

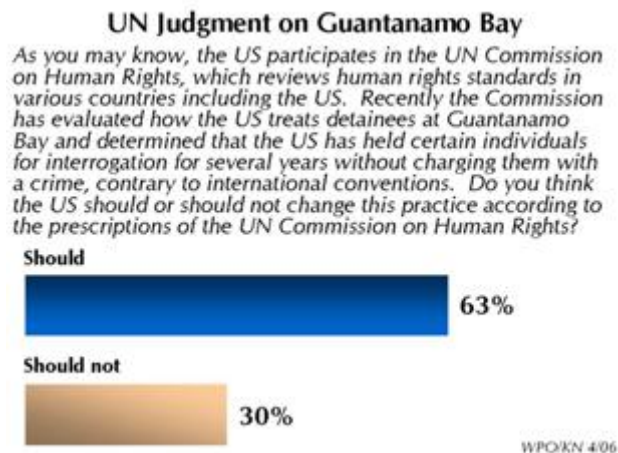
Americans Say U.S. Should Comply with U.N. Judgment and Change Treatment of Guantanamo Detainees

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Large Majority Generally Favors Giving International Courts Broad Authority

Seven in Ten Reject Idea of Exceptions for US

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Two in three Americans say the United States should change the way it treats detainees at Guantanamo Bay as prescribed by the UN Commission on Human Rights. Americans generally support giving international courts broad authority to judge compliance with treaties and seven in ten reject the idea that the United States should receive exceptional treatment under such treaties.

These are some of the findings of a new nationwide poll conducted by WorldPublicOpinion.org and fielded by Knowledge Networks.

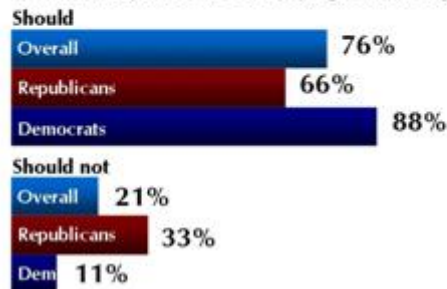
Respondents were told that the UN Commission on Human Rights has determined that the United States has violated international conventions at Guantanamo Bay by holding certain individuals for interrogation without charging them with a crime. Sixty-three percent said the United States should follow the Commission's prescriptions and change this practice, while 30% said the United States should not.

A very large majority generally favors the idea of international adjudication of compliance with treaties. Seventy-six percent said that, "As a general rule, when the US enters into international agreements," there should be "an independent international body, such as a court, to judge whether the parties are complying with the agreement." The statement had bipartisan support: 66% of Republicans and 88% of Democrats.

Americans show little support for the idea that the United States should have a special exemption from the judgment of international bodies. For example, only 25% agreed that as a general rule US compliance with human rights treaties should never be “subject to the judgment of an international body,” while 69% thought the US should not claim a “special exception.” This included 63% of Republicans and 78% of Democrats.

International Adjudication of Treaty Compliance

As a general rule, when the US enters into international agreements, do you think there should or should not be an independent international body, such as a court, to judge whether the parties are complying with the agreement?



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The highest profile controversy over international adjudication in recent years has been about the United States’ refusal to participate in the International Criminal Court. Seventy-four percent favored US participation in the ICC. When respondents were asked a longer version of the question, which included the US government’s argument that “trumped-up charges may be brought against Americans, for example US soldiers who use force in the course of a peacekeeping operation.” support was only a bit lower at 68%. Support dropped further among Republican respondents. While 77% of Republicans approved in the simple version of the question, 52% were opposed in

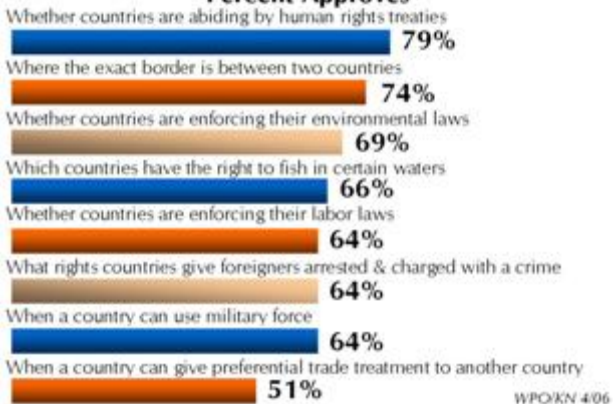
response to the question that highlighted US government objections.

Steven Kull, editor of WorldPublicOpinion.org and the principal investigator for the study comments, “While the United States has historically played a seminal role in establishing various international courts and tribunals to adjudicate a broad system of treaties and conventions, more recently the United States has shown significant resistance to these institutions and has sought to carve out provisions of exceptional treatment for the US. The American public, though, continues to show strong support for having international courts and tribunals and does not feel that the US should have any special treatment.”

At the same time, Americans show concern about the costs and risks of international adjudication. When presented pro and con arguments, majorities did find convincing the argument that “judges from other countries cannot be trusted to be impartial”... “because there are so many people in the world who are looking for opportunities to try to undermine the US” (65%) and that “submitting to international courts would violate the United States’ sovereign right to protect its citizens and its interests” (58%). However, the arguments in favor of international adjudication were found convincing by larger majorities (69-85%). When finally asked to weigh both pro and con arguments together, 71% came down in favor of international adjudication.

International Adjudication of Types of Issues

-Percent Approves-



In light of the continuing controversy over the Abu Ghraib prison abuses, US public attitudes on torture gain particular relevance. When a government has not taken action against individuals who may have engaged in torture, 70% favor giving an international court the right to investigate. Further, asked, “When acts of torture have been committed, who do you think should be held responsible?” 77% said both those who gave the orders as well as those who committed the

torture.

The poll of 1,023 respondents (margin of error +/- 3.1%) was fielded April 18-26 by Knowledge Networks, using its nationwide panel, which is randomly selected from the entire adult population and subsequently provided internet access. For more information about this methodology, go to www.knowledgenetworks.com/ganp. This study was sponsored by the Center on International Cooperation – Project on International Courts and Tribunals, at New York University, with funding from the JEHT Foundation. A full report and the questionnaire can be found at WorldPublicOpinion.org. WorldPublicOpinion.org is a project of the Program on International Policy Attitudes at the University of Maryland.