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## South Asia

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### Pakistan to help as the US's jailer

By Syed Saleem Shahzad

ISLAMABAD - With the George W Bush administration under pressure to close the US detention facility at Guantanamo Bay, Cuba, Pakistan is readying to step in to help its ally in the "war on the terror".

Both US Secretary of State Condoleezza Rice and Defense Secretary Robert Gates have suggested that President Bush transfer Guantanamo's detainees to the United States, saying the facility is undercutting US foreign-policy efforts. Should Bush not do so, it is likely that the joint military prison and interrogation



camp will be closed by the Democrat-controlled Congress. Vice President Dick Cheney's office and the Justice Department oppose having Guantanamo prisoners moved to the US.

The prison holds people suspected by the US of being al-Qaeda or Taliban operatives, as well as those no longer considered suspects who are being held pending relocation.

The camp has drawn strong criticism both from within the US military and worldwide for its extrajudicial detention of captives and acknowledgment that the interrogation rules there opened the possibility that captives were being tortured. To date, the Pentagon has only held military commissions for three al-Qaeda members, out of the 375 or so detainees currently at Guantanamo. Several hundred have been released over the past few years.

Asia Times Online has learned that the Bush administration is considering a plan under which inmates would be returned to special facilities in their countries of origin, where they would be treated on a case-by-case basis. There are an estimated 65 or so Pakistanis in Guantanamo, including Khalid Sheik Mohammed, the mastermind of the September 11, 2001, attacks on the US.

These special jails would be administered jointly by American and local security staff. At the same time, the new jails in allied countries would also house new suspects netted in the "war on terror".

A top Pakistani official told Asia Times Online that a special facility has already been built in the city of Faisalabad, adjacent to Faisalabad Central Prison. Another such facility is under construction in Multan and is expected to be completed within the next few months. Work on a detention center adjacent to Adyala Jail in Rawalpindi, the capital Islamabad's twin city, has just started.

These facilities are being funded by the US and will fall under the jurisdiction of Pakistan's Ministry of Interior. Special staff will be deputized to the centers to work in conjunction with US officials.

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The Asia Times Online contact said similar facilities will be established in Afghanistan, Egypt and other countries sympathetic to the "war on terror". Last week, the Associated Press reported that the US is helping to expand a prison in Afghanistan to take some detainees from Guantanamo. The report said a high-security wing is being built at the Pul-e-Charki prison complex near the capital Kabul. It will be capable of holding up to 660 people, Afghan officials were reported as saying.

A special cell comprising various Pakistani intelligence agencies will reinvestigate the cases of the returnees from Guantanamo and, after coordination with US officials, will decide their fate.

#### **On Osama's trail ... again**

The detainees held by the US at Guantanamo were initially classified as "enemy combatants", and as such it was argued that they were not entitled to the protections of the Geneva Conventions. But the US Supreme Court ruled against this interpretation on June 29, 2006. The next month, the Department of Defense issued an internal memo stating that prisoners would in future be entitled to protection under the conventions.

Herein lies the rub.

Washington is reluctant to abandon Guantanamo without arranging alternatives where suspects can be interrogated without the interruptions of "normal" legal procedures. Guantanamo was set up in the wake of September 11 with the specific aim of tracking Osama bin Laden, Ayman al-Zawahiri and their al-Qaeda network. This is a highly complex task in the belly of the terrorist world. It has become even more difficult since the wars in Iraq and Afghanistan and the overlapping connections among the varied insurgency groups. Playing it by the book, it's a tough world to crack.

Already in Pakistan the establishment plays loose with the rules. Asia Times Online has learned that over the past few months several al-Qaeda members have been rounded up, but they have not been formally arrested or charged, although they are being interrogated about bin Laden and his colleagues.

The authorities fear that if they appeared in open court, information they disclosed might alert al-Qaeda or, worse, they might be set free.

For example, it apparently took a year to track Abu Faraj al-Libby. Said to be al-Qaeda's No 3, Libby was arrested by Pakistani authorities on May 4, 2005, with four accomplices in the Pakistani tribal areas in North West Frontier Province.

Pakistani security officials apprehended numerous al-Qaeda members while on the trail of Libby, who had a US\$10 million reward on his head. They were never charged. "Had those persons been formally arrested, it would never have been possible to stay on the trail of Abu Faraj al-Libby," a Pakistani security official told Asia Times Online.

In theory, the facilities being built in Pakistan will not be classified as "secret" and will be subject to the laws of the land, although they will be used only for suspects in the "war on terror". Actual interrogation could be carried out elsewhere.

Contacts confirmed that suspects would be kept in detention for a long time as Pakistan does not want to be embarrassed, as happened with two men released from Guantanamo: Abdullah Mehsud of the Pakistani tribal area of South Waziristan and Mullah Shahzada of Afghanistan are both known to have joined the Taliban. Mehsud was subsequently killed in a shootout with Pakistani security forces in March 2005.

As the US realigns its detention system, so too has al-Qaeda changed. From being a well-organized group at the time of September 11, al-Qaeda's financial and logistical lifelines were all but broken. It has since regrouped and, importantly, myriad groups linked to or inspired by al-Qaeda have sprung up in any number of countries.

The "war on terror" is far from over.

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