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Base Plan Unchanged, Bush Aides Say:

Administration officials argued that the Guantanamo policy to hold some, put others on trial is intact -- President Bush's remarks to German television

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Miami Herald
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Bush administration officials emphasized Monday that President Bush is neither ordering the closure of Guantanamo nor trials for hundreds of suspected terrorists held there -- despite widely published remarks made to a German television station over the weekend.

"I very much would like to end Guantanamo; I very much would like to get people to a court," the president said in a transcript of an interview with the ARD network, released by the White House on Sunday.

That remark prompted a renewed call from Amnesty International Monday saying: Close it.

"Take decisive action to make that happen," said Larry Cox, Amnesty International's executive director. "Amnesty International has been calling for the closure of the detention center at Guantanamo for almost a year."

The president also said: "We're waiting for our Supreme Court to give us a decision as to whether the people need to have a fair trial in a civilian court or in a military court."

In response, several legal groups, among them a lawyers group called Human Rights First, urged the president to freeze the first U.S. war tribunals since World War II. Pretrial hearings are slated for next week. The Supreme Court will rule in June whether the war-crimes court format is constitutional.

10 CHARGED NOW

Only 10 of the 490 or so captives now held at the isolated offshore prison camps are charged before the president's Military Commissions.

Pentagon officials have repeatedly said that, at most, 75 of the captives there could be charged as war criminals. Last month, the chief prosecutor, Air Force Col. Moe Davis, said he anticipated another two dozen or so war-crimes prosecutions -- some with recommendations that convictions carry executions.

The rest are to be held indefinitely as "enemy combatants," or sent to other nations for continued incarceration or release, depending on their cases.

NOT A SIGNAL

Administration officials clarified Monday that the president's remarks did not signal a change in policy.

"The president would like to see some of the detainees at Guantanamo tried for their crimes in a court of law," said a White House official, who read from clarifying talking points on condition she not be identified by name.

Now, the official said, the administration is "waiting to hear from the Supreme Court whether trials of Guantanamo detainees can be done by the Military Commissions that have been established."

U.S. attorneys for a Yemeni man who worked as Osama bin Laden's driver in Afghanistan are challenging the commissions at the Supreme Court on two counts:

-- Whether the Congress and White House had the power to strip Guantanamo detainees of the right to file habeas corpus petitions contesting their captivity in U.S. District Court.

-- Whether President Bush's Military Commissions comply with the Constitution, both its international treaty obligations and U.S. military and civilian law.

At the Pentagon, Navy Lt. Cmdr. J.D. Gordon responded to questions about the president's remarks with this: "While Guantanamo is clearly a sensitive issue, the U.S. policy for detention operations has not changed."

Meantime, a Halliburton subcontractor is working toward an August completion of a \$30 million, 200-cell single-occupancy prison meant for long-term detention at the base in southeast Cuba.