

Guantanamo's loaded 'justice'

Human Rights News 3.12.03

Linda S Heard

In a tiny corner of the Land of the Free — forcibly leased in perpetuity from an unlikely landlord, Fidel Castro — are 660 terrorist suspects or enemy combatants hailing from 44 countries. These were all rounded up in Afghanistan, some by local posses eager to grab the \$4,500 bounty on each "al-Qaeda" head. None of them are American.

Indeed, the US is busy sorting out these individuals on the basis of passports. Americans, of course, are protected by their Constitution and don't get to sample the delights of Camp Delta's cuisine. They get fair trials and plea bargains as in the high profile case of John Walker Lindh who told the world on camera how much he admired the pro-Bin Laden Taliban — at least if they're Caucasian and can afford a top lawyer.

Brooklyn-born Jose Padilla said to be involved in a dirty bomb plot ended up incommunicado in a military brig, although far from the dreaded Guantanamo.

Briton Asif Iqbal, who has always maintained his innocence, was not so lucky. Iqbal's family had been worried he was adopting western habits and so they hastily arranged a marriage back in the old country, Pakistan. Iqbal joined his father in Faisalabad on September 30 2001 and began making wedding preparations.

Several days later, Iqbal said he was going to Karachi to meet friends and would be back within the week. On October 7 he called to say he had arrived safely. That was the last his parents heard from him until the British Foreign Office phoned on January 21, 2002 to say their son was behind wire in Guantanamo.

Iqbal is one of nine Britons poised to face British-style justice under an Anglo-American deal. Another is Moazzam Begg who insists he went to Afghanistan to open a school. After writing to his parents that he had no idea of what he was supposed to have done and was "beginning to lose the fight against depression and hopelessness", he confessed to being part of a plot to spray the British Parliament with anthrax. Detainees do not get a lawyer unless they first plead guilty to a crime.

Begg's confession has been the cause for hilarity in certain circles;

with Bush's War on Terror. In a case of "you scratch my back and I'll scratch yours", Bush was obliged to give his British counterpart a parting gift after his helicopters had trampled the Queen's lawns, frightened her corgis and necessitated the removal of her flamingos.

Not for nothing did Blair have to batten down London; place a security ring around his northern constituency and allow Bush's American chefs to fry up x-rayed fish 'n' chips with mushy peas down at the local.

The price of that photo-op was ei-

tainees are often drugged and beaten while demanding more than \$10 million in compensation.

As a result of condemnation from governments, human rights groups and lawyers, Camp Delta is a vast "improvement" on the original Camp X-ray, where detainees were kept in barbed wire cages.

The US government appears to be bending under international pressure and granting some leeway as to how prisoners should be dealt with too. But many are still being subjected to hours of interrogation and kept in tiny cells illuminated by 24-hour harsh lighting.

Australian lawyer Richard Bourke has stated on Radio ABC that Australian nationals David Hicks and Mamdouh Habib were victims of torture "worthy of the Middle Ages", forced to stand under the sun with their arms stretched out until they eventually collapsed. Bourke wants to put their case before the United Nations Permanent Commission against Torture and seeks a government willing to back him in doing so.

Whatever the truth about Guantanamo Bay, it serves as a public blot on America's reputation as being a nation committed to the furtherance of human rights. We mustn't forget that among the guilty there are bound to be innocents, young men who were in the wrong place at the wrong time.

Their innocence or guilt should be determined — as it is in most civilised places — in a transparent court of law with judge and jury. And as for their rights, these shouldn't depend on where Bush does lunch or with whom he decides to pose.

Whatever the truth about Guantanamo Bay, it serves as a public blot on America's reputation as being a nation committed to the furtherance of human rights. We mustn't forget that among the guilty there are bound to be innocents, young men who were in the wrong place at the wrong time

among those who know how difficult it would be to come up with a pilotless drone not to mention weaponised anthrax.

The nine may get to spend Christmas on their home soil, although behind the walls of a high security prison where they could be held under the Prevention of Terrorism Act. The deal has yet to be finalised, as America still has to sort out the legal niceties.

One glaring discrepancy could well be: How come the British get a flight out — and probably the Australians too — while those holding other nationalities are stuck with secret military tribunals?

The answer is simple. Britain and Australia are US allies, keen helpmates

ther the US removal of controversial steel tariffs or the return of British detainees. Naturally, the savvy Bush team with its eye on the bottom line cemented the "special relationship" by choosing the cheaper, more business-friendly option.

For detainees from those countries, which do not enjoy a "special relationship" with the Bush administration, the situation is still dire. In just 18 months, there have been 32 suicide attempts with the psychiatric facility bursting at the seams. Residents complain that there is a lack of light at the end of the tunnel and an uncertain future.

One of the few who have to date been released Mohammed Sagheer, a Pakistani national, claims that de-

The writer is a specialist writer on Middle East affairs

lheard@gulfnews.com
Gulf News, December 2, 2003