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Stonewalling Guantanamo

Editorial

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In the effort to combat terrorism while holding onto the world's good will, especially among Muslims, it was a grave mistake for the Bush administration to deny Geneva Convention rights to detainees at Guantanamo and other prisons in Iraq and Afghanistan. That decision four years ago laid the groundwork for all the abuse of detainees, including the 31 deaths that the military has found were confirmed or suspected homicides. Now the administration has compounded the shame by denying access to prisoners by investigators from the UN Human Rights Commission. The decision will only strengthen the view of US critics that this country has placed itself above international law.

The Pentagon justifies its action by pointing to the permission it gives to the International Committee of the Red Cross to meet with prisoners. But the ICRC maintains such access in situations like this by agreeing to report its findings only to the authorities holding the prisoners. It does not issue public reports. The UN investigators likely would. The UN investigators should also demand access to the secret "black site" detention centers for terrorism suspects that the United States maintains in Eastern Europe, according to The Washington Post. It is unlikely prisoners in those facilities have ever received a Red Cross visit, since Washington has not even acknowledged they exist.

The UN commission has sought access to Guantanamo since soon after the US base in Cuba began receiving prisoners from the Afghan war in January 2002. The commission said it repeated its request earlier this year because it had reliable reports, some from declassified US government documents, that prisoners had been tortured. Washington responded that three UN investigators could come, but they would not be allowed to meet privately with prisoners. The investigators understandably refused to go through what would have been a sham exercise.

More than 500 detainees are still being held at Guantanamo. Just nine have been charged with any crimes.

In addition to raising new suspicion about US treatment of detainees, the Pentagon's stonewalling will also weaken Washington's ability in the future to enlist the commission in reporting on other nations' human-rights abuses. In responding to the US decision, the commission said: "It is particularly disappointing that the US, which has consistently declared its commitment to the principles of independence and objectivity of the fact-finding mechanisms, was not in a position to accept these terms." Reaffirming those principles by giving the investigators full access would allow the United States to begin moving back toward the moral high ground it has so senselessly abandoned.