

March 4, 2013

Rear Admiral John W. Smith, Jr.
Commander, Joint Task Force Guantánamo
U.S. Naval Station at Guantánamo Bay, Cuba

Captain Thomas J. Welsh, JAGC, USN
Staff Judge Advocate, Joint Task Force Guantánamo
U.S. Naval Station at Guantánamo Bay, Cuba

Dear Sirs:

We, the undersigned, represent men imprisoned at Guantánamo Bay and write this letter on behalf of habeas counsel about a matter that appears to be rapidly deteriorating and reaching a potentially critical level. We understand through reports by several detainees to their counsel that conditions in the camps have worsened to the point that all but a few men have now gone on a hunger strike in protest.

Specifically, we understand that since approximately February 6, 2013, camp authorities have been confiscating detainees' personal items, including blankets, sheets, towels, mats, razors, toothbrushes, books, family photos, religious CDs, and letters, including legal mail; and restricting their exercise, seemingly without provocation or cause. Moreover, we understand that Arabic interpreters employed by the prison have been searching the men's Qur'ans in ways that constitute desecration according to their religious beliefs, and that guards have been disrespectful during prayer times. These actions, and the fact that they have affected so many men, indicate a significant departure from the way in which the rules have been formulated and implemented over the past few years.

As a result of these practices, we understand that the men are suffering greatly and that a large number have gone on a hunger strike, which is now in its third week. As their health has deteriorated, we have received reports of men coughing up blood, being hospitalized, losing consciousness, becoming weak and fatigued, and being moved to Camp V for observation. Detainees have also expressed feeling increased stress, fear, and despair. It is clear that their health will only worsen unless and until the hunger strike ends, which requires taking immediate steps to address the reasons for their protest.

The actions taken by camp authorities cannot be evaluated in isolation. As you are well aware, prior instances of mistreatment, including mistreatment of the Qu'ran, have led to protests, including widespread hunger strikes that have placed the prisoners' lives and health in jeopardy. The practices occurring today threaten to turn back the clock to the worst moments of Guantánamo's history, and return the prison to conditions that caused great suffering to our clients and were condemned by the public at large. If prior experience serves as any guide, the current practices risk dire consequences and will only invite outside scrutiny.

The current situation has also affected and will continue to affect our access to our clients and our ability to effectively represent them, since the hunger strike has already prevented some of

them from taking our calls, meeting with us, and being able to participate fully when we are able to speak with them about their cases.

Accordingly, we write to request that you take immediate measures to bring an end this potentially life-threatening situation in the camps by addressing the reasons that give rise to it. Camp authorities must cease the arbitrary and regressive practices being reported by our clients, including all intrusive searches of the Qur'an.

Given the urgency of this matter, we request a response to this letter, including steps the authorities are taking to address the situation, no later than Wednesday, March 6, 2013, care of Pardiss Kebriaei at the Center for Constitutional Rights by electronic mail, fax, or telephone. Further, we request that you meet with habeas counsel David Remes, who will be at Guantánamo on Monday, March 4, to discuss the matter in person.

We hope this matter can be resolved quickly and cooperatively. We reserve the right to take further action should we not reach a mutually acceptable solution. Please contact us if we can provide you with further information. We look forward to hearing from you by March 6.

Sincerely,¹

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cc: Andrew I. Warden, Esq., U.S. Department of Justice

¹ The signatories below act on behalf of most habeas counsel representing men detained at Guantánamo.