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American lawyer finds Guantanamo Bay conditions atrocious

Attorney says predicament of detainees complies with neither international nor U.S. law

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The Daily Star
January 8, 2005

WASHINGTON: An American lawyer who has just visited 12 Kuwaiti detainees in Guantanamo Bay said Thursday that "the most hardened convicted criminals in the U.S. have better conditions" than the prisoners who have been in Cuba for almost three years. The conditions, she added, do not "comply with international law or any law in the U.S." since they have "never been tried or convicted of anything."

Kristine A. Huskey, of the legal firm Shearman & Sterling, made her charges at a news conference here Thursday at the National Press Club. She and fellow attorney Neil Koslowe visited Guantanamo Bay on Dec. 26, where 550 detainees from the Afghanistan war are held "literally, in legal no-man's land."

Another participant in the press conference was Khaled al-Odah, head of the Kuwaiti Family Committee, which represents the family members of the Kuwaiti prisoners held at Guantanamo. Odah, whose eldest son, Fawzi, 25, is a prisoner, chose to address the briefing via speakerphone from Kuwait City as he had "no assurance he would be allowed to enter the U.S. on his visa."

The briefing coincided with the Senate confirmation hearings of Attorney General designate Alberto Gonzales, the controversial White House counsel who was grilled for his reported views on the inapplicability of the Geneva Conventions to Al-Qaeda fighters and other terrorists - a situation some feel paved the way for the abuse of U.S. military prisoners in Iraq and Guantanamo.

Huskey complained she was only allowed three days on the naval base to see the detainees, who at first sight appeared understandably distrustful, a situation that she said necessitates additional trips by other members of the law firm she is associated with. She said more information needs to be gathered from the Kuwaiti detainees and others "to develop their case to eventually, hopefully, win their release by trial." A three-member legal team is scheduled to leave on Sunday for Guantanamo to pursue the information gathering, while Huskey will follow either on Jan. 21 or 27.

Odah painted a grim picture of the condition of the Kuwaiti families who were especially concerned following recent press reports from FBI officials and others which talked about "torture and mistreatment of our loved ones." He said the families are trying to cope with these developments but "we are in an endless nightmare." He added that they were "deeply concerned about the health and mental health of our loved ones and we hope the (U.S.) administration and the whole world will listen to us." Medical officers acknowledged that there were as many as 32 reported suicide attempts in the detention facility.

According to Odah, all the Kuwaiti prisoners are innocent of any wrong doing and were merely arrested in Pakistan by bounty hunters paid by the Pakistani Army. He explained that the Kuwaiti Family Committee was founded two years ago "to advocate (for the detainees') just treatment under the U.S. judicial system."

However, the detention center has opened up slightly after the U.S. Supreme Court ruled last June that all detainees, regardless of nationality, are entitled to protection under U.S. laws. "We

lawyers were ready to go immediately after the Supreme Court decision," Huskey said. "But we have spent months battling with the government before they would allow us to go.

The visit in the week of Dec. 26 was the first time that (we) were able to visit there." She said the Kuwaitis were allowed to come from their cells to the isolated "Camp Echo," where they spent time with them. At the beginning the U.S. authorities insisted "on monitoring the sessions and reading our notes," she continued. "But, as an attorney, that was outrageous." This issue was resolved by the court which supported the lawyers with the condition that none of the information could be disclosed publicly.

She said the prisoners were shackled to the floor when they met and because they had brought some food for them the authorities agreed to remove the handcuffs.

"The goal of the visit was to see our client for the first time and introduce ourselves," she said. "It is understandable that there may have been some mistrust, given what they have gone through ... The purpose of our visit was really to be able to gain some trust, and get them to believe that we are really who we say we are, lawyers to help them," she added. There were no signs of physical torture, she said in response to a question from a journalist, since all their bodies were covered except for their hands and feet.

"But I can tell you that these people have been there for three years. They had no access to lawyers. They have not been able to talk to their families. They have been in isolation and, from what I saw they had no reading material, maybe the Koran. They had very little bedding and they get very little exercise, day after day, month after month. And that to me is torture, torture under any law in the United States and in international law ... You could see through their eyes that have gone through hell."

Huskey said press reports that the Bush administration is thinking of keeping these detainees, referred to officially as "enemy combatants," behind bars "indefinitely" are "very alarming."

Odah, who at one point was briefly joined by his wife Soad, stressed that the Kuwaiti families continue to "demand and appeal to the American government to put our loved ones on trial ... so that they can prove their innocence and come back to Kuwait." He added in a written statement that was given to the reporters: "My son is not a terrorist. My son admires America and its tradition of fair play and full legal rights for all - or at least he used to, before he was abducted by bounty hunters and sold to the U.S.," adding: "Congress must force Mr. Gonzales to say if he truly supports the idea of justice for all."