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## **U.S.: No Executions at Prison**

The Pentagon said an expansion of its jurisdiction in death penalty cases is not aimed at executing captives at Guantánamo Bay.

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GUANTANAMO BAY NAVY BASE, Cuba -- A new Army regulation expanding the Pentagon's jurisdiction in carrying out the death penalty was not aimed at suspected terrorists facing military commissions at this offshore detention center, a Pentagon official said Wednesday.

A senior commander here also said there is no execution chamber being built as part of a new prison under construction at this remote Navy base, which houses nearly 500 captives from dozens of countries for interrogation and, in some cases, war-crimes trials.

Reports about the new regulation triggered intense international media speculation -- China's Xinhua news agency, for example, carried an item -- that the change was meant to cover the controversial trials by military commissions here, which provide for execution in the event of conviction of a capital crime.

"There's no procedure at Guantánamo, nothing is in place at Guantánamo designed for any execution," said Army Lt. Col. Pamela Hart, a Pentagon spokeswoman who was on the committee that updated military death-penalty rules.

Of the nearly 500 captives here, 11 have been charged under the Pentagon's post-Sept. 11 formula for war-crimes trials called military commissions. If convicted, none charged so far faces more than life in prison.

### **RESTRICTION EASED**

Under the revised regulation, if the military chooses to resume a practice suspended since 1961, it can execute criminals sentenced to die by lethal injection at any federal execution site, Hart said -- not just the death chamber at Fort Leavenworth, Kan., which has space for only two witnesses.

The new rules go into effect on Feb. 17, Hart said, and have "absolutely no reference to going overseas" to carry out the punishment.

The military has nine soldiers on Death Row, three awaiting retrial or resentencing, according to the Death Penalty Information Center, which tracks such cases and argues there is a racial disparity in death sentences.

Officers here referred to the Pentagon any questions of whether prison camp commanders had been told to write a plan for carrying out capital punishment.

Asked whether there was such a venue being built in a new 200-plus-cell prison under construction, called Camp VI, Army Command Sgt. Maj. Anthony Mendez replied with a flat "No."

Other military escorts avoided the larger question of whether the command staff here was preparing a contingency plan.

"We can't even comment at this point," said Army Lt. Col. Jeremy Martin.

## **TRIALS AHEAD**

The on-again, off-again commissions are expected to resume next month with more pretrial hearings of captives accused of being in league with al Qaeda and in some instances plotting anti-American attacks.

The Supreme Court will hear arguments in March on a challenge to the constitutionality of the commissions and is likely to rule in June.

In the meantime, camp officials are studying plans to retrofit a commission building here to allow two simultaneous trials by different panels of U.S. military officers.

No order has been given for a second venue and no funds have been committed, said Army Capt. Bruce Roberts.