

FIVE YEARS OF GUANTANAMO

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“If you think of the people down there (at Guantanamo Bay, Cuba), these are people, all of whom were captured on a battlefield. They’re terrorists, trainers, bomb makers, recruiters, financiers, (Osama bin Laden’s) bodyguards, would-be suicide bombers, probably the 20th 9/11 hijacker.”

—Donald Rumsfeld, Defence Secretary, US, June 2005, talking to reporters

Anas Al Banna, age 10 years, definitely does not know where does Guanta-namo lie? But it has been umpteen times that he has heard this name. It has been more than four years that his father Jamil Banna has been languishing there.

Grandma has told Anas, how her son—Jamil—was seized in Gambia and was accused of having a suspicious device in his luggage. Those were the days when US led ‘war against terror’ was in its full swing. And it did not matter to the people who were supposedly engaged in this war that the ‘suspicious device’ happened to be a mere battery charger. Till date no charges have been made against Jamil.

On Thursday, 11th January Anas would walk down to the door of 10 Downing Street to seek an answer to this simple query : Why can’t his dad come home? Anas, his mother Sabah and many other campaigners and MPs would try to present a memorandum to Prime Minister Tony Blair that the Guantanamo camp be closed and innocents be released.

It need be underlined that Anas’s memorandum to Blair cannot be considered a lonesome affair. In fact it forms part of the worldwide campaign for closure of Guantanamo, the infamous military prison based in Cuba, started by US after the forcible ouster of the Taliban regime in Afghanistan. As of now there are still four hundred people in that prison and it is clear to the world that they don’t have access to due process of law.

11th January marked the 5th anniversary of the opening of Guantanamo. Protests are scheduled around the world to call for the prison’s closing. According to *‘The Independent’* (www.independent.co.uk) : “Hundreds of protesters dressed in the notorious orange boiler suits that are the uniform at Guantanamo, planned separate protest outside the US Embassy” in London. Protests would also be held outside this US military prison. The US activists planned to march to the prison along with a former detainee and the mother of a man being held. Cindy Sheehan, mother of a US soldier who died in Iraq and a famous anti-war campaigner would also be joining the protest in Guantanamo. (www.democracynow.org)

Of course Bush government’s policy of brutal treatment of detainees has come under lot of flak. Today Guantanamo represents US administration’s “disastrous and unlawful policy of authorizing cruelty toward terror suspects” and President Bush’s decision, in 2002, to circumvent the Geneva conventions.

It was only last year that during the historic *Rasul vs Bush*, case of Guantanamo detainees, the Supreme Court ruled that US courts do indeed have jurisdiction over Guantanamo. Another federal judge also gave a ruling asking the Bush administration to release the names of all of the detainees being secretly held at Guantanamo and declaring these people innocent.

A report by a team of UN investigators, which looked into the condition of the detainees there, also proved to be devastating. It castigated the US administration over its treatment of Guantanamo Bay detainees, where “the US executive operates as judge, as prosecutor, and as defense council” which constitutes serious violations of various guarantees of the right to a fair trial before an independent tribunal. It asked the Bush administration to immediately close the Guantanamo Bay prison camp in Cuba, and urges the US government to “refrain from any practice amounting to torture or cruel, inhuman or degrading treatment or punishment.”

As far as the US is concerned all these condemnations have rarely made any difference to its approach vis-a-vis the detainees. It tried to question the veracity of the report by UN investigators and formally stuck to its position that all those people detained there are a security risk. Looking at the worldwide condemnation then Bush merely said at the time that he wished to close Guantanamo. But within just three months he was successful in getting Congress to pass new legislation that circumvented the Supreme Court ruling and opened the way to proceed with the tribunals. It also backed the administration’s decision to refuse prisoners the right to see the evidence used against them.

The world very well knows that these men are there for the last more than four years since bulk of them were captured on the battlefield of Afghanistan in 2001. It was one of the hallmarks of US arrogance towards these people that it has refused to recognise them as ‘Prisoners of War’ lest it had to comply with Geneva convention. A new term ‘enemy combatants’ was devised for them and the hawks in the US establishment always maintained that these detainees proved priceless intelligence to foil terrorist attacks.

Forget the reports by UN, unofficial reports prepared on the basis of declassified documents of the Department of Defence, tell a similar story. A report, prepared by a team headed by Mark Denbeaux, a law professor at Seton Hall University in New Jersey —who is a lawyer for two of the Guantanamo detainees—found that more than half of the terror suspects being held have not been accused of committing hostile acts against the United States or its allies.

It is understandable that the detainees have resorted to the only way in which they could protest their illegal detention. They have resorted to prolonged hunger strikes demanding fair trials, improvement in conditions in the jails, release of innocents or ending the isolation of juveniles. And the military has refused to negotiate with the detainees and has resorted to further brutalisation of the detainees. It involved beating them, putting them in isolation or force feeding of people. The force feeding is one of the most torturous act wherein nasal-gastric tubes are inserted without anesthesia in unsanitary environment.

Last June three prisoners—Ali Abdullah Ahmed, 28, from Yemen, and Saudis Yassar Talal al-Zahrani, 21, and 30-year-old Mani Shaman Turki al-Habardi Al-Utaybi—hanged themselves using torn sheets. It was clear to even a layperson that theirs was an act of desperation but the base commander at Guantanamo claimed it was “an act of asymmetric warfare waged against us”.

At this juncture, it is difficult to say when would the illegal detention of innocent people at Guantanamo end. Interestingly the growing media scrutiny over the developments in Guantanamo Bay, has suddenly brought into sharp focus another detention centre formed by the same US army in Bagram, near its army base in Kabul, Afghanistan. Independent analysts have written that of late Bagram has also had more detainees to deflect the attention of the media. It is widely reported that detainees are being held there in more primitive conditions, indefinitely and without charges, without having any access to lawyers. At present Bagram is also abode to more than 500 detainees for years together who are still waiting for a fair trial.

One shivers to think the state in which they must be living knowing the revelations recently made by a Human rights group. A new study from the group Human Rights First has found that nearly 100 prisoners in US custody have died in Iraq and Afghanistan in the last three and a half years. The report even found that most deaths went un-punished.

Guantanamo may be thousands of miles far away from Bagram! But it is a symbol of the way in which the biggest superpower on the face of the earth helps burgeoning “democracies” take shape, redefining and reinterpreting the whole concept of detention and torture, in the process. ☞☞