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U.S. to Defend Use of Guantanamo War Tribunals

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The Bush administration said it will vigorously defend its power to try al Qaeda suspects in specially designed war crimes tribunals at Guantanamo Bay, Cuba, after a federal court's decision to halt them.

A District of Columbia federal judge on Monday ruled that President Bush exceeded his authority in classifying suspects eligible for the tribunals, which would be the first of their kind held by the United States since World War II.

U.S. District Judge James Robertson, a 1994 Clinton appointee, found that the tribunal system was being conducted unlawfully, outside the guidelines of U.S. military law and the Geneva Conventions.

The administration quickly decried the ruling, which came as the result of a lawsuit filed by Salim Ahmed Hamdan, a former chauffeur for Osama bin Laden. He is one of four suspected al Qaeda members charged so far in the system.

"We vigorously disagree with the court's decision, and will seek an emergency stay of the ruling and immediately appeal," Justice Department spokesman Mark Corallo said Monday.

"We believe the president properly determined that the Geneva Conventions have no legal applicability to members or affiliates of al Qaeda, a terrorist organization that is not a state and has not signed the Geneva Conventions."

Mr. Corallo said that by giving protected Geneva Conventions prisoner-of-war status to al Qaeda members, Judge Robertson "has put terrorism on the same legal footing as legitimate methods of waging war."

The White House designed and authorized the war crimes tribunals -- formally called "military commissions" -- after September 11 to try terror suspects classified as "enemy combatants" outside the bounds of traditional federal courts.

An estimated 550 terror suspects are held at Guantanamo Bay Naval Base, on Cuba's southern tip. The majority were brought there more than two years ago after capture in Afghanistan, where U.S.-led forces routed the al Qaeda-supporting Taliban regime.

The Bush administration refers to all of the detainees as "enemy combatants," although Mr. Hamdan and the three others are the only ones so far charged in the military commissions.

Judge Robertson's ruling said the United States must treat Hamdan not as an enemy combatant, but as a prisoner of war protected by the Geneva Conventions until a "competent tribunal" -- independent from the president's determination -- finds otherwise.

Under the rules of military justice, POWs can be tried only by court-martial, not by the special military commissions.

New York-based Human Rights Watch said the judge's ruling "should put the final nail into the coffin of the military commissions," which have been "a disaster" and "should never have been created in the first place."

Administration officials have said one motivation for using the commissions has been to protect classified evidence that could be brought up during a conventional trial.

Mr. Corallo said the system "was carefully crafted to protect America from terrorists while affording those charged with violations of the laws of war with fair process."