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## **Detainees told of right to sue**

Guantánamo Bay prisoners are being notified that they can sue the U.S. government in civilian courts. The notice complies with a 6-month-old Supreme Court decision.

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The U.S. military last week started telling alleged terrorists held at Guantánamo Bay, Cuba, how to sue for their freedom in U.S. courts -- six months after the U.S. Supreme Court declared that detainees have that right.

U.S. forces have begun distributing to the captives a single page with the address of the U.S. District Court in Washington, D.C., that will hear the cases, said Air Force Maj. Michael Shavers, a Pentagon spokesman.

Not everyone has been given the notice yet, he added, because linguists are still translating it for some 549 captives from about 42 nations. Illiterate prisoners will have the notice read to them in their native language.

### **RIGHTS EXPLAINED**

Detainees are told that they have the right to file habeas corpus petitions challenging their detention, and can notify family, friends or lawyers of their wishes -- unless they want to file suit themselves, by mail, from Camp Delta.

The development has prompted criticism by U.S. civil liberties lawyers, who protested this week that the military took too long to issue the notification.

"This is too little, too late," said attorney Rachel Meeropol of the New York Center for Constitutional Rights, which has sued on behalf of detainees.

"The notice does little to provide the detainees with any meaningful petition about their rights, or how to get to court."

In fact, the military says it first notified detainees in July that the Supreme Court had ruled in a statement read to them that promised, "You will be notified in the near future what procedures are available should you seek to challenge your detention in U.S. courts."

A military official, speaking on background, added that some prisoners certainly got the word, as demonstrated by the 60 or so habeas petitions already winding their way through federal courts.

He also dismissed the notion that only those from wealthy or educated families have been able to exercise the federal court option.

"I don't think you have to be a wealthy detainee to do this," the officer said, speaking on condition he not be identified. "There are a bunch of pro bono lawyers waiting to take on these cases."

An underlying issue is that for nearly three years some lawyers have been refused requests to meet with the detainees to see if they desire representation -- rather than wait for individuals to line up lawyers through family or friends off the island.

### **TERMS OF ACCESS**

Moreover, civilian lawyers who have filed habeas corpus cases have been dueling with the Pentagon for months about the terms of their access.

The Pentagon requires civilian lawyers to get security clearances to visit the base, and planned to monitor the meetings until a federal judge ruled that would breach attorney-client privilege.

"These individuals are enemy combatants," countered Shavers. "Law has never required that enemy combatants be provided lawyers, especially while the conflict is under way."