

USA

Who are the Guantánamo detainees?

CASE SHEET 15

Yemeni national: Abdulsalam al-Hela

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Full name: Abdulsalam al-Hela

Nationality: Yemeni

Occupation: Businessman

Age: 34

Family status: Married with two children

“Contact with him suddenly stopped...when we called him, his mobile phone rang but there was no answer”. Abdulsalam al-Hela’s brother, talking of his brother’s “disappearance”

Abdulsalam al-Hela is a businessman from Sana’a, Yemen. In September 2002 he is believed to have travelled to Egypt for a meeting with Arab Contractors, an Egyptian construction firm for which he was the Yemeni representative. While there he phoned his family regularly. On the last occasion he called, his brother stated that he sounded nervous and worried, and that he had to go to a meeting. He was unwilling to say any more over the telephone. It was last time Abdulsalam al-Hela’s family would hear from him for over a year, and then it would be through a letter smuggled out of a prison in Afghanistan.

Abdulsalam al-Hela appears to have been abducted by the Egyptian authorities and handed over to US officials. Abdulsalam al-Hela is convinced that the USA and Egypt conspired to lure him to Egypt with the express intention of “disappearing” him in order to interrogate him about his contacts in Yemen. As a result he became a victim of the US practice of rendition and secret detention, being taken from country to country without any recourse to a court, access to lawyers or contact with his family.

His final destination was the detention facility at Guantánamo Bay naval base in Cuba. He remains there to this day.

Arrest and ‘rendition’

Abdulsalam al-Hela was arrested two days after he arrived in Egypt on his business trip. He was interrogated in a hotel, in a ‘sealed area’ by people who he describes as civilians. He was

let go briefly and then arrested again and taken to another hotel. Though he states that he wasn't tortured by the Egyptian authorities he states that he was subjected to 'degrading treatment'.

Seven or eight days after his initial arrest, his Egyptian captors put him on a minibus and drove to an airport. There he saw hooded soldiers who he believed to be American guarding a small private plane, with a maximum of 20 seats. The Egyptians handed Abdulsalam al-Hela to the US officials who then stripped him naked and searched him, dressed him in blue overalls, cuffed his hands and feet and blindfolded him. He was then bundled on to the small plane where he was waistcuffed, hooded and gagged. He was being rendered and "disappeared" by the US government as part of its "war on terror".

It is unclear where he was taken next. Abdulsalam al-Hela's family told Amnesty International that the Egyptian Embassy in Sana'a, Yemen, told them that he had left Egypt on "a special plane that took him to Baku, Azerbaijan".

What is clear is that he later ended up in Afghanistan, where he was held in secret, illegally and incommunicado, for two years.

Treatment in Afghanistan

"I have been put in jail in Afghanistan by the Americans, after I was arrested in...Egypt during a brief business trip. The CIA conspired with the Egyptian Mukhabarrat, making false allegations and threats against me, so as to justify their crime of kidnapping me..." Abdulsalam al-Hela, from a letter smuggled out of a jail in Afghanistan

In Afghanistan, Abdulsalam al-Hela was initially held in a small prison in Kabul which he called the "dark prison" because detainees were kept in pitch darkness 24 hours a day. A statement from Benyam [Binyam] Mohammed al-Habashi, who is also currently held in Guantánamo Bay, suggests that he was held in the same detention facility as al-Hela. The "dark prison" in Kabul was reportedly reserved for 'special people'. Benyam al-Habashi estimates that there were up to twenty people in the prison including "the Yemeni businessman from Sana'a" named Abdulsalam.

Recently declassified notes indicate that Abdulsalam al-Hela was kept in this prison for three and a half months. While there he states that:

- He was regularly stripped naked and interrogated.
- He was be suspended from the ceiling for prolonged periods.
- One hand was cuffed to the wall at all times making it difficult for him to sleep or go to the toilet
- Like Benyam Mohammed al Habashi he states that loud "sharp metallic rock music" was played 24 hours a day
- Detainees were kept in pitch black the entire time. Abdulsalam al-Hela states that the only time he saw light was when a bright strobe light was flashed in his eyes during interrogation, temporarily blinding him.

Abdulsalam says that he lost significant amounts of weight in the prison; compared to when he was kidnapped, he was 70 lb (31 kg) lighter. Benyam Mohammed al-Habashi states that in the prison "plenty [of the detainees] lost their minds" due to the constant interrogation and sensory deprivation. He also said that doctors seemed to be examining the patients to "make sure they lost weight".

Abdulsalam al-Hela was then transferred to another prison called Malidu, which was also in or near Kabul. He says that this was an underground, more modern facility where the

conditions were better. He was held here for two and a half months. During this time he was interrogated by the US for 15 consecutive days.

He was then taken to another detention facility in Afghanistan, where his jailors told him he was being held at the behest of the US. He was held here for one year and two months. Abdulsalam al-Hela says that he was tortured here, but emphasised that the psychological burden of being confined incommunicado was far worse than the physical abuse. The entire time he was at these prisons he did not see anyone from the Red Cross, let alone a lawyer.

Abdulsalam al-Hela was taken briefly back to the Malidu prison before being taken to Bagram air base. Abdulsalam al-Hela finds it difficult to talk about his time in Bagram. He told his lawyer that his “wounds are too many” and that he “doesn’t want to reopen them”. He simply stated that the conditions were “very, very bad”.

Guantánamo

“[We] want to know if this will go on forever, with no real trials, no human rights” Abdulsalam al-Hela

Abdulsalam al-Hela was transferred from Afghanistan to Guantánamo Bay on 17 September 2004. Abdulsalam al-Hela suffers from high cholesterol and diabetes. He also suffers from pain in his leg which was apparently broken during his time in US custody in Afghanistan. He alleges that he has consistently been denied adequate medical care.

While in Guantánamo Abdulsalam al-Hela alleges that he has been subjected to a range of abuses:

- On one occasion he was restrained by his hands and feet and a guard bit him. When he asked the guard why he was biting him, the guard replied ‘because you are a terrorist’
- He has been regularly beaten
- Once he refused to go to interrogation because prayer time had not been called. As punishment he was dragged from his cell, had all his belongings removed and was forced to sleep on the floor
- He alleges that the guards at the camp constantly insult and verbally abuse the detainees

Abdulsalam al-Hela was held in Camp V of Guantánamo, the harshest of the camps in the facility modelled on ‘supermaximum’ security units in the US mainland.

Abdulsalam al-Hela expressed his frustration and anger at the discrimination and presumption of guilt surrounding the detention regime at Guantánamo Bay. The detainees notice that most European detainees and many Afghan and Pakistani detainees have been released, yet most Arab detainees remain. He also talked of how guards would automatically presume they were ‘evil’ and ‘terrorists’; one guard asked Abdulsalam al-Hela ‘if you are innocent, why are you in Guantánamo?’

Tired of the abuse and injustice in the camp, Abdulsalam al-Hela embarked upon a hunger strike in July of 2005 with up to 200 other detainees. He lost 27 lb (12.3kg) during the first strike. He called off the first strike because the camp authorities had made numerous promises and concessions to the detainees, which they subsequently broke.

He started his strike again after Ramadan and he said that this time he ‘will not give up’ because ‘the most important thing [is that] the Geneva Conventions are applied’. During the most recent strike he alleges that detainees were being painfully force fed through nasal-gastric tubes during fasting hours in Ramadan.

Family

“I want my father back” Abdulsalam al-Hela’s son

Abdulsalam al-Hela’s family had to bear the intense emotional burden of his “disappearance”

for over a year. Though they since received confirmation that he was held in US custody in Afghanistan and later Guantánamo Bay, contact remains very limited. The family only receive letters intermittently, and these tend to be heavily censored by the US authorities.

‘Take extra care of my mother because I love her more than anything else on earth’
Abdulsalam al-Hela said the last time his lawyer visited him in Guantánamo, adding ‘take care of my children and raise them in a good environment’.

TAKE ACTION FOR Abdulsalam al-Hela

Write to the US authorities:

- Stating that Abdulsalam al-Hela and all the other detainees at Guantánamo Bay must be given fair trials or released
- Calling on the US to halt its practice of “extraordinary rendition” and to halt “disappearances” in the “war on terror”
- Calling on the US authorities to ensure that Abdulsalam al-Hela is afforded appropriate medical care and given adequate contact with his family, and that his family is kept fully informed of his legal status health and well-being;
- Calling for the US government to set up an independent commission of inquiry into all aspects of the USA’s “war on terror” detention policies and practices
- Calling for the detention facility at Guantánamo Bay to be closed and for all other “war on terror” detention facilities to be opened up to external scrutiny

Write to the Yemeni authorities:

- Calling on them to make diplomatic representations on behalf of Abdulsalam al-Hela
- Seeking assurances that if returned to Yemen, Abdulsalam al-Hela will be given a fair trial or released

Write to the Egyptian authorities:

- Calling for an independent investigation into the role of the Egyptian authorities in Abdulsalam al-Hela’s abduction and transfer into US custody

WRITE TO:

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