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US ALL.**

**STOP TORTURE
AND ILL-TREATMENT
IN THE 'WAR ON TERROR'**

TORTURE AND SECRET DETENTION

Testimony of the 'disappeared' in the 'war on terror'

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ACTION SHEET 1 – US authorities

THE 'DISAPPEARED'

In a recent meeting with AI representatives, Yemeni nationals **Muhammad Faraj Ahmed Bashmilah** and **Salah Nasser Salim 'Ali** described how they were "disappeared" – held by US authorities in secret, underground, incommunicado detention for over one and a half years. Both had previously been subjected to four days of torture by Jordanian authorities. Both were released from US custody in March 2005 but remain detained in Yemen without charge or trial, at the request of US authorities.

AT RISK OF TORTURE OR ILL-TREATMENT IN UNKNOWN LOCATION

Osama Nasr Mostafa Hassan was abducted on a street in Milan and allegedly driven to the US air base in Aviano, Italy, where he was interrogated and drugged before being taken to the US military base in Ramstein in Germany. From there he was flown to Egypt, where he was allegedly tortured, including with electric shocks. Although released in 2004 he was rearrested and remains held in an unknown place of detention, although it has been suggested that he may again be detained in Egypt where he may be at risk of torture or ill-treatment.

FREED FROM GUANTÁNAMO BAY, STILL DETAINED IN YEMEN

Walid Muhammad Shahir Muhammad al-Qadasi was released from the US detention centre at Guantánamo Bay, Cuba, and returned to Yemen in April 2004. More than a year later, he remains detained in Yemen without charge or trial, apparently at the request of the US authorities. Before he was transferred to Guantánamo he had been held in Kabul and at Bagram airbase in Afghanistan, where he was subjected to abuse and threatened with death. He was held in Guantánamo for over two years and was never charged with any offence or brought to trial.

↪ For more details on these cases, please see AI's report *Torture and secret detention: Testimony of the 'disappeared' in the 'war on terror'*. AI Index: AMR 51/108/2005
<http://web.amnesty.org/library/index/engamr511082005>

↪ For more information on the campaign, including appeals, see <http://web.amnesty.org/pages/stoptorture-index-eng>

↪ To take further action, please keep reading...

Action Sheet 1 – USA

Call on the US authorities to:

STOP secret and incommunicado detention, and ‘disappearances’

- ▷ Clarify the location where Muhammad Faraj Ahmed Bashmilah and Salah Nasser Salim ‘Ali were held and clarify the location where Osama Nasr Hassan remains held.
- ▷ Disclose the identities and clarify the fate and whereabouts of all detainees reported to be or to have been in US custody or under US interrogation in the custody of other countries.
- ▷ Stop secret and incommunicado detention, and “disappearances” – human rights violations in themselves and conditions in which torture thrives. Ensure that all detainees have access to lawyers, families and the courts.
- ▷ Immediately end all acts of torture and other cruel, inhuman or degrading treatment or punishment by US officials.

INVESTIGATE all allegations of torture and other ill-treatment

- ▷ Investigate all allegations of torture and other ill-treatment against Walid Muhammad Shahir Muhammad al-Qadasi and Osama Nasr Hassan.
- ▷ Establish an independent Commission of Enquiry to investigate the actions of all relevant US agencies with regards all aspects of US detention and interrogation policies and practices in the “war on terror”.

PROSECUTE anyone found responsible for human rights violations

- ▷ Investigate and prosecute alleged perpetrators of torture or other cruel, inhuman or degrading treatment, wherever it has occurred.
- ▷ Ensure that anyone responsible for human rights violations is brought to justice in fair proceedings.
- ▷ Make it clear to all officials involved in the treatment or interrogation of detainees and prisoners that torture and ill-treatment are prohibited absolutely and will not be tolerated.

RELEASE OR FAIR TRIAL

- ▷ Withdraw all requests or demands made to the Yemeni or any other government for the continued detention of persons released from US custody, unless it is with a view to prompt prosecution for internationally recognizable criminal offences and in accordance with international standards of fair trial;
- ▷ Grant UN human rights monitoring bodies, the International Committee of the Red Cross, Amnesty International and other human rights organizations regular access to detainees and officials in Guantánamo Bay as well as in Yemen, Jordan and any other location.

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