



Written by [Thomas R. Eddlem](#) on July 27, 2009

Guantanamo Teen's Trial Delayed by Obama Administration

The Obama administration has picked up the Bush administration's policy of denying justice to detainees rather quickly, using the tactics of delay as the Bush administration had done. But in the case of child-combatant Mohammed Jawad, U.S. District Court Judge Ellen Huvelle may not allow it anymore.



Judge Huvelle condemned the government's tactics, exclaiming "seven years and this case is riddled with holes. And you know it. I don't mean you. The United States Government knows it is lousy."

Jawad is accused of throwing a grenade at U.S. soldiers in Afghanistan in 2002. Jawad denies he was one who threw the grenade in which two U.S. soldiers were injured.

Federal prosecutors asked for a delay to get their evidence together for a criminal case. I'm not putting it off," Judge Huvelle said as she issued a [court order banning Jawad's "confession" under torture as evidence](#) in the case. "[Jawad] has been there seven years — seven years. He might have been taken there at the age of maybe 12, 13, 14, 15 years old. I don't know what he is doing there." Jawad's age is unknown, though his mother placed his age at the time of his 2002 arrest at 13 and an uncle claimed he was 12 at the time. The U.S. government claims that a bone scan estimated Jawad's age at his arrest at 17. Huvelle then launched into a [tirade](#) against prosecutors:

I don't understand your case. I really don't. You cannot expect an eyewitness time of account to rely on the kind of hearsay you have here. You'd better go consult real quick with the powers that be, because this is a case that's been screaming at everybody for years. This case is an outrage to me. I'm sorry. This is an outrage. I'm not going to sit up here and wait for you to come up with new evidence at this late hour. There is only one question here, did the guy throw a grenade or didn't he throw a grenade. That's the issue. Right? If he didn't do that, you can't win. If you can't prove that, you can't win. I'm not going to have people running around trying to figure out a way to get this case out of the Court's jurisdiction for some other reason. You have to come to grips with your cases.

How bad is the case against Jawad? Even the former lead prosecutor in the Bush-era military commissions against Jawad is now testifying on his behalf. Lt. Col. Darrel Vandeveld testified in a [court deposition](#):

I was the lead prosecutor assigned to the Military Commissions case against Mr. Jawad until my resignation in September 2008. It is my opinion, based on my extensive knowledge of the case, that there is no credible evidence or legal basis to justify Mr. Jawad's detention in U.S. custody or his prosecution by military commission. There is, however, reliable evidence that he was badly



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mistreated by U.S. authorities both in Afghanistan and at Guantanamo, and he has suffered, and continues to suffer, great psychological harm. Holding Mr. Jawad's for over six years, with no resolution of his case and with no terminus in sight, is something beyond a travesty.

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