

## Expanding Guantanamo

By [Stephen Lendman](#)

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In 2008, candidate Obama promised to close Guantanamo. Straightaway as president, he issued [Executive Order](#) titled “Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities.”

Sec. 3 states: “Closure of Detention Facilities at Guantanamo. The detention facilities at Guantanamo for individuals covered by this order shall be closed as soon as practicable, and no later than 1 year from the date of this order.”

“If any individuals covered by this order remain, they shall be returned to their home country, released, transferred to a third country, or transferred to another United States detention facility in a manner consistent with law and the national security and foreign policy interests of the United States.”

Obama ordered an “immediate review of all” detainees within 30 days.

He halted all proceedings in the “United States Court of Military Commission Review to which charges have been referred but in which no judgment has been rendered.”

He mandated “humane standards of confinement” be observed in accordance with international humanitarian laws.

He stressed Geneva Common Article 3 provisions.

They prohibit:

- “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- outrages of personal dignity, in particular humiliating and degrading treatment;”
- carrying out sentences or executions “without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples;” and
- caring for wounded and sick detainees.

In 2008, he said:

“From both a moral standpoint and a practical standpoint, torture is wrong. Barack Obama will end the use of torture without exception. He also will eliminate the practice of extreme

rendition, where we outsource our torture to other countries.”

He promised to “eliminate the practice of extreme rendition, where we outsource our torture to other countries.”

In August 2009, Attorney General Eric Holder said Washington would seek “assurances from the receiving country” that suspects sent abroad wouldn’t be tortured. He lied.

So did Obama. He broke every major promise made.

Appalling human rights violations continue on his watch. Torture remains policy. It persists throughout Washington’s gulag. Obama bears full responsibility.

Innocent victims remain incarcerated. Some won’t ever be freed. Rule of law principles don’t matter.

Obama exceeds the worst of Bush administration policies. Indefinite detentions without charge or trial continue. Illegitimate military commissions are used. They assure guilt by accusation.

Guantanamo remains open. The Pentagon’s Southern Command (SOUTHCOM) plans expanding it.

It requested \$49 million for new prison facilities. They’re for “special” detainees.

Other renovations will be made. Congress ordered Guantanamo kept open indefinitely. Pentagon officials requested an estimated \$195.7 million overall. Expect overruns to increase costs substantially.

SOUTHCOM commander General John Kelly testified before Congress. He estimated \$150 – \$170 total cost. He excluded a special detainee facility. It wasn’t on the list of construction projects.

He mentioned it only in passing, saying:

“There’s other projects that I couldn’t talk about here in the open but do have to do with replacing one of the camp facilities where some of the detainees are – special detainees are housed. We could get into that offline if you want.”

It’s a proposed Camp 7 replacement. It’s Guantanamo’s most secure facility. In its first two years of use, it was top secret. It’s for “high-value detainees.”

Nothing proves it. Pentagon and CIA officials provide no evidence. Torture extracted information lacks credibility.

Earlier Supreme Court decisions ruled it constitutionally inadmissible. In *Brown v. Mississippi* (February 1936), the court held:

“The rack and torture chamber may not be substituted for the witness stand.”

The ruling cited an earlier *Fisher v. State* (November 1926) High Court decision, stating:

“Coercing the supposed state’s criminals into confessions and using such confessions so coerced from them in trials has been the curse of all countries.”

“It was the chief iniquity, the crowing infamy of the Star Chamber (the notorious 15 – 17th century English court), and the Inquisition, and other similar institutions.”

“The Constitution recognized the evils that lay behind these practices and prohibited them in this country wherever the court is clearly satisfied such violations exist, (and) it will refuse to sanction such violations and will apply the corrective.”

Other requested facilities include \$99 million for two barracks, \$12 million for a new mess hall, and legal, medical, and communication replacement construction.

Kelly acknowledged a “considerable bill.” It’s because “everything that’s built down there is at least twice as expensive.” Why he didn’t explain.

He said renovations are needed to keep Guantanamo operating indefinitely. Nothing suggests otherwise. Closure’s not discussed. Detainees cleared for release aren’t freed. They may stay in gulag hell forever.

In December 2010, bipartisan congressional legislation blocked transferring them to US prisons. At the time, Obama said ways were being considered to “make sure that we are not simply releasing folks who could do us grievous harm.”

Few if any committed crimes. They don’t threaten America. Many are held uncharged. Dozens cleared for release are held indefinitely. Justice is shamelessly denied.

Code Pink co-founder Media Benjamin expressed outrage, saying:

“Here’s the president – who campaigned on closing Guantánamo Bay – extending and renovating it.”

“What he needs to do is renovate his current policy and release the people who’ve been cleared for release, shut down the prison, and bring the rest of the prisoners to the United States for trial.”

In January, the [ACLU](#) commented on Guantanamo’s 11th anniversary, saying:

“Eleven years have passed since the first prisoner arrived in Guantanamo Bay, making it the longest-standing war prison in US history.”

“Guantanamo has been a catastrophic failure on every front, and it is long past time for this shameful episode in American history to be brought to a close.”

“Almost 800 men have passed through Guantanamo’s cells. Today, 166 remain. Most of them – 86 – have been cleared for release since at least 2009 but remain imprisoned.”

“The prison at Guantanamo symbolizes our nation’s failure to adhere to the rule of law and human rights, and this ongoing betrayal of American values undermines our standing around the world and serves as a recruiting tool for our enemies.”

“We continue to indefinitely detain without charge or trial terrorism suspects captured far from any theater of war.”

“We continue to rely upon unconstitutional and secretive military commissions to try some of the most important cases in our nation’s history, even though the federal courts have proven to be reliable and secure.”

“And we continue to allow political posturing to perpetuate the tragedy of indefinite detention for prisoners and their families, including for the 86 who have been cleared for release for years yet remain imprisoned.”

Every branch of government shares responsibility for the continued stain that is Guantanamo.”

“The Supreme Court has stood by while the US Court of Appeals for the District of Columbia has eviscerated habeas protections for Guantanamo prisoners, rigging the rules in favor of the government and making it almost impossible for prisoners to meaningfully challenge their detention.”

“Congress has repeatedly voted to restrict the president’s authority to transfer prisoners – even those cleared for release – from Guantanamo, doing so once again just weeks ago in the 2013 National Defense Authorization Act.”

“President Obama threatened to veto that legislation but backed down as he has before. The president must rectify that wrong and undo the damage done by Guantanamo to the rule of law by using existing NDAA certification procedures to repatriate and resettle abroad all prisoners who are not charged with crimes.”

“He must also swiftly end the unjust Guantanamo military commissions and work with Congress to ensure fair trials in civilian courts for any prisoner against whom there is sufficient evidence that is untainted by torture.”

“For the sake of the rule of law and human rights, American security, and Guantanamo’s many victims, the prison must be closed.”

Expansion plans reveal keeping it open indefinitely. Obama and most congressional members support doing so. Guantanamo is one of many US torture prisons. They operate globally.

A recent report explained. It’s titled “[Globalizing Torture: CIA Secret Detention and Extraordinary Rendition.](#)”

Information considered most sensitive remains classified.

On September 16, 2001, Dick Cheney said:

“We have to work (on) the dark side.... We’ve got to spend time in the shadows in the intelligence world.”

“A lot of what needs to be done here will have to be done quietly, without any discussion, using sources and methods that are available to our intelligence agencies, if we’re going to be successful.”

“That’s the world these folks operate in, and so it’s going to be vital for us to use any means at our disposal, basically, to achieve our objective.”

Torture became official policy. Obama continues it. The mainstream media suppress it. Dozens of countries comprise America's torture network. Secret prisons operate illegally.

Dozens of innocent victims are mistreated. Exact numbers aren't known. Responsible officials aren't held accountable. Rule of law principles don't matter.

Obama exceeds the worst of Bush administration crimes. Globalized torture expanded. Indefinite detention without charge or trial is policy.

So is guilt by accusation or none at all. Detainees have no rights. Despair got over 100 at Guantanamo to resist their only way. They're hunger striking for justice.

They've done so for seven weeks. Abstaining from food this long is life threatening. Coverup is official policy. Information everyone needs to know is suppressed.

Gitmo symbolizes injustice. Bush administration crimes continue under Obama. Nothing ahead suggests change.

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