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Yemen: A Year on, the Sana'a Committee Demands Government Accountability with respect to Illegal Detention Centres Worldwide

(Sana'a, Yemen) A year on since its creation, the Sana'a Committee today sought assurances from governments in the Gulf region that all detainees held in the context of the "war on terror", including those transferred from Guantánamo Bay in Cuba or from other detention centres, would be treated humanely and according to international human rights standards.

"Hundreds of people face the threat of ending in another 'black hole' if they are transferred from Guantánamo to their countries. We call on every government, particularly governments in the Gulf region, to guarantee that no detainee is subjected to torture and that all are offered a due legal process that meets international human rights standards," participants in the one-day meeting in the Yemeni capital Sana'a urged.

The meeting is the second since the Committee was set up in April 2004 to follow up issues relating to detainees held without any judicial control in Guantánamo Bay and elsewhere. The outcome of the meeting, which was attended by relatives of detainees, human rights activists, parliamentarians and lawyers from the region and around the world, included agreeing ways to expand the mandate of the committee, strengthen coordination, maximize pressure on governments and endeavour to provide legal assistance to the families of all the detainees.

Participants also called for an end to the arbitrary and illegal detentions of hundreds of persons in Guantánamo Bay and other places in the world. They said it was time to close Guantánamo Bay and urged the US authorities to disclose the situation in other detention centres under its command.

They also welcomed some of the few positive developments that have taken place in the past year in relation to detainees in Guantánamo Bay. Those developments include, they said, the US Supreme Court's ruling that the US courts have jurisdiction to consider challenges to the lawfulness of Guantánamo detentions in addition to access to lawyers that was previously denied.

"Those developments constitute a step towards establishing the rule of law for the hundreds of non-US nationals in military custody in Guantánamo. But more than a year after the United States Supreme Court ruled that the US courts have the jurisdiction to consider appeals, not a single

detainee held there has had a lawful review of his detention," said Clive Stafford Smith, a lawyer representing several Gulf nationals held in Guantánamo Bay. "We remain concerned about those who continue to be detained beyond judicial control."

Hundreds of detainees remain held in incommunicado detention in secret locations while being denied judicial access and at risk of torture or ill-treatment. Those detainees should be released unless they are charged with recognizably criminal offences and brought to trial in full accordance with international standards and without resort to the death penalty, participants asked.

"Turning Guantánamo Bay into a permanent prison facility will not make it a more acceptable option," said a relative of a Yemeni detainee in reaction to the US administration's decision to build a new facility in Cuba that was announced on Friday 17 June.

"Governments in the Gulf region must not use human rights violations by the US government to justify their own violations," said Abdel Salam Sidahmed, Director of the Middle East and North Africa at Amnesty International. "Governments of the USA and Gulf countries should disclose the names and locations of those detained, grant them full access to lawyers, doctors, families and allow immediate access to the International Committee of the Red Cross."

Participants reminded the USA and other countries where people are detained in the context of the "war on terror" about their responsibility to halt the forcible return of foreign nationals to countries where they would face serious human rights violations. All people in detention are entitled to protection, including access to lawyers, medical assistance and access to their families, they said. Furthermore, all states must ensure strict compliance with human rights standards in any security cooperation between states and in all security training programs.

Families of the detainees asked to be kept fully aware of their relatives' physical and health and psychological welfare, and be able to send and receive letters from them. They also asked to be provided with adequate support and assistance including the granting of legal aid.

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