

PUBLIC

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UA 162/05 **Torture or other cruel, inhuman or degrading treatment/Legal concern 14 June 2005**

USA **Mohammed C., black, Chadian national, aged 18**

Mohammed C., a Chadian national born in Saudi Arabia, has been in indefinite US military custody without charge or trial for three and a half years, most of it in the US Naval Base in Guantánamo Bay, Cuba. It is believed that he was 14 years old when he was detained, in October 2001 in Pakistan, and had just turned 15 when he was handed over to the US authorities the following month. He was then taken to Afghanistan before being transferred to Guantánamo in January 2002. For more than a year he has been held in Camp V (five) at Guantánamo, where conditions are particularly harsh. He is held in solitary confinement in a concrete cell for up to 24 hours a day. Amnesty International believes that his conditions of detention amount to torture or other cruel, inhuman or degrading treatment, in violation of international law, and that he and the other Guantánamo detainees are unlawfully detained.

Mohammed is believed to have been arrested in Karachi on or around 21 October 2001. He was transferred to a prison, where he was allegedly hung by his wrists, naked apart from shorts. He has said that he was held in this position for 10 to 16 hours a day. If he moved, he was hit. This went on for three weeks. He was allegedly blindfolded for that whole period except for three to five minutes each day, so he could eat. He was taken to Peshawar for 10 days, and then transferred to US custody in late November 2001.

In US custody, he says that he was put in blue overalls, hooded, shackled, beaten, threatened with death and put in a helicopter. Mohammed said that at this point, for the first time in his life, he heard the word “nigger” which is what the US soldiers repeatedly called him. He was flown to the US airbase in Kandahar, where he alleges he was physically assaulted on arrival, and kept naked for the first week. He has alleged that he was beaten, doused in freezing water, and that on one occasion, a guard grabbed Mohammed’s penis and threatened to cut it off with scissors he was brandishing.

In early January 2002, Mohammed was transferred to Guantánamo Bay. He was sedated, shackled, hooded and gagged for the flight. He alleges that he was beaten upon arrival. During the ensuing interrogation process, he has said that he was subjected to hanging by the wrists for up to eight hours at a time, beatings, sleep deprivation, strobe lighting, extreme cold via air conditioners, and racial abuse. He has alleged that dogs were used to intimidate detainees, and that he was subjected to a brutal removal from his cell, during which he was pepper sprayed and physically assaulted. During an interrogation in 2003, when Mohammed was 16 years old, the interrogator allegedly burned his arm with a cigarette. The teenager still has scars that he says was from this incident.

In May 2004, Mohammed was transferred to the newly-opened Camp V, a prison block for about 80 detainees that is apparently modelled on “super-maximum” security prisons on the US mainland. Conditions in the latter have been denounced by the UN Committee against Torture as “excessively harsh”. Mohammed is held for up to 24 hours a day in solitary confinement in a concrete cell approximately four metres by two metres. He is supposed to get out three times a week for an hour, for a shower and exercise. However, once a week is reported to be more the norm. There is 24-hour lighting, and Mohammed complains that his eyes hurt. There are large fans that make a constant noise which make it impossible for communication between cells.

On his first day in Camp V, Mohammed said that: “The Interrogator explained why I was in Camp V: ‘We made this camp for people who would be here forever. You should never think about going home. You’ll be here all your life. Maybe one day my son will come to see you as you get old. Don’t worry, we’ll keep you alive so you can suffer more. If you don’t believe me, look at these walls.’ And he banged on the concrete wall to show how solid it was.”

BACKGROUND INFORMATION

Detentions began in Guantánamo Bay on 11 January 2002. More than 750 people have been detained there, of whom about 520, of some 35 nationalities, remain in the base. None of the Guantánamo detainees has had the lawfulness of their detention subjected to judicial review, a year after the US Supreme court ruled that the US courts have jurisdiction to hear appeals from them. Amnesty International believes that all those currently held in Guantánamo are arbitrarily and unlawfully detained. See *USA: Guantánamo and beyond: The continuing pursuit of unchecked executive power*, AMR 51/063/2005, May 2005, <http://web.amnesty.org/library/index/ENGAMR510632005>. At least four and possibly up to nine of the current Guantánamo detainees were under 18 years old at the time they were taken into detention. Five detainees who were reportedly under 18 when they were detained have been released. They were as young as 13 when detained.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language, in your own words:

- expressing the most serious concern that Mohammed C. has been held in Guantánamo since he was 15 years old, and that he has now been held in the cruel conditions of Camp V for more than a year;
- calling for him to be removed from Camp V immediately;
- stating that he must be given appropriate medical care and exercise time;
- calling for him to be released unless he is to be charged with a recognizably criminal offence and tried in full accordance with international standards for fair trial;
- seeking assurances that he will not be transferred to any country where he would be at risk of torture or other human rights violations;
- calling for an independent investigation into allegations that he was tortured and subjected to other cruel, inhuman or degrading treatment in US custody in Kandahar air base and in Guantánamo Bay;
- calling for the Guantánamo facility to be closed, and for all US "war on terror" detentions to be opened up to external independent scrutiny.

APPEALS TO:

President George W. Bush, The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500, USA

E-mail: president@whitehouse.gov

Fax: +1 202 456 2461

Donald Rumsfeld, Secretary of Defense, The Pentagon, Washington DC 20301, USA

Fax: + 1 703 697 8339

Salutation: Dear Secretary of Defense

Matthew Waxman, Deputy Assistant Secretary of Defense for Detainee Affairs

2500 Defense Pentagon 5E420, Washington, DC 2031, USA

Fax: +1 703 697 6166

Salutation: Dear Deputy Assistant Secretary of Defense

COPIES TO:

Secretary of State Condoleezza Rice, Secretary of State, Department of State, 2201 C Street, NW, Washington DC 20520, USA. **Fax:** + 1 202 261 8577

and to diplomatic representatives of the USA accredited to your country.

You may send postcards to Mohammed C. Please address them to Detainee ISN 000269, PO Box 160, Camp V, Washington DC 20053, USA

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 July 2005.