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16 August 2005

# Further Information on UA 191/05 (AMR 51/114/2005, 21 July 2005) - <u>Legal concern/health</u> concern/torture

### USA

#### Unknown number of Guantánamo detainees

The US military has reportedly made a number of concessions to some of the detainees at Guantánamo Bay following the hunger strike at the prison camp, which is now known to have ended by 1 August. Detainees had gone on hunger strike to protest at conditions in the camp, their indefinite detention without charge or trial, the lack of clean drinking water, poor quality food and disparities in the way detainees in different parts of the detention facility were treated. Several of the hunger-strikers had to be hospitalised and given fluids intravenously.

According to lawyers representing the detainees the concessions include: that the detainees are now given clean bottled water at meal times; that there will now be an (unspecified) standard uniform for all detainees – previously those detainees who cooperated with the US authorities were given white jumpsuits, while "uncooperative" detainees wore orange ones; and there are also reports that the authorities at the prison camp are seeking to expand their library, another of the requests of the hunger-strikers.

In addition, US attorney Rob Kirsch, who represents Bosnian-Algerian detainees held at the camp, stated that "as a result of the hunger strike, a colonel...set up a committee which has six prisoners on it that meets together. They are from different areas of the camp. They are allowed limited ability to speak to one another. They are allowed to meet for a few hours a week, and occasionally should be meeting with the colonel."

Amnesty International considers the detention of all those held at Guantánamo Bay to be unlawful and arbitrary. Though the US authorities have announced that they are seeking to transfer a large number of detainees, and are seeking agreements for this with the governments of Afghanistan, Yemen and Saudi Arabia, Amnesty International believes that if they are sent to these countries the detainees will be at risk of further torture and prolonged, indefinite detention. In both Afghanistan and Saudi Arabia torture and ill-treatment of prisoners and indefinite detention without charge or trial is common practice. In Yemen prolonged indefinite detention has marked the country's "war on terror" strategy.

Amnesty International is concerned about the psychological and physical well-being of the detainees at Guantánamo Bay, especially in the light of reports about the conditions at the camp, and allegations of torture. Most recently reports have emerged that Bahraini inmate Jumah al-Dossari has been tortured at the camp: he was apparently beaten, threatened with rape, and forced to watch while guards had sex. On one occasion he was beaten so badly he lost consciousness. Released detainees have confirmed reports of the torture: "[a guard] pushed his face and smashed it into the concrete floor ... There was blood everywhere. When they took him out they hosed the cell down and the water ran red with blood." Other allegations include that guards threatened him with death, as well as threatening that his family would be killed.

Al-Dossari was transferred to Camp V in 2004, where he is held in solitary confinement for up to 24 hours a day. Camp V is modelled on the "supermaximum" security prisons on the US mainland, which the UN Committee against Torture has called "excessively harsh". Al-Dossari is only allowed exercise for one hour every week, sometimes only half an hour, by himself in a small enclosed area.

## **BACKGROUND INFORMATION**

There are currently around 510 detainees at the US naval base in Guantánamo Bay, and more than 750 people have been detained there since "war on terror" detainees were first moved there in January 2002. None of the Guantánamo detainees has had the lawfulness of their detention subjected to judicial review, although it is a year since the US Supreme Court ruled that the US courts have jurisdiction to hear appeals from them. So far 167 detainees have been released from the camp and 67 have been transferred to the custody of other governments, according to the Department of Defense.

Cruel. Inhuman. Degrades us all. Stop torture and ill-treatment in the "war on terror"

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

- welcoming reports that detainees are being given adequate clean water and improved food, and are allowed to have detainee representatives address their grievances to the camp authorities:
- reiterating concern at the harsh conditions in Camp V, and calling for detainees to be allowed regular contact with their families, adequate time to exercise during daylight and access to adequate medical care;
- calling for Guantánamo detainees to be released unless charged with a recognizably criminal offence and tried in full accordance with international standards for fair trial;
- calling for the Guantánamo Bay prison facility to be closed, while seeking assurances that detainees will not be transferred to countries where they will be at risk of torture, or continuing prolonged, indefinite detention without charge or trial
- calling for an independent investigation into allegations that detainees have been tortured and subjected to cruel, inhuman and degrading treatment in the Guantánamo Bay detention facility

### **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 the USA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 27 September 2005.