

# USA/Yemen

## Secret detention

### CASE SHEET 3

August 2005

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Full name: **Walid Muhammad Shahir Muhammad al-Qadasi**

Nationality: Yemeni

Age: 25

Family status: Single

*"The Americans interrogated us on our first night which we coined as 'the black night'. They cut our clothes with scissors, left us naked and took photos of us before they gave us Afghan clothes to wear. They then handcuffed our hands behind our backs, blindfolded us and started interrogating us. ... They threatened me with death, accusing me of belonging to al-Qa'ida."*

Walid al-Qadasi, describing his treatment in prison in Kabul

#### **Background**

Walid al-Qadasi was arrested in Iran in late 2001. He was then shipped around the world – to Afghanistan, to Guantánamo Bay, and then to his home country of Yemen. For much of that time he was held in secret, and his family had no idea of what had happened to him. He suffered, and saw, terrible abuses.

He is still imprisoned in Yemen – more than four years after his arrest – without ever having been charged with any offence. A senior Yemeni official told Amnesty International that Walid al-Qadasi was being held at the request of the US authorities.

#### **From place to place**

Walid al-Qadasi says he was held in Iran for about three months before being handed over with other detained foreign nationals to the authorities in Afghanistan. The detainees were then handed over by the Afghan authorities to the custody of the USA, and held in a prison in Kabul.

Walid al-Qadasi described his imprisonment in Kabul:

*"They put us in an underground cell measuring approximately two metres by three metres. There were 10 of us in the cell. We spent three months in the cell. There was no room for us to sleep so we had to alternate. The window of the cell was very small. It was too hot in the cell, despite the fact that outside the temperature was freezing (there was snow), because the cell was overcrowded. They used to open the cell from time to time to allow air in. During the three-*

*month period in the cell we were not allowed outside into the open air. We were allowed access to toilets twice a day; the toilets were located by the cell."*

Walid al-Qadasi said that in Kabul the prisoners were fed only once a day and that loud music was used as "torture". He said that one of his fellow detainees "went insane". Walid al-Qadasi said that when the ICRC (International Committee of the Red Cross) visited the prison, his cell was initially not opened for ICRC inspection. When one of the detainees started shouting to let the ICRC know they were there, the ICRC official reportedly demanded to see the cell. However, according to Walid al-Qadasi, the prison authorities only opened the cell after some of the detainees, who were described by Walid al-Qadasi as "insane", were secretly moved to another cell away from ICRC inspection.

Walid al-Qadasi was eventually transferred to Bagram, where he faced a month of interrogation. Then his head was shaved, he was blindfolded, made to wear ear muffs and a mouth mask, handcuffed, shackled, loaded on to a plane and flown out to Guantánamo. There, he said he was held in solitary confinement for the first month of what would become a two-year detention. In April 2004 he was flown back to Yemen – he said he was drugged for the flight.

### **Imprisoned in Yemen**

Walid al-Qadasi was returned to Yemen from Guantánamo Bay at the beginning of April 2004. Despite having been released without charge, when he arrived he was detained in the Political Security Prison in Sana'a without access to a lawyer, a judge or his family. When Amnesty International delegates met him, he had been held there for 11 days, but his family had not been informed that he was back in Yemen. When the delegates asked prison staff why his family had not been told where he was, they responded that Walid al-Qadasi had forgotten his telephone number but that "we will inform them".

More than a year later, Walid al-Qadasi remains held in Yemen without charge or trial or even the opportunity to challenge his detention. He has been moved to Ta'iz prison, where he has been able to see a lawyer and his family can see him twice a week.

The Head of the Political Security in Sana'a told Amnesty International that Walid al-Qadasi and other returned Guantánamo detainees were being held at the request of the US authorities.

# **TAKE ACTION FOR Walid al-Qadasi**

### **Write to the Yemeni authorities:**

- Appeal for the immediate release of Walid al-Qadasi, unless he is to be promptly charged with a recognizable criminal offence and given a fair trial;
- Call for all detainees to have prompt access to lawyers and to the judiciary to allow them to challenge the legality of their detention;

- Call for UN human rights monitoring bodies, Amnesty International and other human rights organizations to be given regular access to detainees.

**Write to the US authorities:**

- Urge the US authorities to withdraw all requests to the Yemeni government to detain people released from US custody, unless they are to be prosecuted in accordance with international standards;
- Demand an end to incommunicado and secret detention; detainees should be held only in officially recognized places of detention with access to family, lawyers and courts;
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- All detainees held in US custody in undisclosed locations should either be charged and given a fair trial without recourse to the death penalty, or else they should be released.
- Demand an immediate end to all acts of torture and other cruel, inhuman or degrading treatment of punishment.
- Call for human rights laws and standards to be strictly adhered to in cooperation between US security forces and those of other countries, ensuring that torture and ill-treatment, incommunicado detentions and “disappearance” play no part in such cooperation;
- Urge the US authorities to grant UN human rights monitoring bodies, Amnesty International and other human rights organizations regular access to detainees.

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