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Guantanamo Tribunals a Failure

Prensa Latina
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Washington -- Tribunals organized by the Pentagon to try prisoners at Guantanamo Bay naval base have up until now been a total failure, the Washington Post (WP) newspaper reported Wednesday.

According to an editorial titled The Guantanamo Trials, the system "has been mired in litigation" and there are serious transparency problems regarding due process for the defendants, who could face long sentences in jail or even the death penalty.

The Guantanamo prison, in Cuban territory occupied against the island authorities' will, holds more than 500 people arrested during the invasion of Afghanistan in 2001 without access to legal assistance.

Humanitarian organizations have insisted on the necessity of respecting prisoners' rights before justice, but the Department of Defense has opted for military tribunals called commissions.

"Changes by President George W. Bush's administration to the system are an improvement but do not completely solve the problems," indicated the WP.

Under the new order, a military will be the judge and rule on questions of law, and the other members of the commission will be the jury and decide on guilt and pass sentence, without the participation of the presiding judge.

In the previous system, all members of the commission were both judge and jury.

Bush administration explanations as to the need for these military tribunals, rather than using courts-martial, are less persuasive as time goes on emphasized the Post.

Last week, more than two hundred prisoners in Guantanamo went on a hunger strike to protest at their arbitrary imprisonment for almost four years without access to a fair defense.

Guantanamo prisoners are classified as "enemy combatants", a term used by the Bush government to justify their exclusion from the standard US legal system.