

October 20, 2009

DOJ Statement on Grant of Certiorari in *Kiyemba v. Obama*

In a statement issued Tuesday, Justice Department spokesman Dean Boyd noted that the government had spelled out its position on the *Kiyemba* case in its brief urging denial of review of the case. The statement added these points about detention policy:

- This Administration remains as committed to closing the detention facility at Guantanamo Bay, which has served as a prime recruiting tool for Al Qaeda and strained our alliances overseas, as it was on the day the President signed the Executive Order. Much progress has been made to date.
- The interagency Guantanamo Review Task Force has completed its initial review of all the detainees held at Guantanamo Bay and has approved a significant number for transfer to foreign nations. Thus far, the Administration has successfully transferred 19 detainees abroad, some of whom had been ordered released by the courts years ago. Our friends and allies have accepted or agreed to accept many other detainees who cannot be sent home due to humane treatment concerns, and are seriously considering taking more.
- Furthermore, the Task Force has recommended to the Justice Department a number of detainees for potential prosecution in either federal court or reformed military commissions. In the coming weeks, the Attorney General, in consultation with the Secretary of Defense, will determine the appropriate forum for prosecuting those detainees. By Nov. 16, the Administration will announce a first wave of decisions about whether certain detainees will be prosecuted in federal courts or in the reformed military commissions system. We are on track to meet that goal ahead of the deadline.

#