

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2007/06/07/leading-human-rights-groups-name-39-cia-disappeared-detainees>

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Three Groups File Lawsuit Seeking Information about Ghost Detention

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(New York) In the most comprehensive accounting to date, six leading human rights organizations today published the names and details of 39 people who are believed to have been held in secret US custody and whose current whereabouts remain unknown. The briefing paper also names relatives of suspects who were themselves detained in secret prisons, including children as young as seven.

In a related action, three of the groups filed a lawsuit in US federal court under the Freedom of Information Act (FOIA) seeking the disclosure of information concerning "disappeared" detainees.

The 21-page briefing paper, "[Off the Record: US Responsibility for Enforced Disappearances in the War on Terror](#)," includes detailed information about four people named as "disappeared" prisoners for the first time. The full list of people includes nationals from countries including Egypt, Kenya, Libya, Morocco, Pakistan and Spain. They are believed to have been arrested in countries including Iran, Iraq, Pakistan, Somalia and Sudan, and transferred to secret US detention centers.

The list - drafted by [Amnesty International](#), [Cageprisoners](#), the [Center for Constitutional Rights](#) (CCR), the [Center for Human Rights and Global Justice at New York University School of Law](#), Human Rights Watch, and [Reprieve](#) - draws together information from government and media sources, as well as from interviews with former prisoners and other witnesses.

"Off the Record" highlights aspects of the [CIA](#) detention program that the US government has actively tried to conceal, such as the locations where prisoners may have been held, the mistreatment they endured, and the countries to which they may have been transferred.

It reveals how suspects' relatives, including wives and children as young as seven years old, have been held in secret detention. In September 2002, Khalid Sheikh Mohammed's two young sons, aged seven and nine, were arrested. According to eyewitnesses, the two were held in an adult detention center for at least four months while US agents questioned the children about their father's whereabouts.

Similarly, when Tanzanian national Ahmed Khalfan Ghailani was seized in Gujarat, Pakistan, in July 2004, his Uzbek wife was detained with him.

The human rights groups are calling on the US government to put a permanent end to the CIA's secret detention and interrogation program, and to disclose the identities, fate, and whereabouts of all detainees currently or previously held at secret facilities operated or overseen by the US government as part of the "war on terror."

In a related action, Amnesty International USA (AIUSA), CCR and the International Human Rights Clinic of NYU School of Law today filed a lawsuit in US federal court under the Freedom of Information Act (FOIA) seeking disclosure of information concerning "disappeared" detainees, including "ghost" and unregistered prisoners. AIUSA, CCR and the NYU International Human Rights Clinic filed FOIA requests with several US government agencies, including the Departments of Justice and Defense, and the CIA. These FOIA requests sought information about individuals who are - or have been - held by, or with the involvement of, the US government, where there is no public record of the detentions. Though a few departments produced documents containing little relevant information, no agency provided a list of secretly held detainees or an assessment of the legality of the secret program.

The documents that the groups are seeking are known to exist. President Bush publicly acknowledged the existence of CIA-operated secret prisons in September 2006; 14 detainees from these facilities were transferred to Guantanamo, and the US Department of Justice has issued an analysis concluding that the secret detention program is legal.

Yet information about the location of the prisons, the identity of the prisoners, and the types of interrogation methods used, has never

been publicly revealed. This prevents scrutiny by the public or the courts, and leaves detainees vulnerable to abuses that include torture and other ill-treatment.

The secrecy surrounding the program also means that no one outside the US government knows exactly how many prisoners have been detained and how many remain "disappeared." The April 2007 transfer of Abd al-Hadi al-Iraqi from CIA custody to Guantanamo indicates that the program continues to operate, although some prisoners may have been transferred to prisons in other countries, possibly as a form of proxy detention. "Off the Record" indicates that some missing detainees may have been moved to countries where they face the risk of torture and where they continue to be held secretly, without charge or trial.

Interviews with prisoners who have been released from secret CIA prisons indicate that low-level detainees have frequently been arrested far from any battlefield, and held in isolation for years without legal recourse or contact with their families or outside agencies. Those who have been released have received no acknowledgment of their detention or any legal or financial redress.

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