

 or almost two years now 660 "enemy combatants" captured in Afghanistan and Pakistan, or handed over by other countries, have been held in secrecy at the United States base of Guantanamo Bay, Cuba, in breach of every international law. Their detention has been justified solely by US presidential decrees in the name of the war on terror. To date no prisoner has been charged officially and the ad hoc military commissions announced in 2001 have yet to be convened.

We spent several days at the base but could not make contact with any prisoner. This isolation was enforced by the personnel under General Geoffrey Miller, camp commander and chief of the Joint Task Force (JTF), who receives his orders directly from the Pentagon. Visiting journalists are kept away from the high security blocks and can only glimpse prisoners in Camp 4, the residence of those who cooperate. Journalists are not allowed to talk to them or reply to their shouts.

Before 11 September 2001 and the war in Afghanistan, the base was in serious decline; since then it has constantly expanded. Its military and civilian population has tripled and is now more than 6,000. The JTF units and prison are set up in wasteland. On maps of the base, there is no indication of either the detention centre or the many service buildings around it. At the approach to the high-security area, orange barriers force cars to zigzag, easing the task of the sentries who check each vehicle. Security has been stepped up since the arrest of the camp's Muslim chaplain and two translators (wrongly) accused of spying.

Camp Delta, which is split into four quarters, can house 1,000 people; when we visited, there were 660 prisoners of 42 nationalities. It is surrounded by several metal fences covered by green nylon and topped with electrified barbed wire. The prisoners, whose cells remain lit all night long, are under constant surveillance by guards who patrol or are posted in watchtowers.

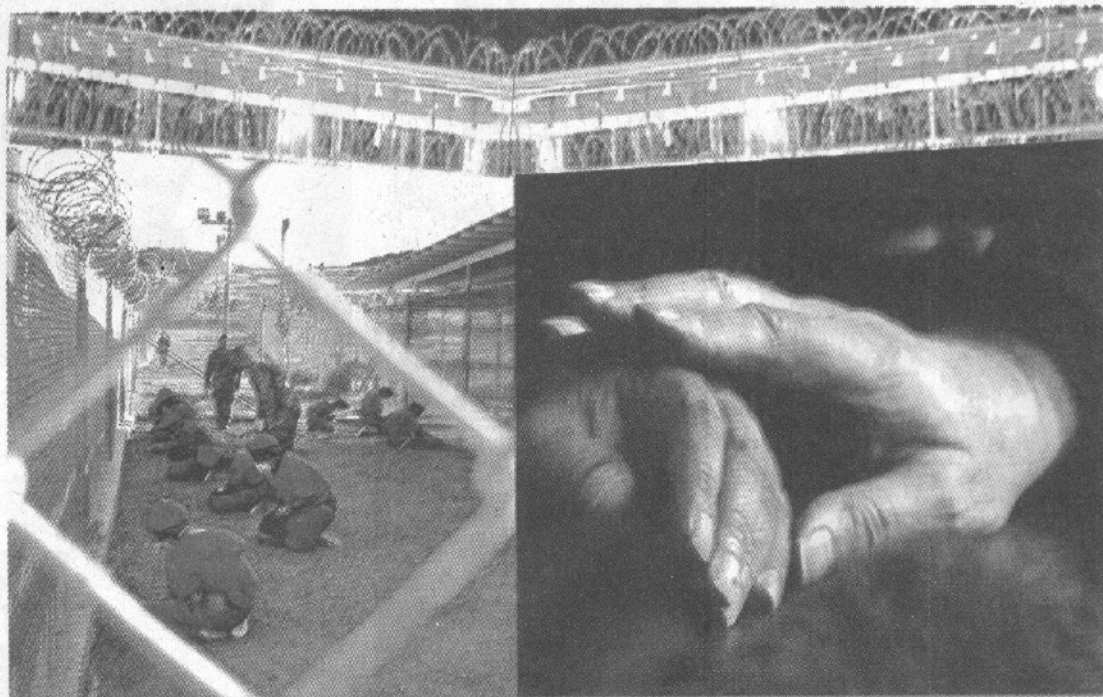
Camp conditions are such that 32 suicide attempts by 21 prisoners have been logged. According to Captain John Edmondson, the surgeon who runs the camp hospital, 110 detainees (one in six) are under observation for psychological disorders; 25 are receiving psychiatric treatment. When we visited, another prisoner, who has been on hunger-strike on and off for a year, had been committed and was being fed intravenously.

In at least three of the four camps, the conditions of detention are distressing. There are two blocks of

The blackhole of Guantanamo

The Nation Human Rights 22/2/04

None has yet thought out what will happen to those captured in the Afghan war of 2001 and dumped in Guantanamo Bay without any regard for human rights or for the law of the United States



48 cells in two rows of 24, each cell barely 2 by 2.5 metres. The metal mesh walls and doors prevent privacy. The routine is only broken by a solitary 20-minute walk in a large cage on a cement floor; and, three times a week, by a five-minute shower. Before each transfer, prisoners are handcuffed and also fitted with foot restraints linked by chains.

In Camp 4, the group we glanced at had bushy beards and all seemed to be under 30. The 129 prisoners here live in small groups, in less cramped cells with up to 10 beds. The prisoners eat together and can go out several times a day into the areas next to their jail, where a few posters about the reconstruction of Afghanistan are displayed. Unlike the prisoners in the other three camps, who wear US standard jail high-visibility orange outfits, those in Camp 4 are dressed in white - "the colour of purity in Islam", explains one guard proudly. He points out that these prisoners have been given proper prayer mats as well as the copies of the Koran handed out to all detainees following the hunger strike in the weeks after their arrival.

In agreeing to press visits, the Pentagon clearly wanted to rectify the negative image that Guantanamo Bay had acquired in its first few months. So we were shown Camp Iguana, a bungalow on a cliff overlooking the sea and surrounded by a metal security fence. For more than a year, this is where three 13- to 15-year old "enemy juvenile combatants" have been locked up. We were told they take English classes, play soccer and are allowed a few videos. But it's impossible to see them or even to find out their nationalities.

The tour includes a trip to Camp X-Ray. The prisoners passed through it on arrival and the world saw unbearable images of deportees in their orange suits on their knees, threatened by their jailors' weapons, restrained, forced to wear face masks and ear muffs, and kept in total isolation.

Camp X-Ray was originally built to enclose the most turbulent Haitian boat people, and even people with Aids; now overgrown by thick vegetation, it has been abandoned. Camp Delta will soon follow it into ruin: a Camp 5 is being constructed,

with the first phase due by July 2004. It will be a solid-walled prison to take about 100, is meant for detainees finally convicted by the military commissions and will include an execution chamber.

On 13 November 2001, the day the Northern Alliance took control of Kabul, a US presidential decree was issued that led to the creation of the detention centre. A way had to be found to host what President George Bush later described as "enemy combatants", thus introducing a new concept foreign to US and international law.

"The Bush administration refuses to consider enemy combatants as prisoners of war, and is denying them the right of referral to a competent tribunal to determine their status, which is required by the third Geneva Convention as ratified by the United States," says Wendy Patten, US advocacy director for Human Rights Watch. "The military commissions, which do not allow for an appeal to an independent tribunal, will not guarantee them a fair trial." The US administration maintains that the commissions are designed to prevent the disclosure of sensitive

nformation. There are, however, precedents for at least two options: criminal courts, which in the past have tried terrorism cases such as the 1993 World Trade Centre bombing, and court martials, such as the one that tried the president of Panama, Manuel Noriega.

The architect-in-chief of the commissions is the US deputy secretary of defence, Paul Wolfowitz. He will choose the judges and the prosecutor, and draw up the charge sheet. He will also appoint the three-person panel to which convicted parties may appeal. Finally, he will examine their recommendations and take the final decision. "The military will act as interrogators, prosecutors, defence counsel, judges and, when death sentences are imposed, as executioners. They are answerable to President Bush alone," said a British judge, Lord Steyn, in a vigorous indictment of what he called the legal black hole of Guantanamo Bay.

On 9 November Al Gore broke the silence of senior Democratic figures in a lecture at the Centre for Constitutional Rights in Washington: "The handling of prisoners at Guantanamo Bay has been particularly harmful to America's image. Even England and America have criticised our departure from international law and the Geneva Convention. Foreign nationals held in Guantanamo should be given hearings to determine their status as provided for by the Geneva Convention. Secretary Rumsfeld's handling of the captives has been about as thoughtful as his post-war plan for Iraq."

Much more has been heard about the camp at Guantanamo. The International Red Cross (ICRC) surprised US public opinion, emerging from its usual duty of impartiality, to condemn the despair fostered in the detainees by their total lack of prospects.

The White House can count on only a few unconditional supporters in the media, such as The Wall Street Journal. Responding to the ICRC criticisms, the paper blamed the ICRC for abandoning its duty of reserve: it had "deliberately waded into the political fray". The paper believed that enemy combatants must be detained until the war against terrorism is over: "The war on terror is not some perpetual struggle against international evil, comparable to the endless wars against crime and poverty. It is a conflict between the US and al-Qaeda, its associated groups and those states which choose to give it assistance. The war will end when al-Qaeda is smashed and no longer capable of launching attacks against American targets."

As US opposition to selective laws begins to build, albeit timidly, the