

# Gates cites positive response to pending Guantanamo

*Gerry J. Gilmore, American Forces Press Service*

## **Gates cites positive response to pending Guantanamo closure**

WASHINGTON, Jan. 22, 2009 - President Barack Obama's decision to close the U.S. detention center at Guantanamo Bay, Cuba, has made a positive impression in the world community, and that will assist America in its fight against global terrorism, the Defense Department's top official said here today.

Closing Guantanamo "creates additional opportunities for us in terms of partnering with other countries and other countries' eagerness to work with us in dealing with violent extremists," Defense Secretary Robert M. Gates said during a Pentagon news conference.

Some countries apparently are mulling taking in detainees, Gates said, as part of the process of shuttering Guantanamo.

Such a development, Gates said, indicates that news of Guantanamo's impending closure "is being positively received" across the world.

"As I said, I think that creates opportunities for us," Gates said.

Obama earlier today signed three executive orders, one of which directs the closure of the U.S. detention center at Guantanamo Bay within the year. Another order signed by the president directs the stand up of a special interagency task force that will study the future disposition of present Guantanamo detainees that cannot be transferred to other countries and that pose a serious danger to the United States.

Obama said at the signing ceremony that his executive order impacting Guantanamo's detainee operations was issued "to effect the appropriate disposition of individuals currently detained by the [Defense Department] at Guantanamo, and promptly to close the detention facility at Guantanamo consistent with the national security and foreign policy interests of the United States and the interest of justice."

A process will be developed, Obama continued, to implement closure of the detainee center at Guantanamo "no later than one year from now."

Obama directed Gates on Jan. 20 to cease referring any new cases through the military-commissions process at Guantanamo Bay and to request 120-day continuances on all ongoing active cases there.

Management of housing and legal proceedings involving Guantanamo's detainee population has been under the purview of the Defense Department since the detention center was opened shortly after the Sept. 11, 2001, terrorist attacks on the United States.

Gates has recommended shutting down the Guantanamo detention center since he was appointed defense secretary more than two years ago.

"Clearly the challenge that faces us -- and that I've acknowledged before -- is figuring out how do we close Guantanamo and at the same time safeguard the security of the American people," Gates said. "And that's the challenge we will continue to face.

"I believe that there are answers to those questions," the secretary continued, "but we clearly have a lot of work to do and the executive order spells out, I think, the work that has to be done to get there."

Gates said he was among the least-qualified people to offer an opinion as to how detainees should or would be handled in the legal system after leaving Guantanamo.

"I think those recommendations will be made by the [U.S.] Justice Department, perhaps with the input of the White House Counsel for the President," Gates said.

Another executive order that was signed by Obama today directs the U.S. military and other U.S. agencies to follow the Army Field Manual, which bans torture when interrogating detainees "to promote the safe, lawful and humane treatment of individuals in United States custody," Obama said.

The directive, he added, highlights the importance for the United States to comply with the Geneva Conventions, which ban torture and specify humane treatment of all prisoners during wartime. Some detainees held at Guantanamo have said that they were tortured.

"I think you have to weigh the costs of the more severe interrogation measures with, as the president talked about in his inaugural address, our values and the impact on our values," said Gates, who has also served as director of the CIA.

Gates added, "We know a lot more about al-Qaida now than we did during the early years" of the war against terrorism. Consequently, the requirement "for measures that go outside the Army Field Manual is dramatically less than it was several years ago," he said.

"So, based on my experience in both arenas, I am very comfortable with where the executive order places us," Gates said.

The Military Commissions Act of 2006 established procedures governing the use of military commissions to try alien unlawful enemy combatants engaged in hostilities against the United States for violations of the law of war and other offenses that can be tried by military commission, according to a military commissions fact sheet.

The detention center at Naval Station Guantanamo Bay has housed nearly 800 suspected terrorists captured in Afghanistan, Iraq and other places since the start of global war on terrorism that followed the 9/11 attacks.

About 250 people are being held at Guantanamo today, including Khalid Sheikh Mohammad, the alleged mastermind of the 9/11 attacks.