-funded Global TransPark in Kinston, NC. See <http://www.ncstoptorturennow.net/resourceschronology.html> for a chronology of efforts to gain a state and/or Federal investigation of Aero Contractors' role in enforced disappearance and torture.

² President Bush acknowledged the U.S. program of rendition to secret detention by foreign officials or at CIA black sites in a speech on September 6, 2006: "In some cases, we determine that individuals we have captured pose a significant threat, or may have intelligence that we and our allies need to have to prevent new attacks. Many are al Qaeda operatives or Taliban fighters trying to conceal their identities, and they withhold information that could save American lives. In these cases, it has been necessary to move these individuals to an environment where they can be held secretly [sic], questioned by experts, and -- when appropriate -- prosecuted for terrorist acts. Some of these individuals are taken to the United States Naval Base at Guantanamo Bay, Cuba... In addition to the terrorists held at Guantanamo, a small number of suspected terrorist leaders and operatives captured during the war have been held and questioned outside the United States, in a separate program operated by the Central Intelligence Agency....." <http://www.gop.com/News/NewsRead.aspx?Guid=6517c578-3b28-431a-9949-547926aeec52>

documentation has been provided by journalists³ and both governmental and non-governmental human rights organizations.⁴ Eyewitness accounts and photographs from planespotters⁵ confirm that aircraft alleged to have been used in the rendition program continue to fly regular missions using publicly owned North Carolina airports.

In his first days in office, President Obama took important steps to bring the United States into compliance with its obligations under domestic and international human rights law. The new administration has also given positive signals about a possible fact-finding investigation into crimes committed by top-level government officials of the former administration. However, remarks by President Obama and those close to him call into question whether there will be the type of investigations and accountability that are required by international law.⁶

A thematic hearing on this important issue would allow the Commission to issue recommendations to the new administration on the steps it should take to comply with its human rights obligations, particularly those which require effective investigations and punishments for torture, rendition, and other major human rights abuses. As an example, the United States should be encouraged to implement policies, procedures and practices to insure restitution for the victims of rendition and torture, including but not limited to the unreasonable use of the “state secrets doctrine” as a means of preventing accountability and restitution. Early action by the Commission is important because it presents an opportunity to interface with the Obama administration on its approach to human rights policy, as it is being developed.

We appreciate the Commission’s attention to our views, and we hope for a favorable ruling on the petition.

Best regards,

Christina Cowger, Coordinator
North Carolina Stop Torture Now

Cc: Mario Lopez, Inter-American Commission on Human Rights

³ E.g., Stephen Grey, ‘Ghost Plane: The True Story of the CIA Secret Torture Program,’ <http://www.ghostplane.net/>; Dana Priest, ‘CIA Holds Terror Suspects in Secret Prisons,’ <http://www.washingtonpost.com/wp-dyn/content/article/2005/11/01/AR2005110101644.html>; Bob Drogin and John Goetz, ‘Accused Pilots Traced to Johnston,’ <http://www.newsobserver.com/100/story/544844.html>

⁴ See detailed documentation including linkage of specific rendition victims to specific North Carolina-based private planes by Reprieve, http://www.reprieve.org.uk/Casework_renditionsandsecretprisons.htm; the Council of Europe, http://assembly.coe.int/CommitteeDocs/2007/EMarty_20070608_NoEmbargo.pdf; and Amnesty International, ‘Below the Radar: Secret Flights to Torture and ‘Disappearance’’: <http://www.amnesty.org/en/library/asset/AMR51/051/2006/en/dom-AMR510512006en.pdf>

⁵ NC Stop Torture Now planespotters have photographed rendition-linked planes at the Johnston County Airport in Smithfield, NC, and the Fayetteville Regional Airport: <http://www.ncstoptorturenw.net/resourcesplanespotting.html>

⁶ *See, e.g.* “Obama unlikely to charge interrogators: Advisers say investigation of harsh interrogators during Bush years unlikely,” Associated Press, November 17, 2008, <http://www.msnbc.msn.com/id/27774139/wid/18298287%20/>. (“Asked...if Bush administration officials would face war crimes, Senate Judiciary Chairman Patrick Leahy flatly said, ‘In the United States, no.’...Robert Litt, a former top Clinton administration Justice Department prosecutor, said Obama should focus on moving forward with anti-torture policy instead of looking back. ‘Both for policy and political reasons, it would not be beneficial to spend a lot of time hauling people up before Congress or before grand juries and going over what went on,’ Litt said ‘To as great of an extent we can say, the last eight years are over, now we can move forward — that would be beneficial both to the country and the president, politically.’”).