

PUBLIC

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31 August 2005

Further Information on UA 191/05 (AMR 51/114/2005, 21 July 2005) and follow-up (AMR 51/131/2005, 16 August 2005) - Legal concern/health concern/ torture

USA Unknown number of Guantánamo detainees

Amnesty International has received a statement from a detainee in Guantánamo Bay, reporting that an unknown number of detainees resumed their hunger strike on 12 August. According to the statement, from UK resident Benyam Mohamed al-Habashi, the strike resumed after the US military broke a number of promises it made in July to secure the end of the first hunger strike.

In his statement, which was recently unclassified by the US authorities, Benyam Mohamed al-Habashi said: “[The US authorities] have betrayed our trust. Therefore the strike must begin again...I do not plan to stop until I either die or we are respected. People will definitely die”.

When detainees decided to end the initial hunger strike on 28 July they claimed that the US administration had agreed to bring the prison camp into compliance with the Geneva Conventions within 10 days, and they had been told this had been personally approved by US Secretary of Defense Donald Rumsfeld.

The latest hunger strike began because the detainees remain unable to challenge their detention and their continuing harsh treatment by US guards at the camp. In his statement, Benyam Mohamed al Habashi noted two particularly brutal removals of detainees from their cells by a group of prison camp guards known as the Extreme Reaction Force: one of a Kuwaiti detainee, and the other of Omar Khadr, a Canadian citizen who has been in Guantánamo Bay since 2002, when he was 15 years old. He also states that a detainee from Morocco called Hisham was “savagely beaten in his interrogation” and that this was another cause of the detainees restarting the hunger strike. In addition, it appears that other concessions made by the US military, including the establishment of a committee of detainees who have regular meetings with the authorities at the prison camp, have not been implemented.

Benyam Mohamed al Habashi claims that “we [the hunger strikers] ask only for justice: treat us, as promised, under the rules of the Geneva Conventions...while we are held, and either try us fairly for a valid criminal charge or set us free”

Benyam Mohamed al Habashi was arrested in Pakistan in April 2002, became a victim of the US practice of “extraordinary rendition” (illegal transfers of detainees from one country to another where they risk torture or other cruel, inhuman or degrading treatment). He was transferred by US forces from Pakistan to Morocco to Afghanistan and finally to Guantánamo Bay. In all of these places of detention he alleges that he was tortured and ill-treated, including being beaten, deprived of sleep, forced to take medication and subjected to sensory deprivation. While he was held in Morocco for a period of 18 months without access to his family or a lawyer, allegedly at the behest of the US, al Habashi has alleged that among other methods of torture, his genitalia were cut with a scalpel once a month for the duration of his detention, leaving him permanently scarred. He states that the conditions of his confinement in Guantánamo have been “a nightmare”, adding that “along with other[s]...I have been routinely humiliated and abused and constantly lied to”.

BACKGROUND INFORMATION

Detainees held as part of the “war on terror” began to be held in Guantánamo Bay in January 2002. More than 750 people have been detained at the camp, of whom around 510 remain. None of the detainees has had the lawfulness of their detention subjected to judicial review. Thousands of detainees remain in US

custody in Iraq and Afghanistan, and several thousand more are believed to be held in the custody of other governments at the behest of the US. In addition, the USA is holding an unknown number of detainees in secret, incommunicado custody in unknown locations and unknown conditions.

Cruel. Inhuman. Degrades us all.

Stop torture and ill-treatment in the "war on terror"

For more information on AI's campaign see <http://web.amnesty.org/pages/stoptorture-index-eng>

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

- expressing concern at reports that detainees in Guantánamo Bay have resumed their hunger strike because the promises made to them by the US authorities were not kept, and the fact that detainees are still unable to challenge the legality of their detention;
- calling on US authorities to investigate all alleged acts of torture and other cruel, inhuman or degrading treatment of detainees in Guantánamo Bay, and for those responsible for such acts to be brought to justice;
- calling for detainees to be released unless they are to be charged with a recognizably criminal offence and tried in full accordance with international standards for a fair trial;
- calling for an independent, impartial investigation into "war on terror" detentions, including into allegations of torture and cruel, inhuman and degrading treatment, secret and incommunicado detention and illegal transfers of detainees to countries where torture and other cruel, inhuman and degrading treatment is common;
- calling on the US authorities to close the Guantánamo detention facility, and for all US "war on terror" detention facilities 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: comments@whitehouse.gov

Fax: +1 202 456 2461

Salutation: Dear President Bush

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 USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 12 October 2005.