The Librarian as Watchdog: One Librarian’s Experiences as an International Observer at Guantánamo
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TIMELINE: Guantánamo Bay Naval Station and US Navy Detention Facility

**June 1898**: During the Spanish–American War in the Battle of Guantánamo Bay, the United States seized Guantánamo Bay and established a naval base there.

**February 23, 1903**: The United States and Cuba signed a lease granting the United States permission to use the land as a coaling and naval station. The deal is signed to lease 46 square miles for 2,000 gold coins (around $4,080) a year.

**1960s**: The U.S. maintained the base even after it severed relations with Cuba following the Cuban Revolution; however, Cuba refuses to accept the money, and only one of the rent checks has been cashed. The remaining un-cashed checks are kept in a government office, stuffed into a desk drawer.

**1990s**: Toward the end of the 20th century, the base was used as a detention center for Cuban and Haitian refugees, until the camp was declared unconstitutional by a U.S. District Court judge in 1993.

**September 20, 2001**: After 9/11 attacks, President Bush declared a global War of Terror, launching an ongoing effort to thwart terrorists before they act.

Since **January 2002**, the U.S. has used part of its naval base at Guantánamo as a prison camp for detainees first from Afghanistan and later from Iraq. While the United States has an indefinite lease on Guantánamo Bay, Cuba still maintains *de jure* sovereignty over the area. Because of the mixed jurisdiction, the Bush administration stated that the captives were not subject to American law and had no right to protection under the United States Constitution, nor the American justice system.

**May 2003**: Guantánamo Bay prison population hits peak of 780.

*Rasul v. Bush*, 542 U.S. 466 (June 2004), a landmark decision of the United States Supreme Court in which the Court held that foreign nationals held in the Guantánamo Bay detention camp could petition federal courts for writs of habeas corpus to review the legality of their detention.

*Hamdi v. Rumsfeld*, 542 U.S. 507 (June 2004), a U.S. Supreme Court case in which the Court recognized the power of the U.S. Government to detain enemy combatants, including U.S. citizens, but ruled that detainees who are U.S. citizens must have the rights of due process, and the ability to challenge their enemy combatant status before an impartial authority.
**July 2004:** Military panels begin determining detainees' "enemy combatant" status in order to circumvent court ruling that detainees could challenge their detention on the US mainland.

**February 2006:** A report from the UN recommends closure of Guantánamo.

*Hamdan v. Rumsfeld*, 548 U.S. 557 (June 2006), the Supreme Court of the United States held that military commissions set up by the Bush administration to try detainees at Guantánamo Bay lack the power to proceed because its structures and procedures violate both the Uniform Code of Military Justice and the four Geneva Conventions signed in 1949, as well as the decision in *Rasul v. Bush*, a case that paved the way for Gitmo prisoners to get a day in court.

*The Military Commission Act, or MCA (October 2006)*, removes the Constitutional due process right of habeas corpus for persons the president designates as unlawful enemy combatants and allows to imprison people indefinitely without charging them with a crime. The MCA authorizes the creation of the military commissions.

*Boumediene v. Bush*, 553 U.S. 723 (June 2008), the US Supreme Court held that section 7 of the MCA was unconstitutional because of its restrictions of detainee rights, and that the military commissions had not been authorized by Congress. It determined that detainees had the right to petition US federal courts for habeas corpus challenges.

**January 14, 2009:** The US government admits torturing detainee Mohammed al-Qahtani while he was at Guantánamo Bay under the Bush administration. It is the first time officials admit using controversial techniques to interrogate prisoners.

**January 22, 2009:** President Barack Obama attempts to close down the facility as well as ban certain interrogation methods.

**November 18, 2009:** Obama announces that the Guantánamo Bay detention center will not be closed by January 22, 2010, due to difficulties in relocating the prisoners.

**January 7, 2011:** President Obama signs the 2011 Defense Authorization Bill with provisions to prevent the closure of Guantánamo Bay and the transfer of prisoners away from the camp. The most controversial provisions to receive wide attention were contained in subsections 1021–1022 of Title X, Subtitle D, entitled "Counter-Terrorism", authorizing the indefinite military detention of persons the government suspects of involvement in terrorism, including U.S. citizens arrested on American soil.

**March 7, 2011:** Obama announces that the United States will resume the use of military commissions to prosecute detainees at Guantánamo Bay.

**April 24, 2011:** Nearly 800 classified US military documents obtained by WikiLeaks reveal details about the alleged terrorist activities of al Qaeda operatives captured and housed at the US Navy's detention facility in Guantánamo Bay. Included are intelligence assessments of nearly
every one of the 779 individuals who have been held at Guantánamo since 2002, according to the Washington Post.

**September 2013:** The Office of the Director of National Intelligence releases a report, saying that some former detainees are returning to terrorist activity after being released. The study says that of the 603 detainees who have been released, 100 of them have resumed fighting against the United States.

**February 18, 2015:** A US military appeals court vacates the conviction of David Hicks, an Australian who pleaded guilty to providing material support to terrorism. Hicks was the first detainee at Guantánamo to be convicted in a military commission.

**January 30, 2018:** Trump signs an executive order to keep open the detention facility at Guantánamo Bay and opens the door to sending new prisoners there.

**April 29, 2019:** US Navy Rear Admiral John Ring, commander at Joint Task Force -- Guantánamo, is relieved of duty.

**June 10, 2019:** The Supreme Court rejects a challenge to the indefinite detention of detainees suspected of terror activities who have yet to be charged after being held for nearly two decades at the Guantánamo Bay detention center.

**BIBLIOGRAPHY**


FACTS AND FIGURES

The Detainees
Detainees currently held at Guantánamo: 40.
Total number of detainees ever incarcerated at Guantánamo: 780.
Detainees released under President Bush: Over 500.
Detainees at start of Obama Presidency: 242.
Detainees transferred, repatriated or resettled under Obama: 197.
Detainees at start of Trump Presidency: 41.
Detainees transferred, repatriated or resettled under Trump: 1.
Detainees transferred to U.S. for prosecution: 1.
Detainees who have died at Guantánamo: 9.
Number of current detainees imprisoned for more than 10 years: 40 (100 percent of total population).
Detainees convicted by military commission and still held at Guantánamo: 2.
Detainees Trump Administration is currently trying in military commissions: 7.
The Pentagon may only plan to prosecute 14 detainees in total, including those currently in pre-trial hearings.
Detainees Trump Administration is holding for indefinite detention without charge or trial: 26.
Number of countries that have accepted Guantánamo detainees: 59.

Financial Costs
Yearly cost to hold each detainee at Guantánamo: Roughly $13 million; yearly cost of a prisoner maintenance at a federal prison - $78,000.
Annual cost to operate Guantánamo: Approximately $445 million. Guantánamo has been called the most expensive prison on Earth, and due to deteriorating infrastructure, costs will likely rise if the prison remains open.
Federal Courts & Challenges to Military Commissions

Federal court convictions since 9/11 on terrorism-related charges: More than 660.
Detainees convicted by GTMO military commission: 8.
GTMO military commissions convictions overturned: 3 completely, 1 partially.
Detainees prosecuted in U.S. federal courts: 1 – Ahmed Ghailani.
Detainees federal courts have determined were being held unlawfully: 32.
Detainees who have lost their habeas corpus petitions challenging their detention: 21.
Times military commissions have been re-vamped: 2. The current third iteration has not been reviewed by the Supreme Court.
Cases involving detainee rights that have gone before the U.S. Supreme Court: 4.
Times Supreme Court Justices have sided with the detainees: 4.

Federal Prisons Holding Terrorists

Those convicted of terrorism-related charges being held in U.S. prisons: 443.
Those convicted of terrorism-related charges who have escaped from any part of the federal prison system: 0.

Additional History

First detainees brought to Guantánamo: January 11, 2002.
Last known arrival: March 14, 2008.
Last known departure: May 1, 2018.
Date military commissions first established, by military order: November 13, 2001.
Bounties paid by Bush Administration to anyone who would hand over a possible terror suspect: $3,000 to $25,000.

“Guantánamo by the Numbers.” Human Rights First, 10 October 2018,