

BETWEEN:

DAVID HICKS

Appellant

and

**THE SECRETARY OF STATE
FOR THE HOME DEPARTMENT**

Respondent

FIRST STATEMENT OF DAVID HICKS

David Hicks of Camp Echo, Guantanamo Bay, Cuba will say:

1. I am advised that the case against me rests on admissions which I allegedly made to the Security Service during an interview in April 2003 that lasted approximately 90 minutes. I understand that the admissibility of those admissions is in issue, and I am advised that under the circumstances it would not be right for me to say any more about them until the question of their admissibility has been determined. I should make clear, however, that this stance is not to be taken in any way as conceding that any of the alleged admissions were either made or, if made, are accurate. I do, however, dispute the assessment of the Security Service that I am a threat to the national security of the United Kingdom.
2. Until my lawyers informed me at Guantanamo Bay that the law in England had been changed to entitle me to British citizenship, I had understood that I was not entitled to that citizenship. I am advised that I became entitled to register as a British citizen with effect from 30 April 2003, when section 4C of the British Nationality Act 1981 came into force. Had British law permitted me, I would have moved to formalise my British citizenship sooner, when my grandparents were still alive. My mother is, and both her parents were, British citizens. As a child, I enjoyed hearing about their lives in England and about the relatives who still lived in England. I have always been and still am proud of my grandparents'

service in the British Army during World War II. I have never had any desire to act in a manner that would be disloyal to the Queen of England. Nor do I want to do anything to undermine the British government that my grandparents fought to preserve, or British interests anywhere in the world.

3. When I received my British citizenship in Guantanamo Bay, in July 2006, I could not help but think of my grandfather, to whom I had been closest, and that he would have liked to have seen me become a British citizen as he was. I understood that I was to have the opportunity to swear the oath of loyalty and take a pledge of allegiance as part of acquiring my citizenship. I was disappointed this opportunity to demonstrate my loyalty was not permitted.
4. I am more than willing to adhere to any requirements the British government might ask me to comply with. I have no desire to associate with any person the British government would not like me to. I do not have – nor have I ever had – any desire or intention to engage in any terrorist activities or any activity that would be harmful to the interests of the United Kingdom.
5. While the US authorities provide nothing productive to do here at Guantanamo Bay, I have striven to finish my high school qualifications through a correspondence course from Australia. I have received A grades in all my courses so far. I am working on my year 12 Maths and year 11 English. Upon my release from Guantanamo Bay, I desire to see my family (most particularly my two children, ages 13 and 11), and finish my high school qualifications (and hopefully attend University) while finding meaningful employment. I realise that leaving school early was a mistake, which I will correct. Although I began practising Islam in approximately October 1999, I have not been practising the Islamic faith for some time now.
6. The following is an account of my detention and treatment in Afghanistan:
 - a. I was first detained by Northern Alliance forces (“N.A.”) in November 2001, and was in their custody for approximately two weeks. The N.A. did not interrogate me; nor did they physically abuse me. No physical restraints were used upon me while I was in their custody, except when I was visited by United States (“US”) personnel, at which point N.A. personnel shackled me at

the direction of US personnel. The treatment was surprising as the N.A. had a reputation for being extremely cruel to or even killing prisoners. The food was of a normal quality and quantity. During the second week of my detention, US personnel began interrogating me.

- b. When the U.S. interrogators showed up my treatment changed. My hands were restrained behind my back and I was forced to kneel during interrogations. Kneeling caused pain in my knees and this is when I first learned that US personnel would force me into painful physical positions during interrogations. My first interrogation was conducted with five US non-uniformed personnel (dressed in black combat attire without insignia) in the room, some of whom had weapons. The US interrogators would question me, and after my responses I would be slapped in the back of the head and told I was lying. Since this was done with many US personnel watching, I became aware that physical assaults during interrogations were accepted by US personnel, and I knew that if I did not cooperate with U.S. interrogators, physical force would be used upon me. I was fearful that if I did not do what the interrogators wanted, the severity of the assaults would increase and I might be subjected to serious injury by US personnel. During my second interrogation by US personnel, I was forced to sit on a window ledge with my back to the outside. I was made to look outside the window and observe approximately six US soldiers who had their weapons aimed at me. I was told that the shotgun trained on me was designed to maim me if I “did anything.” During another interrogation session at an N.A. police station, the US interrogator, obviously agitated, took out his pistol and aimed it at me, with his hand shaking violently with rage. My impression was that he wanted to kill me, and that he could barely control that urge. It was at this time I realised that if I did not cooperate with US interrogators, I might be shot. All of these incidents led me to commit to doing anything to please the US interrogators in order to avoid any further physical harm. I was interrogated randomly by US personnel throughout the time I was detained by the N.A. The total was approximately eight times during that week. Sometimes these interrogations took place during the day, and sometimes in the middle of the night, I would be woken up and interrogated. The interrogations during the night were

difficult, as it was near impossible to sleep during the day to make up for the lost sleep.

- c. After approximately two weeks, I was blindfolded, hooded, and handcuffed behind my back, put in a van and driven 10 to 15 minutes to an airport. I was taken out of the van next to a helicopter. Though blindfolded, I could feel the rotation of the helicopter blades and smell the engine exhaust. As I was standing next to the helicopter, someone kicked my feet out from under me. I was unable to brace my fall because I was handcuffed and fell on my face on the tarmac or part of the helicopter. Then someone grabbed the back of my head and pushed it into the floor. I was then picked up by several individuals and thrown into the helicopter. I was secured to the floor of the helicopter with a cargo type strap and plastic straps, in addition to the handcuffs (possibly flex cuffs), which were placed very tightly around my wrists. The flight lasted a couple of hours. It was very difficult, as I was in an uncomfortable position and the plastic straps cut off the circulation to my hands. (Later, at Camp X-Ray at Guantanamo Bay, I complained to the International Committee of the Red Cross (“ICRC”) of a tingling sensation from my forearm to my thumb, which the ICRC told me was the result of the flex cuffs, and was a common problem among detainees at Guantanamo). I asked the US personnel to loosen the straps, but they refused. This is when I realised that US personnel would use restraints to cause pain. I was transferred to another aircraft which travelled for a few hours before landing. At this unknown location, I was taken into an office where US soldiers guarded me. The guards talked to me in English and one referred to me as a prisoner of war. After approximately one hour, I was put on another aircraft. This flight, too, lasted a couple of hours. After this flight, I was removed from the aircraft, taken on another helicopter ride, and placed in a shed. It was there that my hood and the flex cuffs were removed (although the metal handcuffs remained). Also, at that point my goggles slipped off temporarily, and I could see US soldiers dressed in camouflage uniforms carrying M-16 rifles. After a short stay in the shed I was again blindfolded, hooded, and taken aboard the USS Peleliu. I estimate this entire trip took approximately 14 hours, during which my hands suffered extreme pain from the flex cuffs.

- d. Once aboard the USS Peleliu, I was taken below decks and put into what appeared to me to be the “brig.” I was aware that the ship was the USS Peleliu because, at times, I could hear announcements over the ship’s public address system and I saw the name of the ship on items such as coffee cups or hats. While aboard the Peleliu, I was confined with others, including Afghans and an American, whom I now know was John Walker Lindh. Except for Mr. Lindh, the other few detainees aboard the ship were taken from the cell for interrogation 2-3 times each. That they were being beaten during those sessions was obvious. A half-dozen US personnel would take the detainee from the cell and move him to the next cell, where a blanket would be used to cover the doorway. I could hear the detainees screaming in pain, and when they were returned to our common cell they bore the marks of the beatings. At one point, one of the US personnel said to Mr. Lindh, “This will not happen to you because you’re an American.” As a result, I fully expected to receive the same harsh physical abuse as the others, but I decided to avoid it by satisfying any interrogators as fully as possible. I was unsure if this would even work to prevent violence against me. While aboard the USS Peleliu, I was in fact subjected to only one cursory interrogation. I was not physically struck while aboard the USS Peleliu, and the food was satisfactory. However, there was a US Navy guard who would sit nearby and point his pistol at me. I was aboard this ship for approximately two weeks. It is difficult to know for sure, as I was not provided any means of telling time or days of the week. From the movement of the ship, I believe the ship was out to sea during my captivity.
- e. Some time in January 2002, I was hooded, blindfolded, and cuffed, and then flown by helicopter to the USS Bataan, where I was placed in the brig. Aboard the Bataan I received a medical review and my ISN number: 002. The ISN numbers were the US’s means of assigning us a number for identification. I was strip-searched as well. Conditions there changed drastically. I was provided only a handful of rice or fruit three times a day. The physical abuse also resumed during this time period but occurred off the ship. For example, after a period of days on the USS Bataan, other detainees and I were flown by helicopter to an unknown location. We were blindfolded, handcuffed and hooded the entire time. We landed and were taken to a large hangar-like

location and held there for approximately ten hours. I was forced to kneel. During those ten hours, US personnel verbally harassed and physically assaulted me and other detainees. I was hit in the back of the head with the butt of a rifle several times (hard enough to knock me over), slapped in the back of the head, kicked, stepped on, and spat on. I could hear the groans and cries of the other detainees. The other detainees and I were then put back on the helicopter and returned to the USS Bataan.

- f. Approximately three days later, the other detainees and I were flown back to the same or a similar location. As in the prior incident, I was blindfolded, hooded, and flex-cuffed. Again I was forced to kneel down in the same manner and was verbally harassed. I was slapped, kicked, and, even while I was being led into the hangar, punched by a fist in my right temple area. I could tell there were other detainees near me because, again, I could hear groans coming from them as they were being hit. This session lasted for approximately six hours. I was then placed on an aircraft and flown to Kandahar, Afghanistan.



- g. The photo above depicts how I felt I was secured during my flight from the USS Bataan to Kandahar (with a stop at what I now believe was Bagram to pick up and drop off other detainees). The flight to Kandahar lasted approximately four hours, during all of which I was hooded and bound. Again, extremely tight flex cuffs were used in conjunction with metal handcuffs for the sole purpose of causing pain.
- h. When the plane arrived in Kandahar, detainees were made to lie face down in the mud while soldiers walked across our backs. We were roped together bicep to bicep. I was taken from the group and led to a shed and stripped naked. In the shed, pictures were taken of me naked. I was provided with blue cover-alls and taken to a holding area. Since I had already been processed aboard the USS Bataan, I do not know why the process was repeated in Kandahar. After a few hours, I was taken out of my cell and made to run to a medical tent. I was not blindfolded at this time, but my feet were shackled. Also, a US soldier held my arm from behind me, twisting it in a very painful position up and behind my back. The shackles on my feet rubbed my ankles raw as I ran. Outside the tent I was again stripped naked. My head, armpits, and crotch were shaved and I was covered with a liquid (by use of a sponge). Inside the tents, there were about ten US personnel at different stations. Inside the tent, I was photographed naked and white piece of plastic was forcibly inserted in my rectum for no apparent purpose during this process, and some of the staff joked about this procedure. The US personnel made remarks such as, “Extra-ribbed for your pleasure” (like a condom) as the item was stuck in my rectum. Later that same night, I was put on a plane and was flown to Cuba. I was forced to wear all of the equipment – goggles, ear muffs, gloves, and face mask – during the entire flight from Afghanistan to Cuba, so that I had little idea of my surroundings. I was strapped to a seat in the plane and cuffed during the flight. It is difficult to know how long the flight lasted.

Treatment and conditions at Guantanamo Bay

Camp X-Ray

7. The following is an account of my detention and treatment at Camp X-Ray, Guantanamo Bay:
 - a. Just prior to arrival, I received an injection in my thigh; I was not told what the injection was, nor why I was getting it. It made me drowsy. When I was removed from the aircraft, I was still hooded, goggled, restrained and wearing the taped on mittens. After being removed from the aircraft, I was forced to kneel in an upright position and with my faced turned toward the ground (even though I was hooded and blindfolded and wearing ear muffs and large mittens. The hood was also duct-taped to my neck). I realized that the same stress positions used upon me in Afghanistan were going to be used at Guantanamo Bay. I was disoriented and when I would try to lift my head, a guard would smack my head down with his hand. I understood that the physical assaults which I had endured or witnessed at the hands of US personnel in Afghanistan had been approved for use at Guantanamo Bay as well.



- b. The above photo depicts how I perceived the processing into Camp X-Ray. I had no idea where I was until someone yelled at me, “You are in Cuba and you are now property of the US Marine Corps.” Obviously, it was difficult to perceive much as the use of goggles and ear muffs were aimed at sensory deprivation. It is difficult to know how much time passed from the plane to Camp X-Ray. When I was placed in stress positions, it felt like hours.
8. At Camp X-Ray, I was placed in a row of cages as depicted in the photograph below. Two buckets were provided to each detainee: one bucket to drink from, and one bucket to use as a toilet. For several weeks, no one was allowed to talk. Only two positions were permitted during this period: prone, facing directly up at the roof of the cage, or sitting straight up, looking directly at the floor of the cage. Looking in any other direction was prohibited, and doing so (or talking) was met with beatings. The only time we were allowed other movements was while we ate, or when we had to show our identification wristband (or when we had our weekly shower).



9. Soon after arriving at Guantanamo Bay, it became apparent that physical force would be used against the detainees. This was done most openly by the Initial Reaction Force (“IRF”), which consisted of a group of approximately half a dozen soldiers, wearing body armour, helmets and shin guards, and carrying shields and accompanied by dogs. The IRF team would rush in to a cell and slam the detainee to the ground, at which point, in the majority of cases, the soldiers would also

strike or kick the detainee. I witnessed this happen several times. (The photo below depicts an IRF'ing training exercise, demonstrating the manner and formation in which the IRF team would rush at a detainee slamming the detainee to the ground. Normally, however, members of the team would be wearing body armour, helmets and shin guards, and would be accompanied by dogs). This would be done if a detainee had broken a rule or not complied with a guard's direction quickly enough. As many of the detainees did not speak English, it was hard for the detainees to know what to do when told. Again, these incidents taught me not to resist either the guards or the interrogators, as I feared that I would suffer such beatings and was very anxious to avoid that.



10. Because I am a native English-speaker (having been born and raised in Australia), I was able to understand the guards at Camp X-Ray when they spoke within earshot among themselves or to detainees. My first days at X-Ray provided a harrowing experience. A detainee nearby, who had only one leg, was set upon by the IRF team and its dogs. The soldiers and the dogs entered the cell and physically abused the detainee. I was made to face in the opposite direction, so I do not know exactly what the soldiers did to the one-legged detainee. I only know that when I did manage a look, they were dragging the detainee out of his cell, and there was blood on the detainee's face, and blood on the concrete floor. The guards claimed the detainee was IRF'ed (it became a common verb among detainees and guards) because he had scratched something in English into the

concrete floor of his cage, yet the detainee could not even speak English. This put me in great fear for several reasons: the detainee was IRF'ed without any chance to explain or defend himself; he was IRF'ed for no good reason (I later learned from the guards that the offending message on the floor of the detainee's cell had been put there by a guard during training even before we had arrived at Guantanamo); and it was clear to me that the physical abuse I had both suffered and witnessed in Afghanistan at the hands of US personnel would continue at Guantanamo Bay. It put me in such fear that I just knew that I would "cooperate" in any way with the US in order to avoid giving the guards cause to subject me to an IRF'ing. Later, at Camp X-Ray, I observed additional IRF'ings which involved beatings as a standard practice.

11. I also witnessed many other types of physical abuse of the detainees. I witnessed a Saudi detainee being beaten by an Army guard while at Camp X-Ray. The Saudi, whose name is Jumma, was arguing with a guard by the name of Smith, who was a member of the IRF team and wore kneepads and IRF gear. This incident happened close to when I was transferred from X-Ray to Camp Delta. Jumma was ordered to lie on his stomach in his cell. Jumma lay down as ordered, but continued to argue with Smith, who became very angry, jumped up and came down with his knees on Jumma's back. Smith then grabbed Jumma by the head and slammed his face into the concrete 10 to 20 times.
12. Jumma was not moving at that point. Other guards came in and began kicking Jumma. Then Smith began punching Jumma in the face. Jumma was unconscious and not moving. He was picked up and carried unconscious from the cell, and placed in the hospital, where he remained for two weeks. Jumma had a broken wrist and broken ribs from the beating. Approximately 40 detainees witnessed this beating, and the International Committee of the Red Cross (ICRC) was made aware of it. Also, I could see afterward that the guards had great difficulty in removing Jumma's blood from the concrete floor, and had to use hoses, and great exertion scrubbing over a period of time. My reaction was to think, "That could have been me."
13. I also once saw a soldier pick up a shackled detainee completely off the ground and throw him to the concrete floor. I saw a soldier rough up a detainee who at

the time was prostrate while praying. There was also a particular soldier (again, Smith) who was known to abuse detainees while they were being returned to their cells after showering, and were defenceless at that time.



14. This regular brutality left me in a heightened state of fear and anxiety about my own safety. By the time interrogations began a couple of weeks after we arrived at X-Ray, I was terrified by the violence of US personnel which I had suffered or witnessed in Afghanistan, on the ships, and at X-Ray, and I was terrified into doing whatever was necessary to avoid being a victim of it again. The mental stress from living in fear of a physical assault that could happen without provocation was very difficult. The constant interruption in my sleep and the prohibition of sleeping during the day also made life extremely difficult. It is difficult to remember or even know how many times I was interrogated. Again I was not provided any way in which I could write down what was happening or keep track of the time, or of the passing of the days. I had no contact with the outside world. The guards were the sole source of information and authority. Early on I realised that if I pleased the interrogators, I could avoid the physical abuse. I also learned as the interrogations developed that the interrogators could

protect me from physical abuse at the hands of the guards, could get me quality medical treatment, and had the ability to ensure that I saw letters from home; or, conversely, they could order up some trouble for me if I did not cooperate. When I was first brought into one of the wooden interrogation huts (as depicted in the below photo) I knew I did not want to endure any more physical pain of the kind that had been inflicted on me before or that I saw happening to other detainees. I asked for a lawyer and whether the Geneva Conventions applied (as I had been told I was a prisoner of war). I was told I would not need a lawyer if I cooperated and that the Geneva Conventions did not apply.



15. During one of my interrogation sessions at X-Ray, I was shown a photo of Mamdouh Habib, another Australian. In the photo, Habib's face was bruised black and blue. I first thought it was a photo of a corpse. The interrogator told me it was a photo of Habib, and that if I did not cooperate, I would be sent to Egypt to suffer the same fate. Everyone knew that Egypt was a country with a reputation for the worst torture of its prisoners. This was before Habib arrived at Guantanamo Bay. Again, this reinforced my intention to say what the interrogators wanted to hear in order to avoid such physical abuse.

16. Also, some detainees who refused to cooperate *never* received their ICRC mail. The mail from the ICRC was the only contact with the outside world. It was this complete isolation from my family and my government, and total lack of any knowledge of what was to happen to me that made life unbearable. The US military controlled every aspect of my life. From the open abuse that occurred, it was obvious that no one cared how any detainee was treated, nor would anyone even know if I disappeared.
17. The food rations at Camp X-Ray were generally poor, although they did improve toward the end of my stay there because the US military was filming detainees in order to try to convince the outside world (falsely) that they were being treated humanely.
18. At X-Ray, abuse of the Koran occurred. Detainees were forced to keep their Koran in a precarious position above the toilet, which itself was disrespectful. Also, that placement ensured that any mishandling would result in the Koran falling in the toilet. I also witnessed a US soldier intentionally throw another detainee's Koran in the urine and faeces bucket. Later, at Camp Delta, I saw a guard kick a detainee's Koran in the toilet (which was essentially a hole in the floor of the cell).
19. Sleep at X-Ray was difficult. Detainees were required to show their identification wristband and their toothbrush to guards every hour, 24 hours a day. As a result, a good night's sleep was impossible. Later, detainees were forced to sleep with their hands and face completely and continually exposed. Often, I would be awakened by a guard kicking the fence of my cage and screaming loudly, claiming that I was covering my face or hands while I slept. That, too, prevented meaningful sleep. In addition, as shown in the photo below, the camp was illuminated by bright lights throughout the hours of darkness, which also prevented sleep.

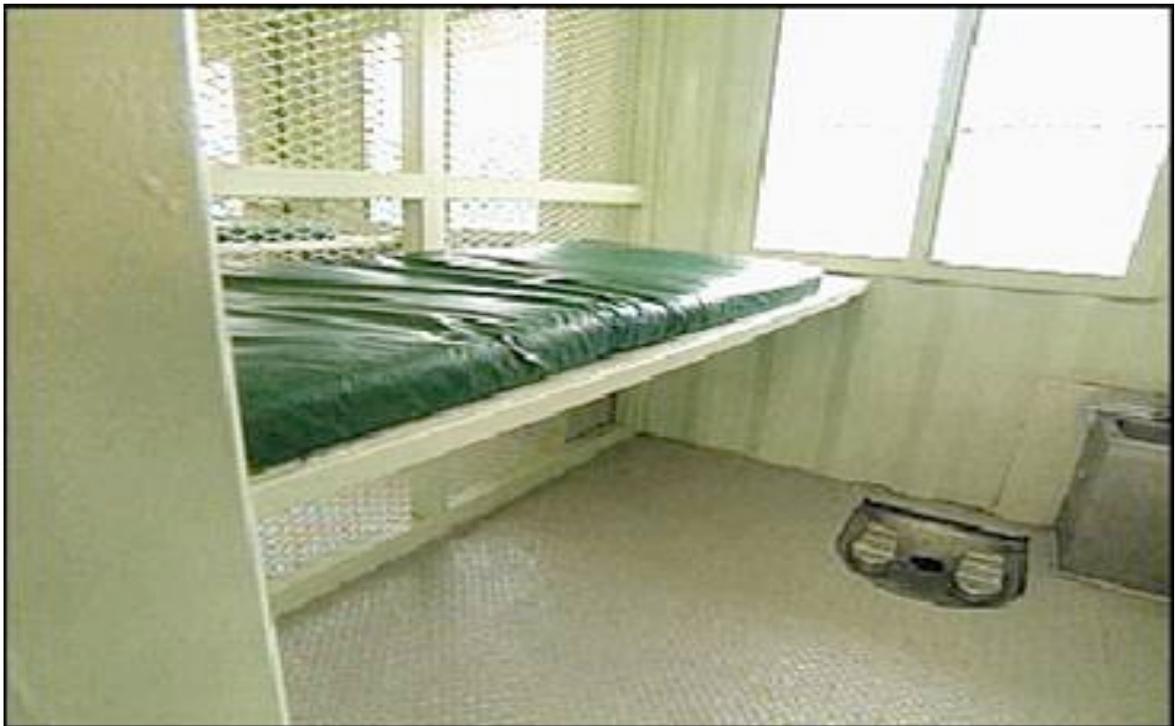


20. I had almost no opportunity for exercise. I would get maybe fifteen minutes a week at Camp X-Ray to walk while my hands and feet were cuffed and chained to a waist chain. Showers were twice a week with changes of clothes occurring once every ten days or so. The cages provided little shelter from the direct sun, which could be extreme depending on the position of the sun in relation to your cage. There was no meaningful activity provided. Each cell at X-Ray consisted of a cage with a covered roof and concrete floor. There were no beds or other furniture or items in the cell other than the aforementioned buckets and the minimum of personal items such as a toothbrush and a Koran. The cells were large enough to lie down flat in, but not much bigger. The cells were lined up in rows, with concrete passageways between the rows. I do not know how many cells there were in each row, or how many rows there were,, but there were many of each.

Camp Delta

21. In approximately April 2002, I was moved to a cell in Camp Delta.
22. For the next year my life consisted of being randomly moved to different cells and interrogations. A typical cell in Camp Delta is depicted in the photo below. There was more shelter from the elements, but there was also noise all day and night: detainees being brought to interrogation; mentally ill detainees causing disturbances. Camp Delta permitted more interaction between other detainees and

myself when (ultimately) I was moved next to English speaking detainees. I was able to find out what was happening to other detainees during interrogations, such as intolerably loud music or noise being played, extreme hot or cold temperatures, stripping and hitting of detainees. The use of isolation cells was also introduced at Camp Delta. The food I was provided was of very poor quality and the amount provided was very small. I began losing substantial weight in the second half of 2002 into 2003, and the food provided to me remained poor in quality and amount until into 2004. Again, no meaningful activity was provided. There was no contact with the outside world except for the ICRC letters. Any basic need could be met only by the grace of an interrogator.



23. By the time I had moved to Camp Delta, I had avoided being IRF'd or assaulted as the other detainees had been. It was clear that when IRF'ings or assaults occurred the US personnel involved would make the IRF a noticeable event so other detainees would see what could happen to them. The IRF teams would make noise and stomp vigorously to attract attention to what was happening and to terrorise the other detainees into submission. That strategy worked with me. It

was clear to me from all that I was experiencing and witnessing that the key to my physical safety was interacting with my interrogators.

24. When I was first moved to Camp Delta, I was placed in a cell block with no English speakers, so that I was unable to have any meaningful interaction with anyone. After about a week, I was moved to a different block, still with no English speakers around me. I felt very much alone and isolated. It was in this block that I saw a guard kick a Koran in to a toilet (as shown in the photo above, the toilets were on the ground), and a suicide attempt occurred. IRFings continued to occur with little or no provocation from the detainee; and it seemed as if the IRF was a show of force to influence the other detainees who were watching. In addition, dogs would be taken through the blocks, and their use was also intimidating.
25. I think around August of 2002, I was moved to an isolation cell in Camp Delta for several days. At that point the interrogators began interviewing me again and got me moved out of isolation to yet another cell block. The clear message was that I had better keep talking or I would end up back in isolation. It was clear that the interrogators ran the camp and controlled every aspect of my life. They would control my degree of isolation by deciding whether I would be confined near English speakers, and as my craving for food grew, the key to being provided any extra food, over and above the inadequate rations, was also through interacting with the interrogators.
26. I remained in this new cell block until approximately the end of 2002. It was during this time period when injections were being forced upon detainees. I witnessed detainees who did not want to consent to the injections being forcibly medicated through the use of the IRF teams. The IRF team would forcibly restrain and strike the detainee so the injections could be given against his will. Again the open and common use of physical force reinforced that the conduct was condoned and done intentionally. I complied in receiving these unwanted and unexplained injections only as a direct result of the threat of the physical force that would be used against me if I did not “consent.” The injections would make my head feel strange.

27. The interrogations continued during this time period as well. It is difficult to know exactly when these occurred and how often, as again I was not provided any way of telling time or keeping track of events. Holidays or seasonal changes were one way of getting an understanding of the months.
28. Telling the interrogators what they wanted to hear became the only source of obtaining any relief from the harsh treatment and conditions. In fact, it was only through satisfying the interrogators that I obtained necessary medical treatment: surgery for a double-hernia. When I went to the hospital for treatment for my double-hernia, I was immediately strapped down in four-point restraints. I became frightened about more injections and protested. I was told my treatment would not change, i.e. that it would include the injections – and I was not told what they were – so I refused treatment and left the hospital. I later appealed to my interrogators to intervene and ensure that I received humane medical treatment. That succeeded in getting me the proper surgery without the abusive treatment.
29. As noted above, IRF'ing continued at Camp Delta, and pepper spray was introduced there. Indeed, I witnessed it being applied to the detainee in the cell next to me, as well as on other occasions. Koran abuse (by being thrown in the toilet) also continued. I also became aware (from other detainees) of other abusive interrogation methods, such as short-shackling, exposing a detainee naked to extreme temperatures, and the use of disorienting lights or very loud noise. Once, the interrogation room next to me was playing extraordinarily loud and unnerving noise, obviously designed to break a detainee's will to resist. I was left for a long time by myself just so I would get the message of what could be done to me, if I did not cooperate. I also witnessed a Bosnian detainee, who had been so badly abused that he could not even walk, being dragged by soldiers up and down the cell block, without his shirt and with his pants inside out, clearly corroborating his claim to us that he had been stripped by the interrogators. Exposure to these techniques made me fear their use upon myself, and worked to keep me interacting with the interrogators in an effort to avoid any harsh interrogations.
30. As 2003 began, I began to be moved randomly to different cell blocks. I would be moved to a new cell block and then two days later I would be moved again.

Sometimes I stayed for a week or several weeks. In some of the blocks I would be around British citizens and at other blocks I would be around no one that could speak English. The food at Delta was getting worse. I went from 160 pounds when I was first taken in custody by the N.A., to 128 pounds at about this time. Only by cooperating with the interrogators was I able to get decent portions to eat (and food from the interrogators during interrogation sessions). It appears that the interrogators were using hunger as an interrogation technique upon me

31. By the first two months of 2003, I had yet to have any consular services from Australia, legal representation or contact with my family beyond the ICRC letters. I had been at Guantanamo for over a year without any information on what was to become of me. The message from the guards was that the detainees were going to stay at Guantanamo for the rest of their lives. It was during this time that interrogators told me I would be going home. Interacting with the interrogators was not only what kept me physically well, but they had also become the only people who I thought would be able to get me released from Guantanamo. I felt that I had to ensure that whatever I did pleased the interrogators to keep from being physically abused, placed in isolation and remaining at Guantanamo for the rest of my life.

32. It was while I was in this state of mind that the British interrogators came to speak to me. The reported interview by British Security Service investigators took place on 26 April 2003. By that time, the culture of relying on interrogators for every single aspect of ordinary life and the pressures of avoiding mistreatment had complete control of me. At first I did not want to speak to the British interrogators; and I did not agree to do so until my US interrogator told me that I had to speak to them, and put upon me the weight of his authority and all of the pressures that could be brought to bear. I was led to believe that if I displeased the British interrogators, then it would displease the US interrogators as well. Since the US interrogators were the key to any hope I had of getting basic necessities, and perhaps being released at some point, I relented and submitted to the interrogation by the British personnel. The US interrogator set up the interrogation, making it seem just like one of the US interrogations: I was provided with food – which I desperately needed – and my US interrogator sat in during the

interrogation, monitoring me throughout. Looking back, I understand I was completely at the mercy of that psychological manipulation in this controlled environment.

Move to Camp Echo



33. In approximately July 2003, I was moved to Camp Echo. There I was kept in a solitary confinement cell without any windows. (See photo above). For almost eight months, I was not permitted access to daylight. I was taken to exercise only after daylight hours for approximately 30 minutes several times a week. I did not associate with any other detainees and rarely saw any interrogators.

34. During this time period, I was told that I was not going to be going home, and I had a ten-minute visit from an Australian consular official who told me that I was going to be going to a military commission and I would be provided a lawyer. I felt like I was being intentionally isolated to break my will to resist my upcoming trial.

35. The British interrogators came again when I was being held in Camp Echo. I had thought that I was going to be seeing my lawyers. I recall only that the interrogation was very short, lasting barely 15 minutes.

This statement is true to the best of my belief

Signed

Dated