

# THE GUANTANAMO TRAP

Documentary  
Running Time: 90 minutes  
35 mm/ HD  
Colour

2011 Germany/Canada/Switzerland



**KINOSMITH**



**T & C** FILM AG



**zeroone** | film

**Short Synopsis:**

In 2006, Murat Kurnaz was released from Guantanamo Bay after being detained for 5 years without trial. The same year, Matthew Diaz, a Navy lawyer was sentenced to 6 months of imprisonment for leaking the names of the detainees to a human rights organization. Four years earlier, Judge Advocate Diane Beaver was also deployed in Guantanamo. Here, she became the author of a legal memorandum that would later be nicknamed: the torture memo. Three encounters with Guantanamo, three individuals, whose lives will be forever changed. Their stories are exemplary and yet unique. The roles they played are ambiguous; the usual definition of victim and perpetrator is secondary. In the legal grey zone of Guantanamo, notions of good and evil, right and wrong lose their meaning.

**Long Synopsis:**

*The Guantanamo Trap* tells the stories of four people whose lives have been irrevocably changed by the Guantanamo Bay Detention Center.

Four unique encounters with Guantanamo construct the multi-faceted mirror that *The Guantanamo Trap* holds up to each of us. In August 2006, Murat Kurnaz was released from the U.S. detention camp in Guantanamo Bay, Cuba. He had been detained for five years without trial. In the same year, Matthew Diaz, Judge Advocate for the Navy, was sentenced to six months of imprisonment for passing on the names of the detainees to a human rights organization. Four years earlier in 2002, Judge Advocate Diane Beaver was also deployed to Guantanamo. Here, she became the author of a legal memorandum that would later be nicknamed 'The Torture Memo.' Seven years later in March 2009, Spanish lawyer Gonzalo Boye led a criminal case against six former Bush administration officials for allegedly covering up the torture of inmates in Guantanamo Bay.

In the free-falling of a lawless space beyond the Geneva Convention, beyond International jurisdiction, notions of good and evil, right and wrong, lose their meaning. Scattered in between revealing interviews and footage from the past are scenes that capture the now-hollow lives of the protagonists. Unable to let go of the past and forge a gratifying future, Kurnaz, Beaver, Diaz and Boye are immobilized by the weight of history. This haunting documentary questions the gravity of morality when decisions are made swiftly and sometimes arbitrarily.

The Guantanamo Trap ripples with a sense of frozen movement. The real-life characters repeatedly try to push forward while their history and their decisions restrain them. The caged freedom transcends the sharp words of the storytellers and moves into the silent landscapes and the nervous, lonely moments that pass through the film. No one escapes Guantanamo unscathed—Not the law, nor morality, and certainly not the people. The film tells the story of the people and depicts their search for a life after Guantanamo.

## **Character Profiles**

### **Murat Kurnaz**

Murat Kurnaz was a detainee at Guantanamo Bay who was arrested in Pakistan in 2001 and sold to the U.S. army by the Pakistani police for bounty. Kurnaz spent five years as a detainee between Afghanistan and an outdoor cage in the Guantanamo Bay Detention Camp. As Murat describes the details of his experience, the physical and psychological aftershocks still resonate in his voice. His vacant tone and motionless stare cast a shadow on his story and on his alleged connections to the September 11th attacks.

### **Diane Beaver**

Diane Beaver has become infamous for a legal memo she wrote in 2002 at Guantanamo Bay during her capacity as a lawyer for the U.S. Army's Judge Advocate General Corps. In the memo she deemed a list of "enhanced" interrogation techniques, which included sensory deprivation and water boarding, to be used against Guantanamo Bay detainees as legal. The memo placed Diane in the eye of a political storm that touched down on her doorstep when the government leaked the confidential memo with her name to deflect the global outrage in the wake of Abu Ghraib. Since then her name has become synonymous with torture. The Guantanamo Trap captures Diane's civilian lifestyle; life after Guantanamo has left a gaping emptiness waiting to be filled with either dignity or doubt.

### **Matt Diaz**

The Guantanamo Trap follows Matt Diaz as he paces the streets of New York alone. Instead of the bustling, human traffic-jam that New York is known for, Matt's experience in the city is solitary and broken. Diaz's narrative spirals out of a risky decision he made while working as a navy lawyer at Guantanamo Bay. Diaz broke the law by copying a list of Guantanamo Bay detainees and sending it to a human rights organization in New York. Matt recognized the inhumane treatment and unlawful detention that was occurring at Guantanamo. Morally compelled to do what he considered the right thing, Diaz defied his superiors and his government, fully aware that there was a good chance his decision would destroy his life ... and it did.

### **Gonzalo Boye**

A Spanish criminal prosecutor, Gonzalo Boye is leading a case against the Bush administration for unlawful detention and war crimes including torture. As a former lawyer for the U.S. army and as the advisor on torture techniques, Diane Beaver is one of Boye's targets. Several years before, Boye himself had been tortured at the hand of Spanish police in Madrid after he was arrested for allegedly abetting a kidnapping by a terrorist organization. He was tried and sentenced to fourteen years in prison, where he became a lawyer. Boye recounts moments of his experiences in prison as he sways between vengefulness and subdued meditation.

## Director's Statement

Sometimes the reason why you make a film changes over time. In this case the journey began for me when I was put on the US terror watch list for five years in 2005 after I didn't comply with the request to submit biometric data to US customs. In hindsight my actions were stupid but the experience, which resulted in an extraordinary amount of unnecessary humiliating harassment by homeland security taught me how quickly you can end up being a terror suspect and how helpless one feels in such a situation. One of my initial motivations for making this film was, I must admit, a petty sense of vengeance. I'm glad that the resulting film actually transports none of that original sentiment; in fact I made a point to counteract my knee-jerk reaction by trying to approach the subject matter from a much more neutral point of view ... if such a thing is even possible with a subject like Guantanamo.

The way I wanted to do this was to explore Guantanamo from the perspective of a handful of people who lived, worked and suffered there. I wanted my protagonists to come from vastly different sides of the conflict and give them room to tell their stories in their own words, to relate their subjective perspective and their individual trauma without judgment from the filmmaker. That is a film that I believe hasn't really been made until now.

The result is a highly personal multi-perspective take on events. The trade-off is that this perspective is by virtue of its intimacy narrower. But I didn't want to make a history lesson on Guantanamo or a blow-by-blow account of the War on Terror. Instead the film focuses on more universal personal issues of morality and trauma. The war on terror is the backdrop. The long list of famous and infamous names connected to that history are irrelevant to this film. There isn't even a mention of George Bush. He has become too much of a cliché.

There is a lot of gray in this film. In the end the film is about the choices of three people and the impact of those choices on their own lives and the lives of others, ten years after 9/11.

Diane Beaver believes she did her best to fulfill her patriotic duty to protect her country from a ruthless new enemy in a time of great crisis. Human rights advocates are adamant that she crossed a line that qualifies her for criminal prosecution or at least moral condemnation for the legal facilitation of torture. Murat Kurnaz is adamant he was at the wrong place at the wrong time, incarcerated without trial for five years and barbarically tortured for nothing. Others believe he was a danger to America and that his incarceration was the right of a country defending itself. Matt Diaz is a hero to some for leaking the names of the detainees at Guantanamo Bay when he could no longer stand what he felt was the abuse and lack of humanity around him. To others he is a traitor, who let his legal profession, the military and his country down.

I want the audience to come to its own conclusions whether the people being portrayed are victims, perpetrators, or both. How you feel about each of these individuals, their actions, and their morality will depend on your political leanings, your value system, where you live, what you would like to believe and what you have been told. The film does not provide easy answers to any of these questions.

I wanted to show how easy the slide into barbarity can be and that there are individuals willing to take on personal sacrifices to oppose undemocratic forces or protect their nation from harm. It also shows how quickly we can find ourselves on the wrong side and how brave moral decisions and decisive actions in times of great crisis are not necessarily rewarded. To me the film is akin to a Shakespearian tragedy. There are no victors. In the end everybody loses. What remains are damaged people and damaged lives.

## Crew Profiles

### Thomas Wallner, Director



Thomas Wallner is a producer, writer, director and game designer working in feature film, television, games and interactive media. In addition to producing innovative cross-media properties for television, he has written and directed five award-winning feature documentaries that have been broadcast in more than 30 countries. His most recent project *Inside Hana's Suitcase*, a feature documentary, interactive world and video web series adaptation of the bestselling children's book, *Hana's Suitcase*, was nominated for a 2010 digital Emmy. Thomas Wallner is a rare example of a creative filmmaker who is truly at home in the interactive media world while his company Xenophile Media is recognized internationally as one of the world's leading cross platform TV pioneers. Over the past ten years Thomas has consistently applied his award winning vision as a storyteller to push the limits of interactive narrative. As a leading figure in the creation of participatory narratives, he

brought the underground genre of Alternate Reality Gaming into the Television mainstream, culminating in the Emmy Award winning genre-benders *Fallen* and *Regenesis*. In 2007 Thomas Wallner pushed the boundaries of nonlinear story telling even further by developing the story concept for *Late Fragment*, Canada's first interactive feature drama produced by the NFB.

*The Guantanamo Trap* is his latest theatrical feature documentary. The project was produced in tandem with *MySeptember11th* an online commemoration of the 10th anniversary of 9/11. The project follows the international success of *Love Letters to the Future*, a social-network based multi-platform narrative aimed at combating global warming, which Thomas conceived and produced for the UN's Copenhagen Conference on Climate Change in December 2009.

Additional credits in the past 2009/10 year include interactive adaptations of the CBS/CTV police drama *Flashpoint*, the CTV Space / SyFy Network drama *Sanctuary*, TVO's *Empire of the Word* and the *M.I. High Game* for BBC while ongoing distribution of *Total Drama Island – Totally Interactive!* (Teletoon, Cartoon Network) now includes over ten million registered players.

Thomas is a recipient of numerous honours including two Emmy® Awards, three Emmy® nominations, two Geminis, a Rose d'Or, SXSW Interactive Award, two Webbys and two CNMA's.

He was nominated for *Producer of the Year* at this year's CNMA awards.

## **Filmography:**

**Associate Director and Co-Writer - *My War Years: Arnold Schoenberg (1992)*** A portrait of the composer. The film received a Gemini Award for Best Performing Arts Documentary, and Thomas was nominated for a Gemini Award for Best Writing of a Documentary Program or Series.

**Co-Director, Co-Writer - *Solidarity Song-The Hanns Eisler Story (1996)*** A feature documentary on the German Communist composer. The film premiered at the Louvre in Paris, where it won the Image en Classique award, given to the best arts film in the world over a three-year period. At the 2005 Toronto Hot Docs festival, the film was described as, "one of the most riveting and accomplished documentary biographies ever made." Thomas received two Gemini nominations for Best Writing and Best Directing of a Documentary Program or Series.

**Writer - *Beethoven's Hair (2004)*** A feature documentary based on the best-selling book that tells the story of a lock of hair cut from the head of Ludwig van Beethoven and its journey through time. Thomas received a Gemini Award for Best Writing of a Documentary Program or Series.

**Writer - *Mozartballs (2005)*** A tribute to Mozart featuring curious personalities that embody the spirit of the composer – from Swiss schoolteacher obsessed by all things Mozart, to an ex-pop musician in Oklahoma who believes that her body is inhabited by Mozart's spirit! The film was nominated for a Rose D'or.

**Writer, Director - *Tropicana (2006)*** The only film allowed to go behind the scenes at the famous Cabaret since the Cuban revolution.

**Writer - *Inside Hana's Suitcase (2008)***, Theatrical Feature Documentary based on an international best seller that tells the moving story of a young girl murdered in Auschwitz.

**Writer, Director - *The Guantanamo Trap (2011)*** Theatrical Feature Documentary (Swiss, German, Canadian co-production) that tells stories from the U.S. detention camp, not only from the perspective of the captives, but also the captors. Hot Docs World Premiere.

## Amit Breuer, Producer



Amit Breuer is an award-winning docmedia producer–director born and raised in Israel. In 1993 she founded **Amythos Films** (now **Amythos Media Inc.**); one of the first independent documentary production companies in the country. In 2002, she received the prestigious Israeli “Art of Cinema” award for her body of work. Since 2004 she has resided with her family in Toronto, Canada.

Ms. Breuer started her active international career with films like **Testimonies** (1993), **St. Jean** (1993) and **The Specialist** (1999) among others. In 1997, she founded the Original Programming Department for Channel 8, **Noga Communications’ Doc Channel**, which she managed until 2001.

After leaving Noga Communications, where she commissioned over 150 documentaries, many of them exploring issues of injustice and human rights that were never shown before on Israeli TV, she started working with Israeli emerging filmmakers.

The outcome included some outstanding works, including the films **Purity** (Yamagata audience Award, Golden Fipa Biarritz Prize, 2003) by Anat Zuria, and **Checkpoint** (2004) by Yoav Shamir, which won over 12 major international awards such as the Joris Ivens Award at IDFA, the San Francisco Golden Gate Prize and Best International Feature at Hot Docs Toronto.

Her first International-Canadian co-production, **Between Two Notes/Le blues de l’Orient**, was released theatrically in both France and Canada and won Best Work at FIFA 2007 in Montreal.

In November 2008, Breuer joined forces with Thomas Wallner of the acclaimed new media company **Xenophile Media** where she collaborated with developing, writing and producing several international properties for new and traditional media. Their first project, **Love Letters to the Future**, was a finalist at SXSW and won two Webby Awards and a Gemini Award in 2010. **The Guantanamo Trap**, a Canada-Germany-Switzerland theatrical feature documentary, directed by Thomas Wallner, will be released in spring 2011. Breuer and Wallner are also developing an innovative social media platform for their film called **My September 11<sup>th</sup>** supported by the Bell Fund for New Media. Breuer is currently producing a multiplatform property called **Exile**, a French-Canada co-production with the NFB and Alegria Productions, supported by the CMF, SRC and ARTE. Its digital platform is currently in development with KNGFU of Montreal, supported by the Bell Fund and the NFB.

### **Thomas Kufus, Producer at zero one film**

Thomas Kufus started out as a self-made director making his first feature-length documentaries in 1987 (***My Private War, Blockade***). Passion turned to profession with his commitment to author-driven, political and emotional documentaries. Documentaries and Art House fiction have remained Thomas' passions and they are the motivating force behind his production company, ***zero one film***.

Over the past 20 years, Kufus produced more than seventy documentaries, documentary television series and feature films. Many of them won international awards, including ***Black Box Germany*** by Andres Veiel, ***The Children are Dead*** by Aelrun Goette and ***Echoes of Home*** by Stefan Schwietert. His collaboration with Alexandr Sokurov on films like ***Moloch*** and ***Father and Son*** was highly acclaimed and awarded at Cannes. The recent fiction feature ***If Not Us, Who?*** has been nominated for the German Film Award.

Challenging the creative potential of TV and the flexibility of public broadcasters is the main objective when producing for TV. Together with Volker Heise, Kufus developed the highly successful living history format ***Black Forest House*** and ***The Manor House 1900***. With ***24h Berlin***, the team broke new ground, provoking broadcasters to cast aside the traditional slot structure for the duration of 24 to allow for an unprecedented 24-hour documentary. In 2010, ***24h Berlin*** won the Bavarian Film Award and the German TV Award.

Thomas Kufus teaches production classes at several film schools and has been working as a tutor for EURODOC since 2003. He is a member of The European and German Film Academies. In November 2009, Kufus became a chairman in the German Film Academy and is the first documentary filmmaker in this position since the Academy was founded in 2003.

### **Marcel Hoehn, Producer at T&C Film Ltd.**

T&C Film Ltd, an independent film production company, has been based in Zurich since it was founded in 1976. The company produces feature films and documentaries for theatrical release and television broadcast.

Marcel Hoehn's successful career started with the production of Rolf Lyssy's ***Die Schweizermacher*** (1978), which has remained the most successful Swiss film production for the past forty years. Over the course of many years he has also produced many unforgettable films in collaboration with Daniel Schmid, such as ***Hécate*** (1982), ***Il Bacio di Tosca*** (1984), ***The Written Face*** (1995) and ***Beresina*** (1999), and in co-production films by Francesco Rosi such as ***The Truce*** (1997), Jacques Rivette's ***Secret Defense*** (1998) or Sandra Nettelbeck's ***Mostly Martha*** (2001).

As the co-founder and managing director of T&C Film Ltd, Hoehn produced the successful films by Christoph Schaub, such as ***Jeune Homme*** (2006) and ***Giulias Verschwinden*** (2009).

Hoehn, a long-standing member of the Swiss Federal Film Commission and numerous expert commissions is widely esteemed in the film industry due to his profound knowledge of and his sustained commitment to filmmaking. He is a member of the European Film Academy and the Atelier du Cinéma Européen. In 2011, Hoehn was awarded the Swiss Film Prize “Quartz” honorary award.

### **Manfred Becker, Editor & Writer**



After moving to Canada from his home country, Germany, on a phony work permit in the mid '80s, Manfred Becker soon worked alongside filmmaker Peter Watkins at the NFB on his epic *The Journey* (Berlinale, TIFF, etc.). Manfred spent the '90s in dark edit suites helping others sort out their story (Sturla Gunnarsson's *Gerrie and Louise*, Nettie Wild's *A Place Called Chiapas* and Paul Jay's *Hitman Hart*).

Early in 2000, Manfred stepped into the light to create his own stories. Since then he has made eight documentaries about topics such as psychoanalysis, the birth of state-sponsored terrorism and dark tourism that have been seen by audiences around the globe and have been recognized with a number of awards. His personal film, *Fatherland*, premiered at Hot Docs in 2006 and went on to receive the Donald Brittain Gemini.

Manfred is a former executive member of the Documentary Association of Canada and a juror at Hot Docs. He has served as editor for the film magazine POV, and programmer for the annual 'Rendez-Vous with Madness' film festival in Toronto.

Manfred also teaches film at York University where he is pursuing post-graduate work in media studies, and giving workshops around the country on various aspects of documentary filmmaking. He continues to write and edit for respected colleagues like Barry Stevens' *Offspring* and *The Prosecutor*. Manfred hopes that his work with Thomas Wallner on *The Guantanamo Trap* marks the beginning of a long creative relationship.

## Filip Zumbrunn, Director of Photography



Filip Zumbrunn was born in 1969 in Zurich, Switzerland. In 1987, Zumbrunn won First Prize at the Swiss Youth Film Festival with his S-8mm Production *Timeless*. After graduating from high school in 1989, he started working in the film industry as an electrician and then as a Clapper/Loader. From 1993 on he was working as a first camera-assistant and focus-puller for many different commercial, corporate, documentary and feature films. Since 2000, Filip Zumbrunn has been working as a freelance director of photography and in 2005 he won the Special Jury Prize for Best Cinematography at the Swiss Filmprize with the film *Strahl*. In 2008, he won the prize for Best Cinematography at the Brooklyn International Film festival for the Italian film *Fuori Dalle Corde*. Zumbrunn is a member of the European and Swiss Film Academies and lives with his wife and two daughters in Zurich, Switzerland. He is represented by the well-known agency *Die Agenten* in Berlin and is currently working on international productions all over Europe.

[www.filipzumbrunn.com](http://www.filipzumbrunn.com)

[www.die-agenten.de](http://www.die-agenten.de)

## Stephane Kuthy, Director of Photography



Stephane Kuthy was born in 1968 in Paris and now lives in Zurich. From 1989 on he attended the ECAL / DAVI Film School, Lausanne and graduated in 1992. After working for several years as a camera assistant, still photographer and gaffer on various shorts, features and commercials he became an award-winning director of photography for feature films and documentaries.

Some of his titles include *Töte Mich* (2010), *Tannöd* (2008), *Happy New Year* (2007), *The Guantanamo Trap* (2011), *The Woman with the 5 Elephants* (2008) and *Transit Flughafen* (2002).

Stephane was recently awarded with the Swiss Film Award for Best Documentary for the film *The Woman with the 5 Elephants* (2010). His film, *Happy New Year*, was the opening film at the Locarno Film Festival in 2007.

## **Peter Scherer, Composer**

Peter Scherer is a New York-based composer and producer with a multifaceted career encompassing music for film and dance, producing, arranging and playing with other artists from across the spectrum of contemporary music.

Born in Zurich, Switzerland, he studied piano, composition, theory and orchestration, among others with György Ligeti and Terry Riley. Shortly after arriving in New York in the early '80s, he connected with key figures of the New York downtown scene such as Kip Hanrahan, Arto Lindsay, Bill Frisell, Nana Vasconcelos and John Zorn, collaborating on numerous recording projects and performances, while also working with R&B artists like Nile Rodgers, Cameo and many others.

In the early '90s Scherer started to further develop his unique style of sonic arrangements, exploring the potentialities of digital innovation combined with diversified musical traditions and sensibilities. This led to the release of two solo CDs, ***Very Neon Pet'*** and ***Cronologia***.

Commissions for film music followed soon, resulting in refined soundtracks such as ***Never Again Forever*** and ***Another Road Home*** for Israeli filmmaker Danae Elon; the Wim Wenders produced ***Voodoo, Mounted by the Gods***, directed by Alberto Venzago; the Brazilian film ***Sobras Em Obras*** about Geraldo de Barros, directed by Michel Favre; and ***Aline*** by Swiss/Indian filmmaker Kamal Musale.

Recent activities include music for Montreal dance company O Vertigo latest production ***Passare***, for which a new CD has been released; a sound track for Rumanian filmmaker Oana Suteu's ***Point de Fuite***; several performances with composer Don Li and video artist Pierre-Yves Borgeaud and a corresponding CD, ***That Land***.

## Main Credits

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Kinosmith

and

Telefilm Canada and the  
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present

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a coproduction of      zero one film  
                                 Xenophile Media, Amythos Media  
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and      NDR  
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produced by      Thomas Kufus  
                         Amit Breuer  
                         Marcel Hoehn  
                         Christoph Jörg

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written by      Thomas Wallner  
                         Manfred Becker

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cinematography      Filip Zumbrunn  
                         Stéphane Kuthy

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sound              Ludger Hennig  
                         Ole von Öhsen

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edited by  
music

Manfred Becker  
Peter Scherer

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THE GUANTANAMO TRAP

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a film by Thomas Selim Wallner

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**Stills**



**Murat Kurnaz**



**Guantanamo Tower**



**Diane Beaver**



**Matt Diaz**



**Murat Kurnaz**