

Rights group says U.S. trial rules unfair

by UPI

WASHINGTON -- Human Rights Watch said Tuesday it considers the U.S. military commission rules for the trial of a Canadian youth to be grossly unfair. The rights group said ad hoc rules for the trial of Omar Ahmed Khadr, 21, who has been held in the U.S. prison in Guantanamo Bay, Cuba, since he was 15, are unfair and the Canadian's trial should be in federal court. "Once again, the military commissions are concocting rules that are fundamentally unfair," said Jennifer Daskal, senior counter-terrorism counsel at Human Rights Watch. "It's time for the Bush administration to recognize that its legal experiment has failed." A military judge is set to rule Thursday on whether Khadr, who is charged with killing a U.S. soldier during an Afghanistan firefight in 2002, qualifies as an "unlawful enemy combatant" who can be tried via military commissions. The judge has barred Khadr from citing international, constitutional or criminal law in challenging the designation. "The possibility that a judge would try to determine combatant status without any reference to international law is shocking," said Daskal. "Even the military commissions appeals court recognized the importance of consulting the Geneva Conventions and other international law."

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