

OBAMA DRAFTS ORDER TO CLOSE GITMO; SUSPENDS HABEAS CASES IN DC CIRCUIT

✘ First off, President Obama has already drafted the order to close Gitmo, as he had promised. The AOL News is reporting:

The Obama administration is circulating a draft executive order that calls for closing the detention center at Guantanamo Bay within a year.

The draft order also would declare a halt to all trials currently under way at the facility, where roughly 800 detainees in the war on terror are held.

...

Word of the draft order comes on the same day that a judge granted Obama's request to suspend the war crimes trial of a young Canadian in what may be the beginning of the end for the Bush administration's system of trying alleged terrorists.

The judge, Army Col. Patrick Parrish, issued a written order for the 120-day continuance, without even holding a hearing on the question. Another judge was expected to rule later Wednesday on a similar motion to suspend the trial of five men charged in the Sept. 11 attacks.

Secondly, as I explained in the last post, President Obama has moved to suspend tribunal proceedings at Gitmo, and the military panels have started entering the orders. As further evidence of the determination to immediately address, and bring a new sense of enlightened justice to, the detainees in Guantanamo, the Administration has imposed analogous continuance

motions in pending Habeas cases in United States District Court for the District of Columbia.

Specifically via a motion in *Bostan v. Bush et. al*, (DC Dist. 05-CV-00883), and a similar motion filed in *Mohammon v. Bush et. al* (DC Dist. 05-CV-02386), the Administration has moved to continue two hearings scheduled for this afternoon in respective Habeas Corpus cases.

The gist of the motions in both cases can be gleaned from the operative language in the *Bostan* case motion:

1. The Court previously scheduled a hearing on petitioners' motions for expedited judgment on the record for Wednesday, January 21, 2009, at 2:00 p.m. See, e.g., *Bostan v. Obama*, No. 05-cv-0883, Order (Jan. 12, 2009, dkt. no. 109). The argument will involve issues such as the appropriate nature and scope of the Executive's detention authority during wartime.
2. Earlier today, Barack Obama assumed the office of the President of the United States.
3. The Government is now assessing how it will proceed in the above-captioned Guantanamo Bay detainee habeas corpus cases. Time is needed to make that assessment and determination. Accordingly, the Government requests a short, two-week continuance of tomorrow's hearing to permit the assessment to move forward without an intervening argument on the first full day of the new Administration as to the Government's legal and other merits-related positions in these cases.
4. Counsel for respondents has conferred

with counsel for petitioners in these cases, who do not oppose a continuance of limited duration.

5. Respondents, therefore, request a continuance of two weeks, subject to the Court's schedule and without prejudice to any request for additional relief that may be subsequently sought.

Our new President Obama is moving at light speed to set things on a more rational and even keel on the detainee cases. This is change i believe in. For once. It may not turn out perfect, but it sure is a breath of fresh air from where we were a mere 24 hours ago. Booyah!

Oh, and one other thing, if you are thinking we might need to find a place for some of these innocuous detainees we have been wrongfully holding all these years based on no evidence and manufactured evidence, often through torture, Switzerland is offering to help. Via Reuters:

Switzerland is ready to consider taking in detainees from the U.S. prison for terrorism suspects at Guantanamo Bay in Cuba if that helps to shut it down, the Swiss government said on Wednesday.

"For Switzerland, the detention of people in Guantanamo is in conflict with international law. Switzerland is ready to consider how it can contribute to the solution of the Guantanamo problem," the government said in a statement.

Switzerland said it welcomed the expressed intention of U.S. President Barack Obama to close the prison and would investigate security and legal implications of possibly taking in detainees.

Again, breath in the justice. This is what a

real President can accomplish in a mere 24 hours. Makes you wonder what the, ahem, previous administration was doing for seven plus years. Once again, Booyah!