

PRESS RELEASE

June 26, 2006

Court Ruling Could Halt Guantanamo Trials

**By BEN FOX
ASSOCIATED PRESS WRITER**

Backdropped by British police officers outside the U.S. embassy in central London, Sabah Al-Banna, center, whose husband Jamil is currently held in Guantanamo U.S. prison after being detained in Gambia in 2002, accompanied by two of their five children, Anas, right, and Muhammed, left, demonstrates, Sunday June 25, 2006. Al-Banna said she is disgusted with the British government's lack of initiative and just wants her "husband to come home." Anas said at the demonstration that he wants justice for his father because he wishes to see his face.(AP Photo/Letteris Pitarakis)

SAN JUAN, Puerto Rico -- A former driver for Osama bin Laden may help decide the fate of dozens of Guantanamo Bay detainees, and perhaps all of them, as the Supreme Court prepares to rule on his legal challenge to the first U.S. war crimes trials since World War II.

The court, which is expected to rule as early as Monday, is considering a range of issues in Salim Ahmed Hamdan's case, including whether President Bush had the authority to order military trials for men captured in the war on terror and sent to the Navy base at Guantanamo Bay, Cuba.

Bush recently suggested the ruling will help him determine what should be done with all the prisoners at Guantanamo, where the U.S. holds about 450 men on suspicion of links to al-Qaida or the Taliban.

Amnesty International and the American Civil Liberties Union said Friday that Bush doesn't need a court decision to close the prison, which has drawn intense international criticism. The case has nothing to do with the prison itself, they said.

"Bush can close Guantanamo, but this (court) decision can't," said Ben Wizner, an ACLU attorney who monitors Guantanamo. "That's not a question before this court."

The ruling, however, could determine whether the government can proceed with military trials for Hamdan and nine other detainees who have been charged with crimes.

Air Force Col. Morris Davis, the chief Guantanamo prosecutor, said about 65 more detainees being held at the U.S. base are likely to be charged with crimes if the Supreme Court upholds the process.

Prosecutors are preparing additional charges, including some that could incur the death penalty, Davis told The Associated Press in a telephone interview from Washington.

"We're pressing on, anticipating a favorable decision," he said.

Hamdan's attorneys argued that the conspiracy charge filed against him is not legitimate. The government has charged each of the 10 detainees with conspiracy, and seven of them - including Hamdan - currently face no other charges.

If the Supreme Court upholds Hamdan's challenge, the government could "relatively quickly" file new charges such as aiding the enemy, Davis said.

Hamdan, a 36-year-old native of Yemen, admits working as a driver for bin Laden but denies conspiring to commit terrorist attacks on the United States. He fled Afghanistan after the Sept. 11 attacks, was captured in Pakistan and turned over to U.S. forces.

The U.S. military says Hamdan was also a bodyguard for bin Laden and would have at least had knowledge of al-Qaida attacks. They also say he delivered weapons to members and associates of the terror network. He faces up to life in prison if convicted.

His military-appointed attorney, Navy Lt. Cmdr Charles Swift, said the lawsuit is aimed at moving the case to the civilian court system or to a traditional military court-martial. Lawyers for several defendants contend the tribunals lack guidelines and favor the prosecution.

"This is about a fair trial, not a free pass," Swift said.

The Supreme Court was also asked to consider whether fair trial provisions of the Geneva Conventions apply to the military tribunals.

Another issue is whether the Supreme Court even has a say in the matter. The administration argues the Detainee Treatment Act, passed by Congress and signed into law by Bush on Dec. 30, strips the federal courts of much of their jurisdiction over Guantanamo detainees.

On Saturday, 14 Saudi Arabians were released from Guantanamo and transferred to their home country, leaving about 450 detainees at the prison, the Pentagon said.

One Saudi was released because U.S. officials determined the detainee was no longer an enemy combatant. The other Saudis were released after a review process determined they could be transferred.

<http://www.cageprisoners.com/articles.php?id=14818>

SOURCE: AP

Saudis Backs Calls To Close Guantanamo

From correspondents in Riyadh

SAUDI Arabia said overnight it backs international calls to close the US prison at Guantanamo Bay, where around 450 militant suspects including some 90 Saudis are being held outside the jurisdiction of international law. "Of course we support this and hopefully all the Saudis there will be returned to their homeland," Interior Minister Prince Nayef bin Abdul-Aziz said.

Fourteen Saudi nationals were sent to Riyadh on Saturday, two weeks after three suicides at the facility thrust US handling of terrorism suspects back into the spotlight.

Many of the men held at Guantanamo were captured in Afghanistan in the US-led war to oust the Taliban after the Sept. 11 attacks on US cities. Many have been held for years and nearly all are being held without charge.

In May, the kingdom, a key US ally, received 15 Saudi detainees who it said would face trial if a review of their cases showed a trial was justified.

"Investigations are ongoing with them and the ones before them," Prince Nayef, one of the most powerful Saudi royals in the absolute monarchy, said of the batches of detainees.

The Pentagon said one of the 14 Saudis returned home on Saturday was determined by a tribunal to no longer be an enemy combatant. It said the transfer of the other 13 was approved by an administrative review board.

Arab leaders have said little in public about Guantanamo. Critics say some are wary of offending the United States and others are glad that potential troublemakers are locked up.

<http://www.cageprisoners.com/articles.php?id=14817>

SOURCE: Daily Telegraph

14 Saudis Released From Guantanamo Identified

Dubai - Thirteen Saudi citizens and a Turkistani resident in the Kingdom who had been detained in the US Guantanamo Bay prison camp arrived in Saudi Arabia Sunday morning, Saudi Interior Ministry spokesman Major General Mansour bin Sultan al-Turki said in a statement to the Saudi Press Agency (SPA).

The Turkistani national was sent back to Saudi Arabia together with 13 Saudi detainees in view of the fact that his parents have been living in Saudi Arabia for several years.

Al-Turki identified the men as Mousa Abdulwahab Abdulqader al-Housawi, Yousef Khamees Abdullah al-Sulaimani, Mohammad Soror Dakheelullah al-Otaibi, Abdulsalam Ghaithan Mureef al-Shehri, Othman Ahmad Othman al-Ghamdi, Saleh Ali Zaheed al-Khatha'ami, Abdulaziz Abdulrahman Abdulaziz al-Bidah and Siddeq Ahmad Siddeq Nour Turkistani.

The other released prisoners were identified as Rashed Abdulmusleh Qaid al-Qaid, Tareq Shallah Hassan al-Harbi, Abdullah Mohammad Saleh al-Ghanmi, Ibraheem Mohammad Ibraheem al-Nasser, Sa'ad Ibraheem Sa'ad al-Badnah and Wasm Awwad Omar al-Wasm.

The ministry's statement said that anyone related to those on the list should call the following telephone number: 01-4034375

SPA also quoted Saudi Interior Minister Prince Nayef bin Abdulaziz saying the efforts by the Saudi authorities under the directives of Saudi King Abdullah bin Abdulaziz resulted in the release of the 14 detainees.

Prince Nayef also said all measures have been completed to inform the men's families and to enable them to meet their relatives.

Gulf News learned from informed Saudi security sources that the detainees underwent medical tests immediately after their arrival in the kingdom.

"The authorities have also contacted their relatives and fixed appointments for them to meet their kin at a prison in Riyadh. Those detainees, who were found not involved in any terror or other criminal acts, will be released after completing the interrogation procedures," the sources said.

Prince Naif also expressed his appreciation to US authorities for their cooperation, pointing out that the released detainees would be subjected to the Kingdom's procedures.

Regarding the international campaign to close the detention facility in Guantanamo Bay and whether Saudi Arabia supported this, Naif replied, "Of course." He expressed the hope that all Saudis there would come back to the Kingdom.

When asked whether the detainees handed over to the Kingdom had been involved in any terrorist acts, the prince said the men were being investigated and "we promise to explain everything to the Saudi people."

He affirmed that efforts would continue in seeking the release of the rest of the Saudi detainees in the near future.

US authorities last week sent to Saudi Arabia the bodies of two Saudis they said had committed suicide while in detention in Guantanamo Bay in Cuba.

Families of the victims have claimed the men did not kill themselves and held US authorities responsible for their deaths. Some 100 Saudis remain in detention at the base that houses around 450 inmates from different nations.

Washington says the prison is needed to prevent dangerous al-Qaeda and Taliban figures from returning to the battlefield and to extract information that may help prevent future attacks.

The release of the 14 Saudis from the US military detention camp at Guantanamo Bay, Cuba on Saturday was the result of worldwide pressure and condemnation of the Bush Administration, said Nihad Awad, director of the Council of American-Islamic Relations (CAIR).

"I'm happy that these 14 were released and I hope that they will soon enjoy their lives with their families," he said in a phone interview with Arab News. Awad also said that those left behind in Guantanamo should not be forgotten.

According to ABC News, there are still 450 prisoners in the camp. Awad pointed out that the Guantanamo facility runs counter to America's history of just and democratic institutions and that he hoped the Bush Administration would close it.

<http://www.cageprisoners.com/articles.php?id=14816>

SOURCE: DPA, Gulf News, Arab News

June 27, 2006

PM 'Must Seek Civil Trial For Hicks'

PRIME Minister John Howard must urge the US to grant Australian terrorist suspect David Hicks a civil trial, Opposition Leader Kim Beazley said today.

The federal Labor leader made the call today as news emerged that the British Government would not press for Hicks's release from the US military-run Guantanamo Bay detention centre, in Cuba, despite his success in claiming dual citizenship.

"I think the British Government would probably take the view that irrespective of any claims on nationality, David Hicks is an Australian responsibility," Mr Beazley said in Melbourne.

"It is the Australian Government's responsibility to say what ought to happen to David Hicks now.

"(And) if John Howard believes he has a special relationship with (US President George) Bush he ought to be bring that special relationship to bear to get David Hicks a fair civil trial in the United States."

<http://www.cageprisoners.com/articles.php?id=14850>

SOURCE: Daily Telegraph, Australia

Public Opposes Terms of Gitmo Detainment

Seven in 10 American Oppose Holding Detainees Indefinitely Without Charges

Analysis by GARY LANGER and DALIA SUSSMAN

June, 26, 2006 — - While most Americans continue to favor holding suspected terrorists at the U.S. military prison in Guantanamo Bay, Cuba, the public overwhelmingly opposes the current terms of their imprisonment.

Given pro-and-con arguments -- letting the detainees defend themselves at trial vs. risking further terrorism if they're released -- 71 percent in this ABC News/Washington Post poll say they should either be given POW status or charged with a crime. Just 25 percent back current administration policy, holding these detainees indefinitely without charges.

Sampling, data collection and tabulation for this poll were done by TNS.

The majority view rises above the partisanship that marks many such issues. Sixty-two percent of Republicans and conservatives alike favor charging or conferring POW status on Gitmo detainees, as do three-quarters of Democrats, independents and moderates. It goes higher, to 85 percent, among liberals.

More than six in 10 Americans also think that holding prisoners at Guantanamo Bay has damaged the United States' image in the rest of the world. Fewer, 51 percent, think it's made the United States safer from terrorism, and almost as many think not.

On balance, regardless of their views on conferring charges, 57 percent support the federal government holding suspected terrorists at Gitmo, while 37 percent oppose it. Support is down from 65 percent three years ago (down 12 points among Democrats and nine points among independents, while steadier among Republicans). Two-thirds are confident the rights of these prisoners are being adequately protected, although far fewer, 21 percent, are "very" confident of it.

Partisan and ideological divisions arise in these latter results. Eighty-one percent of Republicans and 73 percent of conservatives favor holding prisoners at Gitmo; just 41 percent of Democrats and 36 percent of liberals agree. More than eight in 10 Republicans and conservatives think the detainees' rights are being adequately protected; barely over half of Democrats, and just under half of liberals, share that view.

Republicans and conservatives also are far more likely than their counterparts to say the detentions have made the United States safer.

OTHER GROUPS -- Views on the protection of detainee rights at Guantanamo play a role in opinions on use of the facility. Among people who are confident that such rights are being protected, more than seven in 10 support holding prisoners there; among those not confident, seven in 10 are opposed.

Similarly, people who are very confident the prisoners' rights are being protected are more likely to support continuing to hold them without charges.

Perhaps because of the location of the 9/11 attacks, Northeasterners are more likely to favor holding suspects at Guantanamo -- more than two-thirds do, compared with 58 percent of Midwesterners and Southerners and fewer than half of Westerners. Still, sizable majorities across regions oppose holding them there without charges.

METHODOLOGY -- This ABC News/Washington Post poll was conducted by telephone June 22-25, 2006, among a random national sample of 1,000 adults. The results have a three-point error margin. Sampling, data collection and tabulation by TNS of Horsham, Pa.

<http://www.cageprisoners.com/articles.php?id=14846>

SOURCE: ABCNews.go.com

Amnesty International Submits Memorandum to the US Government on Torture and Guantánamo

If the US government is serious about eradicating torture and other Cruel, Inhuman or Degrading Treatment and championing the "non-negotiable rights of human dignity" as it has so often asserted, it should fully implement the recommendations of the United Nations Committee Against Torture, ratify the Optional Protocol to the UN Convention Against Torture which has just come into force, and close the Guantánamo detention camp, Amnesty International has submitted in a new 38-page memorandum to the US government (see <http://web.amnesty.org/library/Index/ENGAMR510932006>).

The Committee Against Torture issued its recommendations on 19 May. It found serious violations of the USA's obligations under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Amnesty International is concerned by the administration's initial negative reaction to the Committee's findings and the organization's memorandum seeks to persuade the government to adopt a more positive stance.

The Committee called for closure of the Guantánamo detention camp, a call that Amnesty International first made a year ago. In recent weeks President Bush and other members of his administration have made comments indicating that this goal is now seriously being entertained by the US authorities. Because officials have both questioned how closure of the detention camp can be achieved and indicated that suggestions from the international community would be welcomed, Amnesty International has included in its memorandum "A framework for closing Guantánamo".

It is essential that closure of the base and the release or trial of the detainees be fully in accordance with international law and standards. Closure must not be at the cost of transferring the lawlessness and the human rights violations elsewhere. As Amnesty International has pointed out since it first made the call to close Guantánamo, all other US detention facilities must be fully disclosed, all detainees fully and properly registered, and human rights law and standards fully applied. Any other facility which is being used to hold detainees beyond the protection of international human rights and humanitarian law must also be closed.

On 22 June 2006, the Optional Protocol to the Convention against Torture came into force after the 20th country ratified it. At least another 31 states have signed the Optional Protocol which requires state parties to allow visits to all places of detention by an international expert body and national visiting bodies that states parties must put in

place. In 2002, the USA attempted to block the adoption of the Optional Protocol. Given all that has been revealed since then about the USA's detention and interrogation policies and practices in the "war on terror", there can be no better time for the USA to change its attitude towards this treaty and to ratify it.

<http://www.cageprisoners.com/articles.php?id=14842>
International

SOURCE: Amnesty

Twenty Five Arrested at US Mission to UN, Saying No To Torture

TWENTY FIVE ARRESTED AT THE US MISSION TO THE UNITED NATIONS SAYING NO TO TORTURE, SHUT DOWN GUANTANAMO

Undeterred by inclement weather, more than 60 people marched in a solemn procession from the United Nations to the US mission to the United Nations. Carrying signs that read Shut Down Guantanamo, the group marked the United Nations Day for the Victims of Torture. The procession, which included rabbis, priests, nuns, college students and human rights activists, was led by a cage on wheels representing the Guantanamo prison cells in which over 400 men remain, some for more than 4 years.

Three Activists Arrested With the Names of the Men who Committed Suicide at Guantanamo on June 10, 2006.

Contact: Frida Berrigan 347-683-4928
Amanda Daloisio 201-264-4424

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Upon arrival, Witness Against Torture- a Campaign to Shut Down Guantanamo- moderated a press conference in which distinguished religious leaders, legal experts and the nephew of a Guantanamo prisoner addressed Ambassador John Bolton directly, calling on him to heed international demands to shut down Guantanamo. The press conference was co-sponsored by Riverside Church, Rabbis for Human Rights and the Center for Constitutional Rights.

Immediately following the press conference, twenty five of those gathered sent a strong message- to end torture, stop indefinite detention and shut down Guantanamo- to the US Ambassador to the UN by blocking the doors of the building; saying they would stay until the international consensus against these illegal acts is respected, heard and acted upon.

While the activists were removed after 20 minutes, a new page in the movement to shut down Guantanamo was turned. Three of those arrested took on the names of men who died at Guantanamo- reportedly by suicide- on June 10, 2006. "With humility and sadness that I commit this act of nonviolent civil disobedience as Ali Abdullah Ahmed," said one of those who refused to give his own name. "Ali was 29 and originally from Yemen. Despite being held for 4 long years, no US judge ever heard his case. It is our intention to bring his name, and the names of Manei Shaman Turki al-Habadi and Yasser Talal al-Zahrani, into the US criminal justice system in the hopes that no more men die or are killed before justice and mercy are shown."

Witness Against Torture began as a walk to visit the prisoners in Guantanamo in December. Twenty four U.S. Catholics walked more than 100 kilometers to resist the war on terrorism and respond to its victims. Upon return, along with countless others, they initiated a National Campaign to Shut Down Guantanamo. For more information, visit: www.witnessstorture.org

<http://www.cageprisoners.com/articles.php?id=14839>

SOURCE: WitnessTorture.org

EU Urges Anti-Torture Convention Signing

By WILLIAM J. KOLE
ASSOCIATED PRESS WRITER

VIENNA, Austria -- The European Union, which has been harshly critical of U.S. prisoner abuse at Iraq's Abu Ghraib prison and the detention center at Guantanamo Bay, Cuba, urged all nations Monday to sign a global convention against torture and condemned the practice for any reason.

"No culture of impunity is acceptable," the 25-nation bloc warned in a statement coinciding with observances of the United Nations' ninth annual International Day to Support the Victims of Torture.

"The EU resolves to continue and intensify its own efforts to secure a world free from torture," it said.

The EU also said it condemned any attempt by states or public officials to legalize or acquiesce in such treatment "under any circumstances, including on grounds of national security."

The communique did not mention the alleged existence of secret CIA prisons in Eastern Europe where terror suspects reportedly were held, but the issue - along with the Guantanamo facility - has been of great concern to many European governments.

Senior EU leaders pressed President Bush during last week's EU-U.S. summit in Vienna to shut down Guantanamo and redouble efforts to make sure that human rights are not sacrificed in the war on terror.

Bush administration officials have said the U.S. uses legal interrogation techniques - not torture - to gain information that could head off terror attacks.

"Torture is not only a tragedy for the victims - the direct and the indirect victims," the EU said. "Torture is also degrading and injuring to the minds of those who perpetrate torture and cruel, inhuman or degrading treatment or punishment, and to societies, which tolerate such outrage."

Austria, which is wrapping up its six-month EU presidency and issued the statement, reaffirmed the EU's campaign to eradicate torture around the world.

Torture and other degrading treatment is prohibited, "and all states must ensure that they do not resort to these barbaric practices," the EU said, urging governments to sign and ratify the International Convention Against Torture.

"Scrutiny and openness are essential factors in combating the insidious practice of torture and other cruel, inhuman or degrading treatment or punishment," the EU said.

"The EU attaches immense importance to the U.N.'s role in fighting torture and supporting victims," the bloc added. It said the EU was continuing work on "political, diplomatic and financial initiatives" to combat torture under EU-wide guidelines drawn up in 2001.

The United States is among 141 signatories to the U.N. convention, which has been in place since 1984. The ban is overseen by the U.N. Committee Against Torture, which asked U.S. officials to appear before it last month to review Washington's compliance.

State Department legal adviser John B. Bellinger III, who led a 25-member U.S. delegation at the panel hearings in Geneva, said it was "legally wrong" to say Guantanamo's existence violates the U.N. convention.

There have been about 800 investigations into allegations of mistreatment in Afghanistan and Iraq, the U.S. delegation told the panel. The Defense Department has taken action against more than 250 service personnel, with 89 of those convicted at courts-martial.

Bush has said he wants to close Guantanamo, but is awaiting a Supreme Court ruling on whether inmates can face military tribunals and is trying to figure out what to do with detainees considered extremely dangerous.

In June 2005, the EU adopted a measure prohibiting the export or import of materials whose only practical purpose is to be used to inflict torture or capital punishment.

On the Net:

U.N. Committee Against Torture, <http://www.ohchr.org/english/bodies/cat>

<http://www.cageprisoners.com/articles.php?id=14838>

SOURCE: Seattle Post Intelligencer

Guantanamo 'A Conundrum,' U.S. Official Says

By Jane Sutton

GUANTANAMO BAY U.S. NAVAL BASE (Reuters) - As the Bush administration awaits a ruling on the legitimacy of its Guantanamo war crimes tribunals, the U.S. State Department's top legal advisor said on Monday that emptying the detention camp posed "a real conundrum."

The administration wants to send home more of the 540 foreign captives held as terrorism suspects at the Guantanamo Bay naval base but many of their homelands won't take them, State Department legal advisor John Bellinger said in a conference call with journalists.

"Many of the countries do not want their nationals back," Bellinger said. "A number of the countries actually deny that these individuals are even nationals of their countries."

He said the United States welcomed invitations from other nations willing to accept them.

The United States will not send prisoners home without credible assurances that they will not be abused or tortured, Bellinger said. It also wants assurances that those considered dangerous will be held in a secure place, he said.

"We want to get out of the Guantanamo business if we can, while continuing to protect ourselves and protect others while ensuring that the detainees who are released are treated humanely," Bellinger said. "This is a real conundrum for us."

The United States has faced harsh criticism for its treatment of the prisoners. The U.S. Supreme Court is expected to rule this week in a case that challenged President George W. Bush's power to try them before war crimes tribunals.

The Bush administration has stepped up efforts to trim the camp population and has negotiated framework agreements with Saudi Arabia and Afghanistan on conditions for the return of their citizens. Saudi Arabia, Afghanistan and Yemen each have about 100 citizens at Guantanamo, while the remainder come from three dozen nations, Bellinger said.

The British government, which has already secured the release of all nine of its citizens held at Guantanamo, approached the United States about a month ago to discuss the potential return of a handful of non-citizens who were permanent residents of Britain, Bellinger said.

"I would not say we are in negotiations with them. I would simply say the British government has approached us," he said.

About 310 detainees have been released from Guantanamo since the United States began sending foreign captives to the remote naval base in Cuba in January 2002. The Pentagon has cleared another 120 to leave, either for outright release or for detention in their home nations.

<http://www.cageprisoners.com/articles.php?id=14835>

SOURCE: Reuters

Teen's Defense Looks To Doctor For Help

Military lawyers sought the first-ever outside psychiatric examination of a Guantánamo captive, the youngest known detainee there, and have found a retired Army general to conduct the mental health assessment.

BY CAROL ROSENBERG

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GUANTANAMO BAY NAVAL BASE, Cuba -- In what would be a first, attorneys are asking the Pentagon to let a retired Army psychiatrist carry out an independent, civilian mental health examination of a teenage Canadian captive held for four years inside the razor-wire prison compound.

Attorneys for Omar Khadr, 19, filed the request June 13, citing a new "urgency" in light of the suicides by three Arab detainees three days earlier at Camp Delta.

At issue is whether the military would permit the first-ever outside health assessment of any kind, of any of the 450 captives held on suspected links to al Qaeda or the Taliban.

Retired Army Maj. Gen. John Altenburg, who oversees the military commission process from the Pentagon, has yet to rule on the request.

Khadr, the only Canadian at Guantánamo, is also the only known captive at the camp who is allegedly linked directly to a U.S. soldier's death in the invasion of Afghanistan. He was captured at age 15.

The Toronto-born teen is charged with murder as a war crime and with being an al Qaeda co-conspirator from a July 2002 firefight in Khost, Afghanistan. U.S. Special Forces had attacked a suspected al Qaeda compound, and Khadr allegedly tossed a grenade that fatally wounded U.S. Army Sgt. Christopher Speer, 28, of Albuquerque, N.M.

A U.S. soldier and Khadr were each left blind in one eye.

Khadr's lawyers argue that Khadr shouldn't be held, and that he should have been provided special protected status as a juvenile in the conflict zone.

'IMMENSE IMPACTS'

"The deprivation of his liberty during these formative years has had immense psychiatric and psychological impacts," wrote Army Capt. John Merriam, one of the teen's two military lawyers, in the request to the Pentagon, obtained by The Miami Herald.

Merriam sought an assessment for the defense "in a confidential manner" both for trial preparation and to see whether Khadr needs "immediate treatment or intervention" for any urgent mental health issues.

Khadr's trial is scheduled for September. But first the U.S. Supreme Court will rule this week on the legitimacy of the military commissions, the first U.S. war crimes tribunal since World War II.

Khadr's civilian defense attorneys -- a pair of American University law professors -- had earlier asked to bring an outside mental health expert to examine their client.

The military replied that its own medical staff was sufficient.

So, last year, the professors brought a psychologist's questionnaire to a client meeting -- and asked Khadr a series of "yes" and "no" questions, while he was shackled to a cell floor. From the responses, they said, experts concluded the youth suffers from post-traumatic stress disorder.

Now, the Khadr team has enlisted Dr. Stephen Xenakis, a psychiatrist who retired from a 28-year Army career in 1998 with the rank of brigadier general. He is currently director of Child & Adolescent Psychiatry at the Psychiatric Institute of Washington, D.C.

FAMILY KNEW BIN LADEN

In an interview, Xenakis estimated he would need "the better part of a week" with Khadr to conduct a "standard, bread-and-butter" examination at Guantánamo.

From it, he said, he would compile the life story of the youth whose family knew Osama bin Laden, "the events that led up to the incident where he was captured" and his experiences as a captive.

"There's a big hurdle of rapport-building," he added, noting that the teenager has been held for four years at the detention and interrogation center.

Separately, the doctor said, he would seek to review "any records of what's happened or not happened to him," and consult a neuropsychologist to assess his mental capacity, level of maturity, and whether he's socially adjusted.

While the Pentagon has permitted civilian physicians to tour some prison facilities, none has treated captives.

Miami defense attorney Neal Sonnett described the request as nuts-and-bolts U.S. trial preparation.

"If our government is serious about providing a full and fair trial, then they cannot deny the lawyers the opportunity to mount whatever defense they want regarding his mental or emotional state," he said.

Sonnett has no role in the Khadr case but has served as a Pentagon-approved observer for the American Bar Association at some Guantánamo hearings.

But he predicted mental competency could be crucial to a Khadr defense.

"Fifteen-year-olds have not reached maturity," he said. ``The emotional toll on this young man both before and after he was captured could be significant."

Defense lawyers claim that a Khadr trial would be the first modern war-crime prosecution of a juvenile.

<http://www.cageprisoners.com/articles.php?id=14834>

SOURCE: Miami Herald

Hicks' Father Fights On Despite UK Decision

The father of Australian Guantanamo Bay detainee David Hicks says he is disappointed the British Government will not seek his son's release.

The granting of British citizenship to Hicks had sparked hopes the UK Government would lobby the US to free him.

The Government secured the release of nine British detainees after it told the US the American military commissions being used to try detainees were illegal and unjust.

But the Foreign Office has announced it will not lobby on Hicks' behalf on the grounds he was arrested while travelling on an Australian passport, and he has received consular assistance from Australia.

Terry Hicks says he is not giving up, despite the ruling.

"It's disappointing to me that the British have decided to not to follow up with David's release," he said.

"We'll try every avenue that we can."

Terry Hicks says he is awaiting a Supreme Court ruling on the legality of the US military commissions.

The challenge to their legality, which has been mounted by another detainee, has delayed David Hicks' trial.

"I suppose our next step now is we've now got to wait on the Supreme Court action - just hope something happens there," Terry Hicks said.

Government 'complacent'

He says the Australian Government has been complacent about Hicks' case.

"It still boils down to one fact - that the Australian Government are the ones that should have been pushing for his release," he said.

"We shouldn't have had to rely on any other country to try and get David out of that place."

But Foreign Minister Alexander Downer says it is not a matter for the Federal Government.

"That's entirely a matter for the British," Mr Downer said.

"I know what their perspective is because we've had some briefing provided to our officials by the British Government but it's really nothing to do with us."

Option

One option for Hicks is to renounce his Australian citizenship in the hope that would force Britain to take up his case, but Mr Downer does not think Hicks's legal team will support that option.

"There's been no suggestion at all that he wants to renounce his Australian citizenship," he said.

"I know his lawyer in Adelaide very well and not ever has he suggested to me that David Hicks was going to renounce his Australian citizenship.

"It's not obvious that that would be to his advantage."

Hicks, who has been detained for more than four years, faces charges of conspiracy to commit war crimes and attempted murder

<http://www.cageprisoners.com/articles.php?id=14832>

SOURCE: ABC.net.au

Saudi Arabia: Families Eager to Reunite with Freed Guantanamo Detainees

By Turki Al-Saheil

Riyadh, Asharq Al-Awsat - A Saudi family cut short its holiday in Egypt after being informed that two of its sons have been freed from Guantanamo Bay and returned to Saudi Arabia.

Abdullah al Badah traveled to Riyadh's King Khaled International Airport on Sunday to meet his nephews Abdulaziz al Badah and Ibrahim al Nasser, for the first time in four years.

Meanwhile, Ibrahim al Suleimani, whose brother Youssef is also one of the 14 detainees released by the US authorities in Cuba and returned to the Kingdom, said he received a telephone call from the Saudi Interior Ministry informing him of his brother's return.

Commenting on the circumstances of his brother's arrest, Ibrahim told Asharq al Awsat his brother traveled to Pakistan after completing his high school education to assist with the relief efforts. He was arrested after the September 11, 2001 and flown to Guantanamo Bay, where he has been held since.

In a message received by his family last month, Youssef said the US authorities had acquitted him from charges of supporting terrorism and would return home within a matter of time.

All freed detainees have been subjected to health checks and their families informed of their arrival.

Earlier last month, fifteen Saudi detainees were transferred from Camp Delta to Saudi.

Major General Mansour al Turki, Interior Ministry spokesperson, disclosed the names of detainees on Sunday.

They are Moussa al Hosawai, Youssef al Suleimani, Mohammed al Otaibi, Abdul Salam al Shahri, Othman al Ghamdi, Saleh al Khothami, Abdulaziz al BADAH, Rashid al Qayed, Tariq al Harbi, Abdullah al Ghanimi, Ibrahim al Nasser, Saad al Budna, Wissam al Wissam, Siddique Ahmad and Wasm al Wasm, a Turkistani citizen and resident in Saudi Arabia. .

Some 100 Saudis remain in detention at the military base that houses around 450 detainees from different nations.

<http://www.cageprisoners.com/articles.php?id=14830>

SOURCE: Asharq Alawsat

Gitmo Detainee Buried After Body Cross-Examined

By: Nadia Al-Sakkaf

The body of Salah Addin Al-Salami, the Yemeni detainee said to have committed suicide at Guantánamo Bay detention center in Cuba, was handed over to his family after their demand to cross-examine and identify the cause of death was met.

SANA'A, June 25 — The body of Salah Addin Ali Ahmed Al-Salami finally saw peace yesterday in his hometown, Al-Mibra'a village in Houban-Taiz. However, it seems that his family and lawyers won't find peace until the truth behind his death is revealed. U.S. authorities issued a death certificate stating that Al-Salami hung himself, which Al-Salami's family denied, demanding a cross-examination.

Approximately three hundred people gathered at Al-Shuhada (Martyrs) Mosque to pray for the deceased before his family transported his body to Taiz for burial. Sheikh Ihsan Al-Rubie of Al-Nour Mosque in Sana'a explained that in Islam, if the deceased is proven to have killed himself or herself, there should be no prayer ceremony.

Apparently, Al-Salami's family and friends don't accept the claim that he committed suicide. "U.S. soldiers killed my son!" his father Ali Abdullah repeated. However, this has yet to be proven by U.S. doctors assigned to examine Al-Salami's body and decide the cause of death in their report, said to be produced on June 30.

On another front, Dr. Patrice Mangin, head of the five-member medical delegation that volunteered to cross-examine the body, said in a conference organized by the National Organization for Defending Rights and Freedoms (HOOD) last Thursday that the deceased's throat is missing and the delegation will need to request it from U.S. authorities in order to clarify if Al-Salami hung himself or was killed.

"However, other parts were removed to preserve the body from rotting and it's a standard medical procedure," Mangin said. After giving the medical team a chance to examine Al-Salami's body at the Sana'a Military Hospital, Yemeni authorities handed it over to his father for burial.

A French professor at Switzerland's Institut universitaire de Médecine Légale, Mangin and the other team doctors currently are in Saudi Arabia where they went after Yemen to inspect the other two bodies. Samples taken from all the bodies will be examined in Switzerland to try to identify the cause of death. The Geneva-based Al-Karama for Human Rights is sponsoring the investigation.

Abdulwahab Al-Humayqani, Al-Karama representative in Yemen, said HOOD approached the organization to sponsor a medical team to come to Yemen and re-examine the body. However, the medical delegation said that they must await the U.S. report, especially since Al-Salami's throat is missing. This angered Al-Salami's father, who stormed out of the room, accusing, "The Europeans follow the Americans!"

Doctors also said they'll need to examine the bed sheets – the alleged murder weapon – and they'll need to consult with the doctors who performed the autopsy in the U.S. before finalizing their report.

In an statement earlier last week, Najeeb Ghanem, former Minister of Health and head of Parliament's Health and Population Committee, declared that Al-Salami's body was emptied of all that could provide information about his death, including his blood vessels, bowels, brain, heart and liver, which he alleged U.S. specialists intentionally removed.

However, "The deceased detainees' remains have been treated with the utmost respect. A cultural advisor has assisted Joint Task Force Guantánamo to ensure that the remains are handled in a culturally and religiously appropriate manner," the Pentagon said in a statement regarding the issue.

In a statement to the Yemen Times, lawyer and HOOD member Ahmad Arman, who has taken up the Guantánamo detainee's case, said they soon will organize a sit-in in front of the Yemeni Parliament for the detainees' families and human rights activists. "This sit-in is to exert pressure on the Yemeni government to provide solutions for the many Yemenis detained at Guantánamo and their families," he explained.

Lawyer and former Member of Parliament Mohammed Nagi Alaw said his organization, HOOD, is attempting an international probe into the case and other cases to pressure the U.S. Administration to close Guantánamo and other such detentions. He also pointed out that a large number of Yemenis are in various detentions both inside and outside the U.S., including Abdulrahim Al-Nashri, Ramzi bin Al-Shaibah and Yasser Shaqiq.

U.S. authorities transported the three detainees' remains from the Navy base in southeastern Cuba to Yemen and Saudi Arabia on a commercial chartered jet, said Navy Lt. Cmdr. Jeffrey Gordon, a Department of Defense spokesman. Al-Salami, 28, returned to his native Yemen, while Mani Shaman Turki Al-Habardi, 30, and Yasser Talal Al-Zahrani, 21, were sent to Saudi Arabia.

According to the same authorities, the men hanged themselves with clothes and bed sheets in maximum-security cells on Saturday, June 10, making them the first detainees to die at the camp since it opened in January 2002. They died

inside their steel mesh cells at the detention center, where the U.S. holds some 460 men on suspicion of links to Al-Qaeda or the Taliban.

Interestingly, Cage Prisoners Organization confirmed that former Guantánamo detainees, including nine British nationals released from the camp, have heaped scorn on allegations that the three Guantánamo deaths were suicides, claiming that they're almost certainly accidental killings caused by excessive force by U.S. guards. The group is a human rights organization existing solely to raise awareness of the plight of prisoners at Guantánamo Bay and other detainees held as part of the War on Terror.

On the same front, Amnesty International issued a press release urging immediate action regarding the Guantánamo Bay detention center. "This has been a tragedy waiting to happen. A full independent investigation is a matter of absolute urgency, particularly in light of statements from high-ranking members of the U.S. military and government, which risk undermining the investigation launched by the Naval Criminal Investigation Service," said Rob Freer, Amnesty International's researcher on the U.S.

<http://www.cageprisoners.com/articles.php?id=14828>

SOURCE: Yemen Times

Former Gitmo Chaplain Calls for Camp Closure

By Monisha Bansal
CNSNews.com Staff Writer

(CNSNews.com) - A former Muslim chaplain at the Guantanamo Bay prison camp who was accused of espionage and aiding the enemy before being cleared in 2004, said the prison remains a "potent symbol" for questioning the U.S. commitment to human rights and should be closed.

"If we close Guantanamo it would be a great first step," James Yee said at a Capitol Hill news conference Tuesday sponsored by the Council for American Islamic Relations. Yee was a Muslim chaplain at Guantanamo Bay from November 2002 to September 2003, at which point he was arrested, charged and taken to a Navy brig in South Carolina. He was cleared of all charges six months later.

The Cuban prison camp, Yee said, is a "potent symbol" that "perhaps the United States -- our government, our nation, is not the leader of human rights that it should be, or maybe that we've lost that status and we're not abiding by the rule of law and international law." He said of the 460 detainees at Guantanamo Bay, many have not been charged with a crime and none has yet to have a full trial.

Yee said that in addition to torture, "Gitmo's secret weapon" is to use religion against prisoners. He said American interrogators painted satanic circular symbols on the ground and made some detainees kneel inside of the circles. Female interrogators, Yee said, inappropriately touched the male detainees. And he alleged that copies of the Quran at times were mishandled by guards with pages falling out and interrogators stepping on and kicking the Muslim holy book.

Interrogators also occasionally wrapped detainees in the Israeli flag to frustrate them.

All of this, he said, has led to "mass suicide attempts." Three prisoners - two Saudis and a Yemeni -- hanged themselves with clothes and sheets on June 10.

The suicides, Yee said, "Were only a matter of time."

"I think it is clear that it is time to bite the bullet so that no further harm is done to this country's reputation and so that we can begin a long road of repair," said Gene Fidell, Yee's attorney, who has also worked on cases involving Guantanamo Bay detainees.

"I am sorry to say I doubt that work will be completed during my lifetime and possibly during yours," Fidell said.

President Bush, who has said he would like to close the camp, "can and should shut it down" according to Fidell. "Otherwise, we will continue to watch what is our good standing in the world slip away."

During remarks on June 14, the president agreed that Guantanamo Bay was providing other nations with an "excuse" to criticize the United States. "I'd like to close Guantanamo, but I also recognize that we're holding some people there

that are darn dangerous and that we better have a plan to deal with them in our courts," Bush told reporters, according to the Washington Post.

However, the Pentagon is still defending the use of the prison camp, asserting that it is holding detainees in the war on terrorism, not innocent people.

Deputy Assistant Secretary of Defense Charles Stimson told a North Dakota radio station recently that he doesn't think the U.S. "[needs] to close our detention facilities just because of international pressure."

"I mean, the president said he wants to close Guantanamo. That's obviously aspirational, and there may come a point where he'll come out and say that. But the point is we are detaining our enemy. We are preventing them from coming back and killing other Americans or other people and that's the business we're in," Stimson said, according to WDAY Radio.

<http://www.cageprisoners.com/articles.php?id=14883>

SOURCE: CNSnews.com

June 28, 2006

Ruling Could Force Rethink on Hicks

AUSTRALIA will have to reconsider its position on David Hicks if the US Supreme Court rules that the military commission process is unacceptable, Foreign Minister Alexander Downer has said.

Mr Hicks has spent more than four years at the US military prison Guantanamo Bay in Cuba after being captured with the Taliban in Afghanistan in December 2001.

He pleaded not guilty to charges of conspiracy, attempted murder and aiding the enemy when he faced a military commission hearing in August 2004, but has yet to be put on trial.

His trial delay is partly because of a landmark case before the US Supreme Court brought by lawyers for another Guantanamo Bay detainee to test the legality of the military commissions.

The US Supreme Court is expected to announce its ruling later this week.

Mr Downer said Australia stood by America's right to prosecute Hicks.

"He has been charged with very serious charges," Mr Downer told Britain's BBC radio.

"The credibility of the military commissions is being tested now in the US Supreme Court, so they will make the ultimate judgment about whether the military commissions are an appropriate form of trial or whether they're not.

"If they uphold the military commission process, that would be satisfactory for us.

"Of course, if they say that the military commissions are completely unacceptable and shouldn't proceed, the Americans will be back to square one and we'll obviously have to consider our position."

<http://www.cageprisoners.com/articles.php?id=14874>

SOURCE: News.com.au

Hicks' Lawyers May Challenge UK Inaction

Penelope Debelle

LAWYERS for Australian Guantanamo Bay detainee David Hicks may mount another legal challenge in Britain to try to force the British Government to lobby for his release.

The British decision not to assist Hicks was "not unexpected", said Hicks' US military defence lawyer, Major Michael Mori, but there was an option to go back to court once Hicks became a British citizen.

"It's not shocking that they are playing politics, that they are not sticking to their values," Major Mori said in Washington. "Obviously we hoped that Britain was going to stick to its position on Guantanamo, especially since Australia takes a position on the commissions completely opposite that of Great Britain."

The Australian Government supported the United States' right to detain and try Hicks, but Britain objected and secured the release from Guantanamo of nine of its citizens.

Foreign Minister Alexander Downer said Australian officials had been briefed on the British Government decision. "It's really nothing to do with us," he told ABC Radio.

But Hicks' father, Terry Hicks, who has campaigned extensively for his son's release, queried Mr Downer's presence in Britain at the time that Britain's Foreign Secretary, Margaret Beckett, decided not to help.

"It's quite strange that every time anything goes against us, they're there," Mr Hicks said. "They just happen to be in the same country or whatever."

Prime Minister John Howard said Australia had not canvassed a particular point of view with the British.

"We have said repeatedly that it was a matter for the British," he said.

Mr Hicks said it was another disappointment for his son, who was in poor physical and mental health and was being held in isolation for 22 hours a day in a concrete cell at Guantanamo.

He said Hicks, who was no longer a Muslim, wanted to return to Australia to live a normal life and had been hoping Britain would help.

"Bottom line is they've just said 'that's it', they don't care whether he's a British citizen or not, so No. 2 country has let him down," Mr Hicks said.

Meanwhile, a decision is imminent in the US Supreme Court challenge to the legality of the military commissions intended to try detainees. If the case by Salim Hamdan succeeds, the US Administration may speed up its decision on the future of the controversial detention facility where Hicks has been held without trial.

With JEWEL TOPSFIELD

<http://www.cageprisoners.com/articles.php?id=14873>

SOURCE: The Age

Guantanamo Detainee Confirms Suicide Bid

By KANWAL TARIQ HAMEED

A BAHRAINI detainee at Guantanamo Bay has confirmed he slashed his own throat and leg in a 13th suicide attempt after jamming the lock of his cell with the top of a yoghurt container.

The revelation follows the deaths of three prisoners at the widely condemned US prison camp in Cuba on June 10, who are said to have hung themselves with nooses made from bed sheets and clothing.

Bahraini Juma Al Dossary, aged 32, described his latest attempt to end his life during a meeting with his lawyer at the maximum security facility in May, but notes taken by lawyers were only declassified this month.

Initial reports alleging Al Dossary had slashed his own throat emerged in April, but the US military refused to provide information on his condition to the Dorsey and Whitney lawyers representing the three Bahraini detainees at Guantanamo Bay.

The three Bahrainis currently incarcerated at Guantanamo Bay - Al Dossary, Salah Abdulrasool Al Bloushi, 24, and Isa Al Murbati, 41 - are approaching a fifth year of detention without trial.

Their lawyers Joshua Colangelo-Bryan, Mark Sullivan and Christopher Karagheuzoff called for maximum efforts to be exerted in Bahrain towards their release, saying the situation "could not be more desperate or grave".

"During our recent visit to Guantanamo Juma Al Dossary described to us his last suicide attempt which occurred on March 11," Joshua Colangelo-Bryan said.

"We saw a large, deep and red scar on Juma's leg. We also saw a scar across his Adam's apple.

"Juma told us that he had been feeling utterly hopeless in general and that on March 11, those feelings were overwhelming.

"Although he was fighting with himself to maintain a sense of emotional balance, he said that he had become too sad and desperate and felt too isolated to continue.

"He decided to kill himself.

"At 11pm, he jammed the lock to his cell door by inserting the top of a yoghurt container in the lock.

"He then took a razor that he had been hiding and cut a vein in his leg below the knee - this caused tremendous bleeding.

"A soldier walked by Juma's cell and saw the blood. He called for help and many guards arrived.

"The guards yelled at Juma not to hurt himself, but they could not open the door because it had been jammed.

"Juma then took his blanket and put it over his head so that he would not have to see the guards and they could not see him.

"Looking into the mirror in his cell, he slashed open his throat.

"After doing this, Juma was in and out of consciousness. He said that the floor and walls of his cell were covered in blood.

"Eventually, guards were able to open the door and got Juma to the hospital where he had surgery.

"In light of Juma's condition and the recent deaths at Guantanamo, we could not be more concerned for Juma.

"In fact, the situation could not be more desperate or grave. "We implore those who care about him in Bahrain to do everything in their power to bring him and our other clients home."

<http://www.cageprisoners.com/articles.php?id=14871>

SOURCE: Gulf Daily News

US Court Prepares Ruling on Guantanamo Tribunals

By James Vicini

WASHINGTON (Reuters) - The U.S. Supreme Court is preparing a potential landmark ruling that could determine the fate of the military tribunals created by President George W. Bush to try Guantanamo prisoners for war crimes.

The ruling by the nation's highest court, which is expected later this week, will be one of the most significant presidential war powers cases since World War Two and could determine whether the tribunals are lawful.

No one outside the court knows which day the ruling will come or how the justices will decide the myriad of issues in a challenge to the tribunals by Guantanamo prisoner Salim Ahmed Hamdan, who was Osama bin Laden's driver in Afghanistan.

After the September 11 attacks, Bush established special war crimes tribunals for trying prisoners held at the U.S. military base at Guantanamo Bay in Cuba, where the U.S. government says three prisoners killed themselves about two weeks ago.

Of about 450 prisoners at Guantanamo, only Hamdan and nine others face charges before a tribunal. Human rights groups have criticized the tribunals, formally called military commissions, for being fundamentally unfair.

Hamdan's lawyers are challenging Bush's power to create the tribunals and said he is covered by Geneva Convention, and therefore rules governing U.S. courts-martial should be applied.

The ruling has been eagerly awaited by administration officials, who want to bring charges against more prisoners, and by groups like Human Rights Watch, which has called on Bush to close the Guantanamo prison camp.

"The Supreme Court could decide that the military commissions set up at Guantanamo were not lawfully established, that their rules violate the law or that the commissions are inappropriate for this set of detainees," said Katherine Newell Bierman of Human Rights Watch.

"On the other hand, the court could allow the military commissions to proceed as established under the current rules," she said.

CLOSING NOT UNDER CONSIDERATION

Bierman and others said the ruling only will address the military tribunals, not broader issues such as whether the base should be closed.

At a news conference in Vienna last week, Bush said he was awaiting the Supreme Court's ruling before deciding the proper forum to try Guantanamo prisoners.

In Tel Aviv, U.S. Attorney General Alberto Gonzales said the court's decision may answer questions about the use of military commissions and the applicability of the Geneva Conventions, which provide prisoners greater legal rights.

"That (ruling) will provide additional clarity," he said.

"We made the best judgment we can -- the executive branch -- based on court precedent, based upon our reading of the law, based upon our reading of the U.S. Constitution," Gonzales said. "At the end of the day, it is up to the courts to make the decision as to whether or not we made the right call."

"I think by and large the courts have vindicated our decisions. In some cases, the courts have disagreed. And when that happens, we ... meet the mandates of the court," he said.

In its other rulings on Bush's policies in the war on terrorism, the Supreme Court issued a pair of decisions two years ago that placed limits on the president's powers and allowed Guantanamo prisoners to bring lawsuits in U.S. courts.

Neal Katyal, a Georgetown University law professor who argued Hamdan's case before the Supreme Court, declined comment on how the justices might rule.

The ruling will involve eight of the nine court members. Chief Justice John Roberts, who was appointed by Bush, has removed himself because he previously was on a U.S. appeals court panel that ruled for the Bush administration in the Hamdan case.

(additional reporting by Adam Entous in Tel Aviv)

<http://www.cageprisoners.com/articles.php?id=14869>

SOURCE: Reuters

US Defends Guantanamo Policies Ahead of Key Ruling

TEL AVIV (Reuters) - U.S. Attorney General Alberto Gonzales on Tuesday defended the treatment of prisoners at the Guantanamo Bay detention camp, saying the administration did its best and that the courts would judge "whether or not we made the right call".

The United States has faced harsh international criticism for its treatment of terrorism suspects at the Guantanamo Bay naval base. Gonzales brushed aside the criticism at the start of a Middle East tour, saying: "They receive top notch medical care. They receive good food. They have good facilities."

"I've heard some Europeans come there (to Guantanamo) and say the conditions are better here than the conditions in their own country," Gonzales said. "That's not to say this is something we want to continue."

Gonzales said the U.S. Supreme Court was likely to rule on Wednesday or Thursday in a case that challenged President George W. Bush's power to try them before war crimes tribunals.

"We made the best judgment ... based on court precedent, based upon our reading of the law, based upon our reading of the constitution," Gonzales said in response to questions at Tel Aviv University.

"At the end of the day, it is up to the courts to make the decision as to whether or not we made the right call," he said.

"It is a difficult issue," Gonzales added. "The president has indicated that he would like to see some progress made in terms of Guantanamo."

The Bush administration wants to send home more of the 540 foreign captives held at Guantanamo.

But Gonzales said: "The problem is, in some cases, when we try to return them to a home country, a home country doesn't want them."

The Bush administration said it will not send prisoners home without credible assurances that they will not be abused or tortured.

The Bush administration has stepped up efforts to trim the camp population and has negotiated agreements with Saudi Arabia and Afghanistan on conditions for the return of their citizens.

About 310 detainees have been released from Guantanamo since the United States began sending foreign captives to the remote naval base in Cuba in January 2002. The Pentagon has cleared another 120 to leave, either for outright release or for detention in their home nations.

"I think, by and large, the courts have vindicated our decisions. In some cases, the courts have disagreed. And when that happens, we ... meet the mandates of the court," Gonzales said.

"We will go to the limits of what our law allows, to what our constitution allows, to protect our country, because, quite frankly, that is what is necessary," he added.

Gonzales will meet with Israeli officials on Wednesday before traveling to Cairo for talks there.

<http://www.cageprisoners.com/articles.php?id=14867>

SOURCE: Reuters

Guantanamo Inmates Hid Pills Before Suicides-Doctor

By Jane Sutton

GUANTANAMO BAY U.S. NAVAL BASE, June 27 (Reuters) - Guantanamo detainees were found with pills stuffed into the waistbands of their pants and in one case, inside a prosthetic leg, weeks before three prisoners hanged themselves, a doctor at the camp hospital said on Tuesday.

U.S. military officials have implemented new measures aimed at preventing suicides since the prisoners killed themselves, an event that intensified pressure on Washington to close the controversial prison at a remote U.S. naval base in Cuba.

The prisoners received new uniforms and new bed mattresses, and they are being watched more closely while taking medication.

Two Saudis and a Yemeni hanged themselves with clothes and bedsheets in their cells on June 10. They were the first prisoners to die at Guantanamo since the United States began sending al Qaeda and Taliban suspects to the base in 2002.

The doctor in charge of the detention hospital said military officials searched cells after two prisoners overdosed on prescription drugs in May and found stashes of pills.

Pointing to a box of prosthetic limbs, the doctor, whose name cannot be used for security reasons, said, "One was found hoarding medication in one; I think it was a leg prosthesis."

He said the prisoner had about 15 prescription pain pills, which "probably couldn't have killed him" but would have knocked him out, and several others had one or two pills hidden in the waistbands of their pants.

Guantanamo houses about 450 suspected al Qaeda and Taliban prisoners. Only 10 have been charged before U.S. military war crimes tribunals.

Amnesty International and other rights groups have called for the closure of the camp, which has helped undermined international support for the U.S. war on terrorism launched after the Sept. 11 attacks on New York and Washington.

PUNCTURE-PROOF MATTRESSES

The doctor said about 10 percent to 20 percent of the detainees receive medicine such as blood pressure medication, sleeping pills, pain killers and anti-anxiety pills.

Under procedures implemented after the overdoses, a guard now accompanies a corpsman who distributes pills on the cellblocks and watches as each prisoner puts the pill on his tongue, swallows it with water and then opens his mouth and his hands to show he has not hidden it somewhere.

"I think it's as good as it can be without putting it down the throat myself," the doctor said.

The two who overdosed had swallowed a combination of medicine apparently obtained from other prisoners because none had been prescribed for them.

Camp officials have made other changes since the suicides. The detainees got new uniforms that do not have hems where contraband could be stored, the doctor said.

A truck load of new blue mattresses arrived on Tuesday, made of puncture-proof material that cannot be torn into shreds for making nooses.

The doctor said the three who hanged themselves had undergone psychiatric exams about a week before their deaths and showed no signs of despair or suicidal plans, even though at least one had been on an extensive hunger strike.

He quoted one as saying "I'm sleeping well, I feel well."

The doctor said camp officials are trying to make the camp suicide-proof but that "I would say that's impossible, short of putting these guys in straitjackets."

<http://www.cageprisoners.com/articles.php?id=14866>

SOURCE: Reuters via Alertnet.org

Military: Guantanamo Details Not Classified

Information `sensitive'; Guantanamo Bay commander back at post

SCOTT DODD

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A military inquiry has found that no classified information was disclosed at the Guantanamo Bay detention facility in Cuba after three prisoners committed suicide at the camp.

However, a brigadier general determined that "unclassified sensitive information" was revealed to the public in the days after the June 10 suicides.

The U.S. Southern Command said in a statement Monday that "appropriate administrative action" has been ordered by Guantanamo's commander, U.S. Navy Rear Adm. Harry Harris. Military spokesmen would not elaborate on what that means.

The inquiry appeared to be directed at the prison's commander, Army Col. Mike Bumgarner, who allowed two Observer journalists to closely observe the facility and its officers in the wake of the prisoners' suicides.

The investigation was ordered on June 13, the same day that an Observer story from Guantanamo caused controversy within the Defense Department.

The story reported on the details of a June 12 staff meeting at the prison, where officers discussed steps to take after the deaths.

Observer reporter Michael Gordon was allowed to listen in and report on that meeting by Bumgarner, who has commanded the facility for the past year and a half.

Gordon's story included a quote from Bumgarner saying the detainees had lost the officers' trust.

"There is not a trustworthy son of a ... in the entire bunch," Bumgarner said then.

The day the story appeared, four U.S. journalists -- including Gordon and Observer photographer Todd Sumlin -- were ordered to leave the base by the Pentagon, making national news.

Also that day, Navy Capt.-select Katie Hampf, Bumgarner's second-in-command, answered Bumgarner's phone and said she was the acting prison commander. The military refused to comment on Bumgarner's status.

Bumgarner has since resumed command of the prison. He has long been scheduled to leave his post on Friday and rotate to Fort Leonard Wood in Missouri.

Bumgarner would not comment on Monday.

A Pentagon spokesman said the Observer story was not the reason the journalists were forced to leave Guantanamo. Instead, he said, the reporters were kicked out because other media were demanding access.

But he acknowledged some officials within the Defense Department were uncomfortable with some details the Observer reported, saying Gordon's story caused "controversy."

Gordon and Sumlin arrived to work on a profile of Bumgarner, a Kings Mountain native, the day the suicides occurred. That story appeared on June 18.

<http://www.cageprisoners.com/articles.php?id=14865>

SOURCE: Charlotte Observer

US Official: Gitmo Prisoners Waging 'Jihad'

STEVENSON JACOBS
Associated Press

GUANTANAMO BAY NAVAL BASE, Cuba - Guantanamo Bay detainees are staging suicide attempts and hunger strikes to undermine American policy in the war on terror, a senior U.S. military official said, calling the acts a "jihad" against the United States.

"The detainees view this as a struggle. They view this as a jihad ... They're trying to figure out ways that they can continue the fight," Navy Rear Adm. Harry Harris, the commander of the U.S. prison on Cuba's southeastern tip. "They do that with hunger strikes, overdosing on medicines. And now they've succeeded in killing themselves."

Three detainees - two Saudis and a Yemeni - committed suicide in their cells on June 10. The U.S. military said the men hanged themselves by fashioning nooses from bed sheets. Harris said the deaths and other suicide attempts were coordinated acts of resistance - not acts of desperation prompted by their indefinite detention.

"I think it is less about the length of their detention ... It's less about that and it's more that they continue to fight their fight," Harris told reporters, adding that defiance in the prison was widespread. "I think the vast majority of detainees are resisting us."

President Bush has said he wants to close the detention center but is seeking guidance from the nation's top court on the matter. The U.S. Supreme Court could rule as early as Wednesday on the legitimacy of military tribunals ordered by Bush, the first such trials since World War II.

Harris, who took over command at Guantanamo on March 31, said he believed a ruling by the court wouldn't affect operations at the prison, which he said served a vital role in the U.S.-led war on terror.

"Given the battle that we're fighting as a nation, I believe there is a need for places like Guantanamo," Harris said.

The suicides of the three detainees prompted renewed calls from European countries and human rights groups to close Guantanamo, which holds about 450 men on suspicion of links to al-Qaida or the Taliban.

A spokesman for Boston-based Physicians for Human Rights said that whether the suicides were a political act or the product of desperation does not change "the fact that U.S. detention and interrogation practices have violated basic tenets" of the Geneva Conventions and the McCain Amendment, which prohibits torture or cruel, inhuman or degrading treatment of prisoners.

"Regardless of the motivation that caused the three detainees at Guantanamo to commit suicide, those being held without charge are still entitled to due process and to receive treatment that is in accordance with basic human rights standards," said spokesman Nathaniel A. Raymond from Boston.

A military doctor at the prison said the three detainees received psychological exams only days prior to their suicides and showed no signs of being depressed. He spoke on condition of anonymity to protect his personal safety.

The doctor suggested the exams, performed by mental health professionals one to two weeks before the suicides, supported assertions by military officials that the prisoners killed themselves as a political act - not because they were despondent about their prolonged detention.

"None had showed any signs of being depressed or having a mental condition," said the doctor, who is the medical officer in charge of the prison. He said medical personnel examined the detainees some 10 minutes after they were found and "did everything we could" to revive them, including using defibrillators.

Since the deaths, the military has implemented strict measures to guard against future suicides, including only giving out bed sheets and blankets during sleeping hours and monitoring detainees in their cells every three minutes.

Officials have also lowered the threshold to determine when a detainee is at risk of being suicidal, the doctor said. Now, any detainee thought to be a suicide risk is placed in a tear-proof anti-suicide smock - which can't be fashioned into a makeshift noose - for 72 hours and given a psychological exam, he said.

There are currently about 20 detainees in green anti-suicide smocks, the doctor said.

The doctor said there have been no suicide attempts since the June 10 suicides, but there have been several incidents of detainees harming themselves, such as cutting themselves with paint chips or beating their heads against walls.

Associated Press writer David McFadden contributed to this report from San Juan, Puerto Rico.

<http://www.cageprisoners.com/articles.php?id=14864>

SOURCE: Charlotte Observer

Gitmo Doc: Captives Who 'Committed Suicide' Were Mentally Sound

BY CAROL ROSENBERG

crosenberg@MiamiHerald.com

GUANTANAMO BAY NAVY BASE, Cuba -- Three Arab captives who hanged themselves earlier this month had been evaluated as mentally fit less than two weeks before, the prison camp's senior doctor said today.

All three men had just weeks before abandoned hunger strikes -- one after 180 days shunning food, the Navy doctor said.

And by prison camp protocols, he said, each was visited at his Camp 1 cell by a mental health specialist for a routine exam less than two weeks before guards discovered each man hanging separately in his cell June 10.

"They were sleeping well, eating well -- no problems," said the Navy captain, the officer in charge of the prison camps hospital, who is a physician and declined to be identified here by name.

He described a prison camp review of the three men's medical files to a group of visiting journalists reporting on the aftermath of the first-ever detainee deaths at this offshore prison for war-on-terror suspects.

Guards discovered the two Saudis and a Yemeni hanging from bed sheets fashioned into nooses long before dawn that Saturday and delivered them to the Navy clinic and hospital in what the Navy captain described as a perfect, by-the-book handoff -- strapped to backboards with life-saving techniques underway.

Still, by the time they reached doctors, perhaps 10 minutes later, the men were blue, not breathing and without pulses, according to the Navy captain and another Navy commander, a physician who was on duty that night.

Military medical staff went through life-saving protocols similar to those you would see on the television program ER, the Navy captain said.

To mask their suicides, the Navy captain said, the three Arabs, who the military alleged were either members of al Qaeda or the Taliban, had fashioned their sheets and other items onto their cell beds to leave the impression they were asleep in their bed during inspections by guards walking the blocks.

One detainee had hung a blanket in his cell, strategically, which hid the fact that it was hanging by a noose. "The impression was, it was hanging up to dry," the Navy captain said of the blanket.

Since then, guards and other prison staff have become more sensitive to comments and suggestions of suicide plans by the 450 or so captives here from dozens of nations, most held for more than three years.

As of today about 20 were considered so suicidal they were not wearing prison camp uniforms, the doctors said, but were issued forest-green smocks that close with Velcro and cannot be fashioned into implements of self-harm.

Nevertheless, officials reported self-harm episodes have continued since the June 10 suicides -- including a couple of "head banging incidents" in the cells, as well as one detainee who scratched himself until he bled.

Also, guards found 15 pain tablets hidden inside one captive's prosthetic leg in searches since the suicides, the doctor said.

Medical and guard staff have been on alert for suicide attempts since mid May, when two other detainees did not awake for prayer call, and were discovered in comas from overdoses of hoarded supplies of other captives' prescription drugs.

Lab tests, the doctor said, concluded those men, now alert and ostensibly unharmed by the episode, took a cocktail of anti-anxiety, anti-depressants and sleeping pills in what commanders here characterized as twin suicide attempts.

As a result, the military medical staff here has revamped its process for distributing medications.

Rather than having a corpsman, or Navy medic, hand out drugs alone, a military guard also takes part in distribution -- and both watch while the captive ingests the drugs at his cell door.

In addition, the doctors said, medical teams are now crushing detainee medications, meaning delivering them as presumably unhoardable powder, have switched some pill prescriptions to liquid medicine -- and have cut back on the number of sleeping pills given to detainees at night.

As a result, the captain said, medical personnel are giving prisoners 200 to 400 fewer pills a day -- notably fewer sleeping pills -- from the estimated 1,000 pills distributed daily in mid-May, the time of the overdoses.

Guards are on greater alert, he said, and medical staff have intensified their reviews of detainees' mental conditions.

But he warned that a determined detainee with a political goal can still likely succeed in killing himself at Camp Delta, unless the staff there confined each and every captive to "strait jackets, and they're not going to do that." The doctor then echoed a June 10 remark by the prison camp commander, Rear Adm. Harry Harris, that the three suicides were an act of "asymmetrical warfare."

"I am of the opinion with the admiral that this was somewhat of a political statement," said the hospital commander, who argued that there had been no medical or mental health alert to foresee the triple suicides. "When do you predict a guy will strap a bomb onto himself and kill people? I don't know that there is a medical way to pick that up."

<http://www.cageprisoners.com/articles.php?id=14863>

SOURCE: Miami Herald

June 29, 2006

Court Ruling To Have Little Impact on Guantanamo

By Jane Sutton

GUANTANAMO BAY U.S. NAVAL BASE (Reuters) - A U.S. Supreme Court ruling on war crimes tribunals being held at Guantanamo navy base will have little effect on the detention camp that holds 450 foreign captives, the camp commander said.

"I don't think there's any direct outcome on our detention operation," Rear Adm. Harry Harris, the prison commander, said in an interview this week.

The high court upheld on Thursday a Guantanamo defendant's challenge to President George W. Bush's power to create the military tribunals to try suspected al Qaeda conspirators and Taliban supporters after the September 11 attacks.

Harris said he would build a second courtroom if the tribunals are allowed to proceed but little else would change because the court was not asked to rule on Guantanamo itself, a prison camp that human rights groups, the United Nations and foreign governments have sharply criticized.

The tribunals have also come under fire from lawyers, who say they are rigged to ensure conviction and offer none of the basic guarantees and rights granted suspects in the U.S. justice system or to which formal prisoners of war would be entitled.

Ten detainees at Guantanamo have been charged before the tribunals, and prosecutors have said they will charge as many as 25 more if the court rules in favor of the commissions.

"If they rule against the government I don't see how that's going to affect us. From my perspective I think the impact will be negligible," Harris told Reuters.

About 120 other prisoners at the base in have been cleared for release, or transfer to their homelands where Washington expects them to remain in detention.

Faced with growing international condemnation of the camp after three prisoners committed suicide on June 10, President Bush has said he would like to empty the detention center.

But the director of interrogations at Guantanamo said many of the rest could be held a very long time because U.S. officials will not release those whom they are convinced have the connections, training and means to carry out attacks.

"Nobody wants to be the first person to allow the next 9/11 to happen," said interrogations chief Paul Rester. "Emptying this place is not my goal."

<http://www.cageprisoners.com/articles.php?id=14913>

SOURCE: Reuters

Hicks in Aussie Jail Small Comfort: Dad

Terrorist suspect David Hicks will serve any jail sentence he is given in Australia, but his father says that provides small comfort for the Guantanamo Bay inmate.

Justice Minister Chris Ellison said Thursday Australia has brokered a prisoner transfer agreement with the United States for Hicks, who is being held by the US with other terror suspects at Guantanamo Bay, Cuba.

"We do now have an agreement in place for Mr Hicks to be transferred to Australia in the event that he was imprisoned for a period of time," Senator Ellison told reporters in Adelaide.

Hicks' father, Terry Hicks, said the transfer agreement had been mooted for some time.

"It does give some comfort," Mr Hicks said.

"It will mean that he's back in his own country and won't be in a US jail or, worse, kept at Guantanamo Bay."

Adelaide-born Hicks is days away from knowing whether he will face a US military commission trial.

Hicks has been detained by the US since being captured among Taliban forces in Afghanistan in December 2001.

He has pleaded not guilty charges of attempted murder, aiding the enemy and conspiracy.

But whether he faces a military commission trial depends on the outcome of a US Supreme Court ruling in a landmark test case brought by another Guantanamo Bay detainee.

Lawyers for the detainee, Yemeni national Salim Ahmed Hamdan, have challenged the legality of the commissions and the US Supreme Court is expected to hand down its decision within days.

If Hamdan's lawyers are successful, Hicks could be tried in the US civilian court system or a traditional military court martial.

If unsuccessful, Hicks' military commission trial is likely to proceed.

<http://www.cageprisoners.com/articles.php?id=14906>

SOURCE: The Age

Public Support for Guantanamo Drops in U.S.

(Angus Reid Global Scan) – Fewer Americans agree with their government's operations at the Guantanamo Bay detention centre, according to a poll by TNS released by the Washington Post and ABC News. 57 per cent of respondents support holding suspected terrorists without trial at the United States military prison, down eight points since September 2003.

In May 2005, a 308-page report by Amnesty International criticized the U.S. government for its handling of prisoners in several detention centres, including one at Guantanamo Bay where more than 400 "enemy combatants"—most of them from Afghanistan—are being held. Former presidents Jimmy Carter and Bill Clinton have urged the federal administration to close the prison.

Earlier this month, three Guantanamo prisoners were found hanging from the ceilings inside their cells. U.S. officials described the situation as "the first successful suicides" after repeated attempts. Spokesman for the United Nations High Commissioner for Human Rights (UNHCR) Jose Diaz declared, "It was a very, very tragic event. It was not completely unexpected that this would happen."

On Jun. 21 in Austria, U.S. president George W. Bush discussed the situation, saying, "I'd like to end Guantanamo. I'd like it to be over with. One of the things we will do is we'll send people back to their home countries. We've got about 400 people there left—200 have been sent back—400 are there, mainly from Saudi Arabia, Afghanistan and Yemen. (...) There are some who need to be tried in U.S. courts. They're cold-blooded killers. They will murder somebody if they're let out on the street. (...) I'm waiting for the Supreme Court of the United States to determine the proper venue in which these people can be tried."

Polling Data

Do you support or oppose the federal government holding suspected terrorists without trial at the U.S. military prison in Guantanamo Bay, Cuba?

	Support	Oppose	No opinion
Jun. 2006	57%	37%	5%
Sept. 2003	65%	28%	7%

Source: TNS / Washington Post / ABC News

Methodology: Telephone interviews with 1,000 American adults, conducted from Jun. 22 to Jun. 25, 2006. Margin of error is 3 per cent.

<http://www.cageprisoners.com/articles.php?id=14903>

SOURCE: Angus-reid.com

World Cup Has Truly Captive Audience at Guantanamo

GUANTANAMO BAY U.S. NAVAL BASE, June 28 - A few dozen Guantanamo prisoners who refused to take part in a riot were rewarded with a chance to watch three World Cup soccer matches, their American captors said on Wednesday.

"We videotaped the games and took out the commercials, all the games Saudi Arabia played in," said Lt. Col. Mike Nicolucci, who functions as deputy warden in the U.S. detention camp for foreign terrorism suspects on the Guantanamo naval base in Cuba.

Viewing privileges were reserved for about 40 captives from Saudi Arabia and Afghanistan who live in group barracks in the medium-security section of the camp.

That section held about 175 captives until mid-May, when a riot broke out and detainees ambushed guards and attacked them with fan blades and light fixtures, guards said.

Those who took part were moved to spartan individual cells in maximum-security cellblocks, but the 40 remaining in the group housing had returned quietly to their barracks and shut the doors when the melee broke out, guards said.

Their reward was short-lived when Saudi Arabia lost to Spain on June 21, sealing a first-round exit after previous losses to Tunisia and Ukraine. Soccer is also hugely popular in Afghanistan, although it has never sent a team to the World Cup finals.

<http://www.cageprisoners.com/articles.php?id=14902>

SOURCE: Reuters

Gitmo Prisoner's Wife Files Contempt of Court Against Kasuri

Islamabad, June 28: The wife of a Pakistani prisoner held in the us detention facility at Gauntanamo Bay has filed a contempt of court case against Foreign Minister Khurshid M Kasuri in the Sindh High Court for failing to obey the judge's order to get her husband freed.

Besides Kasuri, she has filed the contempt of court case against Foreign Secretary Riaz Muhammad Khan and Cabinet Secretary Ijaz Rahim.

In her petition, Farhat Paracha, wife of Saifullah Paracha, a Pakistani businessmen, complained that despite the court's earlier order to the government to bring back her husband from Guantanamo Bay prison in Cuba and ensure his fundamental rights through diplomatic and other possible channels, the foreign office had done nothing in this regard.

She pleaded to the court to take action against Kasuri, Khan and Rahim for contempt as they had defied the court order and direct them to bring Paracha back.

Paracha reportedly went missing while travelling to Bangkok from Karachi. After this, Paracha's wife filed a petition in the Sindh High Court for his recovery.

During the hearing of the case, it was revealed that Paracha was arrested by the American agency FBI from Bangkok airport and taken to Gauntanamo Bay, 'The Nation' daily reported.

<http://www.cageprisoners.com/articles.php?id=14901>

SOURCE: Zeenews.com

Guantanamo Bay Detainee 'in Great Pain'

By GEOFFREY BEW

A BAHRAINI detainee at Guantanamo Bay can barely stand or exercise after being subjected to painful force-feeding in an effort to make him abandon his hunger strike, his lawyers claimed yesterday. Isa Al Murbati revealed the problems during a meeting with his lawyers at the maximum-security facility in January, but notes taken by his representatives have only just been declassified.

They say other than being offered the drug Motrin, which was tried and did not work, the 42-year-old prisoner has not received any treatment for his injuries.

"During our earlier visit in January, Isa had described being subjected to painful forced feeding in a successful effort to make him abandon his hunger strike," said legal team head Joshua Colangelo-Bryan.

"Isa has been held in Camp One since the time that he was forced from the hunger strike.

"Isa has experienced pain in his knees and shoulders as a result of the rough treatment he received from an Immediate Response Force during the forced feeding.

"Also, his legs are swollen, making it difficult to bend, stand or exercise. Isa is allowed to exercise two times per week."

The lawyer said his client became emotional when given information about his family.

"Isa was very interested in hearing news about our trip to Bahrain and our visit with his family," he said.

"I told Isa that we had met with his three sons and that one of his sons had promised him a cake when he returns home.

"I told Isa that one of his sons had asked him to call home, which of course is not possible.

"Isa began to cry when I shared this news with him.

"I told him that many people in Bahrain are working to bring him home, but I do wish that I could have had told him something more concrete in order to comfort him."

Mr Al Murbati is one of three Bahrainis currently being held in Guantanamo Bay along with Salah Abdulrasool Al Blooshi, 24, and Juma Al Dossary, 32, who has attempted suicide 13 times since his incarceration. They are approaching their fifth year of detention at the facility without a trial.

<http://www.cageprisoners.com/articles.php?id=14899>

SOURCE: Gulf Daily News

Guantanamo Bay Doctors Under Fire

An NI doctor has criticised the World Medical Association for not tackling the role doctors are playing at the Guantanamo Bay detention centre.

Dr Iain Banks said it was a scandal that doctors were "becoming involved in torture practices".

He said the practices were "the worst thing doctors can be involved in".

The camp currently houses about 490 detainees from about 40 countries, and is said to include terrorist suspects picked up in Eastern Europe and Africa.

Dr Banks said: "Not having the WMA taking a strong stance on this is a nonsense."

He said prisoners had been force-fed under the direct supervision of US doctors.

The doctor, who practices in Ballynahinch in County Down, is raising the matter at the British Medical Association's conference in Belfast on Thursday.

"Guantanamo is completely outside of the normal regulations and the normal ethos for an international community," he told BBC News.

"There is now an international cry to close down Guantanamo.

"It is quite amazing when the president of the United States says that he would like to see it closed, but seems powerless to do anything about it.

"It is a disgrace when you have something like Guantanamo, but it becomes a scandal when you have doctors actually involved in torture practices as well.

"Unfortunately, there is a history of doctors and torture that goes back a long way, not least to Auschwitz."

'Intense scrutiny'

Dr Banks said he acknowledged that it was the most serious allegation which could be made against a doctor.

"But what is critical about this is that the American government, and indeed the American doctors who are involved in this, seem to be unable to accept that what they are doing is unacceptable.

"To have a doctor involved in actually harming patients - even if it is for the state - is still wrong.

Governments and rights groups have deplored the camp

"These are people who are being held against their will with no court proceedings."

The US detention camp at Guantanamo Bay has come under intense scrutiny since it began to receive foreign detainees in early 2002.

The US has faced frequent attacks for holding inmates without trial and for their alleged mistreatment.

United Nations human rights investigators have called for the camp's immediate closure.

But the US government has been steadfast in its defence of the camp and says inmates are treated humanely.

Housed on a naval base in Cuba, the camp was established to hold suspected terrorists captured on the battlefields of Afghanistan.

<http://www.cageprisoners.com/articles.php?id=14897>

SOURCE: BBC News

Saudi Ex-Detainees Question Suicides

RIYADH, Saudi Arabia, June 28 (UPI) -- The news of the reported suicides of two Saudi inmates at the U.S. Guantanamo Bay facility is still reverberating in Saudi Arabia amid growing scepticism.

Saudi daily Okaz Wednesday quoted Saleh Khalil Suleimani as saying that his brother Youssef, who was recently freed from five years of prison in Guantanamo and returned home, told him that the guards removed the prisoners from their cells two days before the news of the presumed suicides of the two Saudis and a Yemeni prisoner was made public.

"The two Saudi prisoners were behaving normally," Suleimani quoted his brother as saying, casting doubt on the U.S. story suicide as the cause of death in all three cases.

The Saudi inmates, Maneh Oteibi and Yasser Zahrani, and the Yemeni Ali Abdullah Ahmed were found dead in their cells on June 10.

The lawyer of the families of Saudi prisoners in Guantanamo, Kateb Shumari, raised questions about the credibility of the U.S. explanation of suicide as the cause of death of the three inmates.

Suleimani also quoted his brother as saying that "a new bunch of Saudi prisoners are being prepared to be repatriated, according to information by prison guards."

Saudi Interior Minister Prince Nayef bin Abdul Aziz said last week that the kingdom was given 13 inmates by the U.S. authorities in Guantanamo, stressing that efforts are continuing to free the remaining Saudi prisoners.

Some 310 inmates have been freed from Guantanamo so far and handed to their governments, including Germany, Afghanistan, Australia, Bahrain, Belgium, Denmark, France, the United Kingdom, Kuwait, Morocco, Pakistan, Russia, Saudi Arabia, Spain, Sweden and Uganda, as reported in a U.S. official statement.

<http://www.cageprisoners.com/articles.php?id=14896>

SOURCE: UPI

Guantanamo Case Ruling Today

WASHINGTON: The US Supreme Court is expected to rule today on a critical case which could sway the fate of hundreds of terror suspects detained at Guantanamo Bay and the military tribunals set up to try them.

The case of Osama bin Laden's former driver, Salim Ahmed Hamdan, from Yemen, is one of only two cases outstanding in the court's current term.

Chief Justice John Roberts said that the court's final opinions of the term would come down today, before justices recess for their summer break.

Legal experts said although there was a theoretical possibility the court could withhold its judgement until after the break, it was unlikely.

The case concerns the legality of the military commissions set up by President George W Bush to judge inmates, most of whom were plucked off the battlefields of Afghanistan in the months after the September 11 attacks in 2001.

It also centres on whether the US Congress has the constitutional right in legislation passed last year to prevent the top US court from ruling on the case until Hamdan has had his tribunal.

Another question at issue is whether the trial breaches the 1949 Geneva Conventions laying down rules on the treatment of people captured in a time of war.

Hamdan has been detained at Guantanamo since early 2002. He is accused of plotting with bin Laden and other Al Qaeda officials to attack civilians, commit murders and terrorist acts, and destroy property.

Hamdan acknowledges he was a well-paid driver for bin Laden but denies being a member of Al Qaeda or taking part in terrorist activities.

Specifically, the court is being asked to rule on an appeals court judgement against Hamdan, which reversed an earlier ruling by a lower court that the Pentagon's procedure for the trials was not fair. – AFP

<http://www.cageprisoners.com/articles.php?id=14892>

SOURCE: Gulf Times

With Autopsy Still Pending, Saudis Bury a Guantánamo Detainee

By HASSAN M. FATTAH

RIYADH, Saudi Arabia, June 28 — Hundreds of Saudis descended on a suburban cemetery here in the Saudi capital late Wednesday to bury Mani Shaman al-Utaybi, 30, one of three prisoners who committed suicide this month at the American detention center at Guantánamo Bay.

Mr. Utaybi was laid to rest in a nondescript grave, in keeping with Saudi tradition, at the Nassim Cemetery on the outskirts of Riyadh in a ceremony marked by displays of rare public emotion.

The mourners, some of whom expressed anger over the detentions or disputed the Americans' version of the deaths, included some former Guantánamo detainees.

Early on Wednesday, Saudi authorities released the bodies of Mr. Utaybi and Yasser Talal al-Zahrani, the other Saudi involved in the suicide, but a family lawyer said results of an eagerly awaited autopsy by a Saudi coroner would not be available for some time, pending further results from both American and Saudi investigations.

Mr. Zahrani's family is to fly his body to Medina on Thursday afternoon for burial in the holy city on Thursday morning.

The body of the third prisoner involved in the June 10 suicide, Ali Abdullah Ahmed, a Yemeni, was transferred to his family on Monday, and buried in his home village shortly afterward.

"Theirs is a dignified death," said one relative of Mr. Utaybi, who gave his name only as Abu Osama. "We should all desire a death like theirs."

The suicides were the first at Guantánamo since the United States began holding terrorism suspects there in 2002, setting off widespread criticism over the prison.

American officials said the three hanged themselves with clothes and bedsheets in their cells.

A doctor at the camp's hospital told Reuters on Wednesday that weeks before the suicides, many of the detainees were found to have pills stuffed into the waistbands of their pants and in one case inside a prosthetic leg.

Guards also found nooses in other prisoners' cells, suggesting further that other prisoners planned to take part in coordinated suicides, Rear Adm. Harry Harris, who oversees detention operations, was quoted as saying.

But mourners on Wednesday continued to cast doubt on the American version of the deaths, insisting that they were more likely a result of foul play.

Faris al-Utaybi, Mr. Utaybi's cousin, who said he had been the family member in charge of receiving Mr. Utaybi's body, insisted that the suicide had been a cover-up.

"The body had a bruise on its head and on its arms," Mr. Utaybi said.

Mr. Utaybi said his cousin had gone to Afghanistan about three months before the Sept. 11 attacks in the United States to volunteer for an aid group but then was taken into custody.

In letters he sent home while in Guantánamo, Mr. Utaybi appeared to be in good spirits, his cousin said.

Mourners said they doubted that the men would have taken their own lives, a grave sin in Islam that they differentiated from suicide attacks.

"Anyone who wants to get to heaven wouldn't do something like this," insisted Ahmed al-Qahtani, who stood among the crowd paying his respects at the cemetery. "These guys were going to heaven."

"And they thought they were going to be released soon anyway," Mr. Qahtani said.

<http://www.cageprisoners.com/articles.php?id=14891>

SOURCE: New York Times

June 30, 2006

Amnesty: President Bush Must Use Supreme Court Ruling As Springboard For Change

Amnesty International is urging President Bush to treat the Hamdan ruling as a spur to a major rethink of the full range of his administration's "war on terror" detention policies and practices, whether in effect in Guantánamo, Afghanistan, Iraq or undisclosed locations.

"We welcome the fact that the Supreme Court has blocked military commissions as they violate international fair trial standards, including the right of a detainee to be present at his trial and to know all the evidence against him," said Rob Freer, Amnesty International's researcher on the US.

"President Bush must now see the bigger picture and ensure that his administration adopts a progressive interpretation of the ruling in the interest of justice, respect for human rights, and the reputation of his country. He must not seek to resurrect the military commissions in other forms or by other means," said Rob Freer.

"For too long too much deference has been given to this executive in the 'war on terror', and the administration has sought to apply the narrowest interpretations to judicial rulings that have gone against it," Rob Freer said. "Today's ruling is a welcome assertion of judicial oversight."

The court affirmed the applicability of fundamental protections under Common Article 3 of the Geneva Conventions, specifically trials under "regularly constituted courts affording all the judicial guarantees...recognized as indispensable by civilized peoples". In early 2002, President Bush determined that Common Article 3, which also prohibits torture, cruel, humiliating or degrading treatment, did not apply to those detained by the US in Afghanistan and the wider "war on terror".

When asked recently about closing Guantánamo, President Bush has said that he was waiting for the Supreme Court to rule in the Hamdan case, as it concerned the question of whether detainees he has designated 'enemy combatants' could be tried by military commission.

"President Bush has always had the power to close Guantánamo and to cancel the military commissions. Both are the products of his administration. Each violates international law and each should be consigned to the history books."

The military commissions – bodies created by the executive, not independent courts – fall far short of international standards for fair trial. Justice would neither be done nor be seen to be done in any trials conducted before them. Moreover, the commissions can hand down death sentences.

Amnesty International has been calling for the closure of Guantánamo for over a year and since late 2001, the cancellation of President Bush's military order setting up the commissions.

Amnesty International continues to stress that the closure of the Guantánamo facility must not be used to transfer the human rights violations elsewhere. All secret detentions must be ended and all detainees fully registered. All detainees should be guaranteed their full rights under international law and standards, including the right not to be subjected to torture or other cruel, inhuman or degrading treatment, the right to judicial review of the lawfulness of their detention, and the right of anyone charged with recognizably criminal offences to be brought to full and fair trial in an independent and impartial court of law, without the threat of the death penalty.

Background Information

Salim Ahmed Hamdan, a Yemeni national, was captured in November 2001 during the international armed conflict in Afghanistan. He has now been in US custody for more than four and a half years, most of it in the detention camp in Guantánamo Bay, some of it in prolonged solitary confinement. In July 2003, he was named under President Bush's Military Order of 13 November 2001, making him eligible for trial by military commission. He was charged with conspiracy to commit acts "triable by military commission", for example "attacking civilians" and "terrorism".

In a 5-3 decision, the Supreme Court ruled that President Bush had overstepped his authority in ordering military commission trials for foreign nationals held at Guantánamo. The ruling held that the proposed commissions violated US law and the Geneva Conventions.

<http://www.cageprisoners.com/articles.php?id=14960>

SOURCE: Amnesty International

Germany Renews Calls to Shut Guantanamo After Court Ruling

To Germany, a Supreme Court ruling that the Bush administration's "war on terror" trials are illegal is all the more reason to close the Guantanamo Bay facility. But Washington refuses to abandon its military tribunals.

President George W. Bush's tactics in the war on terrorism suffered a major blow Thursday when the US Supreme Court struck down as illegal the military tribunal system set up to try Guantanamo prisoners.

In a 5-3 vote, the high court warned the administration had no "blank check" to decide how to try terror suspects, as it reversed an appeals court ruling on a tribunal for Osama bin Laden's former driver Salim Ahmed Hamdan.

The case had centered on an appeal brought by the 36-year-old Yemeni who was captured in Afghanistan in November 2001, over the constitutionality of the tribunals.

The Cuba-based facility currently holds some 460 inmates -- mostly without charge -- whom the US suspects of links to al-Qaeda or the Taliban.

Germany insists on closure

The outcome was welcomed in Europe, with German politicians seeing the ruling as a further confirmation that closure of the camp is the best -- and only -- option.

"The best thing now would be to shut down Guantanamo," said the SPD's foreign policy spokesman Gert Weisskirchen in an interview with the Berliner Zeitung newspaper. "The ruling eliminates one of the basic justifications for the camp's existence."

"The judgement renews our faith in the US legal system," said his FDP counterpart Werner Hoyer, while Volker Beck from the Green party described it as a "humiliation" for the Bush administration and a blow to its strategy of "suspending US law with tribunals on foreign soil."

"The only acceptable consequence is to shut Guantanamo for good and free the inmates," he said.

"(Guantanamo) is a historic mistake and a legal irregularity," said Sabine Leuthuesser-Schnarrenberger from the FDP. "It is unlawful and a clear breach of human rights."

A violation of law

Bildunterschrift: Großansicht des Bildes mit der Bildunterschrift: Almost 500 inmates are held at the Camp Delta detention center

In its ruling, the Supreme Court said the military tribunals contravened both the Geneva Convention on the treatment of prisoners and the US code of military justice, stressing that Guantanamo prisoners should be tried under established rules giving defendants greater protections, such as the right to be present during proceedings.

It rejected administration claims that Congress had authorized them by granting Bush sweeping war powers after the September 11 attacks, also rejecting the administration argument the Geneva Conventions do not apply to tribunals of suspected al-Qaeda and Taliban detainees as they are not prisoners of war but "enemy combatants."

"Whether or not the government has charged Hamdan with an offence against the law of war, cognizable by a military commission, the commission lacks power to proceed," the court said in the majority opinion.

White House digs in heels

But the White House and other administration officials quickly signaled they would try to consult with Congress to refine rules for such commissions, in line with the landmark Supreme Court judgment.

US President George Bush indicated that he would not rule out using military tribunals to try inmates at the Guantanamo Bay detention center and said he will consult lawmakers to seek the necessary authority.

"To the extent that there is latitude to work with the Congress to determine whether or not the military tribunals will be an avenue with which to give people their day in court, we will do so," said Bush. "The American people need to know that this ruling, as I understand it, won't cause killers to be put out on the street."

Bildunterschrift: Großansicht des Bildes mit der Bildunterschrift: President Bush is in a defiant mood
The idea that Bush could ask Congress to approve a remodeled tribunal set-up was first brought up by Supreme Court justices themselves, in a concurring document to the court's main opinion written by Justice John Paul Stevens.

"Nothing prevents the President from returning to Congress to seek the authority he believes necessary," wrote Justices Breyer, Kennedy, Souter and Ginsburg.

A senior official later Thursday argued that the court had "emphasized these problems can be cured and invited the president and Congress to do just that."

What it means for Guantanamo

The decision isn't expected to affect operations at Guantanamo. The camp's commander pointed out the court was asked only to rule on the legality of military tribunals, not the prison itself.

They also stressed the decision did not mean Guantanamo would quickly shut down.

"Nobody gets a 'get out of jail free,' card," said White House spokesman Tony Snow.

The first tribunals were set up June, 2004. Officials said Thursday that between 40 and 80 Guantanamo detainees were considered eligible for war crimes trials. Only 14 have been publicly identified and of those only 10 have been charged, including Hamdan.

"A high water point in American history"

Bildunterschrift: It will be a while before the base is closed
Conservative Justice Clarence Thomas warned in a dissent that the majority ruling meant that terrorists needed to be caught "red handed" before they could be tried under the laws of war.

"It would sorely hamper the President's ability to confront and defeat a deadly enemy," he wrote.

The ruling also rejected administration arguments that a new US law passed last year stripped the jurisdiction of federal courts over Guantanamo cases.

Hamdan's attorney, Lieutenant Commander Charles Swift, said the ruling meant his client would now get a fair trial.

"It's a return to our fundamental values, and that return marks a high water point in America history," Swift told reporters.

<http://www.cageprisoners.com/articles.php?id=14959>

SOURCE: Deutsche Welle

Rights Groups Hail Court Ruling on Guantánamo

Civil right groups on Thursday hailed a Supreme Court decision on military tribunals at Guantánamo Bay as a major victory for the rule of law and a stern rebuke to United States President George Bush.

"This decision moves us one step closer to stopping the abuse of power that has become the hallmark of this White House," said Anthony Romero, executive director of the American Civil Liberties Union.

In a five to three vote, the Supreme Court ruled that Bush had overstepped his powers in setting up military war-crimes tribunals for detainees at Guantánamo Bay.

Specifically, it said the administration violated the Geneva Conventions and the US military code of justice in ordering a military tribunal to prosecute Salim Ahmed Hamdan, a Yemeni and former driver for al-Qaeda leader Osama bin Laden.

The ruling could have far-reaching consequences for all the estimated 450 Guantánamo detainees, as well as the general conduct of the US "war on terror".

"The Supreme Court has made clear that the executive branch does not have a blank check in the war on terror and may not run roughshod over the nation's legal system," Romero said.

Speaking to reporters outside the Supreme Court building, Hamdan's military attorney, Lieutenant Commander Charles Swift, said the ruling marked a "high water point" in American history.

"It's a return to our fundamental values," Swift said. "It means that we can't be scared out of who we are."

In New York, the Centre for Constitutional Reform (CCR), which has spearheaded numerous challenges on behalf of the Guantánamo detainees, said the ruling was a victory for the rule of law, the Geneva Convention and the US Constitution.

"The Supreme Court has firmly rejected President Bush's attempt to sidestep American courts," said CCR president Michael Ratner.

"Now the president must act: try our clients in lawful US courts or release them," he said. "The game is up. There is no way for President Bush to continue hiding behind a purported lack of judicial guidance to avoid addressing the

illegal and immoral prison in Guantánamo Bay." -- AFP

<http://www.cageprisoners.com/articles.php?id=14958>

SOURCE: Mail and Guardian Online

Soldier Miffed Tribunal For Khadr is Off

Sheldon Alberts
CanWest News Service

WASHINGTON - Until 10 a.m. on Thursday, Sgt. Layne Morris believed he would be travelling to Guantanamo Bay, Cuba, this September to testify against the Canadian teenager he believes tried to murder him in the summer of 2002.

But after the U.S. Supreme Court announced its decision to strike down the Bush administration's terrorist tribunals, Morris said his hopes to see Omar Khadr face justice have been once again been put on hold.

"It is justice delayed. I don't think that's a good thing," said Morris, who was blinded in one eye by shrapnel during a four-hour firefight in southeastern Afghanistan on July 27, 2002.

"I think those tribunals could have provided a trial viewed as fair by most of the world. In that sense, I think it is unfortunate," he said in an interview from his home in Utah.

Morris was set to be one of the U.S. military's star witnesses against Khadr, the 19-year-old Torontonion captured by U.S. forces that July afternoon.

The Pentagon's Office of Military Commissions had charged Khadr, who was 15 when he was sent to the Guantanamo military prison, with conspiracy to attack civilians, aiding the enemy and attempting to murder Morris.

Most seriously, he was charged with murdering U.S. special forces Sgt. Christopher Speer, 28, who was killed by a grenade during the battle.

Although the Pentagon has not formally announced plans to disband the commissions, Khadr's lawyers said the Supreme Court decision gives it little choice

"It leaves the U.S. government in a bit of a bind as to what to do with him," Dennis Edney, one of Khadr's Canadian attorneys, said in an interview from Edmonton. "It turns everything on its head."

Both Edney and Muneer Ahmad, Khadr's U.S. civilian attorney, said they will urge the Canadian government to request their client be extradited to Canada.

The previous Liberal government, and now the Conservatives, have never issued a formal protest about Guantanamo or the military tribunals established by President George W. Bush.

"It was never a courthouse," Ahmad said of the building on the Guantanamo military base where Khadr twice appeared for pre-trial hearings this year.

"They dressed it up to look like a court. They put up blue curtains and put up the presiding officer in a judge's room and gave him a gavel. This (Supreme Court) decision sees through the lie of the commission."

While Ottawa has held discussions about returning Khadr to Canada if convicted, Edney said "perhaps it's time for Canada to step up to the plate and, for the first time, voice its wish to have Omar tried in Canada."

Foreign Affairs spokesman Rodney Moore on Thursday night referred questions about Khadr's possible extradition to the Department of Justice, which did not return phone calls.

"Officials in the Department of Foreign Affairs are presently reviewing the decision with a view to its impact on the existing proceedings against the Canadian detainee at Guantanamo Bay, Omar Khadr," Moore said.

During his detention, Khadr has gone on brief hunger strikes and accused prison interrogators of abuse.

With the military tribunal ruled invalid, it's unclear now whether Khadr's lawyers will have any legal recourse to pursue concerns about his health.

``Some people have said, `Doesn't this place Omar in limbo now that the commissions are thrown out?' The reality is that he never got out of limbo," Ahmad said, but ``it does make it more difficult for us to ascertain and safeguard his mental well-being."

For his part, Morris said he would oppose Khadr's transfer to Canada. He said Canadians should feel little sympathy over the conditions Khadr faces at Guantanamo.

``It's almost laughable to hear them complain," he said. ``My sympathy is with Chris Speer and his wife and children."

<http://www.cageprisoners.com/articles.php?id=14957>

SOURCE: Canada.com

Attorneys Assisting Detainees Laud Ruling

By Rocky Mountain News

Two Denver attorneys who have represented detainees at Guantanamo hailed Thursday's Supreme Court ruling as a landmark decision that upholds some of the core values of the United States legal system. "The rule of law has been vindicated," said Anne Castle, one of several lawyers with the firm of Holland and Hart who have represented five detainees at Guantanamo.

Only one of those detainees has been charged with a crime in the nearly four years since their arrests.

"The federal courts are set up to determine whether people are being held legally or not," Castle said. "The Department of Defense efforts have been to undermine that authority of the federal courts."

One of the five people whom the lawyers have represented on a pro-bono basis was charged last summer with conspiracy. In that case, Castle and her colleagues are deferring to military counsel and other criminal defense attorneys.

But the four other cases have been waiting on the outcome of Thursday's ruling, she said.

"That's all we've been doing on behalf of these people," she said. "Make sure they get charged if they (prosecutors) have evidence that they have committed a crime. And if they don't have evidence, we shouldn't be holding them."

John Holland (not a member of Holland and Hart) and his daughter also have been representing four detainees. He described the court's 5-3 ruling as "extraordinary."

"You don't see very many decisions of this magnitude from the Supreme Court," he said after reading the 185-page decision. "It's a tremendous reaffirmation of the core values of our country against unjustified government resistance."

<http://www.cageprisoners.com/articles.php?id=14953>

SOURCE: Rocky Mountain News

Pentagon Says Ruling Won't Affect Guantanamo

The Pentagon reaffirmed the need for the Guantanamo prison even though the US Supreme Court rejected the system of military tribunals put in place to try the prisoners.

Camp commander Rear Admiral Harry Harris earlier said such a ruling would not affect the running of the camp and prisoners' lawyers said it may do little to secure their freedom in the short term.

About 450 suspected al Qaeda and Taliban captives are held at the US Navy base in Cuba. Some have been held at Guantanamo since the prison camp opened in January 2002.

Senior administration officials said the ruling "will have no impact" on the detention of any of the prisoners now at Guantanamo or the status of the prison.

Pentagon spokesman Bryan Whitman said after the ruling: "Guantanamo serves as an important detention and intelligence (gathering) facility. These are dangerous people. Many of them have vowed to go back to the battlefield if they were released."

He said Guantanamo serves as a place where the US was able to learn about terrorist networks, their operations, their activities and enables them to thwart future attacks.

The Supreme Court ruling found that military tribunals created by the US government to try detainees violated the Geneva Conventions and US military rules. Only 10 Guantanamo detainees have been charged and faced trials under the system.

<http://www.cageprisoners.com/articles.php?id=14952>

SOURCE: Newswire.co.nz

Activists: Ruling Won't Close Gitmo Soon

By BRENNAN LINSLEY Associated Press Writer

June 29, 2006 | GUANTANAMO BAY NAVAL BASE, Cuba -- Defense lawyers and human rights activists praised Thursday's Supreme Court decision rejecting military war crimes trials for detainees at Guantanamo Bay, but most felt it likely won't force a quick shutdown of the prison.

The base's commander predicted earlier this week that an adverse ruling would not bring a closure of the jail, saying many of the prisoners could not be released.

Attorneys and advocates called the 5-3 decision a rebuke to the Bush administration's anti-terrorist policies and use of the Guantanamo facility, which has been strongly criticized by foreign leaders.

Some detainee lawyers expressed hope the ruling will increase political pressure to close the facility, where about 450 prisoners swept up since the Sept. 11 attacks on the United States are being held on suspicion of links to al-Qaida or the Taliban.

"There certainly will be some fallout from this and it may very well lead to the closing of Guantanamo Bay in the near future," said Army Maj. Tom Fleener, who represents Ali Hamza Ahmad Sulayman al-Bahlul, a Yemeni among the 10 detainees who were facing military trials.

But others agreed with Navy Rear Adm. Harry Harris, commander of the Guantanamo base, that a shutdown wasn't likely -- at least in the near future.

"If they rule against the government, I don't see how that's going to affect us," Harris said this week.

Jumana Musa, advocacy director for Amnesty International USA, said the Supreme Court's decision doesn't address the jail's future.

All it does, she said, is "stop dead in its tracks ... the sham trials that have been going on under the guise of war crimes trials, charging people with crimes that aren't even war crimes, and I think that's the fundamental effect of this."

Bridget Arimond, assistant director of the Center for International Human Rights at Northwestern University's School of Law, said that "the administration is clearly going to have to come up with a different approach to trying these cases if it wishes to try the detainees under the military justice system."

Barbara Olshansky, legal director of the Center for Constitutional Rights, which represents about 300 Guantanamo detainees, said the cases belong in civilian courts.

"We have lawful courts in this country that are perfectly capable of hearing these cases," she said. "Try them in law courts or release them. This notion of (President Bush) creating his own universe is not permissible."

<http://www.cageprisoners.com/articles.php?id=14950>

SOURCE: Salon.com

Decision Raises Questions Over Fate of Prisoners

By Patti Waldmeir and Demetri Sevastopulo

The Supreme Court decision on Thursday on military commissions at Guantanamo Bay does more than raise questions about how the US will deal with the 450 prisoners at the prison. It may also have broader implications for how the Bush administration prosecutes the war on terror.

In 2002, President George W. Bush declared that members of al-Qaeda were not entitled to protections under the Geneva conventions. But the Supreme Court on Tuesday appears to have disagreed with that determination.

"That is the huge part of [the] ruling," says Martin Lederman, professor of law at Georgetown Law Center and a former Justice department lawyer. "The [ruling on the legality of the] commissions are the least of it."

While the ruling only directly applies to Mr Hamdan, its reasoning could be used to challenge the treatment of prisoners beyond Guantanamo Bay. Legal experts disagree on exactly how broad the Court's ruling on the Geneva Conventions will turn out to be, but several say that Common Article 3 of the Geneva conventions will now apply to the conflict with al-Qaeda.

The article says detainees "shall in all circumstances be treated humanely". But it also goes further in providing rights to detainees than does US legislation, sponsored by Senator John McCain, that was passed last year.

"This almost certainly means that the CIA's interrogation regime is unlawful, and indeed, that many techniques the administration has been using, such as water-boarding and hypothermia [and others] violate the War Crimes Act] because violations of Common Article 3 are deemed war crimes]," wrote Mr Lederman.

Senior government officials tried to play down these broader implications on Thursday, pointing out that the court did not say detainees could sue directly to enforce their Geneva convention rights, and noting that the ruling only applies directly to military tribunals.

But Steven Shapiro, legal director of the American Civil Liberties Union, says the Court decisively dismissed the Bush administration's contention that the al-Qaeda conflict is not the kind of war covered by the Geneva Conventions. "That holding has broad implications beyond this case," he said.

Richard Samp of the Washington Legal Foundation, which filed a brief in the Hamdan case supporting the government, said he doubted the Geneva Conventions portion of the ruling would have much impact. "Applying Common Article 3 to al-Qaeda gives that group the same status already enjoyed by the Taliban, but I am unaware of Taliban prisoners having made any effective use of that status."

The decision could also have wider ramifications for the administration's argument that it should have unfettered ability to prosecute the war on terror, including the ability to pursue a controversial domestic wiretapping programme.

Arlen Specter, the Republican chairman of the Senate judiciary committee, said the decision made it clear that President George W. Bush did not have inherent authority to create the military commissions without input from Congress, adding that the ruling could also raise questions about Mr Bush's authority to continue the domestic wiretapping without broader Congressional authority.

<http://www.cageprisoners.com/articles.php?id=14949>

SOURCE: Financial Times

Prisoners Left in Legal Limbo

By Stephen Collinson in Washington

THE US Supreme Court rejection of military war crimes trials set up by President George W. Bush, could condemn many Guantanamo Bay inmates to a longer legal limbo at the camp.

The president meanwhile, left to digest a severe jolt to his "war on terror tactics", now faces a severe political and legal dilemma.

Should he start back from square one and press Congress to lay down new rules for an amended form of military tribunals?

Or could some or all of the 450 or so inmates still at Guantanamo Bay be tried in US federal courts, by military courts martial, or even sent back to face justice - or freedom - in their own countries?

What the ruling doesn't mean is a swift end to Guantanamo, a running sore in relations with US allies and the Muslim world, which Mr Bush has said he wants to close.

"This will not mean closing down Guantanamo. There's nothing in this opinion that dictates closing down Guantanamo," said White House spokesman Tony Snow.

First, administration legal experts had to decide whether there was any room for manoeuvre in the 73-page judgement, accompanied by an equally voluminous collection of supporting and dissenting opinions.

"There are a lot of very smart lawyers trying to pore through each and every part of that to figure out precisely what it does mean," said Mr Snow.

Supreme Court justices who ruled 5-3 that Mr Bush had overreached in setting up the first US war crimes trials since World War II, offered their own way forward.

"Congress has denied the president of the legislative authority to create military commissions of the kind at issue here," they wrote in their opinion.

"Nothing prevents the president returning to Congress to seek the authority he believes necessary."

Mr Bush also appeared to signal in his first reaction, that he had not given up hope of establishing some kind of military tribunal.

"We will analyse the decision. To the extent that the Congress is given any latitude to develop a way forward using military tribunals, we will work with them," he said.

Mr Snow added: "I think the congressional consultation piece is going to be pretty important."

Senator John Warner, chairman of the powerful Senate Armed Services Committee, said he would make the issue a "top priority".

Representative Jane Harman, the top Democrat on the House intelligence committee, argued however that Congress had helped create the problem, by failing to outline clear rules on how to deal with "war on terror" detainees.

"As a result, hundreds of individuals are being detained by the US in a legal black hole," she said.

It was unclear, with congressional elections looming, whether legislators would quickly come to the administration's aid.

"I have no idea whether Congress will, after four years of doing nothing on this subject, decide that they suddenly have to pull the administration's cookies out of the fire," said Eugene Fidell, president of the National Institute of Military Justice.

"It will take time. Rome wasn't built in one day."

Mr Bush had argued that he did not need specific congressional approval for the commissions.

But the Court ruled that the administration did not, as it claimed, have authorisation for the tribunals under a sweeping resolution granting him war powers passed after the September 11 attacks in 2001.

The specific case in point related to Salim Ahmed Hamdan, a Yemeni former driver for Al-Qaeda leader Osama bin Laden.

Hamdan's military lawyer Lieutenant Commander Charles Swift said he believed the next step would be for his client to receive a "fair trial".

"All that we have been seeking from the beginning is to get that trial. A military court martial, or a federal court case, either of which we're ready to defend against."

Opponents of the Guantanamo military tribunals concluded Mr Bush had only two options.

"Now the president must act: try our clients in lawful US courts or release them," said Michael Ratner, of the New York-based Centre for Constitutional Rights (CCR), which defends many Guantanamo detainees.

The ruling could however conceivably offer a silver lining for some Guantanamo inmates.

The Supreme Court ruled that a new law passed by Congress last year stripping federal courts of jurisdiction over Guantanamo cases, did not apply retroactively to Hamdan's trial.

That could help lawyers who have seen other suspects trapped in a legal morass as they waited for the Supreme Court ruling.

<http://www.cageprisoners.com/articles.php?id=14947>

Sen. Frist to Push Guantanamo Bill

By **LIZ SIDOTI**

Senate Majority Leader Bill Frist said Thursday he would push legislation allowing President Bush to use military tribunals to prosecute terrorism suspects at Guantanamo Bay.

"To keep America safe in the war on terror, I believe we should try terrorists only before military commissions, not in our civilian courts," said Frist, R-Tenn.

"Congress should work with the president to update our laws on terrorist combatants to respond to the new threats of a post-9/11 world," he said.

Responding quickly to the Supreme Court's ruling against the White House, Frist said he would consult with the administration and his colleagues and introduce legislation when Congress returns from a weeklong break.

The high court said the president overstepped his authority, ruling that the military tribunals were illegal under U.S. and international law.

Lawmakers from both parties said the ruling appeared to give Congress the chance to establish a legal framework for prosecuting the suspected terrorists at the prison on a U.S. naval base in Cuba.

"They've opened the door to a legislative remedy, and as Congress plays a key role in this debate, we'll work with the administration to reach a solution," said Sen. John Cornyn, R-Texas.

The president suggested he would seek the authority from Congress so the military could use the tribunals.

Bush pledged to work with Congress "to have a military tribunal to hold people to account" that would meet the court's objections.

Both the House and Senate Armed Services committees announced they would hold hearings this summer.

"I'm sure we will look at other means to provide them justice under our laws and international law," the Senate committee chairman, Sen. John Warner, said of the detainees.

"There also could be an acceleration of efforts to return them to their native countries to the extent those countries will accept them," said Warner, R-Va.

Sen. Arlen Specter also scheduled a hearing in his Senate Judiciary Committee.

But Specter, R-Va., went a step further by introducing legislation to address the issues the Supreme Court raised. He said he wanted to balance national security and detainees' rights.

The GOP-controlled Congress has largely taken a hands-off approach to Guantanamo, giving the administration leeway in how it detains and prosecutes suspected terrorists.

But some Republicans and many Democrats long have complained that Congress should have been involved in developing the policy for prosecuting Guantanamo detainees.

Democrats said the Supreme Court's ruling was a triumph for the Constitution's system of checks and balances.

House Minority Leader Nancy Pelosi, D-Calif., said it was "a rebuke of the Bush administration's detainee policies and a reminder of our responsibility to protect both the American people and our Constitutional rights."

Sen. Patrick Leahy of Vermont, the top Democrat on the Senate Judiciary Committee, commended the justices for "acting as a much needed check on this administration's unilateral policies that have clearly stretched the bounds of the president's constitutional authority."

Despite the ruling, House Majority Leader John Boehner defended Bush's use of his inherent powers as commander in chief.

"I know what motivates the president," said Boehner, R-Ohio. "And that is to protect the American people from attacks here at home and abroad."

<http://www.cageprisoners.com/articles.php?id=14946>

SOURCE: Forbes.com

Bush Reacts to Supreme Court Ruling on Military Tribunals

**By Donna Miles
American Forces Press Service**

WASHINGTON, June 29, 2006 – The U.S. government is evaluating today's Supreme Court ruling against military tribunals for detainees at Guantanamo Bay, Cuba, to find the best avenue forward, President Bush said today.

The Supreme Court ruled 5-3 this morning that "the military commission at issue lacks the power to proceed because it violates both the (Uniform Code of Military Justice) and the four Geneva Conventions in 1949."

Bush, speaking today at a news conference with Japanese Prime Minister Junichiro Koizumi, reacted to questions about the decision in *Hamdan v. Rumsfeld*. The high court issued its ruling during Bush's meeting with Koizumi, so the president acknowledged that he had benefit of only a "drive-by briefing" before commenting publicly about it.

The United States takes the ruling seriously, and will work with Congress to determine if there's a legislative way forward that complies with the Supreme Court decision. "People are looking at it right now to determine how we can work with Congress if that is available to solve the problem," he said. "I want to find a way forward."

Bush reiterated that he would like to find a way to ultimately close the Guantanamo Bay facility. "I have told the people that I would like for there to be a way to return people from Guantanamo to their home countries, but some of the people need to be tried in our courts," he said.

Regardless of how the issue proceeds, Bush insisted that the Supreme Court ruling "won't cause killers to be put out on the street."

"I am not going to jeopardize the safety of the American people. People have got to understand that," he said. "These people were picked up off of a battlefield, and I will protect the people and at the same time conform with findings of the Supreme Court."

President Bush established the military commissions in November 2001 to try non-U.S. citizens implicated in acts of terrorism against the United States.

The process has been on hold, however, since three detainees committed suicide June 10.

The decision affects only 10 of the 450 detainees at Guantanamo Bay. The 10 faced commissions on charges of violating the law of war. Charges had been prepared for four other detainees, but they had not yet been arraigned, a defense official said.

Among the detainees charged is Salim Ahmed Hamdan, a former driver and bodyguard for al Qaeda leader Osama bin Laden. Hamden was picked up in Afghanistan in late 2001 and has been detained at Guantanamo Bay since 2002.

Hamdan challenged the legality of the U.S. government trying him for alleged war crimes before a military commission under a presidential order. Hamdan argued that he was entitled to a court-martial convened under the U.S. Code of Military Justice or a civilian trial before a federal judge.

The last time the United States used the military commission process was during World War II.

<http://www.cageprisoners.com/articles.php?id=14945>

SOURCE: Defenselink.mil

Find Another Forum To Try Hicks: PM

Prime Minister John Howard has urged the US to find a quick alternative for dealing with terrorist suspects held at Guantanamo Bay after the inmates won a major court victory.

In a blow to US President George W Bush and the US military, America's Supreme Court has ruled the controversial military commissions set up to prosecute Australian David Hicks and other Guantanamo prisoners were illegal.

Mr Howard said he was not embarrassed by the ruling but admitted his government, and the US administration, were incorrectly advised that the military commission process was lawful.

He said the US government had to move fast to find another process to try Hicks and the other detainees at the US naval base in Cuba.

"What now has to happen is that, quite quickly in my view, the administration has to decide how it will deal with the trial of the people who are being held," he told Southern Cross broadcasting.

"Our view in relation to Mr Hicks is that he should be brought to trial.

"As the military commission trial is regarded by the court as unconstitutional, there clearly has to be another method of trial - a court martial or a civilian trial - which conforms with the supreme court decision."

Labor MP Tanya Plibersek has called on the federal government to bring Hicks home.

"You can't leave someone indefinitely in detention in the hope that one day some evidence will turn up against him," she told the Seven Network.

"Try him, convict him, or release him."

Federal Human Services Minister Joe Hockey said the government was anxious for Hicks to go to trial.

"We have been pushing and pushing the US government to put him to trial - to try him and have him convicted," he said.

"There has been a lot of legal argy bargy.

"Now the US Supreme Court, the highest court in the US, has said that they believe the Guantanamo Bay process is wrong ... and the ball is now back in President Bush's court.

"Obviously, we will be waiting for the US government to find out what they will do now with Hicks."

Hicks, originally from Adelaide, was captured among Taliban forces in Afghanistan in December 2001.

He has pleaded not guilty to charges of conspiracy, attempted murder and aiding the enemy.

"David Hicks was not organising a tea party, he was allegedly involved in very serious activities," Mr Hockey said.

<http://www.cageprisoners.com/articles.php?id=14944>

SOURCE: News.ninemsn.com

Released Guantanamo Prisoners Say U.S. Authorities Have No Respect For Human Beings

Former Guantanamo prisoners speak about their time in detention. Although being treated disrespectfully and beaten badly, it was ok, we survived, was all they could say.

Khan Zaman, 45, is free after spending more than 4 years in U.S detention in Guantanamo. He said he had done nothing wrong but was arrested after 12 members of his house were killed in U.S. bombing.

Zaman expected not to be jailed for that long time "When I was arrested I thought they would release me soon, maybe after 10 or 20 days because I was innocent but unfortunately I spent a very long and hard time in the jail...It was OK, we survived" is all he would say of his time in Guantanamo.

Zaman now prays regularly at the graves of his family member, killed in the U.S airstrike in Zanakhil village, in the southeastern province of Khost.

Another former Guantanamo detainee is Sher Bad Khan, who spent two years in detention, first in Bagram and Guantanamo. He said he was in the latter for more than a year. He was freed just four months ago. He is not happy with the way he and other prisoners were treated in the facility.

Sher Bad Khan said "There was no respect for human beings in Guantanamo, they don't treat the prisoners as a human being, we were inside a cage. During interrogation we were treated very badly, they were beating, slapping, and punishing us. They had no respect for human beings at all."

Khan says the prisoners should be handed over to the Afghan authorities in order for them to determine whether they are guilty or not. For him, being in jail here is a lot easier than Guantanamo with no destiny.

<http://www.cageprisoners.com/articles.php?id=14943>

SOURCE: AIManar.com

European Foes of Guantánamo Praise Ruling

By ALAN COWELL

LONDON, June 29 — The United States Supreme Court ruling on Thursday barring the use of military tribunals for prisoners held at Guantánamo Bay prompted an outcry across Europe for the camp to be closed and for its inmates to be freed or prosecuted in open proceedings.

The ruling was "a victory for the rule of law and human rights," Amnesty International said in a statement. "The U.S. Administration should ensure that those held in Guantánamo should be either released or brought before civilian courts on the U.S. mainland."

Khalid al-Odah, head of a committee representing Kuwaiti detainees at Guantánamo Bay and the father of one detainee, Fawzi al-Odah, said the ruling meant "it is now time for President bush to separate innocent prisoners from ones that may be determined dangerous under fair judicial proceedings."

"Giving the prisoners their day in court will allow the innocent to be separated from those that may be found guilty, and will represent a beginning in America's restoration of its global image of being a nation of justice and the rule of law," the elder Mr. Al-Odah said.

Edison Lee, a spokesman for the families in Washington, said six Kuwaitis were among those held at Guantánamo.

In a statement released in London by the Kuwaiti committee, David Cynamon, a lawyer, said their "human rights have been ignored for far too long."

Separately, Zachary Katznelson, a lawyer from a British firm representing 36 Guantánamo detainees, said the ruling represented "a fantastic victory for us."

"It's a strong rebuke from the Supreme Court to President Bush," Mr. Katznelson said. "They clearly have said he is not above the law, and that the men at Guantánamo absolutely have rights, and the military commissions are just blatantly illegal."

"President Bush has said he wants to shut down Guantamo, but was waiting for the Supreme Court to rule on the legality of the military commissions. Now they have ruled and the message is plain."

In Geneva, Gerald Staberock, a director with responsibility for counter-terrorism at the International Commission of Jurists, a Geneva-based nongovernmental organization, said the ruling meant Guantánamo detainees could no longer be treated differently from ordinary criminal defendants.

"The ruling destroys one of the key pillars of the Guantánamo system," Mr Staberock said. "Guantánamo was built on the idea that prisoners there have limited rights. There is no longer that legal black hole."

Politicians in Madrid joined their voices to a growing call across Europe for the end of the detention camp at Guantánamo Bay, an American naval base on the eastern end of Cuba.

Gaspar Llamazares, leader of the leftist Izquierda Unida coalition, said: "The decision by the Supreme Court in the United States ratifies the accusations that various political groups in Spain have been making. This supports our view that the prison that has been established in Guantánamo cannot stay open one day longer. There can be no more excuses or justifications."

In Rome, Emma Bonino, the minister of trade and European affairs and one of the two leaders of the Radical Party, said the court's ruling "gives confidence in the justice system."

"It proves again that, in a democracy, it is the division of power that works," Ms. Bonino said.

Thomas Wright contributed reporting from Geneva for this article; Renwick McLean contributed reporting from Madrid and Peter Kiefer from Rome.

<http://www.cageprisoners.com/articles.php?id=14942>

SOURCE: New York Times

Ruling Means Hicks 'Must Be Freed'

David Hicks must now be freed from Guantanamo Bay and returned to Australia, according to a Melbourne lawyer linked to the US-based case.

The US Supreme Court ruled overnight that the Bush administration's military commission process was "unconstitutional" and illegal.

Adelaide-born Hicks, who was captured with the Taliban in Afghanistan in late 2001, is one of 10 inmates in the US military prison at Guantanamo Bay, Cuba, awaiting a military commission trial.

Lex Lasry, QC, who is the Law Council of Australia's independent observer on the case, argued that Hicks should not be forced to wait behind bars any longer.

"David Hicks has been in US custody for more than four years and there is obviously no immediate prospect of him being tried in a properly constituted court as the US Supreme Court judgment requires," Mr Lasry said today.

"Any further delay while they, yet again, rebuild the system would be grossly unfair and completely unacceptable."

Mr Lasry also said there was a "very strong argument" that under a properly constituted court martial, or civilian court, there was no case for David Hicks to answer.

He said the Australian government must make an immediate request to the US administration for the release of Hicks.

The court's ruling had also vindicated the concerns of Hicks' legal team surrounding the military commission process, he said.

"The Australian government has previously expressed its concern about the delay in the proceedings," Mr Lasry said.

"They have even attempted to blame Hicks and others detainees for the delay because they were conducting proceedings in the US courts which challenged the military commission process.

"The challenge has now been thoroughly vindicated and Hicks should be returned to his home."

The US Supreme Court case focused on Salim Ahmed Hamdan, a Yemeni who worked as a body guard and driver for Osama bin Laden.

Hamdan, 36, who has spent four years in Guantanamo, faces a single count of conspiring against US citizens from 1996 to November 2001.

<http://www.cageprisoners.com/articles.php?id=14940>

SOURCE: Courier Mail.news.com.au

Lawyer: Detainee 'Awe-Struck' by Supreme Court Ruling

SUPREME COURT A Navy lawyer who represents a Yemeni detainee at Guantanamo Bay, Cuba, says his client is "awe-struck" following today's Supreme Court ruling.

The nation's highest court rebuked President Bush and his anti-terror policies, ruling that his plan to try Guantanamo detainees in military tribunals violates U-S and international law.

The ruling focused on Salim Ahmed Hamdan (sah-LEEM' ahk-MEHD'-hahm DAHN), a one-time driver for Osama bin Laden who has spent four years in the U-S prison at Guantanamo. He faces a single count of conspiring to commit terrorism.

Lieutenant Commander Charles Swift says he told Hamdan about the ruling by telephone. Swift says he thinks Hamdan was "awe-struck that the court would rule for him, and give a little man like him an equal chance."

<http://www.cageprisoners.com/articles.php?id=14937>

SOURCE: Associated Press

Guantanamo Guards Trained By Torture School Instructors

Salon has removed the veil over Army documents linking Guantánamo interrogators to military school that instructs U.S. soldiers how to resist torture.

In a July 2005 article on the New Yorker, Jane Mayer introduced evidence linking the Survival, Evasion, Resistance, and Escape school at Fort Bragg, N. C., and real-world interrogators, strengthening the suspicion of many Human rights organisations who have repeatedly raised concern over a possible connection between interrogations serving the American President George W. Bush's so-called "war on terror" and a secretive military survival school that provides elite U.S. troops with courses on ways to resist torture.

Citing documents embedded among 1,000 pages obtained by the American Civil Liberties Union through the Freedom of Information Act, Salon said that U.S. guards and interrogators working at the U.S. detention facility in Guantanamo Bay, where repetitive scandals of abuse and torture of detainees drew calls from various politicians and human rights

groups to close down the prison camp, received training at the hands of U.S. Army school that trains soldiers to survive torture.

SERE instructors taught U.S. interrogators at Guantanamo prison their methods and techniques, according to a March 2005 sworn statement by the former chief of the Interrogation Control Element at Guantánamo, produced as part of an investigation by Air Force Lt. Gen. Randall Schmidt into accusations including "degrading and abusive" treatment of detainee Mohammed al-Khatani, the alleged September 11 20th hijacker.

"When I arrived at GTMO," reads the statement, "my predecessor arranged for SERE instructors to teach their techniques to the interrogators at GTMO ... The instructors did give some briefings to the Joint Interrogation Group interrogators."

"This is the missing link," declared Leonard Rubenstein, executive director of Physicians for Human Rights. "It is proof that the SERE training was in fact used, for a time at least, as a basis for interrogations at Guantánamo."

"That is what I inferred had happened," said retired Brig. Gen. Stephen Xenakis, former commanding general of the Southeast Regional Army Medical Command.

"But I have never seen this documented anywhere."

The statement also said that Fort Bragg was the incubator of the abuse that was transferred from Guantánamo to Abu Ghraib jail near the Iraqi capital- a further evidence of the systematic nature of torture Washington uses to extract information from suspects it detains as part of its "war on terror."

The interrogations chief affirmed that SERE instructors taught techniques to interrogators at Guantánamo sometime before his arrival, when the Pentagon was developing some of the inhuman interrogation techniques that later surfaced in April 2004 abuse scandal in Iraq.

Bush's administration currently holds about 450 detainees at its Guantanamo jail in Cuba, part of its so-called campaign to root out terrorism following September 11 attacks in 2001, some have been held for nearly three years without charges or access to attorneys.

And on Thursday, the U.S. Supreme Court ruled that the U.S. government violated the Geneva Conventions and the U.S. military code of justice when it ordered a military tribunal to prosecute Salim Ahmed Hamdan, whom it alleges is the former driver for Al Qaeda leader Osama bin Laden.

The court declared 5-3 that the trials for 10 suspects violate U.S. military law and the Geneva conventions.

Pressure on the U.S. President over the Guantanamo prison intensified recently following news that three prisoners there had committed suicide- the first people to have died at the U.S. military base in Cuba since the prison was established nearly five years ago.

<http://www.cageprisoners.com/articles.php?id=14936>

SOURCE: AlJazeera.com

Extradite Khadr, Lawyers Urge

WASHINGTON — Omar Khadr's Canadian lawyers say he should be extradited to Canada from Guantanamo Bay now that the U.S. Supreme Court has ruled that American military war crimes trials for the detainees are illegal.

"They should send him back to Canada," Edmonton lawyer Dennis Edney said about Khadr, the 19-year-old Canadian held at the U.S. prison camp in Guantanamo since he was captured in Afghanistan in 2002.

"We have laws dealing with war crimes committed abroad," Edney said today.

But the Canadian government — and not Khadr's lawyers — must make the extradition request.

Edney blasted Ottawa for failing to take a stand in Khadr's case. He also said the Canadian government has not taken a position on the Guantanamo facility while other countries have demanded it be closed.

"We have a government that hasn't said a word," Edney said. "They have been using silent diplomacy. I have three binders full of letters from Foreign Affairs that don't say anything."

Nathan Whitting, who also represents Khadr, applauded the U.S. court ruling but said Khadr is still in legal limbo. He said Khadr should either be released or put on trial in a court where he's guaranteed due process.

"It should be in Canada," he said from Edmonton. "If not, a U.S. domestic court."

Khadr is charged with murder and other counts after allegedly killing a U.S. army medic during a firefight in Afghanistan when he was 15 years old.

In a stinging blow to the administration, the U.S. Supreme Court ruled today that President George W. Bush overstepped his authority in creating the military trials for detainees in the war on terror.

Bush suggested he'll now ask Congress for approval to try terrorism suspects before U.S. military tribunals.

But the Center for Constitutional Rights in New York said there is a "big hill to climb" in proceeding with the cases now because some of the evidence was obtained by torture, and there hasn't been adequate access to defence lawyers.

"We certainly think people should not be held any longer at Guantanamo," the centre's president Michael Ratner said from New York.

"They should either be charged or released. I don't think there's any middle ground."

Ratner said he thinks the centre's so-called habeas corpus applications to free Khadr and the other prisoners will now proceed rapidly in a U.S. Federal Court.

Khadr is one of only 10 detainees among some 460 inmates to be charged at a military tribunal held at the U.S. naval base in Cuba. Pre-trial motions were underway. Khadr's case was supposed to resume this week but was postponed pending the top court ruling.

Edney, who called the court ruling "staggering," said Khadr is now entitled to "a real court with real laws of evidence."

"That can't take place in the free-for-all of Guantanamo Bay."

Whitting said the military commissions set up by Bush after the terrorist attacks on Sept. 11, 2001, appear to have been "blown out of the water."

"But I'm not 100 per cent sure of that. My concern is that they can change the process and save the thing."

<http://www.cageprisoners.com/articles.php?id=14935>

SOURCE: Toronto Star

World Sceptical Over Guantanamo Bay Ruling

By PAISLEY DODDS

Associated Press Writer

LONDON (AP) - Some saw the beginning of the end for Guantanamo Bay, others a vindication for Europeans who have condemned the U.S. prison camp. Still others saw a toothless ruling that will ultimately make no difference in a climate where they believe Washington is determined to have its way.

The U.S. Supreme Court's ruling Thursday that President Bush overstepped his authority in ordering military trials for a handful of Guantanamo Bay detainees provoked a range of reactions, from jubilation to deep skepticism.

In immediate terms, the decision will simply force the United States to look for other ways to try some 10 men charged with crimes. But some people saw wider implications - predicting it could force the Bush administration to address the continued detention of about 430 others, many held for more than four years without charge.

``A lot of us remain skeptical of what this decision will actually accomplish because it only applies to the handful of men who have been charged and Bush has not respected past court decisions," said Moazamm Begg, 37, who was held at Guantanamo for more than two years. ``That said, I'm very glad to hear the news and hope it will be the beginning of the end for many of these men."

The camp has been a delicate diplomatic issue between the United States and Europe, where Britain's Attorney General Lord Peter Goldsmith said America had betrayed its own principles of freedom, liberty and justice.

German Chancellor Angela Merkel had also called for the camp's closure. Prime Minister Tony Blair, Bush's closest ally in the war against terror, even called the camp an anomaly.

The camp came under worldwide condemnation shortly after it opened more than four years ago, when pictures captured prisoners kneeling, shackled and being herded into wire cages. It intensified after reports of prisoner abuse, heavy-handed interrogations, hunger strikes, suicides and accounts from released detainees who described years of desperation associated with the legal limbo that has ensnared hundreds of prisoners.

``In a diplomatic point of view, this (ruling) is going to increasingly marginalize the United States politically within those parts of the European Union that have always had misgivings about Guantanamo," said Sonya Sceats, an international human rights law expert for Chatham House, a London-based think tank. ``The decision will increase pressure on the European Union for the return of nationals remaining at Guantanamo Bay."

Some EU leaders have called for detainees to be tried in the International Criminal Court, but the Bush administration has maintained that the men - accused of links to Afghanistan's ousted Taliban regime or to al-Qaida - are enemy combatants, a classification that has afforded them fewer rights under the Geneva Conventions than if they were declared prisoners of war.

The EU has called for the camp's closure, saying that prisoners were held in a legal vacuum.

Charles Parker, a terrorism researcher at the Swedish Institute of International Affairs, said the EU is likely to applaud the Supreme Court's ruling that the military courts violated the Geneva Convention.

``It vindicates what they have been saying all along," Parker said.

Bob Ayers, a homeland security and intelligence expert at Chatham House, predicted the ruling will have little impact.

``Basically I don't think the decision is going to make any difference. The United States is not going to turn all of these people loose. The EU has not said, 'Send them to us and we'll house them for you.' What is the solution?"

Amnesty International, one of the most vocal critics of the detention center, hailed the ruling.

``Today's Supreme Court ruling blocking the military commissions set up by President George W. Bush is a victory for the rule of law and human rights, the London-based group said.

The former Afghan ambassador to Pakistan under the Taliban, who spent almost four years in Guantanamo before being released in September, said the facility's military tribunals were ``an insult to humanity and human rights."

``The Supreme Court must be neutral and must respect human rights. They must give justice," Abdul Salam Zaef said in the Afghan capital, Kabul. ``It was a good decision to condemn Bush's decision, which was not correct, not good."

Lawyers for the handful of detainees who have been charged said the ruling could be the beginning of the end of the prison camp.

``There certainly will be some fallout from this, and it may very well lead to the closing of Guantanamo Bay in the near future," said Army Maj. Tom Fleener, who represents Ali Hamza Ahmad Sulayman al-Bahlul, a Yemeni.

``Just by the court ruling essentially that Guantanamo is not a lawless area and that we have to comply with Geneva Conventions, it's going to change everything from how people are held to interrogation techniques that are used to the types of information they can have or can't have."

British lawmakers said the ruling could force the United States into a firm decision on the remaining prisoners at Guantanamo.

Mike Gapes, chairman of Britain's parliamentary foreign affairs committee, saw three options - `` to release those who can be safely released, to prosecute others within properly and in accordance with U.S law and to send the rest back to their home countries, who can decide whether they should be prosecuted or not."

Jose Diaz, spokesman for U.N. High Commissioner for Human Rights, welcomed the ruling.

``The decision is a case of restoring the judiciary to its proper place in a system of checks and balances, which is essential in upholding the rule of law," he said.

<http://www.cageprisoners.com/articles.php?id=14933>

SOURCE: The Guardian

Work Continues on New Guantanamo Prison Facility

By Richard Sisk

New York Daily News

WASHINGTON - The 450 prisoners at Guantanamo Bay won't be going anywhere soon - except to a new Gitmo jail under construction - despite the Supreme Court ruling Thursday barring their trials before military tribunals.

"Nobody gets a `get-out-of-jail-free' card," said White House Press Secretary Tony Snow. "This will not mean closing down Guantanamo."

Or, as President Bush stressed, the ruling "won't cause killers to be put out on the street."

Snow also said that the prisoners could be held longer than they would have if the military trials had been allowed to proceed. "That possibly could be the case, yes," Snow said.

Sen. Hillary Clinton, D-N.Y., said the President must work out new rules for those he wants to put on trial - in accordance with the Geneva Conventions and U.S. military law.

While the President negotiates with Congress on the new rules, construction workers from a Halliburton Corp. subsidiary were preparing the new \$30 million maximum-security jail at the naval base on Cuba's southeastern coast for an August opening.

Before the Supreme Court ruling, Bush had designated only 14 of the 450 prisoners at Guantanamo for trial. A senior administration official said that formal charges were being considered against "40 to 80" others.

At least 120 inmates have been designated for release, but they remain at Guantanamo as the administration seeks to get their home countries to take them back.

Other prisoners are in legal limbo. Many are deemed by the administration to be too dangerous to be released, although evidence was lacking to bring them to trial.

Congressional leaders and legal experts said the court ruling would lead to stepped-up diplomatic efforts by the administration to find countries that will accept the prisoners.

"There could be accelerated efforts to return them to their native countries," said Sen. John Warner, R-Va., head of the Armed Services Committee.

"I think we'll see an accelerated return of detainees to their home states, or some state that will accept them, and a few will be kept in Gitmo while the administration tries to figure out what to do with them," said Gary Solis, of Georgetown University.

"The few that we keep may be around for a long, long time," Solis said.

<http://www.cageprisoners.com/articles.php?id=14931>

SOURCE: New York Daily News via Bradenton Herald

Bush Refuses To Abandon Tribunals

US President George Bush has refused to rule out military tribunals for inmates at Guantanamo Bay detention centre.

His administration was dealt a blow on Thursday when the Supreme Court ruled it had overstepped its authority in setting up the tribunals.

But Republican senators immediately began planning how to win congressional approval for new tribunals.

The ruling came in response to a case brought by Osama Bin Laden's ex-driver, Salim Ahmed Hamdan.

He is one of 10 Guantanamo inmates facing a military tribunal, but demanding to be tried by a civilian tribunal or court martial, where proceedings would be more open and defendants would have greater access to the evidence against them.

The Supreme Court has once again demonstrated its vital constitutional role as a check and balance

Democrat Senator Carl Levin

His lawyer said he was "awe-struck" at the court's ruling.

The Cuba-based facility currently holds about 460 inmates, mostly without charge, whom the US suspects of links to al-Qaeda or the Taleban.

No 'sweeping mandate'

In its ruling, the court said military tribunals contravened both the Geneva Convention on the treatment of prisoners, and the US code of military justice.

It also ruled that the tribunals were not expressly authorised by any congressional act, and there was no "sweeping mandate for the president to invoke military commissions whenever he deems them necessary".

But the ruling does not demand the release of prisoners held at Guantanamo, and it does hold out the possibility of coming up with another way of trying those held.

President Bush told reporters he promised to take the findings of the court "very seriously". But he signalled he might seek congressional approval to resurrect the tribunals.

"To the extent that there is latitude to work with the Congress to determine whether or not the military tribunals will be an avenue in which to give people their day in court, we will do so," he said.

"The American people need to know that this ruling, as I understand it, won't cause killers to be put out on the street."

Within minutes of the court ruling, a small group of Republican senators were working the phones trying to sort out the mess, reports the BBC's Justin Webb in Washington.

A former military lawyer who is leading the efforts to salvage the tribunal system, Senator Lindsey Graham, predicted that the Senate would begin work on ideas for new tribunals within weeks and vote on the plan in September.

Meanwhile, Sen Arlen Specter, a moderate Republican who chairs the powerful judiciary committee, introduced an "Unprivileged Combatant Act" which would, he said, balance "the need for national security with the need to afford detainees with sufficient due process".

White House spokesman Tony Snow underlined the administration's resistance to abandoning the special courts.

"Nobody gets a 'get out of jail free' card," he said.

Ruling welcomed

Mr Hamdan had success in his first legal outing, in the US District Court in Washington, which ruled that he could not face a military trial unless he had previously been found not to be a prisoner of war under the Geneva Convention.

He claims POW status, but like all camp prisoners, he is denied this and is instead designated an "unlawful combatant" by the Bush administration.

However, an appeal court reversed this decision and said Mr Bush had the authority to order the trials.

This latest decision was welcomed by human rights groups, lawyers for inmates and some politicians including senior Democrat Senator Carl Levin.

"The Supreme Court has once again demonstrated its vital constitutional role as a check and balance on the actions of the executive and legislative branches of government," he said in a statement.

<http://www.cageprisoners.com/articles.php?id=14930>

SOURCE: BBC News

Congressional Hearings on Guantanamo Set

By **LOLITA C. BALDOR**

Associated Press Writer

WASHINGTON (AP) - The Supreme Court's rebuff of the Bush administration's Guantanamo military tribunals knocks the issue into the halls of Congress, where GOP leaders are already trying to figure out how to give the president the options he wants for dealing with suspected terror detainees.

That way forward could be long and difficult. Congress will negotiate a highly technical legal road - one fraught with political implications in an election year - under the scrutiny of the international community that has condemned the continued use of the Guantanamo prison.

The ruling does little to clear up the immediate future of the 450 prisoners inside the razor wire at the Guantanamo Bay Naval Base, Cuba, since most have never been charged with crimes and may never go to trial.

Within hours of the high court's ruling that the military tribunals were illegal under U.S. and international law, President Bush said he would work with Congress to fix the problem. Still, Bush vowed that the result ``won't cause killers to be put out on the street."

Congress' options include everything from legalizing the administration's proposed military tribunals to using the U.S. court system or enacting laws that, as Justice John Paul Stevens recommended, use military courts-martial as a template.

Stevens, writing for the court in the 5-3 ruling, said the Bush administration lacked the authority to take the ``extraordinary measure" of scheduling special military trials for inmates, in which defendants have fewer legal protections than in civilian U.S. courts.

Nothing in the ruling suggests shutting down the facility or challenges Bush's authority to detain enemy combatants.

Senate Majority Leader Bill Frist, R-Tenn., said he would introduce legislation after the July 4 recess that would authorize military commissions and appropriate due process procedures. Senate Judiciary Committee Chairman Arlen Specter, R-Pa., introduced a bill Thursday that did essentially that.

``To keep America safe in the war on terror, I believe we should try terrorists only before military commissions, not in our civilian courts," Frist said.

The court ruling focused on Salim Ahmed Hamdan, a one-time driver for Osama bin Laden who has spent four years at Guantanamo Bay. He faces a single count of conspiring to commit terrorism.

Lt. Cmdr. Charles Swift, Hamdan's Navy lawyer, said he told the Yemeni about the ruling by telephone. ``I think he was awe-struck that the court would rule for him, and give a little man like him an equal chance. Where he's from, that is not true," Swift said.

Human rights groups endorsed proposals to use the courts-martial proceedings, saying it is a fairer proceeding. But military officials say changing the procedures to mimic courts-martial - which are largely similar to U.S. court proceedings - would bring problems.

Katherine Newell Bierman, counterterrorism counsel at Human Rights Watch, said courts-martial provide the basic fair trial guarantees that are lacking in the proposed military tribunals.

In the tribunals, she said, the accused have less access to the evidence against them, particularly if it is considered classified. Courts-martial, she said, have rules about how to deal with classified evidence, and they also have more stringent rules about prohibiting evidence that was acquired unlawfully, such as through duress or forced confessions.

Curt Goering, deputy executive director of Amnesty International, said any new rules should specify that evidence obtained under pressure should not be admissible.

``In light of the long years people have spent there, and the physical and mental abuses that have been perpetrated, and the legal limbo they've been subjected to for so long, they should really scrupulously respect international standards that have been developed for trials," he said.

Military officials, however, has said that using courts-martial could handcuff their ability to prosecute suspected terrorists because of the need to protect classified information.

The high court's ruling was viewed as a broad rebuke of the Bush administration's aggressive efforts to root out and jail enemy combatants in the war on terror.

But it may, as another alternative to the trials, accelerate efforts to transfer or release more of the detainees - many of whom have been there for more than three years.

Of the 450 detainees being held, 10 have been charged with crimes and four more have had charges prepared against them but were never formally charged or arraigned.

Another 99 detainees have been deemed eligible for transfer to their home countries and 16 have been found eligible for release. They could be shipped out of the facility as soon as the U.S. negotiates transfers or releases with their home countries.

A key impediment to the transfers, however, is the concern that the detainees might be tortured or killed once they reach their homeland.

The U.S. began using the Guantanamo Bay Naval Base in eastern Cuba in January 2002 to hold people suspected of links to al-Qaida or the Taliban.

As many as 759 people have been held over the years at Guantanamo, according to Defense Department documents released to The Associated Press in response to a Freedom of Information Act lawsuit. Of those, 218 have been Afghans, the largest group, and 136 have been Saudis.

The ruling came on the court's final day before summer break, and Chief Justice John Roberts was sidelined in the case because as an appeals court judge he had backed the government in this case last year. That ruling was overturned Thursday.

On the Net:

Supreme Court: www.supremecourtus.gov/

<http://www.cageprisoners.com/articles.php?id=14928>

SOURCE: The Guardian

July 01, 2006

Pakistani Officials To Visit Guantanamo in July

ISLAMABAD (Reuters) - Pakistani officials plan to visit the U.S. detention center at Guantanamo Bay next month to check how many of their citizens are being held, Interior Minister Aftab Ahmed Khan Sherpao said on Friday.

In a rebuke of President George W. Bush's tactics in the war on terrorism, the U.S. Supreme Court on Thursday found the military tribunals set up to try Guantanamo prisoners were illegal and violated Geneva Conventions and U.S. military rules.

Sherpao said Pakistan had asked the U.S. government to provide consular access to its citizens held in Guantanamo Bay and was trying to secure their release.

"They (the U.S) have agreed and our team will be going there from 19 to 21st July," the minister told reporters.

Sherpao said there was some confusion over the number of Pakistanis held at Guantanamo, as the latest figure of 29 does not tally with earlier figures.

The minister said the discrepancy probably meant more Pakistanis were being held at the U.S. airbase at Bagram in Afghanistan, and Pakistani officials would also seek access there.

Pakistan, a key ally of the U.S. in the war on terror, arrested about 700 al Qaeda and Taliban activists and handed them over to U.S. authorities.

The U.S. military opened Guantanamo as a prison camp for suspected Islamic militants in 2002, mostly suspected al Qaeda members captured in Pakistan and Afghanistan.

The prison has drawn strong criticism from foreign governments and rights groups ever since.

<http://www.cageprisoners.com/articles.php?id=14986>

SOURCE: Reuters via Boston Globe

6 Frenchmen Arrested in Guantanamo Base Will Face Trial on Monday

Washington. Six Frenchmen who were held prisoners for months in Guantanamo jail will face trial on Monday on accusation of having participated in association with criminal intent in connection with terrorist organization at a case in France, RFI reports.

The issue concerning the legitimacy of the US prison for detention will be probably voted further, moreover after the decision of the US Supreme Court that concluded that George Bush had no right of opening such a center.

US Supreme Court announced that these prisoners should be under the Geneva Convention rather than the invented concept "enemy fighters" which absolutely lacks juristic meaning. That was why the Geneva convention was the only rational choice.

<http://www.cageprisoners.com/articles.php?id=14985>

SOURCE: Focus-fen.net

'Real Cases' Rare in Guantanamo

THE Guantanamo camp may have only 30 to 40 "real" cases and the US detention centre should be shut down by 2007, the president of the Belgian Senate, who headed a European inspection team there, said overnight.

Presenting her findings in Washington on behalf of the Organization for Security and Cooperation in Europe (OSCE), Anne-Marie Lizi recommended the shutting down of the US "war on terror" detention centre by end of 2007 because the actual number of dangerous detainees was low.

"We have looked at all the categories of detainees: those who are supposed to be transferred, those who are valuable for procedure," Ms Lizi said.

"The number of those, when you discuss it with the people in this jail, could move from 70 to a little more than 100 but not more. And in some cases, people say we could have only 30 to 40 real valuable cases," she said.

Her report says Guantanamo now has some 460 detainees.

The Supreme Court issued a landmark ruling Thursday against the US use of military tribunals for Guantanamo Bay detainees, but the verdict did not touch the detention centre's future.

The ruling has forced the US administration to rethink its strategy for the "war on terror" tribunals.

<http://www.cageprisoners.com/articles.php?id=14979>

SOURCE: The Advertiser.news.com.au

Detainees May Test Reach of Guantánamo Ruling

By **NEIL A. LEWIS**

WASHINGTON, June 30 — Federal courts will soon have to grapple with the reach of the Supreme Court's ruling this week on terror suspects, including whether detainees at Guantánamo Bay and elsewhere may move to assert their rights under the Geneva Conventions, several human rights officials and academics said Friday.

Nearly all the more than 400 petitions filed by Guantánamo prisoners challenging their detention include a claim that American authorities have violated their rights under what is known as Common Article 3 of the Geneva Conventions, which prohibits torture and cruel, inhumane and degrading treatment.

In its 5-to-3 ruling on Thursday, the court majority said that Common Article 3 could be invoked by an inmate at Guantánamo to challenge the Bush administration's use of military commissions to try him for war crimes.

Bill Goodman, the legal director of the Center for Constitutional Rights, a New York group that has coordinated efforts to file motions known as habeas corpus petitions on behalf of most Guantánamo detainees, said the court ruling provided new impetus to challenge the detentions.

"We think the Supreme Court's statements about the Geneva Conventions revitalizes those petitions," Mr. Goodman said. "It should give them more traction."

Mr. Goodman said that his group would soon file a supplemental motion with the federal appeals court based in Washington that is considering whether Guantánamo detainees may bring habeas corpus challenges to their detentions. He said the motion would emphasize the Supreme Court's holding that individuals may invoke the Geneva Conventions protections against mistreatment.

The Supreme Court ruling overturned a firmly worded opinion from the same federal appeals court that Guantánamo detainees had no recourse to the Geneva Conventions.

In addition to the impact the Supreme Court's ruling may have on the habeas corpus petitions of Guantánamo inmates, lawyers may use it in other ways.

Kenneth Roth, the executive director of Human Rights Watch, a worldwide advocacy group, said that the ruling might be used to challenge detentions at the Bagram Air Base in Afghanistan and perhaps even those of senior officials of Al Qaeda being held in secret jails around the world run by the Central Intelligence Agency.

"What's truly striking about the ruling is that all detainees, even Al Qaeda members, are entitled to the protections of Geneva," Mr. Roth said.

He contended that the detention center at Bagram Air Base north of Kabul was, like Guantánamo, a fixed site unquestionably under American control, meaning that it could be subject to the same rationale used by the court in the Guantánamo ruling. The so-called high value detainees, the senior Qaeda officials, might not be held at a fixed location, he said, but they were permanently in American custody.

Some legal scholars questioned whether the ruling would have that reach but said its greatest impact was in destroying the administration's claims that it could unilaterally decide when coercive treatment was permissible and also assure interrogators they would not be liable for following instructions.

Harold Hongju Koh, the dean of the Yale Law School and an authority on national security law, said that while the ruling had broad implications in allowing individuals who were denied rights guaranteed by treaty to bring lawsuits, there was a more important consequence. The ruling provides "a stunning rejection of the government's approach going back to just after Sept. 11 that it did not have to respond within the framework of international and constitutional law," Mr. Koh said.

He said the court's opinion would strengthen the hand of government officials who had unsuccessfully resisted the administration policymakers who created a system in which the executive branch could impose its policies unilaterally, ignoring treaties and precedents.

Prof. Neal K. Katyal of the Georgetown University Law School, who successfully argued the Guantánamo case before the court, said he was reluctant to conclude that the ruling would have a great impact on other cases. Mr. Katyal said the ruling that the military commissions were unlawful "did not create some kind of free-standing claim in which a detainee can walk into court tomorrow and say, 'Hey, I'm being held in violation of Geneva.' "

But he said the ruling would, nonetheless, "dramatically change the way the administration conducts detention and interrogation operations." He said that even if there was no opportunity to use the Geneva treaties to bring a lawsuit in other areas, officials would now be wary of engaging in behavior that could violate Common Article 3.

"If you're a C.I.A. officer, an interrogator, you have to worry about your liability," Mr. Katyal said. "This administration may not prosecute, but it also cannot inoculate you from the decisions of some future administration. I think individuals are not going to risk that kind of liability."

Deborah N. Pearlstein, a lawyer with Human Rights First and a visiting scholar at Princeton, said that the reach of the ruling had yet to be determined. "The court has squarely teed up the question: What does it mean that the president is bound by the Geneva Conventions and what does it mean for detainees who are now seeking some remedy for the torture and abuse they may have suffered?" Ms. Pearlstein said.

She said that the ruling could give added ammunition to the civil lawsuits brought against American officials like Defense Secretary Donald H. Rumsfeld by Iraqi and Afghan detainees who say they were tortured.

She said it also meant the end of a debate over whether a new Army field manual could include a classified set of abusive interrogation techniques.

<http://www.cageprisoners.com/articles.php?id=14976>

SOURCE: New York Times

Saudi Urges US To Send Home Bay Detainees

TAELLBERG, Sweden: Saudi Arabia's ambassador to the US said yesterday Saudi citizens detained at the Guantanamo Bay detention centre should be allowed to return to their homeland to face trial there.

Attending a conference on globalisation, Prince Turki Al Faisal said Saudis incarcerated in the centre for suspected links to terrorist organisations should be delivered to Saudi Arabia.

"If there are any crimes that they have committed they will be tried in Saudi courts and face punishment for those crimes," he said.

On Thursday, the US Supreme Court ruled that President George W Bush exceeded his powers by creating military tribunals for prisoners at the Guantanamo Bay detention centre.

About 460 inmates, whom the US suspects of having links to Al Qaeda or the Taliban, are currently held in the Cuba-based facility.

Prince Turki Al Faisal said it was against human rights to indefinitely incarcerate people without charging them.

"Choosing the easier path of simply excluding whoever it is from society and from considerations of human rights and civil liberties would be inimical to the practice of human rights and civil liberties," he said.

The Supreme Court ruling has been welcomed by the European Union, human rights groups as well as lawyers for the detainees.

<http://www.cageprisoners.com/articles.php?id=14974>

SOURCE: Gulf Daily News

Howard 'Finally Moves On Hicks'

JOHN Howard had finally joined Labor in calling for Guantanamo Bay detainee David Hicks to go to trial in front of a US civil court, Opposition Leader Kim Beazley said today.

Mr Howard should already have demanded that the US Government put Hicks to trial or send him home two years ago, Mr Beazley said.

"Two years ago, we in the Labor Party argued that David Hicks should be placed before a US civil court to answer the charges that have been made against him," Mr Beazley said.

"Finally yesterday, John Howard, having failed to argue with his friends in the United States that this should occur, finally joined the Labor Party in asking for the same thing.

"If Howard had the guts to say that to the American President then, if he had the courage of Tony Blair, then we wouldn't be holding this discussion here today.

"Either that trial would have occurred or Hicks would have been sent home as happened with the British who were picked up in the same raids (that uncovered Hicks)."

Mr Beazley said he was in no way condoning the accusations against Hicks.

"Don't get me wrong, he was caught on the battlefield with some very bad people and the Americans believe he has charges he ought to answer.

"Well, he should answer them, but he should answer them in a civil court in a fair procedure."

<http://www.cageprisoners.com/articles.php?id=14972>

SOURCE: The Advertiser.news.com.au

Found: 'Non-contactable' Witnesses Who Could Free a Guantánamo Detainee

Declan Walsh in Gardez, Afghanistan

The United States government said it could not find the men that Guantánamo detainee Abdullah Mujahid believes could help set him free. The Guardian found them in three days.

Two years ago the American military invited Mr Mujahid, a former Afghan police commander accused of plotting against the US, to prove his innocence before a special military tribunal.

As was his right, Mr Mujahid called four witnesses from Afghanistan.

But months later the tribunal president returned with bad news: the witnesses could not be found. Mr Mujahid's hopes sank and he was returned to the wire-mesh cell where he remains today.

The Guardian's search for Mr Mujahid's witnesses proved successful within three days. One was working for President Hamid Karzai, another was teaching at a leading American college and the third was living in Kabul. The fourth was dead.

Each witness said he had never been approached by the Americans to testify in Mr Mujahid's hearing.

The case illustrates the flaws that have discredited Guantánamo-style justice and which led the US supreme court to declare such trials illegal on Thursday in a major rebuke to the Bush administration.

Mr Mujahid is one of 380 Guantánamo detainees whose cases were reviewed at "combatant-status review tribunals" in 2004 and 2005. The tribunals were hastily set up following a court ruling that the prisoners, having been denied all normal legal rights, should be allowed to prove their innocence. Ten of the hearings proceeded to full trials, including that of Osama bin Laden's aide, Salim Ahmed Hamdan, who brought the successful supreme court appeal.

But by the time the review tribunals ended last year the US government had located just a handful of the requested witnesses. None was brought from overseas to testify. The military lawyers simply said they were "non-contactable".

That was not entirely true.

Abdullah Mujahid was originally identified by Washington-based reporters from the Boston Globe after trawling through pages of testimony from the military trials. American forces arrested Mr Mujahid in the southern Afghan city of Gardez in mid-2003, claiming that he had been fired as police chief on suspicion of "collusion with anti-government forces", according to official documents. Later, they alleged, he attacked US forces in retaliation.

In the military tribunal Mr Mujahid protested his innocence. He enjoyed good relations with American soldiers and had been promoted, not fired, he said.

The three living witnesses he requested were easily located with a telephone, an internet connection and a few days' work.

Shahzada Massoud was at the presidential palace, where he advises Mr Karzai on tribal affairs. Gul Haider, a former defence ministry official, was found through the local government in Gardez.

The interior ministry gave an email address for the former minister, Ahmed Ali Jalali, although he could as easily have been found on the internet - he teaches at the National Defence University in Washington DC.

The witnesses corroborated Mr Mujahid's story with some qualifications. Mr Jalali, the former interior minister, said Mr Mujahid had been fired over allegations of corruption and bullying - not for attacking the government.

Mr Haider, the former defence official, said Mr Mujahid had contributed 30 soldiers to a major operation against al-Qaida in March 2002. "He is completely innocent," he said.

In Gardez, Haji Muhammad Hasan, 65, keeps a stack of Red Cross letters as the only proof of his son's whereabouts. "I feel completely helpless," he said in despair. Beside him the detainee's shy sons - aged three, four and five - waited for news of a father they could hardly recall.

<http://www.cageprisoners.com/articles.php?id=14971>

SOURCE: The Guardian

Saudi Arabia Requests Additional Information To Prove Guantanamo

By Turki al Suhail

Riyadh- Saudi Arabia requested additional information from the US authorities on Thursday on the circumstances surrounding the suicides of two of its citizens held in Guantanamo Bay in Cuba, earlier this month.

The medical committee which carried out an autopsy on the bodies of Mani al Utaibi and Yasser al Zahrani, earlier this week, demanded the US hand over additional proof that the men killed themselves, such as video recordings or medical reports showing they were psychologically imbalanced, according to informed sources.

The body of a third prisoner involved in the June 10 suicide, Ali Abdullah Ahmad, was transferred to his family Monday.

It has also asked to be shown any letters or suicide letters the detainees left behind. Earlier this month, a US military spokesman had claimed the men had written suicide notes in Arabic but he did not reveal their content.

The sources indicated that, if granted, the requests would form part of the Saudi coroner's extensive investigation into the deaths.

On Thursday, al Zahrani was buried in Medina while al Utaibi was laid to rest in a nondescript grave at the Nassim cemetery on the outskirts of Riyadh.

<http://www.cageprisoners.com/articles.php?id=14970>

SOURCE: Asharq Alawsat

U.S. Military Seized Prisoners' Letters in Suicide Inquiry: Guantanamo Lawyers Suicides

SAN JUAN, Puerto Rico (AP) - Lawyers for terror suspects at the U.S. prison camp at Guantanamo Bay, Cuba, said Friday the military has confiscated letters they have written to prisoners and other legal papers as part of an investigation into three apparent suicides earlier this month.

The military has not disclosed the reason for taking the papers but lawyers said at least one prisoner claimed it's because prison officials suspect the lawyers may have had advance knowledge of suicide attempts, or even encouraged them as a form of protest - an allegation they deny.

A military legal official told defence lawyer Richard Wilson investigators had seized all personal papers from every detainee as part of the investigation into the suicides, said an affidavit filed this month.

Wilson, who represents Canadian detainee Omar Khadr, said in his affidavit the military official told him he "did not believe that there is any investigation of attorneys themselves as to involvement or encouragement of the deaths."

However, that contradicts what at least one detainee, Binyam Muhammad, an alleged al-Qaida member from Ethiopia, told his military-appointed counsel, U.S. air force Maj. Yvonne Bradley: that guards told him they seized all his legal materials as part of an investigation into "whether lawyers had actively encouraged detainees to commit suicide," Wilson wrote.

"They think that they are going to find letters from us suggesting suicide. It's ludicrous," said Clive Stafford Smith, legal director for Reprieve, a British human rights group that has filed legal challenges on behalf of about 35 detainees.

The U.S. Center for Constitutional Rights, which has filed legal challenges on behalf of about 200 detainees, plans to have one of its lawyers look into the seizure of the legal papers and press for their return during a visit to Guantanamo next week, said Bill Goodman, the group's legal director.

"This is a huge breach of attorney-client privilege," Goodman said.

The papers deal mostly with the legal challenges filed on behalf of the detainees in civilian courts in the United States. On Thursday, the U.S. Supreme Court ruled these lawsuits could go forward, even though the U.S. Congress had stripped detainees of the right to file the petitions in December 2005. The court ruled the law couldn't apply to legal challenges begun before then.

The court also ruled plans to hold military war crimes trials for detainees violate both U.S. and international law. The administration of President George W. Bush now is looking to Congress for authority to deal with suspected terrorists.

The military confiscated the letters and other legal papers shortly after three detainees, two from Saudi Arabia and one from Yemen, hanged themselves inside their cells June 10 - the first deaths reported at the prison since it opened in January 2002.

A Guantanamo Bay spokesman, navy Cmdr. Robert Durand, referred questions about the legal papers to the Naval Criminal Investigative Service, which is handling the investigation into the deaths.

"The NCIS has the authority to collect whatever evidence it deems relevant," Durand said in an e-mail from Guantanamo.

A spokesman for the navy's investigative service declined comment.

The United States holds about 450 men at Guantanamo on suspicion of links to al-Qaida or the Taliban.

<http://www.cageprisoners.com/articles.php?id=14969>

SOURCE: Canada.com

July 02, 2006

Prosecutor Labels Hicks Case 'Disgraceful'

The New South Wales Director of Public Prosecutions has described the case of Australian Guantanamo Bay detainee David Hicks as an unprincipled disgrace.

Nicholas Cowdery, QC, says the Australian Government should have acted a long time ago.

He says the Government has no excuse now that the US Supreme Court has ruled that military commissions are unlawful.

Mr Cowdery says the reality is the detainees have not been treated according to the rule of law.

"These people have not been treated according to the rule of law but according to the rule of Bush and his cronies," he said.

Mr Cowdery says the Government must now seek to have Hicks returned to Australia.

"As I understand it, Hicks has not committed any offence against the law of Australia," he said.

"Just as the English nationals were released and taken back to England and are now living back in the community, so Hicks should be brought back to Australia and appropriate arrangements made under Australian law for whatever should happen to him back in the community in Australia."

Hicks has been detained at Guantanamo Bay for more than four years.

He is charged with conspiracy to commit war crimes, attempted murder by an unprivileged belligerent and aiding the enemy.

<http://www.cageprisoners.com/articles.php?id=15004>

SOURCE: News.com.au

Bahraini Guantanamo Detainee 'Poses No Danger'

MILITARY evidence suggests that a Bahraini being held at Guantanamo Bay poses no threat to anyone, his lawyers claimed yesterday.

Representatives of Salah Abdul Rasool Al Blooshi say documents to be presented to officials conducting an annual review of detainees show he cannot be considered an "enemy combatant".

The 24-year-old, who is one of three Bahraini men still being held at the prison camp, is approaching his fifth year without trial.

"During our last trip to Guantanamo we talked with Salah Al Bloushi regarding the Administrative Review Boards," said legal team head Joshua Colangelo-Bryan.

"These are proceedings that are supposed to determine if someone is still a threat.

"Of course, considering that Salah has never been accused of any involvement in any violence or terrorist activity, the question of whether he is 'still' a threat is preposterous.

"It is obvious that he never has been a threat, even in the opinion of the US military.

"The military recently provided documents to Salah showing what it referred to as "facts favouring detention" that would be considered by his next Administrative Review Board.

"Specifically, the military asserts that Salah went to Afghanistan long before September 11, 2001, when he heard about Buddhist statues being destroyed at Bamyan.

"According to the military, Salah went there to make sure that Afghans were Salafi Muslims.

"The military also says that Salah had 300 Bahraini dinars with him and that he stayed with a friend for two weeks in Kandahar.

"According to the military, this friend suggested that Salah give his passport to a man who is said to be associated in some way with Al Qaeda.

"Finally, the military said that Salah became sick for a month in Jalabad and then travelled to Afghan/Pakistani border."

Mr Colangelo-Bryan said his client disputed most of the accusations, but asked how they would make him an enemy combatant, even if they were true.

"Even using the government's ridiculously broad enemy combatant definition, where a little old lady in Switzerland who gives money to an Afghan charity is an enemy combatant, none of these accusations supports a finding that Salah is an enemy combatant or has ever been a threat to anyone," he said.

"As we have said for a long time, Salah should have been the first person to come home from Guantanamo. It is a tragedy that he remains there."

Mr Al Bloushi was reportedly arrested by Pakistani authorities after crossing over from Afghanistan in December 2001 and handed over to the US military.

The two other Bahrainis being held in Guantanamo Bay are Isa Al Murbati, 42, and Juma Al Dossary, 32, who has attempted suicide 13 times since his incarceration.

<http://www.cageprisoners.com/articles.php?id=15002>

SOURCE: Gulf Daily News

Germany Asked To Take in Four Guantanamo Prisoners: Report

MUNICH - Germany is being asked by Washington to accommodate four prisoners after their release from the Guantanamo Bay detention camp, a German news magazine reported on Saturday.

Focus said US President George W Bush had asked Chancellor Angela Merkel to take in the men because of the difficulties that would arise if they were sent back to their native countries.

It said Washington had set this as a condition for the release of Murat Kurnaz, a Turkish national who was raised in the German city of Bremen. Berlin has been pressing for his release and return to Germany. ' A German government spokesman said the Focus account was inaccurate.

"The government is conducting talks on a release of Murat Kurnaz. There is no condition of the nature descr," he said.

Kurnaz has been detained at the US camp on the island of Cuba for four years. He was caught in Cuba after the September 11, 2001 terrorist attacks on the United States and moved to Guantanamo Bay in 2002.

Focus said the German embassy in Washington and the Bush administration were close to an agreement, with Germany agreeing in principle to take one other detainee from the camp, but not four.

In the report carried in its edition to hit the streets Monday, Focus said the men would arrive soon. Germany had not been told who the other person to be released would be, nor why they could not return to their home country.

<http://www.cageprisoners.com/articles.php?id=14998>

SOURCE: Khaleej Times

Britain Urged To Take Back Eight Detainees

By Philip Sherwell

The US is stepping up pressure on Britain to take back eight terror suspects held in Guantanamo Bay, following the court defeat over special military panels for detainees.

John Bellinger, the chief legal adviser to the Secretary of State, Condoleezza Rice, has begun talks with British diplomats over the repatriation of the men, who, although not Britons, have residency rights in the UK. Efforts are also being made to repatriate others who have European residency.

Washington is frustrated at Britain's criticism of Guantanamo, while it fails to help reduce numbers at the detention centre. Officials accompanying President Bush to this month's G8 summit are expected to urge their British counterparts to agree a deal.

The Foreign Office secured the release of five British detainees, but has shown no interest in the return of those who only have UK residency rights. Lawyers for some of the eight recently sought a judicial review of the Foreign Office's policy.

The men's return to Britain would create a dilemma for the Government, which would have to decide what to do with them. The men, all Muslims, are either asylum seekers from countries such as Algeria and Libya, or long-term residents with close British relatives.

Clive Stafford Smith, the lawyer for five of the detainees, said: "The Government does not want to have anything to do with these people, but it will come under increasing pressure from the US to accept them back, as otherwise the Americans will argue that this is stopping them closing Guantanamo."

Only 10 detainees, including Binyam Mohammed, a former London schoolboy, have been charged so far. White House plans to try 80 of about 460 prisoners were outlawed by the Supreme Court ruling.

<http://www.cageprisoners.com/articles.php?id=14997>

SOURCE: The Telegraph

Gonzales: Gitmo Ruling 'Hampered' War on Terror

(CNN) -- The Supreme Court decision that ruled against the Bush administration's plan to try suspects being held at Guantanamo Bay prison has "hampered our ability" to deal with terrorists, the U.S. attorney general said Saturday.

Under the 5-3 court ruling, the Bush administration must adopt a military system for trying suspected terrorists consistent with international standards -- or release the suspects from military custody.

"What this decision has done is, it's hampered our ability to move forward with a tool which we had hoped would be available to the president of the United States in dealing with terrorists," Attorney General Alberto Gonzales told CNN.

The administration had planned to try suspects in military tribunals as "enemy combatants." They would not be eligible for the rights, as established by the Geneva Conventions, guaranteed to prisoners of war.

"We are currently evaluating the writings of the Supreme Court," Gonzales said, and "we are going to be working closely with Congress to look at legislation."

The administration is "hopeful that we will have the ability to try people through military commissions," he added.

Gonzales emphasized that the court ruling didn't say "that we could not continue to hold enemy combatants indefinitely for the duration of hostilities, which was something the Supreme Court said we could do..." The prison was established in early 2002.

"That path is still available to us. The president of the United States can continue to hold enemy combatants at Guantanamo. But we are looking at ways to provide as many tools as possible to the president of the United States in dealing with terrorists," he added.

The attorney general was in Cairo, Egypt, where he met with his counterparts on cooperation over law enforcement issues.

Saying that many people detained at Guantanamo Bay have been freed and returned to their homes, Gonzales said the United States has "no great desire to hold people forever and we don't intend to hold people forever."

Asked about the court's conclusion that the administration's system doesn't meet the basic requirements guaranteed by the Geneva Convention on rights of prisoners of war, Gonzales said that the White House needs to study the issue before it responds.

"I will say that from the outset the president has said that people detained by the military are going to be treated consistent with the principle of the Geneva Convention subject to military necessity."

Gonzales questioned the adequacy of a court-martial, as opposed to tribunal, in trying Osama bin Laden.

Under a court-martial, Gonzales said, bin Laden would "receive the same sort of procedures and protections that we afford members of our military" if he were captured.

"I don't know if that's the right approach quite frankly."

Gonzales also questioned whether a terrorism suspect should always be prosecuted in the U.S. criminal justice system, he said.

"Sometimes that is not the right approach. Sometimes it makes sense to either continue to detain them or to look at other avenues to bring them to justice."

The Guantanamo case was a major test of President Bush's authority as commander-in-chief in a wartime setting. Bush has aggressively asserted the power of the government to capture, detain and prosecute suspected terrorists in the wake of the September 11, 2001, terrorist attacks.

Most Gitmo prisoners were captured in Afghanistan, where U.S. troops are still battling remnants of the Taliban, the Islamic movement that harbored al Qaeda when it ruled Afghanistan from 1996 to 2001.

At the center of the Supreme Court ruling Thursday was a Yemeni man, Salim Ahmed Hamdan, accused of being associated with al Qaeda leader Osama bin Laden.

Hamdan was captured in Afghanistan in 2001, shortly after the 9/11 attacks. He has admitted being a personal assistant, bodyguard, and driver to al Qaeda leader Osama bin Laden, say officials.

He is accused of conspiracy, which his lawyers say is not an internationally approved charge. His lawyers argued that Bush exceeded his authority by setting up military commissions that don't give terrorist suspects full protection of military law. (Details)

Gonzales also weighed in on news reports of a Treasury Department program of collecting international banking records to try to track the flow of money to terrorists.

Discussing stories on highly classified programs, he said, "I would hope that... we could sit down with those responsible journalists and persuade them that it would harm our country if the story were to be published."

<http://www.cageprisoners.com/articles.php?id=14995>

SOURCE: CNN

No Plan Yet For Moving Gitmo Detainees

WASHINGTON, July 2 (UPI) -- The Bush administration faces a dilemma over where to place inmates from the Guantanamo Bay prison if the facility closes, The Washington Post said Sunday.

In the wake of a U.S. Supreme Court decision to stop using military commissions to try Guantanamo detainees, officials including President Bush are calling for the closing of the facility. However, no clear plan exists yet for the transfer or rehousing of the detainees.

The Bush administration does not want the men transferred to U.S. soil, citing security concerns, the Post said.

Among the options being discussed by officials are deportation for trial in the detainee's home country, construction of a brand new prison facility and a mass trial of up to 25 detainees at one time, the Post said.

About 450 terror suspects are still being detained at the U.S. Naval Base in Guantanamo Bay, Cuba. Approximately 100 of those men are considered to be too high a threat to society to ever be released, the Post said.

<http://www.cageprisoners.com/articles.php?id=15020>

SOURCE: UPI