

Urgent Action

In Focus

An insight into the stories behind UAs

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Five Years As A Symbol of Injustice: The Campaign to Close Guantánamo



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A demonstration organized by AI France to mark the fifth anniversary of the detention centre at Guantánamo Bay

11 January 2007 marked the fifth anniversary of the USA's incarceration of hundreds of men at the offshore prison camp at Guantánamo Bay, Cuba. The event was marked by demonstrations by Amnesty International members and supporters in over 25 countries around the world. On the same day, a letter published in the Los Angeles Times newspaper reminded readers of the human cost of the injustice suffered by inmates at Guantánamo...

The letter was written by Jumah al-Dossari, a Bahraini national who has been detained in Guantánamo since January 2002. In a letter to his lawyer, he says,

"I would rather die than stay here forever, and I have tried to commit suicide many times. The purpose of Guantánamo is to destroy people, and I have been destroyed. I am hopeless because our voices are not heard from the depths of the detention centre."

Jumah al-Dossari, the subject of UA 84/06 (AMR 51/067/2006, 11 April 2006, and follow-ups), has reportedly attempted to commit suicide at least 12 times during his detention. He is held in the mental health unit at Guantánamo in a windowless cell, in largely isolated, dark, cold conditions which he has described as being like living "in a hole in a mountain of snow and ice," as the air conditioning is always on a high setting and the light outside his cell is always turned off. Authorities at Guantánamo have reportedly told him that he will not leave the mental health unit for the duration of his detention.

From here, from behind the walls of these dreadful cells, I am writing these lines about the part of my life that has come to pass, and which is still continuing, in American detention camps; lines about humiliation, indignity, oppression, deprivation and attacks on my religion, my person, my dignity and my humanity. From here, from the depths of the degradation that debase a person's dignity, attack his religion, his person, his honour, his dignity and his humanity, all in the name of fighting terror.

Excerpt from Jumah al-Dossari's testimony (see: <http://web/amnesty.org/library/Index/ENGAMR511072005>)

According to Jumah al-Dossari's lawyers, he is receiving a questionable standard of mental health care. He is said to be visited by psychiatrists once a week for just a few minutes and they only ask him only basic questions. He has also told his lawyers that he does not trust the mental health care staff at Guantánamo due to their previous involvement in interrogations.

A detention camp for "enemy combatants"

Jumah al-Dossari is among some 775 detainees of some 45 different nationalities who have been transported to the USA's detention centre at Guantánamo Bay. At every stage of their ordeal, their dignity, humanity and fundamental rights have been denied.

The first detainees were flown from Afghanistan to Guantánamo in January 2002 – hooded, shackled and tied down like cargo. Among those subsequently transferred were children as young as 13. They have included people who were simply in the wrong place at the wrong time, dozens of whom were handed over to the USA by Pakistani or Afghan agents in return for thousands of dollars.

The US authorities have branded the detainees as loosely-defined "enemy combatants" in a global conflict. That they see the world as the "battlefield" is illustrated by the fact that Guantánamo's detainees were picked up in places as far apart as Bosnia and Herzegovina, Egypt, Gambia, Indonesia, Mauritania, Thailand, the United Arab Emirates and Zambia, as well as Afghanistan and Pakistan.

The US authorities see "enemy combatants" as a potential source of intelligence and a potential threat to national security. Access to lawyers is perceived as detrimental to the interrogation process. Access to the courts is seen as disruptive of military operations. Arbitrary detention has been the result.

Five years on, hundreds of men are still held in Guantánamo. None has been tried. None has appeared in court. All, in Amnesty International's opinion, are unlawfully detained. Many have been tortured or ill-treated, whether in Afghanistan or elsewhere prior to their transfer to Guantánamo, or during their transfer, or as part of the interrogation process in the base, or just through the harshness of the Guantánamo regime – isolating, indefinite and punitive. By association, their families too have suffered the cruelty of this virtually incommunicado island incarceration.

Amnesty International: campaigning for justice

Three days after the first transfers to Guantánamo, Amnesty International urged the USA to respect the detainees' fundamental human rights. *USA: AI calls on the USA to end legal limbo of Guantánamo prisoners* (AMR 51/009/2002) was the first of numerous documents published by the organization in the continuing campaign to expose and end the human rights violations associated with Guantánamo.

Amnesty International was among the first to call for the closure of Guantánamo, a prison that symbolizes the US government's manipulation of the law in its "war on terror". The organization is also calling for the detainees to be released, unless they are charged and brought to trial promptly according to international standards and without recourse to the death penalty.

However, closing Guantánamo would only be a first step and must not result in the transfer of human rights violations elsewhere. Guantánamo is simply the tip of the iceberg, the most visible – albeit far from transparent – part of a global detention web that the USA has spun in the "war on terror".

The US government has not only ignored international human rights standards, it has also blocked judicial oversight by its

own courts. Last October, President Bush signed into law the Military Commissions Act which strips the US courts of jurisdiction to hear *habeas corpus* appeals from foreign detainees held as "enemy combatants", including in Guantánamo. *Habeas corpus* is a fundamental safeguard against arbitrary detention and torture. Amnesty International is campaigning for restoration of *habeas corpus* and repeal or substantial amendment of the Military Commissions Act.

As detentions at the US Naval Base move into their sixth year, Amnesty International organized demonstrations and other events in cities across the world in more than 20 countries, from Washington DC to Tokyo and from Tel Aviv to London, Tunis, Madrid and Asunción.

"No individual can be placed outside the protection of the rule of law, and no government can hold itself above the rule of law. The US government must end this travesty of justice," said Amnesty International's Secretary General Irene Khan.

"Equally, it is not enough for world leaders to express concern about Guantánamo and carry on business as usual with the USA. The international community must actively press the USA to close Guantánamo and restore respect for international law."

Breaking the silence to tell the detainees' stories

Most of the Guantánamo detainees are Muslims. They come from Africa, Asia, Europe and the Middle East. Some were arrested in or near conflict zones; others were picked up far from any fighting in countries as disparate as Bosnia and Herzegovina and Egypt, Gambia and Indonesia. Some had jobs, others were students or unemployed. Some have children they have never met; others were children themselves when arrested.

Now they are sharing the distress of indefinite detention, isolation, ill-treatment, and numerous other abuses of their fundamental rights.

Almost all of the detainees have been held without charge for years. Some have had no contact with their families whatsoever, others have received occasional, often heavily censored, letters. Amnesty International's actions also provide support and solidarity for the friends and families of those detained. As Maha Habib, the wife of Australian national Mamdouh Habib (now released) wrote to an AI group in the UK:

"I do not think that I would be able to express to you in words what my heart wanted to say, but all I can really say to you now is thank you so much for your support. Your letter has made me happy to see that there are people who care and support me and my family. I have felt at times that I was fighting a lonely campaign, but your support lets me know that I am not alone. Thank you, Maha Habib and family.

Amnesty International has issued many Case Sheets on Guantánamo detainees. These action documents seek to protect the detainees – when the world knows about prisoners, it is more difficult for their jailers to abuse them. They are no longer "forgotten prisoners", but individuals with names, faces, occupations, families – and human rights. Amnesty International also closely monitors the situation of those transferred out of Guantánamo as some are at risk of continued abuse.

Around seven UAs and 15 updates have also been issued on behalf of detainees held at Guantánamo Bay. An Amnesty International campaigner on the USA says:

"Urgent Actions and case sheets often use testimony from detainees passed on via their lawyers.

Publicising the plight of these individuals and telling the stories of how they came to be incarcerated at Guantánamo Bay helps a wider audience to understand that these 'enemy combatants' are real people. This is the key to spreading the message that these detainees have inalienable human rights, including the right to be treated humanely and the right to a prompt and fair trial, which have been violated every day for the last five years."



Jumah al-Dossari © Private

Some of the detainees featured in Amnesty International's campaigning actions tell their stories particularly eloquently. Jumah al-Dossari's personal account of his experiences in custody (see <http://web.amnesty.org/library/Index/EN.GAMR511072005>) details the torture and ill-treatment he has suffered. Another detainee, Mohamed al-Gharani, who was just 15 years old when he was detained, wrote a poem about his detention (see box on next page).

Khalid al-Odah, the father of Kuwaiti national Fawzi al-Odah, held at Guantanamo since 2002 (see UA 191/05, AMR 51/114/2005, 21 July 2005 and follow-ups), has written,

"When my family learned of Fawzi's detention in early 2002, we were optimistic that, within a matter of months,

at most, he would be tried, and his innocence would be established. After all, Americans surely believe in justice, in speedy trials, in avoidance of cruel and unusual punishment, that men are innocent until proven guilty, and that no one is above the law. In fact, all of this is written in the U.S. Constitution and established in the American legal system.

"However, a quick, fair trial is not what happened. Quite the contrary. The U.S. government did not give any hearing for years. Then, they provided hearings which were a farce because hearing officers were not independent of the jailor. No known democracy has ever acted this way. Why is America doing this?

"...Our son is an honourable, charitable man who travelled to the Pakistan/Afghanistan border region in 2001 to do aid work, to help the poor, and to teach. After the attacks of September 11, 2001, our son tried to flee the region and return home to our family in Kuwait. En route, he was captured by Pakistani bounty hunters who immediately turned him over to U.S. forces. Our son is a victim of circumstances, not a threat to America. I am confident that if Fawzi were to be charged and tried by an independent tribunal, he would be acquitted and released... On this fifth anniversary of Guantánamo Bay, I hope and pray that justice will come for the men in Guantánamo before we have the chance to mark the sixth anniversary. I thank Amnesty International and others who are helping me to fight on behalf of the men who cannot fight for themselves."

[Continued over page]

**"First poem of my life" by
Guantánamo detainee Mohamed el-
Gharani, aged 15 when detained in
2002**

*Be careful, my brother, when in Pakistan;
They understand money – the price of a
man.*

*I came here to study, I learned just
deceit;
The Mosque was a war zone, surrounded.
Police.*

*Were shouting for silence; "Hands up!
Come in peace!"
They took us by truckloads, thrown,
bound hand and feet;*

*Then marched us eight hours, then eight
hours more –
We cried for relief, but we suffered,
footsore.*

*They kicked us, they beat us, they told
us – their guests –
They'd sell us for money, and Yankees
paid best.*

*We're slaves of our century, the slave
ship a plane
To humiliation, abuse and disdain.*

*Respect was abandoned, the Holy Koran
Downtrodden there with us. Their
madness, a plan*

*To torture us, beat us, encouraged by
drink –
Send priests with their crosses to save
us, they think*

*They take us to Cuba, pursue without
qualm
Crusades of injustice, their war on Islam.*

**(For more information on Mohamed
al-Gharani's case, see case sheet:
[http://web.amnesty.org/
library/Index/ENGAMR511102005](http://web.amnesty.org/library/Index/ENGAMR511102005))**

Help us close Guantanamo!

injustice!

As long as people remain in detention at Guantánamo Bay, held without charge and with little hope of obtaining a fair trial, Amnesty International will continue to campaign for justice on their behalf. The organization's efforts were recently praised by Khalid al-Odah. He recently asked for all of Amnesty International's global membership to be told how much their campaigning is appreciated, particularly the action to mark the fifth anniversary of people being detained at the Guantánamo detention centre. He said:

“They did great, more than great. We stand and salute them all”.

Amnesty International is currently putting pressure on the US authorities to close the detention facility by creating an animated online petition asking people to join a 'virtual flotilla' travelling to Guantánamo. Thousands of people have already joined the voyage!

<http://www.amnesty.org/guantanamoflotilla>/This online petition will run until 26 June, International day for the Protection of Victims of Torture. To join the 'flotilla', visit

www.amnesty.org/guantanamoflotilla, and then spread the word to help end the