

By Debra Sweet

A likely scenario for the Obama administration to "close" Guantanamo may be announced very soon, to include:

- the release of up to 60 prisoners who have been cleared for release as long as 8 years ago to third countries. This would include the 58 Yemenis who could have been released long ago, but who have been **forcibly held with no pending charges** because the U.S. delayed their release to 1) accommodate the former government of Yemen and 2) in support of the Saudi Arabian war on Yemen.

- the shipment to a U.S. prison or prisons of 10 prisoners on whom the government has filed criminal charges, and the remaining "forever" prisoners whom (because they were tortured) the U.S. has not charged, even though they also have no cases pending against them. Possibilities are a military prison in South Carolina or Ft. Leavenworth, or a federal supermax prison in Colorado.



As much as those who control Congress right now — and most of those who seek to become president — oppose the closure of Guantanamo, it's not because there is any **justice** in Obama's plan. Moving indefinitely detained prisoners to the U.S. does not give the practice legitimacy. Consider:

Trevor Timm [writes in The Guardian](#) , "It's increasingly looking like Obama's vow to end one of the Bush administration's most damaging legacies will actually live on as his own...The administration claims they [cannot charge and hold a trial for dozens of detainees](#) (in many cases, because torture [will likely taint any evidence](#)), but they also say they consider them "[too dangerous](#)" to release from US custody. So the plan appears to be to let them rot in jail forever — in clear violation of the fifth amendment — in a supermax prison somewhere inside the United States.

Steven Hawkins, who was formerly head of the National Coalition to Abolish the Death Penalty, and now heads Amnesty International, said [this week in *The New York Times*](#), "The purpose of closing Guantánamo should be to end the human rights violation of indefinite detention without charge — not merely move it to a new location and change Guantánamo's ZIP code. If the United States does not intend to prosecute a detainee in a fair trial, it should release him. No exceptions."

[Aisha Maniar](#) is a London-based human rights activist who works with the [London Guantánamo Campaign](#)

. She

[writes in](#)

[Released Without Charges, Former Guantánamo Detainees Continue to Face Stigma](#)

about Mamdouh Habib and Mourad Benchellali, each released from Guantanamo long ago, who have been stopped while traveling recently, one imprisoned for days. "Both men are engaged in lawsuits to prosecute those involved in their torture," which included the U.S. and allied states Canada and Australia. "This harassment is not accidental, and highlights the continuing close working relation between partners in crimes against humanity: All of the states involved were complicit in the CIA's

[extraordinary rendition](#)

program.

The utter lack of U.S. government-ordered accountability for anyone who carried out, much less who ordered torture during the Bush era has immediate implications. Remember the CIA torture report of a year ago? Mike Masnick in TechDirt, says the [DOJ Has Blocked Everyone In The Executive Branch From Reading The Senate's Torture Report](#)

. "This administration has bent over backwards

refusing

to look back on the nature of what the CIA did and whether or not it violated the law or international agreements on torture (or basic *morality*

). This is just another way to avoid facing up to the mistakes of the past, and conveniently using a FOIA lawsuit as a method for making sure this information remains in the dark."

Curt Wechsler, the editor of [FireJohnYoo.org](#), writes on the release of Shaker in [Free the Guantánamo 112](#)

: "Indefinite detention constitutes torture above and beyond the physical depredations of the body suffered — including the

[lawless constructs](#)

approved by U.S.

[government lackeys](#)

— and endured. Mr Aamer has inspired his fellow prisoners to transcend both with dignity and honor. He should be proud of his contribution towards ending the American war of terror on hapless civilians (many Guantanamo prisoners were bought from bounty hunters and never charged). His story emboldens us to demand a better future for subscribers to justice."

There is no tilt toward justice here, slow or otherwise.

It's really up to us to keep on exposing the injustice, and demanding that the torture camp at Guantanamo actually be CLOSED, and that indefinite detention be ended by the United States.

Join us Monday January 11, 2016 to protest Guantanamo & indefinite detention. More on that soon!