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UNITED STATES OF AMERICA

Cruel and Inhuman: conditions of isolation for detainees at Guantánamo Bay

April 2007

Summary

AMR 51/051/2007

This report describes Amnesty International's concerns about the current conditions of detention in the US military base at Guantánamo Bay, Cuba. As of 1 April 2007, approximately 385 men of around 30 nationalities remained detained as "unlawful enemy combatants", many have been held for more than five years without charge or trial or knowing if or when they will be released.

Despite being provided with what the US government has called "high quality" medical care, adequate food, sanitation and access to religious items, most detainees have languished in harsh conditions throughout their detention, confined to mesh cages or in held in isolation in maximum security cells. Moreover, a new facility which opened in December 2006, known as Camp 6, has created even harsher and apparently more permanent conditions of extreme isolation and sensory deprivation.

Detainees are confined for 22 hours a day to individual, enclosed, steel cells where they are almost completely cut off from human contact. The cells have no windows to the outside or access to natural light or fresh air. No activities are provided, and detainees are subjected to 24 hour lighting and constant observation by guards through the narrow windows in the cell doors. They exercise alone in a high-walled yard where little sunlight filters through; detainees are often only offered exercise at night and may not see daylight for days at a time.

The US authorities have described Camp 6 as a "state of the art modern facility" which is safer for guards and "more comfortable" for the detainees. However, Amnesty International believes that the conditions, as shown in photographs and described by detainees and their attorneys, contravene international standards for humane treatment. In some respects, they appear more severe than the most restrictive levels of "super-maximum" custody on the US mainland, which have been criticized by international bodies as incompatible with human rights treaties and standards.

It appears that around 80 per cent of those currently held at Guantánamo are in isolation – a reversal of earlier moves to ease conditions and allow more socialising among detainees. According to the Pentagon, 165 detainees had been transferred to Camp 6 from other facilities on the base by mid-January 2007. A further 100 detainees are held in solitary confinement in Camp 5, another maximum security facility.

As many as 20 detainees are also believed to be held in solitary confinement in Camp Echo, a facility set apart from others on the base, where conditions have been described by the International Committee of the Red Cross (ICRC) as “extremely harsh”.

They include Shaker Aamer, a UK resident and former camp negotiator, who has been held in total isolation in Camp Echo since September 2005. Saber Lahmer, an Algerian seized in Bosnia, has also spent the last 10 months in Camp Echo. Both men are reportedly confined to small, windowless cells with little exercise and no possessions apart from a copy of the Qu’ran. Saber Lahmer reportedly refused to leave his cell for a pre-arranged visit with his attorneys in March, causing grave concern for his mental health. The military authorities denied requests by his lawyers to visit him in his cell.

Security at the camp is reported to have significantly tightened following a protracted hunger strike and the deaths of three detainees from apparent suicide in June 2006. Many of those transferred to Camp 6 were previously held in Camp 4 where they lived communally in barracks and had access to a range of recreational activities. Camp 4 is now reported to house only around 35 detainees, down from 180 in May 2006.

A significant number of the more than 80 detainees slated for release or transfer by the Pentagon following review board hearings are believed to be held in isolation in Camps 5 or 6. They include all or some of the 14 Uighars still detained: Chinese Muslims cleared for release but who cannot be returned to China because of the risk of persecution.

Amnesty International is concerned that, as well as being inhumane, the conditions could have a serious adverse effect on the psychological and physical health of many of the detainees, exacerbating the stress inherent in their indefinite detention without trial or access to their families. Lawyers who have recently visited detainees in Camp 6 have expressed concern about the impact of the conditions on the mental state of a number of their clients.

Amnesty International is calling for Guantánamo to be closed and for detainees to be charged and tried under international fair trial norms or else released (see appendix). In the meantime, the organization is urging the US government to take immediate steps to alleviate conditions in the camp to ensure that all detainees are treated humanely in accordance with international law and standards. Such steps include ensuring that no detainee is subjected to prolonged solitary confinement in conditions of reduced sensory stimulation, and allowing detainees more association and activities as well as regular contact with their families with opportunities for phone calls and visits.

Amnesty International is also calling on the government to allow independent health care professionals into Guantánamo to examine detainees in private and to allow visits by independent human right organizations and the UN special procedures. Such visits should include access to all parts of the facility and the ability of delegates to speak privately to detainees.

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