

**TESTIMONY OF STEPHEN H. OLESKEY  
OF WILMER CUTLER PICKERING HALE AND DORR LLP,  
COUNSEL FOR SIX GUANTANAMO DETAINEES**

**CITY ON THE HILL OR PRISON ON THE BAY? THE MISTAKES OF  
GUANTANAMO AND THE DECLINE OF AMERICA'S IMAGE**

**BEFORE THE  
HOUSE SUBCOMMITTEE ON FOREIGN AFFAIRS  
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN  
RIGHTS, AND OVERSIGHT**

**MAY 6, 2008**

## Introduction

Thank you Chairman Delahunt, Ranking Member Rohrabacher, and Members of the House Committee on Foreign Affairs Subcommittee on International Organizations, Human Rights, and Oversight for inviting me to speak to you today on this important issue. All counsel to Guantanamo detainees are grateful for the time, energy and thought which this Subcommittee is devoting to consideration of the issues presented by the detention of our clients, who have now been detained at Guantanamo Bay for almost six years and four months.

My name is Stephen H. Oleskey and I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr. I have been a member of the Massachusetts Bar since 1968 and am also admitted in New York and New Hampshire. I previously served as Massachusetts Deputy Attorney General and Chief of that office's Public Protection Bureau. My practice generally focuses on complex civil litigation.

By way of background to today's testimony, my experience in the critical matter before this Committee arises from my role as co-lead counsel and pro bono advocate for six Guantanamo detainees in the period since July 2004, following the decisions of the United States Supreme Court in the *Rasul* and *Hamdi* cases.

Our clients, Algerians by birth, were working and living with their wives and children in Bosnia and Herzegovina—an American ally—when, at the demand of the United States, they were arrested by Bosnian police in October 2001. Relying on statements by representatives of the United States that our clients were suspected of planning terrorist acts in Bosnia, the men's homes and offices were thoroughly searched and examined. After a ninety-day investigation, and based on the recommendation of the Bosnian prosecutor, the Bosnian Supreme Court ordered in January 2002 that all six men be released for lack of evidence. This decision came the same day as a binding order by the Human Rights Chamber of Bosnia and Herzegovina instructing the Bosnian government to take all necessary steps to prevent our clients from being taken out of the country. Nevertheless, as our clients were about to leave the Central Jail in Sarajevo, the Bosnian executive turned them over to the U.S. military forces resident in Bosnia as part of the international peace-keeping mission. In a harrowing 30-hour trip in which they were stripped naked, subjected to an invasive medical exam, short shackled by their hands and wrists, blinded and deafened by sensory deprivation helmets, and verbally and physically abused, the men were flown to the just-opened Camp Delta facility at the U.S. Naval Base at Guantanamo Bay, Cuba, where they have been held since January 20, 2002. Our clients have now been detained for nearly six and one-third years without charge much less trial, and without being shown any of the evidence against them.

These six and one-third years have seen our client Mustafa Ait Idir beaten to the point of facial paralysis and broken bones and sprayed with pepper spray in unprovoked attacks by guards at Guantanamo. They have seen our client Saber Lahmar's muscles atrophy and his psychological well-being decline precipitously during the nearly two years he has spent confined to an 8' x 6' concrete cell in near complete isolation, cut off from human contact, physical activity, and all natural light. And they have seen our client Lakhdar Boumediene—now entering the eighteenth month of his hunger strike against the injustices he and others have suffered at Guantanamo—

painfully force-fed twice every single day through a 43-inch tube that is excruciatingly inserted into his nostril and down into his stomach.

I am here today to speak about and for these six men. The government has never produced any reliable evidence that these men ever had anything to do with Al Qaeda. It has never produced any evidence that any of these men had ever taken up arms against the United States or participated in any form in any violent action against the United States. And it has never produced any evidence that any of these men is implicated in any way with the horrible events of 9/11 or with the ensuing wars in Afghanistan and Iraq.

The topic for today's hearing is "City on the Hill or Prison on the Bay? The Mistakes of Guantanamo and the Decline of the American Image." This title could not have been more apt. When John Winthrop spoke to the Puritan Colonies of a City upon a Hill, he was not merely extolling the virtues that our society possessed, but was also, and equally importantly, warning about the pending dangers if we fail to live up to our own enlightened ideals. As Winthrop noted in 1630,

we must consider that we shall be as a City upon a Hill. The eyes of all people are upon us; so that if we shall deal falsely with our God in this work we have undertaken and so cause him to withdraw his present help from us, we shall be made a story and a byword through the world, we shall open the mouths of enemies to speak evil of the ways of God and all professors for God's sake, we shall shame the faces of many of gods worthy servants, and cause their prayers to be turned into curses upon us till we be consumed out of the good land whether we are going.

Winthrop has proven quite prescient when we examine what has happened at Guantanamo. The story of these six men's imprisonment and suffering in Guantanamo is a story of this great country holding itself out to the world as a beacon of freedom and liberty while blatantly denying those same freedoms and liberties to these six men [and others] we unjustly seized and transported from their homes in Bosnia; separated from their wives, their children, and their communities; and subjected to daily mistreatment and humiliations; with no promise of release, no courtroom to challenge their confinement, and not even the basic right of learning anything about the facts claimed to justify their indefinite imprisonment. The eyes of the world are indeed upon us at Guantanamo, and the message we are sending daily is not one of decency and fair process, but rather of shame and the betrayal of our core values.

I am not here to speak to the necessity or propriety of maintaining a prison at the Naval Base at Guantanamo Bay, Cuba. Rather, I intend to tell the story of these six men who have been imprisoned there since January 20, 2002, in hopes that their story can shed light on why, as so correctly noted in the title of today's hearing, America's image is in decline around the world as a direct result of our actions in Guantanamo.

## **I. LIVES IN BOSNIA**

All six of these men moved to Bosnia in the 1990s during or shortly after the Bosnian Civil War. Entering a country amidst a war that had left more than a hundred thousand dead and far more than a million displaced, most of our clients sought employment helping the thousands of children that had been orphaned by the fighting. Mohamed Nechla and Lakhdar Boumediene worked for the Red Crescent Society of the United Arab Emirates, one of the 186 national member organizations of the International Federation of Red Cross and Red Crescent Societies. Mr. Nechla directed orphan relief for the Red Crescent Society, visiting orphans at their home, distributing food, and teaching English and computer literacy. Mr. Boumediene oversaw the Red Crescent Society's distribution of humanitarian aid to hundreds of children orphaned by the war. Similarly, Hadj Boudella served as the Director of Orphan Social Assistance for the charity Human Appeal International.

Those that did not work with orphans were equally productive members of their community. Saber Lahmar was a scholar of Islamic theology and a teacher who was preparing to matriculate in a Master's degree program. He served as a librarian and a teacher of Arabic at the Islamic Cultural Center of the King Fahd Mosque in Sarajevo. Mustafa Ait Idir worked as a computer technician at the charity Taiba International, and also gave his time as a volunteer working with orphans and teaching karate to children aged six- to twelve-years-old. Mr. Ait Idir is an accomplished karate expert who competed in national tournaments in Croatia and Bosnia before his imprisonment and coached a college karate team in Sarajevo. Belkacem Bensayah was a merchant who sold clothing and jewelry.<sup>1[1]</sup>

These men had large, loving families at home. Each was married with multiple children. Absent their income and support, these families have been thrown into abject poverty, living off government welfare or the charity of friends and relatives.

These men are allowed no non-legal visitors at Guantanamo and are often denied access to sending or receiving family mail, thereby robbing them of even the slightest participation in their families' lives. [Before we first visited in December 2004, they had seen no one but guards, interrogators and occasionally a Red Cross worker in almost three years]. Saber Lahmar, Hadj Boudella, and Mustafa Ait Idir each have children whom they have never met, because they were separated from their wives before the children were born. More disturbingly, Hadj Boudella was unable to be present during the illness and eventual death of his daughter Sajmaa, who died of a heart defect in early 2006. Mr. Boudella only learned of her death from me during a visit.

## **II. SEIZURE AND TRANSPORT**

In October of 2001, everything changed for our clients. Under pressure to respond immediately to the horrible terrorist attacks of 9/11, and having long sought an opportunity to rid Bosnia of any man from the Middle East who arrived during or after the war that ended in 1995, the United States identified our clients among others in Bosnia as possible terrorists.

The U.S. demanded that Bosnian authorities arrest them, and when the Bosnians hesitated, due to lack of any probable cause linking our clients to any terrorist activity they knew of, the U.S. Charge d' Affaires, Christopher Hoh, threatened to withdraw all Embassy staff from Bosnia

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<sup>1[1]</sup> Photographs of each of these men taken prior to their arrests in Bosnia are attached as Exhibits A-F.

unless the Bosnian authorities complied, an action that would have had devastating consequences on the stability of the fragile tri-partite government established by the Dayton Peace Accords.

So the Bosnians reluctantly arrested our clients. A three-month investigation ensued while the men were imprisoned in Bosnia. After the Bosnian authorities, despite the assistance of Interpol and the United States, failed to unearth any evidence of the alleged plot against the U.S. or anyone else, the Supreme Court of the Federation of Bosnia and Herzegovina ordered the release of our clients. As they were walking out of the Central Jail in downtown Sarajevo to be reunited with their waiting families, our clients were illegally handed over to U.S. military forces. Each was later stripped naked and subjected to a medical examination at gunpoint in front of several onlookers. Our clients were then flown to a U.S. airbase in Turkey where they were again stripped naked and examined. Scared and disoriented, they were left on the cold floor of the airplane hanger with nothing to cover them but a flimsy garment, exposed to the freezing cold, as soldiers cursed them. They were then placed on a U.S. Military cargo plane for a 30-hour journey where they were chained in place for the entire 30 hours with their hands shackled to their feet and their eyes and ears covered with sensory deprivation devices.<sup>2[2]</sup> They were fed a single apple, were not allowed to speak, change position, pray, or even use a toilet. Soldiers screamed and threatened them for the entire duration of the ride. From the prolonged exposure to the cold, Mr. Ait Idir lost all feeling from his left knee to his hip for a period of months.

### **III. CONFINEMENT**

Arrival at Guantanamo was no less traumatic and degrading. Our clients were again stripped naked and were menaced by snarling dogs. They spent the next several months living in open cages until more permanent conventional prison facilities were constructed, constantly exposed to sun, rain, snakes and scorpions. They were severely beaten and taunted during this period.<sup>3[3]</sup>

In the initial months at Guantanamo, the Government engaged in a radical and untested form of interrogation aimed at breaking down the psychological defense mechanisms of the individual detainees. This interrogation method, which has been shunned by the psychological community both for its sheer brutality as well as for its ineffectiveness, consisted of overloading or depriving the detainee's senses of time and place until they became so weak and disoriented that they could no longer muster the will to fight back. Our clients were placed in windowless rooms where a fluorescent light would be left on for days at a time. Whenever they attempted to block the light with a towel they were punished. They were kept in total isolation for periods that lasted in some cases almost two years. To disrupt any potential sleep, guards awakened our clients every half an hour and instructed them to rearrange their belongings. Loud heavy-metal music was constantly blasted so as to block sleep and normal thought patterns.

#### *Saber Lahmar*

The practice of extended isolation has continued sporadically for the past six years. Saber Lahmar has now been held in near complete isolation for the past two years. For the first roughly year and a half of that time, he was confined to a cell that was just 8' x 6' in size and was illuminated twenty-four hours a day. His window was painted over with opaque paint, so no

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<sup>2[2]</sup> Photographs of the transport to Guantanamo are attached as Exhibits G and H.

<sup>3[3]</sup> A photograph of Camp X-Ray, where our clients were initially detained, is attached as Exhibit I.

natural light could enter and he could not tell night from day. For a period of an entire month he was denied a toothbrush and toothpaste, and has been denied access to any books aside from the Koran. He was allowed out just ten minutes a day, and then only to an adjacent cage to shower.

This complete isolation has not only taken a severe psychological toll, but has also led to a host of debilitating physical ailments. Mr. Lahmar suffers from nerve and muscle damage in his knees, and has been ordered by doctors to engage in physical exercise in order to stop his muscles from atrophying. Confined to such a tiny cell with no ability to move around, Mr. Lahmar's legs have suffered dramatic and lasting damage.

Guards also deliberately exposed Mr. Lahmar to extreme temperature by constantly blowing cold air into his cell—a tactic that has been practiced upon each of our clients. On one occasion, it was so cold in Mr. Lahmar's cell that ice formed on the cooling vent shaft. On another occasion, Mr. Lahmar was kept in a cold cell, without lights, for three months. During this period, he was kept naked, and at times deprived of food and water.

Similar extended periods of isolation have been experienced by each of our clients, most notably by Belkacem Bensayah, who at one point spent 17 consecutive months in isolation.

### *Mustafa Ait Idir*

Treatment by the guards was perhaps harshest when our clients attempted to pray. Knowing that inmates would not pray without their knees being covered, guards demanded that our client Mustafa Ait Idir and every member of his cell block give up their pants at one point in 2004. When Mr. Ait Idir refused, guards doused him with tear gas. After he was blinded and writhing in pain, a team of soldiers stormed into his cell in full riot gear, grabbed his testicles and squeezed. As he collapsed on the ground in a fetal position, the soldiers jumped on him and began to beat him. They restrained his hands behind his back and secured them to his feet. Even after he was fully immobilized, guards continued to beat him, bending two of his fingers back so far that they broke, and then denying him necessary medical treatment to set the fingers. They are now permanently damaged.

Just a few days later, the guards again attacked Mr. Ait Idir. Entering his cell for a search, a guard sprayed Mr. Ait Idir in the face with pepper spray. Five guards in full riot gear [the so-called IRF Team] entered his cell, secured his hands behind his back with plastic restraints, and then carried him out to a gravel courtyard. While two guards drove their knees into Mr. Ait Idir's back, a third guard jumped repeatedly on his head, driving his face into the stones. The guards then stuffed a water hose into Mr. Ait Idir's mouth and turned it on full force, suffocating him. After observing that he could still breathe through his nose, they removed the hose and ran the water full force into his face while holding his head still, so as to cut off all air. They then began to twist the pinky and adjacent finger on the hand that had not been damaged in the previous attack, this time dislocating all of his knuckles and causing excruciating pain. The gang of guards then carried Mr. Ait Idir back to his cell where, while suspending him by his waist and legs with his hands still secured behind him, they slammed his body and head into the steel walls and floor of his cell, then slammed his head into the foot stirrups of the toilet in his cell, and finally lowered his head into the toilet and flushed it repeatedly.

These beatings left Mr. Ait Idir's face paralyzed, having induced Bell's Palsy. Unable to control his mouth, food was nearly impossible to eat. Yet, instead of providing Mr. Ait Idir with medical attention, the guards mocked him for his disability. It was at least 10 days before he was seen by a doctor, even though the paralysis, swelling and pain disturbed his ability to eat, drink, and sleep. Food and liquid would drip from his mouth whenever he attempted to feed himself.

Most recently, during an interrogation in October of 2007, Mr. Ait Idir asked for a second pair of shorts on account of a rash. The following day, while coming back from recreation, shackled and hooded, a guard grabbed him so hard by the arm that it left bruises, then drove his knuckles into Mr. Ait Idir's lower back, where he was holding the chain wrapped around Mr. Ait Idir's waist. When they arrived at Mr. Ait Idir's cell, the guard pushed the hooded and defenseless Mr. Ait-Idir into the doorframe, striking his head and causing a "pop" in Mr. Ait Idir's neck vertebrae. His head immediately began to bleed from the wound. The lead officer on the cell block refused to let Mr. Ait Idir go to the clinic, talk to the interpreter, or talk to his superiors. When the guard involved wrote up the incident, he claimed that Mr. Ait Idir threatened him, and Mr. Ait Idir was punished for the ordeal. Since the incident, Mr. Ait Idir has had headaches for several weeks. He is also unable to turn his neck to either side. The symptoms of his Bell's Palsy returned for three to four days. They have since lessened, but have not gone away. His left eye flutters and his lip spasms occasionally. He has lost even more taste in his mouth.

### *Lakhdar Boumediene*

Mr. Ait Idir's experience was unfortunately not unique. Cruel and degrading mistreatment was experienced by each of our clients. For example, on three separate occasions, Lakhdar Boumediene's beard, a symbol of his religious expression, has been shaven against his will by guards at Guantanamo.

Using the only form of protest available to him, Mr. Boumediene began a hunger strike in December of 2006. He continues to refuse food and, already a slight man, he has lost at least 40 pounds since his initial incarceration. The Camp Command have met this hunger strike with force, engaging in feeding techniques that can only be described as their own form of torture. Twice daily, Mr. Boumediene is strapped head, chest, arms and legs into a chair and force-fed an hour or more through a 43-inch tube inserted into his right nostril. When inserted improperly, as often happens, this tube causes excruciating pain. In one instance, a guard tied Mr. Boumediene's head back so far that the feeding tube choked him and caused so much damage to his throat that Mr. Boumediene was unable to speak afterwards for five days. On many other occasions, medical personnel have had trouble inserting his feeding tube (at one point, they tried for two hours). Mr. Boumediene has had to experience this violent force feeding twice a day for the past eighteen months. This is in direct contravention of Article 5 of the World Medical Association Tokyo Declaration, which U.S. doctors are legally bound to follow through their membership in the American Medical Association. Article 5 forbids doctors from force-feeding voluntary participants in a hunger strike under any circumstances.

### *Camps V and VI*

Over the past couple of years, the U.S. government has opened two new facilities that it has held out to be improvements over the brutalizing conditions prisoners experienced during the initial

years at Guantanamo. These facilities are in fact far worse, as they have been designed to accentuate many of the psychological tortures that are utilized in Guantanamo.

Describing one of the two new facilities, Camp V, the lawyer for a British detainee found that his client was “slowly but surely slipping in to madness” after a nine-month ordeal in isolation. In Camp V, detainees are deprived of any contact with human beings aside from their jailors, and that contact is only in passing as the jailors shove food through a slot in the door. No natural light enters the cell, and the fluorescent light above is never shut off. Recreation, to the degree that it is even offered, is confined to a caged area in a high-walled courtyard.

Yet, despite how oppressive the conditions in Camp V are, the conditions in Camp VI are far worse. Cells in Camp VI let in no natural light, causing great disorientation in prisoners who cannot tell whether it is day or night. The Camp was constructed with materials that amplify noise, rendering sleep difficult if not impossible. Surveillance is constant, even when the detainee is using the toilet, irrespective of whether the guard is male or female, and detainees are confined to their cells for 22 hours every day; cells so inhospitable that Mr. Bensayah is forced to use his toothbrush to clean his area.

The cumulative effects of these conditions have been dramatic. Dr. Daryl Matthews, a forensic psychologist at the University of Hawaii and former Department of Defense consultant, designed and reviewed a proxy psychological evaluation that we have twice administered to our clients during visits. Dr. Matthews found that the complete loss in control over their daily lives has resulted in profound depression and Post Traumatic Stress Disorder. This has left the six men psychologically unfit to resume anything like their former lives without intense and prolonged therapy and support. Further, when examining the change in mental health between proxy psychological assessments administered in 2005 and 2007 for each of our clients, Dr. Matthews concluded that each client’s psychological condition was continuing to worsen dramatically.

Dr. Grant Brenner, a New York trauma specialist who has written a report on the likely psychological effects of the conditions of Guantanamo based on a review of studies of many other wartime prison confinements, has found that many of the techniques used, such as the use of sensory and sleep deprivation, have been “reported to have ‘disabling or lethal’ effects on human beings.”

The physical effects of this prolonged imprisonment and systematic mistreatment on our six clients have been equally dire. Forced to drink unclean water that is often yellow or brown and carries a strong stench, almost all of our clients have developed kidney problems. Due to regular denial of adequate toothbrushes, almost all of our clients have experienced severe dental problems which are not meaningfully addressed. All appear to have advanced periodontal disease. When they have suffered injuries, these injuries have been left untreated, greatly exacerbating what could have at times been minor issues.

#### **IV. DIPLOMATIC AND LEGAL EFFORTS**

As lawyers to these men, we have explored several different diplomatic and legal options to alleviate their situation and bring them the justice they deserve. Along with colleagues from WilmerHale, I have gone to Guantanamo Bay on twelve occasions to meet and counsel our



clients since December 2004. (Before visits by pro bono counsel to Guantanamo began in the wake of the Supreme Court's June 2004 decision in *Rasul v. Bush*, no detainee had met with or spoken to an attorney, although many—including our clients—had been imprisoned in Guantanamo for almost three years.) I represented the men in *habeas corpus* proceedings in the United States District Court for the District of Columbia and in subsequent appeals. On December 5, 2007, we argued our case in front of the Supreme Court, and are currently awaiting the Court's decision.

Separately, we also filed petitions for each of our clients pursuant to the Detainee Treatment Act of 2005 ("DTA"). Those appeals are now pending at a preliminary stage in the District of Columbia Court of Appeals.

Recognizing that Bosnia is complicit in the horrors that have been visited upon our clients, in late 2006 and early 2007, we filed applications against Bosnia on behalf of each client before the European Court of Human Rights. These applications allege that the government of Bosnia and Herzegovina illegally handed our clients over the United States and has not fulfilled its obligations to seek our clients' safe return or to protect our clients from torture and the possible imposition of the death penalty. We filed Written Observations and our Claim for Just Satisfaction with the Court on March 12, 2008, and are waiting for answers from Bosnia and Herzegovina, which are due at the end of this month.

We have also engaged in extensive diplomatic negotiations with the United States, Bosnian, and Algerian governments. We believe that Bosnia, especially, has a positive obligation to secure the safe return of our clients. On October 12, 2002 and April 4, 2003, the Human Rights Chamber of Bosnia and Herzegovina held that the removal of our clients from Bosnian soil occurred in violation of the laws of Bosnia and Herzegovina and the European Convention on Human Rights. In those orders, the Chamber instructed the Bosnian government to use diplomatic channels to repatriate our clients and to protect them while in United States custody.

Despite these rulings, and despite the fact that our clients have been subjected to repeated torture and harsh treatment, the Bosnian government has made only a cursory effort to secure the safety of the men or their safe return. Still, at least to some degree, elements of the Bosnian government have formally acknowledged its obligations. On April 21, 2004, [more than two years after the men's illegal handover to the United States] the Commission for Human Rights, Immigration, Refugees and Asylum of the Parliament of Bosnia and Herzegovina formally accepted the conclusions and measures ordered by the Human Rights Chamber. The Commission urgently requested all relevant institutions of Bosnia to implement the Chamber's decision and to initiate a procedure with the United States authorities for the return of Guantánamo detainees to their homes in Bosnia and Herzegovina. The Commission's report was adopted by the full House of Representatives of the Parliament on May 11, 2004.

On September 16, 2005, the Parliament of Bosnia adopted a resolution obligating the Bosnian Council of Ministers to enter into contact with the U.S. Government and resolve the issue of the six Bosnian citizens and former residents at Guantánamo as soon as possible. The resolution passed by a large majority.

Bosnia's positive obligations to seek the return of our clients also stem from its obligations as a member state in the Council of Europe, the pan European human rights umbrella group of 47 European nations. On April 26, 2005, the Parliamentary Assembly of the Council of Europe passed Resolution 1433, calling on all member states of the Council of Europe, including Bosnia, to "enhance their diplomatic and consular efforts to protect the rights and ensure the release of any of their citizens, nationals or former residents currently detained at Guantánamo, whether legally obliged to do so or not." In 2006, the Bosnian Foreign Minister admitted in writing to the Secretary General of the Council of Europe that our clients' rendition was an extralegal "hand-over." We believe that at this time our clients are the only European citizens and residents still held in Guantanamo.

Nevertheless, the Bosnian Government has taken few concrete steps to secure the safe return of our clients over the last six plus years. We have met with numerous Bosnian officials over the last three years to encourage diplomatic efforts to seek the return of our clients. We have had discussions with, and received verbal support from, Haris Silajdžić (Bosnian Presidency Member), Zlato Lagumdžija (former P.M.), Nikola Spiric (P.M.), Mirsad Kebo (V.P.), Sulejman Tihic (former Presidency Member), Adnan Terzic (former P.M.), and Bisera Turković (long-time Ambassador to U.S.) on their trips to the U.S. and our three trips to Bosnia. We can show our clients little for these efforts.

We have also been in discussions with the Algerian government since 2004. Our clients prefer to return to their families and lives in Bosnia, rather than to their birthplace in Algeria, and the official position of the Algerian government is that they will only accept the six men if they return willingly. The diplomatic efforts with Bosnia have been greatly slowed and impeded by the political turmoil and institutional weakness that still paralyzes the Bosnian government eleven years after the Dayton Accords. This political instability has increased over the past few months.

## **Conclusion**

Our clients' imprisonment and mistreatment in Guantanamo without charge or trial for over six years has had a devastating impact on their mental and physical well being. But the effects of their confinement in Guantanamo are also experienced far more broadly. Their treatment is seen in much of the rest of the world as a symbol of American hypocrisy. Each day that their confinement continues is a day America's image in the world continues to decline;<sup>4[4]</sup> is a day we are seen as oppressors rather than liberators; and is a day that we have once again failed to live up to the promise or to heed the warning of John Winthrop in describing our City upon a Hill.

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<sup>4[4]</sup> Assuredly, this is why the three major candidates for President has each said he or she will close Guantanamo

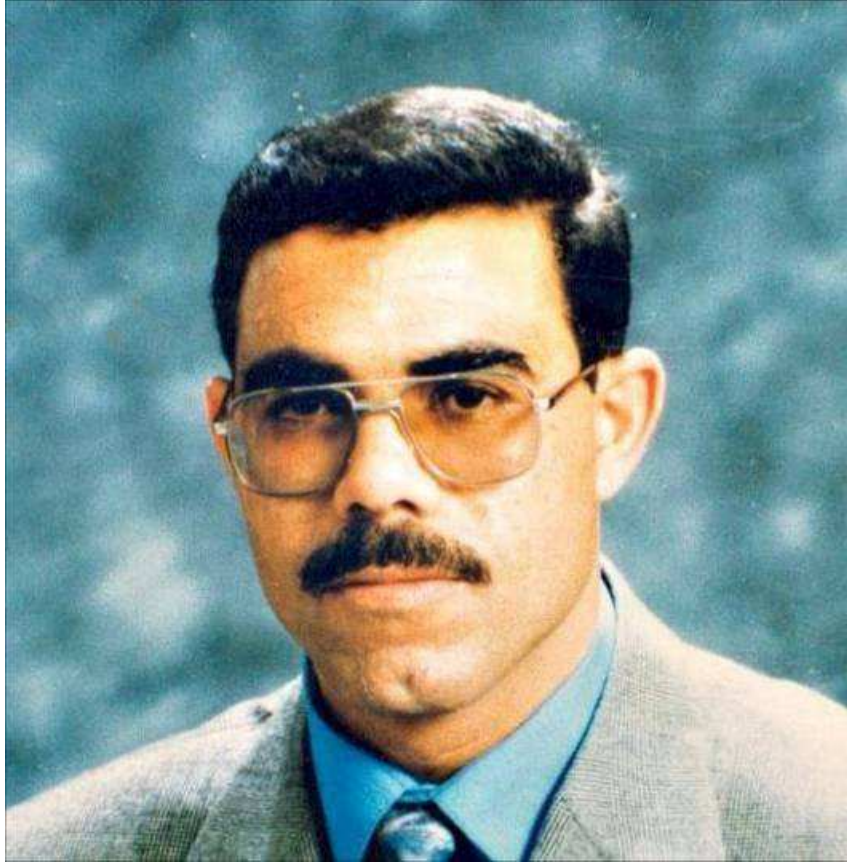
**Appendix A: Photograph of Mustafa Ait Idir**

**Mustafa Ait Idir**



**Appendix B: Photograph of Belkacem Bensayah**

**Belkacem Bensayah**



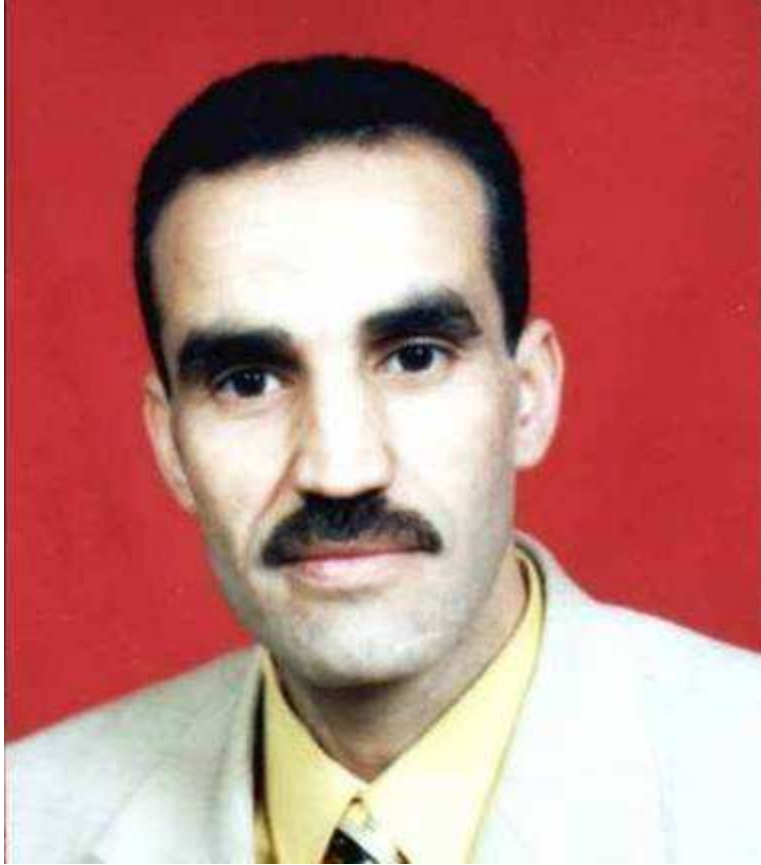
**Appendix C: Photograph of Hadj Boudella**

**Hadj Boudella**



**Appendix D: Photograph of Lakhdar Boumediene**

**Lakhdar Boumediene**



**Appendix E: Photograph of Saber Lahmar**

**Saber Lahmar**



**Appendix F: Photograph of Mohamed Nechla**

**Mohamed Nechla**





**Appendix G: Photograph of Transport to Guantanamo**



**Appendix H: Photograph of Transport to Guantanamo**



**Exhibit I: Photograph of Camp X-Ray**

