

Start date: 08/11/05

Secret detentions in the "war on terror"

Illegal "disappearances", secret transfers, and incommunicado detentions in the US administration's "war on terror" must end.

Read our latest report on detention in CIA "black sites" and take action.

Imagine that one minute you are eating dinner with your family and the next you are hooded, handcuffed, and dragged away. Your family is not told where you were taken. After your initial interrogation, you are taken to a plane: it takes off, but no one tells you where it's going and when it lands you don't even know what country you're in.

You are put in a cell, completely isolated, with no windows and only a bucket for a toilet. Artificial lights are on all the time and a constant low-level hum comes out of the loudspeakers. You cannot sleep and feel very anxious. The guards, dressed completely in black, communicate only with hand gestures. Interrogators insult you about the things most sacred to you and make you stand motionless for long periods of time. You feel like you are going mad and just want this to stop. And to make matters worse, you still haven't been told why you are there, nor are you allowed to speak to a lawyer or your family. No one knows where you are.

You may have to imagine such a situation, but someone like Muhammad al-Assad has actually lived through similar experiences.

Enter into Muhammad al-Assad's world. He was "disappeared" for almost 16 months and has recently reappeared in Yemen.

In the US administration's "war on terror", Muhammad al-Assad is just one of the countless many who have been held secretly, in incommunicado detention and subjected to torture or ill-treatment at the hands of US officials.

Help Muhammad al-Assad. Take action to ensure that he is released unless he is to be charged with an internationally recognizable criminal offence. If he is charged, then he must be brought to trial in a reasonable time and in full accordance with international standards, without recourse to the death penalty.

Read the full report

Feel like you are going mad

The attempt to designate different types of abuse simply as "coercive" interrogation techniques, and to argue that they fall outside the ban against torture, is at the heart of the US administration's attack on the prohibition on torture and other cruel, inhuman or degrading treatment in the "war on terror".

Techniques frequently described by "war on terror" detainees include:

- prolonged isolation
- sleep deprivation
- sensory manipulation such as exposure to bright lights and loud music
- sexual and other forms of humiliation

- the use of dogs, mock executions and other threats to instil terror
- being forced to stand motionless or in stressful positions for hours on end
- beatings
- "environmental manipulation", where detainees are exposed to extremes of heat and cold
- repeated insults with a racial and religious focus, described in US army manuals as "pride and ego down"
- prolonged handcuffing
- hooding and blindfolding

Most of these techniques do not leave physical scars, but all can have devastating consequences for the victims.

All forms of torture and other cruel, inhuman or degrading treatment attack the identity and humanity of the individual. They can also have serious long-term consequences for the health of victims. Symptoms commonly experienced include:

- anxiety disorders
- depression
- irritability
- shame and humiliation
- memory impairment
- reduced capacity to concentrate
- headaches
- sleep disturbance and nightmares
- emotional instability
- physical problems including stomach, lung and heart complaints
- sexual problems
- amnesia
- self-mutilation
- preoccupation with suicide
- social isolation

All these symptoms have been observed among detainees who have been interrogated at US-run detention centres in Afghanistan, Iraq and Guantánamo Bay.

A leaked February 2004 report on Abu Ghraib prison by the International Committee of the Red Cross said that detainees presented "signs of concentration difficulties, memory problems, verbal expression difficulties, incoherent speech, acute anxiety reactions, abnormal behaviour and suicidal tendencies. These symptoms appeared to have been caused by the methods and duration of interrogation".

Full name: Muhammad Abdullah Salah al-Assad

Nationality: Yemeni

Age: 45

Family status: Married, five children

Background: Muhammad al-Assad has lived in Tanzania for 20 years. He is married to a Tanzanian woman, Zahra Salloum, and their five children were born and raised in Tanzania. He runs a small business importing diesel engine parts.

Uninvited dinner quests

What could this be about?

Was he then flown to East Africa?

Hooded, cuffed and flown for a second time

A plane, a helicopter and yet another secret detention facility

Interrogation and sensory deprivation methods used

Now arbitrarily detained in Yemen

Write a letter on behalf of Muhammad al-Assad

Unexpected dinner guests

On 26 December 2003, Muhammad al-Assad sat down to dinner with his Tanzanian wife, Zahra Salloum, and her brother and uncle. An immigration officer and two men from the state security forces appeared at their home and demanded that Muhammad al-Assad surrender his passport and mobile phone. As he went to get his passport, he was grabbed from behind, a hood was forced over his head, and his hands were cuffed behind his back. He was thrown into the back of a car, which then sped away. He was taken to a flat and interrogated about his passport.

“I was frightened, very frightened, and kept asking what was happening to me.” – Muhammad al-Assad

What could this be about?

Muhammad al-Assad was interrogated over and over again about the fact that six years before, he had leased office space he owned in Tanzania to a Saudi charity named the Al-Haramain Islamic Foundation. After the 11 September 2001 attacks on the USA, this charity was placed on a blacklist by the US authorities as a possible link to terrorist funding.

Was he then flown to East Africa?

From the flat where he was initially interrogated in Tanzania, he was taken to a waiting plane. He was put on an airplane. He asked his Tanzanian escorts what was happening to him. One replied “we don’t know, we are just following orders, there are high ranking ones who are responsible.”

Muhammad al-Assad thinks he was in the airplane for three hours. He was confused and scared, but recalls that he was taken to a hot place. He thinks that one of the jailers who took him to the interrogation room spoke Arabic with a Somali or Ethiopian accent and he says that the bread he was given was typical of East Africa. The new guards brought him from the plane, and left him, still hooded and shackled, in what turned out to be his cell.

“I was so afraid that I couldn’t move,” Muhammad al-Assad said, “so I stood very still there for a very long time until finally someone looked in and shouted in Arabic: ‘sit down!’”

When his cuffs and hood were removed, he found he was in a large, dirty room, with a foam mattress and some matting on the floor, and two small windows up near the ceiling. There was a little hole in the door for his food to be handed through. He thinks he was there for about two weeks. And in what was to become a familiar pattern, no one spoke a word to him except his interrogator and

translator who questioned him about the Al-Haramain charity. His interrogator was an English-speaking woman and the translator a white, Western-looking man who spoke good Arabic.

Hooded, cuffed and flown for a second time

Muhammad al-Assad was hooded, cuffed, and for a second time put on an airplane which he thought was larger than the first plane he had been in. He was flown for a long time, possibly up to eight hours. The plane stopped for about an hour, and then continued for possibly three hours more. The weather seemed cooler at this new destination --- and again, he did not know where he was.

He was held in a windowless cell and empty apart from matting on the floor. He was cold and says that he was not given even a blanket. He was left alone in this cell --- he thinks for nine days --- and no one talked to him.

The interrogators, translators, and guards at this facility all spoke English. As for the interrogator and translator, they appeared to be white, Western men in their forties. He was again asked about the Al-Haramain charity and his connection to it. He thinks he was held there for two weeks and was then transferred again --- this time by car.

The next cell was smaller and seemed older. He believes he was held for three months in this cell. He was only irregularly taken to be interrogated, by the same interrogators, and about the same things.

Plane and helicopter rides to another secret detention facility

Muhammed al-Assad was put on yet another plane flight and then taken by helicopter to a new facility. His description of this facility is remarkably similar to the testimony of [Salah Nasser Salim `Ali and Muhammad Faraj Ahmed Bashmillah](#) [*link to existing web pages with their case sheets*], the two other detainees held in US secret detention who gave their testimony to Amnesty International in June 2005.

- The guards at the facility wore black clothing and their faces were covered. They would not speak, only communicating with hand gestures.
- There were no ornaments or distinctive markings and there were no floor coverings.
- There were no windows in the cells. There was no way to know if it was day or night, sunny or rainy.

Muhammed al-Assad kept asking why he was there and the interrogator always replied, "God brought you here and only God can bring you out."

Interrogation and sensory deprivation methods used

Muhammed al-Assad, Salah Nasser Salim `Ali, and Muhammad Faraj Ahmed Bashmillah were all subjected to the same regime of interrogation and sensory deprivation at this last facility:

- Constant white noise (loud indistinct sounds or low-level hum sounds) was played through loudspeakers
- Artificial light was kept on 24 hours a day. The detainees were unable to discern what time of day it was, save by what meal they were being provided and prayer times

- They were allowed to speak to no-one but their interrogators
- They were taken for showers once a week
- During the last four months of his captivity, Muhammed al-Assad was allowed to play football on his own for 30 minutes, three times per week

None of the men has alleged that they were beaten at this facility, but that does not make the regime they endured benign or humane. Torture and ill-treatment take many forms. For example, hooding isolates the prisoner, impedes breathing, and rapidly induces panic and disorientation. When hooding and exposure to white noise are combined, this causes confusion and psychological disturbance, and after 40 minutes most victims begin to hallucinate. Prolonged isolation has been shown to cause depression, paranoia, aggression, hallucinations and suicide. The psychological trauma can last a lifetime. Where the detainee has been "disappeared", the effects of enforced solitude are compounded by a pervasive sense of uncertainty and anxiety about the future, which can be similarly destructive.

Torture takes other brutal forms, such as experienced by Salah Nasser Salim 'Ali and Muhammad Faraj Ahmed Bashmillah. They have reported that they were tortured by Jordanian officials. Salah Nasser Salim 'Ali reports being beaten spat on, verbally abused and threatened with sexual abuse and electric shocks.

[Now arbitrarily detained in Yemen](#)

On 5 May 2005, over 16 months after he was taken from his home in Tanzania, Muhammad al-Assad was transferred from the secret detention facility to Yemen. He believes he was on the same flight as [Salah Nasser Salim 'Ali and Muhammad Faraj Ahmed Bashmillah](#).

The three men were held in the Political Security prison in Sana'a for two weeks. Muhammad al-Assad was then transferred to al-Ghaydah, in the east of the country. The other two men were sent to Aden.

Months after their transfer to Yemen, the three men are still detained. In September 2005, Yemeni officials told Amnesty International that they had been given explicit instructions by the US government to continue to detain the three men. When asked if the men would be released if the US requested it, a high-ranking political security official said, without hesitation, "yes". He told Amnesty International that notification of the transfer to Yemen in May 2005, and further instructions on the detention of the three men, had come from the US Embassy in Sana'a.

"If I am guilty of anything, try me and I will spend the rest of my life in jail...only give me a trial." Muhammad al-Assad to Amnesty International, September 2005

[Write a letter on behalf of Muhammad al-Assad](#)

Dear Secretary of State Rice

I am deeply concerned at the use of secret detention facilities, also known as "black sites," that facilitate a policy of "disappearance", secret transfer and secret incommunicado detention pursuant to US administration's "war on terror".

The case of Muhammad Abdullah Salah al-Assad illustrates this point. Muhammad al-Assad, a Yemeni national resident in Tanzania, was seized by Tanzanian authorities in December 2003. Reports indicate that he was handed over to US officials and interrogated in a series of secret detention centres abroad. He was detained incommunicado for 16 months. The treatment he recounts while in the final detention centre corroborates with testimony given to Amnesty International by Salah Nasser Salim 'Ali and Muhammad Faraj Ahmed Bashmillah about their detention in a covert US-run facility. All three men were transferred to Yemen in May 2005 where they remain in detention, without charge or trial.

The Yemeni authorities told Amnesty International that the US Embassy in Sana'a had notified them of the three men's transfer to Yemen and given explicit instructions not to release them. The authorities claim that they are "awaiting files" from the US authorities, so that they can bring them to trial. A high-ranking Yemeni political security official said that the three men would be released if requested by the US administration.

Secrecy has characterised the US-led "war on terror," from the hiding of detainees in Afghanistan and Iraq, the practice of rendition, to the USA's refusal to provide exact details of who is held at Guantánamo Bay. The use of these "black sites" to facilitate indefinite and incommunicado detention of suspects is just the latest example of such policies.

Madame Secretary, I urge you to:

Disclose the location and status of the detention centres where Muhammad Abdullah Salah al-Assad, Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim 'Ali were held; disclose the identities and whereabouts of all others held at these places and their legal status, and invite the ICRC to have full and regular access to those detained;

End immediately the practices of incommunicado and secret detention wherever it is occurring, and under whatever agency;

Hold detainees only in officially recognized places of detention with access to family, lawyers and courts;

Ensure that any person alleged to have perpetrated an act of "disappearance" should, when the facts disclosed by an official investigation so warrant, be brought before the competent civil authorities for prosecution and trial, in accordance with Article 14 of the UN Declaration on the Protection of all Persons from Enforced Disappearance;

Clarify the current legal status of former secret detainees Muhammad Abdullah Salah al-Assad, Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim 'Ali. If US policy is to relinquish all custody and control over detainees transferred to the control of another government, it should state clearly that this is the case with regard to these three men, and emphasise that there are no US conditions attached to their transfer;

State clearly that there are no conditions attached to the transfer of Walid Muhammad Shahir Muhammad al-Qadasi, who was released from Guantánamo in April 2004, and who remains in detention in Yemen without charge or trial;

Withdraw all requests or demands to the Yemeni government for the continued detention of persons, unless it is with a view to prompt

prosecution for internationally recognizable criminal offences and in accordance with international standards for fair trial;

Release all detainees in US custody at undisclosed locations unless they are to be charged with internationally recognizable criminal offences and brought to trial promptly and fairly, in full accordance with relevant international standards, and without recourse to the death penalty.

Reaffirm the prohibition on torture and other cruel, inhuman or degrading treatment or punishment, and make it clear to all officials involved in the treatment or interrogation of detainees and prisoners that such acts are prohibited absolutely and anyone who engages in such acts will be prosecuted;

Investigate all allegations of torture and other ill-treatment of Muhammad Abdullah Salah al-Assad, Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim 'Ali and ensure that anyone found responsible is brought to justice;

Prohibit the return or transfer of persons to places where they are at risk of torture or other ill-treatment;

Provide full reparation including restitution, compensation and rehabilitation, and satisfaction.

The USA must end the practice of secret detention. Not only do such conditions encourage torture and ill-treatment, but to be "disappeared" from the face of the earth without knowing why or for how long is a crime under international law and is an experience no family and no one should have to go through.

Thank you for your attention.

Yours sincerely,

The Honorable Condoleezza Rice
Secretary of State
U.S. Department of State
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Washington DC 20520

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E-mail: Secretary@state.gov

Your Excellency,

I am writing to you about the detention of three Yemeni nationals, Muhammad Abdullah Salah al-Assad, Muhammad Faraj Ahmed Bashmilah, and Salah Nasser Salim 'Ali.

Muhammad Abdullah Salah al-Assad was arrested by Tanzanian authorities in December 2003 and detained secretly and in a series of unknown locations before being transferred to Yemen in May 2005, together with Salah Nasser Salim 'Ali and Muhammed Faraj Ahmed Bashmillah.

The three men who "disappeared" in 2003 were kept in complete isolation – even from each other – in what they say are secret detention centres run by US agents.

The Yemeni authorities told Amnesty International in September 2005 that the US Embassy in Sana'a had given explicit instructions not to release them. The Yemeni authorities told Amnesty International that they were "awaiting files" from the US authorities before bringing the men to trial. However, a high-ranking Yemeni political security official also told Amnesty International that the three men would be released if this were to be requested by the US.

To date, as far as I am aware, the Yemen authorities have not brought any charges against the men and no date has been set for them to be brought before a court. Consequently, the three men and their families are understandably concerned about the continuing uncertainty of their position and are eager to be either charged and brought to trial or released, as required by international human rights law.

Your Excellency, I urge you to:

- Ensure that these and other political detainees are given prompt access to legal counsel and are able to challenge the legality of their detention;
- Immediately release Muhammad Abdullah Salah al-Assad, Muhammad Faraj Ahmed Bashmilah, and Salah Nasser Salim `Ali from detention unless they are to be brought to trial promptly and fairly on recognizably criminal charges;
- Ensure that any statement obtained as a result of torture or other duress is not admitted as evidence against any defendant before Yemen's courts except in a situation where such statement is used as evidence when prosecuting the person alleged to be responsible for perpetrating the torture;
- Ensure that human rights laws and standards are strictly adhered to in the cooperation between Yemen's security forces and any other country particularly, in the arrest and questioning of detainees, and detention;
- In particular, ensure that torture and other ill-treatment, incommunicado detentions and "disappearance" play no part in such cooperation.

Thank you for your attention,

Yours sincerely,

His Excellency General `Ali `Abdullah Saleh
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