

USA

Who are the Guantánamo detainees?

CASE SHEET 13

Bahraini national: Abdullah al-Noaimi

October 2005

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Full name: Abdullah al-Noaimi

Nationality: Bahraini

Age: 23

Family status: Single

Occupation: Student

Abdullah al-Noaimi was born and brought up in Bahrain. He loves reading, especially novels by Charles Dickens, and playing videogames. In 1999 he went to the USA to study at the Old Dominion University in Virginia along with his brother. He returned to Bahrain after breaking up with his girlfriend. He then resumed his studies in electrical engineering in the United Arab Emirates so that he could be closer to his family.

Abdullah al-Noaimi is believed to have travelled to Afghanistan in September 2001 to find a cousin who had gone missing there. He fell ill and was unable to find his relative. By the time he recovered, the international conflict in Afghanistan had begun. He decided it was too dangerous for an Arab national to remain in the country, so tried to return to Bahrain via Pakistan. When he reached the Afghanistan-Pakistan border he asked to be put in touch with the Bahraini embassy. Instead, he was arrested and transferred to US custody, where his nightmare of torture, ill-treatment and detention without charge began.

Treatment in Afghanistan

Abdullah al-Noaimi was taken to Kandahar, where he alleges he was tortured, sexually abused and humiliated, and denied adequate medical care.

He says that:

- he was knocked to the ground while attempting to walk in shackles, and then US soldiers jumped on his back and kicked him;
- an object was placed in his rectum after he had been forced to strip naked in front of male and female soldiers;
- a female soldier, upon learning that Abdullah al-Noaimi's brother lived in the USA,

threatened to kill him;

- he was exposed to extreme cold;
- he was punched and had rocks thrown at him;
- on one occasion he and other detainees were forced to kneel down. He heard the US soldiers unzipping their trousers and he felt a warm liquid on his back and head. He does not know whether he was urinated on or if it was a simulation designed to humiliate;
- he witnessed other detainees being bitten by military dogs.

Abdullah al-Noaimi developed a urinary tract infection, a fever, was unable to eat and frequently vomited. His skin turned yellow and there was blood in his urine. He was taken to a makeshift clinic where he says a military doctor allowed a military policeman to inject him with an unknown substance. When he began to bleed as a result, the doctor and the policeman laughed. He was taken out of the clinic, despite being recommended rest, and put in a freezing tent. Soldiers routinely ordered the detainees out of bed to kneel on the floor. Because Abdullah al-Noaimi found it difficult to kneel, soldiers kicked him in the back.

Guantánamo Bay

“You’re here because you’re a dog. Cages are for dogs like you.”

Interrogator to Abdullah al-Noaimi in Guantánamo Bay

In June 2002, Abdullah al-Noaimi was shackled, hooded and placed on a plane bound for Guantánamo Bay naval base, Cuba. His continuing health problems made the journey especially difficult. Even though he had a urinary tract infection and diarrhoea, he alleges that he was denied water and access to toilet facilities.

When he arrived at the detention facility he says that he was injected with unknown drugs. Some of them made him depressed and despondent, others made him feel drunk.

Abdullah al-Noaimi was placed in solitary confinement, in a cold metal cell where the lights were kept on constantly. If he fell asleep guards would wake him up. One male guard threatened to rape him, and according to his lawyer, taunted him by “winking at him and blowing kisses at him”.

In addition, Abdullah al-Noaimi says that:

- an interrogator threatened to take him to an FBI prison where he would be “turned into a woman”;
- he was subjected to sexual taunting by female personnel;
- he was forced to sign confessions that he had travelled to Afghanistan to fight for the Taliban;
- he was physically assaulted by guards and had his face placed in a toilet bowl;
- he was given pills which he claims made him hallucinate and feel like he was going insane.

Continued detention and denial of justice

Abdullah al-Noaimi was taken for a polygraph test by US interrogators in February 2004. He was asked if he had been involved in attacks on the USS Cole in Yemen in 2000 and other al-Qa’ida activities. An intelligence officer who called herself Theresa and claimed to be from the FBI, concluded that he “was not a threat” and told Abdullah al-Noaimi that he would be released within 60 days. He has not been interrogated since then. He remains in Camp IV, the least harsh camp in the facility reserved for “cooperative” detainees who are considered to be of no intelligence value.

When his status was reviewed in September 2004, it was determined that Abdullah al-Noaimi

should remain classified as an “enemy combatant” and that he was “lawfully subject to detention pursuant to the President’s power as Commander in Chief or otherwise...”

According to evidence that was declassified, Abdullah al-Noaimi “requested and received directions from a Taliban representative” to a guest house and told this representative that he had come to Afghanistan to fight.

According to Abdullah al-Noaimi’s lawyers, the US government does not allege that Abdullah al-Noaimi has engaged in any acts of violence, supported any acts of violence, or “was even aware of any acts of violence”, much less against US forces. The US government’s own interrogators appear to have concluded that he is “not a threat”, yet he remains in the legal black hole of Guantánamo Bay.

Following the Supreme Court ruling of June 2004 (*Rasul v Bush*) which held that Guantánamo detainees had the right to petition for habeas corpus in US courts, lawyers for Abdullah al-Noaimi filed a petition challenging his continued detention on 2 November 2004.

The first judge on the DC District Court to interpret the *Rasul* decision, Judge Richard Leon, ruled in favour of the executive authority of the US President during war time, holding that the Guantánamo detainees had no right to challenge the lawfulness of their detention.

Two weeks later, Judge Joyce Hens Green gave a contrary opinion. She rejected the government’s argument that the detainees have no substantive rights, and concluded that they must have more than just the procedural right “to file papers in the Clerk’s Office”. Specifically, she held that the detainees had the US constitutional right not to be deprived of liberty without due process of law. The government is seeking to have a higher court, the US Court of Appeals for the District of Columbia Circuit, resolve the conflict between the two judges’ opinions in its favour. Meanwhile, the legal limbo of the detainees continues, with no detainee having yet had the lawfulness of his detention judicially reviewed.

This means that, despite the apparent consensus on his innocence, Abdullah al-Noaimi remains locked in a cell in Guantánamo Bay.

TAKE ACTION FOR Abdullah al-Noaimi

Write to the US authorities:

- Stating that Abdullah al-Noaimi and all the other detainees must be given fair trials or released;
- Calling on the US authorities to keep the Bahraini authorities informed of his legal status and health;
- Calling for a full and impartial investigation into the allegations of torture and ill-treatment of Abdullah al-Noaimi in US custody in Afghanistan and in Guantánamo Bay, and for all those found responsible to be brought to justice;
- Calling for the US government to set up a commission of inquiry into all aspects of the USA’s “war on terror” detention policies and practices;
- Calling for the detention facility at Guantánamo Bay to be closed, and for all other “war on terror” detention facilities to be opened up to external scrutiny.

Write to the Bahraini authorities:

- Welcoming the efforts made by the Bahraini government on behalf of the Guantánamo detainees;
- Urging them to continue making representations to the US government and diplomatic representatives to ensure that Abdullah al-Noaimi is being treated in accordance with international standards;
- Asking for details of any initiatives taken by the Bahraini government to ensure that the rights of Abdullah al-Noaimi and any other Bahraini national held are fully respected;
- Seeking assurances that the relatives of Abdullah al-Noaimi are kept fully informed of developments in his case and provided with full information on his welfare;
- Urging the Bahraini authorities to support Amnesty International's call for the detention facility at Guantánamo Bay to be closed.

WRITE TO:

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If you want to take further action on this case, please contact your national AI office
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