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U.S. Detention Camp Debate - * Bar Association luncheon speakers discuss terrorist prison

By Scott Sandlin

Albuquerque Journal
March 4, 2009

The gulf between views on Guantanamo Bay detention facility — legitimate tool in the nation's security arsenal or an affront to human rights and civil liberties — was abundantly evident as Albuquerque speakers squared off Tuesday.

"There's no place on the planet like Guantanamo Bay, Cuba," said Greg Zanetti, New Mexico Army National Guard brigadier general, during an Albuquerque Bar Association luncheon. Zanetti spent the past year as second-in-command at Guantanamo.

Zanetti wore camouflage fatigues as he described to the assembled lawyers and judges a typical daily report that might include Detainee No. 765 — prisoners are referred to by number — demanding onions and parsley on his salad and another fecethrowing prisoner anxious to continue terrorist activities if released.

Nancy Hollander, a criminal defense attorney, decried past treatment of Guantanamo prisoners, including two men she represents. U.S. authorities have admitted waterboarding one of her clients, USS Cole bombing suspect Abd al Rashim al Nashiri, and destroying the videotape of him and others. Torture doesn't yield good evidence, she said, calling for cases to be handled in federal courts "if there is a reason to prosecute."

Professor **Jennifer Moore** of the University of New Mexico School of Law said her work in international law led her to concerns that treatment of Guantanamo prisoners has created people more likely to commit acts of terrorism against the United States.

Zanetti, referring to abuse of prisoners at Abu Ghraib in Iraq, said, "Nothing like that happened on our watch. There's not mistreatment, torture or abuse. We do fight that perception daily."

But he said if a detainee was shackled in the courtroom, "We saw security. The legal camp, meanwhile, saw the presumption of guilt, and understandably objected.

"When the legal community asked for Gitmo's intelligence records, we saw the possibility for compromised classified material. The lawyers saw a chance to strengthen their case."

Hollander described what has happened to her clients — being moved every two hours to a different cell in what was dubbed the "frequent flyer program," beaten to a point where ribs were broken and subjected to abusive psychological techniques.

Prisoners throwing feces and making demands have been locked up for up to seven years without charges and with no phone contact with their families until last year, she said.

"We have made people crazy. There is no way to know anymore how many were dangerous when they came in and how many have become dangerous because of the horrible conditions we have left them in," she said.

Moore, who worked with refugees of the Rwandan genocide, said that in dealing with the remaining Guantanamo prisoners, "We should keep in mind not just legality, but the legacy of how the U.S. is looking to prevent terrorism. Due process may be the strongest tool."

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