

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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JARALLAH AL-MARRI, <i>et al.</i> ,))	
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Petitioners,))	
))	
v.))	Civil Action No. 04-CV-2035 (GK)
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GEORGE W. BUSH,))	
President of the United States,))	
<i>et al.</i> ,))	
))	
Respondents.))	
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DECLARATION BY JONATHAN L. HAFETZ, ESQ

I, Jonathan L. Hafetz, declare that the following statements are true to the best of my knowledge, information, and belief.

1. I am an associate at the law firm of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C., counsel for Petitioner Jarallah al-Marri in the above-captioned action. I offer this Declaration in support of Petitioners' Motion to Compel Access to Counsel and Information Related to Petitioners' Medical Treatment.

2. Based on my prior communications with Mr. al-Marri, I have substantial reason to believe that he is participating in a mass hunger strike at Guantánamo.

3. On July 26 and 27, 2005, I visited with Mr. al-Marri at Guantánamo.

4. Mr. al-Marri informed me that during June and July, 2005, he was on a hunger strike for 17 consecutive days, during which time he refused to eat.

5. As a result of his hunger strike, Mr. al-Marri was hospitalized for several days. While he was hospitalized, Mr. al-Marri was connected to an IV system and treated for a serious heart problem.

6. Mr. al-Marri said at least two other detainees were in the hospital at the same time he was, and that they appeared to be in critical condition.

7. Mr. al-Marri informed me that he believed that at least 200 detainees at Guantánamo participated in the June-July hunger strike.

8. Mr. al-Marri said that he and other detainees participated in the hunger strike to protest their inhumane conditions of confinement, prolonged detention without charge or a fair hearing, and religious persecution at Guantánamo.

9. Mr. al-Marri has been detained at Guantánamo since around January 2002.

10. Since around January 2004, Mr. al-Marri has been in solitary confinement at Camp 5.

11. The florescent lights in Mr. al-Marri's small cell remain on 24 hours a day, 7 days a week. Mr. al-Marri has great difficulty sleeping, and for months has been able to sleep for only about two or three hours a night. Before he was imprisoned at Guantánamo, Mr. al-Marri never had any problems sleeping.

12. Mr. al-Marri is permitted to go outside approximately once every three weeks, when he is given a brief period of "recreation" in an enclosed area.

13. Mr. al-Marri has been denied adequate clothing and bedding.

14. Mr. al-Marri has been denied adequate medical and dental care, and presently suffers from a number of medical conditions, including heart, kidney, and bladder problems, which he never had before he was imprisoned at Guantánamo.

15. Mr. al-Marri said that he has both experienced and witnessed religious persecution at Guantánamo, including military guards' laughing at detainees during their daily prayers and mistreating detainees' copies of the Quran.

16. Mr. al-Marri has been denied contact with his family, including his wife and three children in Qatar.

17. During my visit to Guantánamo in July 2005, I expressed my concern to officials about Mr. al-Marri's physical and mental health, and requested that he receive proper care and treatment.

18. Mr. al-Marri lost approximately 25 pounds during the hunger strike and has lost approximately 35 pounds since he was detained at Guantánamo. He is approximately 5 feet 8 inches and, when I saw him in July, weighed only 105 pounds and appeared gaunt and frail.

19. Since my visit to Guantánamo in July 2005, I have communicated telephonically numerous times with Jarallah al-Marri's brother Mohammed in Qatar. Mohammed is deeply concerned about Jarallah's safety and well-being. He desperately wants the opportunity to speak to Jarallah and to know whether he is on another hunger strike and, if so, to find out about his health and safety.

20. I have substantial reason to believe that Mr. al-Marri is participating in the current hunger strike because of his recent 17-day hunger strike and because the conditions of confinement that Mr. al-Marri and other detainees were protesting have reportedly not improved materially since that strike. I also strongly believe that if Mr. al-Marri is participating in the current hunger strike, his health and safety would be gravely

