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## **GUANTANAMO BAY DETAINEE STATEMENTS**

*Jum'ah Mohammed AbdulLatif Al Dossari, Isa Ali Abdulla Al Murbati,  
Abdullah Al Noaimi and Adel Kamel Abdulla Haji*

October 2005

## INTRODUCTION

Dorsey & Whitney LLP represents six Bahraini citizens who are detained at the U.S. Naval Base in Guantanamo Bay, Cuba. The following is a summary of statements made by certain of our clients during interviews we conducted in Guantanamo Bay.

Pursuant to an order entered by the U.S. District Court in the *habeas corpus* litigation that has been initiated by a number of detainees, all notes taken during client interviews at Guantanamo Bay are classified unless reviewed and deemed unclassified by the U.S. Department of Defense. The statements upon which this summary is based have been reviewed by the Department of Defense and deemed unclassified.

Because client interview notes are classified until deemed otherwise, we are required to provide all notes that we take while speaking with our clients at Guantanamo Bay to U.S. military personnel following each client interview. Pursuant to the court order and military regulations, the notes are to be sent by military personnel, via secure means, to a secure facility in Crystal City, Virginia, where counsel with security clearance are permitted to review classified materials. In violation of the court order and military regulations, the attorney-client-privileged notes that we provided to U.S. military personnel at Guantanamo Bay following one visit were sent via regular mail from Guantanamo Bay to the secure facility. The notes that we took with Isa Ali Abdulla Al Murbati during that visit never arrived at the secure facility. According to the U.S. Department of Justice, these notes may have been "lost in the mail." As a result, we are unable to include as many statements from Mr. Al Murbati as we would have otherwise.

## SUMMARY OF STATEMENTS MADE BY CLIENTS

### I. Jum'ah Mohammed AbdulLatif Al Dossari

#### A. Treatment While in U.S. Custody in Afghanistan

Mr. Al Dossari was seized in Pakistan in or around December 2001 and held by Pakistani authorities for several weeks. Mr. Al Dossari was transferred from Pakistan to Kandahar Air Base in Afghanistan via airplane by U.S. authorities. On the plane, he was shackled by chains on his thighs, waist and shoulders, with his hands tied behind him. The chains were so tight around his shoulders that he was forced to lean forward at an extreme angle during the entire flight. This caused great pain to Mr. Al Dossari's stomach, where he had had an operation some years before. When Mr. Al Dossari complained about the pain, he was hit and kicked in the stomach, causing him to vomit blood.

Upon arriving in Kandahar, Mr. Al Dossari and other detainees were put in a row on the ground inside a tent. U.S. Marines urinated on the detainees and put cigarettes out on them (Mr. Al Dossari has scars that are consistent with those that would be caused by cigarette burns). A U.S. soldier pushed Mr. Al Dossari's head into the ground violently and other soldiers walked on him. Mr. Al Dossari lay on the ground for approximately an hour, wearing only a thin pair of overalls he had been given in jail in Pakistan, despite the fact that it was January and the weather was quite cold.

Mr. Al Dossari and the other detainees were then tied together by a wire that was placed around their arms, and taken to a tent (the tents were open on the sides except for barbed wire). In the tent, Mr. Al Dossari was kicked in the head, and hit in the eye with an object that he was not able to identify. A soldier put a boot he was wearing into Mr. Al Dossari's mouth. Other detainees received similar treatment.

Mr. Al Dossari was then brought to a different location, where photos of him were taken. At that point, Mr. Al Dossari began to offer to do anything requested of him (for example, to admit to being a terrorist, to sign a statement, etc.) in the hopes of preventing further beatings.

The next morning Mr. Al Dossari was taken for an interrogation. Prior to arriving at the interrogation room, he was made to walk barefoot over barbed wire and his head was pushed to the ground on broken glass; Mr. Al Dossari has scars visible today that he attributes to this experience.

In the interrogation room, Mr. Al Dossari told his interrogator that there was no need to beat him because he would sign any statement put in front of him. The interrogator told him that beatings were not permitted. Thereafter, the interrogator left the room and other soldiers arrived. These soldiers carried an electric device of some sort with which they shocked Mr. Al Dossari. The soldiers told Mr. Al Dossari that they knew he was a terrorist and that he should so confess. A very hot liquid (Mr. Al Dossari believes it was tea) was then poured on Mr. Al Dossari's head. Mr. Al Dossari asked for a doctor and, in response, was spat upon by a U.S. soldier who said, "we brought you here to kill you."

During the subsequent two weeks, Mr. Al Dossari was housed in freezing tents. Soldiers would line up Mr. Al Dossari and other detainees at night and threaten to shoot anyone who moved. Then, instead of shooting, the soldiers would beat anyone who moved. Because of the cold and being awakened by soldiers, sleep was virtually impossible. One bucket served as a bathroom for all detainees in a given tent.

Mr. Al Dossari was interrogated several more times while in Kandahar. During one interrogation, Mr. Al Dossari was beaten to the point that he began to cry. His crying seemed to cause the beating to become more intense. Eventually, Mr. Al Dossari vomited blood and then fainted. When Mr. Al Dossari regained consciousness, he was lying on the ground with his head under a soldier's boot. He was returned to the tent by soldiers who cursed the Muslim prophet Mohammed.

Red Cross representatives visited Mr. Al Dossari in Afghanistan and were able to observe clear signs of physical abuse on Mr. Al Dossari.

There was a pre-existing mosque at the Kandahar Air Base. A cross had been placed on the top of the mosque.

Mr. Al Dossari saw Marines using pages of the Koran to shine their boots at Kandahar.

## **B. The Trip to Guantanamo Bay**

One night, in or around the end of January 2002, military personnel put a very tightly fitting pair of goggles (the lenses of which had been blackened) onto Mr. Al Dossari, along with a pair of plastic safety ear muffs (such as those worn by airport personnel). Mr. Al Dossari and other detainees were taken to an airplane, the engine of which could be heard despite the ear muffs. Mr. Al Dossari was taken inside the airplane and chained to some portion of the airplane's interior with other detainees. When he complained about the discomfort of being chained in this manner, Mr. Al Dossari was hit repeatedly. Eventually, however, he was given pills which induced him to sleep.

After many hours, the plane landed. Mr. Al Dossari was dragged off the plane, still chained to other detainees. Mr. Al Dossari and the other detainees were put on a second plane. By this point, Mr. Al Dossari's nose was bleeding, which he attributes to the fact that the goggles he was wearing fit so tightly to his face. Mr. Al Dossari was again given what he believes were sleeping pills.

The second plane landed in what Mr. Al Dossari later discovered to be Cuba. He and the other detainees were made to lie on the ground for hours upon their arrival, still chained together. Mr. Al Dossari was then taken to a cement building, where his goggles were finally removed, as was his clothing. Mr. Al Dossari was given a cold shower. He was then questioned and photographed. He was also instructed to write to his family, which he did.

## **C. Camp X-Ray**

### **1. Conditions in Camp X-Ray**

Mr. Al Dossari was taken to a camp that he later learned was called Camp X-Ray. At the time of Mr. Al Dossari's arrival in Camp X-Ray, the detainees were forbidden to speak with each other, to pray or even to move within their cells. After several weeks, the detainees were allowed to sit in order to pray. Subsequently, they were allowed to move in order to face Mecca while praying. However, when new detainees arrived, the restrictions on praying and moving were imposed again for various periods of time.

In Camp X-Ray, there were no bathrooms in the detainees' makeshift cells. Detainees were shackled painfully before being escorted to the bathrooms. For this reason, detainees began refusing to go to the bathrooms. As a result, buckets were given to detainees to use in their cells.

Frequently, rats, snakes and scorpions entered Mr. Al Dossari's cell, because the cell was fully exposed to the outdoors. In addition, the clothing that Mr. Al Dossari was given was always quite dirty and caused him to develop rashes. Mr. Al Dossari was allowed three-minute showers every four days or so. Furthermore, no exercise was allowed, although this rule was later modified to allow for occasional periods of exercise that lasted no longer than ten minutes.

During this initial period in Camp X-Ray, copies of the Koran were sometimes thrown on the floor. On one occasion, a detainee was beaten while praying. This beating sparked a hunger strike.

**a. Beating by Immediate Response Force**

On one occasion, Mr. Al Dossari returned to his cell and saw that the few items that had been in the cell had been removed. The head of shift, an MP named Webster, pushed Mr. Al Dossari to the ground of the cell and cursed at Mr. Al Dossari. Mr. Al Dossari yelled in response. Webster then told staff sergeant Branch (or Blanche) to bring an immediate response force ("IRF").

A lieutenant arrived and Branch informed him that an IRF had been summoned. Mr. Al Dossari was told by the lieutenant to go to his knees. In response, Mr. Al Dossari lay on the floor with his hands on his back.

When the IRF arrived, a female MP entered with the IRF, even though she was not a member of the IRF. At this time, Mr. Al Dossari saw that Branch had a video camera and was filming the scene.

The IRF opened the door to Mr. Al Dossari's cell. An MP named Smith jumped on Mr. Al Dossari's back wearing full riot gear. According to other detainees who viewed this incident, Smith weighed approximately 240 pounds. Mr. Al Dossari then felt at least two men holding him by his legs. Smith began to choke Mr. Al Dossari with his hands and the female MP repeatedly hit Mr. Al Dossari's head on the floor. Mr. Al Dossari lost consciousness.

Detainees from the United Kingdom later told Mr. Al Dossari that the IRF team had pulled up Mr. Al Dossari's face for the video camera that Branch held after Mr. Al Dossari lost consciousness. These individuals, who have been released from Guantanamo Bay, drafted a report that addresses this incident. These detainees report that Mr. Al Dossari was removed from his cell on a stretcher, and the cell was cleaned with water. The report further describes Mr. Al Dossari's cell as having been so covered in blood that the water used to clean it turned red. According to the report, this episode was captured in its entirety on videotape. The former detainees told Mr. Al Dossari that this event occurred on April 27 or 28, 2002.

Mr. Al Dossari awoke in the hospital tent, unable to move. He saw doctors and Branch, who still had the video camera. Mr. Al Dossari was then taken by ambulance to the regular U.S. Naval Hospital at Guantanamo Bay, where a CAT scan was performed. He was then returned to the detainee hospital tent, although he made several trips back to the Naval Hospital.

During one visit to the hospital, Mr. Al Dossari was seen by two representatives of the International Committee of the Red Cross, including a doctor (perhaps with the last name Casbar). The doctor seemed quite upset by the condition in which he found Mr. Al Dossari and told Mr. Al Dossari that he would make an inquiry of the U.S. military regarding the incident.

Mr. Al Dossari later asked Smith why Smith had beaten him. Smith replied, "because I'm Christian."

A delegation from the Bahrain Interior Ministry visited Mr. Al Dossari approximately one month after he had been beaten by the IRF. Mr. Al Dossari's face was still swollen from the beating at the time of this visit.

We have been informed that the government of Bahrain made a formal request to the U.S. Department of State to investigate this incident. No response has been made to this request.

After the visit by the delegation from Bahrain, a large African American man who identified himself as an FBI agent and a white man in a military uniform interrogated Mr. Al Dossari with the assistance of a Lebanese interpreter. The interrogation took place in Camp Delta. The two men observed the injuries to Mr. Al Dossari's face and asked what had happened. Mr. Al Dossari told them about the IRF beating. The two men told Mr. Al Dossari that they would investigate the incident. In subsequent meetings during the next several months, the two men never mentioned the incident again.

Approximately a year after the beating, an interpreter who called herself Alya asked Mr. Al Dossari about the incident. She said that she was inquiring because her "friend" was concerned about it. Mr. Al Dossari told Alya that there was a video of the incident and Alya said she would try to locate it. Alya never spoke to Mr. Al Dossari about the incident subsequently.

These events are addressed in "Inside the Wire," a book by Erik Saar, a former Guantanamo Bay military intelligence interpreter. According to Mr. Saar, Mr. Al Dossari's face was "black and blue" after the beating. Mr. Saar also writes that "the MPs had somehow lost the videotape" of this incident.

Further, the military has released a document dated June 7, 2002, which describes an interview conducted with a Guantanamo Bay detainee by an FBI special agent and a member of the Naval Criminal Investigative Service; all names are redacted from the document. Nonetheless, this document contains a description by a detainee of a beating that is essentially identical to Mr. Al Dossari's description as presented above. The document states that the detainee had "what appeared to be a recent wound on the bridge of his nose." Mr. Al Dossari has a scar on the bridge of his nose that he attributes to this IRF beating.

## **2. Interrogations in Camp X-Ray**

Mr. Al Dossari was interrogated repeatedly while in Camp X-Ray. It took approximately 15 minutes to walk to the interrogation room from Mr. Al Dossari's cell. Mr. Al Dossari was shackled quite uncomfortably during this walk, and the soldiers who escorted him would push his head down and force him to move very quickly, which made the shackles even more painful.

On one occasion in the interrogation room, an MP trained a rifle directly on Mr. Al Dossari at close range, despite the fact that Mr. Al Dossari was shackled to the floor. On another occasion an interrogator in civilian clothing threatened to send Mr. Al Dossari to a prison with murderers, where he said Mr. Al Dossari would be raped.

At a subsequent interrogation, Mr. Al Dossari was told that it was known that he was a low-level al Qaeda soldier and that if he admitted this, he would spend five to ten years in prison. If he did not confess, Mr. Al Dossari was told, he would spend 50 years or perhaps the rest of his life in jail.

During another interrogation, a woman Mr. Al Dossari believes was of Egyptian origin banged Mr. Al Dossari's head on a table. Furthermore, the chain wrapped around Mr. Al Dossari's waist was so tight that it caused him to vomit.

On a different day, Mr. Al Dossari was shown a flyer that contained photographs of the faces of bin Laden and high-ranking Taliban officials. The photographs had been altered so that one-half of the faces were skeletons. Mr. Al Dossari was asked if he thought these flyers should be dropped in Afghanistan.

#### **D. Camp Delta**

##### **1. Conditions in Camp Delta**

In or around the spring of 2002, Mr. Al Dossari was moved to Camp Delta. Several days after arriving in Camp Delta, Mr. Al Dossari was unable to eat because of stomach pain. He was sent to solitary confinement for five days as a result.

On or about Christmas 2002, the head of shift banged on detainees' cells, yelling Merry Christmas and cursing Allah. In response, Mr. Al Dossari and other detainees began yelling and Mr. Al Dossari then began praying. The head of shift came into Mr. Al Dossari's cell and hit Mr. Al Dossari repeatedly. The head of shift then put Mr. Al Dossari's flip-flops on Mr. Al Dossari's copy of the Koran. Subsequently, a lieutenant arrived and entered Mr. Al Dossari's cell, whereupon he hit Mr. Al Dossari.

In early 2004, Mr. Al Dossari received treatment in the detainee clinic. In the clinic, Mr. Al Dossari was given only shorts and a t-shirt to wear, despite the fact that his room was quite cold due to excessive air conditioning. At one point, his blanket was taken from him on orders from a doctor. Mr. Al Dossari was not provided with the plastic flip-flops normally given to detainees and, therefore, he was forced to use the toilet in his bare feet, which is forbidden in Islamic culture. Mr. Al Dossari's doctor refused to allow Mr. Al Dossari to have a copy of the Koran.

##### **a. Isolation and Interactions with a Psychiatrist**

Mr. Al Dossari was transferred from the clinic to cell number 1 in the India Block of Camp Delta. Mr. Al Dossari remained in this cell in isolation for approximately five months. Mr. Al Dossari was not permitted to leave the cell during these five months other than for a handful of interrogations and weekly showers.

Upon arriving in this cell, Mr. Al Dossari discovered that the cell's faucet had been locked. Therefore he was forced to ask MPs for water. The MPs provided single cups of water that often had a dark color and very unpleasant odor. On these occasions, if necessitated by thirst, Mr. Al Dossari drank from the toilet in his cell.

Some months later, Mr. Al Dossari began to receive five basins of water daily. However, this water also was often darkly-colored. When Mr. Al Dossari complained, an African-American female sergeant told him that MPs had spit in the water while chewing tobacco; it was at this point that Mr. Al Dossari understood why the cups of water that he had been provided earlier often had had a brownish color and foul smell.

During the first several months that Mr. Al Dossari spent in India Block, he was not given a mattress, blanket or clothes other than shorts. His cell was kept quite cold and Mr. Al Dossari would wrap himself in the thin mat he had been given in an attempt to stay warm. After some time, Mr. Al Dossari was given pants, but they were taken away after several days. A corpsman told Mr. Al Dossari that a doctor had ordered that the pants be taken. In his fourth month in India Block Mr. Al Dossari received a t-shirt.

For the first two weeks in the India Block cell, Mr. Al Dossari was not provided with any toilet paper. Thereafter, he was given seven squares of toilet paper daily.

During the first few months in India Block, a psychiatrist known as "Dr. P." visited Mr. Al Dossari weekly. During this time, a sergeant told Mr. Al Dossari that Dr. P. had ordered that Mr. Al Dossari not be given a mattress, additional clothing or toilet paper. Upon learning this, Mr. Al Dossari asked Dr. P. for changes in his conditions of confinement. In response, Dr. P. laughed.

Approximately three months after being transferred to India Block, Mr. Al Dossari was being interrogated when Dr. P. entered the interrogation room. He told Mr. Al Dossari that he was leaving Guantanamo and that he had come to say goodbye. He said to Mr. Al Dossari, "I hope you have a terrible life. You're a big criminal."

On several occasions, an overweight white man with glasses, who identified himself as a psychiatric doctor (not Dr. P.), interrogated Mr. Al Dossari. Mr. Al Dossari was told by an interpreter that this man, who was in uniform, was with naval intelligence. Other interrogators, corpsmen and nurses told Mr. Al Dossari that this doctor was responsible for determining the manner in which interrogations could be conducted, including with respect to applying pressure to detainees. The doctor had extensive knowledge about Mr. Al Dossari's background and questioned Mr. Al Dossari extensively regarding many issues, including Mr. Al Dossari's childhood.

## **2. Interrogations Generally in Camp Delta**

Mr. Al Dossari was interrogated on numerous occasions in Camp Delta (most of which occurred other than when Mr. Al Dossari was in India block). Once, an interrogator wrapped Mr. Al Dossari in Israeli and U.S. flags; this tactic has been described in an eyewitness account of an FBI agent who observed interrogations at Guantanamo Bay. Mr. Al Dossari was then asked by the interrogator for his opinion regarding the U.S.'s support of Israel. The interrogator told Mr. Al Dossari that a holy war was occurring, between the Cross and the Star of David on the one hand, and the Crescent on the other.

On another occasion, Mr. Al Dossari was short-shackled to the floor of an interrogation room for approximately 16 hours. The floor had been treated with excessive amounts of a powerful cleaning product that made breathing very difficult.

At another time, interrogators told Mr. Al Dossari that he had failed a polygraph examination he had taken previously and that they knew he had been involved in the September 11 attacks.



Interrogators threatened to kill Mr. Al Dossari's family. Interrogators also told Mr. Al Dossari that he would be killed or, alternately, detained in Guantanamo Bay for the rest of his life.

On many occasions, interrogators who identified themselves as FBI agents told Mr. Al Dossari that he would be sent to Saudi Arabia, Jordan, Egypt or Israel to be tortured.

**a. Female Interrogators/Sexual Themes in Interrogations**

Mr. Al Dossari was frequently questioned by female interrogators in Camp Delta. One such interrogator was an American who spoke Arabic and identified herself as Sara. Sara interrogated Mr. Al Dossari weekly during one period. Sara dressed in a military uniform during certain sessions, while at other times she wore shirts that revealed her stomach, chest and back. She often sat close to Mr. Al Dossari during interrogations, although she did not touch him.

Two women whom Mr. Al Dossari believes were interpreters were present for a number of Mr. Al Dossari's interrogations. One said her name was Mouna and that she was Palestinian. The other gave her name as Shymaa and, based on her accent, seemed to be Egyptian. Both often wore revealing shirts during interrogations. Mouna in particular would also smile suggestively and joke with Mr. Al Dossari, while telling him that she knew there were things he was not telling her.

In mid-2003, Mr. Al Dossari was interrogated by a woman who identified herself as an FBI agent. She told Mr. Al Dossari that if he cooperated, she could arrange for him to have sex with interpreters Mr. Al Dossari knew named Layla and Alya, or with certain nurses. Mr. Al Dossari did not respond.

On another occasion in or around mid-2003, Mr. Al Dossari was taken to an interrogation room in the Orange Building in Camp Delta. Adjacent to this interrogation room was a computer room. The door to the computer room was open when Mr. Al Dossari was brought into the interrogation room and shackled to the floor. Through the door Mr. Al Dossari saw a man and woman who were naked and having sex on a table in the computer room. The MPs who brought Mr. Al Dossari into the interrogation room observed this as well, although they quickly left after shackling Mr. Al Dossari. After several minutes, the man got up from the table and removed a condom that he had been wearing. He gave Mr. Al Dossari a "thumbs-up" gesture and asked, "good?" The man and woman then dressed and came into the interrogation room. The man showed Mr. Al Dossari pictures of people wearing traditional Saudi dress. He asked if Mr. Al Dossari could tell him anything about the people in the pictures. He said that if Mr. Al Dossari provided any information Mr. Al Dossari could have sex with his "girlfriend," indicating the woman. Mr. Al Dossari did not respond and after approximately 30 minutes of further questioning the man and woman left. Mr. Al Dossari had never seen these individuals before this incident and has not seen them since.

In early September 2002, on a Saturday close to midnight, Mr. Al Dossari was taken to an interrogation room. There was a female interrogator and four MPs in the interrogation room; one of the MPs had a video camera. The female interrogator told Mr. Al Dossari that it was his last chance to confess to being a terrorist and a member of Al Qaeda, and of having been involved in

the 9/11 attacks. She told Mr. Al Dossari that nobody was around because it was a Saturday night and that he would see something that he had never seen before.

The MPs made Mr. Al Dossari lie on his back and shackled his feet to a ring in the floor. Mr. Al Dossari was handcuffed and a shackle was attached to the handcuffs. The MPs pulled the shackle above Mr. Al Dossari's head violently, extending Mr. Al Dossari's arms above his head. The female interrogator then signaled to another guard to cut off Mr. Al Dossari's clothes with scissors. Mr. Al Dossari tried to resist, but the MPs simply pulled the shackle on his handcuffs even harder. Eventually, the MP removed all of Mr. Al Dossari's clothing.

The female interrogator took off all of her clothing except her underwear. She stood above Mr. Al Dossari and took off her underwear. Then, she removed a menstrual pad or tampon that she had been wearing, causing menstrual blood to drip onto Mr. Al Dossari's genitals. Mr. Al Dossari pulled against his handcuffs to the point that his hands became blue. He spit at the interrogator.

The interrogator smeared blood on Mr. Al Dossari's chest. The female interrogator was wearing a necklace with a cross with a crucifix. She kissed the cross and said, "this is a gift from Christ for you Muslims." Then, she smeared blood on Mr. Al Dossari's face. Thereafter, the female interrogator put her clothes on and left. The entire episode was captured by the MP's video camera. Mr. Al Dossari was left naked on the floor for two to three hours. Then, MPs came and took him to the bathroom and allowed him to wash himself before taking him back to his cell block near dawn.

## **E. Camp 5**

Mr. Al Dossari was transferred to Camp 5 in or around May 2004.

### **1. Conditions in Camp 5**

Mr. Al Dossari's cell is kept at a very cold temperature through the use of an air conditioner. The light in his cell remains on continuously throughout the day and night. There is an extremely loud fan that runs constantly in the corridor outside Mr. Al Dossari's cell. Mr. Al Dossari was told once by the head of shift that interrogators had issued the instruction to keep the fan running. MPs talk loudly and play radios throughout the night, which makes it even more difficult to sleep.

A bleach-based cleaning agent is spread on the floor outside of Mr. Al Dossari's cell. This, combined with a lack of ventilation, makes breathing difficult at times.

The water from the faucet in Mr. Al Dossari's cell is yellow and has the odor of sewage. On one occasion, Mr. Al Dossari saw worms in the water. When he told an MP what had happened, he was told simply, "try again." Because Mr. Al Dossari is a level one detainee he is allowed to

have one bottled water per month.<sup>1</sup> (All military and civilian personnel working at Camp 5 drink bottled water).

Many of the meals served in Camp 5 are small and nearly inedible; occasionally, the food is rotten. However, during certain periods, Mr. Al Dossari has received Meals-Ready-to-Eat ("MREs") in the evening, which are a great improvement on the food served otherwise. Based on Mr. Al Dossari's experience and that of other Camp 5 detainees, the meals in Camp 5 are smaller than the meals in other camps.

Mr. Al Dossari is allowed to exercise generally for one hour per week (sometimes for only ½ hour) by himself in a small pen.

Typically, there is only one call to prayer per day in Camp 5, despite complaints that have been made to the sergeant on guard and various guard commanders. Otherwise, detainees attempt to estimate appropriate times to pray. On occasion, MPs mimic and ridicule the call to prayer.

Mr. Al Dossari at one point was permitted to have Arabic-language novels in his cell; these novels were given to him by an interrogator. Since early 2005, Mr. Al Dossari has not been permitted to have any novels. The only reading materials he is allowed are the Koran, attorney-client letters and family letters, which arrive long after being sent and are heavily redacted.

The conditions under which Mr. Al Dossari lives deteriorated even further at the end of March/early April 2005. At that time, the military stopped providing MREs to Mr. Al Dossari and stopped providing him with a multi-vitamin that he had been taking previously. When Mr. Al Dossari asked about this, an African American sergeant on guard and certain MPs and corpsmen told him the interrogation team had ordered that Mr. Al Dossari was not to be given MREs, and that only the interrogators could alter this order. At one point, Mr. Al Dossari vomited blood and used the blood to write "I need a cure" on the wall of his cell. Thereafter, Mr. Al Dossari began to receive the multi-vitamin again.

Also at the end of March/early April 2005, the military began allowing Mr. Al Dossari to shower only every five or six days as opposed to earlier when he had been allowed to shower approximately every three days. Further, whereas previously he had walked to the shower room with other detainees (allowing for brief conversation), MPs began taking him to the shower alone or with one mentally ill detainee.

At the end of June 2005, MPs broke the arm of Hisham, a Tunisian detainee.

On average, an IRF is called to deal with a detainee two times per week. These episodes are always recorded on videotape.

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<sup>1</sup> It has been reported by our clients and the U.S. military that detainees are given one of four rankings: level-one; level-two; level-three; or level-four. Level-one detainees are theoretically given the most favorable treatment, while level-four detainees are treated most punitively. It has been reported that rankings are based on putative cooperation with interrogators and MPs.

## **2. Camp 5 Interrogations, Including Regarding Attorney/Client Communications**

Mr. Al Dossari is interrogated in Camp 5 on the same topics that have been the subject of his interrogations since arriving at Guantanamo Bay. Mr. Al Dossari is frequently threatened with transfer during interrogations at Camp 5. More specifically, interrogators have threatened to send Mr. Al Dossari to Bagram Airforce Base in Afghanistan, telling him that nothing would prevent them from doing so and that he should be thankful that he hasn't been sent there yet. The interrogators have told him that conditions in Bagram are far worse than in Guantanamo Bay and that some number of detainees will have to go there.

During the week in which Mr. Al Dossari first met with his attorneys in October 2004, interrogators questioned him with respect to the content of his communications with his attorneys. Since that time, Mr. Al Dossari has been told by interrogators in military and civilian dress that his lawyers are liars. He has also been interrogated regularly regarding the status of his *habeas* case, as well as his interactions with his attorneys. Interrogators also have told him that they know the substance of his conversations with his attorneys.

On the last day of a visit with his attorneys in March 2005, a white male interrogator wearing a military uniform came to the cell in Camp Echo where Mr. Al Dossari had been held while meeting with his attorneys. The interrogator's demeanor was angry. He yelled that Mr. Al Dossari should forget the torture that he had suffered or he would not be able to live in peace.

Mr. Al Dossari has often found his attorney-client privileged papers spread out around his cell following cell searches.

Other detainees have related to Mr. Al Dossari statements that were made to them regarding their attorneys. For example, Fouad Arabia, a Kuwaiti detainee, was told that if he complained to his lawyers about conditions at Guantanamo Bay he would be kept there for life. Other detainees reported having been told that their attorneys worked for the CIA. One detainee was mocked by an interrogator for signing an acknowledgment of representation form (which is required by the Court) that was in English, a language the detainee does not speak. The interrogator told the detainee that he had signed a statement proving the "charges" against him. The statements of interrogators regarding attorneys have caused general anxiety among certain Camp 5 detainees.

## **3. Medical Treatment**

Since mid-2003, Mr. Al Dossari has experienced pain in the area of his heart, as well as pain and numbness in his left arm and up through his neck. At times, his lips become numb as well. In early 2005, a doctor examined Mr. Al Dossari with nothing more than a stethoscope, and told Mr. Al Dossari simply, "everything is fine." Mr. Al Dossari also suffers from dizziness and fell during a dizzy spell in the spring of 2005; a corpsman who examined Mr. Al Dossari after the fall told him that it was a "muscular" issue. Mr. Al Dossari finds that the pace of his heartbeat radically increases every few days with no warning. Mr. Al Dossari suffers regularly from headaches and nausea.

Mr. Al Dossari requested an examination by a dentist. Six months later, he was seen by a dentist. Despite the fact that Mr. Al Dossari is experiencing pain at the roots of his teeth, the dentist informed him that his condition was "not serious" and that he would be put on a waiting list for further treatment.

Mr. Al Dossari has had vision problems that he attributes to having spent five months in the India Block cell that had little light and well over a year in a Camp 5 cell that is constantly and brightly lit. He is unable to see objects that are at a distance or particularly close to him. In mid-2005, a doctor examined Mr. Al Dossari and diagnosed these vision problems, but said "we don't make eyeglasses here." Mr. Al Dossari has since received prescription glasses, but the prescription is not correct. His requests for another appointment with the doctor have gone unanswered.

Mr. Al Dossari complained to this doctor regarding the yellow color of the water in his cell and was told by the doctor that there was "no solution."

One evening, a scorpion bit Mr. Al Dossari while he was praying (Mr. Al Dossari and others in Camp 5 have found dead scorpions in their food). Mr. Al Dossari had a violent reaction, which left him shaking and sweating. After Mr. Al Dossari requested assistance for several hours, a corpsman came and gave him Tylenol and anti-itching medicine.

Mr. Al Dossari has frequent nightmares and wakes up screaming at times. He finds himself shaking and suffering from spasms. He believes that seeing a psychological specialist could be helpful, but based on his earlier experiences does not trust any doctors at Guantanamo. Also, if a detainee responds affirmatively to the question "do you want to hurt yourself?" when asked by a doctor at Guantanamo, the detainee is stripped of any items he might have in his cell. If a detainee responds negatively to the inquiry, he is left alone.

#### **4. Hunger Strike (June 20, 2005 through July 27, 2005)**

In mid-June 2005, the detainees in the Alpha block of Camp 5 agreed to begin a hunger strike. This plan was communicated to other detainees in Camp 5 and it met with general approval.

On or about June 20 and for the next week, detainees in Alpha block did not eat breakfast. The following week, these detainees refused breakfast and lunch. By the beginning of July most detainees in Camp 5 were refusing all food. Certain detainees who were ill did not participate.

Detainees in Camp Delta learned of the Camp 5 hunger strike and began to participate as well.

The hunger strike was not precipitated by a single specific event, but rather was in response to the conditions under which detainees have lived for over three years. More specifically, detainees wished to protest, among other things:

The fact that they continue to be held without having had fair hearings;

The fact that their religious practices are interfered with. For example, at times in Camp 5 the call to prayer would be started and stopped before completion. Also, MPs would talk loudly during the call to prayer or mimic it;

The fact that detainees are not provided medical care as necessary;

The fact that the food provided to detainees is often rotten and that the tap water in Camp 5 is often yellow and brackish; and

The fact that the military classifies detainees by level based upon putative cooperation with interrogators and uses these classifications to grant or deny privileges to some detainees.

The message the detainees wished to send was: "Solve these issues or we want to die."

With respect to detainee classification, toward the end of June 2005, Camp 5 detainees whose classification levels allowed them to have "comfort items," such as one bottle of water per month, began to refuse those comfort items. These detainees, who are given tan-colored clothing, handed in their clothing except for shorts and asked for orange-colored clothing; detainees deemed to be uncooperative and given the worst classification levels are made to wear orange. The purpose of these actions was to underscore the point that the detainees feel all detainees should be treated equally.

There were also reports that detainees in Camp Delta's Camp 4 asked to be moved from that camp so that they would not have the special privileges provided there.

Once the hunger strike began, many detainees required medical care. The small medical room in Camp 5 was overwhelmed and cots were placed in interrogation rooms to accommodate detainees who had passed out. Soon, the detainee medical clinic was full. One guard commander told detainees that five detainees were in critical condition.

The military believed that a detainee named Shakir, who is a United Kingdom resident and had been in Camp 5, had instigated the hunger strike. Shakir was removed from Camp 5 and brought to the hospital.

In the hospital, military officers met with Shakir. Shakir presented demands that would have to be met for the hunger strike to end. The officers agreed to the demands.

Shakir and a group of officers then visited the various cell blocks in Camp 5. Shakir told the detainees that they should end the strike and give the military a month to fulfill the promises that had been made. An officer who accompanied Shakir asked the detainees to give the military such a chance. The officer said that international law would be "recognized" at Guantanamo, that a leader could be chosen for each cell block who would have the opportunity to meet with military officials to communicate concerns, and that conditions would be improved generally.

In response, the detainees agreed to end the strike. The strike was broken in Camp 5 with an MRE on July 27 at 10:00 pm.

On July 28, all detainees in Camp 5 were classified as level one (the classification level for the most cooperative detainees). In addition, there appeared to be improvements in the food and detainees were given a bottle of water with each meal. Also, there were no disturbances during the call to prayer; even the large, noisy industrial fans that are run outside the cells in Camp 5 were turned off during the call to prayer. Further, whereas three bright fluorescent lights

previously had been kept on 24 hours a day in Camp 5 cells, only one small light was kept on in the cells from 11:00 p.m. to 5:00 a.m. Also, leaders were selected by each cell block.

However, almost immediately thereafter, detainees began to complain that the food had reverted to its former poor form, indicating that the officer who had made promises had lied. Also, the military did not meet with the detainee representatives as had been promised.

Many detainees have pledged to begin a more serious hunger strike if the military does not fulfill its promises.

#### **F. Pliant Detainees**

There is a Yemeni detainee<sup>2</sup> who, in the Delta block of Camp Delta, told Mr. Al Dossari that he had lived in Saudi Arabia, that he had trained in the Al Faruq camp in Afghanistan where he saw Usama Bin Laden, and that he had fought in Tora Bora. This detainee also reported to Mr. Al Dossari that he had talked to interrogators about 170 detainees, telling the interrogators that these detainees had been in Tora Bora with Usama Bin Laden. The detainee told Mr. Al Dossari that he would say anything to go home. According to other detainees, this Yemeni detainee has identified Mr. Al Dossari to interrogators.

This detainee and certain Shiite detainees from Iraq have posed for photographs taken by the military while eating grilled chicken. A video was made of the Yemeni detainee at Camp 5 in which he said that the food and water are very good there, and that he has been treated very well.

An interrogator told a detainee from Chad named Muhammed that the interrogators did not trust the Yemeni detainee, but that they kept him at Guantanamo because he was good for publicity.

#### **II. Isa Ali Abdulla Al Murbati**

Mr. Al Murbati was seized in Pakistan in or around November 2001. Thereafter he was transferred to U.S. custody in Kandahar, Afghanistan.

##### **A. Treatment While in U.S. Custody in Afghanistan**

One night shortly after being transferred to Kandahar, Mr. Al Murbati was shackled to a pole outside in very cold weather. Approximately every hour, U.S. military personnel threw cold water on Mr. Al Murbati while he was shackled to the pole. The next morning, Mr. Al Murbati was taken to an area that was surrounded by barbed wire and away from other detainees; Mr. Al Murbati believes he was taken to this area because the Red Cross visited the main detention areas on certain days. That evening, Mr. Al Murbati was shackled again to the pole and water was thrown on him throughout the night again. This pattern persisted for approximately a week.

Mr. Al Murbati saw detainees at Kandahar who he estimates were twelve years old. On one occasion, MPs shackled a young detainee's hands behind his back and forced the detainee onto his stomach. One MP lifted the youth's hands and another MP lifted the youth's feet so that the youth was held several feet in the air. The MPs then dropped the youth to the ground.

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<sup>2</sup> Although Mr. Al Dossari knows the name of this detainee, the name is not revealed herein.

Mr. Al Murbati met an elderly detainee at Kandahar. The detainee said that he was over 100 years old. MPs forcibly shaved this detainee's beard.

Mr. Al Murbati was transferred to Guantanamo Bay in or around early summer 2002.

## **B. Camp Delta**

### **1. Conditions in Camp Delta**

A unit of MPs, known as Unit 94, worked in the India and Papa blocks of Camp Delta in or around mid-2003. The members of Unit 94 wore a distinctive circular arm patch containing the emblem "9/4." The members of Unit 94 were almost uniformly large in size.

Unit 94 conducted searches of persons and cells in a particularly rough manner. Often Unit 94 MPs shackled two detainees together to bring them outside, where full body searches (including cavity searches) were conducted; unlike other groups of MPs, Unit 94 MPs nearly always performed cavity searches. When moving detainees from cells, Unit 94 MPs made shackles particularly tight and would often pull detainees' arms behind their backs very violently.

On one occasion, members of Unit 94 threw rocks at the cell block imam during prayers.

At night, members of Unit 94 would hit rocks with brooms throughout the cell block, making sleeping virtually impossible.

In September and October 2003, Mr. Al Murbati was housed in Camp Delta's Romeo Block. During this period, Mr. Al Murbati was told frequently that his detainee classification level had been changed. Because detainees are allowed different sets of items based upon level, MPs frequently gave and took items from Mr. Al Murbati during this period. On one occasion, two lieutenants (a man and a woman) and a sergeant came to Mr. Al Murbati's cell and told Mr. Al Murbati that he had been classified as a level-four and would have to forfeit certain items. Mr. Al Murbati said that he would give the items back. The sergeant said that a full search would have to be performed of Mr. Al Murbati's cell and person, including a cavity search. Mr. Al Murbati protested that a routine search would be sufficient.

The lieutenants, who were standing on different sides of Mr. Al Murbati's cell, then sprayed mace at Mr. Al Murbati simultaneously. Mr. Al Murbati was blinded. He felt a blow to his chest that rendered him almost unable to breathe. An IRF then entered the cell and threw Mr. Al Murbati down, thereby hitting Mr. Al Murbati's shoulder and head on the floor. The IRF shackled Mr. Al Murbati and took him to the shower to rinse the mace from his eyes.

A different group of MPs worked in Camp Delta before and after Unit 94. This group of MPs wore dark circular arm patches with a white rectangle in the center.

On one night in the Mike Block of Camp Delta, the lights in Mr. Al Murbati's cell were suddenly turned off; normally, the lights were on continuously even during the night. Mr. Al Murbati then heard a dog barking and a very bright spotlight was shined in his face. Members of the unit that wore the dark circular arm patch entered Mr. Al Murbati's cell. The MPs told Mr. Al Murbati to



