

An introduction to “Outside the Law: Stories from Guantánamo”

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Greetings from London. I wish I could be here with you this evening, simply to say thank you for caring about some of the victims of the criminally misguided policies launched by the Bush administration in the wake of the 9/11 attacks. The resolution passed in Amherst last November – adopting two prisoners from Guantánamo, and asking Congress to overturn its ban on bringing cleared prisoners from Guantánamo to live on the US mainland – was enormously significant, as it showed that ordinary Americans were prepared to take a stand.

It showed that, amongst the American people, were those who were willing to tell lawmakers and the judges of the DC Court of Appeals that they were wrong to state that America had no obligation to provide new homes for some of the most unfortunate men in Guantánamo – those who are cleared for release but cannot be repatriated because of the risk of torture in their home countries. These men – perhaps as many as 50 of the 188 men still held – are from countries including Algeria, China, Libya, Syria, Tunisia and Uzbekistan.

This evening, you will hear from, amongst other commentators, Omar Deghayes, a British resident who spent five and a half years in US custody before being released without charge in December 2007. I hope that his story moves you as it did me, when, a year after his release, he agreed to be interviewed for the film, and poured out his feelings about what had happened to him.

In the last 14 months, there have been many disappointments for those of us who hoped that Guantánamo would now be closed – including the reintroduction of Military Commissions for at least some of the 35 prisoners that President Obama's Task Force has recommended for trial, and the administration's decision to continue holding 47 prisoners without charge or trial, on the basis that they are apparently too dangerous to release, even though the supposed evidence against them would not stand up in a court of law.

This is, to put it bluntly, a despicable betrayal of the values that both the US and the UK claim to hold dear – that no one should be imprisoned unless they have either been tried and convicted in a court of law, or are prisoners of war, seized in wartime and protected by the Geneva Conventions that President Bush so casually discarded in February 2002.

In the film you are about to see, you will, I hope, be provided with numerous examples of why trusting what passes for evidence in Guantánamo is a dubious business, and why the President's plans for tweaking the Bush administration's policy of indefinite detention for terrorist suspects is both misguided and dangerous. Should any doubts remain, I urge you to look at the rulings made in US courts over the last 18 months, in which judges have ruled, in 33 out of 44 cases, that the government's supposed evidence does not stand up to independent scrutiny. Time and again, the judges have determined that it consists, primarily, of information extracted from the prisoners themselves, or from their fellow prisoners – in Afghanistan, Guantánamo, and the CIA's secret prisons – that was derived through the use of torture, coercion or bribery.

But there is another failure of the Obama administration that has been recognized in Amherst and Northampton and in other communities in the United States, where people have paid close attention to the dispiriting story of Guantánamo – and that concerns those prisoners who have been cleared for release but cannot be repatriated.

Last April, White House Counsel Greg Craig almost succeeded in bringing two men from Guantánamo to live in the US. These men are Uighurs, innocent men from China's Xinjiang province, who won their habeas petitions. Greg Craig had secured the support of both Robert Gates and Hillary Clinton



for this proposal, but when the plans were leaked, and provoked hysteria in Republican circles, President Obama backed down.

Since then, nine European countries – Albania, Belgium, France, Hungary, Ireland, Portugal, Slovakia, Spain and Switzerland – and two others (Bermuda and Palau) have stepped forward to take some of the cleared men who cannot be repatriated, placing humanitarian concerns above their desire to ask just one question and to do nothing else: why are we being asked to clear up America's mess when the Obama administration, and the American people, refuse to do anything to help?

Despite the help provided by these countries, I fear that their generosity will be extinguished before all of the cleared prisoners who cannot be repatriated have been provided with new homes. This is why the Amherst resolution was so important, and why urging other communities to follow Amherst's example is so crucial. Without intervention by yourselves and others, it is possible that men seized by mistake, and held without charge or trial for up to eight years, will rot in Guantánamo forever.

In “Outside the Law,” you will hear not only from Omar Deghayes, but also from Moazzam Begg. They are both men that I have come to know since their release from Guantánamo, and I remain astounded by their resilience, their humanity and their lack of bitterness about what happened to them. I am currently on a UK tour of “Outside the Law” with Omar, sharing a car, or a train carriage, with a man who is still labeled as an “enemy combatant,” a man who, in the eyes of some, is a terrorist.

Nothing could be further from the truth, but what saddens me is that, while Omar and I are free to take our message around the UK, to allow audiences to hear from, and to meet, a former Guantánamo prisoner, and to puncture the myths that were constructed so carefully and cynically by the Bush administration – that the men held were “the worst of the worst” – this opportunity is still denied to the American people.

I wish, above all, that the Uighurs had been allowed to live in the US. Their presence would have done more to dispel the ongoing lies about Guantánamo than any other gesture, but it did not happen, and, as a result, your activities on behalf of the prisoners represent a beacon of hope to all decent Americans.

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