

# Guantanamo Bay



## Guantanamo Bay – Talking Points & Takeaways

**Guantanamo Bay is the gift that keeps on giving to al Qaeda.** It's a strong propaganda tool for terrorists, allowing them to promote lies about America and recruit insurgents that kill American servicemembers and citizens. That's why military leaders such as General David Petraeus support the closure of Guantanamo Bay.

**Closing Gitmo quickly isn't easy, and it's not a good idea.** Many of the remaining prisoners at Guantanamo Bay are truly the worst of the worst, while many of the prisoners that President Bush released went on to commit terrorist acts against the US. Gitmo needs to be closed, but slowly and deliberately, in a way that keeps prisoners locked up, and keeps America safe.

**President Bush released prisoners from Gitmo who signed up for a second round of terrorism against the United States.** About 20% of detainees transferred abroad from Guantanamo to other countries have gone on to rejoin terrorist activity. Said Ali al-Shihri was released to Saudi Arabia from Guantanamo Bay in November 2007 under President Bush and later went on to plan the failed Christmas Day 2009 bombing in Detroit.

**Lock 'em up in Supermax Prisons.** No one has ever escaped from the Supermax prison in Fremont County, Colorado, which has housed some of the world's worst terrorists: Zacarias Mousaoui (9/11 conspirator), Richard Reid (the 2001 "shoe bomber"), Theodore Kaczynski (the Unabomber), Ramzi Yousef (planner of the 1993 World Trade Center bombing), and Timothy McVeigh (responsible for Oklahoma City bombing in 1995).

## Guantanamo Bay: The Basics

In January 2002 President Bush opened a detention camp on US territory in Guantanamo Bay, Cuba to house detainees captured in the "War on Terror." Then-Secretary of Defense Donald Rumsfeld said the detention camp would be a place for the "worst of the worst" terror suspects.



However, Guantanamo Bay became controversial for multiple reasons:

**Human Rights.** Reports of torture and abuse have raised questions about the treatment of prisoners. Early on, monitors from the International Red Cross were denied access to Guantanamo Bay prisoners.

**Legal Concerns.** Detainees have had limited access to legal resources, while many detainees were never actually involved in aggressive acts against America.

**US National Security.** The image of Guantanamo Bay has become synonymous with torture, allowing terrorists to spread lies about America and find new recruits that want to kill American citizens.

## Gitmo by the Numbers



**680** Prisoners incarcerated at its peak in May 2003.



**580** Prisoners released since its opening.



**183** Prisoners remain there today.

## “Worst of the worst?”

Some of the detainees at Guantanamo Bay – such as Khalid Sheikh Muhammad, the mastermind of 9/11 – are among the world’s most dangerous terrorists. Many of the original detainees were not. Based on a study of documents from the Department of Defense:



55% of detainees were not found to have committed hostile acts against the US or its coalition allies.

Only 8% were considered actual members of al Qaeda.

60% were detained because they are “associated with,” not “fighters for” a terrorist organization.

## A Recruitment Tool for al Qaeda



Guantanamo Bay is the gift that keeps on giving to al Qaeda. It’s a strong propaganda tool for terrorists, allowing them to promote lies about America and recruit insurgents that kill American servicemembers and citizens. That’s why military leaders such as General David Petraeus support the closure of Guantanamo Bay.

*“I have long been on record as having testified and also in helping write doctrine for interrogation techniques that are completely in line with the Geneva Convention...With respect to Guantanamo, I think that the closure in a responsible manner...sends an important message to the world.”*

**- General David Petraeus**

*“Unless we rewrite the book [Army Field Manual], we will only continue to give Al Qaeda a recruiting tool, to earn the contempt of our allies and to debase our most cherished ideals.”*

**- Matthew Alexander, Senior Interrogator and Air Force Major responsible for obtaining information that led to the killing of al Qaeda in Iraq Leader Abu Musab al Zarqawi.**

## But it Did Hold Dangerous Detainees - Whom President Bush Released

A classified 2010 Pentagon report says **about 20 %** of detainees transferred abroad from Guantanamo to other countries have gone on to rejoin terrorist activity. This number, an increase from the original 14% quoted by the Pentagon, reflects the need for closing the prison in a practical, deliberate manner, and keeping the real "worst of the worst" locked up.



*US Embassy in Sanaa, Yemen after the bombing, Sept. 17, 2008*

**Releasing the Planner of attempted 2009 Christmas Day Bombing.** Said Ali al-Shihri was released to Saudi Arabia from Guantanamo Bay in November 2007 under President Bush and later went on to plan the failed Christmas Day 2009 bombing in Detroit.

The same man is suspected of responsibility for the 2008 American embassy bombing in Yemen that killed 19 people.

## President Obama – Closing Guantanamo Bay



Executive Order. On Jan. 22, 2009, President Obama issued an Executive Order calling for the closure of the Guantanamo Bay detention facility within one year to return America to the "moral high ground."

**Slow Timeline Reflects Opposition and Responsibility.** The administration was not able to meet its original deadline due to difficult negotiations inside the US government and with other countries – but the effort goes on. Currently, the administration is working to obtain a \$150 million maximum security prison in Thomson, IL to incarcerate prisoners who are currently held at Guantanamo Bay.

President Obama is working to find a permanent solution to the problem of detaining and prosecuting terrorists in a way that keeps the worst of the worst behind bars, AND denies al Qaeda the propaganda it so desperately needs.

## A Ready Alternative: Supermax Prison

Terrorists at the Supermax – No One Has Ever Escaped. The US Penitentiary Florence ADMAX (Administrative Maximum) Facility is an Administrative Maximum (ADX) prison located in Fremont County, CO. Known as the “Supermax” prison, it has already held some of the world’s most notorious terrorists, none of whom have ever escaped.



**Zacarias Mousaoui.** 9/11 conspirator

**Richard Reid.** The 2001 “shoe bomber”

**Theodore Kaczynski.** The Unabomber

**East African Embassy bombers/bin Laden Associates.** Four men convicted of conspiring with Osama bin Laden in the 1998 bombings of two American Embassies in Africa



**Ramzi Yousef.** Planner of the 1993 World Trade Center bombing

**Timothy McVeigh.** Responsible for Oklahoma City bombing in 1995

## Military Tribunals v. Civilian Courts

**How should we put suspected terrorists on trial?** A critical component of the debate regarding Guantanamo Bay is whether its inmates should be tried in military tribunals or civilian courts. The Bush administration basically favored a military tribunal only process. The Obama administration is working to set up a common-sense system that leverages the advantages of both.



**Military tribunals?** A military tribunal is a court judged entirely by military officers to try enemy combatants, typically used during times of war. Military tribunals are favored because they do not need to be open to the public and can better handle classified information. In 2006, the Military Commissions Act created the Guantanamo military commissions to try the detainees at Gitmo. These military tribunals have only generated three convictions of suspected terrorists.

**Civilian courts?** A civilian trial would use civilian court system to try the suspected terrorists. This brings the proceedings outside the realm of the military, allowing an American jury to decide the fate of accused terrorists. Since 9/11, more than 500 individuals who have been charged with terrorism have been convicted of a crime.

## Guantanamo Bay – Sources

Ackerman, "Will Military Commissions Under Obama Differ From the Bush Era?" *Washington Independent*, 26 April 2010.

Agreement Between the United States and Cuba for the Lease of Lands for Coaling and Naval stations, Yale Avalon Project.

Alexander, "Torture's Loopholes," *New York Times*, 20 January 2010.

Frieden, "Reporters get first look inside mysterious Supermax prison," *CNN*, 14 September 2007.

Glaberson, "Red Cross Monitors Barred From Guantánamo," *New York Times*, 16 November 2007.

Kingsbury, "Guantanamo Detainees Released Amid Debate Over Closing the Prison," *U.S. News & World Report*, 2 April 2010.

"History: Timeline of Guantanamo Bay," *Washington Post*, accessed 29 April 2010.

Mazetti and Glaberson, "Obama Issues Directive to Shut Down Guantanamo," *New York Times*, 21 January 2009.

Mount, "Report: 20 percent of released detainees returning to terrorism," *CNN*, 11 January 2010.

"Obama signs order to close Guantanamo Bay facility," *CNN*, 22 January 2009.

"On Guantanamo, GOP Disparages Men and Women Who Keep Our Communities Safe," National Security Network Report, 7 May 2009.

"Report on Guantanamo Detainees as a Profile of 517 Detainees through Analysis of Department of Defense Data," Seton Hall Law, 8 February 2006.

Roggio, "Yemen captures Al Qaeda in the Arabian Peninsula's deputy leader," *Long War Journal*, 18 January 2010.

Ross, Rhee, and El-Buri, "Al Qaeda Leader Behind Northwest Flight 253 Terror Plot was Released by US," *ABC News*, 28 December 2009.

Savage, "Plan to Move Guantanamo Detainees Faces New Delay," *New York Times*, 22 December 2009.

Senate Armed Services Committee, "Executive Summary Conclusions," 12 December 2008.

"Terrorist Trial Report Card 2001-2009: Lessons Learned," Center of Law and Security, NYU Law School, 2009.