

KHADR'S CONFESSION AND THE LIES WE TELL

Omar Khadr's confession makes me sad. Sad that we insisted on prosecuting a child soldier for defending himself. But also sad for the lies we included in his plea deal to prop up the government's dubious stories about Khadr and detainees generally.

For example, can anyone explain to me how Khadr could be an alien unprivileged enemy belligerent under the Military Commissions Act in 2000 (the first action of Khadr's referenced in the document) when the MCA was first signed in 2006 and we've changed even the category since that time?

Omar Khadr is an alien unprivileged enemy belligerent, as defined by the Military Commissions Act of 2009 (MCA). Omar Khadr is, and has been at all times relevant to these proceedings, a person subject to trial by military commission under Section 948c of the MCA.

Then there's the Afghan deaths the government included in this confession to add to the conspiracy charges, which Daphne Eviatar has written about [here](#).

But the one that bugs me the most is this claim, which includes the assertion that Derunta and Khaldan were al Qaeda camps.

While in Afghanistan, Ahmed Khadr and members of his family, including Omar Khadr, visited many al Qaeda training camps, to include the al Farook camp (where al Qaeda trained in small-arms, map-reading, orientation, explosives, and other training), the Derunta camp (where al Qaeda trained members in explosives and poisons), and the Khaldan camp (where al Qaeda trained members in light weapons, explosives, poisons,

sabotage, target selection, urban warfare, and assassination tactics). Omar Khadr knew that these camps were operated by and associated with al Qaeda. Khadr provided U.S. officials with significant details regarding the operation of the training camps, including the fact that his father was responsible for providing financing for these camps, other al Qaeda sponsored camps, and other sponsored activities.

Now, presumably the government did this because the training it is suggested that Khadr got at Farooq—small arms and map reading—is the kind of thing you get at a boy scout camp. They had to tie Derunta and Khaldan to al Qaeda to make Khadr's training seem more militaristic, perhaps. But I can't help but wonder whether they've also crafted this to serve as one piece of "evidence"—confirmation from the son of the financier—to use against other detainees who trained as mujahadeen, but not al Qaeda mujahadeen.

The government is just writing its own novel about Gitmo detainees and the war on terror now. But hey! At least they won't have to go through the motions of trying a child soldier in a war court.

For more on this confession, see Michelle Shephard, who notes,

Khadr has made history as the first child soldier to be convicted for war crimes and the only captive the Pentagon has prosecuted for murder in the battlefield death of a U.S. service member in either Iraq or Afghanistan.