

Congresswoman says detainees lacking due process

July 28, 2003

Erin Holmes - **Chicago Daily Herald**

An Evanston Democrat who traveled this weekend to U.S. detention facilities in Guantanamo Bay, Cuba, said she's satisfied with conditions there but disturbed by the lack of legal rights prisoners are given.

U.S. Rep. Jan Schakowsky spent about six hours Saturday at the Naval Base, home to about 650 prisoners being held as part of the war on terrorism.

In barracks where fans helped ward off the heavy heat, she watched the prisoners - most of them from Afghanistan - read the Quran and talk with each other through mesh-sided cells. She also noted a nearby "state-of-the-art" hospital.

"It's clear to me that they're held in conditions that are humane," Schakowsky said Sunday. "The problem is their legal rights. There is no due process, there's no legal process, there's no defined way that we can look at to determine that those individuals are in fact guilty."

She said she's concerned that prisoners there, unlike those in America, get no access to an attorney until they're actually charged. Plus, she said, they can be held at Guantanamo until the end of the war - a date she said is indefinite given that the war is unconventional.

"Is it five years? Ten years? Forever?" she questioned.

U.S. Rep. Mark Kirk, a Highland Park Republican who has not been to Guantanamo but has been in the military, said he sees things a little differently.

"People who want to kill Americans should not be let out," he said Sunday. "People who have dedicated their lives to the leadership of Osama bin Laden should not be released."

Schakowsky's concerns are:

- Basic human rights issues for those involved, most of whom are presumed guilty.
- The safety of U.S. soldiers overseas, who she worries could be at risk of being held as prisoners and treated the same way as those in Cuba.
- U.S. reputation during a time of international tension. She said a lack of due process for Guantanamo Bay prisoners, guilty or not, could make the country vulnerable to criticism.

Schakowsky said she'll push to give the prisoners more legal representation.

Conditions at the base have been criticized highly in the past, particularly in the early days of the war on terrorism.

Schakowsky, whose district includes most of Des Plaines, journeyed to Guantanamo Bay with members of the U.S. Helsinki Commission, or the Commission on Security and Cooperation in Europe. The trip was led by U.S. Rep. Chris Smith, a New Jersey Republican and commission chairman.

The panel monitors diplomatic efforts and human rights issues and tries to prevent conflicts in 55 nations participating in the Organization for Security and Cooperation in Europe.

That organization this month adopted a resolution deploring the Guantanamo situation.