

[From Center For Constitutional Rights](#) | Original Article

NEW YORK - April 25 - Today, Center for Constitutional Rights Executive Director Vince Warren issued the following statement in response to the leaks of government allegations against 750 Guantánamo detainees and the multiple news stories that accompanied the leaks:

"The documents that have just been released again shed light on the Bush administration's disarray and desperation and reaffirm that the primary goal of Guantánamo was always intelligence gathering and not keeping so-called dangerous men off the streets. They provide more public detail on the many innocent men at Guantánamo, many of whom remained and remain there long after the government knew they were innocent. The danger is that putting the outdated allegations in these documents out without proper context can lead to the assumption that many of the men are more dangerous than they turned out to be.

News organizations around the world have covered the leaks of allegations against men currently and formerly detained at Guantánamo, but the New York Times is most notable for its unfiltered recycling of out of date and long-discredited DOD claims and its sensationalizing of inflated risk assessments over revelations of abuses committed by the U.S. For example, the Times lists five Russian men as being recidivists when not even the DOD continues to include them since they were tortured on their return to Russia (as documented by Human Rights Watch). A Center for Constitutional Rights client, Abu Sufian Ibrahim Ahmed Hamuda bin Qumu, is also listed as a recidivist, when in fact he was jailed on his return to Libya and is now allegedly fighting with the U.S.-supported rebels, as is made clear in another article in the same paper. That the large print, "Released from Guantánamo, They Took Up Arms" headline is followed by a small print, "against various foes" does little to mitigate the inflammatory message.

These are only a few of the examples, but they amount to an irresponsible repetition of the scare stories that abet those forces seeking to legitimate the continued existence of Guantánamo and the scheme of detention without charge that the place was created to facilitate. Even the disclaimer included on the Times website has been watered down from its previous version: now, buried at the bottom of the About section of the Guantánamo Docket feature, it reads, "The documents contain the Defense Department's assessments of the detainees, some of which have been challenged in federal court, and in some of the cases lower court judges have ruled against evidence presented by the government. Those cases have been appealed." It fails to mention that some of the charges were dropped or withdrawn

by the government itself, that a large number were overturned, and it presumes the existence of evidence when in many cases there was none. The coverage also continues the Times' incomprehensible policy of refusing to use the word "torture" to describe what was done to the men at Guantánamo. Reading the coverage in the Times and Washington Post, one would never know that the majority of remaining detainees - ninety of the 172 left - had been cleared for release by the Interagency Task Force set up in 2009.

Like the Defense Department's assessments of "recidivism," the risk assessments in the files are based on patently unreliable information, much of it the product of other interrogations at Guantánamo. The files are years out of date and repeat inaccurate Bush administration allegations long since put to rest. The Obama administration must release immediately its own Task Force assessments and, at a minimum, make public the list of who has been approved for transfer, who has been designated for trial and who is designated for indefinite detention, so that foreign governments, the U.S. Congress and the public can get a more accurate picture of the men who remain at Guantánamo. Without names and details of cases where the administration claims it needs to detain individuals without charges or trial, it will continue to be impossible to have any meaningful public debate about the wisdom of such a policy."

The broad picture these documents paint is not of men "too dangerous to release" but of a government attempting to justify its mistakes and detaining, interrogating and abusing men - as well as teenage boys and men old enough to be suffering from dementia - for years based on bad evidence, hearsay from self-interested jailhouse informers and sheer incompetence. The files show a breakdown in accountability for what was done to these men and a lack of transparency that continues to this day. They show that for more than nine years the government has been withholding information the public sorely needs in order to be able to make informed decisions about vital government policies. They also show that the press - itself a vital component of our democracy - must also do a better job of holding the government to account.

*CCR has led the legal battle over Guantánamo for the last nine years - sending the first ever habeas attorney to the base and sending the first attorney to meet with an individual transferred from CIA "ghost detention" to Guantánamo. CCR has been responsible for organizing and coordinating hundreds of pro bono lawyers across the country to represent the men at Guantánamo, ensuring that nearly all have the option of legal representation. In addition, CCR has been working to resettle men who remain at Guantánamo because they cannot return to their country of origin for fear of persecution and torture.*

