

The following text may be printed, copy/pasted, or downloaded and emailed.

Attorneys describe conditions for Guantanamo detainees

ANDREW ZAJAC
Chicago Tribune
January 20, 2005

WASHINGTON - (KRT) - Eleven Kuwaiti prisoners held by American forces at the prison at the Guantanamo Bay naval base show signs of poor diet and physical and psychological abuse, and are held in conditions "worse than those for the worst convicted murderers or rapists in the United States," according to an attorney who recently visited them at the detention facility in Cuba.

The attorney, Thomas Wilner, said he believes that while conditions for detainees have improved in recent months, physical mistreatment has continued even after a Dec. 30 government memo renounced the use of torture. "I believe there still is some physical abuse," he said.

Wilner declined to be more specific, citing an agreement with the government that everything prisoners told them about their own specific circumstances is classified unless cleared by censors.

The agreement was a condition of Wilner and other lawyers receiving Defense Department approval for unmonitored meetings with the detainees, he said.

Wilner spoke Wednesday at a news briefing called to highlight the plight of the Kuwaitis, who have been held as terror suspects since late 2001 when they were captured in Pakistan.

A 12th Kuwaiti, Nasser al-Mutairi, was transferred over the weekend from Guantanamo to the custody of the Kuwaiti government in Kuwait City.

It's not known if al-Mutairi will continue to be held by Kuwaiti officials after he has been debriefed, or be freed.

Khalid al-Odah, the father of a Kuwaiti still held at Guantanamo Bay, described al-Mutairi as weak and "very skinny" when he briefly saw him after he landed in Kuwait. Al-Odah spoke at the briefing by telephone from Kuwait City.

Wilner, who represents the Kuwaitis, said most of them have been held in isolation in 9-by-6-foot cells with no access to reading materials except a Koran. Cell lights are never turned off and the walls are painted with a glossy paint to exacerbate the light.

The detainees get only about 45 minutes of exercise per week and "I would say some are almost emaciated," he said.

"Compared to these men, Charles Manson is living in a palace, and these men have been convicted of nothing," Wilner said in a reference to the convicted California murderer.

In a written statement, the Defense Department disputed Wilner's assertions.

Detainees receive three "culturally appropriate meals ... and daily opportunities for prayer, showers, exercise, means to send and receive mail, reading materials and exceptional medical attention," according to the statement.

"DoD takes all allegations of abuse very seriously and would investigate fully any such allegation," the statement said.

All of the Kuwaitis say they are innocent of terrorist activity and none has been charged with a crime.

Wilner's comments came against a backdrop of other accounts in recent months from a variety of sources, including FBI agents and the International Committee of the Red Cross, indicating that the United States has employed harsh interrogation techniques that may violate international norms against the use of torture.

Wilner was among five attorneys who visited with the prisoners in two, weeklong trips within the last month.

Another Guantanamo lawyer, Kristine Huskey, said prisoners told of strangers appearing at their cells claiming to be lawyers in an apparent attempt to trick them into giving information.

The Kuwaitis' attorneys said they have written to the U.S. government asking that conditions be upgraded to meet the minimum standards of U.S. prisons.

The Supreme Court ruled in June that Guantanamo detainees have the right to use U.S. courts to contest their imprisonment.

As a result, the Kuwaitis and about 60 other prisoners have filed papers in a Washington federal court challenging the government's right to hold them. But on Wednesday, U.S. District Judge Richard Leon in Washington ruled against seven of the detainees, who are French and Bosnia-Algerian, saying that foreigners captured and imprisoned outside the United States have no constitutional protections.

Melissa Hoffer, an attorney for six of the seven, said the ruling would be appealed. "We feel the court's opinion is inconsistent with the Supreme Court's decision," she said.

Another judge in the same district has yet to rule on the other detainees.

According to the Defense Department's Web site, about 550 detainees are held at Guantanamo and 202 have been transferred from the prison, either for release or to the custody of other countries.