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Military Tribunal Resumes at Guantanamo

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US NAVAL BASE AT GUANTANAMO BAY, Jan 10, 2006 (AFP) - Two detainees held at the US naval base at Guantanamo Bay, Cuba, are scheduled to appear before a military tribunal here on Wednesday, even though the US Supreme Court has not yet issued its opinion on the legality of such courts.

Young Canadian Omar Khadr, who was detained in Afghanistan when he was only 15 for allegedly killing a US soldier in July 2002, and Yemeni national Ali Hamza Ahmad al-Bahlul, a suspected Al-Qaeda propaganda specialist, are expected to face this week preliminary hearings of their cases.

Many court procedures have been frozen over the past several months by federal judges who deemed it necessary to wait for a Supreme Court ruling early this year on the validity of special tribunals created specifically to try terrorist suspects held at Guantanamo.

However, lawyers representing the detainees, who will appear before the military commissions, did not expect any last minute delay.

The tribunal will first hear the case of al-Bahlul who was indicted in February 2004 of being an accessory to terrorist activities. According to the charge, Al-Qaeda founder Osama bin Laden had placed him in charge of producing videos used to recruit and train new members of the terrorist organization.

During his first hearing in August 2004, al-Bahlul created confusion in the tribunal by refusing to accept the help of a lawyer and insisting on defending himself.

Since then, US military officials have modified the rules governing the tribunals, and the hearings should start anew.

The Canadian, who is 19 and who was charged with murder in November after spending three years at Guantanamo, will appear before a different military commission.

He will be tried under the same rules as other suspects, even though he was a minor when his alleged crime was committed.

According to US authorities, Omar Khadr has admitted killing a US military medic and wounding another by throwing a hand grenade in the course of a battle.

His lawyers insist the young man was put through particularly rough interrogations, as well as suffering humiliation and threats of sexual assault.

"Through torture, abuse, and three years of illegal detention, this government has robbed Omar of his youth," said civilian attorney Muneer Ahmad. "Now, they are demanding his appearance before a kangaroo court, wholly lacking in fundamental principles of due process."

Khadr, who was born in Toronto, was raised in Pakistan. His whole family appears to have ties to Al-Qaeda. His father, who was killed by the Pakistani army in 2003, was considered one of the key financiers of bin Laden's network.

One of his brothers, also a terrorist suspect, was arrested last month in Canada by US government request.

Only nine of the more than 500 detainees currently held in Guantanamo have been formally charged. No judicial procedure so far has gone beyond preliminary hearings.

The tribunals, which are often referred to as military commissions, have been criticized by many lawyers and human rights advocates in the United States as "extra-judicial" bodies that fail to give a fair hearing.

"It's a sub-standard system of justice," said Jumana Musa of Amnesty International, who came to Guantanamo this week to witness the process.