

NOW THAT LATIF HAS DIED BUT HIS PRECEDENT LIVES, DOD RELEASES LIST HE WOULD HAVE BEEN ON

As Josh Gerstein reported, the government has released a list of 55 Gitmo detainees who have been cleared for release.

The list was dated September 21—almost two weeks after Adnan Farhan abd al Latif died. Note, the list makes it clear there are others who have been cleared, but the names of the others “approved for transfer” are “protected by sealed orders issued by the Court of Appeals.” I assume, from that, that these others are the men who have lost habeas cases, probably in the DC Circuit, and the government doesn’t want to admit how many detainees’ habeas cases it fought after having decided on their own account they could release it.

That is, they don’t want to admit how many other detainees are in the position Latif was in: cleared for release, but held on one dodgy intelligence report.

And now that Latif is dead and that Latif precedent is still valid in the DC Circuit, many of the others on the list are presumably facing that same limbo: held on the basis of what the CIA or DOD dubiously claim when they don’t need to be.