

# USA



## Who are the Guantánamo detainees?

### CASE SHEET 18

Fawzi al-Odah

October 2006

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Kuwaiti National: Fawzi Khaled Abdullah Fahad al-Odah

ISN#: 232

Age: 29

Occupation: Teacher

*"I have become an old man here. I'm only 29, but I have been here four years in isolation and have got old and much weaker," Fawzi al-Odah.*

Fawzi al-Odah is one of four Kuwaiti detainees who remain held without charge or trial at Guantánamo. According to his family, he had travelled to Pakistan in August 2001 and later worked in Afghanistan until the US invasion when he fled to the Pakistan border to escape the bombing. He was captured, along with four other Kuwaiti nationals, on the Pakistani side of the border in January 2002, jailed, and later handed over to US forces who held him in Kandahar, Afghanistan, before transferring him to Guantánamo.

On May 7, 2002, Fawzi al-Odah sent his parents a letter saying, "Now I am detained by the American forces and investigations are still going on...I will be established as innocent soon, and then I will return back to you..." More than four years later, his parents are still waiting for his return.

#### **Capture and detention**

According to an investigation by the publication 'Newsweek' published in July 2002, Pakistani villagers interviewed for the magazine remembered five Kuwaiti men arriving across the border on 16 December 2001. The guide who brought them over the mountains had described them as weak, nervous, ill-clothed and inexperienced climbers. The five men are said to have taken refuge with a Pakistani tribal leader who treated them well, but later sold them on to the Pakistani authorities who held them, initially for three days, in Alizai jail.

Fawzi al-Odah and his four companions are then reported to have been hooded, shackled, thrown into the back of trucks and taken to a prison in Kohat, Pakistan. A note they had managed to pass onto one of the guards, which never reached its intended destination (the Kuwaiti embassy) later resurfaced and was passed to the 'Newsweek' reporter. In the note, the men had written that, "*We were compelled to go to Tora Bora because there was no other*

*safe place...It is our third day in jail and [we] are living in subhuman conditions. We hope for sympathy from you and an inquiry about us."* Later, while held in Kandahar, Fawzi al-Odah says that he was tortured badly by US forces before being sent to Guantánamo.

### **Transfer to Guantánamo**

*"I know from my experience in the air force how cold it must have been; for hours they were stretched out along the metal bottom of the plane, tied by their hands and feet, with a gun pointed at them and an American flag hanging above."* Fawzi al-Odah's father, Khaled, a former pilot with the Kuwaiti Army.

Fawzi al-Odah and three of the other Kuwaiti detainees were transferred to Guantánamo in May 2002. Like the other detainees, they were clothed in orange jumpsuits, shackled, bound and blindfolded during the flight and held in the wire cages of Guantánamo's original holding facility 'Camp X-Ray', exposed to harsh sunlight during the day and cold temperatures at night.

As allegations of widespread abuse at Guantánamo began to be reported in the world's media, the parents of Fawzi al-Odah became increasingly worried for his welfare. They had received only a few, heavily censored notes from their son, and, while news of abuse at Guantánamo was regularly reported in the media, they felt that "Every day brings us additional cause for despair...We are living in misery and terror every day that this brutality goes on."

In March 2006, the British Broadcasting Corporation (BBC) broadcast an interview with Fawzi al-Odah, which had been organized through his lawyer. When asked about his detention, he said that, *"The real problem is being here without reason, without hope, without a hearing...They are making the decisions. We need to be released or have the opportunity to show that we are innocent..."*

### **Hunger Strike**

*"The nurse shoved a tube up my nose so quickly that I began choking, bleeding from the nose and spitting blood. They used no anaesthetic."* Fawzi al-Odah, 10 October 2005

Fawzi al-Odah began participating in a hunger strike at Guantánamo on 8 August 2005. In mid-November his lawyers visited him and found that his weight had dropped dramatically despite the fact that he was being force-fed. At the time, doctors advised that Fawzi al-Odah was in imminent danger of death or at least permanent organ damage.

On 10 October 2005, Fawzi al-Odah wrote about his experiences of the hunger strike and the force-feeding techniques. He stated that for the first two weeks of his protest, he was given no medical care or counselling, nor did anyone discuss with him the reasons for his refusing food. He was later force-fed through a nasal tube whilst shackled and, he alleged, subjected to frequent loud noises whilst he was trying to sleep and harsh physical handling by guards and nurses.

Fawzi al-Odah ended his protest on 11 January 2006 after being threatened again with force-feeding whilst restrained. He says that the previous day he had heard the screams of a detainee in an adjacent room being force-fed in this manner and that he had also heard a doctor tell this detainee, "I have to do this, I have to cause you pain." The detainee who was force-fed is later said to have advised Fawzi al-Odah that he should eat voluntarily so as not to experience the same pain.

Fawzi al-Odah told his lawyer that some of the hunger strikers were forced to urinate and defecate on themselves because they remained strapped to the restraint chairs. Some are also said to have vomited blood. Fawzi al-Odah's lawyer stated that "it is clear that the government has ended the hunger strike through the use of force and through the most brutal and inhumane types of treatment."

### **Activism in Kuwait**

*"...when I come home from work, my wife is weeping in a corner. I don't know what to do. I try to comfort her, but I awake sometimes at night and find her in Fawzi's bedroom. We shouldn't abandon this room, we should keep it warm until he comes back," Khaled al-Odah*

Fawzi al-Odah's family knew nothing about his capture in Pakistan until they saw his name on a website listing the Kuwaitis and others detained in Kohat. His parents and families of the other Kuwaiti detainees quickly acted to set up the Kuwaiti Detainees Family Committee, with their symbol, the yellow ribbon. The group have been actively campaigning on behalf of the detainees ever since, including setting up a website and organizing demonstrations in London and Kuwait City. Fawzi al-Odah's father is the spokesperson for the committee.

Eight of the 12 Kuwaiti nationals originally detained at Guantánamo have been returned to Kuwait. Some still face charges there, but four of them have been released without charge and reunited with their families.

*"Thank you so much for your email, your sympathy, support and to your efforts of sending letters to both US and Kuwaiti authorities, this indeed enhance our hopes, keeps our moral up high and let us feels that we are not alone and abandoned in this troubled world."*

Khaled al-Odah, in a reply to a letter of support sent by an AI member in Denmark.

# **TAKE ACTION FOR Fawzi al-Odah**

### **Write to the US authorities:**

- Calling for Fawzi al-Odah to be released from Guantánamo unless charged and tried in accordance with international standards of fairness in a court that will not impose the death penalty;
- Urge them to immediately investigate all allegations that Fawzi al-Odah has been tortured or ill-treated in US custody in Afghanistan and Guantánamo Bay, and to ensure that all those found responsible are punished;
- Calling for them to keep Fawzi al-Odah's family fully informed of his status, health and well-being, and to ensure that he has adequate communication with his family;
- Calling for them to close the detention facility at Guantánamo Bay and either release the detainees held there or charge and try them in accordance with international standards in a court that may not impose the death penalty;
- Urging the US authorities to establish an independent and impartial commission of inquiry into all aspects of the US' "war on terror" detention policies and practices.

**APPEALS TO:**

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**Salutation:** Dear Major General

Email via: <http://www.southcom.mil/home/>

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