

## **Guantánamo: facts and figures (Dec 2011)**

11 January 2012 marks ten years since the first detainees were transferred to the US detention centre in Guantánamo Bay, Cuba.

According to the US authorities, 779 detainees have been held in Guantánamo, the vast majority without charge or criminal trial.

[It is not clear whether this total includes any detainees held only in exclusive CIA custody at the base, where the CIA is believed to have operated a "black site" prior to 2004.]

All but one of the 779 detainees were foreign nationals. One detainee discovered to have US citizenship (as well as Saudi Arabian) was immediately transferred out of the base in 2002. After holding him in military custody in the USA for over two years, the government transferred him to Saudi Arabia under a deal in which among other things, the detainee renounced his US citizenship.

In 2002, 632 detainees were transferred to Guantánamo; the totals in the following years were: 2003 - 117; 2004 - ten; 2005 - 0; 2006 - 14; 2007 - 5; 2008 - 1. The last detainee transferred to the base had been held in CIA custody at an undisclosed location before transfer to military custody in March 2008.

In 2011 two detainees died both Afghan nationals. One detainee was transferred out of Guantánamo during 2011 (by December).

171 men from more than 20 countries were still held at Guantánamo in early December 2011, four of whom were serving sentences after being convicted by military commission.

48 detainees could neither be released nor tried, but should be held in indefinite detention according to the Obama administration.

90 of those still held at Guantánamo are Yemenis, including one serving a life sentence after being convicted by military commission. President Obama imposed a moratorium on detainee transfers to Yemen in January 2010. One Yemeni detainee has been released since then.

Since 2002, six detainees have been convicted by military commission, four of whom pleaded guilty under plea trial arrangements, two of whom have been repatriated.

Since 2002, eight detainees have died at the base, six by reported suicide, two as a result of natural causes.

The USA intends to pursue the death penalty against six detainees who have been charged for trial by military commission. All six were subjected to enforced disappearance in secret CIA custody prior to being brought to Guantánamo. All six were subjected to torture or other cruel, inhuman or degrading treatment, held incommunicado in solitary confinement for up to four years. Two were subjected to "waterboarding". Precisely what interrogation techniques and conditions of confinement detainees were subjected to in CIA custody remains classified at the highest level of secrecy.

One Guantánamo detainee has been brought to the USA for trial in federal court. He was sentenced to life imprisonment in January 2011.

No detainee has been released into the USA.

More than 600 detainees have been transferred from Guantánamo to other countries since 2002, including Albania, Afghanistan, Algeria, Australia, Bahrain, Bangladesh, Belgium, Bosnia and Herzegovina, Denmark, Egypt, France, Germany, Iran, Iraq, Jordan, Kazakhstan, Kuwait, Libya, Maldives, Mauritania, Morocco, Pakistan, Qatar, Russia, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Tajikistan, Tunisia, Turkey, Uganda, United Kingdom, United Arab Emirates, USA and Yemen.

It took six-and-a-half years of detentions at Guantánamo before the US Supreme Court ruled that the detainees had the right to challenge the lawfulness of their detention in US federal court. By the time that ruling, *Boumediene v. Bush*, was handed down in June 2008, over 500 detainees had been transferred out of the base.

Between June 2008 and late November 2011, there were 47 rulings by the District Court on the merits of habeas corpus petitions. In 22 cases, concerning 38 individuals (including 17 Uighurs) the judge ruled the detention unlawful. In 25 cases, the court ruled the detention lawful under the USA's global "war" framework. On appeal, the Court of Appeals for the DC Circuit has issued 16 decisions - ruling against the detainee in 12 cases and remanding to the District Court for further proceedings in four cases.

At least 12 of those held at Guantánamo were under 18 years old when taken into custody.

One Canadian national taken into US military custody in 2002 at the age of 15, remains in Guantánamo where he has spent more than a third of his life.

Detainees have been taken into custody in at least ten countries - Bosnia and Herzegovina, Pakistan, Indonesia, Thailand, Azerbaijan, Zambia, United Arab Emirates, Kenya, Djibouti, and Afghanistan - before eventually being transferred to Guantánamo.

In September 2011, 2,100 people were being held in US custody in the US Detention Facility in Parwan (DFIP) on the Bagram air base in Afghanistan.