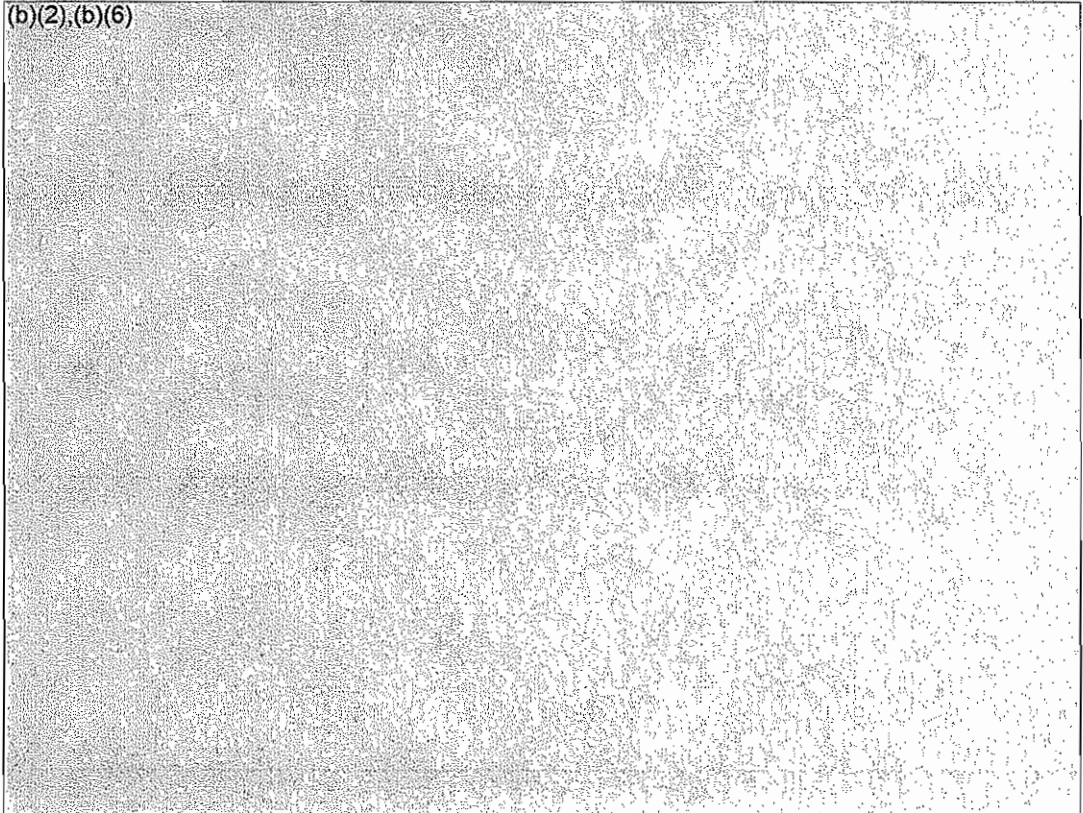


Cc:

(b)(2),(b)(6)



Subject: GTMO Bird; GTMO closure; Errachidi; GTMO Suicides;
Attachments: Picture (Metafile)

All:

Here is today's GTMO Bird.

Thanks,

(b)(6)
Office of General Counsel, Legal Counsel Department of Defense
(b)(2) (DSN (b)(1))
(fax)

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(b)(2) (fax)

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Another Guantanamo outrage
May 3, 2007

UNWILLING TO close Guantanamo, bring its prisoners to US soil, and let them fight their detention in US courts, the Bush administration now wants to shutter the one window the outside world has on the Kafkaesque conditions in the camp. It is proposing to clamp down on the prisoners' only nonmilitary contacts, their lawyers. The US Appeals Court in Washington should reject this shameful proposal out of hand.

Under the Justice Department plan, lawyers could meet just three times with their Guantanamo clients after an initial meeting in which the prisoner decides whether or not to use the lawyer's services. Prisoners who have been through several interrogations at the hands of the military are often so distrustful of Americans, including lawyers, that it takes extended visits just to establish a normal attorney-client relationship.

The new rules would also allow US intelligence officers to read lawyers' letters to their clients, and they would permit US officials to deny a lawyer access to secret evidence used by the military to determine that a client is an enemy combatant -- all flagrant departures from American justice. As it stands now, the lawyers -- all of whom have security clearances -- can see the material but are forbidden to share it with their clients.

The administration's laughable justification for these restrictions is that client-attorney contacts have led to unrest at Guantanamo. A more obvious cause of the unrest is the fact that many of the prisoners have been held there for more than five years -- with no criminal charge placed against them. Many had so little involvement with either the Taliban in Afghanistan or Al Qaeda that the camp's commanders would happily release them if they could find countries to accept them. But former secretary of defense Donald Rumsfeld made that hard by describing Guantanamo inmates as "the worst of the worst." Unrest might also be caused by the fact the military is now holding about half the prison's 385 prisoners in isolation, which often leads to mental and physical deterioration.

The Bush administration could end Guantanamo unrest and the international black eye the prison is causing by transferring the detainees to prisons in the United States and handling their cases under military or civilian criminal procedures, either of which would offer them the due process rights they are now being denied. Congress, for its part, should approve pending legislation that would repeal the clause of last year's Military Commissions Act that strips the prisoners of their habeas corpus right to challenge their continued detention in court.

The last thing the government should do is further limit the prisoners' rights with the proposed restrictions on their lawyers. Those attorneys, most of whom are working on a pro-bono basis, are the thin line that is keeping Guantanamo from becoming a gulag.

http://www.boston.com/news/globe/editorial_opinion/editorials/articles/2007/05/03/another_guantanamo_outrage/

New detainees show Bush has no plans to close Guantanamo Bay Michael Roston
Published: Wednesday May 2, 2007

The announcement of the transfer of a new detainee to Guantanamo Bay on Friday was the latest signal sent by the Bush administration that it was not committed to any plan to close the detention facility. More than suggesting that Guantanamo will remain open, the announcement showed that the CIA had re-opened its system of secret prisons.

But while the Bush administration moves to continue its detention programs, members of Congress have plans of their own to shut down Guantanamo.

'No inclination' to close Guantanamo Bay, says Senator Senator Dianne Feinstein (D-CA) introduced legislation on Monday to close Guantanamo Bay. The bill would require the shuttering of the detention facility within a year of its enactment.

"The President himself has said that he would like the detention facility closed. Yet it is clear that the Administration shows no inclination to close it," the Senator said in a statement she released Monday.

She added, "We must recognize the sustained damage this facility is doing to our international standing. We are better served by closing this facility and transferring the detainees elsewhere."

Feinstein's spokesman, Scott Gerber, told RAW STORY <<http://rawstory.com>> that the statements of President Bush and Secretary of Defense Robert Gates that they want the base to close rang hollow.

"Bush and other members of his administration have stated that as a wish, but there does not appear to be any action," Gerber said Tuesday. "Senator Feinstein is taking action where the administration has failed to do so."

While Secretary Gates has stated a desire to close Guantanamo Bay, another Defense Department official made it clear that Pentagon planners had no real intention of shutting the prison down.

"To abandon this carefully crafted system and attempt to transplant the trials of enemy combatants into the civilian courts would be ill-advised, as would be transplanting the commissions themselves from the secure facility at Guantanamo to some unspecified location in the United States," Daniel Dell'Orto, a Defense Department lawyer, told the Senate Armed Services Committee last Thursday.

Senator Carl Levin (D-MI), who chairs that committee, declined to comment to RAW STORY <<http://rawstory.com>> on Dell'Orto's remark.

But in the House of Representatives, a powerful subcommittee will take up the question of closing Guantanamo.

"We're going to look at what's going on down there, and there are a lot of questions coming out that need to be answered," said Austin Durrer, a spokesman for Rep. Jim Moran (D-VA). The Congressman will hold a hearing on May 9 looking at how to close Guantanamo Bay next year. Rep. John Murtha (D-PA), Chairman of the Defense Appropriations Subcommittee, has asked Moran to take the lead in examining the question.

Durrer added, "We're looking forward to exploring these issues and finding out what's going on, why they're adding more prisoners, and what the administration is looking at in the long-term."

New Guantanamo detainee second added this year Durrer's reference to the new prisoners at Guantanamo was occasioned by Friday's announcement that a new detainee had been taken into custody by the Defense Department at Guantanamo Bay.

Abd al-Hadi al-Iraqi was described in a Defense Department press release <<http://www.defenselink.mil/releases/release.aspx?releaseid=10792>> as "one of al-Qaida's highest-ranking and experienced senior operatives." The Pentagon also noted that "As a result of this latest transfer, there are now approximately 385 detainees at Guantanamo Bay, Cuba." Al-Iraqi is the second new detainee to be sent to Guantanamo Bay in 2007. In late March, the Pentagon announced <<http://www.defenselink.mil/releases/release.aspx?releaseid=10662>> the transfer to the facility of Abdul Malik, a detainee accused of being involved in terrorist activities in East Africa.

Dell'Orto, the Pentagon legal counsel, explained in the previous week's Senate hearing why the Pentagon was holding detainees like Malik and Al-Iraqi at Guantanamo Bay.

"Since the war in Afghanistan began, the United States has captured, screened, and released approximately 10,000 individuals. Initial screening has resulted in only a small percentage of those captured being transferred to Guantanamo," Dell'Orto explained. "The United States only wishes to hold those who are enemy combatants who pose a continuing threat to the United States and its allies."

The Pentagon's screening process is ongoing. The Washington Post wrote on April 29 that 82 detainees at Guantanamo have been informed that they will be sent home as soon as possible.

"Eighty-two remain at Guantanamo and face indefinite waits as U.S. officials struggle to figure out when and where to deport them, and under what conditions," wrote Craig Whitlock.

<http://www.washingtonpost.com/wp-dyn/content/article/2007/04/28/AR2007042801145_pf.html> Still, Whitlock noted that the Pentagon would not free all of the Guantanamo detainees.

"Of the roughly 385 still incarcerated, U.S. officials said they intend to eventually put 60 to 80 on trial and free the rest," he added.

New detainee shows CIA secret prisons re-opened But even as the Pentagon appeared to be winnowing down the number of detainees who would stay at Guantanamo indefinitely, new prisoners appeared to be emerging from secret CIA prisons that President Bush had previously promised were closed.

"Prior to his arrival at Guantanamo Bay, he was held in CIA custody," the Pentagon's news release acknowledged.

Various news reports referred to an e-mail sent to CIA staff by Director of Central Intelligence Michael Hayden on Friday, saluting the CIA's interrogation programs.

"In an E-mail message to CIA employees hailing the arrest as a 'triumph,' CIA director Michael Hayden said the agency's interrogation program was vital and legal. 'The information it has produced has prevented terrorist attacks and saved innocent lives,' he wrote," according to an item at the News Desk blog <http://www.usnews.com/usnews/blogs/news_blog/070427/captured_qaeda_suspect.htm?s_cid=rss:sitel> , produced by US News and World Report.

The revelation of continued CIA detention of terror suspects triggered strong condemnation from one member of Congress.

"Last September when the president announced that he was moving detainees from secret CIA prisons to Guantanamo, he left the distinct impression that his Administration was discontinuing their secret prison program," Rep. Ed Markey (D-MA) said in a statement sent to RAW STORY <<http://rawstory.com>> . "Unfortunately, we learned this past weekend that the Administration never saw an error in their ways and that secret CIA prisons are still operating outside the law and outside the public eye."

Human rights groups were also alarmed by the announcement.

"In the absence of clear knowledge about how al-Iraqi was detained and treated, there have to be serious red flags raised everywhere as a result of this announcement," said Hina Shamsi, deputy director of Human Rights First's Law and Security Program. "Even as the rules governing CIA interrogation are being debated, it appears that the CIA program has continued. Congress should demand to know under what rules these detentions and interrogations may be operating."

The group Human Rights Watch also accused the President of misleading the public.

"We're skeptical that President Bush was telling the whole story when he said the CIA prisons were empty," said Joanne Mariner, the group's terrorism and counterterrorism director. "It's quite possible that his claim was based on legal niceties: that while detainees were in the custody of other countries, the CIA had the power to determine their fate."

Human Rights Watch believes at least 38 additional detainees who were at one time held in the CIA's secret prisons still cannot be accounted for.

Rep. Markey has sponsored the "Torture Outsourcing Prevention Act" to restrict the ability of the CIA and other agencies to cooperate with other countries for extra-legal detentions and interrogations.

http://rawstory.com/news/2007/New_detainees_show_Bush_has_no_0501.html

Former Guantanamo inmate walks free in Morocco

RABAT (Reuters) - A Moroccan man sent home from the U.S. detention camp at Guantanamo Bay last week was released by local authorities after terrorism-related charges were dropped, a human rights lawyer and relatives said on Thursday.

Ahmed Errachidi, 41, was arrested on his return to Morocco and appeared before a judge on Wednesday on suspicion of preparing and carrying out terrorist acts, lawyer Mohamed Sebbar told Reuters.

"The charges were dropped, he was released last night and he is now back home with his family," said Sebbar. A relative confirmed his release and return home.

Errachidi spent more than five years at the U.S. detention camp for terrorist suspects at Guantanamo Bay in Cuba before being freed without charge last week. He has a wife and two young sons living in Morocco. Relatives say he suffers from bipolar disorder, also known as manic depression, and needs to take medication regularly.

Errachidi lived in Britain for 17 years and worked as a chef in London restaurants. According to the British-based legal charity Reprieve, which represents him, he was arrested in Pakistan after traveling there in 2001 on a business venture to fund a heart operation for his younger son, Imran.

While there, he was affected by television footage of the U.S. invasion of neighboring Afghanistan and went there to try to help refugees from bombing raids, a decision his lawyers say reflected his erratic judgment caused by his illness.

Once in Afghanistan, he soon realized there was nothing he could do and it was dangerous to stay. He was detained after crossing back into Pakistan.

Pakistani officials then "sold Ahmed to the U.S. military for a bounty that was negotiated while he stood by in shackles and a hood", Reprieve said in a press release on his case. The U.S. government has repatriated 10 Moroccans from Guantanamo in the past three years, according to lawyers.

They were charged with forming criminal gangs, forgery, illegal migration or belonging to an international terrorist organization but only one was imprisoned.

Three Moroccans remain in the maximum security prison in Cuba.

<http://www.reuters.com/article/worldNews/idUSL0338635720070503?pageNumber=2>

Study Examines the Pathologization of Guantanamo Suicides

Toronto - infoZine - In an article published in International Political Sociology, author Alison Howell traces the psychological pathologization of the Guantanamo detainees, noting that both advocates and resisters of the detainment accredit the attempted suicides to the impaired psyches of the suspects.

As the high prevalence of suicide attempts at the Guantanamo Bay terrorist detention center has come to light, two major responses have emerged: the United States military has presented the attempts as "manipulative self-injurious behavior," and not as true efforts at suicide, using them as examples of the alleged barbarity and inhumanness of the terrorist suspects. In contrast, humanitarian groups have argued that these attempts are the results of psychological deterioration resulting from detention.

Howell posits that the use of the "psy" disciplines (psychology, psychiatry, psychotherapeutics, etc.) by both the United States government and humanitarian organizations serves to categorize the Guantanamo detainees as being irrational madmen, which plays a part in the possibility of their infinite detention. Although humanitarian agencies aim to present the psychological states of the detainees as indicators of the abominable conditions of their detention, by presenting the attempted suicides as the result of impaired psychological functioning, they inadvertently play into notions of the detainees as being unstable and potentially dangerous. In this way, both governmental and humanitarian groups may contribute, albeit unintentionally, to continued detainment in much the same way that those deemed mentally ill may be involuntarily and indefinitely incarcerated.

"U.S. military representations of the detainees - or of purported "Islamic terrorists" more generally - as suicidal (and homicidal) fanatical madmen categorize the detainees in ways that make possible their excision from the global body politic in the form of indefinite detention," argues Howell, noting that "while human rights organizations have done excellent work in resisting these detentions, when such groups represented the detainees as suicidal depressive victims, they did little to dispel the construction of the detainees (or of Islam in general) as pathological and as deserving of excision."

This study is published in International Political Sociology.

<http://www.infozine.com/news/stories/op/storiesView/sid/22632/>

A Guantánamo exit strategy

The 5-year-old military prison at Guantánamo Bay, with its indefinite detention rules, lack of judicial review and insufficiently regulated interrogation techniques, is an ugly stain on America's tradition of respect for the rule of law and an endless propaganda bonanza for the country's enemies. Yet it is clear that despite the good advice of friendly foreign leaders, members of Congress and even his own cabinet, President George W. Bush has no intention of closing the facility unless Congress forces him to do so.

This week, Senator Dianne Feinstein, a California Democrat, introduced legislation aimed at doing just that. Her bill would shut down the prison and transfer the 385 or so people still held there to more conventional, and accountable, detention facilities, either for trial in the United States or repatriation to their home countries, with assurances that they would not be tortured or otherwise mistreated.

Feinstein's initiative is long overdue. It deserves passage by a bipartisan, veto-proof majority.

Previous congressional efforts on Guantánamo, like the Detainee Treatment Act of 2005 and the Military Commissions Act of 2006, only made matters worse by limiting judicial review and retrospectively legalizing lawless executive branch behavior. By contrast, the Feinstein bill strikes at the heart of the problem. It would begin moving most of the detainees back into the time-tested procedures of the normal American legal system.

Many of those held at Guantánamo may not be dangerous terrorists at all, but people scooped up on the battlefields of Afghanistan and elsewhere to be sorted out later. Most have been jailed ever since.

The only way to determine who should continue to be held and who should not is through genuine trials, not dubious military commission proceedings, which produce implausibly wide-ranging confessions or plea deals.

It is hard to see how such results serve justice or the urgent need to identify and root out currently operating terrorist cells.

<http://www.iht.com/articles/2007/05/03/opinion/edgitmo.php>

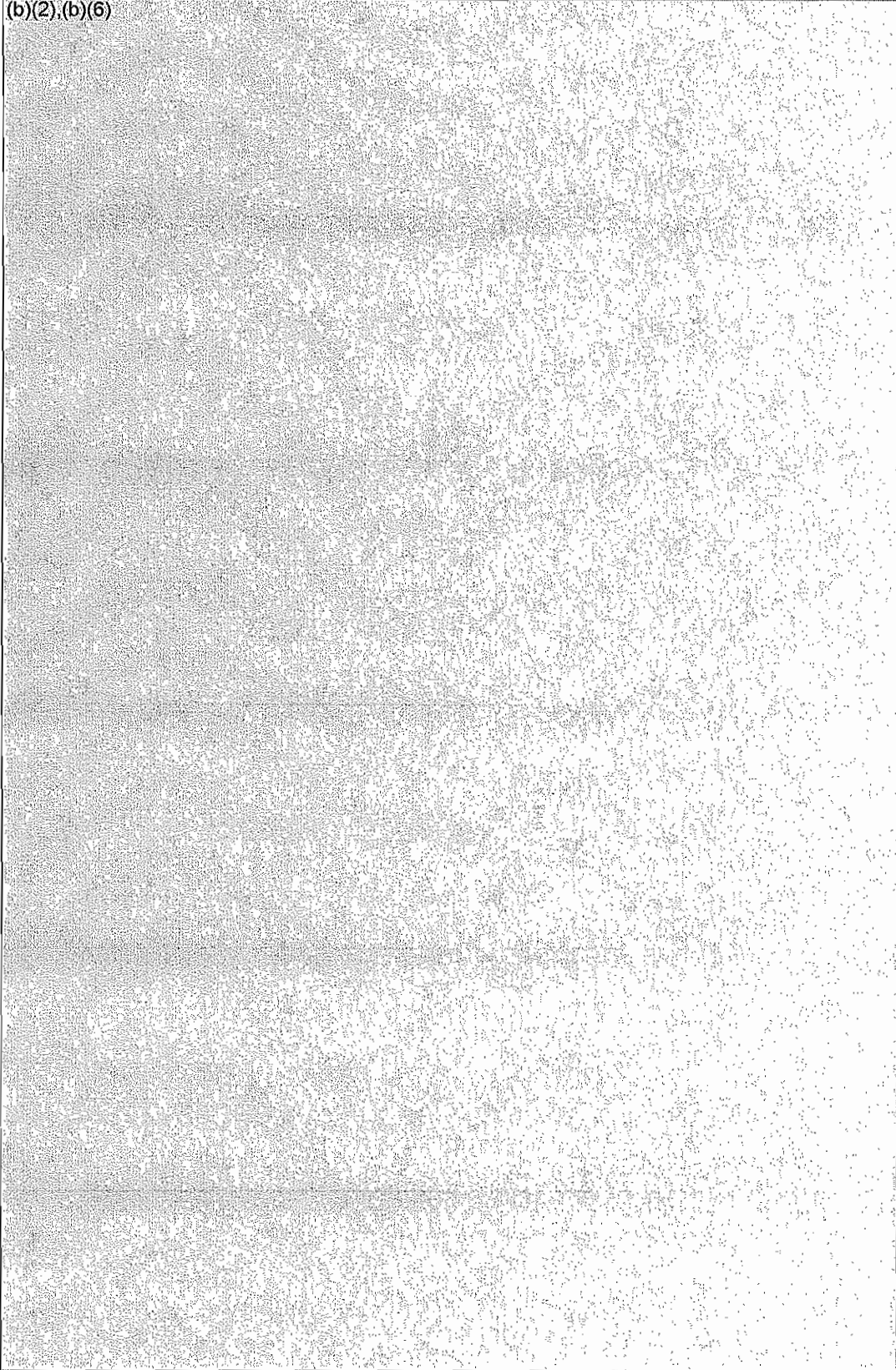
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From:
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(b)(6) DoD OGC (b)(2),(b)(6)

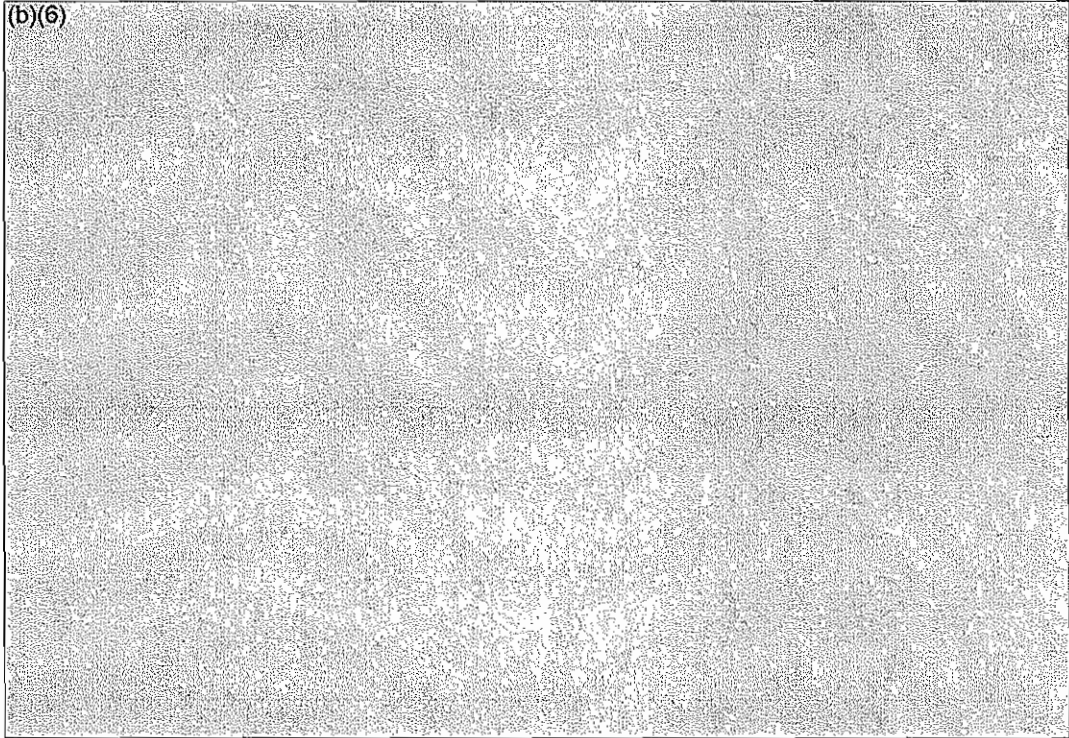
Friday, June 01, 2007 3:40 PM

(b)(2),(b)(6)



Cc:

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Subject: RE: GTMO Bird: Detainee Suicide; Interrogation Abuse; Khadr Fires Lawyers; US Request
Attachments: Khadr & Hamdan move to Fed Cts; Gitmo Photo Exhibit
Picture (Metafile)

All

Today's GTMO Bird. Please reply to this e-mail as I am setting up a distro list. I think I have deleted/added anyone I received e-mails from - however, I ask that you bear with me as I "fine-tune" the system. Thank you

(b)(6)
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Dead Gitmo detainee a Saudi vet
By Josh White
The Washington Post

WASHINGTON - A detainee who was found dead in his cell at Guantánamo Bay, Cuba, on Wednesday was a Saudi army veteran who trained with U.S. forces before fighting with the Taliban in Afghanistan, according to military hearing records.

Abdul Rahman Maadha al-Amry had been imprisoned at the military-detention facility in Cuba since February 2002 without meeting with a lawyer or being charged with a crime, according to a legal-defense group, a circumstance the group said could explain his apparent suicide.

U.S. officials declined to provide details or evidence of his cause of death. Al-Amry's body will be prepared for repatriation to Saudi Arabia after an autopsy, officials said Thursday.

Saudi officials Thursday identified the detainee as al-Amry, 34, who told his U.S. captors that he was essentially a foot soldier in Afghanistan because he felt a duty to fight jihad.

U.S. Southern Command officials characterized al-Amry as a midlevel al-Qaida operative who ran safe houses and fought against the United States in November 2001.

But al-Amry, at a military hearing at Guantánamo, said he had no particular animosity toward the United States.

"Detainee said had his desire been to fight and kill Americans, he could have done that while he was side by side with them in Saudi Arabia," according to a U.S. military account of al-Amry's statements to a Combatant Status Review Tribunal of military officers, who concluded he was an enemy and needed to be held indefinitely.

"His intent was to go and fight for a cause that he believed in as a Muslim toward jihad, not to go fight against the Americans," the tribunal reported him as saying.

Al-Amry said he served in the Saudi army for nine years and four months, at times receiving training from the U.S. military.

U.S. Southern Command said guards found him dead Wednesday afternoon in his cell in Camp 5, a modern, high-security section of Guantánamo generally reserved for detainees considered to have intelligence value or who do not follow prison rules.

Al-Amry was the fourth to commit suicide at the detention center, which holds about 380 men on suspicion of links to al-Qaida or the Taliban.

Al-Amry was said by another detainee to have been on a hunger strike in March. Military records suggest he had also refused food in the past, with his weight dropping below 90 pounds at one point in 2005. He weighed 150 pounds when he arrived.

Guantánamo spokesman Navy Cmdr. Rick Haupt said al-Amry was not on a hunger strike at the time of his death, but he had been force-fed in the past. He did not know if the prisoner had previously attempted suicide.

Associated Press material is included in this report.

[http://seattletimes.nwsources.com/cgi-](http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?document_id=2003730326&zsection_id=2002107549&slug=gitmo01&date=20070601)

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Dead Gitmo prisoner trained with U.S. soldiers TheStar.com - News - Dead Gitmo prisoner trained with U.S. soldiers

May 31, 2007

Jane Sutton

reuters news agency

MIAMI-The Guantanamo prisoner who died in his cell this week was a Saudi army veteran who trained with U.S. soldiers before going to fight for the Taliban in Afghanistan, military records show.

The man, described by the U.S. military Thursday as a mid-level Al Qaeda operative, apparently committed suicide Wednesday at the prison camp for foreign terrorism suspects at the U.S. naval base in Guantanamo Bay, Cuba.

The Saudi Arabian government identified him as Abdul-Rahman bin Ma'ada bin Dhafer al Aameri and said it had begun procedures to bring home his body.

"A team of Saudi specialists has started, upon an invitation from the American side, a visit to the Guantanamo detention (centre) to review the conditions on the Saudi detainees and intensify the effort to repatriate them as soon as possible," the state-run Saudi Press Agency said.

A guard found the man lifeless in his cell and camp officials were unable to revive him, said a spokesperson for the U.S. military's Southern Command, Jose Ruiz. He was the fourth detainee to die in an apparent suicide at the camp, which holds about 380 captives. Another 395 detainees have been released or transferred to other governments since the camp opened in January 2002.

Last June, two Saudis and a Yemeni simultaneously hanged themselves with clothing and bedding in their cells.

All four deaths are under investigation by the Naval Criminal Investigative Service.

There were no other suicide attempts at the camp Wednesday, Ruiz said.

U.S. military documents give a slightly different spelling of al Aameri's name, a common occurrence when Arabic names are transliterated into English.

According to records previously released by the U.S. military, al Aameri told his captors he was trained by Americans during the nine years and four months he served in the Saudi army. He said he went to Afghanistan six months after leaving the army because he felt it was his duty to fight jihad, or holy war, when asked by a Muslim government, in this case the Taliban. But he denied he intended to fight Americans.

"Had his desire been to fight and kill Americans, he could have done that while he was side by side with them in Saudi Arabia," he said through a U.S. military officer assigned as his representative before an administrative panel that classified him as an "unlawful enemy combatant."

Al Aameri said he had seen Osama bin Laden and other Al Qaeda figures from a distance in Afghanistan and admitted carrying an AK-47 assault rifle at the rear of the battle lines in Tora Bora while trying to flee to Pakistan.

The Southern Command said in a statement al Aameri had fought on the front lines north of Kabul and engaged in combat with U.S. forces in Tora Bora in November 2001.

He became a mid-level Al Qaeda operative with direct ties to higher-level members during his time in Afghanistan and had met with bin Laden, it said. He had links with bin Laden's bodyguards and Al Qaeda recruiters and also ran Al Qaeda safe houses, the command said.

Al Aameri had been held in one of two maximum-security buildings at Guantanamo where detainees live in one-man cells with long narrow windows, concrete walls and built-in slabs topped with a mattress.

Human rights groups have long condemned the United States for holding prisoners indefinitely at Guantanamo.

They cited Wednesday's death as a sign that captives were being driven to despair by isolation and sensory deprivation in the maximum-security camps and uncertainty over their fates.

"This is inconsistent with American values and must stop immediately," said Anthony Romero, executive director of the American Civil Liberties Union.

The U.S. military said the Guantanamo prisoners are terrorists who must be locked up to safeguard Americans.

"We regret any loss of life at the camp and we're going to do whatever we can to prevent something like this from happening again," Ruiz said.

<http://www.thestar.com/printArticle/220140>

Guantanamo 'suicide' was in maximum-security cell

[Published: Friday 1, June 2007 - 09:49]

By Rupert Cornwell

The Saudi Arabian prisoner who apparently committed suicide at Guantanamo Bay this week was being held in isolation in the maximum-security Camp Five section.

That disclosure can only add to international pressure for the facility to be shut down.

The Pentagon has not named the victim, nor formally confirmed a cause of death. It was left to the Saudi government in Riyadh to identify him as Abdul Rahman Maadha al-Amry. According to US Southern Command, in whose jurisdiction the prison falls, he was found dead in his cell on Wednesday afternoon "unresponsive and not breathing".

There was no word of what Mr al-Amry - who had not been charged - was supposed to have done, or where he was originally picked up. But a US spokesman said he had been detained in the part of Guantanamo reserved for the "least compliant" and "high-value" inmates. "The actual cause of death is under investigation," he added.

Assuming it is confirmed, the suicide would be the fourth since the prison camp opened in January 2002, after two Saudi detainees and one Yemeni hanged themselves with sheets a year ago.

"I can assure you it is hell on earth," said Wells Dixon, a US defence lawyer who has met detainees at Camp Five. Many of them were in evident despair: "You can see it on their faces. It's transparent."

Clive Stafford Smith, the director of the Reprieve organisation which represents 37 Guantanamo prisoners, said last night: "After more than five years without any charges, the prisoners in Guantanamo are becoming increasingly desperate." The group had warned that more suicides were inevitable, but "they [the US military] remain frozen in a nightmare of their own creation".

Guantanamo must be closed immediately, he added. "There is enough blood on everyone's hands." In a separate challenge to the treatment of terrorist suspects, the American Civil Liberties Union is suing Jeppesen Dataplan, a subsidiary of the Boeing company, claiming it secretly flew three CIA-held suspects overseas, where they were tortured.

The cases involve Binyam Mohamed, an Ethiopian citizen, in July 2002 and January 2004; Elkassim Britel, an Italian citizen, in May 2002; and Ahmed Agiza, an Egyptian citizen, in December 2001.

<http://www.belfasttelegraph.co.uk/news/world-news/article2602247.ece>

U.S.: Dead Detainee Was Of High Value
SAN JUAN, Puerto Rico, May. 31, 2007

(AP) A Saudi Arabian detainee who apparently committed suicide at Guantanamo Bay had been held at the prison camp reserved for the least compliant and most "high-value" inmates, a U.S. military spokesman said Thursday.

The Saudi government identified the man who died Wednesday as Abdul Rahman Maadha al-Amry. A spokesman for the kingdom's Interior Ministry, Maj. Gen. Mansour al-Turki, said it was too early to judge how al-Amry died.

The U.S. military has not confirmed the detainee's identity or explained how it arrived at the conclusion that he probably committed suicide.

"The actual cause of death is under investigation," Southern Command spokesman Jose Ruiz said by telephone from Miami on Thursday.

Ruiz said the man was held at the maximum-security Camp 5.

Guards at the U.S. Naval Base in southeast Cuba found the detainee unresponsive and not breathing in his cell Wednesday afternoon, the Southern Command announced Wednesday.

It would be the fourth suicide at Guantanamo since the prison camp opened in January 2002. On June 10, 2006, two Saudi detainees and one Yemeni hanged themselves with sheets.

Prisoners in Camp 5, which is similar to the highest-security U.S. prisons, are kept in individual, solid-wall cells and allowed outside for only two hours a day of recreation in an enclosed area.

Wells Dixon, a defense attorney who met with detainees at Camp 5 last month, said many showed signs of desperation.

"I can assure you that it is hell on earth," Dixon said. "You can see the despair on the faces of detainees. It's transparent."

Other critics said detainees are frustrated at being held indefinitely without charges.

"You have five and a half years of desperation there with no legal way out," said Michael Ratner, president of the New York-based Center for Constitutional Rights, which represents hundreds of Guantanamo detainees. "Sadly, it leads to people being so desperate they take their own lives."

Lawyer Julia Tarver Mason, whose firm represents eight Saudi detainees at Guantanamo, said the government so far has declined to tell her if the man who died was among her clients. There are about 80 detainees from Saudi Arabia held at Guantanamo.

"They are in the care of the United States government and that should mean that deaths should not occur," Mason said.

The death came as Guantanamo prepares to hold pretrial hearings for two detainees in military tribunals.

One of the detainees, Canadian Omar Khadr, fired his American attorneys on Wednesday, leaving him without defense counsel, his former U.S. military attorney told The Associated Press.

Khadr is still to be arraigned Monday. He and Salim Ahmed Hamdan, a Yemeni who also faces a hearing Monday, are among only three of the roughly 380 Guantanamo prisoners to be charged with a crime. The third, David Hicks, was convicted of aiding al-Qaida and returned to his native Australia.

Khadr was 15 when he was captured in Afghanistan during a firefight in which he allegedly killed a U.S. Army special forces soldier with a grenade.

"He doesn't trust American lawyers, and I don't particularly blame him," said U.S. Marine Lt. Col. Colby Vokey, who was taken off the case Wednesday. "The United States is responsible for his interrogation and his treatment under a process that is patently unfair."

Many of the "enemy combatants" at the isolated prison camp have been held for more than five years. In most cases, the military accuses them of having links to al-Qaida or the Taliban.

The former commander of the detention facilities, Navy Rear Adm. Harry Harris, described earlier suicides as acts of "asymmetric warfare" — an effort to increase condemnation of the prison.

A cultural adviser was helping the military handle the remains. "The remains of the deceased detainee are being treated with the utmost respect," the military said.

Associated Press writers Andrew O. Selsky and Ben Fox contributed to this story.

<http://www.cbsnews.com/stories/2007/05/31/ap/world/printable2870329.shtml>

ACLU Calls for Immediate Investigation into Death at Guantánamo Bay (5/31/2007)

FOR IMMEDIATE RELEASE

CONTACT: media@aclu.org

Prisoner Death Comes Just Days Before ACLU Set to Monitor Military Commission Proceedings
NEW YORK - The American Civil Liberties Union today called for an independent investigation into the death of a Saudi national held at the U.S. detention facility in Guantánamo Bay. Military officials have described the death as an "apparent suicide," making it the fourth death in custody at Guantánamo in the past year.

The U.S. government has previously downplayed the significance of suicides and suicide attempts at Guantánamo Bay, said the ACLU. Last year, officials drew widespread criticism after calling the suicides of three detainees "an act of asymmetric warfare."

"Further deaths at Guantánamo should not surprise us when prisoners are afforded a second class system of justice, are held indefinitely without charge, and are given only limited access to their lawyers," said Anthony D. Romero, Executive Director of the ACLU. "Guantánamo Bay has operated for far too long under a shroud of secrecy. The global community and the American public have rightfully lost their trust in the U.S. government after countless reports of abuses and injustices at Guantánamo."

"Guantánamo remains a legal black hole," Romero added. "This is inconsistent with American values and must stop immediately."

The ACLU has called on Congress and the Bush administration to shut down Guantánamo Bay. Last week, the ACLU endorsed legislation introduced by Senator Tom Harkin (D-IA) that would effectively end the practice of indefinite detention without charge or due process for detainees who have been held for as long as five years without knowing the reason for their detention. It would also provide an incentive for the government to finally charge those detainees it believes are guilty of crimes against the United States.

"The military commission system at Guantánamo Bay delivers only the illusion of justice," said Jameel Jaffer, Director of the ACLU's National Security Project. "Most of the prisoners have not been charged at all, and those prisoners who have been charged are being tried under rules that are fundamentally unfair."

Jaffer will travel to Guantánamo Bay to observe the arraignments of Salim Ahmed Hamdan and Omar Khadr, both of which are scheduled to take place on Monday, June 4. Hamdan is a Yemeni national who is alleged to have been Osama bin Laden's bodyguard and chauffeur. He is charged with conspiracy and providing material support to terrorism. Hamdan previously challenged the military commissions system in a case that reached the United States Supreme Court. In June 2006, the Supreme Court ruled in Hamdan v. Rumsfeld that the military commissions authorized by President Bush violated U.S. military law and international treaties. Following that ruling, Congress enacted the Military Commissions Act (MCA), which was signed by President Bush on October 17, 2006. Hamdan and Khadr are being tried under the MCA.

Khadr, a 20-year-old Canadian citizen, will be arraigned on charges of murder, attempted murder, conspiracy, material support and espionage. Most of the charges relate to a 2002 incident in Afghanistan in which Khadr is alleged to have thrown a grenade, killing a U.S. soldier. At the time, Khadr was 15 years old. Khadr's lawyers argue that he should be treated as a minor and that he was abused by U.S. forces at Guantánamo Bay.

At their respective arraignments, Khadr and Hamdan will be asked to enter pleas. It is not yet known how they will respond. The ACLU's Jaffer will post his observations of the hearings to the ACLU's blog at <http://blog.aclu.org> <<http://http://blog.aclu.org>> .

The ACLU is one of four organizations that have been granted status as human rights observers at the military commission proceedings. When the tribunals began in 2004, Romero and two ACLU lawyers attended the proceedings and blogged about their observations.

<http://www.aclu.org/safefree/detention/29940prs20070531.html>

AMNESTY INTERNATIONAL USA
PRESS STATEMENT

May 31, 2007

Another Life Succumbs to the Horrors of Isolation and Indefinite Detention in Guantanamo Bay
Amnesty International Repeats its Call to Close the Facility

(Washington, DC) - Larry Cox, Amnesty International USA's Executive Director, made the following statement in response to reports of the death of a detainee by apparent suicide in Guantanamo Bay:

"This tragedy is another illustration of the desperation many detainees face at Guantanamo Bay and one more reason that the Guantanamo Bay prison camp must be shut down. Many suspects have been in custody without charge or trial, most for over 5 years. Amnesty International urges an immediate independent investigation into the man's death and calls on Bush administration officials to improve conditions for those who remain. Many detainees are held in very harsh, permanent conditions of extreme isolation and sensory deprivation - particularly those in Camps 5 and 6.

"As Amnesty International sends its condolences to the deceased's family, we must remember that every man in the facility is a father, brother or son. Regardless of one's innocence or guilt, everyone must be afforded due process and the rule of law - the cornerstone of justice."

Amnesty International also reiterates its call for independent human rights monitors to be given full, unlimited access to the detainees at the detention facility in Guantanamo Bay. The organization urges that all detainees be allowed regular contact with their families and that independent health care professionals are permitted to examine detainees in private.

<http://www.amnestyusa.org/document.php?id=ENGUSA20070531001&lang=e>

Psychologists in Gitmo & Iraq Interrogation Abuse

Thursday, 31 May 2007, 9:59 am

Opinion: Stephen Soldz

Defense Department Releases Evidence of Central Role of Psychologists in Guantánamo and Iraq Interrogation Abuse:

Inspector General documents role of Survival, Evasion, Resistance and Escape (SERE) techniques

By Stephen Soldz

The Defense Department (DoD) has just declassified a report

<http://www.fas.org/blog/secrecy/2007/05/dod_inspector_general_reviews.html> from their Inspector General (OIG) looking at the various investigations that the Department has conducted into repeated claims of detainee abuse - a.k.a. "torture" and "cruel, inhuman, or degrading treatment" - banned by international and United States law. The report documents <<http://www.fas.org/irp/agency/dod/abuse.pdf>> that the various DoD "investigations were, individually and in total, inadequate:

Allegations of detainee abuse were not consistently reported, investigated, or managed in an effective, systematic, and timely manner. Multiple reporting channels were available for reporting allegations and, once reported, command discretion could be used in determining the action to be taken on the reported allegation. We did not identify any specific allegations that were not reported or reported and not investigated. Nevertheless, no single entity within any level of command was aware of the scope and breadth of detainee abuse.

SERE

Perhaps the most important information in this report, however, is that it provides further documentation that psychologists were central to the development of the abusive interrogation paradigm developed at Guantánamo and migrated to Abu Ghraib and other Iraqi prisons. In particular, the OIG provides concrete evidence that techniques developed in the US military's SERE <<http://www.fas.org/irp/doddir/army/ar350-30.pdf>> (Survival, Evasion, Resistance, and Escape) program to help US troops at high risk of becoming POWs evade capture and resist breaking under abusive interrogations were systematically imported to Guantánamo and, less systematically, to Iraq and Afghanistan. As the report describes:

"DoD SERE training, sometimes referred to as code of conduct training, prepares select military personnel with survival and evasion techniques in case they are isolated from friendly forces. The schools also teach resistance techniques that are designed to provide U.S. military members, who may be captured or detained, with the physical and mental tools to

survive a hostile interrogation and deny the enemy the information they wish to obtain. SERE training incorporates physical and psychological pressures, which act as counterresistance techniques, to replicate harsh conditions that the Service member might encounter if they are held by forces that do not abide by the Geneva Conventions." (p. 23)

As part of the SERE program, trainees are subjected to abuse, including sleep deprivation, sexual and cultural humiliation, and, in some instances, waterboarding
<<http://www.talkingpointsmemo.com/archives/011198.php>> , described by one SERE graduate thus:

"[Y]ou are strapped to a board, a washcloth or other article covers your face, and water is continuously poured, depriving you of air, and suffocating you until it is removed, and/or inducing you to ingest water. We were carefully monitored (although how they determined these limits is beyond me), but it was a most unpleasant experience, and its threat alone was sufficient to induce compliance, unless one was so deprived of water that it would be an unintentional means to nourishment.

Former Air Force officer and now psychoanalyst Eric Anders

<<http://ericanders.blogspot.com/2004/05/on-american-abuse-of-prisoners-i.html>> described his SERE training experience thusly:

"I remember a variety of sadistic abuses, often in the form of mind games and humiliation. It was a horrible experience, but I imagine it might have prepared me to be in the position some of the Iraqi prisoners have unfortunately found themselves in."

Central to SERE is the role of psychologists. A psychologist is required to be present during certain aspects of the process, such as waterboarding as a "safety officer," to stop the training if (s)he perceives the trainee is being overly-traumatized.

In 2005, the New Yorker's Jane Mayer

<http://www.newyorker.com/archive/2005/07/11/050711fa_fact4?printable=true> reported evidence that interrogators at Guantánamo were being trained in SERE techniques; they were "reverse engineering" the resistance techniques in order to figure out how to break down detainees. While Mayer reported suspicions, direct evidence of SERE involvement at Guantánamo was lacking for another year, till, in July 2006 Salon's Mark Benjamin, in Torture Teachers <<http://www.salon.com/news/feature/2006/06/29/torture/>> reported documentary evidence that SERE was, indeed, taught at Guantánamo. In addition to documentary evidence that SERE techniques were taught at Guantánamo, Benjamin pointed out the similarities between what is done to US troops during SERE training and what was done to US detainees:

"There are striking similarities between the reported detainee abuse at both Guantánamo and Abu Ghraib and the techniques used on soldiers going through SERE school, including forced nudity, stress positions, isolation, sleep deprivation, sexual humiliation and exhaustion from exercise."

Michael Otterman, in his marvelous and very disturbing new book, American Torture

<http://www.amazon.com/American-Torture-Cold-Ghraib-Beyond/dp/0745326706/ref=pd_bbs_sr_1/104-0675437-1154348?ie=UTF8&s=books&qid=1180357434&sr=1-1> , put together then extant evidence of SERE reverse-engineering. Though the use of SERE techniques at US detention facilities was hardly in doubt after the reporting of Mayer, Benjamin, and Otterman , it was not clear until the OIG report whether the use of the techniques was intentional or inadvertent, a result of widespread exposure to them by US personnel during training.

The new OIG report resolves this question, containing as it does official admissions that SERE was, indeed systematically taught at Guantánamo and in Iraq.

"Counterresistance techniques taught by the Joint Personnel Recovery Agency [the agency responsible for SERE training <<http://www.jptra.jfcom.mil/mission.cfm>>] contributed to the development of interrogation policy at the U.S. Southern Command. According to interviewees, at some point in 2002, the U.S. Southern Command began to question the effectiveness of the Joint Task Force 170 (JTF-170), the organization at Guantánamo that was responsible for collecting intelligence from a group of hard core al Qaeda and Taliban detainees....

Counterresistance techniques were introduced because personnel believed that interrogation methods used were no longer effective in obtaining useful information from some detainees. On June 17, 2002, the Acting Commander, Southern Command requested that the Chairman, Joint Chiefs of Staff (CJCS) provide his command with an external review of ongoing detainee intelligence collection operations at Guantánamo Bay, which included an examination of information and psychological operations plans.... The CJCS review recommended that the Federal

Bureau of Investigation Behavioral Science Unit, the Army's Behavioral Science Consultation Team, the Southern Command Psychological Operations Support Element, and the JTF-170 clinical psychologist develop a plan to exploit detainee vulnerabilities. The Commander, JTF-170 expanded on the CJCS recommendations and decided to also consider SERE training techniques and other external interrogation methodologies as possible DoD interrogation alternatives" (pp. 24-25).

As a result of this review, SERE was introduced at Guantánamo. Notice that psychologists were key to this process:

On September 16, 2002, the Army Special Operations Command and the Joint Personnel Recovery Agency co-hosted a SERE psychologist conference at Fort Bragg for JTF-170 [the military component responsible for interrogations at Guantánamo

<<http://www.globalsecurity.org/military/agency/dod/jtf-170.htm>>] interrogation personnel.

The Army's Behavioral Science Consultation Team from Guantánamo Bay also attended the conference. Joint Personnel Recovery Agency personnel briefed JTF-170 representatives on the exploitation techniques and methods used in resistance (to interrogation) training at SERE schools. The JTF-170 personnel understood that they were to become familiar with SERE training and be capable of determining which SERE information and techniques might be useful in interrogations at Guantánamo. Guantánamo Behavioral Science Consultation Team personnel understood that they were to review documentation and standard operating procedures for SERE training in developing the standard operating procedure for the JTF-170, if the command approved those practices. The Army Special Operations Command was examining the role of interrogation support as a "Sere Psychologist competency area

<<http://www.jptra.jfcom.mil/HFCoreskills.cfm>> " (p. 25, emphasis added.)

For those of opposed to the participation of psychologists in abusive interrogations, this document contains the first definitive proof that the Behavioral Science Consultation Teams (BSCTs), consisting at that point of psychologists and psychiatrists (later, the military announced that they preferred psychologists

<http://psychoanalystsopposewar.org/resources_files/PsychologistsPreferredForDetainees.html> for this role), were deliberately trained in abusive SERE techniques.

According to the OIG report, SERE psychologists were apparently not directly involved in individual interrogations. Rather, their role was to train those conducting or supervising the interrogations:

"On September 24, 2002, a Joint Personnel Recovery Agency representative at the SERE conference recommended in a conference memorandum report to his Commander that their organization "not get directly involved in actual operations." Specifically, the memorandum states that the agency had "no actual experience in real world prisoner handling," developed concepts based "on our past enemies," and assumes that "procedures we use to exploit our personnel will be effective against the current detainees." In a later interview, the Commander, Joint Personnel Recovery Agency stated that his agency's support to train and teach "was so common that he probably got 15 similar reports [memoranda] a week" (p. 25).

Indeed, the report documents that SERE instructors went to Guantánamo and provided training:

"On at least two occasions, the JTF-170 requested that Joint Personnel Recovery Agency instructors be sent to Guantánamo to instruct interrogators in SERE counterresistance interrogation techniques. SERE instructors from Fort Bragg responded to Guantánamo requests for instructors trained in the use of SERE interrogation resistance techniques" (p. 26).

These efforts led to a October 11, 2002 memorandum and legal brief

<<http://www1.umn.edu/humanrts/usdocs/guantanamo/d20040622doc3.pdf>> requesting approval of a selection of these SERE techniques. This request led to December 2, 2002 approval

<<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB127/02.12.02.pdf>> of many of these SERE-based techniques by Secretary of Defense Rumsfeld

All evidence is that these SERE techniques continued to be used, with active participation of the BST psychologists. For example, it is well documented

<http://ajobonline.com/journal/j_articles.php?aid=1140> (see the interrogation log

<<http://www.time.com/time/2006/log/log.pdf>>) that the chair of the Guantánamo BSCT team, psychologist Major John Leso participated in the abusive interrogation (a.k.a. torture) of prisoner 063, Mohammed al-Qahtani. A July 14, 2004 memo

<http://www.aclu.org/torturefoia/released/FBI_4622_4624.pdf> from the FBI to the Army Criminal Investigation Command documents the effects of this interrogation on al-Qahtani: "In September or October of 2002 FBI agents observed that a canine was used in an aggressive manner to intimidate detainee ___ after he had been subjected to intense isolation for over three months. During that time period, ___ was totally isolated (with the exception of occasional interrogations) in a cell that was always flooded with light. By late November, the detainee was evidencing behavior consistent with extreme psychological trauma (talking to non-existent people, reporting hearing voices, crouching in the corner of a cell covered with a sheet for hours on end). It is unknown to the FBI whether such extended isolation was approved by DoD authorities."

SERE in Iraq and Afghanistan

According to the report, these SERE techniques "migrated" to Afghanistan and Iraq: "Counterresistance interrogation techniques in the U.S. Central Command Area of Operation derived from multiple sources that included migration of documents and personnel, the JTF-Guantánamo Assessment Team, and the Joint Personnel Recovery Agency" (p. 26). The report also provides direct evidence that SERE techniques were deliberately brought to Iraq.

"The Joint Personnel Recovery Agency was also responsible for the migration of counterresistance interrogation techniques into the U.S. Central Command's area of responsibility. In September 2003, at the request of the Commander, TF-20, the Commander, Joint Personnel Recovery Agency sent an interrogation assessment team to Iraq to provide advice and assistance to the task force interrogation mission. The TF-20 was the special mission unit that operated in the CJTF-7 area of operations" (p. 28).

In fact, TF-20 was a 40-person special forces unit

<http://en.wikipedia.org/wiki/Task_Force_20> , with its own "private aviation unit" tasked with capturing or killing former Iraqi Baath leadership and resistance leaders ("high value targets"). TF-20 was accused of being "trigger happy" <<http://www.guardian.co.uk/Iraq/Story/0,2763,1007694,00.html>> , leading to innocent civilian deaths. Those captured by TF-20 were, according to the OIG report, subject to SERE techniques. In Iraq it also appears that SERE staff got to participate directly in interrogations:

" The Commander, Joint Personnel Recovery Agency, explained that he understood that the detainees held by TF-20 were determined to be Designated Unlawful Combatants (DUCs), not Enemy Prisoners of War (EPW) protected by the Geneva Convention and that the interrogation techniques were authorized and that the JPRA team members were not to exceed the standards used in SERE training on our own Service members. He also confirmed that the U.S. Joint Forces Command J-3 and the Commanding Officer, TF-20 gave a verbal approval for the SERE team to actively participate in "one or two demonstration" interrogations" (p. 28).

It appears that TF-20 were so brutal in their application of SERE techniques that there was disagreement between SERE and TF-20 staff regarding the appropriateness of using the SERE-based techniques:

"SERE team members and TF-20 staff disagreed about whether SERE techniques were in compliance with the Geneva Conventions. When it became apparent that friction was developing, the decision was made to pull the team out before more damage was done to the relationship between the two organizations. The SERE team members prepared After Action Reports that detailed the confusion and allegations of abuse that took place during the deployment" (p. 28).

American Psychological Association response

With the release of the OIG's report, it is now irrefutable that both SERE psychologists and Guantánamo BSCT psychologists were involved in the development of these forms of interrogation abuse, forms of interrogation that clearly constitute psychological torture <<http://physiciansforhumanrights.org/library/report-2005-may.html>> and were illegal under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment <http://www.unhchr.ch/html/menu3/b/h_cat39.htm> , and various US laws until the 2006 Military Commissions Act <<http://web.amnesty.org/library/index/ENGAMR511542006>> granted immunity to those who had previously broken these laws during the "Global War On Terror."

Since psychologists became aware that their profession was being utilized to teach and conduct abusive interrogations, there has been a movement among them to ban participation in abusive interrogations. In response, the American Psychological Association (APA), the main psychologist professional organizations adopted a resolution condemning torture and cruel, inhuman or degrading treatment <<http://www.apa.org/governance/resolutions/notortureres.html>> and forbidding members to participate in abusive treatment.

However, like the Bush administration, the APA is always against torture and abusive treatment but never actually sees it. Thus, the APA has never expressed concern as reports have come flooding out suggesting that abuse treatment (whether formally "torture" or merely "cruel, inhuman, or degrading treatment or punishment") is common in US detention facilities holding so-called enemy combatants. Neither has the APA expressed concern at the repeated reports of psychologist participation

<<http://www.washingtonmonthly.com/features/2007/0701.levine.html>> in abusive interrogations. Rather, they have attacked the critics of psychologist abuse. In a statement that he probably now regrets for making so obvious his contempt for those shedding light on psychologists' role in abusive interrogations, the 2006 APA President, Gerald Koocher, wrote <<http://www.apa.org/monitor/feb06/pc.html>> : "A number of opportunistic commentators masquerading as scholars have continued to report on alleged abuses by mental health professionals."

However, the APA, like other health provider professional organizations felt the heat as these reports escalated. Thus, in June 2005 they convened a Presidential Task Force on Psychological Ethics and National Security (PENS), clearly designed to provide a rubber stamp on the participation of psychologists in national security interrogations. After 24 days of deliberations this Task Force concluded

<<http://www.apa.org/releases/PENSTaskForceReportFinal.pdf>> :

"It is consistent with the APA Code of Ethics for psychologists to serve in consultative roles to interrogation- or information-gathering processes for national security-related purposes. While engaging in such consultative and advisory roles entails a delicate balance of ethical considerations, doing so puts psychologists in a unique position to assist in ensuring that such processes are safe and ethical for all participants."

Of course, the value of a Task Force report depends upon the composition and expertise of the membership of that Task Force. So who did the APA see fit to include on its Task Force?

Strangely, when the report was released, it did not include a list of members; its authorship was, rather, anonymous. When members asked who was on the task force, they were told the membership was confidential. (For the record it should be noted that the PENS membership, while kept from the public and the broader Association membership, was, in fact, released to the APAs Council of Representatives) When, a year later, the membership was finally published by Mark Benjamin in Salon <<http://www.salon.com/news/feature/2006/07/26/interrogation/>> , it was revealed that six of nine voting members were from the military and intelligence agencies with direct connections to interrogations at Guantánamo and elsewhere; the conclusion of the task force's deliberations was obviously foregone.

Especially relevant, given the revelations in this newly-released OIG, at least two of the members <<http://www.webster.edu/peacepsychology/tfpens.html>> of this Task Force had direct SERE connections. Captain Bryce E. Lefevre had served at the Navy SERE school from 1990 to 1993 before joining the special forces and becoming the "Joint Special Forces Task Force psychologist to Afghanistan in 2002, where he lectured to interrogators and was consulted on various interrogation techniques." (Criciously,, he has "lectured on Brainwashing: The Method of Forceful Interrogation".)

But perhaps most disturbingly, on the task force was Colonel Morgan Banks. His biography <<http://www.webster.edu/peacepsychology/tfpens.html>> states that "[h]e is the senior Army Survival, Evasion, Resistance, and Escape (SERE) Psychologist, responsible for the training and oversight of all Army SERE Psychologists, who include those involved in SERE training... He provides technical support and consultation to all Army psychologists providing interrogation support... His initial duty assignment as a psychologist was to assist in establishing the Army's first permanent SERE training program involving a simulated captivity experience."

Given what the OIG's report reveals about the central role of SERE in the development of US abusive interrogation techniques, as well as revelations <http://psychoanalystsopposewar.org/blog/2007/04/27/member-of-apa-pens-task-force-brags-of-being-with-tortured-prisoners/> regarding other PENS members, it appears ever more likely that the APA appointed some of this country's top torturers to formulate its policy on participation in abusive interrogations. The PENS report lacks any credibility. If the APA maintained a shred of decency, they would take the opportunity provided by the release of the OIG report to admit that they made a mistake in creating the PENS Task Force and would immediately set aside the PENS report and begin a new open discussion of the facts and the ethics involved in participation in national security interrogations.

In addition, if the APA were really concerned about ethics and decency, they would join the call by Physicians for Human Rights http://actnow-phr.org/campaign/no_more_abu_ghraibs and by bioethicist Steven Miles <http://psychoanalystsopposewar.org/blog/2007/05/28/stephen-miles-on-new-oig-report-documenting-sere-psychologists-role-in-abusive-interrogations/> for an independent Congressional (or Congressional sponsored) investigation into detainee abuse and the role of psychologists and other health professionals in that abuse. For only a full investigation can clear up the question of exactly what types of abuse went on in the US detention facilities and exactly what role did psychologists and other health professionals play in these abuses. If, as the APA repetitively states as if a mantra, its policies are based upon <http://www.apa.org/releases/washingtonmonthly.pdf> "our belief that having psychologists consult with interrogation teams makes an important contribution toward keeping interrogations safe and ethical," then the APA would surely want an investigation to reveal any abuses that occurred so as to help prevent future abuses. Of course, if, despite the mountains of evidence, psychologists truly are innocent of involvement in detainee abuse, only a full investigation could clear the air.

Unfortunately, I don't expect the APA to set aside the PENS report nor to endorse an independent investigation of detainee abuse. All evidence is that, from the beginning, APA actions have had one goal in mind, to maintain psychologist involvement in interrogations at all cost. After 9/11, the APA sought to show the government that psychologists were key players in "homeland security" [see Making psychological research a priority for countering terrorism <http://www.apa.org/monitor/mar05/ppup.html>]. To eschew involvement, abuse or not, would be to forsake the access and influence for which they have fought so hard.

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US: Move Khadr and Hamdan Cases to Federal Court

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Source: Human Rights Watch

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Washington, DC, June 1, 2007) The trial of Omar Ahmed Khadr, the 20-year-old Canadian who was been in US detention since he was 15, and Salim Ahmed Hamdan, the 36-year-old Yemeni who

successfully challenged the initial military commission proceedings before the Supreme Court, should be moved to US federal court, Human Rights Watch said today. On June 4, both men will be formally charged by military commissions in Guantanamo Bay, Cuba. Omar Khadr: In a new backgrounder <<http://hrw.org/backgrounder/usa/us0607>> released today, Human Rights Watch said that although Khadr was just 15 when he was arrested, the United States has completely ignored his juvenile status throughout his detention. The US government incarcerated him with adults, reportedly subjected him to abusive interrogations, failed to provide him any educational opportunities, and denied him any direct contact with his family.

"For the past five years, the United States has turned a blind eye to Khadr's rights as a child," said Jennifer Daskal, US program advocacy director. "The US should not now add insult to injury by prosecuting Khadr before an unfair military tribunal."

The US has charged Khadr with murder for allegedly throwing a grenade during a 2002 firefight in Afghanistan that killed US Army Sergeant First Class Christopher Speer, as well as attempted murder, conspiracy, providing material support for terrorism, and spying. The government alleges that Khadr's father introduced him to al-Qaeda leaders starting at age 10 and that Khadr received formal military training from al-Qaeda members at age 15.

"We have here a kid who was dragged to meet al-Qaeda leaders from the age of 10, sent to military training camps at age 15, and then out to the battlefield to be shot at," said Daskal. "He hardly qualifies as the 'worst of the worst.'"

In detaining Khadr, the United States has flouted juvenile justice standards that provide for children to be treated in accordance with their unique vulnerability, lower degree of culpability, and capacity for rehabilitation. Although international standards allow for detention of juveniles only as a last resort, and require a prompt determination of all cases involving children, Khadr was held in US custody for more than two years before even being provided access to an attorney, more than three years before being charged before the first military commissions, and another two years before being prosecuted in this case.

Khadr has also reportedly been beaten, denied adequate medical treatment, held in solitary confinement for long periods of time, and left bound in uncomfortable "stress positions" until he soiled himself.

The treatment of Khadr also conflicts with the international obligations of the US to promote the demobilization and rehabilitation of child soldiers. Under a treaty banning children under the age of 18 from participating in armed conflict, ratified by the United States in 2002, the United States is obliged to assist in the demobilization and rehabilitation of former child soldiers within its jurisdiction. In 2004, the Pentagon released from Guantanamo three children, believed to be between the ages of 13 and 15 at the time of their capture, to rehabilitation programs operated by UNICEF in Afghanistan.

However, it refused to consider Khadr for a similar rehabilitation program, or to provide him with special protection at Guantanamo.

On Wednesday, Khadr fired his US military and civilian legal counsel. He is still represented by two Canadian lawyers, but US military commission rules prohibit foreign lawyers from acting as lead counsel at commission hearings.

Salim Hamdan: It was Hamdan's court challenge that led the Supreme Court to declare the first military commissions authorized by President Bush unlawful. On June 4, Hamdan will be charged again by the military commissions approved by Congress last September.

"The administration responded to the Supreme Court's ruling in Hamdan's case by pushing through Congress a new set of commissions with a few cosmetic improvements," said Daskal. "But these newly created commissions remain fundamentally flawed and should be struck down as well."

Of particular concern are rules that allow the use of evidence obtained through abusive interrogation techniques prior to January 2006. The rules also allow interrogation methods and activities to be protected from disclosure, even to defense counsel and even for the purposes of challenging the use of evidence obtained by torture. This will make it difficult ? if not impossible ? to demonstrate that a particular statement is the product of torture or abuse.

Human Rights Watch expects the question of abuse to be a central in Hamdan's case. Hamdan has alleged that he was beaten, forced into painful stress positions, subjected to extreme cold temperatures, and threatened with death when he was detained in Afghanistan in 2001 and early

2002. He also described being kept in such extreme isolation after being transferred to Guantanamo that he once considered "pleading guilty in order to get out of here." Hamdan is being charged with conspiracy and providing material support for terrorism based on allegations that he served as a driver and bodyguard to Osama bin Laden, transported weapons, and attended an al-Qaeda training camp.

Both Khadr and Hamdan are the second and third detainees to be charged under the new commissions. David Hicks, the only other person to be brought before these commissions, who pled guilty in April to one count of providing material support to terrorism has since returned to his home in Australia to serve a nine-month sentence.

Approximately 380 other detainees continue to be held at Guantanamo without charge and who, under the terms of the Military Commissions Act of 2006, are prohibited from bringing habeas corpus petitions to challenge the legality of their detention.

To view a Human Rights Watch Q&A on the Military Commissions Act of 2006, please visit: <http://hrw.org/backgrounders/usa/qna1006/> <<http://hrw.org/backgrounders/usa/qna1006/>>

To view an April 1, 2007 commentary by US Program Advocacy Director Jennifer Daskal on the conviction of David Hicks by a US military commission, published in the International Herald Tribune, please visit: <http://hrw.org/english/docs/2007/04/03/usdom15648.htm/> <http://hrw.org/english/docs/2007/04/03/usdom15648.htm>

Posted on Thu, May. 31, 2007
Young detainee fires all his American lawyers
BY CAROL ROSENBERG

Guantanamo's youngest known detainee, facing a war-crimes charge of murder, has fired all his American lawyers almost on the eve of his arraignment before a Military Commission, his now-fired Marine Corps lawyer said Wednesday night.

Canadian Omar Khadr, 20, is slated to appear before a U.S. war court for the most serious charges so far at 8 a.m. on Monday.

The Toronto-born scion of a radical Muslim family has been in U.S. custody since his July 2002 capture -- at age 15 -- in a firefight with U.S. forces in Afghanistan.

Khadr met with two family lawyers from Canada last week and told them he was firing his Pentagon-appointed defense attorney, and also dismissing a team of American University law professors who have been suing on his behalf in federal court.

So, Khadr's Pentagon-appointed attorney, Marine Lt. Col. Colby Vokey, told The Miami Herald late Wednesday that he would not be traveling to the remote U.S. Navy base for Khadr's commission session before U.S. Army Col. Peter Brownback.

"He doesn't trust American lawyers, and I don't particularly blame him," said Vokey. "The United States is responsible for his interrogation and his treatment under a process that is patently unfair."

Moreover, Vokey said his supervisor, Marine Col. Dwight Sullivan, had formally excused him from his obligation to serve as Khadr's uniformed defense counsel.

In consideration of his young age, Pentagon prosecutors have not sought a death sentence if Khadr is convicted at President Bush's Military Commissions.

He is accused of murder in the grenade killing of a U.S. Army Special Forces medic, Sgt. First Class Christopher Speer, 28, of New Mexico -- and separately of planting roadside bombs meant to shred passing U.S. patrols in Afghanistan.

<http://www.miamiherald.com/416/v-print/story/123847.html>

Khadr fires U.S. lawyers, wants Canadians
PAUL KORING
From Friday's Globe and Mail
June 1, 2007 at 4:51 AM EDT

WASHINGTON - Omar Khadr, the Canadian accused of killing a U.S. soldier for al-Qaeda, has fired his U.S. lawyers in a move that may torpedo the Bush administration's efforts to get war-crimes trials under way at Guantanamo Bay.

Mr. Khadr has fired both his U.S. civilian and military lawyers and intends to demand to be represented only by Canadian lawyers Dennis Edney and Nate Whitling, even though they met him for the first time a week ago at the U.S. naval base in Cuba.

"It seems that Omar doesn't want American lawyers," said Muneer Ahmad, the American University law professor who long led the civilian team representing him. "American lawyers haven't been able to do anything for him, and I think it's important that he have the counsel of his choice."

Mr. Ahmad confirmed that he won't be on the flight to Guantanamo on Sunday or at Mr. Khadr's early morning arraignment before the tribunal on Monday.

Meanwhile, the senior and experienced military lawyer, U.S. Marine Lieutenant-Colonel Colby Vokey, confirmed he has been taken off the case.

The revised U.S. military commission's rules require that a U.S. military lawyer be assigned to all defendants and Lieutenant-Commander William Kuebler, who has had no previous involvement with the Khadr case, is expected to be at the defence table Monday.

That sets the stage for a procedural brouhaha that could transform the session into a circus -- not the smooth opening day that the Bush administration may have hoped would defuse international condemnation of the process.

Mr. Khadr is entitled to represent himself. But the rules don't allow for foreign lawyers to address the court, only to serve as advisers.

Earlier this week, the State Department's legal adviser, John Bellinger, said the rules were established so that defendants from countries such as Yemen, Saudi Arabia and Pakistan couldn't demand lawyers from jurisdictions entirely unfamiliar with U.S. law.

But Colonel Peter Brownback, the veteran army judge now presiding in the Khadr case, showed scant tolerance for procedural wangling over legal representation last year. When Major Tom Fleener said he couldn't represent Ali Hamza al-Bahlul because the al-Qaeda publicist wanted a Yemeni lawyer, Col. Brownback simply ordered Major Fleener to the defence table.

<http://www.theglobeandmail.com/servlet/story/RTGAM.20070601.wkhadr01/BNStory/International/?page=rss&id=RTGAM.20070601.wkhadr01>

Lawyer slams Guantanamo treatment

By NICKI THOMAS, SPECIAL TO SUN MEDIA

Canadian Omar Khadr, 20, continues to rot away in Guantanamo Bay five years after his arrest in Afghanistan, charges his Edmonton lawyer.

"He is a broken young man," his lawyer Dennis Edney told Sun Media yesterday.

"Dogs are treated better," Edney said.

The conditions at Guantanamo have been condemned by Khadr's lawyer and human rights organizations.

Khadr is being held in Camp 6, a new facility that Amnesty International (AI) reports has "created even harsher and apparently more permanent conditions of extreme isolation and sensory deprivation."

According to AI, detainees in Camp 6 are kept in individual, windowless steel cells where they receive little human contact.

Exercise is permitted for an hour a day, alone in a high-walled yard. Often this exercise time is given at night, preventing prisoners from seeing daylight for days.

Edney, who saw his client in person for the first time last week, says Khadr's physical and mental health has deteriorated since he was taken into custody in 2002 at the age of 15.

"He looked pale. He looked thin. He looked unwell," he said.

Edney and his partner, Nate Whitling, have been fighting for an independent medical and psychological assessment of Khadr but have so far been unsuccessful.

The issue is something they will raise at Khadr's hearing Monday.

Khadr is charged with murder and attempted murder in violation of the law of war, spying, conspiracy, and providing material support to terrorism. The Pentagon alleges that Khadr threw a grenade that killed an American soldier and wounded another.

<http://www.edmontonsun.com/News/Canada/2007/05/31/pf-4222319.html>

Photo exhibit shows glimpse of home for Guantanamo detainees

The Associated Press
Thursday, May 31, 2007

HOUSTON: At first glance, the photographs seem simple.

A Dairy Queen in Bahrain. Three daughters in Yemen holding up paper flowers made by their father. Snowcapped mountains in the Afghan countryside that seem to belong in a vacation scrapbook.

The photos were the work of attorneys representing detainees at Guantanamo Bay Naval Base, where about 380 people are being held on suspicion of links to al-Qaida or the Taliban. The pictures were taken during trips lawyers made to the prisoners' countries and capture images of them interacting with their clients' families.

They also offer reminders of home as landscapes or snapshots of a living room or favorite restaurant.

Eighty-eight of these photographs, which document the trust that grew between detainees and their attorneys, are on display in an exhibit at Fotofest called "Guantanamo. Pictures From Home. Questions of Justice."

Photographer Margot Herster, who helped put the show together, started gathering the images when her husband's law firm, Allen & Overy, represented 11 detainees from Yemen at the military detention center in southeastern Cuba. She was spurred on by a growing curiosity about the men that her husband Scott Sullivan would visit.

"It's a slice of what's going on in Guantanamo from the perspective of this relationship that had developed between the attorneys and the detainees," Herster said.

All detainees are classified as "enemy combatants" - a status that accords them fewer rights than prisoners of war under international law. Most have been held for years without charges.

"Bringing a picture of us standing next to their father in their living room, that really solidified the idea their family was behind this and we are who we say we are," said Doug Cox, who along with Sarah Havens, works for Allen & Overy, based in London.

The exhibit, Herster said, was also designed to counter the common image of Guantanamo Bay: images of detainees in orange jumpsuits herded around by U.S. soldiers.

"You take them on a one-to-one basis and (the exhibit) gives you an idea about who these people really are," Cox said.

None of the photographs in the show, which centers on 32 detainees, were taken at Guantanamo. They were shot by the lawyers during trips to their client's home countries - Afghanistan, Bahrain, Kuwait, Saudi Arabia and Yemen. The photos are accompanied by text of interviews with the attorneys as well as excerpts from military tribunals at Guantanamo.

The exhibit also features several short videos family members made, telling the prisoners to trust their attorneys, as well as a 15-minute film in which the lawyers discuss their experiences.

Another section of the exhibit is mounted with the audio in a darkened room, made to resemble the isolated environment at Guantanamo.

Although the photos are simple, the images offered the prisoners a chance to reconnect with their lives, as many had not seen their relatives or homes in years. Some of the detainees became obsessed with the photographs, learning every detail and sharing the images with other prisoners.

A photograph of detainee Abdulaziz al Swidi's three daughters in Yemen, holding up paper flowers, let al Swidi know the girls had received his gift for them — flowers he had made from toilet paper at Guantanamo. A more abstract photo featured a pair of gold earrings that al Swidi's attorneys, Cox and Havens, gave to his mother for him. It was accompanied by a note in Arabic that read, "Don't despair, someone in the sky is taking care," a phrase al Swidi's mother used to tell him.

The image of a Dairy Queen in Bahrain reminded detainee Isa al Murbati of trips he and his family used to make. In two other photos, nieces and nephews for detainee Abdullah al Anazi, from Saudi Arabia, hold up his Guantanamo mug shot; his favorites clothes — a gray soccer shirt and white athletic pants — hang outside a closet in his room.

Other photos are more picturesque reminders of home, offering views of crowded downtown Kabul, Afghanistan, and a small village within a green valley in Yemen.

Herster said she wasn't necessarily trying to make a political statement about Guantanamo with the exhibit or make judgments on guilt or innocence.

"Guantanamo is something the public is very ambivalent about. We are torn between national security and the ideals of justice that we are used to. I was hoping the stories and images would create an entryway to wanting to understand more," Herster said.

For Havens, the photographs have become much more than a byproduct of her legal efforts.

"Part of the project of Guantanamo for the government is to erase these people's identities," she said. "These photos are valuable because they remind them they have a history and have a place in life."

The exhibit, sponsored by FotoFest, a nonprofit photographic arts and education organization, will be on display through June 2. Part of the exhibit will be displayed in New York City next month.

<http://www.iht.com/articles/ap/2007/06/01/america/NA-FEA-A-E-ART-US-Guantanamo-Photo-Exhibit.php>

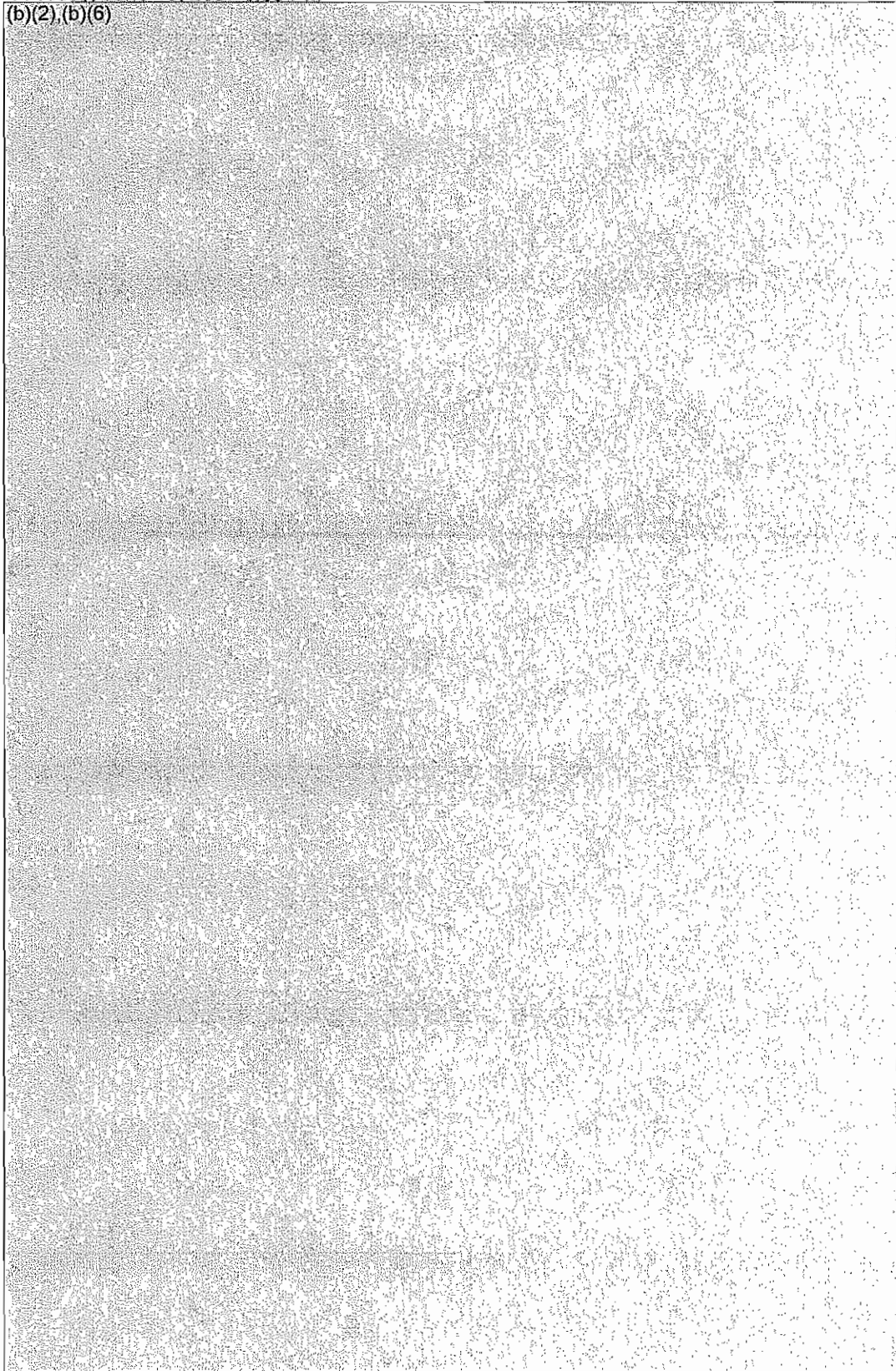
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