



What is Guantánamo?

“Guantánamo” refers to the detention facilities located within the U.S. Naval Base at Guantánamo Bay, Cuba. By choosing Guantánamo, the Bush administration sought to send detainees to a place where they believed neither U.S. nor international law applied. This concept is an affront to human rights and the rule of law—no one can be held outside of the law.

Despite international outrage and the U.S. authorities’ own stated wish to close the camp, Guantánamo is still holding detainees illegally, without charge and with little hope of a fair trial. Hundreds languish in cruel, inhuman, and degrading conditions—including detainees who have been cleared for release.

Guantánamo is only one part of a wider detention regime removed from the protection of U.S. and international law. Hundreds of detainees, for example, remain in indefinite detention without charge or trial at the U.S. airbase at Bagram in Afghanistan, without access to lawyers or the courts. Over the years, at Guantánamo, Bagram, other U.S. facilities, and at CIA “black sites,” detainees have been subjected to torture and other cruel, inhuman, or degrading treatment.

Even after the Bush administration said it wanted to close Guantánamo, detainees continued to be transferred there from secret CIA custody and elsewhere, confirming the camp’s role at the heart of the U.S. network of illegal detention. Guantánamo is a global symbol of injustice. It must be closed.

High-ranking U.S. officials, allied governments, and the United Nations have joined the call to close it down. Admiral Michael Mullen, Chairman of the Joint Chiefs of Staff, has said: *“I’d like to see it shut down...I believe that from the standpoint of how it reflects on us that it’s been pretty damaging.”*

If Guantánamo is closed, what happens to the people held there?

Amnesty International is calling on U.S. authorities to either charge Guantánamo detainees with recognizably criminal offenses and provide them with a fair trial before an independent and impartial tribunal, such as a U.S. federal court, or release them unconditionally.

What was the recent U.S. Supreme Court ruling about?

On June 12th, 2008, the U.S. Supreme Court ruled in *Boumediene v. Bush* that foreign nationals held at Guantánamo are entitled, under the U.S. Constitution, to habeas corpus—the centuries old right to challenge the legality of one’s detention. The Supreme Court declared as unconstitutional attempts by the administration and Congress (through the 2006 Military Commissions Act) to strip detainees of the right to habeas corpus. The Court also dismissed as deficient the substitute scheme established by the administration and Congress to replace habeas corpus proceedings. The Supreme Court’s judgment points the way for the U.S. government to begin to bring its detention policies and practices into compliance with U.S. and international law.

What is Amnesty International?

Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights. We are independent of any government, political ideology, economic interest, or religion. Join us. www.amnestyusa.org

What is Amnesty International’s Counter Terror With Justice Campaign?

We work to end torture, illegal detention, and other human rights abuses committed by the U.S. government in the name of fighting terrorism.

What can I do?

Add your name to www.tearitdown.org, Amnesty International’s global online petition to end illegal U.S. detention and close Guantánamo. Visit www.amnestyusa.org/ctwj to get more involved.



GUANTÁNAMO FACT SHEET

2,323 – days that the longest held detainees have been at Guantánamo Bay without charge or trial as of May 8, 2008
270 – Approximate number of people in custody at Guantánamo Bay as of May 8, 2008¹
16 – number of "high value detainees" held at Guantánamo²
13 – age of Mohammed Ismail Agha when taken into U.S. custody in Afghanistan in late 2002 then sent to Guantánamo³
2 – cases thrown out by a Military Judge⁴
1 – prisoner conviction by guilty plea⁵

Deaths and Attempted Suicides

350 – self-harm incidents in Guantánamo in 2003⁶
120 – "hanging gestures" incidents in 2003⁷
110 – reports of self-harm incidents in 2004⁸
41 – number of self-harm incidents which were labeled "attempted suicide" by the U.S. since January 2002⁹
23 – prisoners that tried to strangle themselves in August 2003¹⁰
21 – whose attempts were written off as "attention-getting" gestures¹¹
2 – classified as attempting suicide¹²
4 – prisoners who died of apparent suicides at Guantánamo¹³
1 – number of prisoners who died of medical causes¹⁴

Detained without Adequate Proof¹⁵

55% – percent of detainees not determined to have committed any hostile acts against the United States
40% – total detainees who have no definitive connection with Al Qaeda
18% – detainees who have no definitive connection with Al Qaeda or Taliban
8% – detainees characterized as Al Qaeda fighters

Bought Detainees¹⁶

At the time when the United States offered large bounties for capture of suspected enemies:
66% – detainees were captured by Pakistani authorities and turned over to U.S. control
20% – detainees were captured by the Northern Alliance/Afghan authorities and turned over to U.S. control
8% – detainees were captured by U.S. authorities
3% – detainees were captured by other coalition forces

Habeas Corpus¹⁷

Roughly 300 – Number of habeas corpus petitions filed in federal courts on behalf of detainees
January 2002 – Month of first habeas corpus petition filed to challenge detention at Guantánamo

Cost¹⁸

About \$54 million – building Guantánamo high-security detention facilities
\$90-118 million – estimated annual cost of operating Guantánamo
\$10-12 million – cost of "expeditionary legal complex" for the military commission

Closing Guantánamo

3 – Number of bills in Congress calling for Guantánamo's closure¹⁹
145 – Representatives who signed a letter to President Bush in June 2007 urging him to close Guantánamo and move the detainees to military prisons in the United States²⁰
130, 476 – Number of citizens who have signed Amnesty International's www.tearitdown.org petition, as of May 8, 2008

¹ Glaberson, William, "Cameraman is Released from Guantánamo," The New York Times, 2 May 2008. www.nytimes.com/2008/05/02/us/nationalspecial/02gitmo.html?_r=1&scp=3&sq=al-hajj&st=nyt&oref=slogin

² "Defense Department Takes Custody of High-Value Al Qaeda Operative," DefenseLink, 14 March 2008. www.defenselink.mil/news/newsarticle.aspx?id=49283

³ Constable, Pamela, "An Afghan Boy's Life in US Custody," The Washington Post, 12 February 2004.

www.washingtonpost.com/ac2/wp-dyn?pagename=article&contentId=A33696-2004Feb11¬Found=true

⁴ "Guantanamo pair's charges dropped," BBC News, 5 June 2007. <http://news.bbc.co.uk/2/hi/americas/6720315.stm>

⁵ "Guilty plea from detainee Hicks," BBC News, 27 March 2007. <http://news.bbc.co.uk/2/hi/americas/6494281.stm>

⁶ Golden, Tim, and James Risen. "Saudi Arabia Identifies Two Dead Guantanamo Detainees." The New York Times, 11 June 2007.

www.nytimes.com/2006/06/11/us/12gitmocnd.html?pagewanted=3&_r=1&sq=guantanamo-suicide&st=nyt&scp=3

⁷ *Ibid.*

⁸ "The Guantanamo Detainees During Detention." Report by Seton Hall University. 10 July 2006. http://law.shu.edu/news/guantanamo_third_report_7_11_06.pdf

⁹ Bowker, David, and David Kaye. "Guantanamo by the Numbers," The New York Times, 12 November 2007.

www.nytimes.com/2007/11/10/opinion/10kayeintro.html?_r=1&th&emc=th&oref=slogin

¹⁰ New York Times. *Supra* note 6.

¹¹ Report by Seton Hall University. *Supra* note 8.

¹² *Ibid.*

¹³ "Guantanamo 'suicide' inmate named" BBC News, June 1, 2007.

<http://news.bbc.co.uk/2/hi/americas/6710505.stm>

¹⁴ Rosenberg, Carol. "Pentagon: Cancer Killed Guantanamo Detainee." The Miami Herald, 30 Dec 2007. <http://www.miamiherald.com/guantanamo/story/361594.html>

¹⁵ Results based on CSRT report data extracted by Seton Hall University study. http://law.shu.edu/news/guantanamo_report_final_2_08_06.pdf

¹⁶ *Ibid.*

¹⁷ New York Times. *Supra* note 9.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*