

<http://www.cnn.com/2012/01/10/opinion/warren-close-gitmo/index.html>

Gitmo: 10 years of injustice and disgrace

By **Vince Warren**, Special to CNN

updated 2:47 PM EST, Wed January 11, 2012



One of 50 activists protesting Guantanamo Bay prison in front of the White House takes his shift. The vigil lasts until Wednesday.

STORY HIGHLIGHTS

- Vince Warren: Since 2002, 779 men have been jailed in Gitmo for years without charge
- Warren: Most sent to Gitmo were innocent, caught while fleeing violence of Afghan war
- He writes: Upon entering Guantánamo, the rule of law stopped; torture became routine
- Bush's disdain for human rights, Obama's broken promise bring disgrace to U.S., he says

***Editor's note:** Vince Warren is the executive director of the Center for Constitutional Rights, a nonprofit legal and educational organization that works to protect rights guaranteed by the U.S. Constitution and the Universal Declaration of Human Rights. CCR represented clients in two Guantánamo Supreme Court cases and coordinates the work of hundreds of pro bono attorneys representing prisoners there.*

(CNN) -- Wednesday marks 10 years since the first 20 detainees arrived at the U.S. Naval Base in Guantánamo Bay, Cuba. Since then, 779 men have been imprisoned there for years without charge, trial or an opportunity to challenge their detention. They have included boys as young as 12 and men as old as 89.

Many of them had fled persecution in their home countries, only to end up in the wrong place at the wrong time and, ultimately, in Guantánamo. These men have been torn from their families, missed marriages and births, never

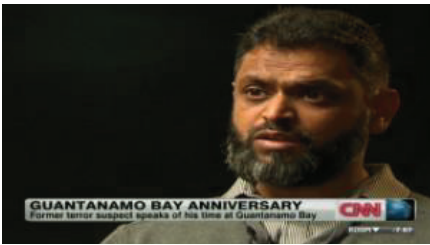
met nieces and nephews, and lost parents and other family members. Eight have lost their own lives.

From its beginning, Guantánamo was built upon injustice and lies. Guantánamo Bay was chosen as the location for the prison precisely because the Bush administration believed the base was beyond the reach of civilian courts. We were told the men imprisoned there were the "worst of the worst," as if this somehow justified suspending the rule of law, as if the only way to be safe from terrorism was to abandon human rights and violate civil liberties. As it turned out, when then-Secretary of Defense Donald Rumsfeld made this claim, he already knew what the rest of us learned later: In fact, many of the almost 800 men sent to Guantánamo in 2002 and the years since were innocent, caught while fleeing the chaos and violence of war that erupted when U.S. forces entered Afghanistan.



Vincent Warren

Once at Guantánamo, most of the men were subjected to torture: solitary confinement, sensory and sleep deprivation, force feeding, confinement to cells for more than 20 hours a day, and physical assault. Because strip searches and body scans were required every time they left their cells, even before attorney meetings and recreation time, many prisoners refused to leave their cells for any reason. Items such as toothpaste, toothbrushes, deodorant, soap and blankets were "privileges" and taken away at will. They were denied the right to practice their religion, had virtually no human contact, and some often did not see the sun for days.



Former detainee recalls time at Gitmo

This human rights tragedy is perhaps best revealed by the words of the detainees themselves.

"Tell [my wife] to remarry," said one prisoner. "She should consider me dead."

"I look alive," said another, "but actually I'm dead."

And yet another: "I am in my tomb."



Guantanamo Bay's past and future

This nightmare continues today. Despite promises to close Guantánamo and reverse the illegal policies of the Bush administration, President Obama has attempted to legitimize them. He has signed an executive order formalizing indefinite detentions at Guantánamo, resumed illegitimate military commissions, and refused to hold U.S. officials accountable for torture.



A look at Guantanamo Bay prison

More than half the men still detained at Guantánamo -- 89 of the 171 -- have been cleared for transfer or release, yet no one has been transferred since January 2011, the longest period without a transfer in the prison camp's 10-year history. Obama has refused even to release the names of the 89 detainees cleared for release or transfer. What's more, Guantánamo has set a precedent that has contributed to the dismantling of civil liberties. In December, Congress passed the National Defense Authorization Act, which makes indefinite military detention without charge or trial, including that of American citizens, a permanent feature of the American legal system.

Guantánamo not only is a global symbol of human rights violations. It has also calcified into the cornerstone of the United States' declining respect for human rights and the rule of law. In the days after the September 11, 2001, attacks, the Bush administration began describing the need for brutal methods of interrogation and imprisonment. "We'll have to work sort of the dark side," said then-Vice President Dick Cheney.

Ten years later, what is on the dark side has become crystal clear. Gone are fundamental constitutional and human rights protections and enduring prohibitions on torture. In their place is a limitless war against an undefined enemy, and continuing human rights abuses fueled by xenophobia and fear-mongering.

Gone is the rule of law, and in its place is a more slippery notion designed to enable executive illegality rather than curtail it. What began as a dark, reactionary and exceptional disgrace has become a clear sign that the United States does not take seriously its claim to lead the world in freedom and justice.

This is an anniversary that should never have come. Ten years of illegal imprisonment is 10 years too many. Ten years of searing international criticism falling on deaf ears in the United States is 10 years too many. After seven years of the Bush administration's open disdain for human rights and the rule of law and three years of Obama's broken promises, more men have died in Guantánamo than have been tried in court. It's time to close Guantánamo now.

The opinions expressed in this commentary are solely those of Vince Warren.
