

# Congress Should Close Guantánamo



**Vincent Warren** is the executive director of the Center for Constitutional Rights, which represented clients in two Guantánamo Supreme Court cases and coordinates the work of hundreds of pro bono attorneys representing men detained at the prison camp.

January 9, 2012

From its inception, Guantánamo was intended to be a legal black hole, designed to deny its prisoners the most basic human rights and due process. Most of the 779 men who have been imprisoned and abused there over the last 10 years were in the wrong place at the wrong time. They were picked up far from any battlefield, turned over to the U.S. for a bounty, and held long after government officials acknowledged that they were innocent of any wrongdoing. Likewise, the military commission system created to try Guantánamo detainees was invented to allow convictions based on evidence that would never be allowed in a courtroom, including hearsay and evidence obtained through torture.

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Through years of tireless work in the courts, the Center for Constitutional Rights and pro bono attorneys across the country established that Guantánamo prisoners have a right to counsel, a right to habeas corpus and a right to meaningfully challenge their detention. Though several Supreme Court rulings have confirmed that Guantánamo does not exist outside the law, Congress has blocked attempts to close the island internment camp at every turn. Provisions in the 2012 National Defense Authorization Act effectively prevent the release of 89 men who have been unanimously cleared by the C.I.A., F.B.I., N.S.C. and Department of Defense for transfer or resettlement, and codify a system of indefinite detention that should make us all shudder.

Today, while 171 men remain imprisoned in Guantánamo without charge or trial, fear-mongering and political gamesmanship have turned Guantánamo into Obama's forever prison. And, to date, more men have died in Guantánamo than have been tried for the suspicions that landed them there. Let us not continue this travesty of justice into another decade. Congress must stop blocking the closure of Guantánamo, help to resettle the 89 cleared detainees, allow civilian trials to proceed where appropriate and repeal the detainee provisions of the National Defense Authorization Act.

Furthermore, the responsibility for Guantánamo does not rest solely at the feet of Congress; the president must step up and keep his promise to close Guantánamo, and the American people must make clear that we will hold our leaders accountable to the rule of law.