OMNI GUANTANAMO NEWSLETTER #2 Compiled by Dick Bennett, December 11, 2011 for a Culture of Peace. Guantanamo: An Outrageous Atrocity of the War on Terror and the US Culture of War.

Here is the link to all OMNI newsletters:

http://www.omnicenter.org/newsletter-archive/

Contents of #1 March 3, 2011

Film: Worthington, Stories from Guantanamo

Books: Kurnaz; Mayer; Worthington

Transferring Prisoners for Trial

CCR Close Guantanamo Statement

Return Guantanamo to Cuba

No End Soon

Investigative Reporters: Andy Worthington, Carol Rosenberg

Chinese Torture Techniques

Prisoners

Violation of Due Process

Wendell Griffin on Habeas Corpus

Contents of #2

WikiLeak on Guantanamo

NYT Criticism
False Imprisonment

Awal Gul, 7th to Die

Close Guantanamo Statement

Witness Against Torture

What Obama Should Have Said and Done

Books: Hansen, *Guantanamo*; Smith, *Eight O'Clock Ferry*

WikiLeaks on Guantánamo from Historians Against War 4-29-11

"The Guantánamo Files" (the documents)

http://www.guardian.co.uk/world/guantanamo-files

"What Are the Guantánamo Files? Understanding the Prisoner Dossiers"

http://www.guardian.co.uk/world/2011/apr/25/what-are-guantanamo-files-explained

By David Leigh, The Guardian, posted April 25

"WikiLeaks: The Uses of Guantánamo"

By Amy Davidson, The New Yorker blog, posted April 25

"WikiLeaks: Just Eight at Guantánamo Gave Evidence Against 255 Others"


By Tom Lasseter and Carol Rosenberg, Truthout.com, posted April 26

"The Hidden Horrors of WikiLeaks' Guantánamo Files"


By Andy Worthington, CommonDreams.org, posted April 28

*The New York Times*: “Guantanamo a Legal and Moral Disaster”

Editorial

The editors of The New York Times: "The internal documents from the prison in Guantanamo Bay, Cuba, published in The Times on Monday were a chilling reminder of the legal and moral disaster that President George W. Bush created there. They describe the chaos, lawlessness and incompetence in his administration's system for deciding detainees' guilt or innocence and assessing whether they would be a threat if released."

READ MORE

CONSEQUENCES OF WAR ON TERROR: FALSE IMPRISONMENT, DISREGARD OF US CONSTITUTION

Amy Davidson, “WikiLeaks: The Uses of Guantanamo”

Amy Davidson, The New Yorker, April 25, 2011

Amy Davidson begins: "Here are some of the reasons we've held people at Guantanamo, according to files obtained by WikiLeaks and, then, by several news organizations: A sharecropper because he was familiar with mountain passes; an Afghan 'because of his general knowledge of activities in the areas of Khost and Kabul based as a result of his frequent travels through the region as a taxi driver'; an Uzbek ..."

READ MORE

http://readerssupportednews.org/off-site-opinion-section/123-123/5741-wikileaks-in-guantanamo

7TH DETAINEE DIES of heart failure: AWAL GUL

Mr. Gul had been detained without charge or trial at Guantanamo for almost nine years! The Obama administration had designated him for “indefinite detention,” and had kept his habeas corpus appeal pending. Yet according to his lawyer documents prove Mr. Gul quit the Taliban a year before 9-11.

“Close Guantanamo with justice now”

CEJIL backs joint statement 01-11-11

At the start of his administration, President Obama signed an executive order mandating the closure of the detention camp at Guantánamo Bay, Cuba within a year. Yet the prison
remains open, and on January 11, 2011 it enters its tenth year of operation. Failing to fulfill
the executive order, the Obama administration has also extended some of the worst aspects
of the Guantánamo system by continuing indefinite detentions without charge or trial,
employing illegitimate military commissions to try some suspects, and blocking accountability
for torture both by refusing to conduct independent and thorough investigations and by
attempting to prevent the courts from reviewing lawsuits brought by formerly detained men.

As human rights organizations and people of conscience, we are calling for the closure of
Guantánamo and both transparency at all U.S.-run detention sites and accountability for the
abuses that happen within them. We oppose secret detention sites, including so-called
“filtration” or “screening” sites like the covert “black prison” at Bagram, where even the
International Committee of the Red Cross has been denied access and where abusive
interrogations are allegedly taking place. We also express our opposition to excessively
punitive conditions of confinement in prisons and detention centers inside the United States,
and note that prolonged solitary confinement is a form of torture prohibited under
international standards for human rights. We reject the continuation of illegal and abusive
Bush-era detention and interrogation policies by the Obama administration.

The story of Guantánamo remains the shameful case of the U.S. government rounding up
nearly 800 men and boys, indiscriminately labeling them “the worst of the worst,” and
throwing them into an island prison designed to exist beyond the reach of the law, where
they would have no right to challenge their detention or abuse. The vast majority of the
prisoners at Guantánamo should never have been detained in the first place. Many were
simply in the wrong place at the wrong time and were fleeing the chaos of war when U.S.
forces entered Afghanistan. Only one in twenty was captured by the U.S. military. Most were
captured by local civilians and authorities in Afghanistan and Pakistan and sold to the United
States in exchange for substantial bounty. According to Colonel Lawrence Wilkerson, a senior
State Department official who served in the Bush administration between 2002-2005, the
Bush administration knew early on that the majority of the men at Guantánamo were
innocent but did not release them due to political concerns that doing so could harm support
for the government’s push for war in Iraq and the broader “Global War on Terror.”

It is now clear that the Obama administration has no plans to close Guantánamo anytime
soon, while opposition from Congress makes that goal even more remote. The prison at
Guantánamo continues to exist in violation of both ethical and legal standards, and at risk to
our collective safety. President Obama must act decisively or risk making Guantánamo and
the Bush detention regime permanent features of the U.S. landscape. We call on President
Obama and relevant departments within his administration to:

- **Recommit to rapidly closing Guantánamo, and make clear that many of the men
  there were detained in error.** It is by now well established, including by former
  administration officials, that the majority of the prisoners at Guantánamo should never have
  been detained. If President Obama were to exercise leadership and acknowledge this, it
  would help create the political atmosphere necessary to close the prison.

- **Charge or release the men detained at Guantánamo.** In 2004 and 2008, the U.S.
Supreme Court ruled that the prisoners at Guantánamo may challenge their detention in U.S. federal court by means of habeas petitions. Since then, federal judges have ruled in the great majority of cases that the government lacked evidence sufficient to justify the continued detention of the petitioners. Other men at Guantánamo have been cleared for release by the U.S. government’s own Guantánamo Review Task Force, which consists of representatives from every government agency with a stake in the matter, including the Department of Justice, the Department of Defense, and the CIA. All men ultimately cleared for release by the courts or the government should be immediately repatriated or resettled, and all others should be formally charged and tried in a fair and open proceeding.

- **Abandon any plan for indefinite detention.** The Obama administration has declared it will hold approximately 50 of the men at Guantánamo indefinitely without charge or trial, and plans to formalize indefinite detention through an executive order. The official justification is that these men are “too dangerous” to release but “not feasible” to prosecute, purportedly because there is not sufficient evidence against them that meets the minimum standards of any court; because their trials could compromise intelligence-gathering; or because detainees could challenge evidence obtained through coercion. But federal courts are fully capable of dealing with sensitive evidence, and if the government only has tainted evidence against a detainee, then the only evidence it has is both illegal and unreliable, and does not justify continued detention. The administration’s plan for indefinite detention constitutes a system of pre-emptive incarceration based on the alleged probability of future crime, and not on verifiable past conduct. This plan is flatly inconsistent with the rule of law and should be rejected.

- **Lift the blanket ban on all repatriations to Yemen.** The Obama administration must end its indefinite suspension of all repatriations of Yemeni men at Guantánamo and allow those who have won their habeas cases or been cleared for release by the U.S. government’s own extensive Guantánamo Review Task Force to go home. The Yemeni men, like all detainees, must be individually evaluated on the basis of what they have done, not punished based on their nationality or the alleged actions of others.

- **Cease forcible repatriations of men whose safety is threatened by transfer.** There are men at Guantánamo who have expressed a strong fear of returning to their countries of origin and who should not be repatriated where there is reason to believe they may be at risk on their return. No detainee should be transferred to a state where credible risks exist to his safety.

- **Lift the ban on resettling men into the United States.** More than 15 countries, including France, Spain, Portugal, Ireland, Hungary, Belgium, Switzerland, Albania, Latvia and Palau, have accepted detainees for resettlement without incident. The U.S. government should also offer a home to men who have won their habeas cases or been cleared for transfer and have no other safe country to go to. (A federal judge did order the release of clearly innocent Uighur Muslim detainees into the United States, but both the Bush and Obama administrations appealed the case and then Congress acted to bar any resettlement of wrongly detained men to the United States.) Offering to resettle such men would also encourage other countries to make similar offers and help shut Guantánamo
• Fully investigate the deaths of men who died in detention, including the three who died in 2006. Three detained men who were never charged with any crime died at Guantánamo in June 2006. Initially reported as suicides, new evidence from four soldiers stationed at the base has raised serious questions about the circumstances surrounding their deaths. Until now, the Obama administration has not only failed to conduct an independent and thorough investigation of the deaths but has opposed inquiry and review by the courts.

• Ensure accountability for crimes. Despite its promise of a new era of accountability and respect for the rule of law, the Obama administration has repeatedly acted to ensure impunity for those under the Bush administration who planned, authorized, and committed torture. The Obama administration must honor its promise by conducting a comprehensive inquiry into well-documented and grave human rights abuses at Guantánamo and elsewhere, including torture. Specifically, the Attorney General should appoint an independent prosecutor with a full mandate to investigate and prosecute those responsible for torture and other war crimes, as far up the chain of command as the facts may lead. Moreover, President Obama should condemn newly revealed pressure by his own administration to secretly obstruct efforts within the Spanish judiciary to investigate egregious violations of international law, including the torture of former Guantánamo detainees and other individuals who have been subjected to the U.S. torture program, and fully cooperate with the proceedings in Spain.

• Take responsibility for the wellbeing of the men after they are released. The U.S. government must not hold men without charge in inhumane conditions for years, subject them to abuse including torture, and then repatriate and resettle them in far corners of the world, leaving their rehabilitation and reintegration to other governments, organizations, and individuals. The government has a responsibility to ensure that the men have adequate support and resources after release.

We also urge the international community to offer safety to men at Guantánamo who cannot leave until third countries come forward to offer them resettlement, and to ensure their rights and wellbeing once resettled. Many of the men resettled have not been granted permission to work, to travel, or to reunite with their families after years of separation and anguish, and the legal status of many remains in limbo.

We invite people of conscience all over the world to work with us to make sure Guantánamo is closed with justice, and recommit to advocating towards this end.

[I deleted the list. D]

About Witness Against Torture

Witness Against Torture formed in 2005 when 25 Americans went to Guantánamo Bay and attempted to visit the detention facility. Once we returned from that journey, we began to organize more broadly to shut down Guantánamo, working with interfaith, human rights and activists’ organizations.

We have planned a series of nonviolent direct actions to expose and decry the
administration's lawlessness, build awareness about torture and indefinite detention amongst Americans and forge human ties with the prisoners at Guantanamo and their families.

**December 5-17, 2005:** Walk to Guantanamo to Visit the Prisoners.

**March 1, 2006:** March in Washington, DC for Ash Wednesday. A theatrical march as prisoners at Guantanamo from the Supreme Court, to Congress, to the Justice Department, to the White House. Nonviolent direct action at the White House.

**April 29, 2006:** The Anti-Torture Bloc marches in United for Peace and Justice "March for Peace, Justice and Democracy." More than 100 activists wearing orange t-shirts emblazoned with "Shut Down Guantanamo: End Torture." We walked behind a cage on wheels that held a hooded orange jump-suited prisoner-- representing the prisons where 100s of men remain tortured, abused and incarcerated.

**May 1, 2006:** Interfaith action to "Condemn Torture and Demand Justice for those Imprisoned at Guantanamo." More than 100 people participated in the Interfaith Service consecrating our day of action against torture. And then we began a silent, solemn procession to call on UN Ambassador John Bolton to join the growing consensus to shut down Guantanamo. With religious leaders of different faiths heading the procession, more than two hundred people walked across New York City to condemn the use of torture, mourn its victims, and resist its continuance.

**July 15, 2006:** International Day to Shut Down Guantánamo, called by CagePrisoners.com. Witness Against Torture organized demonstrations in a dozen cities around the country.

And then, between giving talks, holding trainings and developing relationships with other groups, we began to organize for January 11, 2007 -- the date that the first "war on terror" prisoners arrived at Guantanamo Bay in 2002.

**January 11, 2007:** A day which marked five years of illegal detention, torture and abuse at Guantánamo—we worked with other groups including the Torture Abolition and Survivors Support Network and the Center for Constitutional Rights to organize an international day of action to shut down Guantánamo. From Birmingham, Alabama to Birmingham, UK; from Warsaw to Wichita; in Bahrain and Baltimore; people heeded the call and organized demonstrations to draw attention to the prisoners at Guantánamo.

In Washington, DC, where the largest action took place, nearly 100 people entered the Federal Court House where the cases of Guantánamo detainees should be heard. We read the names of the men who have lost five years of their lives; we read their stories and testimonies of their torture. Most of us did not carry identification—choosing to symbolically and literally walk with a prisoner at Guantánamo through the legal processing once we were arrested.
January 11, 2008: Eighty members of Witness Against Torture were arrested at the Supreme Court demanding that habeas corpus rights be granted the detainees, giving the names of detainees when they were arrested.

In the resulting trial in Washington, D.C. in May 2008, the defendants put Guantánamo itself and Bush's torture policies on trial.

January 11, 2009: On this date, Witness Against Torture began a nationwide, nine-day fast in protest of Guantánamo and in recognition of the detainees' hunger strikes there. More than 90 people participated.

We then launched "The 100 Days Campaign to Shut Down Guantánamo and End Torture" on January 22, the day that President Barack Obama was inaugurated.

During the 100 Days Campaign, Witness Against Torture activists from all over the U.S. maintained a daily vigil at the White House, brought protest signs to confirmation and other congressional hearings, lobbied lawmakers to change detention policies, and hosted numerous lectures and other public events in the Washington, D.C. area.

Witness Against Torture will continue its activities until torture is decisively ended, its victims are fully acknowledged, Guantánamo and similar facilities are closed, and those who ordered and committed torture are held to account.

About this Site

This site contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available in our efforts to advance our understanding of torture and how it is depicted in the mainstream media. We believe this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material on this site is distributed without profit to those who have expressed a prior interest in receiving the included information for research and educational purposes. If you wish to use copyrighted material from this site for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.
What Obama Should have Said in His State of the Union Address, that made no mention of Guantanamo—in honor of those who remain in Guantanamo, whose protest within the prison on January 22, 2011 was a rebuke to President Obama’s broken promise January 22, 2010 to close the torture center.

I pledge to free those who have been cleared, as I promised.

I will end my ban and release the Yemenis who face no charges.

I will order the Justice Department no longer to block habeas corpus due process and/or release.

I will try to end the legal barrier established by Congress against resettling and transferring men to stand trial in the US.

I will end the legal black hole of Bagram by providing proper oversight.

I will ensure that anyone who employed the “enhanced interrogation” methods will be examined for possible prosecution.

I will order the Justice Department to investigate all who authorized torture and to prosecute to the furthest extent of the law.

I will initiate a full criminal inquiry into the torture regime under the Bush administration and continued under mine.

I will order the full application of US law for the prisoners remaining at Guantanamo.

I will order that henceforth only civilian trials will operate for the prisoners, and military commissions will end.

I will allow the creation of a formal system of indefinite detention without charge or trial.  [Sorry, I failed to include the source. D]

NEW BOOKS

--Smith, Clive S. *Eight O’Clock Ferry to the Windward Side: Seeking Justice in Guantanamo Bay.* Nation Books, 2007. Rev. *NYT*, Dahlia Lithwick, Dec. 16, 2007: There’s something about the prison camp at Guantanamo Bay, Cuba — soon to enter its seventh year in operation — that has Americans perennially looking through the wrong end of a telescope. It is an issue that strongly informs world opinion of this country, and Americans remain clueless about it. Sign up for daily news alerts about Guantánamo and you learn that the foreign papers regularly publish articles on hunger strikes, silent prisoner releases and legal wrangling at the camp. Major American papers rarely cover these things, and most of us would be hard pressed to name a detainee held there. MORE: [http://www.nytimes.com/2007/12/16/books/review/Lithwick-t.html](http://www.nytimes.com/2007/12/16/books/review/Lithwick-t.html)

**END OF NEWSLETTER ON GUANTANAMO TORTURE #2**