

PUBLIC

AI Index: AMR 51/018/2009

09 February 2009

UA 31/09 III-treatment/Health concern/Legal concern

USA Binyam Mohamed (m), aged 30  
Lakhdar Boumediene (m), aged 41  
Approximately 50 other Guantánamo detainees

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Approximately 50 detainees held in military custody at the US Naval Base in Guantánamo Bay, Cuba, are currently on hunger strike. The majority of the hunger strikers are being force-fed by the Guantánamo authorities. The force-feeding methods may amount to cruel, inhuman or degrading treatment. In addition, Amnesty International is concerned by reports of the use of excessive force against hunger strikers when being extracted from their cells, and the blanket use of the restraint chair during force-feeding, even in the case of detainees who do not resist.

Binyam Mohamed has been force-fed three times per day since 14 January. He recently told his lawyer how he witnessed other hunger strikers being forcibly extracted from their cells and beaten, apparently for refusing to be force-fed. Binyam Mohamed reported that he “voluntarily” goes to the force-feeding sessions out of fear of being subjected to the same treatment. He also reported that he is painfully strapped into a restraint chair for each of the force-feeding sessions. Although the feeding procedure may last only 15 minutes, Binyam Mohamed is strapped into the chair for two to three hours. Prolonged restraint appears unnecessary, since he allegedly does not physically resist the force-feeding procedure. Binyam Mohamed has been suffering from a digestive ailment for quite some time. Although a special diet has been recommended by several nutritionists, the Guantánamo authorities are reportedly refusing to grant approval for it.

Lakhdar Boumediene, who has been held in Guantánamo for more than seven years after being seized in Bosnia and Herzegovina in January 2002, has been on hunger strike since December 2006. Although he initially resisted being force-fed, he ceased to do so when his immediate release was ordered by a federal judge on 20 November 2008. However, Lakhdar Boumediene recently informed his lawyers that he nonetheless continues to be strapped into a restraint chair for each of the twice-daily force-feeding sessions. His wrists, torso and ankles are restrained, his head is forced back and tied, his mouth is gagged and a thick nasal tube is inserted in one of his nostrils. He has told his lawyers that the tube is often mistakenly inserted in his windpipe or lung. However, because of the gag, he is unable to inform the nurse when this happens. On 30 January, after Lakhdar Boumediene had protested being weighed as part of the force-feeding procedure, he was taken from his cell and moved to an undisclosed location at the Guantánamo detention facility. His lawyers have not spoken with him in three weeks and are extremely concerned about his health.

Amnesty International has received consistent reports that the nasal tubes are inserted without any anaesthetic. The hunger strikers are reported to regularly bleed and suffer from intense pain as a result of the insertion and removal of the tubes. The organization fears that the detainees may not be receiving adequate medical treatment for any injuries inflicted during force-feeding.

Ahmed Zuhair, a Saudi Arabian national, who has been on hunger strike since mid-2005 (see UA 350/08, 23 December 2008, <http://www.amnesty.org/en/library/info/AMR51/156/2008/en>), has described in a recent letter to his lawyers how all hunger strikers are now forcibly removed from their cells by members of Guantánamo’s cell extraction team, the “Immediate Reaction Force” (IRF), irrespective of whether they physically resist the force-feeding procedure. Amnesty International is seriously concerned about this apparent escalation from previous practices, especially in view of the consistent reports that members of the IRF subject the detainees to physical violence when extracting them from their cells and forcing them into the feeding procedure.

## BACKGROUND INFORMATION

On 22 January 2009, President Barack Obama ordered the closure of the Guantánamo detention facility within a year. Among other things, the executive order requires the Secretary of Defense to undertake an immediate review of the conditions of detention at Guantánamo to ensure they comply with “all applicable laws governing the conditions of such confinement, including Common Article 3 of the Geneva Conventions.” The review is to be completed by 17 February 2009 and “any necessary corrections” implemented immediately thereafter. On 3 February, the Pentagon announced that US Admiral Patrick M. Walsh, the Vice Chief of Naval Operations, would head the review. Amnesty International considers that the US authorities should also review the methods of force-feeding and should improve all conditions for detainees in Guantánamo pending closure of the prison camp to bring it into line with the USA’s international human rights obligations. See USA: The promise of real change. President Obama’s executive orders on detentions and interrogations, 30 January 2009, <http://www.amnesty.org/en/library/info/AMR51/015/2009/en>. Amnesty International is campaigning for President Obama to take a number of steps on counter-terrorism in his first 100 days, visit <http://www.obama100days.org/> for further information.

### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- welcoming President Obama's decision to close the Guantánamo detention facility and noting the review he ordered into the conditions in which the detainees are held;
- however, expressing serious concern at reports that Guantánamo detainees on hunger strike have been forced in a manner which may amount to cruel, inhuman or degrading treatment; and at reports of the use of excessive force during cell extractions of hunger strikers, and the blanket use of the restraint chair;
- calling for all the detainees who have participated, or who continue to participate in the hunger strike, to be given immediate access to adequate medical care and treatment;
- calling on the US authorities to include the methods of force-feeding in their ongoing review of the conditions of detention at Guantánamo and to ensure that all detainees are treated in accordance with all applicable international law and standards;
- calling for all the Guantánamo detainees to be immediately released unless they are promptly charged with a recognizably criminal offence and tried in full accordance with international standards for fair trial in US federal courts.

### **APPEALS TO:**

The Honorable Robert M. Gates, US Secretary of Defense,  
1000 Defense Pentagon, Washington DC 20301, USA  
**Fax: +1 703 571 8951**  
**Salutation: Dear Secretary of Defense**

The Honorable Eric H. Holder, Attorney General, US Department of Justice  
950 Pennsylvania Avenue NW, Washington, DC 20530-0001, USA  
**Fax: +1 202 307 6777**  
**Email: AskDOJ@usdoj.gov**  
**Salutation: Dear Attorney General**

Admiral Patrick M. Walsh, Department of the Navy, 2000 Navy Pentagon,  
Washington, D.C. 20350-2000, USA  
**Email: via website: <http://www.navy.mil/submit/contacts.asp>**  
**Salutation: Dear Admiral**

**COPIES TO:** diplomatic representatives of the USA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**