

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

U.N. Report Calls for End to Guantánamo Detentions

JOHN O'NEIL
New York Times
February 16, 2006

A United Nations report today called on the United States to immediately close the detention center for suspected terrorists at Guantanamo Bay, Cuba, and to either release its inmates or bring them to trial.

The report, by a team of five inspectors for the United Nations Human Rights Commission in Geneva, blasted the American government for a litany of abuses, and said that certain practices at the prison camp "must be assessed as amounting to torture."

The American ambassador who acts as a liaison to the Human Rights Commission, Keven E. Moley, rejected the report's findings in a letter that was included with it.

He said the inspectors began by concluding that abuses existed, and that the report "selectively includes only those factual assertions needed to support those conclusions and ignores other facts that would undermine those conclusions."

Mr. Moley also criticized the inspectors for rejecting an invitation to visit the camp, which was created on a former naval base in early 2002 to house suspected terrorists captured during the invasion of Afghanistan that followed the Sept. 11th attacks. The camp holds about 500 prisoners. The inspectors said in the report that they had turned down the invitation because they would not have been able to meet privately with detainees.

The prison camp has long been the subject of criticism, both from human rights activists and from many European countries. Germany's chancellor, Angela Merkel, raised the issue in a White House meeting with President Bush last month, and described it afterward as one on which there had been "differences of opinion."

President Bush defended the camp as a necessary part of the war against terror.

Speaking in London before the release of the report, the United Nation's high commissioner for human rights, Louise Arbour, told the BBC that she could not endorse every recommendation it contained, but that she could see little alternative to closing down the facility.

The report was based on interviews with former inmates and their lawyers, public documents, media reports and on written answers provided by American officials.

It focused in particular on the force-feeding of inmates on conducting hunger strikes, which is said was both a violation of human rights and of medical ethics, and of the use of interrogation techniques that go beyond what international law permits.

"The confusion with regard to authorized and unauthorized interrogation techniques is particularly alarming," it said.

The report cited a long list of what it called human rights abuses, including:

- The inability of suspects to challenge their captivity before a judicial body that meets international standards, which "amounts to arbitrary detention."

- A hearing system in which the executive branch of the United States government acts as judge, prosecutor and defense counsel for detainees, which constitutes "serious violations of the right to a fair trial."
- Attempts by the United States administration to redefine torture to allow interrogation techniques "that would not be permitted under the internationally accepted definition of torture."
- Authorized interrogation techniques, particularly if used together, that "amount to degrading treatment" in violation of an international treaty banning torture.
- "The general conditions of detention, in particular the uncertainty about the length of detention and prolonged solitary confinement, amount to inhuman treatment."
- "The excessive violence used in many cases during transportation," and "force-feeding of detainees on hunger strike must be assessed as amounting to torture."

The report also said that there was evidence of religious discrimination, and that some interrogation techniques were "aimed at offending the religious feelings of detainees."

The Guantánamo prison has been beset by periodic hunger strikes. Since last year, the protests have intensified, a sign of what defense lawyers for detainees say is their growing desperation.

In a study released last week, two of those lawyers said Pentagon documents indicated that the military had determined that only 45 percent of the detainees had committed some hostile act against the United States or its allies and that only 8 percent were fighters for Al Qaeda.