



Guantanamo Bay Detention Center FACT SHEET

Eleven years after it opened, the detention center at Guantanamo Bay remains a symbol of our nation's use of torture, and a prison where over 100 prisoners continue to be detained without charge, trial, or, seemingly, prospect of release. Guantanamo Bay is costly (over \$900,000 a year per prisoner), harmful, and counterproductive to our interests. It is time to close Guantanamo. It is wrong to continue the indefinite detention without trial of these prisoners, many of whom have been held for years despite having already been cleared by our own government for transfer or release.

The situation at Guantanamo is dire. In February 2013, desperate and feeling a growing sense of hopelessness, detainees began a prolonged hunger strike to protest their continued detention without charge or trial. Over the course of the hunger strike, over 100 detainees participated and over forty were force-fed.

On April 30th, 2013, 38 religious leaders wrote to President Obama and Members of Congress calling for the closing of Guantanamo. They stated, "Guantanamo Bay is a place where our government tortured prisoners, and it continues to be a place where many are detained indefinitely without trial. We believe that our government has a moral obligation to close the prison at Guantanamo."

Recently, Navi Pillay, the U.N. high commissioner for human rights, criticized the indefinite detention of prisoners at Guantanamo. She stated, "We must be clear about this: the United States is in clear breach not just of its own commitments, but also of international laws and standards that it is obliged to uphold. When other countries breach these standards, the U.S. -- quite rightly -- strongly criticizes them for it."

History of the Guantanamo Bay Detention Center

Guantanamo Bay opened on January 11th, 2002, to hold the detainees from the post-9/11 "War on Terror." The Bush administration argued that federal courts had no jurisdiction over foreigners captured abroad and held in Cuba. By labeling them "unlawful combatants" rather than prisoners of war, they sought to deny the basic rights guaranteed POWs by the Geneva Conventions. The Supreme Court repeatedly found that key pieces of the Bush Administration's detention policy were in violation of the U.S. Constitution.

GUANTANAMO BY THE NUMBERS

779 - Total number of detainees who have been held at the Guantanamo Bay facility.

600 - Of the 779 detainees, roughly 600 have been released, most without having ever been charged, many after being detained for years.

164 - Total number of detainees remaining at Guantanamo.

84 - Number of the 164 detainees that the U.S. has approved for transfer to home or third countries but remain at Guantanamo.

15 - Number of children under age 18 who have been imprisoned at Guantanamo.

9 - Number of Guantanamo detainees who died while in custody, 6 by suspected suicide.

7 - Number of those convicted in the military commissions after trial or plea bargain.

6 - Of the 164 detainees that remain at Guantanamo only six face any formal charges.

(source: <http://www.hrw.org/features/guantanamo-facts-figures>)



On January 22nd, 2009, President Obama announced that he would close the Guantanamo Bay Detention Center. His very first executive order was to close Guantanamo within one year, saying it was time to “restore the standards of due process and the core constitutional values that have made this country great, even in the midst of war, even in dealing with terrorism.” Unfortunately, though, since the President’s executive order the Congress has passed and the President has signed legislation putting limitations on the President’s authority to transfer detainees out of Guantanamo.

On April 16, 2013, the bipartisan Task Force on Detainee Treatment sponsored by The Constitution Project issued its 500-page report on the interrogation and treatment of 9/11 detainees. The Task Force concluded that the United States indisputably engaged in torture and cruel, inhuman, and degrading treatment (CID) of 9/11 detainees in violation of U.S. and international law and for which there was no justification. Guantanamo Bay was at the epicenter of the U.S. torture program, with detainees subjected to myriad forms of torture including waterboarding, sleep deprivation, sexual degradation, sensory deprivation, induced hypothermia, and solitary confinement. In addition, a majority of the Task Force found the indefinite detention at Guantanamo “abhorrent and intolerable.”

Can President Obama Close Guantanamo?

Yes. Though Congress passed legislation restricting transfers out of Guantanamo, President Obama does have the ability to avert a growing human rights crisis and close Guantanamo. The FY 2013 National Defense Authorization Act (NDAA) specifically allows the President to transfer detainees out of Guantanamo if the Secretary of Defense certifies that it’s in the interest of U.S. national security and that measures will be taken to substantially mitigate any risks they may pose. Secretary of Defense Hagel has recently used this authority to certify a small number of detainees for transfer.

The President needs to immediately:

1. Direct Secretary of Defense Hagel to continue using existing certification procedures until all prisoners who have been cleared for transfer are repatriated or resettled abroad.
2. Work with the Yemeni government, a strong ally in the U.S. fight against al-Qaieda affiliates, to provide assistance, security measures, and rehabilitation programs that would allow us to more safely transfer Yemeni prisoners back to their country.
3. Support efforts in Congress to ease the current restrictions on transferring detainees.

For more information on Guantanamo go to www.nrcat.org/CloseGitmo

For the most up to date Action Alert to encourage Congress to close the detention center go to www.nrcat.org/ndaa