



11 Years and Counting: Profiles of Men Detained at Guantánamo



***11 Years and Counting: Profiles of Men Detained at
Guantánamo***

Name and Internment Serial Number (ISN)	Citizenship
Shaker Aamer (ISN 239)	Yemen
Umar Abdulayev (ISN 257)	Tajikistan
Ahmed Abdul Aziz (ISN 757)	Mauritania
Abu Zubaydah (ISN 10016)	Palestinian Territories
Ahmed Ajam (ISN 326)	Syria
Mohammed al-Adahi (ISN 33)	Yemen
Sa'ad Muqbil Al-Azani (ISN 575); Jalal bin Amer (ISN 564) and Suhail Abdu Anam (ISN 569)	Yemen
Ghaleb al-Bihani (ISN 128)	Yemen
Ahmed al-Darbi (ISN 768)	Saudi Arabia
Mohammed al-Hamiri (ISN 249)	Yemen
Sharqawi Ali al-Hajj (ISN 1457)	Yemen
Sanad al-Kazimi (ISN 1453)	Yemen
Musa'ab al Madhwani (ISN 839)	Yemen
Hussain Almerfedi (ISN 1015)	Yemen
Saad Al Qahtani (ISN 200)	Saudi Arabia
Abdul Rahman Al-Qyati (ISN 461)	Yemen

Ali Hussein al-Shaabani (ISN 327)	Syria
Djamel Ameziane (ISN 310)	Algeria
Tariq Ba Odah (ISN 178)	Yemen
Ahmed Belbacha (290)	Algeria
Jihad Dhiab (ISN 722)	Syria
Fahd Ghazy (ISN 26)	Yemen
Saeed Mohammed Saleh Hatim (ISN 255)	Yemen
Obaidullah (ISN 762)	Afghanistan
Mohamedou Ould Slahi (ISN 760)	Mauritania
Mohammed Tahamuttan (ISN 684)	Palestinian Territories

** The following profiles are intended to provide the Commission with personal information about the men at Guantánamo because the United States will not grant the Commissioners access to the prisoners themselves. The information has been taken from phone calls, letters, or in-person interviews. None of the information herein has been deemed "classified" by the U.S Government. Where possible, original source material has been included (usually transcribed for ease of reading).*

Shaker Aamer

ISN 239

Citizenship: Saudi Arabia

Detained Since: February 2002

Shaker Aamer

Shaker Aamer, born in 1968, is the last British resident in Guantánamo. He grew up in Saudi Arabia with four siblings, but his parents divorced when he was a child and, after his father remarried, his stepmother was unkind to her new family. At the age of seventeen, Shaker left home, traveling first to America, where he stayed with a family he knew in Saudi Arabia, and then around Europe and the Middle East.



Shaker eventually moved to London, where he met his wife-to-be and was soon married. The couple has four children, although the youngest, Faris, was born in 2002, after Shaker was seized and sent to Guantánamo, and, as a result, he has never seen his father. While in London, Shaker worked as an Arabic translator for the solicitor who advised him on his immigration case, and, as his lawyers at the legal action charity Reprieve have explained, “Shaker is a natural leader who is known for his concern for others ... Helping refugees put Shaker where he loved to be—as counsel, listening and advising. But in the end, it was his dedication to the welfare of others that led to his detention in Guantánamo Bay.”

In June 2001, he traveled to Afghanistan with his family to establish a girls’ school and to pursue well digging projects for an Islamic charity. He lived in Kabul, and was joined by his friend, British national Moazzam Begg (who was also held at Guantánamo, but released in January 2005) and his family.

After the U.S.-led invasion began, in October 2001, Shaker made sure that his family escaped to safety in Pakistan, but, fearing that he would be seized, because Arab men could be sold for bounties, he took shelter with an Afghan family. However, Afghan soldiers took him from the house where he was staying, and, for two weeks, he was sold to various groups of soldiers, who accused him of killing their leader and beat him mercilessly.

Shaker was then driven out of Kabul with four other men and, fearing that he was about to be executed, was relieved when he was handed over to U.S. forces. However, when he was taken to Bagram Airbase at the end of December 2001, he was immediately subjected to terrible abuse. For nine days, he was deprived of sleep and denied food, and he lost 60 pounds in weight. He was also drenched with freezing cold water on a regular basis, and this, combined with the effects of the Afghan winter, caused his feet to become frostbitten. Despite his suffering, he was chained for hours in positions that made movement unbearable, his frostbitten feet were beaten, and he was refused painkillers.

As a result of his torture, Shaker began to say whatever his U.S. captors wanted, whether it was true or not, and only then was he sent to Guantánamo, arriving in February 2002. Throughout his imprisonment, however, Shaker has stood up for the rights of his fellow prisoners, and in summer 2005, when a prison-wide hunger strike began after a prisoner was assaulted during an interrogation, Shaker was part of six-man Prisoners’ Council, who were briefly allowed to negotiate improvements in living conditions.

However, promises made by the authorities were soon broken, and when the hunger strike resumed in September 2005, Shaker was placed in solitary confinement, where he spent at least a year and a half. He was told in 2007 that he was cleared for release, but although the British government requested his return to the

U.K. in 2007, negotiations with the U.S. apparently ceased in December 2007.

In 2010, after a new coalition government came to power in the U.K., ministers promised to raise Shaker's case with the Obama administration. However, Shaker is still being held, even though it recently became apparent, in a letter to Congress by four British Members of Parliament, that he was cleared for release at least two years ago, when President Obama's interagency Guantánamo Review Task Force issued its report on the prisoners.

In November 2011, Clive Stafford Smith, Reprieve's director, visited Shaker, and, on departure, wrote a letter to the British foreign secretary William Hague listing numerous physical ailments that Shaker suffers from—a list that has just been cleared through the U.S. censorship process—and calling for an end to the excuses preventing Shaker's release. The British government has said it wants Shaker back and the U.S. government has said that it wants to release him; therefore, it is difficult not to conclude that Shaker is still held because he knows too much, not only about the many injustices of Guantánamo, but also about two particularly disgraceful episodes.

The first episode involves Shaker's claims that he was tortured by U.S. forces in Afghanistan, while British agents were in the room. This is a claim that was aired in a British court two years ago, and led to disclosures being made to U.S. counsel concerning this abuse. The second involves his claim that, in Guantánamo, on June 9, 2006, he was tortured by unidentified U.S. intelligence agents, on the same evening that three other prisoners died. The deaths of those three men were described by the authorities as a coordinated suicide pact, but in January 2010, Harper's Magazine published an article by the lawyer and journalist Scott Horton, drawing on statements made by soldiers serving in Guantánamo at the time, which cast profound doubts on the official story, in which Shaker's account was also significant.

Testimony by prisoners held by the US at Guantanamo Bay, Cuba

Shaker Aamer (ISN 239)

The following is a letter written by Shaker Aamer on his wedding anniversary: 4 September 2011 demonstrating the pain he feels at even attempting to recall the abuse he has suffered. (Edited for spelling and grammar):

My dear lawyer,

I am happy to see you today,. The as I told you is my greatest day of my hard life. The day of my marriage. Yes it's the best thing happened to me in my 20 years of living on this earth. Still is the best I cherish I am in good mood just by remembering this day. I don't know how the day is going to pass for my wife. May God give her the patience to go through the memory of this day and give her the strength to carry on this hard ship that fell about us.

You asked me to write about all the torture that happened to me since the beginning, because it will help me to shed the light on how brutal USA and UK government are and to wakeup the people so we can bring justice to me, my family and others all over the world. I know from your perspective it is going to help me but please forgive me to tell you it is really hard on me to bring back all these memory of torture and agony and hard ship to the surface. I try my best to forget them so I can sleep and live normal life. I know it is a deep wound and I need it to close and not to re opened even if it help me to open it and clean it again.

Today please forgive me to live a few moments with my wife and the memory that can bring me some peace of mind and happiness, I pray to my Lord to get every couple together and make their life happy ever after. Thank you to let me share these moments with you at this beautiful day. Please tell my wife and kids:

They are the breath of my lungs
They are the beat of my heart
They are the light of my eyes
They are the reason why I am alive
God witness no lies
If tears could build me a way
And memory could build me a lane
I will walk over the Ocean to be with them again
This is how I feel

Yours,
Shaker Aamer

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4-9-2012

12:45 P.M

My Dear Lawyer:

I am happy to see you today. The day as I told you is my greatest day of my hard life. The day of my marriage yes it's the best thing happened to me in my 30 years of living on this earth. Still is the best day I cherish. I am in good mood just by remembering this day. I don't know how this day is going to pass for my wife. May god give her the patience to go through the memory of this day and give her the strength to carry on in this hard ship that fell upon us.

You asked me to write about all the torture that happened to me since the beginning, because it will help me to shed the light on how brutal USA and UK government are. and to wake up the people so we can bring justice to me my family and others all over the world. I know from your perspective it is going to help me but please forgive me to tell you it is really hard on me to bring back all these memory of torture and agony and hard ship to the surface. I try my best to forget them so I can

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Sleep and live normal life I know
it is a deep wound and I need it to close
not to ~~re-open~~ re opened even if
it help me to open it and clean it
again

Today please Forgive me to live a few
moments with my wife and the memory
that can bring me some peace of mind
and happiness. I pray to my Lord to get
every couples ~~to~~ together and
made their life happy ever after
thank you to let me share these
moment with you at this beautiful day
please tell my wife and my kids
They are the breath of my Lungs
They are The beat of my heart
They are the light of my eyes
They are The reason why I am alive
god witness No ~~lie~~ lies
if tears could build me away
and memory could build me alone
I will walk over the ocean to
be with them again
This is truly How I feel.

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Yours,
Shaker Amer

DECLARATION OF SHAKER AAMER

I, Shaker Aamer, make this declaration under oath in the knowledge and expectation that it will be used in a court of law concerning the torture and abuse that I suffered in American hands:

1. I am a long-term British resident. I am married to a British citizen and we have four young British children, the youngest of whom I have never been allowed to meet.
2. This witness statement is prepared in support of my complaint about my torture and abuse in Bagram Air Force Base, in Kandahar Air Force Base, and in Guantánamo Bay, as well as during the travel in between.
3. I was first detained in Afghanistan in December 2001 by Afghan villagers, before being turned over to Northern Alliance irregulars. While some terrible things happened to me at this time, before I was taken into US custody, I understand that these are only incidentally relevant for the purposes of this particular statement, so I am not going to go into details for now.

Bagram Air Force Base

4. I was then handed over to the US military, following the payment of a bounty. I was flown by helicopter to Bagram Air Force Base. I arrived there on or around Christmas Day in 2001. I have been detained in US custody continuously ever since.
5. I underwent mistreatment at the hands of the Americans upon his arrival by helicopter, [REDACTED] at Bagram. They took us out of the chopper and threw us on the ground of the airport with no shoes and very thin clothes and no food or water. They kept us lying on the ground for a long time. It was bitterly cold because it was mid-winter.
6. They started shouting, who can speak English? So I spoke to them and then they took me inside a concrete room with a square in the middle and so many people with masks on and with weapons and some with big sticks that looked

like axe handles. They ordered me to take off my clothes. While I did this, they were taking photos. I took off all my clothes except my shorts. They started shouting and threatening to hit me with an axe handle. So I complied unwillingly, and took off my shorts. They then told me to squat. They frisked me and told me if I moved out of the square they would shoot me.

7. After that, they took me to the next room and inside there was another square and there were people sitting in front of me and starting to ask questions. An Algerian translator was sitting with them. I told them I did not need his translating. After a short interrogation, they gave me a very thin jumpsuit—blue in colour, made in Kuwait -- and something like socks to wear on my feet with no shoes. They also gave me a very thin blanket made in India (it was roughly 150 x 120 cm).
- [REDACTED]
- [REDACTED]

8. They put me in a big cage with barbed wire around.
- [REDACTED]

9. When I was ordered into a particular place in the cage, the soldiers told me not to move from the spot I was in, or look at anybody, or talk to anyone. They said that if I disobeyed this, I would be punished very badly. That was around 4 a.m. in the morning, probably on the morning after Christmas or thereabouts. It was not possible to be sure about dates after what I had been through, but I remember the soldiers celebrated New Year's Eve a few days after I arrived.
10. It seemed like we were the first group they had received. The soldiers were so angry and full of hatred that they were looking for any excuse to beat us or shout at us, especially if we spoke English. From that day until 28 or 29 January, I was in the worst nightmare of my life. I can't believe what happened to me is real, and that it happened by the American military and intelligence teams was so unreal.

11. I was abused in a number of ways by the US military from the day I arrived to Bagram Air Force Base.
12. Humiliation: I had to strip naked in front of 15 people or more, who were just standing watching me squat and frisked at arrival. I had to use the hole in the ground with two big doors on the top of it as a toilet and I had to use one hand to clean myself. There was no water allowed and all the MPs were watching me making rude remarks. They were both male and female. They would point their M-16 rifles at me while I used the toilet and force me to get up before I finished.
13. The result was that I did not go to the toilet for 25 days. I had horrible, painful constipation and they refused to give me a laxative. When I eventually went to the toilet after 25 days I was bleeding badly and crying in pain. They were laughing at me. Sometimes they refused to let us use the drum or the hole in the ground they called a toilet so I end up peeing on myself—especially when it was freezing cold.
14. Beating: This was a common thing in their interrogations. Once, after a few days of sleep deprivation, they took me to the interrogation room. Intelligence team members starting coming one after another until the room was full, with perhaps [REDACTED] people there. One of them was a British secret service agent. They started shouting at me in different languages—[REDACTED] [REDACTED] I started shouting back at them and after that I do not know precisely what happened. I felt someone grab my head and start beating my head into the back wall—so hard that my head was bouncing. I later learned that this was a special technique that they used called 'Walling', but at the time I had no understanding of what they were doing, it was just terrifying. They were shouting that they would kill me or I would die.
15. After this, they left the room and told to think and tell them the truth or I would die. They left a gun on the table top. They left me alone with the gun. I did not know what to make of this. Did they want me to kill myself? Or do they want me to touch it so they could shoot me, and say that I tried to shoot them? I just stayed still, terrified.

16. The soldiers used to hit us any time and for any reason.
17. Cold water treatment: they would throw cold water on me. This was particularly bad, because it was the middle of winter. We had essentially no protection from the cold, since being held in a cage in the huge hangar was as cold as being outside. To have water thrown on you on top of that was torturous. I thought I was going to die from hypothermia.
18. Hog tying: I would be tied up like a hog, with my wrists tied behind my back, and then a rope tied from there to my ankles. Another loop would go around my neck, so that if I struggled I would begin to strangle myself.
19. Strappado: I did not know the name for this until much later, when I learned that it had been a favourite of the Spanish Inquisition. The US soldiers would tie my wrists together and then hang me either with my feet just touching the ground, or even just off the ground. This would gradually result in the dislocation of the shoulders in a way that was excruciating. This would be done particularly when the soldiers thought that one of the prisoners had been talking in the cages, or done something else against the petty rules that they were enforcing. For example, there was an entrance way into the cages with one gate, a space, and then a second gate. They would hang a prisoner up near there, and leave him for a long time.
20. Sleep deprivation: Sleep deprivation was a major way of trying to destroy the prisoners' will. It was so cold, and we were so poorly clothed, that it was difficult to sleep anyway. But the guards were under orders to keep us awake by making noise and constantly disturbing any attempt that we would make to sleep. I went several days without any sleep.
21. Threats of rendition: they threatened to render me to various countries where I would be tortured more (Egypt, Israel and Jordan). This was a common threat that was made against most, if not all, of the prisoners who were with me in Bagram. I believed they were going to do it. Who would not? Indeed, some of the prisoners who were there in Bagram with me were rendered.

22. Threats against my family: The interrogators would also threaten my family. I did not know what had happened to my wife and children, and I was very afraid for them. The interrogators would tell me that they were being held, and they were going to be tortured unless I said what they wanted to hear.

(IN KANDAHAR, NOT BAGRAM)

23. Holding me in a secret location: At one point, I was held in a secret place where the ICRC could have no access. This was a particularly terrifying aspect of my mistreatment, since I thought it meant that I was going to be "disappeared". Nobody, as far as I was aware, knew where I was, so I could just vanish and never be heard of again. The fact that particular steps had been taken to hide me from the ICRC was therefore very frightening.

24. These are only some of the methods of abuse that were used against me. I do not find it easy to talk about all of this because it was all so horrible. Also, I do not like to talk about it, as I sometimes wonder whether the people who listen in to my conversations, or who read this document, want to know what I most hated [REDACTED]

y).

25. British intelligence officers were complicit in my torture whilst I was held at Bagram Air Force Base, Afghanistan in January 2002. I was interrogated by a multi-national team, which included at least one officer of the UK security and intelligence services. As I have said, this British officer was present when I was being walled. The British officer made no attempt to stop the torture and made no enquiries into my health or well-being.

26. I learned later from other prisoners that the same British agent, and perhaps others, also went to Bagram to take part in interrogations.

27. The abuse and torture of prisoners at Bagram was so routine and blatant that it would have been impossible for any visitor there – including any British agent – not to realise what was going on, and how prisoners were being flagrantly mistreated.

28. I will add additional details of my time in Bagram, and the British personnel who visited me there, in a separate declaration.

Kandahar

29. I was moved to Kandahar near the end of January 2002.
30. I was also interrogated by two British officers there. The two officers told me that the Security Services had been watching me in the UK and they wanted to interview me. They offered me no help or assistance. My torture by the US authorities continued throughout this period.
31. I will add details of my time in Kandahar, and the British personnel who visited me there, in a separate declaration.

Guantánamo Bay

32. [REDACTED], I was flown to Guantánamo Bay, where I have remained ever since.
33. The flight to Guantánamo Bay was itself a torturous experience. The US military tried to deprive me of all sensory perception for many hours – except, perhaps, the sense of pain. [REDACTED]
[REDACTED] I was told I would be beaten if I tried to move or say anything. If I wanted to use the toilet, I either had to urinate on myself, or be taken [REDACTED] to a toilet where I would be watched by a guard while I used the toilet.
34. As soon as I arrived in Guantánamo Bay, I was met with further abuse. I will add additional details of my time in Guantánamo Bay, and the [REDACTED] personnel who visited me there, in a separate declaration, and what I state below is only a very limited and cursory description of what I have been through.
35. From the very start, I was subjected to beatings, sleep deprivation, temperature extremes, denied access to fresh air and recreation, and kept for several years in solitary confinement.
36. In Guantánamo Bay, I have generally lived in isolation in a cell [REDACTED]
[REDACTED] It contains a steel or concrete bunk, and generally a steel toilet, steel sink, a Qur'an and an isomat (an approximately inch-thin

mattress). This has not always been the case. For example, more recently I have been held in a cell in Camp V where there was no toilet, just a hole in the ground.

37. Generally, the actual floor area of the cell is only [REDACTED]
38. Much of the time, even though I can be observed by guards [REDACTED]
[REDACTED] the guards come to my door every few minutes to check on me.
39. The lights in the cells are very bright and the constant opening and closing of the door prevents me from ever getting a proper night's sleep.
40. For much of the time, I have been required to wear thin cotton orange trousers, a thin cotton orange shirt and flip-flops.
41. I have often been deprived of any other item whatsoever, including sometimes a toothbrush or even a cup.
42. My religious traditions have been regularly and routinely flouted. For example, the guards have intentionally tried to provoke the prisoners (including myself) by desecrating the Holy Qur'an. On various occasions, they have defaced it, and even thrown it into the toilet.
43. They have trampled upon my other religious rights. I have never been allowed a religious gathering in all the time I have been in US custody, something that is provided as a very basic right in international law. On a more personal level, according to Muslim tradition, I am meant to wash myself after using the toilet, rather than use toilet paper. However, without a cup, I am forced to use my hand to wash myself.
44. Generally there is no air conditioner, leaving me sweltering in the Cuban heat. However, sometimes the air conditioner is turned up full blast so the cell is freezing cold. Then, I have been deprived of a blanket.
45. I have been subjected to the noise treatment. This involves a number of different mechanisms that appear to have two goals: one, to blast prisoners with noise in order to break them psychologically; and two, to prevent a prisoner

from having any kind of communication with other prisoners, to isolate him even further than the use of a solitary cell.

46. From the earliest days of my time in Guantánamo Bay, the noise used against prisoners has sometimes been loud music or other unpleasant sounds (the sound of jet engines, and that kind of thing). On other occasions, and more long term, the military has used loud fans and machines that sound like large vacuum cleaners to generate noise on the blocks. The combined effect of this has been to prevent sleep as well as conversation, and to wear me down psychologically.
47. I have been subjected to sleep deprivation as well as what they call sleep adjustment. Sleep deprivation is when they keep you awake for days and nights on end; this includes the [REDACTED] program" where they move you from cell to cell all the time, to prevent you from getting any rest. Sleep "adjustment" is where they don't let you sleep at night, but may let you sleep some of the daytime. That is apparently intended to disorient the prisoner. Either way, I had no idea what a terrible psychological impact this could have on a person until I was subjected to it, and I also saw the effect on others around me.
48. From the very beginning, the military has used bright lights to keep me awake at night. This has another effect: the neon lights seem to have a direct mental health impact as well. My lawyer has described to me what they apparently call "ICU Psychosis" where patients in intensive care sometimes have become psychotic when exposed to too much neon light. I think something similar has happened to me at times.

Lack of Medical care

49. I suffer from many medical problems, including: asthma, edema, arthritis in my knees and ankles, kidney pain, tinnitus, constant constipation, and stomach pains. My living conditions greatly exacerbate these problems, causing extreme pain and discomfort. The medical care is effectively non-existent. While the authorities boast that there is liberal medical care, this is not true. Also, as a punishment, I have been deprived such medical care as there is, as part of the effort to break me.

Lack of family contact

50. I was held effectively incommunicado in Bagram, Kandahar and Guantánamo from December 2001 until I first saw a lawyer in 2005, more than four years later.
51. My very limited communications with my family have been used against me as part of the interrogation process. For example, I was often told that I would not be permitted letters or photographs from my family unless I "cooperated" (generally defined as saying I was guilty of something or saying what the interrogator wanted to hear about other prisoners).
52. I was not allowed to have any direct contact with my family (even something as limited as a phonecall) for more than eight years. In recent times, I have been allowed rare, very limited, censored calls with my family. I got to see my youngest child in one such call for the first time. I have never touched my youngest child, even though he was born more than ten years ago, on February 14, 2002. I have not touched any member of my family in more than ten years.

The Impact of Indefinite and Arbitrary Detention

53. One of the most difficult aspects of my detention has been the uncertainty of it all. It is perhaps one matter to have a conviction and a punishment – no matter how harsh the punishment, at least it is defined and known. From the very beginning of my time in Guantánamo Bay, I have been told repeatedly that I might be held here forever without any charges or any trial. Of course, this was uncertain. I watched others leave, including every single British national and British resident. Sometimes I would think that I was going to leave. Sometimes I was even told I was going to leave. But always there was the uncertainty and the seemingly random quality of my detention.
54. This was very bad even after a few months. Indeed, in a way, the first months were the worst, when there was much more hope that it would all get sorted out quickly. But as the months turned into years, and the years into a decade, there were other ways in which this arbitrary detention impacted me.

Signed:

Shaker Amer

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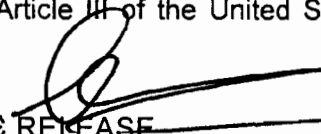
169

55. For example, I was cleared for release in 2007. Given that, I half-thought I would be leaving at once. But nothing came of it.
56. After December 2007, my lawyers were told on at least five occasions by informed sources that I would be leaving "soon" or "very soon." Yet, for reasons that are unclear, I remain a prisoner in Guantánamo Bay.
57. Then, on January 22, 2009, President Barack Obama issued an Executive Order calling for the closing of Guantánamo Bay within a year, and for "a comprehensive interagency review" of the status of all individuals imprisoned at Guantánamo Bay. At the very least, then, I expected to be gone from here by January 2010. But here I remain.
58. In terms of the review, the US Attorney General was designated as the lead official in this review, which is to include also at least the Secretaries of Defense, State, and Homeland Security, the Director of National Intelligence, and the Chairman of the Joint Chiefs of Staff. Specifically, the President ordered:
- a. The Review shall determine, on a rolling basis and as promptly as possible with respect to the individuals currently detained at Guantánamo, whether it is possible to transfer or release the individuals consistent with the national security and foreign policy interests of the United States and, if so, whether and how the Secretary of Defense may effect their transfer or release. The Secretary of Defense, the Secretary of State, and, as appropriate, other Review participants shall work to effect promptly the release or transfer of all individuals for whom release or transfer is possible.
 - b. In accordance with United States law, the cases of individuals detained at Guantánamo not approved for release or transfer shall be evaluated to determine whether the Federal Government should seek to prosecute the detained individuals for any offenses they may have committed, including whether it is feasible to prosecute such individuals before a court established pursuant to Article III of the United States

Signed:



Witnessed:



Constitution, and the Review participants shall in turn take the necessary and appropriate steps based on such determinations.

- c. With respect to any individuals currently detained at Guantánamo whose disposition is not achieved under paragraphs (2) or (3) of this subsection, the Review shall select lawful means, consistent with the national security and foreign policy interests of the United States and the interests of justice, for the disposition of such individuals. The appropriate authorities shall promptly implement such dispositions.

59. Once again, this gave a promise of due process and a final conclusion to my years of detention. The US Attorney General has established the Guantánamo Review Task Force, with representatives from all the agencies mentioned in the Executive Order. I was again cleared for release. Again, I remained here.

Hunger striking

60. I have gone on many hunger strikes of varying durations. I began this in Bagram Air Force Base, and have continued with other hunger strikes as a non-violent form of protest at my mistreatment ever since.

61. Over the years, I have been force fed, and I have been threatened with force feeding. It has always been against my will.

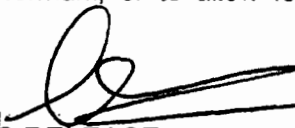
62. In December 2005, the practice of [REDACTED] force feed us was introduced. [REDACTED]

[REDACTED] A tube the thickness of a finger was forcibly inserted up the nose and down into the stomachs. Large quantities of liquid formula was pumped through the tube. This was often be more than the stomachs could hold and the effect was sometimes a painful bout of nausea, vomiting, bloating, and shortness of breath. We would be kept [REDACTED] to the chairs for a period after "feeding" to prevent us from purging the formula, or to allow for more feeding if we were sick.

Signed:

Shaker Aamer

Witnessed:



63. To begin with, they would insert the tube and leave it in. This caused long-term discomfort. But then one of the US generals announced that they were going to change the routine in order to make it less "convenient" (his word) for us: the tubes would be inserted and pulled out twice a day, which was far more painful. This was done to try to "dissuade" us from our right to non-violent protest at our mistreatment. In my view, it was barbaric.

Statement of truth

I make the following statement under the penalties of perjury; the foregoing statement is true and accurate to the best of my information and belief. I must stress that it only begins to touch upon my knowledge about the foregoing matters, and there is a great deal more that I can say on the subject. Done this 25th day of April, 2012.

XXXXXXXXXXXX

XXXXXXXXXXXX

XXXXXXXXXXXX

I HAD TO DO THIS MUCH TOO FAST SO THERE MAY BE ERRORS AND AMBIGUITIES - AND THERE IS A HUGE AMOUNT OMITTED.

Signed:

Shak

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A2

Umar Abdulayev

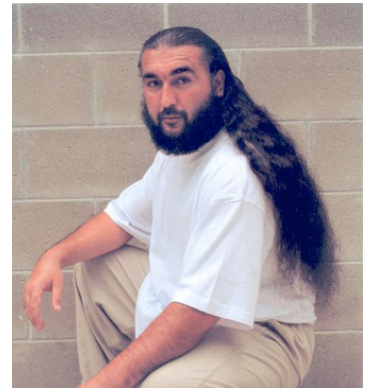
ISN 257

Citizenship: Tajikistan

Detained Since: 2002

Umar Abdulayev

Umar Abdulayev, a native of Tajikistan, born in 1978, has not lived in the country of his birth since 1992, when he fled with his parents, two brothers, and two sisters to escape the civil war that was beginning to tear the country apart. His father was killed in 1994 while returning to Tajikistan to investigate the situation.



Umar lived in Afghanistan until early 2001, when he moved with his family to a refugee camp near Peshawar, Pakistan. It was there, on November 25, 2001, that he was seized in a bazaar by police who handed him over to Pakistani intelligence officials and then imprisoned him.

In Pakistani custody, Umar was beaten and coerced into copying incriminating information, in his own hand, into a number of notebooks, with a promise that he would be returned to his mother if he did as directed. Instead, he was blindfolded and driven to Kohat prison in Pakistan, where, after nine days, he was turned over, along with approximately 30 others, to the custody of the U.S. military.

Speaking about the circumstances of his detention in U.S. custody, Umar explained, “The Pakistanis are making business out of this war, including myself. The detainees are not being captured by U.S. forces, but are being sold by the Pakistani government. They are making [up to] \$10,000 to sell detainees to the U.S. ... they knew that the more evidence they created, the more dangerous they made me, the more money they would make from the Americans.”

After a month in the U.S. prison in Kandahar, Afghanistan, Umar was flown to Guantánamo, where he has been held ever since without charge or trial. President Obama’s Guantánamo Task Force approved Umar to be transferred out of Guantánamo, yet it appears that the U.S. government continues to hold him with no end in sight.

Irrespective of whether he is able to obtain a writ of habeas corpus, Umar appears to have few prospects for leaving Guantánamo. Umar fears for his life in Tajikistan and refuses to return there voluntarily. He needs a safe country in which to rebuild his life, but currently there is no indication that the U.S. government is taking any steps to resettle him in a third country.

Ahmed Abdul Aziz

ISN 757

Citizenship: Mauritania

Detained Since: October 2002

Notes from client visit with Ahmed Abdulaziz, ISN 757, February 2013
(edited for clarity)

P.2

WEDS. Jan 2 2013

BIG REC

[I have] come from 30 days in Camp V

(NOTE: Camp V is a maximum security cell-block)

Our REC time

Soccer in Big Area

Detainee stuck half in/out. Shouting to be heard by tower.

Many people now mentally ill. Little self-control.

Climbed 1 yard – we do it all the time to get balls that a stuck.

Spray [from a water hose] most that ever happens.

Guard pointed rifle at the detainee.

Detainees shouted. He pointed gun at them.

Threw little stones at him.

He shot not at the man climbing but in the REC.

P.3

On detainee cut in the throat on adams apple.

Other scratched near eye etc.

OIC [officer-in-charge] said this was normal and justified.

No investigator talked to prisoners – cover up.

Imposed REC restrictions.

P.7

[I am] now voluntarily back in [Camp] V.

New rule on meds – you can only get them with hassle. So most now refusing.

[I am]: not getting various meds now.

- Ulcers & hyperacidity in stomach - Nexium
- Creams for hemorrhoids & suppositories
- Irritable Bowel Syndrome
 - Dyclophonax or Elavil
 - Elavil or Tylenol
 - Migraines
 - Great pain in eyes b/c migraines & lights. Blurry sight.
 - Lower and upper back – Arthritis
 - RSI

P.11

Still interrogating 1 x week OR 1 x month.

No message from wife and child since June '11.

P.12

Nov. 2009: [I was] cleared for release.

It makes no sense to insist on rehabilitation or repatriation but no start in Gitmo.

What they do here is “dis-abilitation”.

SOP = Severe Oppressive Procedures

Want just to enforce one SOP – send cleared people home.

Cleared Prisoners should be in a waiting room to leave.

In Gitmo it is like having a ticket but there is no airport.

Drives me to craziness. No legal status. No charge, no proof of guilt. Time has no border no limits. Living with a mirage. But we know we are thirsty.

P. 13

They say I can walk anywhere, I have free access to the path, but I am on a tether (a bungee rope) and they pull me back.

Much worse to be told I am cleared.

People are getting more angry. Smallest things get irritating.

They voted the prayer mats as contraband – then they gave it to us.

That makes me furious.

They have embezzled my life and my health.

Age is accelerated here. A martian day is 2 earth days.

Proposition to science community: 1 Gitmo day = 10 martian days.

[I] arrived Oct 22, 2002 at 32.

[I am] now 43 years old or $32 + (22 \times 10) = 232$ years.

There is missing time, & condensed time.

①

UNCLASSIFIED 757

2013.02.04

WEBS. JAN 2 2013.

BIG REC.

A ~~MAN~~ ^{MAN} COME FROM 30 DAYS IN V.

OUR REC TIME.

SOCCER IN BIG AREA.

DETAINEE STUCK ~~THE~~ HALF IN/OUT. SHOOTING
TO BE HEARD BY TOWER.

MANY PEOPLE NOW MENTALLY IN - LITTLE
SELF-CONTROL.

CLIMBED 1 YARD - WE DO IT ALL THE
TIME TO GET BALLS THAT ARE STUCK.

SPRAY IS MOST THAT EVER HAPPENS.

GUARD POINTED RIFLE AT THE DETAINEE.

DETAINEE SHOUTED. HE POINTED GUN AT
THEM.

THREW LITTLE STONES AT HIM.

HE SHOT NOT AT THE MAN CLIMBING BUT
IN THE REC.

UNCLASSIFIED

757 UNCLASSIFIED (2)

2013.02.04

ON BETHANEE CUT IN THE THROAT ON ADAMS
APPLE

OTHERS SCRATCHED NEAR EYES ETC.

OIC SAID THIS WAS NORMAL & JUSTIFIED.

NO INVESTIGATOR TALKED TO PRISONERS - COVER UP.

IMPOSED REC RESTRICTIONS.

UNCLASSIFIED

UNCLASSIFIED

2013.02.07

Δ NEW VOLUNTARY BACK IN V

NEW RULE ON MEDS - YOU CAN ONLY GET THEM WITH AASLE, SO MOST NOW REFUSING.

Δ: NOT GETTING VARIOUS MEDS NOW

* ULCERS & HYPERACIDITY IN STOMACH. → NEXIUM.

* ORIFANS FOR HEMORRHOIDS & SUPPOSITORIES

* IRRITABLE BOWEL SYNDROME → ANCLOPHOVAX
OR ELAVIL

* MIGRAINES

— ELAVIL OR TREMOL.

* GREAT PAIN IN EYES B/C MIGRAINES & LIGHTS -
BLURRY SIGHT.

* LOWER & UPPER BACK.

↳ ARTHRITIS

* RSI

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FEB-07-2013 16:03

P.11

757

UNCLASSIFIED 2013.02.04.

STILL INTERROGATING. 1X WEEK OR 1X MONTH.

NO MESSAGE FROM WIFE & CHILD SINCE JUNE

11.

757

(11)
UNCLASSIFIED

2013.02.04.

Nov. 2009 A CLEARED FOR RELEASE

IT MAKES NO SENSE TO INSIST ON REHABILITATION
ON REPATRIATION BUT NOT START IN GITMO

WHAT THEY DO HERE IS "DIS-ABILITATION"

SOP = SEVERE OPPRESSIVE PROCEDURES

WANT JUST TO ENFORCE ONE SOP - SEND CLEARED
PEOPLE HOME.~~BE~~ CLEARED PRISONERS SHOULD BE IN A WAITING-
ROOM TO LEAVE. IN GITMO IT IS LIKE HAVING
A TICKET BUT THERE IS NO AIRPORT.DRIVES ME TO CRAZINESS. NO LEGAL STATUS.
NO CHARGE. NO PROOF OF GUILT. TIME HAS TO
REBOUND, NO LIMITS. LIVING WITH A MIRAGE.
BUT WE KNOW WE ARE THIRSTY.

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757

(TO) UNCLASSIFIED 2013.02.04.

THEY SAY I CAN WALK ANYWHERE, I HAVE
FREE ACCESS TO THE PATH, BUT I AM ON A
JETHER (A BUNGEE ROPE) AND THEY PULL
ME BACK.

MUCH WORSE TO BE TOLD I AM CLEARED.

PEOPLE ARE GETTING MORE ANGRY. SMALLEST
THINGS GET IRRITATING. THEY LOOTED THE PRAYER
MATS AS CONKRAM - THO! THEY GAVE IT TO US.
THAT MAKES ME FURIOUS.

THEY HAVE EMBEZZLED MY LIFE & MY
HEALTH.

AGE IS ACCELERATED HERE. A MARTIAN DAY
IS 2 EARTH DAYS. ~~THE~~ PROPOSITION TO SCIENCE
COMMUNITY: 1 GIMMO DAY = 10 MARTIAN DAYS.

I ARRIVED OCT 22, 2002 AT 32.

I IS NOW 43 ~~BEFORE~~ YEARS, OR $32 + (20 \times 10) = 232$ YEARS
OLD.

THERE IS MISSING TIME, & CONDENSED TIME.

UNCLASSIFIED

Abu Zubaydah

ISN 10016

Citizenship: Palestinian Territories

Detained Since: September 2006

Abu Zubaydah — and other “high-value detainees”

Abu Zubaydah, born in 1971 in Saudi Arabia, is a stateless Palestinian. His formal name is Zayn al-Abidin Muhammad Husayn, and his torture was central to the Bush administration’s decision to subject prisoners seized in the “war on terror” to torture.



Abu Zubaydah immediately after being apprehended by the U.S.

Within a matter of days after Abu Zubaydah was taken into custody by U.S. forces, President Bush began publicly describing him as a “top operative plotting and planning death and destruction on the United States.” In short order, after being seized during a house raid in Faisalabad on March 28, 2002, wherein he was shot three times, leaving him unconscious and in critical condition, Abu Zubaydah was flown out of Pakistan and into a secret CIA prison in Thailand. Later in 2002, he was transferred to another CIA facility in Poland, and, from September 2003 until March 2004, was one of a handful of “high-value detainees” held in a secret prison within Guantánamo (whose existence has never been publicly acknowledged), which was closed when the Bush administration began to realize that the Supreme Court was likely to grant the prisoners habeas corpus rights. From then until September 2006, he and other “high-value detainees” were moved around a network of CIA prisons that included facilities in Romania, Lithuania and Morocco. In September 2006, he was one of 14 “high-value detainees” flown to Guantánamo from these secret facilities.

During his nearly four-and-a-half years of secret imprisonment, Abu Zubaydah was subjected to a battery of well-documented torture. He is one of only three prisoners who the government has admitted to having waterboarded, and, by the government’s own account, this was done to him in excess of 80 times in a single month alone. Moreover, waterboarding is only one of the many “enhanced interrogation techniques” which the August 1, 2002 Office of Legal Counsel memorandum listed as being authorized for use against Abu Zubaydah personally. (This memorandum was written specifically for Abu Zubaydah.) Other such “techniques” included, but were not limited to, prolonged sleep deprivation, placement in stress positions, and confinement in a coffin-sized box. Abu Zubaydah is also one of two prisoners who the government has openly admitted to having tortured and videotaped, and then, in violation of several court orders, to having destroyed this videotaped evidence of torture.

When Abu Zubaydah was moved to Guantánamo in 2006, President Bush continued to describe him as “a senior terrorist leader and a trusted associate of Osama bin Laden,” and claimed that, because he had become “defiant and evasive” after his capture, “the CIA used an alternative set of procedures” for him. According to Bush, “These procedures were designed to be safe, to comply with our laws, our Constitution, and our treaty obligations. The Department of Justice reviewed the authorized methods extensively and determined them to be lawful.”

President Bush was mistaken in both his claims. First, the torture techniques approved by John Yoo were plainly illegal, although the Obama administration has done all in its power to prevent any prosecutions from proceeding. Second, Abu Zubaydah was not “a senior terrorist leader,” but was, instead, at most a mere gatekeeper for Khaldan, an independent military training camp in Afghanistan (which had been

used to prepare jihadists to fight the communists in Russia in the 1990s) that was forcibly closed down by the Taliban in 2000 when its emir, Ibn al-Shaykh al-Libi, refused to allow it to be taken over by Osama bin Laden. The government's quick labeling of Abu Zubaydah as a "high-value detainee", "the number three man in al Qaeda", and "al Qaeda's chief of operations" reveals a disturbing failure of intelligence in the Bush administration at the start of its "war on terror." Moreover, the torture of this man, who was so monstrously mischaracterized from the start, also yielded no useful intelligence. In 2009, summing up the results of his torture, a former U.S. intelligence official stated, "We spent millions of dollars chasing false alarms."

The extent of these failures has even been acknowledged by the Obama administration, although this has taken place in court documents submitted by Justice Department lawyers who have tried to portray Abu Zubaydah as a different kind of threat. In a submission in 2009, in response to 213 requests by Abu Zubaydah's attorneys for discovery in his habeas corpus petition, the government revealed that it "has not contended ... that Petitioner was a member of al-Qaeda or otherwise formally identified with al-Qaeda." The Government further stated that they were not "detaining [Abu Zubaydah] based on any allegation that [Abu Zubaydah] views himself as part of al-Qaeda as a matter of subjective personal conscience, ideology, or worldview." The Government also "has not contended that Petitioner had any personal involvement in planning or executing...the attacks of September 11, 2001," nor that he had any "advance knowledge of the terrorist attacks of September 11, 2001," nor that he had "knowledge of any specific impending terrorist operations" being planned by al-Qaeda.

Instead, the government now claims that the ongoing detention of Abu Zubaydah "is based on conduct and actions that establish Petitioner was 'part of' hostile forces and 'substantially supported' those forces," and that he "facilitat[ed] the retreat and escape of enemy forces" after the U.S.-led invasion of Afghanistan in October 2001. In response, his attorneys are engaged in attempts to establish that the government has no evidence that their client was "part of hostile forces," and that the people he assisted in escaping Afghanistan included "women, children, and/or other non-combatants," and that the government has evidence to support those assertions.

As one of his attorneys, Brent Mickum, has explained, "I'm not surprised at all that the government has dropped the old charges against our client and is alleging new charges against him. That is their tried-and-true modus operandi ... [W]hen their case falls apart, they re-jigger the evidence, and come up with new charges and [say], 'we will defend the new charges with the same zeal we defended the earlier bogus charges.'"

Despite the horrors of Abu Zubaydah's case, since his arrival at Guantánamo in September 2006, even his attorneys have been unable to provide much information to the public. The blunt truth, shockingly, is that every word spoken between the "high-value detainees" and their attorneys since their arrival has remained classified, and none of it has been unclassified through a Pentagon review process, as has happened with all the other prisoners.

In the cases of the six "high-value detainees" who have faced military commission hearings—Khalid Sheikh Mohammed and four other men under President Bush, and Abd al-Rahim al-Nashiri under President Obama—some information has emerged. However, in the cases of six other "high value detainees" who

arrived in September 2006 (Majid Khan, Abu Faraj al-Libi, Riduan Isamuddin, aka Hambali, Modh Farik Bin Amin, Mohammed Bin Lep and Gouled Hassan Dourad), and two others who arrived at Guantánamo in 2007 and 2008 (Abd al-Hadi al-Iraqi and Muhammad Rahim), no information has been made publicly available.

This leaves them in an information black hole as severe as when they were held in CIA “black sites.” Additionally, this embargo on available information has encouraged the public to completely forget about these men, even though all the prisoners subjected to the “high-value detainee” torture program represent the nadir of the Bush administration’s lawlessness and hubris.

OPINIONS

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Why hasn't Abu Zubaida been tried?

By Amanda L. Jacobsen, March 28, 2012

This week marks 10 years that my client Abu Zubaida has been held in U.S. custody. After a decade of imprisonment, Abu Zubaida has never been charged with a crime, much less found guilty. This week there was movement: Charges were unveiled — not against Abu Zubaida but against a senior government official involved in the CIA's rendition program.

The development occurred in Poland, where the former head of the Polish intelligence services is charged with unlawful deprivation of liberty, abuse of office by a public official, unlawful corporal punishment (i.e., torture) and — notably — unlawful deprivation of access to a court of justice.

Since 2007 Abu Zubaida has had an active habeas corpus case — brought by him against the U.S. government to challenge his detention. But in five years this case has not yielded any finding that Abu Zubaida is a danger to the United States. To the contrary, since my co-counsel and I first filed a discovery request in 2009, seeking access to the evidence in the government's possession, his habeas case has been at a standstill. We have more than a dozen motions pending before the D.C. District Court, many of which have been waiting since 2009. We continue to await the production of the government's evidence. We have repeatedly asked for a status conference, to move his case forward. Each time the government has opposed our request.

While Europe is moving forward and seeking accountability from its officials for illegal conduct, the United States is not.

We must ask why no charges have been brought against U.S. officials. But we must also ask why charges have never been brought against Abu Zubaida — and what is really known about my client.

U.S. officials have said that Abu Zubaida was a senior al-Qaeda terrorist. They claimed that he was the “No. 3 man” in al-Qaeda, its chief of operations, who worked directly with Osama bin Laden. They said that he was personally involved in the Sept. 11, 2001, attacks and every other major al-Qaeda operation and knew the details of future attack plans.

But all of these assertions were wrong.

To the contrary, the government has explicitly conceded in Abu Zubaida's habeas corpus case that he was never a member of al-Qaeda and had no knowledge of al-Qaeda operations. These allegations are not the basis on which the government requests that Abu Zubaida continue to be detained.

While the media continue to parrot the early mischaracterizations, the U.S. government has quietly airbrushed every reference to him out of the charge sheets of other detainees.

In September 2006, President George W. Bush announced that he was transferring Abu Zubaida from a secret prison, beyond the reach of the law, to the U.S. naval base at Guantanamo Bay, Cuba, so that he could be charged, prosecuted and brought to justice. Bush said that America had a duty to bring to justice those responsible for acts of terrorism. When President Obama took office, he said he would close Guantanamo and tasked officials with categorizing the detainees, identifying prisoners whom the government wanted to prosecute, those it wanted to release and those who could seek relief though habeas corpus.

Despite having top-secret security clearance as Abu Zubaida's counsel, I haven't been allowed to see that list, so I don't know which category the administration put Abu Zubaida in. What's clear, unfortunately, is that this categorization system makes no difference to the fate of these men. Imprisonment at Guantanamo Bay is not about justice. More than half of the men still there were “cleared for release” years ago. Even prisoners who win their habeas cases or are found innocent of charges brought against them may remain at Guantanamo indefinitely.

We must ask: If Abu Zubaida is a terrorist, why does the government refuse to charge him and bring him to justice?

The reason is: The government got it wrong. U.S. officials made hyperbolic assertions about Abu Zubaida and relied on these false allegations in their efforts to justify his rendition, secret detention and torture, as well as the torture of many others — acts that Europe, at least, admits are grave legal violations. By U.S. government reports, Abu Zubaida was waterboarded 83 times in one month. And despite court orders to preserve evidence, the government

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destroyed 90 videotapes of his torture and interrogations.

People assume that the government has not prosecuted Abu Zubaida because he was tortured. But the government has admitted to waterboarding two other men, [Khalid Sheik Mohammed](#) and [Abd al-Rahim al-Nashiri](#), both of whom face criminal prosecution.

I have visited Abu Zubaida in Guantanamo every few months for three years. I am, along with prison guards, among the very few people with whom he is allowed to speak. But everything I know about him — as a person and about his legal case — is shrouded in secrecy. If I tell anyone anything that I've learned about Abu Zubaida from speaking with him directly, I risk imprisonment myself.

When people ask me whether Abu Zubaida is guilty, I can say only: Isn't it time we find out?

The government has had 10 years to get its case together. Those who believe that Abu Zubaida is a terrorist should bring charges against him and allow him to defend himself.

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Comments



joanne_kh wrote:

3/29/2012 7:58 PM EDT

What has been -- and is being -- done to Abu Zubaida (and others in his position) is beyond shameful and despicable. I really don't have words to describe how angry and upset this makes me. What kind of "advanced democracy" does this to people!?



arcticredriver responds:

4/1/2012 10:29 AM EDT

I don't like injustice, either.

But in discussions like this, it is important to recognize that many respondents who consider themselves patriotic Americans are nevertheless willing to abandon the presumption of innocence, and thinking holding men without charge on untested allegations can be justified through claiming it is a necessary sacrifice required for public safety.

I think the claim public safety requires torture, requires holding men without charge on untested allegations, is not supportable. I think, when looked at in detail, the public record shows holding men without charge on flimsy allegations, that taking confessions and denunciations wrung from captives through abuse or genuine torture at face value is not only unjust, but has put the public at much greater risk.

Taking confessions wrung out from Ibn al Shaykh al Libi is the worst instance of the use of torture in all of human history, as believing those tortured confessions was a key trigger for the disastrous invasion of Iraq. (I covered this in more detail in an earlier comment.)

Ahmed Ajam

ISN 326

Citizenship: Syria

Detained Since: 2002

Ahmed Ajam

Ahmed Adnan Ajam is a 35-year-old man, born and raised in Aleppo, Syria. Ahmed grew up in comfortable economic circumstances, in an open-minded family that exposed him to Western ideas and traditions. He spent many hours on his computer. He socialized with European visitors to Syria. He enjoyed Western music. He developed a fondness for pizza, burgers, and fries.

Ahmed has a high school education. He speaks some English. He has a philosophical turn of mind and a keen sense of humor. For his mandatory two years of service in the Syrian military, Ahmed served as an aide to a high-ranking officer. This was an office job, performing secretarial duties.

In his twenties, Ahmed began to feel that the life he was leading was shallow and unfulfilling. He wanted to deepen his Islamic faith and practice. He decided to visit Afghanistan, to see how that country implemented Islamic law, and to get help to become a better Muslim. He lived in Kabul for approximately 11 months. While living there, he volunteered for a charity organization, delivering food to the poor.

In fall 2001, after the war started, Ahmed fled Kabul. He had been told that Arabs, if captured by the Northern Alliance, would be killed. Accompanied by several Syrian friends, he made his way through the mountains of Afghanistan to Pakistan, where the Pakistani authorities arrested him at the end of 2001. He was unarmed. He was transferred to Guantánamo in the winter of 2002.

Syria has a consistent record of human rights abuses, including the use of torture in detention (which has resulted in death), arbitrary detention, prolonged detention without trial, and fundamentally unfair trials in the security courts.

Amnesty International reported in 2005 that “[d]ozens of Syrians were reportedly arrested on their return from exile,” often because of “suspected ... personal or family links with the Muslim Brotherhood” even when they had returned with the permission of the Syrian authorities. In recent years, the Supreme State Security Court has prosecuted many such people under Law 49 (1980), which makes affiliation with the Muslim Brotherhood punishable by death.

It appears that Syrian authorities would consider Ahmed a threat simply because the United States has imprisoned him at Guantánamo. The ongoing upheaval and deadly repression in Syria emphasizes that he cannot return there. His only hope for freedom is that another country will receive him.

Mohammed al-Adahi

ISN 33

Citizenship: Yemen

Detained Since: 2002

Mohammed al-Adahi

Mohammed al-Adahi, born in 1962, is a Yemeni, whose case is emblematic of the way in which the D.C. Circuit Court has gutted habeas corpus of all meaning. Married with two children, al-Adahi had never left Yemen until July 2001, when he took a vacation from the oil company where he had worked for 21 years to accompany his sister to her wedding in Afghanistan. Afterwards, as he traveled through Pakistan to take a plane home, he was seized on a bus and sent to Guantánamo.

In August 2009, Judge Gladys Kessler granted al-Adahi's habeas corpus petition, ruling that the government had not established that, as alleged, he "was part of the inner circle of the enemy organization al-Qaeda," even though there was "no question that the record fully supports the Government's allegation that Petitioner had close familial ties to prominent members of the jihad community in Afghanistan," and that his brother-in-law was, apparently, "a prominent man in Kandahar," and even though it was "undisputed" that Osama bin Laden "hosted and attended [the] wedding reception in Kandahar," and that al-Adahi "was briefly introduced to bin Laden."

Drawing on al-Adahi's own statements, who she saw testify live from Guantánamo, Judge Kessler accepted that there was no reason to doubt his explanation about why he traveled to Afghanistan, and noted that he had freely admitted to briefly meeting Osama bin Laden. She also refused to accept his brief attendance at the al-Farouq training camp as evidence of anything sinister, acknowledging that he "pursued training at al-Farouq to satisfy 'curiosity' about jihad, and because he found himself in Afghanistan with idle time," and noting in particular that the camp leaders expelled him after seven to ten days "for failing to comply with the rules," which included a ban on smoking.

Other ludicrous allegations—that al-Adahi was an instructor at al-Farouq in February 2000 (18 months before his arrival in Afghanistan) and that he was a bodyguard for bin Laden—were dismissed because Judge Kessler identified that both claims had been made by a prisoner for whom "the record contains evidence that [he] suffered from 'serious psychological issues,'" and another prisoner who "suffers from serious credibility problems that undermine the reliability of his statements."

Instead of releasing him, however, the government appealed and, in July 2010, Judge Randolph reversed Judge Kessler's, ruling, which Judge Randolph described as "manifestly incorrect—indeed startling." Judge Randolph claimed that Judge Kessler had considered each piece of evidence on its own merits, instead of as part of a whole, and described this as a "fundamental mistake that infected the court's entire analysis." Judge Kessler had, in fact, examined the evidence as part of what the government contended was a "mosaic" of intelligence, to be viewed as a whole, rather than being examined in isolation, but had found the "mosaic" to be unpersuasive. In a startling departure from precedent, Judge Randolph gave no credence to Judge Kessler's opportunity to see al-Adahi testify live and subject to the government's cross examination.

Responding to the ruling, in which Judge Randolph also indicated that he believed the "preponderance" standard used in the habeas cases to be too high, one of Mohammed al-Adahi's attorneys, John A. Chandler, "criticized the appeals court for reassessing the evidence being used to hold al-Adahi instead of assessing the trial court's ruling for errors of law," as was noted in an article at the time. Chandler explained, "The ap-

pellate court pretty clearly wanted to find he was al-Qaeda and substituted their judgment on the facts for the judgment of the trial court, when the trial court is supposed to make decisions of fact.”

These were entirely valid complaints, but disturbingly Judge Randolph has prevailed. Since his ruling in the case of Mohammed al-Adahi, every habeas corpus petition since July 2010 has been denied, as the lower court judges have been obliged to follow Judge Randolph’s order to give more credence to the government’s unverified allegations than they had been doing. In addition, five other successful petitions have been either reversed (like al-Adahi) or vacated, and sent back to the lower court to reconsider.

Sa'ad Muqbil Al-Azani
ISN 575

Jalal bin Amer
ISN 564

Suhail Abdu Anam
ISN 569

Citizenship: Yemen

Detained Since: Spring 2002

Sa'ad Muqbil Al-Azani, Jalal bin Amer, Suhail Abdu Anam

Sa'ad Muqbil Al-Azani, ISN 575, detained at Guantánamo since Spring of 2002.

Jalal bin Amer, ISN 564, detained at Guantánamo since Spring of 2002.

Suhail Abdu Anam, ISN 569, detained at Guantánamo since Spring of 2002.

All three of these men were captured at the same time in February 2002 in Karachi, Pakistan. Mr. Al-Azani and Mr. bin Amer have been Cleared for Transfer by the Obama Task Force in 2009, but still they sit in detention, with no charges having ever been brought against them.

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Ghaleb al-Bihani

ISN 128

Citizenship: Yemen

Detained Since: 2002

GHALEB AL-BIHANI, ISN 128

IN DIRE HEALTH & DETAINED FOR OVER A DECADE WITHOUT CHARGE

Ghaleb Al-Bihani is a young man from Yemen who is in seriously ill health and who has been detained at Guantánamo for over a decade without any charge.¹ He has been imprisoned for 11 years and will continue to be held indefinitely—on the basis of allegations that he was an assistant cook for a group that no longer exists. Ghaleb sought justice all the way up to the U.S. Supreme Court, but that court, his last hope for legal redress in the United States, refused to hear his case in April 2011.

Ghaleb lives with physical illness, including diabetes, and suffers from pain and psychological anguish. He recently expressed that the “current circumstances have become unbearable.” In his more hopeful moments, he imagines rebuilding a peaceful life beyond the prison walls. Despite his depression, he is trying to learn languages and other skills to improve himself in detention, and still dreams of the chance to rebuild his life. He would accept both repatriation to his country or safe resettlement in a third country.

Ghaleb’s health status

Ghaleb has been described by the Joint Task Force Guantánamo (JTF-GTMO) as being “on a list of high risk detainees from a health perspective.” His ailments include Type 2 Diabetes, asthma, chronic migraine headaches, chronic neck and lower back pain, depression, and anxiety. His blood sugar level fluctuates dangerously, rising as high as 700. He has been hospitalized for weeks at a time over the past several months, and medical personnel at Guantanamo have told him they are gravely concerned about his health. Ghaleb’s physical and psychological health have declined markedly over the last several months, and his attorneys assess that he is now in critical condition.

Ghaleb’s attempts to challenge his detention in U.S. courts

In January 2009, Judge Richard Leon denied Ghaleb’s habeas petition, ruling that Ghaleb could continue to be detained indefinitely at Guantánamo without charge, on the basis of allegations that he was a kitchen aide for Arab forces in Afghanistan supporting the Taliban in a local conflict against the Northern Alliance pre-9/11. In January 2010, the decision was affirmed by the D.C. Circuit in an opinion that disavowed the relevance of international law in determining the scope of the government’s detention authority—a position even the government rejects.

¹ Ghaleb’s Internment Serial Number (ISN) at Guantánamo is 128.

In August 2010, the full circuit court reviewed the January 2010 ruling, declining to endorse the claims about the irrelevance of international law, but affirming the denial of Ghaleb's habeas petition. In April 2011, the Supreme Court, Ghaleb's last hope, denied his petition for certiorari. As a result, an alleged kitchen aide, who was never accused of having raised arms against U.S. or allied forces, has lost 11 years of his life at Guantanamo and continues to be held indefinitely.

More information

Ghaleb Al-Bihani is represented by attorneys at the Center for Constitutional Rights. For more information, the Commission should contact:

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'Non-lethal round' fired at Gitmo detainees in soccer field incident, US military confirms

By Michael Isikoff, National Investigative Correspondent, NBC News
Updated 22 hours ago

NBCNews.com



John Moore / Getty Images file Camp Delta in the Guantanamo Bay detention center in 2010.

U.S. military officials confirmed Thursday that a guard at the U.S. detention facility at Guantanamo Bay last January fired a "non-lethal round" to disperse detainees after one of them sought to climb a fence and others threw rocks at the guard tower.

No one was injured during the incident, which appears to be the first shooting involving rubber bullets in the 11-year history of the Guantanamo facility. Nonetheless, it has

fueled claims by defense lawyers – denied by camp officials – that the detainees have been engaged for weeks in widespread protests, including hunger strikes and refusing to sleep in their cells.

The conflicting claims about conditions come as the detention facility in Cuba – which began under President George Bush in 2002 – is once again in the spotlight. Congressional Republicans, led by South Carolina Sen. Lindsey Graham, on Thursday sharply criticized the Obama administration for flying the recently captured Sulaiman Abu Ghaith, Osama bin Laden's son in law, to New York to stand trial in federal court rather than sending him to Guantanamo.

[Al-Qaida spokesman and bin Laden son-in-law captured](#)

"When it comes to people like this ... we want them to go to Gitmo to be held in military custody for interrogation purposes," Graham said in a news conference.

But Obama administration officials say they have ruled out sending any more terror suspects to Guantanamo because it would undercut their intention to shut down the facility. On his first full day in office in January 2009, President Barack Obama vowed to close Guantanamo, but he has been blocked from doing so by Congress, leaving most of the 166 detainees remaining there in perpetual limbo – even though at least 55 of them have been publicly cleared for release by an administration task force consisting of U.S. intelligence agencies.

The shooting incident, [first reported by the Miami Herald](#), occurred on the grounds of a new \$744,000 soccer and recreation field that was opened last year and touted by base officials as an example of new and more permissive conditions at the facility. The new soccer field was featured in [an NBC News report on Guantanamo](#) last June.

[Read more at The Isikoff Files](#)

Navy Capt. Robert Durand, chief public affairs spokesman at Guantanamo, told NBC News in an email that on the afternoon of Jan. 2, the incident occurred "after a detainee attempted to climb the fence" in the new recreation field and a "small crowd of detainees began throwing rocks at the guard tower."

"After repeated warnings were ignored, the guard force was forced to employ appropriate crowd-dispersal measures, in accordance with standard operating procedures," Durand wrote.

In response to follow-up questions, Durand said that the measures involved the shooting of a "non-lethal round" consisting of "several small rubber balls with limited ability to penetrate skin and little ability to cause injury." One of these balls "hit a detainee," he added. (During a May 2006 disturbance at Guantanamo, guards fired pepper spray at detainees, Durand said.)

Information only began to emerge in recent weeks when some of the detainees began informing their lawyers – whose communications with their clients are tightly regulated. One detainee, Bashir al-Marwalah, wrote his New York lawyers in a letter received Feb. 22: "We are in danger. One of the soldiers fired on one of the brothers a month ago. Before that, they send the emergency forces with M-16 weapons into one of the brothers' cell blocks."

The letter, a copy and translation of which was obtained by NBC News, further alleged that a copy of the Quran had been "desecrated" during a search the day before and that guards were going from "cell block to cell block" and taking away detainee possessions.

"Now they want to return us to the darkest days under Bush. They said this to us. Please do something," the letter stated. It then concluded: "We asked that this be announced to the media so that people know what the Obama administration is doing to prisoners now. All the brothers are now on a hunger strike in protest of mistreatment and the desecration of the Quran."

The claims in the letter have been echoed in the last few days by lawyers for other detainees, who have said their clients [have told them about large-scale hunger strikes](#) – with some detainees "losing consciousness" and "coughing up blood." The claims of widespread hunger strikes have been vigorously denied by Guantanamo officials, who say there are now seven who are doing so – about the same number as have for the past year.

Pardiss Kebriaei, a lawyer for the Center for Constitutional Rights, said she spoke to one of her clients, Ghaleb Al-Bihani, also a Yemeni, by phone this week and he said he has refused food for a month. "He's dropped 23 pounds, he's a diabetic, and medical staff have told him his life is in danger," Kebriaei said.

Kebriaei said her client told her that there is now a "mass hunger strike" in Camp 6 – the largest and most permissive of the camps at Guantanamo – and that all but two detainees are participating. In addition, she said, the detainees are protesting in other ways – by refusing to sleep in their cells, instead taking their mats outside and sleeping there. The trigger for the protests appears to be new restrictions and more comprehensive searches of cell blocks imposed by the new camp commander, Rear Adm. John Smith.

Durand, the Guantanamo spokesman, disputed the lawyers' claims across the board.

"In broad terms, what we are seeing is a coordinated effort by detainees and their attorneys to take routine camp events and create a false picture of conditions," he wrote in an email. "Every day, to some degree, there are a few hunger strikers, a few detainees who assault or threaten guards. To describe the current conditions in the camp as 'deteriorating' is patently false."

He added: "Detainees, their attorneys, family members and sympathetic organizations routinely attempt to gain sympathy for detainees in the media by initiating and spreading falsehoods regarding conditions of detention, allegations of abuse by guards, denial of medical treatment, abuse of the Quran and reports of mass unrest or hunger striking. These tactics have been employed off and on since Joint Task Force Guantanamo opened in 2002."

Read more from Open Channel:

- [Iran was holding bin Laden son-in-law Abu Ghaith, US officials say](#)

Ahmed al-Darbi

ISN 768

Citizenship: Saudi Arabia

Detained Since: March 2003

Ahmed al-Darbi

Ahmed al-Darbi, born in 1975, is a Saudi, who was seized as he tried to enter Azerbaijan in June 2002. Held for two months, he was transferred to U.S. custody in August 2002, and, as he explained in a court submission in July 2009, he was then flown to Bagram Air Base in Afghanistan, where he was held in isolation for two weeks, and subjected to sleep deprivation and the use of agonizingly painful stress positions. He also said that he was prohibited from praying, that his cell was very hot and brightly lit, and that loud music was regularly pumped into his cell.



After two weeks, Ahmed was imprisoned with the general population at Bagram, but his abuse did not come to an end, as this was the period when at least two prisoners died at Bagram as a result of persistent, violent abuse by the guards. Ahmed's complaints about his abuse during this period eventually surfaced in a trial at which a number of U.S. personnel received prison sentences, although none of the senior officials who sanctioned the abuse have been held accountable for their actions.

In March 2003, Ahmed was moved to Guantánamo, but there too he was subjected to abuse, as one of the one in six prisoners subjected to the techniques approved by Donald Rumsfeld, according to the former interrogator who spoke to The New York Times in January 2005. As Ahmed described it: "Painfully loud music was often played in my cell. Sometimes they played a repetitive song composed of what sounded like a cat's meow. It was very hard to sleep because the cells were chilled to extremely cold temperatures, and there was extremely bright lighting and also the loud music."

As a result of the pressure exerted on Ahmed, which included threats that he "would be sentenced to death and executed," or "would be tortured, raped, and sexually abused," or "sent back to Bagram or to other countries," he made numerous false statements, based on statements he had first made while being tortured in Afghanistan.

Ahmed also described the longstanding effects of his torture and abuse as follows: "To this day, I frequently feel anxious, depressed and worried. I feel not quite right, not quite like myself. I have recurring nightmares of the U.S. guards and interrogators from Bagram chasing me. Whenever anybody wakes me, I wake up screaming in shock and panic. I have headaches. I feel that I am emotionally unstable, and I know that I go through personality changes and mood swings, which were not typical for me before I came into U.S. custody. Sometimes I lose physical control."

During the Bush administration, Ahmed was put forward for a trial by Military Commission, and in September 2009, under President Obama, he had a pre-trial hearing, at which Ramzi Kassem, one of his attorneys, attempted to persuade the military judge, Army Col. James Pohl, to refuse to accept as evidence any of Ahmed's 119 statements because, as he explained, they were obtained "through beatings, threats of rape, sleep and sensory deprivation, and sexual humiliation," at Bagram and Guantánamo.

The military commission charges against Ahmed were withdrawn and dismissed in 2009, then sworn out again in August 2012, with no movement since.

Mohammed al-Hamiri

ISN 249

Citizenship: Yemen

Detained Since: February 2002

MOHAMMED AL-HAMIRI, ISN 249

***CLEARED YEMENI DETAINEE IN NEED OF URGENT RELEASE FROM GUANTÁNAMO;
CLEARED FOR TRANSFER SINCE 2009***



“The U.S. government has all the power in its hands: If it wants us to walk out of Guantánamo on our feet, they can make it so. If they want us to leave Guantánamo in coffins, they can do that too.”

-Mohammed al-Hamiri, September 24, 2012

Name: Mohammed Abdullah al-Hamiri, ISN 249

Date of Birth: 1982

Place of Birth: Yemen

Residence: Jeddah, Saudi Arabia

Family: Large family network in Jeddah, Saudi Arabia

Education: Imam Sha'abi School, Jeddah, Saudi Arabia, Standard 8

Medical Status: Hunger-striking as of September 2012 and being force-fed; cranial fracture and reconstructive metal plate in skull; chronic headaches and other adverse side effects

Place of Detention: Guantánamo base hospital

Repatriation/Resettlement Options: Mr. al-Hamiri should be returned to Jeddah, Saudi Arabia where his family has a home, financial resources, and has pledged to support him. He is now roughly 30 years old and wants nothing more than to regain his freedom and have the chance to begin rebuilding his life.

SUMMARY

Mohammed al-Hamiri is a 30 year old Guantánamo detainee who has been held without charge since 2002. He is cleared for release by President Obama's Inter-Agency Task Force. Mr. al-Hamiri was transferred to the Guantánamo base hospital in September 2012, in the immediate wake of the death of Adnan Latif. Mr. al-Hamiri remains at the hospital under supervision. His continued detention – despite his clearance and his compromised health – is indefensible. The U.S. government must immediately release Mr. al-Hamiri for humanitarian reasons. He could be immediately and seamlessly reintegrated into his large family network in Jeddah, Saudi Arabia or returned to Yemen, his country of origin.

BACKGROUND

Mr. al-Hamiri is a Yemeni citizen and lifetime resident of Saudi Arabia. His father emigrated from Yemen more than thirty years ago. Mr. al-Hamiri comes from a large, stable, and devoted family. Mr. al-Hamiri's mother, grandparents, siblings and extended family all live in Jeddah. He enjoyed a nurturing upbringing there and was known and well-liked throughout his community.

As a boy, Mr. al-Hamiri was injured in an accident that left him with a cranial fracture. His family took him to the Saudi-German Hospital in Jeddah for treatment. A reconstructive metal plate was inserted into Mr. al-Hamiri's skull. Physicians at the Saudi-German Hospital instructed Mr. al-Hamiri that he would require follow-up treatment for his recovery to be complete. The cost was too prohibitive, however, and Mr. al-Hamiri did not return to the hospital for additional care. He subsequently suffered a second injury, which aggravated his condition.

Mr. al-Hamiri traveled to Pakistan in 2001 in search of cheap medical care. While in Pakistan, he crossed the border into Afghanistan, but left in the wake of the U.S. invasion. He was subsequently arrested by Pakistani police and transferred to U.S. custody.

The U.S. government has never alleged that Mr. al-Hamiri engaged in any acts of terrorism or that he engaged in any armed conflict.¹ The government's reflexive allegation that Mr. al-Hamiri supported the Taliban and Al Qaeda rests on uncorroborated photographic identifications from a handful of current and former Guantánamo detainees. The government's own records reveal that the credibility of each is severely compromised by a range of factors, including in one case by a government-diagnosed mental illness. For his part, Mr. al-Hamiri has stated emphatically that he traveled to the region for only one reason – to obtain medical care – and that he never fought, trained, or associated in any way with the Taliban or Al Qaeda. His statements have been consistent for more than ten years. The Inter-Agency Task Force cleared al-Hamiri for release in 2009.

¹ Mr. al-Hamiri's petition for a writ of habeas corpus was argued before Judge Henry Kennedy in January 2010. The case was transferred to Judge Thomas Hogan on November 4, 2011 after Judge Kennedy retired. A decision is still pending.

MR. AL-HAMIRI'S CURRENT CONDITION AND NEED FOR URGENT RELEASE

Mr. Al-Hamiri is on a hunger-strike at the Guantánamo base hospital under close medical and psychological supervision. He has spent one-third of his life in arbitrary, indefinite detention at Guantánamo. Though the government conceded in 2009 that it no longer has an interest in detaining Mr. Al-Hamiri, he remains imprisoned with no end in sight. He is also acutely aware that, as a Yemeni, he currently stands no chance of leaving Guantánamo – unless the government chooses to spare him. This is why he says that *“the U.S. government has all the power in its hands: If it wants us to walk out of Guantánamo on our feet, they can make it so. If they want us to leave Guantánamo in coffins, they can do that too.”*

The only workable solution that remains is for the government to implement its Task Force determination and immediately release Mr. Al-Hamiri. The government can no longer afford to be indifferent to his suffering. To do so is reckless.

LEGAL REPRESENTATION

Mr. al-Hamiri is represented by attorneys at the Center for Constitutional Rights and Clifford Chance US LLP. For more information, the Commission should contact:

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Freedom or Death at Guantánamo

By: [Center for Constitutional Rights](#) Friday
January 25, 2013 8:45 am



by Omar Farah, staff attorney at the [Center for Constitutional Rights](#).

Adnan Latif and Mohammed al-Hamiri arrived at Guantánamo through strikingly similar twists of fate. Adnan Latif is the most recent of nine men – four since President Obama took office – to die in U.S. custody at Guantánamo.

Mohammed al-Hamiri is a Yemeni prisoner I have represented and visited since 2008 who remains trapped at Guantánamo, housed at the prison's medical clinic, fighting to stave off despair. Like all Guantánamo prisoners, he grapples daily with the haunting thought that he may never leave the island prison alive.

January 11 marked 11 years since the first of these men arrived at Guantánamo, and this week marks four years since the president's signing an executive order mandating the closure of Guantánamo within the year. As we observe these anniversaries, I question what, if anything, the Obama administration learned from Adnan's senseless death. For better or for worse, the answer will say a lot about what lies ahead for Mohammed.

Both Adnan and Mohammed suffered severe injuries as boys that left them with cranial fractures. There is a noticeable scar under Mohammed's hairline, and he suffers from chronic headaches caused by the reconstructive metal plates in his skull. Mohammed's first round of treatment at the Saudi-German Hospital in Jeddah, Saudi Arabia is well documented. The necessary follow-up treatment was financially prohibitive, so, like Adnan, Mohammed traveled to Pakistan in search of cheap medical care.

Following the U.S. invasion of Afghanistan, Mohammed was arrested in Pakistan by local police. In that respect, his story and Adnan's are typical. Since the prison first opened, the government has cynically perpetuated the myth that Guantánamo prisoners were "captured on the battlefield." Nothing could be further from the truth: the troubling reality is that in the months after September 11, the U.S. military ran a slipshod bounty system that offered handsome compensation to Afghan and Pakistani locals for turning over anyone who seemed out of place. That is how Adnan ended up at Guantánamo, and the circumstances surrounding Mohammed's arrest point to the same explanation.

Hooded and shackled, Mohammed was then rendered to Guantánamo in 2002. He was just 19 or 20 years old. Since then, he has endured more than a decade of arbitrary, indefinite detention, with no end in sight. He has never been charged with a crime. He never will be. In 2009, he, like Adnan, was approved for release by unanimous consent of an Inter-Agency Task Force that President Obama convened. The Task Force included representatives from every military, law enforcement, and national security agency with a stake in detainee affairs. But within months, the President instituted a moratorium on transfers to Yemen, effectively rescinding Mohammed's clearance in favor of a policy of crude collective punishment – one that bases the detention of Guantánamo's Yemeni prisoners on citizenship alone.

The results are at once shameful and predictable: it has been 30 months since a Yemeni has been repatriated or resettled. Of the 166 prisoners who remain at Guantánamo, roughly 90 are from Yemen. Fifty-six Yemenis are already cleared for transfer – 57 before Adnan died.

Death is rapidly becoming the only way out of Guantánamo. That is the inevitable byproduct of the administration's inaction. It is a chilling fact that is not lost on Mohammed, who was housed in a cell near Adnan, his dear friend and countryman. It was there, in the harsh, isolative conditions of Camp V, that Mohammed came face-to-face with the grim toll indefinite detention takes on the men at Guantánamo. That is where his path and Adnan's parted. It is no wonder that Mohammed is – in his words – at a "breaking point."

But Mohammed's continued torment is unnecessary: President Obama has the power to free him with the stroke of a pen. He should do so immediately, or history will not judge him kindly. The cost of delay has never been so high or potentially irrevocable. The president now confronts a grave moral question: had he foreseen Adnan's death, would he have done anything differently? For Mohammed's sake, and for the others languishing at Guantánamo, I hope the answer is yes.

Sharqawi Ali al-Hajj

ISN 1457

Citizenship: Yemen

Detained Since: February 2002

Sharqawi Ali al-Hajj

Sharqawi Ali al-Hajj, born in 1974, is a Yemeni, who was seized in a house raid in Karachi, Pakistan in February 2002. Initially questioned by American interrogators, he freely answered questions about his business in Pakistan, explaining that he was doing what he could to help Yemeni refugees. He was promised that, if he continued to answer questions, he could go home to Yemen. However, his transfer to Jordan came about because, as his attorney, John A. Chandler, explained, “The CIA lied about his going home; it decided to torture Sharqawi in the hope that they might get more information from him.”

Sharqawi then became one of at least 15 prisoners whose torture was outsourced to the Jordanian authorities between 2001 and 2004. Prior to his rendition, his Pakistani guards told him, “May your mother pray for you,” and other such exhortations, knowing that he was on his way to the Jordanian secret police. In Jordan, he was held for over almost two years.

In Jordan, Sharqawi was again told that, if he cooperated, he could go home. The cooperation, it soon became apparent, involved obtaining information from him about prisoners held in Guantánamo, but there was no way he could please his captors, and no way that he was going home.

As John Chandler also explained, “Sharqawi was shown pictures of men who he later met in Guantánamo. He was asked a series of questions from Americans posed by his Jordanian captors. If his answers were not satisfactory, he would be beaten and threatened with electrocution. He randomly identified men as terrorists and was beaten. He identified every third man as a terrorist and was beaten. No answers were satisfactory.”

Tortured daily for nine months, Sharqawi was subjected to falanga, a Jordanian specialty, in which the sensitive nerve endings on the bottom of his feet were struck repeatedly, causing excruciating pain. He was also held in isolation, kept naked in the cold, threatened with rape, and subjected to electric shocks.

Afterwards, for another year and a half, Sharqawi was moved to another part of the facilities in Jordan, where the torture ceased, and, he said, the guards treated him well and occasionally lent him a cell phone to call home.

Rather than sending him home, however, the CIA chartered a plane (Tail No. N313P), which flew from Frankfurt, Germany, to Amman, Jordan, and picked him up and delivered him to Bagram, where, yet again, he was promised that, if he cooperated, he could go home. Instead, Sharqawi was kept in a 2 foot by 3 foot closet for several days before a female interrogator from the Naval Criminal Investigative Service came to question him, and who later followed him to Guantánamo.

Here is what Pro Publica has written about Sharqawi and another Guantanamo prisoner, Uthman. The US produced statements by Sharqawi to use as evidence against Uthman based on the agent’s summaries of the two, four-hour interviews she conducted with Sharqawi at Bagram and Guantanamo.

“The statements are quite damning on their faces,” wrote Judge Kennedy of the United States District Court for the District of Columbia. But they were problematic. He said the statements were not reliable because they were obtained after the men had been tortured.

“In light of the abusive circumstances of the detention . . . and serious questions about the accuracy of their identifications of Uthman, the Court finds these statements to be unreliable and will not consider them in evaluating whether the detention of Uthman is lawful,” Kennedy wrote. Further, under the subheading “Torture,” Judge Kennedy said the Court could not rely on their statements “because there is unrebutted evidence in the record that, at the time of the interrogations at which they made the statements, [Sharqawi] recently had been tortured.”

Joanne Mariner, the director of the counterterrorism program at Human Rights Watch, investigated Sharqawi’s treatment while in Jordanian custody.

“I agree with the judge,” she said. “There is no doubt he was very seriously tortured in Jordanian custody which is why he was sent there. He was just sent there because at that time, the CIA was still outsourcing the most brutal methods of torture. This was before the CIA had set up its own prison system and was still working out authorization for the use of abusive techniques,” Mariner said.

In his habeas case, the Court found that Sharqawi had been tortured. Chief Judge Royce Lamberth found:

“At the outset, the Court finds that respondents-who neither admit nor deny petitioner’s allegations regarding his custody in Jordan and Kabul-effectively admit those allegations. Accordingly, the Court accepts petitioner’s allegations as true. In Jordan, petitioner experienced patent coercion during interrogations-including intimidation, regular beatings, and threats of electrocution and violence. In Kabul, he was forced to endure complete darkness and continuous loud music. The Court thus finds that petitioner was subject to physical and psychological coercion in Jordan and Kabul” Sharqawi abdu ali Al Hajj, Civil Action No 09-745 (RCL), June 8, 2011.

As John Chandler also observed, “After years of torture, an FBI clean team came in to start interrogations anew in the hope of obtaining information that was admissible and not the product of torture. The Courts, however, have held that torture after Karachi excludes all his interrogations. Nearly 10 years later, Sharqawi sits in Guantánamo. His health is ruined by his treatment by or on behalf of our country. He can eat little but yogurt. He weighs perhaps 120 pounds. The United States of America has lost its way.”

Sanad al-Kazimi

ISN 1453

Citizenship: Yemen

Sanad al-Kazimi

Sanad al-Kazimi, born in 1970, is a Yemeni, who was seized in the United Arab Emirates in January 2003, and was subsequently handed over to U.S. forces, and was rendered to an unidentified secret CIA prison, and then to the “Dark Prison” and Bagram Air Base. During this period, he told his attorney, Martha Rayner, that “his interrogators beat him; held him naked and shackled in a cold dark cell; dropped him into cold water while his hands and legs were bound; and sexually abused him.”

After this Sanad was relocated to the “Dark Prison,” where, he said, “he was always in darkness and ... was hooded, given injections, beaten, hit with electric cables, suspended from above, made to be naked, and subjected to continuous loud music.” He told Martha Rayner that eventually “[h]e made up his mind to say ‘Yes’ to anything the interrogators said to avoid further torture.”

At Bagram, he said, he was isolated, shackled, “psychologically tortured and traumatized by guards’ desecration of the Koran” and interrogated “day and night, and very frequently.” He added that he “tried very hard” to tell his interrogators the same information he had told his previous interrogators “so they would not hurt him.”

In August 2007, Ramzi Kassem, another of Sanad’s attorneys, added further details, telling Jane Mayer of *The New Yorker* that Sanad was “suspended by his arms for long periods, causing his legs to swell painfully ... It’s so traumatic, he can barely speak of it. He breaks down in tears.” He also said that Sanad stated that, “while hanging, he was beaten with electric cables,” and explained that he also told him that, while in the “Dark Prison,” he “attempted suicide three times, by ramming his head into the walls.” Ramzi Kassem added, “He did it until he lost consciousness. Then they stitched him back up. So he did it again. The next time he woke up, he was chained, and they’d given him tranquilizers. He asked to go to the bathroom, and then he did it again.” On this last occasion, he “was given more tranquilizers, and chained in a more confining manner.”

Musa'ab Al Madhwani

ISN 839

Citizenship: Yemen

Detained Since: October 2002

Musa'ab Al Madhwani

Musa'ab Al Madhwani was everybody's favorite kid in school, and his nieces' and nephews' favorite uncle. Musa'ab was the class clown, now forced to quickly grow up. He has been imprisoned at the U.S. Naval Station in Guantánamo Bay, Cuba for virtually his entire adult life.



Musa'ab was captured by Pakistani police in September 2002, while trying to get home to his native Yemen. He was severely beaten by Pakistani authorities, and then taken to two CIA-run torture prisons in Afghanistan. At the “Dark Prison”—so known because prisoners were held in permanent darkness—Musa'ab and others were held in squalid conditions, deprived of food and clean water, bombarded with loud music and horrible noises, and otherwise physically and mentally tortured in ways that seem unimaginable.

Musa'ab was then sent to Guantánamo, where the only opportunity he had to tell of his treatment came in 2005, when a military official asked him during a review board hearing, “Are you holding anything back from the interrogators?” He replied, “That is impossible, because before I came to the prison in Guantánamo Bay I was in another prison in Afghanistan, under the ground [and] it was very dark, total dark, under torturing and without sleep. It was impossible that I could get out of there alive. I was really beaten and tortured.” Under the coercion of torture, Musa'ab made false confessions that are now used to justify his imprisonment. But even the most unthinkable persecution has not crushed his love of life. Musa'ab now uses his comedic gift to try and lighten the hearts of the men with whom he is imprisoned.

Astoundingly, when Federal District Court Judge Thomas F. Hogan ruled against Musa'ab's habeas petition in December 2009, Musa'ab's first response was to comfort his grief-stricken lawyers. And we were grief-stricken; it is still impossible to understand how any rational court could have ruled against this innocent man. Inexplicably, Judge Hogan predicated his ruling on Musa'ab's own statements made in the coercive Guantánamo review board hearings, while ruling that the numerous additional coerced statements Musa'ab had made to interrogators shortly after his arrival at Guantánamo were legally unreliable. These, he said, were tainted by torture, but he refused to accept that the same was true of Musa'ab's later coerced statements, despite ample evidence to the contrary.

The notion that Musa'ab could be labeled a “terrorist” is inconceivable to all who know him. Even the judge who ruled against him found that Musa'ab is not a threat to the United States. Repeatedly questioning whether there is any real basis for his continued detention, Judge Hogan found that Musa'ab's record, including the government's own documents, “do[es] not give any basis for his continued detention” but instead shows he is “a lot less threatening” than scores of detainees the government had recently released. The court agreed with an official government agent's own assessment of Musa'ab as a young, naive, unemployed Yemeni who should be returned home. But despite these explicit findings, Judge Hogan believed his “hands [were] tied” by the “law as written,” which he interpreted as requiring him to approve Musa'ab's continued detention.

In spite of these profound injustices, Musa'ab does not blame the American people for any of the treatment he has suffered, and holds no grudge against them. The generosity of Musa'ab's character is reflected, too, in every member his family. His family is very poor, yet during our visit with them in Yemen, his brother insisted on buying us gift after gift, and his sister gave me the clothes out of her own closet. Now, Musa'ab's eyes cloud with sentimentality when I visit wearing his sister's dress. He may well never see her, or the rest of his family, again. Memories of Musa'ab fade from the minds of his nieces and nephews. But even as our legal system has been perverted to the point of futility and my value to him as a lawyer has run dry, I will continue to visit Musa'ab, as he has become a part of my family.

—Mari Newman, Counsel for Musa'ab

**Hussain Salem
Mohammed Almerfedi
ISN 1015**

Citizenship: Yemen

Detained Since: May 2003

Hussain Salem Mohammed Almerfedi (ISN 1015)

Hussain Almerfedi was born in southern Yemen in 1977. He sought to leave Yemen and travel to Europe to escape the poverty and oppression in southern Yemen. Believing it would be difficult to get a visa from Yemen to a European country, Hussain planned to travel to Pakistan and then to Europe with individuals from a well-known and apolitical Islamic religious group called Jama'at al-Tablighi ("JT"). Hussain left Yemen for Pakistan on September 9, 2001.

After the attacks of September 11 made it impossible to travel to Europe with a missionary group, Hussain accepted a man's offer to "smuggle" him from Pakistan to Europe, via Iran and Turkey. The men traveled by bus to Mashad, a large city in eastern Iran, where Hussain waited for a month. He grew impatient and confronted his smuggler. They left for Europe the next day. In Tehran, they were stopped by Iranian police, who arrested Hussain purportedly because he did not have a visa. The smuggler was not arrested, and Hussain never saw him again.

The Iranians held Hussain in various prisons, beat him and accused him of being a spy for the United States. In about March 2002 they turned him and other prisoners over to the United States as part of a "prisoner exchange." The United States held him in Afghanistan until May 2003 when he was sent to Guantánamo. Hussain was approved for transfer from Guantánamo under the "Administrative Review Board" procedures used during President Bush's administration as well as by the unanimous decision of President Obama's Guantánamo Review Task Force. In July 2010, District Judge Paul L. Friedman granted Hussain's petition for a writ of habeas corpus in part based on his finding that a detainee named Jadani, on whose statements the government principally relied, was incredible and wholly unreliable.

In June 2011, the D.C. Circuit Court of Appeals reversed Judge Friedman's decision and ordered that Hussain's petition be denied. The Court of Appeals held that the government had satisfied its burden on the strength of three facts alone: (1) Hussain spent from September to November 2001 in the company of JT; (2) Hussain traveled the "wrong way" in Iran, i.e., away from Europe rather than toward it; and (3) Hussain allegedly had a "large, unexplained" amount of cash on his person when the Iranians arrested him. The Court of Appeals then placed a burden on Hussain to offer a more persuasive explanation for these facts, but held that he had failed to do so. The Court of Appeals also found Jadani reliable but claimed not to rely directly on his statements.

The Supreme Court of the United States denied Hussain's petition for certiorari in June 2012. In October 2012, Judge Friedman denied Hussain's motion for reconsideration, which was based on belated disclosures that further undermined Jadani's credibility.

Saad Al Qahtani

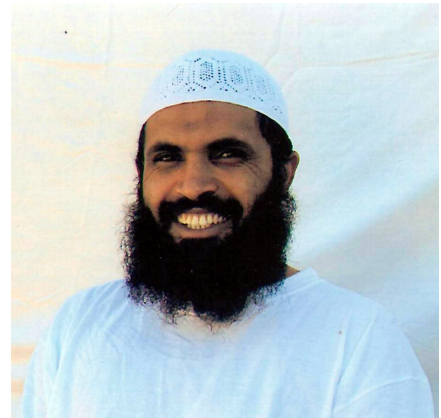
ISN 200

Citizenship: Saudi Arabia

Detained Since: January 2002

Saad Al Qahtani

Saad Al Qahtani, ISN 200, was one of the first prisoners taken to Guantánamo and held in an open-air cage in Camp X-Ray. He arrived at Guantánamo on January 16, 2002, and he remains there today – even though United States military, law enforcement, and intelligence officials decided many years ago that he should be sent back to his home country of Saudi Arabia.



Saad is 34 years old, and he has spent one-third of his life detained without charge at Guantánamo. He is bright, engaging, and speaks at least six languages fluently. While at Guantánamo, he taught himself to speak, read, and write English. Saad's extraordinary language skills and his ability to mediate disputes between prison staff and other prisoners have made him a favorite among his guards and interrogators.

Saad's father died when he was eight years old, and his mother and grandmother raised him and his five siblings in Khamis Mushayt, Saudi Arabia. Saad's mother and his grandmother both died in November 2007. As of that time, Guantánamo prisoners were not allowed to speak with their families by telephone or videoconference. As a result, his mother was unable to see Saad or hear his voice in the last 5½ years of her life. Saad and his siblings are extremely close, and the family anxiously awaits Saad's return home.

Saad is not and has never been a threat to the United States or its allies. He has never engaged in hostilities or combat operations, never fired a weapon at anyone, and never had any intention of taking up arms against the United States or its allies. Long before September 11, 2001, Saad travelled to Afghanistan because he was curious about the Taliban government (recognized by his home country as legitimate), and because he wanted to help the Afghan people, who had endured decades of war. The only time Saad fought anyone was when he intervened to stop Taliban soldiers from beating an Afghan truck driver. Unwilling to participate in the fighting that erupted in Afghanistan during the second half of 2001, Saad made his way to Pakistan, went to the first police station he could find, and asked for help in returning home. Instead the Pakistanis turned Saad over to U.S. forces, who were then offering generous bounties for foreigners captured in Afghanistan and Pakistan. Saad was transported to Kandahar prison and then to Guantánamo.

Over the past eleven years, numerous American guards and interrogators have told Saad that his release from Guantánamo was imminent. Within the first year of his imprisonment, United States and Saudi authorities determined that Saad did not belong in Guantánamo. The Administrative Review Board established under the Bush Administration approved Saad to return to his home country in 2008. In 2009, the Review Task Force established by President Obama also determined unanimously that Saad should be repatriated. Saudi government officials told Saad and his family in the spring and summer of 2012 that he would return home very soon, and guards told Saad the same thing. Because of these repeated promises of release from Guantánamo, Saad agreed to stay the court proceedings on his petition for habeas corpus.

Saad refuses to complain about the harsh and degrading treatment he has received at the hands of U.S. forces in Kandahar and at Guantánamo. Having suffered from depression and insomnia for several years,

Saad is now sinking into despondency over the repeatedly broken promises to release him from Guantánamo. Saad wants only to return to his family and homeland where he can continue his studies, work, get married, and resume his life.

Patricia A. Bronte

Abdul Rahman Al-Qyati

ISN 461

Citizenship: Yemen

Detained Since: 2002

Abdul Rahman Al-Qyati

His face is gentle, and somehow, after nearly ten years of imprisonment, serene and friendly. His hair and beard have grayed just a bit over the five years that we have known one another—too much so for a young man in his 30's—but he is attractive and . . . gentle. He is a humble man, fond of poetry. He used to write his own poetry, but does not much anymore. He wrote a poem about birds for my young daughter, but the U.S. Government—which insists on calling him “ISN 461” instead of by his name—ordered that it remain classified, so she has never seen her poem. His perspectives on life and circumstance are a true inspiration to me. His ability to accept the profoundly perverse fate foisted upon him is bewildering to me. He still laughs easily. He is my friend now, as much as my client.

Abdul Rahman was born and raised in Saudi Arabia, but because his father was born in Yemen, he is considered a Yemeni by the U.S. officials imprisoning him. This makes all the difference, as most of the Saudi detainees have long ago been released back to their country as a result of political deal-making. Yemenis, however, are given especially unfavorable treatment at Guantánamo. There is a presidential directive currently in place prohibiting the release of any Yemeni detainees, even if they have been “cleared for transfer” after executive review of their files. So Abdul Rahman sits, imprisoned and innocent. The only “evidence” the U.S. claims against him comes from “confessions” extracted from him under brutal, unimaginable, inhuman torture inflicted upon him by American agents following his capture at a mosque in Afghanistan. In other words, there is no credible evidence against him at all.

Abdul Rahman is an innocent man. His unjust imprisonment threatens to silence the poetic voice of a beautiful man. Still, he remains gentle. I can only hope that my own children develop the character and serenity that he consistently demonstrates.

—Darold Killmer, Counsel for Abdul-Rahman

Ali Hussein al-Shaaban

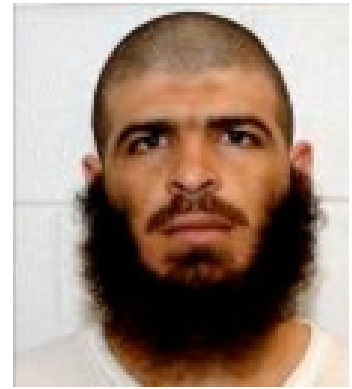
ISN 327

Citizenship: Syria

Detained Since: June 2002

Ali Hussein al-Shaaban

Ali Hussein al-Shaaban, born in 1982, is a Syrian who, as his attorney, Michael E. Mone, Jr. explains, “is stuck in Guantánamo because he cannot be safely returned to his native Syria, and no third country has yet to step forward to grant him refuge.” He faces persecution if repatriated, and over the years his interrogators have repeatedly threatened him with rendition to Syria. “You know what the Syrians will do to you if you go back there,” interrogators have told him. “You must cooperate with us or we will send you to them.”



Even before the “Arab Spring,” prisoners could not be safely returned to Syria because of the Assad regime’s brutal use of torture. In May 2010, the United Nations Committee Against Torture stated that it was “deeply concerned about numerous, ongoing, and consistent allegations concerning the routine use of torture by law enforcement and investigative officials” in Syria. Now, with the Assad regime desperately clinging to power while blaming “criminal terrorist thugs” for the uprising, the stigma of his years of imprisonment at Guantánamo Bay will undoubtedly follow Ali home with dire consequences. Not that he has any interest in ever returning to Syria. According to his attorney, “Ali looks at the utter chaos and widespread suffering going on in Syria right now and he wants no part of it.”

In 2009 Ali was cleared for release by the Obama Administration’s Guantánamo Review Task Force, a determination which only serves as further proof that Ali was not a terrorist but simply in the wrong place at the wrong time, another of Guantánamo’s many mistakes.

After graduating from high school, Ali wanted to see some of the world before attending university. He traveled to Afghanistan where he lived in Kabul with three other young Syrian men and studied the Koran at a local school. When war broke out he fled to Pakistan, along with thousands of other refugees. Ali was not captured on the battlefield, nor was he armed. Rather, because he was an Arab, Pakistani authorities seized him at the border and handed him and his three fellow countrymen over to the United States, probably in exchange for the generous cash bounties that were being offered by the U.S. military to their Afghan and Pakistani allies. In June 2002, Ali was shackled, hooded, and flown to Guantánamo. He has been there ever since.

Ali is an excellent candidate for resettlement. He reads, writes and speaks fluent English, and is also committed to learning the native language of the country that accepts him, if another language is spoken there. He is eager to resume his academic pursuits upon release and study at a university. However, after years of working in his father’s metal shop making doors, window frames, and water tanks, he is a skilled welder and well prepared to find employment in construction or manufacturing. Ali is fortunate to be in very good physical and mental health. As he awaits a new home, he spends his days exercising, studying his English dictionary and reading the works of his favorite authors: John Grisham, Sandra Brown, and John Le Carré.

While his time in Guantánamo Bay has certainly been hard, Ali bears no animosity towards the American people. His youth, intelligence, good health, and determination to live a peaceful and productive life point towards a successful integration. He wants nothing more than to live a normal life: to finish school, find a job, fall in love, and start a family. All he needs is for a third country to give him the chance to rebuild his life after years of abusive incarceration.

The Boston Globe

Opinion

MICHAEL E. MONE JR.

Wait continues for cleared Guantanamo detainees

By Michael E. Mone Jr. | GLOBE CORRESPONDENT FEBRUARY 17, 2013

WE ARE only into February, and already it is obvious that my client in Guantánamo can throw out his calendar for 2013. No need to go through the exercise of crossing off each passing day, week, and month, hoping that tomorrow might be the day he is finally released. No, forget about 2013, I will tell him. This isn't your year.

I represent Ali Hussein Al Shaaban, a 30-year-old Syrian national who has spent the last decade in the US prison camp at Guantánamo. This, despite the fact that Ali is one of 86 detainees cleared for transfer since 2009 as a result of a unanimous decision made by the US national security apparatus.

The first blow to Ali's release came in early January when President Obama signed the 2013 National Defense Authorization Act, which contained a number of provisions to prevent the closure of Guantánamo, including language that has made it virtually impossible for cleared detainees like Ali to be transferred. The president was urged by human rights organizations to follow through on his veto threat so as to fulfill his promise to close the prison. But for the second year in a row, Obama failed to exercise his veto and instead signed the bill into law.

Then came word that Ambassador Dan Fried was being reassigned, and his post as special envoy for the closure of Guantánamo Bay would be closed. Fried's main responsibility had been lobbying foreign governments to consider accepting cleared detainees for resettlement. After I had spent years trying to persuade the Irish government to accept my first client, an Uzbek, for resettlement, it was Fried who came in and closed the deal.

The fact that the Obama administration has reassigned Fried, abolished his office, and given the Guantánamo portfolio to the State Department legal adviser, who probably has a full plate already, tells you all you need to know about how far the closing of Guantánamo has slipped as a priority for this administration.

And now we hear from Senator Harry Reid that "it's nobody's fault" that the US prison at Guantánamo remains open. Respectfully, he need only look in the mirror and recall his comments from 2009 when he said "we will never allow terrorists to be released into the United States," as if that was what the president was suggesting. It was not. Rather, the administration was attempting to resettle two Uighur detainees in Northern Virginia who were the living embodiment of Guantánamo's indiscriminate "wrong place, wrong time" mode of capture. They were not terrorists, but Republicans in Congress had a field day with this, and as the Obama administration bungled its response, the prospect of closing Guantánamo began its inexorable fade into the political abyss.

Lost in the political blame game is the human cost of the president's broken promise to close Guantánamo. My client has spent the entire decade of his twenties locked behind bars, without charge or trial. He could leave tomorrow, but for the restrictions on transfer in the NDAA and the lack of a new country to call home. Unfortunately, Ali is one of many detainees who cannot be safely repatriated for fear of persecution. Not that he has any interest in ever returning to Syria, even if President Bashar Assad should fall. "Have you seen what's going on in Egypt?" he responds when asked about repatriation. "If you think that is bad, Syria will only be worse."

No, Ali only wants the chance to re-start his life in a new country where he can be free and live in peace. After stealing a decade of this man's life, you would think the least we could do for Ali and the other 85 men cleared for transfer is to let them out of Guantánamo so they can get on with their lives.

Michael E. Mone Jr. is a lawyer in Boston. He has represented Guantánamo detainees on a pro bono basis.

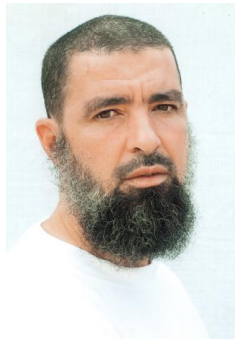
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Djamel Ameziane

ISN 310

Citizenship: Algeria

Detained Since: February 2002

DJAMEL AMEZIANE**ALGERIAN GUANTÁNAMO DETAINEE IN NEED OF HUMANITARIAN PROTECTION;
CLEARED FOR TRANSFER SINCE OCTOBER 2008****URGENT PROTECTION REQUIRED:**

The Inter-American Commission on Human Rights of the Organization of American States issued urgent precautionary measures on August 20, 2008, requiring that all necessary measures be taken to ensure that Mr. Ameziane is not transferred or removed to a country where he would likely face torture or other persecution.

On March 20, 2012, the Commission accepted jurisdiction to decide the merits of Mr. Ameziane's human rights law claims, concluding in part that he would face a "substantial risk" of torture and abuse in Algeria.

Date of Birth:	April 14, 1967
Place of Birth:	Algiers, Algeria
Citizenship:	Algerian
Ethnicity:	Berber
Education:	Institut Hydraulique de Ksar Chellala, college diploma, 1991
Languages:	French, Arabic, English, German (limited)
Family:	Single; no children
Prior Employment:	Water and waste disposal technician; chef; salesman
Prior Residences:	Vienna, Austria; Montreal, Canada
Medical Illness:	None
Criminal History:	None
Place of Detention:	Camp 6, Guantánamo Bay (communal living reserved for "most compliant" detainees without security or disciplinary problems)
Status:	Detained at Guantánamo since February 2002; Cleared for release since October 2008
Personal Interests:	Football; cooking; drawing; writing; reading mystery novels and French fashion magazines for men

DJAMEL AMEZIANE

ALGERIAN GUANTÁNAMO DETAINEE IN NEED OF HUMANITARIAN PROTECTION

Overview

Mr. Ameziane is a college-educated citizen of Algeria. An ethnic Berber, Mr. Ameziane fled his home country more than 20 years ago in order to escape escalating violence and insecurity, and in search of a better life. He traveled first to Austria, where he worked as a high-paid chef in an Italian restaurant, and then to Canada, where he sought political asylum and lived for five years but was ultimately denied refuge. Fearful of being deported to Algeria, and faced with few options, Mr. Ameziane went to Afghanistan. He traveled to Afghanistan because it was the only country he could think of where, as a Muslim man, he might live peacefully and without constant fear of being returned to Algeria. He fled that country soon after the fighting began in October 2001, but was captured by a local Pakistani tribe. The tribe turned him over to Pakistani authorities, who apparently sold him to the U.S. military for a bounty, as was practice at the time. The Americans transported Mr. Ameziane first to the airbase at Kandahar, Afghanistan, and then to Guantánamo Bay, Cuba, where he remains imprisoned without charge or a judicial determination of the legality of his detention.

Biography

Mr. Ameziane was born in 1967 in Algiers to a close-knit family of four brothers and four sisters. He attended primary school, secondary school and university in Algeria. After obtaining a college diploma, he worked for the government as a supervisor responsible for supplying drinking water and waste disposal. Mr. Ameziane speaks French, English, and Arabic fluently. He also speaks some limited German.

In 1992, Mr. Ameziane left Algeria to escape escalating instability and oppression under the one-party government then in power. He transited through Italy to Vienna, Austria, where he lived legally for several years. Mr. Ameziane began working as a dishwasher in Vienna, but his talent allowed him to rise quickly to become the highest-paid chef at *Al Caminetto Trattoria*, a well-known Italian restaurant. In 1995, following the election of a new government, more restrictive immigration policies kept him from extending or renewing his visa, and his work permit was denied without explanation. He was forced to leave the country.

Mr. Ameziane traveled directly to Canada because of its large French-speaking population and his belief that Canada's immigration policy would be more favorable to him. Immediately upon his arrival, he told immigration officials that he wanted to apply for asylum because he was afraid of being deported to Algeria. As he awaited a decision, Mr. Ameziane obtained a temporary work permit and worked diligently for an office supply company and for various restaurants in Montreal. His application was denied in 2000 for reasons that were not explained to him, and he was forced to uproot his life and leave the country he had made his home for the past five years.

Fearful of being forcibly returned to Algeria, and confronted with few options, Mr. Ameziane traveled to Afghanistan, where he felt he could live freely without discrimination as a Muslim man, and where he would not fear deportation to Algeria. He did not participate in any military training or fighting in Afghanistan, and soon after the war started he fled to escape the fighting. He was captured by local tribal authorities after crossing the border into Pakistan. They turned him over to Pakistani police, who turned him over to U.S. forces for a bounty. Later, at Guantánamo, American soldiers told Mr. Ameziane that the Pakistanis sold prisoners to them for \$2,000 each in Afghanistan, and for \$5,000 each in Pakistan.

Mr. Ameziane has never been alleged by the U.S. government to have engaged in any acts of terrorism. He has also consistently denied that he ever engaged in any acts of terrorism, or ever picked up a weapon or participated in any military training or fighting. In sum, he has never had any involvement with extremism, terrorism or any act of violence whatsoever. Tragically, he was nonetheless sent to Guantánamo Bay in early February 2002.

Imprisonment at Guantánamo

For more than a decade, Mr. Ameziane has remained indefinitely detained at Guantánamo, despite being cleared for transfer by President Bush in October 2008 and again by the Obama Administration's Guantánamo Review Task Force in May 2009.

As one of the first prisoners to arrive at Guantánamo, Mr. Ameziane was held in the now-infamous metal cages of Camp X-Ray. Starting in 2006, he was held for more than a year in solitary confinement in a small windowless cell in Camp 6, which the International Committee of the Red Cross described as more restrictive than “supermax” prison facilities in the United States. In addition to the inhumane conditions of his detention, he was subjected repeatedly to brutal acts of physical violence by military guards. In one unprovoked incident, guards sprayed him all over with cayenne pepper and then hosed down with water to accentuate the effect of the pepper spray and make his skin burn. They then held his head down and placed a running water hose between his nose and mouth, running it for several minutes over his face and suffocating him, repeating the operation several times. He wrote of that experience, “I had the impression that my head was sinking in water. Simply thinking of it gives me the chills.” Following that episode, the guards bound him in cuffs and chains and took him to an interrogation room, where he was left for several hours, writhing in pain, his clothes soaked while air conditioning blasted in the room, and his body burning from the pepper spray. He also spent as many as 25 and 30 hours at a time in interrogation rooms, sometimes with techno music blasting, “enough to burst your eardrums.”

For the injuries and ailments resulting from his imprisonment and abuse, he has never been afforded adequate medical care. For example, his vision deteriorated as a result of his time in Camp 6, from staring at the white walls of his small cell all day. It took a year of repeated requests for him to receive even a basic, cursory eye examination. He also developed rheumatism in his legs because of the extremely cold temperatures when he was in Camp 6, for which he could not even get a pair of socks.

Thankfully, Mr. Ameziane was moved to less-restrictive conditions in Camp 4, and his health was restored steadily. He has since been moved back to Camp 6, which is now a communal prison facility reserved for the “most compliant” detainees without disciplinary problems. Mr. Ameziane can now take advantage of limited opportunities to exercise, improve his considerable language skills, and learn to draw.

However, there are some things his years at Guantánamo have cost him that can never be retrieved. His father died during this period, before Mr. Ameziane could see or communicate with him one last time, and his mother is now very elderly. His brothers and sisters have had wedding ceremonies he has been unable to attend, and had children who have never known their uncle. He has lost the last decade of his life to Guantánamo, and his detention continues to be indefinite and perpetual. Nevertheless, he continues to have remarkable strength and hope for his future.

Legal Challenges

Mr. Ameziane filed a petition for a writ of habeas corpus in the U.S. District Court for the District of Columbia in February 2005. He filed a motion for expedited judgment in February 2009, arguing that the government’s evidence failed to raise any genuine issues of fact requiring a full hearing on the merits. The Court denied that motion in April 2009, and the case was proceeding slowly toward a final ruling on the merits. However, in May 2009, the Court stayed the case indefinitely without issuing a ruling on the merits of Mr. Ameziane’s petition because the government argued he had long been cleared for transfer and the only open question in his case was the country to which he would be transferred.

Mr. Ameziane also filed a petition before the Inter-American Commission on Human Rights (“IACHR”) in August 2008. His petition challenged his arbitrary detention and mistreatment at Guantánamo, including his torture and abuse, and the denial of adequate medical care, as well as his risk of forcible transfer to Algeria. The IACHR promptly issued urgent precautionary measures to ensure that he is not transferred or removed from Guantánamo to any country, including Algeria, without his express consent. On March 20, 2012, the IACHR issued a landmark admissibility report in Mr. Ameziane’s case. This ruling marks the first time the IACHR has accepted jurisdiction over the case of a man detained at Guantánamo, and underscores the fact that there has been no effective domestic remedy available to victims of unjust detentions and other abuses at the base. The IACHR will now move to gather more information on the substantive human rights law violations suffered by Djamel Ameziane, including the harsh conditions of confinement he has endured, the abuses inflicted on him, and the illegality of his detention.

Fear of Return to Algeria

Mr. Ameziane has a credible fear of persecution if he were to be returned to Algeria. He is a member of the persecuted Berber minority group. The stigma of having spent time in Guantánamo would also be enough to put him at risk of being imprisoned if he is returned. In Mr. Ameziane’s hometown in Kabylie, an unstable region in the north of Algeria known for frequent, violent clashes between the Algerian army and Islamic opposition groups, practicing Muslims are automatically suspected of being supporters of such groups and are frequently harassed and targeted for arrests and detention by the government solely because of their religious practices. Algeria has a documented history of torture and ill-treatment of its prisoners, particularly those suspected of links with terrorism, which international human rights organizations and the U.S. Department of State itself have recognized. Amnesty International has reported that the most serious violations of human rights abuses have been committed by the DRS, Algeria’s “military security” police, in cases of individuals detained on suspicion of terrorist activity. All of the Algerians transferred out of Guantánamo so far have been detained immediately upon arrival for questioning for a period of nearly two weeks, during which they were denied access to a lawyer and their families. Several of them now face the prospect of fundamentally unfair trials. Some were returned against their will, and at least one has suffered serious persecution.

Need for Humanitarian Protection

Mr. Ameziane remains trapped at Guantánamo until a third country offers him safe resettlement. After he is released, Mr. Ameziane hopes to get married and start a family of his own; to work and live a quiet life in freedom; and to begin the process of rebuilding and enjoying his life after Guantánamo.

Legal Representation

Mr. Ameziane is represented by attorneys at the Center for Constitutional Rights. For more information about him, please contact:

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THE HILL'S Congress Blog

Where lawmakers come to blog

President Obama must veto defense bill to close Gitmo

By Wells Dixon, senior attorney, Center for Constitutional Rights - 12/20/12 12:00 PM ET

As we gather to celebrate the holidays this year, President Obama will determine with the stroke of a pen the fate of more than a hundred men held without charge or trial at Guantánamo Bay. The National Defense Authorization Act, an annual bill that directs how the Pentagon may use its funds, will likely make its way to the Oval Office with renewed restrictions on transferring detainees to any country regardless of the allegations against them. If President Obama signs the restrictions into law, the human consequences will be severe and forever damage his legacy.

Since the restrictions were first enacted more than two years ago, transfers from Guantánamo have all but ceased. President Obama says that he opposes the restrictions and has threatened to veto this year's bill if Congress does not remove them. He made a similar threat last year; instead, he quietly signed the restrictions into law on New Year's Eve with a promise to revisit the issue next year. Next year is now. If President Obama again signs the transfer restrictions into law, he will condemn 166 men to indefinite detention, possibly for life, and effectively abandon his repeated promise to close Guantánamo Bay.

Among those who would continue to suffer is my client Djamel Ameziane. Like most of the men at Guantánamo, Djamel has been repeatedly cleared for transfer by the Bush and Obama administrations. This means that every military, law enforcement and intelligence agency with a stake in Guantánamo has determined unanimously that he may be released consistent with our national interest. The U.S. has long conceded there are no "military rationales" for his detention and promised the federal court and the Inter-American Commission on Human Rights, where Djamel is challenging his detention, that it is working "diligently" to transfer him. Based on that unfulfilled promise, the court stayed Djamel's habeas case indefinitely, over his objections, because it would be a waste of time to litigate a case in which no one thinks he should be detained. Yet Djamel is still held at Guantánamo several years later, without foreseeable end. His continued detention is particularly unjust because many foreign governments would accept him for resettlement if asked by the United States. Apparently no such request has been forthcoming because the administration believes the requirements to transfer a detainee under the NDAA are so onerous they can never be satisfied. The NDAA restrictions were surely designed to block transfers from Guantánamo, and they have succeeded in doing so.

Djamel has not seen his family in more than two decades. He fled Algeria in the early 1990s to avoid a civil war that nearly wiped out his entire generation. He lived legally in Austria and Canada, but was unable to obtain permanent refuge. Fearing deportation to Algeria, he fled to Afghanistan and Pakistan, where he was captured a few months after his arrival and sold to U.S. forces for a bounty. His family learned years later that he had been sent to Guantánamo when officers from the Royal Canadian Mounted Police informed his brother, who had since

immigrated to Quebec and obtained Canadian citizenship. Not understanding what it meant for her son to be held at Guantánamo, Djamel's mother tried to send him clothes and food to care for him. Everything was refused and returned, but Djamel's brothers did not have the heart to tell her. Today, she waits and prays for Djamel's release, so that she may see him at least once more before she dies. This singular hope sustains her since the death of her husband, Djamel's father, during perhaps the worst period of Djamel's imprisonment, locked in isolation for a year in Camp 6, which the detainees called a tomb above the ground.

I often look at a painting in my home of a sailboat struggling through a storm, which Djamel painted for me at Guantánamo. I think about him and his family, particularly around the holidays, and hope that they are reunited before it is too late. But no matter how many legal papers I file or foreign diplomats I persuade to resettle Djamel, there is one person who controls his fate this holiday season. President Obama must veto the NDAA and free Djamel Ameziane.

Dixon is a senior attorney at the Center for Constitutional Rights, representing clients in federal court and before the military commissions at Guantanamo Bay.

Source:

<http://thehill.com/blogs/congress-blog/homeland-security/273849-president-obama-must-veto-defense-bill-to-close-gitmo>

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Live From Guantánamo

Wednesday, 11 January 2012 08:36

By J Wells Dixon, [The Center for Constitutional Rights](#) | Op-Ed

This entry was written by Center for Constitutional Rights Senior Staff Attorney, Wells Dixon, who is currently in Guantánamo Bay, Cuba visiting one of his clients.

January 11, 2012

Today marks ten years since the opening of the prison at Guantánamo Bay. As fate would have it, I am here for a week visiting one of my detainee clients.

A decade ago, the first 20 prisoners arrived at this remote military outpost, which was designed to be a place where no laws applied. Over the following years, nearly 760 additional men and boys would arrive here from across the world, many of whom would become my clients. And years later, though many have been released, 171 men still remain.

I frequently hear from former clients who have been released, usually about their families and their struggles to rebuild their lives after years of abuse and imprisonment without charge or trial. I received an email just the other day from a Somali man who was released in 2009, who asked me to send a message of hope to his brothers who remain indefinitely detained.

It is difficult to acknowledge, however, that there is little hope for those still here. Although 89 of the 171 remaining men have been approved for transfer -- unanimously by the relevant military, law enforcement and intelligence agencies -- no one has left Guantánamo alive in more than a year. Congress has used its spending power to pass legislation restricting the transfer of detainees regardless of their status. President Obama has shown little leadership or courage, and effectively surrendered plans to close Guantánamo to his political opponents. And the Supreme Court remains locked away in its Ivory Tower, seemingly aloof to the tragedy which continues to unfold at Guantánamo. Guantánamo has simply become part of the American landscape. We as a nation, as a people, have normalized and accepted the existence of a prison that Amnesty International once aptly called "the gulag of our times."

I am struck by the relative normalcy of daily life on this naval base. Men and women get up and go to work, enjoy the beach on the weekends, and so forth, in a constant, self-perpetuating existence. Each day is the same. Sunny, hot and dry. Yet there is rarely any open acknowledgement of the prison or the men held indefinitely, potentially for life, just a short distance away.

There is no visible recognition of today's anniversary, except an oblique reference in the local paper to marking "ten years of progress." Progress toward what? Perfection of lawlessness? Indifference to human suffering?

To mark the anniversary, we will drive out by the old Camp X-Ray, where the earliest prisoners were held in outdoor cages like dog kennels. It's shuttered and overgrown with vegetation now. Hardly anyone seems to notice this bit of history, sitting by the side of the road. I suspect that many of the men and women on this base were children when the camp opened in 2002. But the men who suffered there, including my client Djamel Ameziane, cannot forget it as much as they may wish.

Djamel is a refugee from Algeria. He left his country in the early 1990s to avoid a civil war which killed hundreds of thousands of people. He lived in Austria and Canada for many years, working as a well-known chef, until he was denied permanent refuge. Fearing deportation to Algeria, he fled to Afghanistan just before the US invasion in October 2001. Like thousands of other refugees, he fled to Pakistan to escape the war and was picked up and sold to US forces for a bounty. He was young then, with a bright future ahead of him. Now, ten years later, he is an older man. I see it not only in his gray hair but in his eyes. He is tired, and survives day by day. He paints, draws and reads French mystery novels -- crime thrillers are his favorite -- as he waits for the day when he is released. He has no problem with Algeria, but fears he will be

persecuted based on his Berber ethnicity and his status as a Guantánamodetainee. He waits and hopes for another country to resettle him, perhaps a country where he can use his French, English and German language fluencies, but he would gladly accept anywhere safe.

Whether such a day will come for Djamel is a mystery. His legal case was stayed by the court without a decision on the merits nearly three years ago, and the US government will not disclose whether he is one of the 89 men approved for transfer. Yet resettlement remains his primary goal. For Djamel home is no longer a place. It is a journey to freedom. It is a long road to somewhere he can slowly begin to rebuild his life before it is too late. I hope he makes it there.

As I sit and watch the sunset over the Caribbean, I cannot reconcile the beauty of my surroundings with the feeling that morality and justice slip further away with each passing day. Guantánamo Bay has been open for ten years too long. It is illegal and its continued existence demeans us. It must be closed.

I hope that ten years from now Djamel is free, and that we mark January 11 as a day of remembrance for all who have suffered here, in America's illegal offshore prison.

J. Wells Dixon
Camp Justice
Guantánamo Bay, Cuba



[J WELLS DIXON](#)

J. Wells Dixon joined the Center for Constitutional Rights in 2006. He works on the Guantánamo Global Justice Initiative, challenging the detention of prisoners at Guantánamo Bay. He represents clients in federal court and before the military commissions at Guantánamo Bay, including men from Algeria, China (East Turkestan), Pakistan, Saudi Arabia and Somalia. Among his clients is former Baltimore-area resident Majid Khan, who was imprisoned and tortured in secret CIA "black sites" for more than three years before he was transferred to Guantánamo Bay in September 2006. Wells lectures and comments frequently on national security issues, executive detention and torture.

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Tariq Ba Odah

ISN 178

Citizenship: Yemen

Detained Since: February 2002

TARIQ BA ODAH, ISN 178

***YEMENI DETAINEE IN NEED OF URGENT RELEASE ON HUMANITARIAN GROUNDS;
ON HUNGER-STRIKE AT GUANTÁNAMO SINCE FEBRUARY 2007***



“Even if they keep me another 10 years, I will not break my hunger-strike. I’ll stop under one of two conditions: I die or I am returned to my family.”

– Tariq Ba Odah [March 22, 2012]

Name: Tariq Ba Odah

Age: 34 years old

Place of Birth: Shabwah, Yemen

Family: Large family residing in Jeddah, Saudi Arabia

Languages: Arabic

Personal interests: World politics; Reading political biographies; Poetry

Status: Detained in February 2002; Began a peaceful hunger-strike to protest his indefinite detention in February 2007; Force-fed daily through nasogastric intubation; Segregated since 2009 and held in under solitary-confinement like conditions in Camp 5; Held without charge.

MR. BA ODAH IS A HUNGER-STRIKER IN NEED OF URGENT RELEASE

Tariq Ba Odah was born in Yemen, but lived almost of all of his life before his imprisonment in Jeddah, Saudi Arabia. He was sent to Guantánamo in February 2002 at approximately age 24. His petition for a writ of habeas corpus is stayed in the U.S. District Court for the District of Columbia in part because of Mr. Ba Odah's compromised health.

As of counsel's last visit to Guantánamo in December 2012, the U.S. Department of Defense has been holding Mr. Ba Odah in solitary-confinement like conditions in Camp 5. It isolates Mr. Ba Odah from the other prisoners because he has been on a 6-year, peaceful hunger-strike to protest his indefinite detention. The Department of Defense views this as non-compliance. Mr. Ba Odah has maintained his hunger-strike throughout the years because he sees the U.S. Department of Defense, the Obama administration, Congress, and increasingly U.S. courts as part of single apparatus of power that keeps him locked-up at Guantánamo and separated from his loved-ones. In his words – hunger-striking *"is the only peaceful way I can show the magnitude of the injustice I suffer."*

Mr. Ba Odah is force-fed daily. He is strapped to a restraint chair, a rubber tube is forced down his nose, and a liquid dietary supplement is pumped into his stomach. In what Mr. Ba Odah believes are clear attempts to break his protest, prison administrators have told him that *"if [he] stops his strike, [he would] be moved to the common area with friends, television, and recreation time"* – basic rights the men in Camp 5 are often deprived.

Mr. Ba Odah is only permitted to be outside of his cell between 2-4 hours per day. Unfortunately, Mr. Ba Odah is often too weak to take advantage of the recreation time that is allotted to him. He has virtually no human contact. He must shout through a slot in the door of his cell to exchange a word with another prisoner. To protest these conditions, Mr. Ba Odah has also gone on "no wash protests," in one instance going four months without showering, leaving his cell for recreation, or cutting his nails. According to Mr. Ba Odah, he *"looked like [he] crawled out of a grave."* No independent medical expert has ever assessed the impact of extended hunger-striking on Mr. Ba Odah's body. But there can be no doubt that he is need of urgent, sophisticated medical care. Like most other Guantánamo prisoners, Mr. Ba Odah has never been charged with a crime. President Obama should lift the moratorium on transfers to Yemen and certify Mr. Ba Odah for release on humanitarian grounds.

LEGAL REPRESENTATION

Mr. Ba Odah is represented by the Center for Constitutional Rights. For more information, the Commission should contact:

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Ahmed Belbacha

ISN 290

Citizenship: Algeria

Detained Since: 2002

Ahmed Belbacha

Ahmed Belbacha is an Algerian who fears being forcibly repatriated, as happened with his compatriots Abdul Aziz Naji (in July 2010) and Farhi Saeed bin Mohammed (in January 2010, whose habeas corpus petition had been granted in November 2009). Despite this, he was appealing against his forced repatriation when the Obama administration sent him home, and, as his attorney, Buz Eisenberg, said:



By transferring Mr. Mohammed to Algeria against his will, the administration has once again demonstrated an appalling disregard for the rule of law. On November 5, Mr. Mohammed asked the U.S. Supreme Court to consider the legality of this very transfer. By forcibly and secretly sending Mr. Mohammed to a place to which he did not want to go, even while the Supreme Court was considering his petition, the administration has again declared itself above the law.

While most of the remaining Algerians fear both the security services and Islamists, Ahmed Belbacha has another reason to fear being returned. In November 2009, he was convicted in absentia, in what his lawyers described as “a disgraceful show trial” in which no lawyer was appointed to defend him, and the court gave him a 20-year sentence for belonging to an “overseas terrorist group.” As his lawyers explained, “Despite repeated requests and extensive investigation, [we] have been unable to discover what exactly Ahmed is supposed to have done. No evidence has been produced to support his ‘conviction,’ which appears to be retaliation against Ahmed for speaking out about the inhumane treatment he would be subjected to if sent to Algeria.”

Ahmed, who was born in 1969, worked as an accountant for Algeria’s main oil company, Sonatrach, from 1988 to 1997, with a short break to complete his military service. In 1997, however, when he was called upon to rejoin the army, Islamists from the Groupe Islamique Armé (GIA) began to threaten him. After trying, and failing, to lie low by working for his father, he fled to the U.K. in 1999, where he applied for asylum and worked in a laundromat and then in a hotel in Bournemouth. During the Labour government’s conference, Ahmed cleaned the room of the deputy Prime Minister, John Prescott, and did such a good job that he received a thank-you note and a tip.

Unfortunately, Ahmed’s application for asylum was refused. He appealed, but the procedure dragged on for months. He was having increasing difficulty finding steady work and greatly feared deportation. Ahmed decided to travel to Pakistan, where he could take advantage of free educational programs to study the Koran. He hoped after a few months the economy would be better and his job prospects would improve. In Pakistan, he decided, with a friend, to visit Afghanistan, where he was seized after the 9/11 attacks and the U.S.-led invasion.

While he was in Guantánamo, in 2002, Ahmed’s asylum appeal was denied, ironically because he did not turn up for his hearing, and the judge did not know that he was a prisoner. Five years later, the U.S. authorities finally acknowledged that they had no reason to hold him, but Ahmed then sought and secured an in-

junction in the U.S. courts to prevent his forcible repatriation, which survived until the D.C. Circuit Court ruled in September 2009 that judges could not prevent the Obama Administration from forcibly repatriating prisoners to countries where they might face persecution.

Sadly for Ahmed, the British government has refused to accept him, and no other government has offered to help, even though his plight, and his gentle nature, has led to other offers of help. He has been given a room in a flat by a Bournemouth resident, and the town of Amherst, Massachusetts offered him refuge in defiance of Congress in October 2009.

Jihad Dhiab

ISN 722

Citizenship: Syria

Detained Since: August 2002

Jihad Dhiab (ISN 722)

The following is an extract from a call with Jihad Dhiab on September 13 2012, illustrating his state of mind:

“I am tired and sick. I am in a very depressed condition. I have very low esteem. I have no idea what to do. I am reaching a situation where I do not want to have any discussion with a guard or anyone else. I have come to a dead end. I am not acting out of stubbornness. I am so depressed that I do not want to speak to anyone here. I am just deeply depressed. I have no desire to talk to anyone. I have no desire to do anything. As you know a few days ago one of our brother killed himself, he reached such a state. I have a lot of medical issues. My kidneys, and so many other things going on with me. Earlier my right kidney was hurting me. Now it is my left kidney as well. Both are hurting me a lot. I really don't know what to say. If you can, put yourself in my position and feel how you would be. My living circumstances are very depressing. I have been put in isolation for a long time. I am unable to speak to anyone here.”

“The painful circumstances that I am living in are unbearable. In particular, the repeated promises that have not been fulfilled. This is becoming more and more difficult. I know that President Obama wanted to improve the conditions here but the actual circumstances are very different from what he ordered. It is as if the prisoner is meant to be made of steel, not of human flesh. You must understand where I am – I will speak in short sentences. The fact that I might do some harm to myself is not far from my mind. But Abdul Latif, the person who died here a few days ago, went through something very similar. He cooperated. He went to see his lawyer regularly. But in the end it was just more than he could take. Like me, they put him in isolation because he was depressed. I do not know how long I can stand it. I am in isolation a lot. I do not know what to say.”

Fahd Ghazy

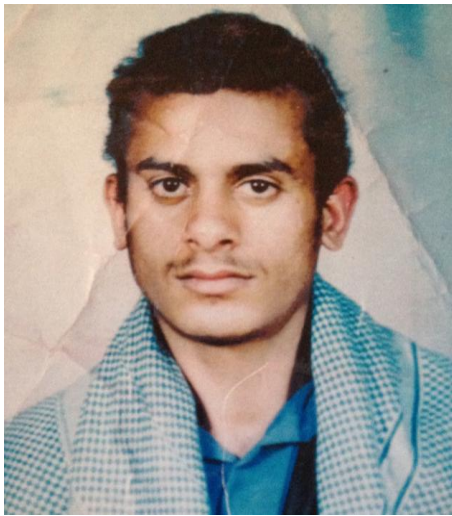
ISN 26

Citizenship: Yemen

Detained Since: January 2002

FAHD GHAZY, ISN 026

***YEMENI DETAINEE IN NEED OF URGENT RELEASE FROM GUANTÁNAMO;
CLEARED FOR RELEASE BY PRESIDENT BUSH IN 2007***



“All I hope for upon release is to meet my wife and daughter, my mother and brothers, and to live an independent life with them. To complete my studies and get a decent job.”

– Fahd Ghazy [September 30, 2005]

Name: Fahd Abdullah Ahmed Ghazy

Age: Born on May 2, 1984

Place of Birth: Beyt Ghazy, Yemen

Family: Father to Hafsa, born June 18, 2001, and husband to Faiza

Education: Al Najah Secondary School; Diploma received; First in class; Received a scholarship to attend university

Languages: Arabic, English

Personal interests: Studying to prepare for higher education upon release; Writing letters to Hafsa, Reading and translating Arabic and English texts,

Status: Detained in January 2002 at age 17; Cleared by President Bush in 2007; One of the last remaining Guantánamo Prisoners to have been detained as a juvenile; Held without charge.

BACKGROUND

Fahd Ghazy was only 17 years old when he was rendered to Guantánamo in 2002 and is one of the last remaining prisoners to have been detained as a juvenile. He was cleared for transfer in 2007 by the Bush administration, but he remains unlawfully imprisoned to this day. In December 2010, President Obama instituted a moratorium on transfers to Yemen, effectively rescinding Fahd's clearance in favor of a policy of crude collective punishment.

Fahd was born and raised in Beyt Ghazy, Yemen. He was married in his early teens and had a daughter, Hafsa, shortly after his 17th birthday. Fahd was an ambitious student. He attended the Al-Najah primary and secondary school in the district near his home. Shortly after the birth of his daughter, Fahd sat for a series of exams that were required of all graduating secondary school students. He placed first in his class. Those results won him a scholarship to attend university, news of which he received while already imprisoned in Guantánamo.

During the holiday after his graduation, Fahd traveled to Pakistan and Afghanistan. He was arrested in Pakistan and was one of the first prisoners to arrive at Guantánamo in January 2002. He has been interrogated more times than he can remember under U.S. Department of Defense methods that were humiliating and coercive. Even before he was transferred to Guantánamo, Fahd was *"kicked and beaten and cursed like a dog."* During an interrogation in 2003 at Guantánamo, while Fahd was still a teenager, he was made to stand for hours with his feet and hands chained together so that he could not straighten his back. Interrogators told him that they *"had the power to make him hungrier and sicker than he had ever been in his life."* Fahd was cleared for release by the Bush administration in 2007.

Despite his treatment and the length of his detention, Fahd continues to prepare himself for his release. He has mastered English while at Guantánamo and he reads voraciously – all in the hope that one day he will be able to secure a good job and provide for his family. But Fahd, who is now 28 years old and has been detained for 11 years, is beginning to doubt whether that day will ever come.

Fahd Ghazy was imprisoned as a juvenile and has been held without charge for 11 years. His continued detention at Guantánamo is indefensible. The Obama administration must immediately lift the moratorium on transfers to Yemen and certify Fahd for release.

LEGAL REPRESENTATION

Mr. Ghazy is represented by the Center for Constitutional Rights. For more information, the Commission should contact:

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(212) 614-6485



Letter to Attorney General Holder Regarding Guantanamo Detainee Review ^[1]

March 25, 2009

Dear Attorney General Holder,

As the United States government conducts its review of the detainees currently held at Guantanamo ^[2], we urge you to expedite and give special consideration to five detainees who were apprehended and transferred to Guantanamo while still juveniles. Each of these five individuals has been held in US custody for over six years, but has been denied basic juvenile justice ^[3] protections or special consideration because of their potential status as former child soldiers ^[4].

The five detainees are the following:

Mohammad El Gharani ^[5]: El Gharani is a Chadian national who was born and raised in Saudi Arabia. He was brought to Guantanamo in early 2002 at the age of 15, after being arrested in a mosque in Karachi, Pakistan. He has been held in isolation in Camps 5 and 6, and has tried to commit suicide at least seven times. He has slit his wrist, run repeatedly headfirst into the side of his cell, and tried to hang himself. On January 14, 2009, US District Judge Richard J. Leon ordered El Gharani's release, ruling that the government's evidence was too weak to justify the young man's continued confinement.

Mohammad Jawad ^[6]: Jawad, an Afghan, was initially detained at Bagram and transferred to Guantanamo in early 2003. He was charged before a military commission with attempted murder for allegedly throwing a hand grenade into a US army vehicle in Afghanistan in December 2002, when he was 16 or 17 years old (he does not know his exact age). Two US soldiers and their Afghan translator were severely injured in the incident. Jawad tried to commit suicide about 11 months after arriving at Guantanamo, and military records showed that during a 14-day period in May 2004, he was moved from cell to cell 112 times as part of a sleep deprivation regime known as the "frequent flyer program." In November 2008, the judge in his case, Col. Stephen Henley, ruled that confessions obtained from Jawad while in US custody were inadmissible in his trial because they were "tainted by torture."

Omar Khadr ^[7]: A Canadian national, Khadr was charged before a military commission for allegedly throwing a grenade that killed a US soldier during a firefight in Afghanistan in July 2002, when Khadr was 15 years old. Khadr was severely wounded in the firefight, initially detained at

Bagram, and transferred to Guantanamo in November 2002. He has been held in prolonged solitary confinement, and has said that his interrogators shackled him in painful positions, threatened him with rape, and used him as a "human mop" after he urinated on the floor during an interrogation session. He was detained for more than two years before being provided access to an attorney.

Mohammad Khan Tumani: Khan Tumani, a Syrian, has been detained since he was 17, and is held in solitary confinement without access to his father, who is also detained at Guantanamo. Khan Tumani's attorneys state that Khan Tumani has been subject to coercive interrogations and physical and psychological abuse, including beatings, temperature extremes, sleep deprivation, and threats that his family would be killed. In December 2008, he cut a vein in his hand in an apparent suicide attempt. Other detainees have told his lawyers that Khan Tumani has beat his head against the walls of his cell for hours at a time and smeared his cell with excrement.

Fahd Abdullah Ahmed Ghazi: Fahd Ghazi, a Yemeni, was on the third planeload of detainees to Guantanamo in January 2002, at age 17. Although he has been cleared to leave Guantanamo for well over a year, he remains stuck in Guantanamo pending an agreement between the US and Yemen to return him there. His daughter who was two months old at the time of Ghazi's arrest is now 8 years old. The two reportedly send drawings back and forth to each other regularly. He is now being held in the communal setting of Camp 4, but was previously held in the more restrictive camps where detainees are locked into a single cell 23 hours a day.

Throughout the detention of El Gharani, Jawad, Khadr, Khan Tumani, and Fahd Ghazi, the United States has flouted international juvenile justice standards that acknowledge children's unique vulnerability, lower degree of culpability, and capacity for rehabilitation. International treaty law and accepted juvenile justice norms require governments to provide children (defined as persons under the age of 18) with special safeguards and care. They stipulate that the arrest and detention of children must be used only as a measure of last resort and for the shortest appropriate period of time, and that such cases must be handled as "speedily as possible," with rehabilitation and social reintegration as a primary consideration. Juvenile detainees must be separated from adults, allowed contact with their families, and have the right to special care and assistance, including access to education, recreation, and rehabilitation.

All of these rights have been denied El Gharani, Jawad, Khadr, Khan Tumani, and Fahd Ghazi. They have each been detained for more than six years without a resolution of their case. For years, they were denied any educational or rehabilitative opportunities. Any contact with their families has been extremely limited. Three of the five (Jawad, Al Gharani and Khan Tumani) are currently held in what is essentially solitary confinement (in camps 5 and 6 ^[8]), and a fourth, Khadr, has only been recently moved to a communal living setting after spending years in extreme

isolation. The detrimental effect of prolonged detention and isolation (shown by studies to be particularly pronounced for juveniles) is evidenced by the suicidal behavior and apparent signs of mental deterioration in at least several of these cases.

In addition to being bound by treaties governing juvenile justice, the United States is also party to treaties that recognize the special situation of children who have been recruited or used in armed conflict. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict prohibits the use of children under age 18 in armed conflict and obliges the US to support the rehabilitation and social reintegration of children who have been recruited or used in violation of the protocol.

We note that as a US Senator, President Obama co-sponsored two pieces of legislation related to child soldiers that were both adopted by Congress and enacted into law in 2008. The Child Soldiers Accountability Act [9] enables the United States government to prosecute individuals in the United States who are responsible for the recruitment and use of children under the age of 15, regardless of where the recruitment takes place, or whether or not the perpetrator is a US national. Title IV of the Trafficking Victims Protection Reauthorization Act prohibits the US from providing military assistance to foreign governments that are involved in the recruitment or use of child soldiers. Both laws recognize the recruitment and use of child soldiers as a serious human rights abuse and oblige the US government to take steps to prevent and respond to the practice.

By charging Khadr and Jawad as "unlawful enemy combatants" in the conflict in Afghanistan, the US effectively recognized them as former child soldiers, yet has refused to take this status into account, either in terms of their treatment during detention, or the determination of their cases.

In contrast, in 2003 the United States segregated three children (ages 13-15) held at Guantanamo from the adult population, and placed them in a separate facility where they had access to specialized tutors, a designated social worker, and recreational opportunities. In January 2004, they were released to UNICEF in order to receive rehabilitation and reintegration assistance in Afghanistan. However, such provisions were never made available to El Gharani, Jawad, Khadr, Khan Tumani, and Fahd Ghazi, even though each was brought to Guantanamo while a juvenile.

As you conduct your review of the remaining detainees at Guantanamo, we urge you to:

- 1) Expedite the reviews of El Gharani, Jawad, Khadr, Khan Tumani, and Fahd Ghazi's cases as quickly as possible and give priority to their determinations;
- 2) Pending the completion of the review, immediately move El Gharani, Jawad, Khadr, Khan Tumani, and Fahd Ghazi into a more rehabilitative environment, by removing them from solitary confinement, housing them together, and providing them with opportunities for education, vocational training, and recreation;

3) In line with international standards regarding juvenile justice and the treatment of former child soldiers, ensure that release to rehabilitation programs is considered as a possible resolution of their cases;

4) Ensure that if credible evidence of criminal activity exists, the case is transferred into federal court and tried in full accordance with juvenile justice standards, with specially-trained judges, prosecutors, and attorneys, and taking into account the relative immaturity and culpability of the accused at the time of the alleged offense, and capacity for rehabilitation.

We would be happy to meet with members of the task force conducting the reviews to discuss our concerns and recommendations further.

Sincerely yours,

Jo Becker
Advocacy Director
Children's Rights Division

Joanne Mariner
Director
Terrorism and Counterterrorism Program

cc: Matthew G. Olsen, Deputy Assistant Attorney General

Source URL: <http://www.hrw.org/news/2009/03/25/letter-attorney-general-holder-regarding-guantanamo-detainee-review>

Links:

[1] <http://www.hrw.org/news/2009/03/25/letter-attorney-general-holder-regarding-guantanamo-detainee-review>

[2] <http://www.hrw.org/en/category/topic/counterterrorism/guantanamo>

[3] <http://www.hrw.org/en/category/topic/children%E2%80%99s-rights/juvenile-justice>

[4] <http://www.hrw.org/en/topic/childrens-rights/child-soldiers>

[5] <http://www.hrw.org/en/node/62183/section/5>

[6] <http://www.hrw.org/en/news/2008/12/04/mohammed-jawad>

[7] <http://www.hrw.org/en/news/2008/12/04/omar-ahmed-khadr>

[8] <http://www.hrw.org/en/node/62183/section/3>

[9] <http://www.hrw.org/en/news/2008/10/03/united-states-bush-signs-law-child-soldiers>

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Saeed Hatim

ISN 255

Citizenship: Yemen

Detained Since: 2002

Saeed Mohammed Saleh Hatim (ISN 255)

Saeed Hatim was born in Yemen in 1977, graduated from high school in 1994, and traveled to Afghanistan in March or April 2001. He claims he went to Afghanistan for personal reasons including to cease being a financial burden on his family. He spent approximately one month in Kandahar and then went to Kabul in April or May 2001. He remained in the Kabul area until shortly after the U.S. bombing began, at which time Saeed fled the city and headed for the Pakistan border with hundreds of other refugees. Pakistani authorities stopped the car in which Saeed was a passenger, arrested him, and held him for several weeks in various prisons until turning him over to the United States military at the end of 2001. He was taken to a military base in Kandahar for six months before being sent to Guantánamo.



The government alleges that Saeed spent approximately three weeks at the al Farouq training camp in the spring of 2001. Saeed denies the allegation and claims he falsely admitted to attending al Farouq because his captors threatened and abused him.

The government also alleges that Saeed stayed in al Qaeda guesthouses and that he was on the front lines of the conflict between the Taliban and the Northern Alliance for a few weeks in the summer of 2001, prior to the U.S. invasion of Afghanistan. Saeed denies that the guesthouses in which he stayed had any al Qaeda affiliation of which he was aware, and claims that he visited a front line on one day just to see what it was like, that he observed no fighting, and that shepherds and their flocks roamed freely throughout the area.

The government has offered no statements from any witness who claims to have seen Saeed in Afghanistan, much less to have seen him in the act of combat or supporting al Qaeda or the Taliban. There is no evidence that Saeed was part of an enemy armed force, or a substantial supporter of such a force, at any time during the period when the United States was engaged militarily in Afghanistan.

In September 2009, President Obama's Guantánamo Review Task Force unanimously approved Saeed for transfer out of Guantánamo. In December 2009, District Judge Ricardo M. Urbina granted Saeed's petition for a writ of habeas corpus. In February 2011, the D.C. Circuit Court of Appeals vacated Judge Urbina's decision and remanded the case to district court. In April 2011, Saeed filed a motion for a status conference and scheduling order to re-litigate his case. The motion remains pending, and, following Judge Urbina's retirement, Saeed's case has yet to be reassigned to a new judge.

Obaidullah

ISN 762

Citizenship: Afghanistan

Detained Since: October 2002

The Indefinite Detention of Obaidullah

Mr. Obaidullah already has spent almost a third of his life in the prison at Guantanamo Bay, Cuba. He may be there indefinitely – a term of life imprisonment – even though he has never been convicted of a crime. This violates his fundamental human right to be free from arbitrary and indefinite imprisonment without trial or conviction.

Facts: In July 2002, Mr. Obaidullah (he has only one name) was a 19-year old man, living with his family in the village of Milani in Khost Province, Afghanistan, working in a store selling pots and pans. He had attended school until the eleventh grade, but left in order to support his family. On a July night, Obaidullah was picked up during a nighttime raid by American forces, beginning an eleven-year nightmare of torture and imprisonment. Over one decade later, Obaidullah is still detained at Guantanamo Bay, yet to face any criminal charges.

Faulty Intelligence: The U.S. military raided Obaidullah's family compound based on a tip from one still-unknown source who claimed that he was a member of an Al Qaeda bomb cell and that there were Soviet-made mines inside the compound. The source was wrong on both counts. When the compound was stormed, no mines were found inside. Mines were uncovered at some distance outside the compound, buried in the ground, but they were of Pakistani and Italian manufacture. Moreover, mines are littered across Afghanistan because of the civil war that raged for decades.

U.S. forces also found a notebook on Obaidullah's person allegedly containing information about constructing IED's. Obaidullah maintains that he took these notes while he was forced to attend a Taliban-sponsored school. He has consistently and vehemently denied any affiliation with Al Qaeda (or Taliban). After two days at the school, he decided not to return, and he later went to work in a pots-and-pans store. Proof of this is that the notebook also details routine sales and inventory information from the shop. Finally, the U.S. military also found a car in the compound. Four years after the raid, for the first time, a soldier who participated in the raid claimed that the car contained dried blood and Taliban propaganda. In federal court, the government never presented any evidence of blood or propaganda.

None of this – or any other – evidence corroborates the solitary Al Qaeda allegation from the unknown source. As such, Obaidullah's detention rests on very shaky ground.

Torture and Detention: After the raid, Obaidullah was taken to Chapman Airfield in Afghanistan, where he was mistreated, including with a blow to the head with a rifle butt. He was then sent to Bagram Airfield for three months, where he was further subjected to harsh treatment and physical abuse, and he made coerced statements upon which the government later decided not to rely in court. Finally, he was sent to Guantanamo, and after a few months, he recanted his coerced statements and told interrogators the truth, that he was not a terrorist and posed no danger to anyone.

No Criminal Charges or Trial. Obaidullah has been detained at Guantanamo Bay for over ten years. A district court in Washington, D.C. denied his petition for a writ of habeas corpus, based on the uncorroborated and unknown intelligence source. His appeal of this decision was denied by the D.C. Circuit. His petition for a writ of certiorari to the U.S. Supreme Court was filed in February 2013 and is pending. The government swore military charges against him in 2008 and dismissed them in 2011. No criminal charges are pending, either in federal or military court.

Mohamedou Ould Slahi

ISN 760

Citizenship: Mauritania

Detained Since: August 2002

Mohamedou Ould Slahi

Mohamedou Ould Slahi, born in 1970, is a Mauritanian, who was seized by the Mauritanian authorities on November 20, 2001, at the request of the Bush administration. As he explained in his Combatant Status Review Tribunal at Guantánamo in 2004: “My country turned me over, shortcutting all kinds of due process of law, like a candy bar to the United States.”



After Mohamedou was seized, he was transferred by the CIA to Jordan—one of at least 15 prisoners rendered to Jordan by the CIA between 2001 and 2004—where he was held for eight months, and where, he said, what happened to him was “beyond description.” He was then transferred to the U.S. prison at Bagram in Afghanistan, where he was held for two weeks, and he arrived at Guantánamo in August 2002.

In Guantánamo, Mohamedou was the second prisoner subjected to a specifically tailored torture program, which included prolonged isolation, prolonged sleep deprivation, beatings, death threats, and threats that his mother would be brought to Guantánamo where she would be the lone female prisoner. The program, which began in May 2003, was augmented with further techniques authorized by defense secretary Donald Rumsfeld, and culminated, in August 2003, in an incident in which Mohamedou was taken out on a boat wearing isolation goggles while agents whispered, within earshot, that he was “about to be executed and made to disappear.”

The torture of Mohamedou was so severe that, in May 2004, Lt. Col. Stuart Couch of the Marine Corps, who had been assigned his case as a prosecutor, refused to prosecute the case. He told the chief prosecutor, Army Col. Bob Swann, that, in addition to legal reasons, he was “morally opposed” to the interrogation techniques, and for that reason alone “refused to participate” in the Slahi prosecution “in any manner.”

The use of torture not only led to Stuart Couch’s refusal to prosecute his case; it also led to Mohamedou telling his torturers whatever they wanted to hear. As he explained in a letter to his attorneys in November 2006, “I yes-ed every accusation my interrogators made ... I just wanted to get the monkeys off my back.” Despite this, he is regarded by the authorities as one of “the most significant informants ever to be held at Guantánamo,” as *The Washington Post* reported in March 2010.

Although Mohamedou was initially touted as a significant al-Qaeda operative, and was alleged to have been involved with the 9/11 hijackers while he lived in Germany, by the time his habeas corpus petition was granted by Judge James Robertson in March 2010, the government acknowledged that he “probably did not even know about the 9/11 attacks.” Another key claim—that he was involved in the foiled “Millennium Plot” to blow up Los Angeles airport—was also dropped, and although Judge Robertson noted that he continued to have knowledge of people connected to al-Qaeda, he granted his habeas corpus petition. After the government appealed, the case was remanded to the district court where he must essentially begin again.

Mohammed Tahamuttan

ISN 684

Citizenship: Palestinian Territories

Detained Since: 2002

Mohammed Tahamuttan

In December 2009, after the German government expressed a willingness to take prisoners who could not be repatriated, Daniel Fried, Obama's Special Envoy on Guantánamo, sent nine suggestions, including Mohammed Tahamuttan, a Palestinian, born in 1979. As *Der Spiegel* explained, Tahamuttan "grew up on the West Bank and quickly had his fill of intifada, war and deplorable living conditions."

In October 2001, Tahamuttan flew to Pakistan, because he "yearned to be a pious man," and Pakistan housed the headquarters of the huge Islamic missionary movement Jamaat al-Tablighi, which he had been a member of since the age of 14. Tablighi members "acquired a visa for him and arranged for him to stay in a religious school in Raiwind," where he "studied the Koran for four months before moving on to Lahore, then Quetta and, finally, Faisalabad."

In Faisalabad, he met some Arab students and moved into a house with them. On March 28, 2002, the house was raided and all 15 of the guesthouse residents were taken to Guantánamo, on the basis that the house was supposedly connected to the alleged "high-value detainee" Abu Zubaydah, who was seized on the same night in a different raid. However, despite the government's claims that all of these men were somehow connected to militancy, six of them have been freed so far.

In July 2010, *Der Spiegel* noted that Mohammed had "made a good impression on the Germans," but that he was ultimately rejected, a move that was "probably intended primarily to send a political message at home in Germany," where it was thought that Interior Minister Thomas de Maizière "felt that he had to show the many members of his party who had opposed reaching an agreement with the United States on Guantánamo that he was not blindly obeying the Americans." As a result, Mohammed is still stranded in Guantánamo, awaiting a new home.

The names of the 166
men who remain at
Guantánamo

The names of the 166 men who remain at Guantánamo ¹

ISN	Name	Country
4	Abdul Haq Wasiq	Afghanistan
6	Mullah Norullah Noori	Afghanistan
7	Mullah Mohammad Fazl	Afghanistan
26	Fahd Ghazy	Yemen
27	Uthman Abdul Rahim Mohammed Uthman	Yemen
28	Muaz Al Alawi	Yemen
29	Muhammad Al Ansi	Yemen
30	Ahmed Al Hikimi	Yemen
31	Mahmoud Al Mujahid	Yemen
33	Mohammed al-Adahi	Yemen
34	Abdallah Al Yafi	Yemen
35	Idris Qader Idris	Yemen
36	Ibrahim Idris	Sudan
37	Abd Al Malik Abd Al Wahab	Yemen
38	Ridah Al Yazidi	Tunisia
39	Ali Hamza Ahmed Sulayman Ismail	Yemen
40	Abdel Qadir Al Mudhaffari	Yemen
41	Majid Ahmad	Yemen
42	Abdul Rahman Shalabi	Saudi Arabia
43	Samir Moqbel	Yemen
44	Mohammed Abu Ghanim	Yemen
45	Ali Ahmad Al Rahizi	Yemen
63	Mohammed Al Qahtani	Saudi Arabia
88	Waqas Mohammed Ali Awad	Yemen
91	Abdul Al Saleh	Yemen
115	Abdul Rahman Naser	Yemen

¹ This list was prepared by the Center for Constitutional Rights from publicly available information.

ISN	Name	Country
117	Muktar Al Warafi	Yemen
128	Ghaleb Al-Bihani	Yemen
131	Salem Ahmed Hadi	Yemen
152	Asim Al Khalaqi	Yemen
153	Fayiz Suleiman	Yemen
163	Khalid Al Qadasi (Othman)	Yemen
165	Adil Said Al Busayss	Yemen
167	Ali Yahya Mahdi Al Rimi	Yemen
168	Adel Hakimi	Tunisia
170	Sharaf Masud	Yemen
171	Abu Bakr Alahdal	Yemen
174	Hisham Sliti	Tunisia
178	Tariq Ba Odah	Yemen
189	Salem Gharebi	Libya
195	Mohammad Al Shumrani	Saudi Arabia
197	Yunis Shokuri	Morocco
200	Saad Al Qahtani	Saudi Arabia
202	Mahmmoud Bin Atef	Yemen
223	Abdul Rahman Sulayman	Yemen
224	Abdul Rahman Muhammad	Yemen
232	Fawzi Al Odah	Kuwait
233	Abdul Salih	Yemen
235	Saeed Jarabh	Yemen
238	Nabil Hadjarab	Algeria
239	Shaker Aamer	Saudi Arabia
240	Abdullah Al Shabli	Yemen
242	Khaled Qasim	Yemen
244	Abdul Latif Nasir	Morocco
249	Mohammed al-Hamiri	Yemen
251	Muhammad Bin Salem	Yemen

ISN	Name	Country
254	Mohammed Khenaina	Yemen
255	Said Hatim	Yemen
257	Umar Abdulayev	Tajikistan
259	Fadil Hintif	Yemen
275	Yusef Abbas	China
280	Saidullah Khalik	China
282	Hajiakbar Abdulghupur	China
288	Mutij Sadiz Ahmad Sayab	Algeria
290	Ahmed Belbacha	Algeria
309	Muieen Abdal Sattar	United Arab Emirates
310	Djamel Ameziane	Algeria
321	Ahmed Yaslam Said Kuman	Yemen
324	Mashur Al Sabri,	Yemen
326	Ahmed Ajam	Syria
327	Ali Hussein al-Shaabab	Syria
329	Abd Al Hadio Omar Mahmoud Faraj	Syria
434	Mustafa Al Shamyri	Yemen
440	Mohammed Bwazir	Yemen
441	Abdul Rahman Ahmed (al Zahry)	Yemen
461	Abdul Rahman Al-Qyati	Yemen
498	Mohammed Haidel	Yemen
502	Abdul Ourgy	Tunisia
506	Khalid Mohammed Salih Al Dhuby	Yemen
508	Salman Rabeii	Yemen
509	Mohammed Khusruf	Yemen
511	Sulaiman Al Nahdi	Yemen
522	Yasin Ismail	Yemen
535	Tariq Al Sawah	Egypt
549	Omar al Dayi	Yemen
550	Walid Zaid	Yemen

ISN	Name	Country
552	Fayiz Al Kandari	Kuwait
553	Abdul Khaled Al Bedani	Saudi Arabia
554	Fahmi Al Sani	Yemen
560	Haji Wali Mohammed	Afghanistan
564	Jalal bin Amer	Yemen
566	Mansoor Qattaa	Saudi Arabia
569	Suhail Abdu Anam	Yemen
570	Sabri Mohammed Al Qurashi	Yemen
572	Slah Al Zabe	Yemen
574	Hamoud Al Wady	Yemen
575	Sa'ad Muqbil Al-Azani	Yemen
576	Zahar Bin Hamdoun	Yemen
578	Abdul Aziz Abdullah Ali Al Suadi	Yemen
579	Khirullah Khairkhwa	Afghanistan
680	Emad Abdalla Hassan	Yemen
682	Ghassan Al Sharbi	Saudi Arabia
684	Mohammed Tahamuttan	Palestinian Territories
685	Abdelrazak Ali Abdelrahman	Algeria
686	Abdel Hakim	Yemen
688	Fahmi Ahmed	Yemen
689	Mohammed Salam	Yemen
690	Ahmed Abdul Qader	Yemen
691	Mohammed Al Zarnuki	Yemen
694	Sufyian Barhoumi	Algeria
695	Omar Abu Bakr	Libya
696	Jabran Al Qahtani	Saudi Arabia
702	Ravil Mingazov	Russia
707	Noor Uthman Muhammaed	Sudan
708	Ismael Ali Al Bakush	Libya
713	Muhammed Murdi Issa Al Zahrani	Saudi Arabia

ISN	Name	Country
722	Jihad Dhiab	Syria
728	Jamil Nassir	Yemen
753	Abdul Zahir	Afghanistan
757	Ahmed Abdel Aziz	Mauritania
760	Mohamedou Ould Slahi	Mauritania
762	Obaidullah	Afghanistan
768	Ahmed al- Darbi	Saudi Arabia
832	Mohammad Nabi Omari	Afghanistan
836	Ayoub Murshid Ali Saleh	Yemen
837	Bashir Al Marwalah	Yemen
838	Shawki Awad Balzuhair	Yemen
839	Musa'ab Al Madhwani	Yemen
840	Hail Aziz Ahmed Al Maythali	Yemen
841	Said Salih Sa id Nashir	Yemen
893	Tofiq Al Bihani	Yemen
894	Mohammed Abdul Rahman	Tunisia
899	Shawali Khan	Afghanistan
928	Khi Ali Gul	Afghanistan
934	Abdul Ghani	Afghanistan
975	Bostan Karim	Afghanistan
1015	Hussein Salem Mohammed Almerfedi	Yemen
1017	Omar Al Rammah	Yemen
1045	Mohammed Kamin	Afghanistan
1094	Saifullah Paracha	Pakistan
1103	Mohommod Zahir	Afghanistan
1119	Haji Hamidullah	Afghanistan
1453	Sanad al-Kazimi	Yemen
1456	Hassan Bin Attash	Yemen
1457	Sharqawi Ali al-Hajj	Yemen
1460	Abdul Rahim Ghulam Rabbabi	Pakistan

ISN	Name	Country
1461	Mohammed Ahmad Ghulam Rabbani	Pakistan
1463	Abdul Al Salam Al Hilal	Yemen
3148	Haroon Al Afghani	Afghanistan
10001	Bensayah Belkacem	Algeria
10011	Mustafa Al Hawsawi	Saudi Arabia
10013	Ramzi Bin Al Shib	Yemen
10014	Walid Bin Attash	Yemen
10015	Abd Al Rahim Al Nashiri	Saudi Arabia
10016	Abu Zubaydah	Palestinian Territories
10017	Abu Faraj Al Libi	Libya
10018	Ammar Al Baluchi	Pakistan
10019	Riduan Isomuddin	Indonesia
10020	Majid Khan	Pakistan
10021	Mohd Farik Bin Amin	Malaysia
10022	Mohammed (Lillie) Bin Lep	Malaysia
10023	Guleed Hassan Dourad	Somalia
10024	Khalid Sheikh Mohammed	Pakistan
10025	Mohammed Abdul Malik	Kenya
10026	Abd Al Hadi Al Iraqi	Iraq
10029	Muhammad Rahim Al Afghani	Afghanistan



"The past years were all the worst moments. I would describe them as a boat out at sea, battered by successive storms during its trip towards an unknown destination, benefiting only from very short periods of respite between two storms. These respites were the best moments."

"I overcame the conditions of imprisonment during all these past years by always maintaining hope that one day I would be freed, because I am innocent."

—*Djamel Ameziane, writing from detention at Guantánamo Bay Naval Base*

Artwork created by Djamel Ameziane at Guantánamo