

An opinion on how the information received from guantanamo bay justifies keeping ...

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Guantanamo Bay

September 11, 2001 was a tragic day for many Americans when two planes hijacked by terrorists crashed into the Twin Towers, causing Manhattan to be covered in dust and debris while frightened citizens ran about. Behind the attack was Osama bin Laden, founder of al-Qaeda, who claimed responsibility for the attacks on the United States. He would later be found and killed, with the help of information extracted from Guantanamo Bay, a U. S military prison in Cuba that holds suspected criminals that committed high treason or a federal crime. However, the methods of interrogation are controversial and some may consider it cruel, inhuman, and unconstitutional. Some say that the interrogation techniques violate the Eighth Amendment, which states, that prohibits cruel and unusual punishment. There has been efforts to close Guantanamo Bay and to release its detainees and deport them back into their homeland or be tried in court. For the sake of the United States' security, Guantanamo Bay should remain open and that decision is to be made by the federal government because the people held there have committed a federal crime or is a danger to the nation, the interrogation techniques and punishments can extract critical information, and it is excluded from the Constitution and the Geneva Convention.

Guantanamo Bay holds some of the most dangerous people in the world, most of which are terrorists who attempted to or attacked the United States. Therefore, they cannot be allowed back on U. S soil and that they are too dangerous for the local and state governments to interfere. An example would be Khalid Sheikh Mohammed, who has been in Guantanamo Bay for

over eight years. Khalid was considered the mastermind of the September 11 attacks, and he was an “ al-Qaeda recruiter, financier, and operational planner.” (Headquarters, Joint Task Force Guantanamo, U. s. Naval Station, and Guantanamo) Al-Qaeda is an international Islamic terrorist organization behind the September 11 attacks. One can assume that Khalid would be a danger to the United States just as al-Qaeda would be since they have attacked the U. S. Another example of a dangerous detainee in Guantanamo Bay would be Ahmed Khalfan Ghailani, a member of al-Qaeda who “ transported explosives used in the 7 August 1998 bombings of US Embassies in Kenya (KE) and Tanzania (TZ), where 257 people were killed and over 4, 000 wounded.” (Headquarters, Joint Task Force Guantanamo, U. s. Naval Station, Guantanamo Bay, Cuba) He is considered a dangerous detainee stated in the leaked files from Guantanamo Bay and because he is the reason many people have died or have been injured. However, there are those who say that the majority of people held in Guantanamo Bay are innocent. In addition, there are sources that confirm this is true like the WikiLeaks leaked documents. They say that the prison has been “ imprisoning more than 150 totally innocent people.” (Hope, Christopher; WikiLeaks: Guantanamo Bay terrorist secrets revealed) Even if this is true, the information extracted from those who are guilty would save the lives of other innocent people. This would mean that Guantanamo Bay would save more innocent lives than those held in it. There are other examples of useful information extracted using the methods of interrogation and punishments in Guantanamo Bay.

The methods of which information is extracted is very controversial, but the information is considered extremely high-value. This is one of the reasons the federal government should be the level of government to decide whether or not Guantanamo Bay should remain open as the information is related to national security, not local or state. As stated before, Osama bin Laden has been killed with the help of tip-offs from detainees. Khalid Sheikh Mohammed was one who was subjected to Guantanamo Bay's interrogation techniques. Some methods used on him were stress positions, where the victim would be forced to be in uncomfortable positions, and "waterboarding", a form of water torture, where water is poured over a cloth that is covering "the victim's face. This would cause the victim to inhale water, which would cause them to feel as if they are drowning. The Telegraph, which provides online news articles, state that Khalid was the mastermind of the 9/11 attacks and was "interrogated using "torture" techniques, gave the United States the breakthrough that resulted in the killing of Osama bin Laden." (Ross, Tim; WikiLeaks: Osama bin Laden killed after tip-offs from Guantanamo - Telegraph) This led to a massive manhunt for the courier which led to the final raid in which Osama bin Laden was killed, preventing any other attacks al-Qaeda may have in mind. Not only did the interrogation techniques led to Osama bin Laden's death, it also led to the prevention of planned attacks, such as the plot to attack London Heathrow Airport. Also, government files about Guantanamo Bay states that "a 2003 plot to attack Heathrow airport using hijacked airliners was disrupted thanks to information from detainees." (Doward, Jamie; US claims Guantanamo 'saved lives') Of course, some may strongly disagree that the

interrogation methods should be used because they are inhumane and cruel. Although this may be true, the information well overweighs in importance. Bradford Berenson, lawyer who served in the White House counsel's office and helped form policy on the capture and imprisonment of detainees, has stated that "...we've learned a lot about terrorist financing, bomb construction, al-Qaeda's structure, training and its means of smuggling agents into the United States from interrogations of those held at Guantanamo." (Why Guantanamo Bay Should Stay Open)

Guantanamo Bay is excluded from the United States Constitution and the Geneva Convention articles, which would cause what happens at the military prison to be perfectly legal to do. The reason why the prison is excluded from the Constitution is because the prison is in Cuban territory, and the Constitution applies to the United States and its territories, not locations outside the territories. Also, the George H. W. Bush administration " holds that detainees are not entitled to any U. S. rights because they are being held in Cuban territory." (Notes on Guantánamo Bay) This would mean that since the prison is outside U. S territory but is occupied by U. S forces, the local and state governments should not make the decision of allowing Guantanamo Bay to remain open or to close it. In addition to this information, the Geneva Convention articles are made by treaties and protocols that establish international law of war, especially prisoners of war. One of the articles state that " Captured combatants and civilians who find themselves under the authority of the adverse party are entitled to respect for their lives, their dignity, their personal rights and their political, religious and other convictions. They must be protected against all acts of violence or

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reprisal. They are entitled to exchange news with their families and receive aid. They must enjoy basic judicial guarantees.” (What are the essential rules of international humanitarian law?) Since the U. S government says that “ they are “ unlawful combatants,” it can be argued that they are not subject to all Geneva Conventions protections.” (Gill, Kathy; Geneva Conventions and Treatment of Prisoners of War) As a result, they are not considered prisoners of war and their rights and protections are not recognized. Others say that despite not being considered a prisoner of war, the detainees should have the rights and protections as if they were. Giving them the rights and protections may seem humane and just, more information can be extracted when they are not recognized as a prisoner of war. An example would be the information extracted using controversial interrogation methods from Khalid Sheikh Mohammed used to track down and kill Osama bin Laden and the prevention of the London Heathrow Airport attack. In conclusion, Guantanamo Bay is excluded from the laws from the U. S Constitution and the Geneva Convention articles.

The decision of allowing Guantanamo Bay to remain open should be made by the federal government because its detainees are a threat to the United States, the methods of interrogation and punishments can extract important and critical information, and that Guantanamo Bay is excluded from the Constitution and the Geneva Convention articles. The detainees are dangerous because some of them are from an international terrorist group and is related to planned attacks on the U. S. The methods of interrogation and punishments are effective in extracting information like the courier of Osama bin Laden which led to his death and the prevention of terrorist

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attacks. Also, the prison is excluded from the Constitution and the Geneva Convention articles because of its location in Cuba and how the government categorizes its detainees. Guantanamo Bay holds people that are a threat, which in turn, provided information that has prevented attacks and killed Osama bin Laden. For the sake of the United State's security and future, Guantanamo Bay should remain open, and that decision is to be made by the federal government.