

## WAR ON TERROR

# HOW TO WRAP UP

Here are four steps Obama should take to shut down prison this year

By MURRAY FOGLER

**E**VERYONE knows that President Obama issued an executive order his first week in office to close the prison at Guantanamo within a year. While many have opined on the difficulties of handling the approximately 245 remaining detainees, here is a four-step recommendation for what needs to be done.

### STEP 1: Free the Uighurs.

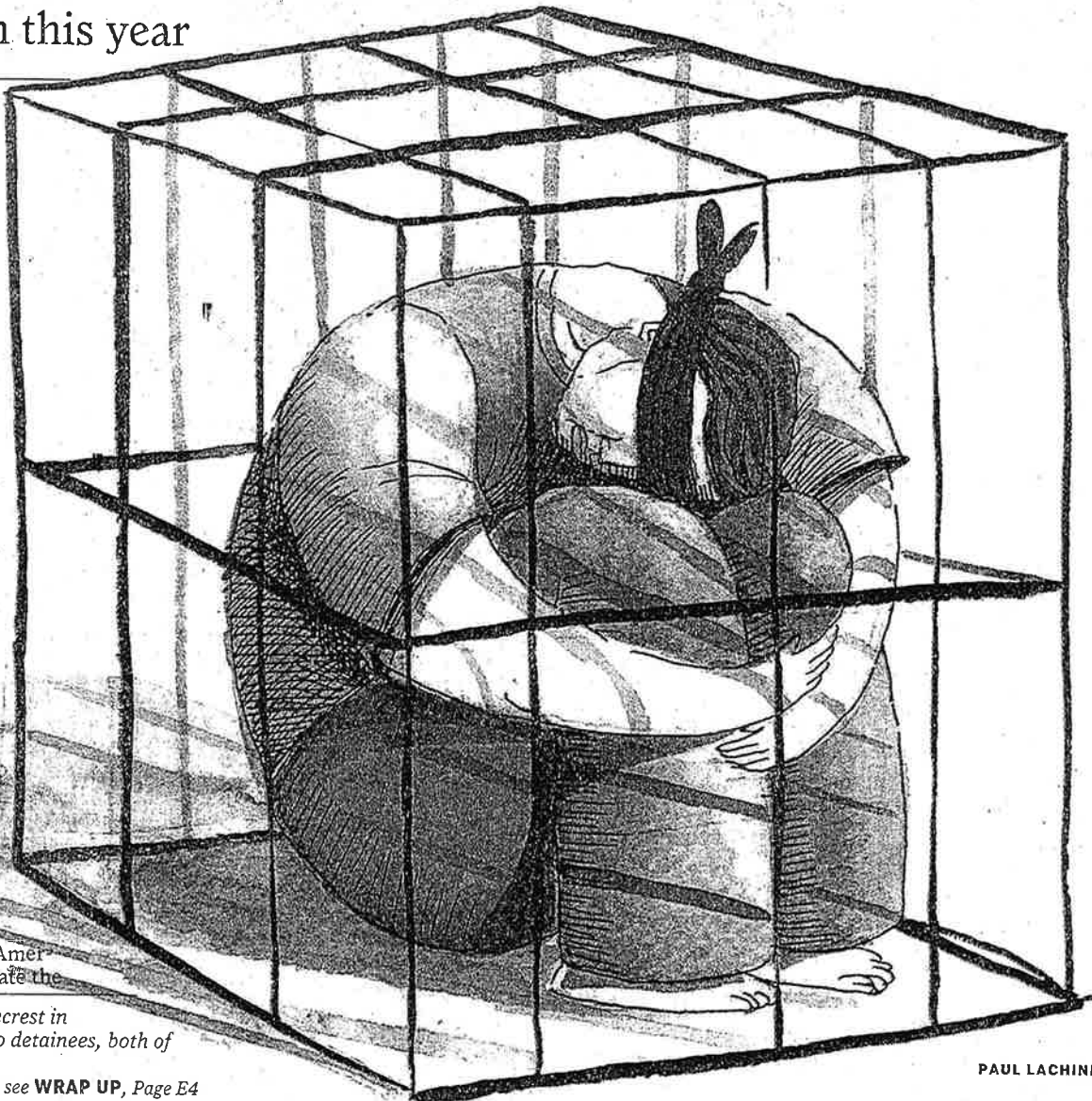
There are 17 Uighurs (Chinese Muslims) in Guantanamo and 5 others who were shipped to a refugee camp in Albania (yes, Albania). The U.S. government has long ago acknowledged these men were picked up in error, and a U.S. court has recently ordered their release. Yet, they remain in maximum security detention.

Granting asylum to all of the Uighurs in the United States would be a simple and quick start to the process of closing Guantanamo. It is a no-brainer. Taking this step has several benefits.

First, it is the right thing to do. These men are innocent, yet they have been held for seven years in captivity. Second, it can be accomplished in short order — there is a community of Uighur-Americans who are ready to accept and assimilate the

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PAUL LACHINE

# GUANTANAMO

## WRAP UP: How to close down prison

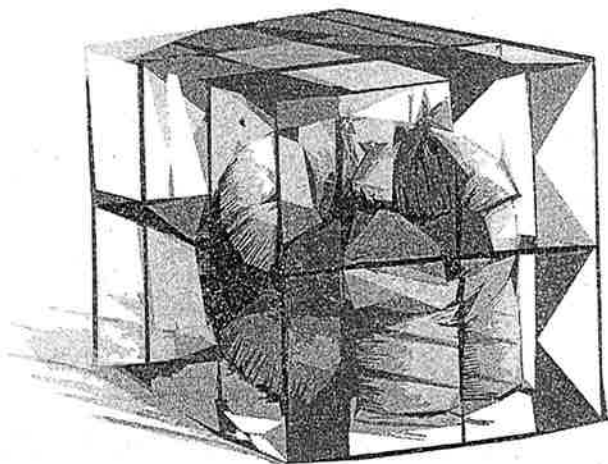
**CONTINUED FROM PAGE E1** men to our country. Third, our European friends, whom we are trying to convince to take other Guantanamo prisoners, have wondered why we have refused to accept any ourselves. Bringing these men to American soil will be roundly approved and will help break the logjam of dealing with other detainees.

### STEP 2: Release the detainees who have been designated for release.

It's time to stop calling all of these men terrorists. About 50 of the prisoners have already been declared by our government to be ready for transfer or release to their home countries. Send them back now.

What about those stories we hear of Guantanamo detainees "returning" to the battlefield? Those stories are greatly exaggerated, but there is no guarantee some released prisoners won't take up arms against us. We cannot, however, let that suspicion serve as a reason to hold these men.

In America, we do not imprison people merely because we suspect they might commit a crime in the future.



We detain people only when evidence shows they have already done so. We have no evidence to hold many of the current Guantanamo prisoners. The principles on which our country was founded demand that these men be released.

### STEP 3: Let the habeas process work.

It has taken years for these prisoners to win the right to challenge their detention in our courts. Most of the prisoners have exercised that right and their cases are now being heard. Courts in

Washington, D.C., have ruled already on the habeas petitions of about two dozen of these men. The prisoners have won most of the cases so far, but not all of them.

The system is not perfect, but it works. There is no reason why the remaining cases cannot be heard and decided in the next few months. When the courts rule, we should honor the decision. If the decision favors the prisoner, release him immediately. If not, we must go to step 4.

### STEP 4: Make the tough

### decisions.

We've put these off long enough, but we must make some hard choices now.

For prisoners who lose their habeas challenges, how long can we hold them as enemy combatants? Surely not forever. When we withdraw our troops from Iraq and Afghanistan, we should let the prisoners go, unless we convict them as criminals.

Which prisoners do we have enough evidence to try as criminals? We have tried terrorists before and put them away in U.S. prisons for life. We can do this again, evidence permitting.

And, which prison — civilian or military — in the U.S. should house the prisoners we do not release? In spite of the protestations of congressmen all over this country, this is not that hard. We know how to hold dangerous men, humanely and securely.

These questions have already been subject to endless debate. Likely, there is no one right answer. Putting off the tough decisions, though, won't make them go away.

No one said this would be easy. But we made this mess, and we have to clean it up. Let's start now.