Information Access as a Human Right: Guantánamo Bay Detention Camp Compared to Supermax and Military Prisons of the United States

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Abstract
Information access rights are an important component of international human rights. Information access rights and realities at Guantánamo Bay Detention Camp are compared and contrasted with those at supermax and military prisons within the United States and are analyzed within the context of international human rights. The effects of limiting information access are considered in relation to both detainee wellbeing and to the reputation of the United States as a global leader in human rights.
Keywords: information access, human rights, prison, Guantánamo Bay Detention Camp, war on terror
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1 Introduction

Guantánamo Bay Detention Camp, located in the US naval base, Cuba, first opened its doors to those captured in the "Global War on Terror" in January 2002, exactly four months after the September 11, 2001 terrorist attacks on the USA. Prior to its opening, it had already been decided by President George W. Bush that detainees would not be afforded rights guaranteed the Geneva Conventions, resulting in years of now well-documented abuses. While an abundance of literature exists on these abuses, the legal status of the detainees, and possible solutions to the intractable problem of what to do with the detainees after Guantánamo Bay, there appears to be no analysis from the library and information science field detailing the denial of information access and its effects on the detainees.

Offered to give context and comparison for the subsequent discussion of information access rights and realities for detainees at Guantánamo Bay, first comes an analysis of information access rights afforded to prisoners held by the US military, either as enemy prisoners of war, civilian internees, or members of the US military, and prisoners held in ADX Florence, the only federal "super-maximum security" ("supermax") prison. The analysis of Guantánamo Bay could apply to any other facility the US has utilized for the extra-legal detention of non-US citizens during the War on Terror, such as Abu Ghraib, Bagram, and several other "secret" prisons. Guantánamo Bay was chosen for its notoriety and the relative wealth of information that exists about day-to-day operations and conditions in comparison to any other such facility. After a thorough examination of information access at Guantánamo Bay, the effects of limiting information access are considered in relation to both detainee wellbeing and to the previously positive reputation of the United States as a global leader in human rights. As President Barack Obama continues to state his commitment to close Guantánamo Bay, information access rights need to be considered as an important part of any future detainment arrangements. First, however, it is essential to define information for the purposes of the analysis that follows.

2 What is Information?

The definition of information matters in the context of information rights and this paper: without a clear, common understanding of what constitutes information, it is impossible to define information rights and therefore to evaluate whether those rights are being upheld.

The Oxford English Dictionary ("OED") defines information as "knowledge communicated concerning some particular fact, subject, or event; that of which one is apprised or told; intelligence, news." Buckland's (1991) oft-cited three categories divides information into information-as-process, which is the act of informing, of communicating, of changing one's knowledge, information-as-knowledge, being the information itself that is perceived, and information-as-thing, those objects that contain information such as data and documents. Ruben (1992) categorizes information into three orders: first-order is "environmental artifacts and representations; environmental data, stimuli, messages, or cues;" second is "internalized appropriations and representations" or "semantic networks, personal constructs, images, rules or mind;" and, third-order information is "socially constructed, negotiated, validated, sanctioned and/or privileged appropriations, representations, and artifacts" or the social context of information, for example books, newspapers, and letters (pp. 22–24).

For the purposes of this paper, "information" is the OED's inclusive definition that is given further categorization by Buckland and Ruben. Information, as applied to the inmates and Guantánamo Bay detainees examined in this paper, is not only books, newspapers, letters, and telephone calls, but also the spatial and geographical environment — the sights, smells, sounds — surrounding them, the education and knowledge gathering process, communicating to and receiving communication from others, and the ability to utilize and enjoy one's own mind and cognitive abilities.

3 What are Information Access Rights?

Information access rights are a small part of the spectrum that is human rights: "it is universally believed now, but not necessarily practiced, that access to information is everybody's right" (Smith, 1995, pp. 169–170). In this vein, the US Supreme Court in *Martin v. Struthers* (1943) extended the First Amendment right of free speech to include the right to receive information. However, detainees held in the US Naval Base at Guantánamo Bay are beyond the protections of the US Constitution because of the base's location within Cuba's sovereign territory. Nevertheless, the US has adopted, ratified, and/or is a signatory to international treaties that impose a requirement of access to information, all of which should apply to detainees irrespective of their geographical location.

3.1 Information Access as a Basic Universal Human Right

McIver, Birdsall, and Rasmussen (2003) argue that the right to communicate is a basic universal human right, quoting Fisher's (1982, p. 8) holding that the right to communicate "springs from the very nature of the human person as a communicating being and from the human need for communication, at the level of the individual and of society." Sturges and Gastiner (2010) argue "individuals need a broad and self-selected set of skills across the range of formats and media to support their human right to information" (p. 200) and consequently it is a governmental responsibility to foster these skills "to ensure that people have the skills to make best use of the rights that Article Nineteen offers" (p. 199). The US Government through its military command of Guantánamo Bay has the responsibility to create an environment whereby information rights can be freely exercised.

3.2 International Law and its Relation to the US Constitution

Several articles of the Universal Declaration of Human Rights ("UDHR") (United Nations, n.d.), concern information access rights. The most obvious, Article 19, provides "[e]veryone has the right to freedom of

opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Article 19 of the International Covenant on Civil and Political Rights ("ICCPR") also provides that there is "freedom to seek, receive and impart information and ideas," stating that the right to freedom of opinion and expression can only be restricted if provided for by law and necessary to protect the rights of others or for the protection of national security or public order, health, or morals (United Nations, 1966). This echoes Article 12, UDHR, which states "[n]o one shall be subjected to arbitrary interference with his privacy, family, home or correspondence" (United Nations, n.d.).

Article 26, UDHR provides "everyone has the right to education" (United Nations, n.d.). Information access is an essential corollary to this right in order for Buckland's (1992) information-as-process to be fully realized.

Article 5, UDHR, and Article 7, ICCPR, as well as the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, 1984), provide that no one shall be subject to torture or cruel, inhuman or degrading treatment or punishment. The US government took exception to these articles of these treaties and elected to defer to the current standards in the Eighth Amendment to the US Constitution, with the additional result that a private cause of action would not be created in the US courts for those seeking redress. Unsurprisingly, there is little case law concerning whether "enhanced" interrogation techniques, for example hooding and sleep deprivation, or conditions of detention, such as solitary confinement or prohibited access to the outside world, as experienced by detainees in Guantánamo Bay, violates the Eighth Amendment.

The Human Rights Committee of the United Nations held in *Floyd Howell v. Jamaica* (1998) that prolonged solitary confinement and incommunicado detention, and of course physical violence and threats of torture, violate Article 7's prohibition against cruel, inhuman or degrading treatment or punishment. Unquestionably these practices result in the severe denial of access to Ruben's (1992) first-order environmental information. However, the test used by US courts to determine whether these actions might violate the Eighth Amendment — whether the government has a good faith legitimate governmental interest, and did not act maliciously and sadistically for the purpose of causing harm (*Hudson v. McMillian,* 1992) — will undoubtedly always find in favor of the government in all but the worst cases of abuse.

The Sixth Amendment to the US Constitution is reflected in Article 9(2), ICCPR whereby "anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him" (United Nations, 1966). Guantánamo Bay detainees, denied any rights under the US Constitution, should retain the right to receive information concerning the reason behind their detention.

Ruben's (1992) second-order information — the individual "system," personal constructs, and the mind — can be found in Article 18 of both the UDHR and ICCPR: "everyone has the right to freedom of thought, conscience and religion" (United Nations, n.d., 1966). Guantánamo Bay detainees have the right to their thoughts, their internal processes, and their beliefs, without interference, either direct or indirect, from the government.

As a signatory to the UDHR and ICCPR, the US government provides for information access rights in principle. What follows now is an examination of the US government's *outcomes* of its practice and policy concerning information access rights.

4 Information Access at US Federal Supermax Prison

The Federal Bureau of Prisons has one "administrative maximum facility" or "supermax" prison in its system: ADX Florence, Colorado. As of May 9, 2013, it housed 442 convicted felons (Federal Bureau of Prisons, 2013), including "shoe bomber" Richard Reid, mastermind of the 1993 World Trade Center bomb-

ing Ramzi Yousef, and Oklahoma City bomber Timothy McVeigh's partner, Terry Nichols (Soylent Communications, 2012). Most have decried the conditions at ADX Florence: a former warden called it a clean version of hell (Theoharis & Sassen, 2012); Hanson (2011) describes it as "place that is a symbol of all things bad, evil, and corrupt; an enormous monument to the ills of humanity set against a Rocky Mountain backdrop;" and the UN Committee Against Torture in 2000 and 2006 expressed concern about the periods of isolation prisoners endure in US supermax prisons (Hanson, 2011). Prisoners are separated from one another by thick concrete walls and steel doors, spend their two to five times per week outdoor recreation time in cages, and have only a single view of the sky and roof through their 4 inch by 4 foot windows (Theoharis & Sassen, 2012; Hanson, 2011).

Prisoners held in ADX Florence, and dozens of other of state-run supermax prisons, are being held in facilities specifically designed to maintain extended periods of sensory deprivation (Stoelting, 2012, p. 7). The average stay in California's Pelican Bay State Prison Secure Housing Unit ("SHU"), a special detention unit within that supermax prison, is eight years (Reiter, 2012). The majority of those in ADX Florence are incarcerated for life without the possibility of parole. Every prisoner in a state or federal supermax is a convicted felon.

Despite these conditions, inmates at ADX Florence are permitted to send and receive correspondence and access publications, can make telephone calls one to two times per month, and arrange family visits. Each cell contains a television showing religious, educational, and entertainment programming and in-cell educational programs are available. Inmates not subject to disciplinary sanctions are permitted five visits of up to seven hours each per month. (Federal Bureau of Prisons, 2008). Their information access rights are, in principle, upheld within the parameters of a supermax facility and its heightened security concerns.

However, once an inmate receives a sanction for a disciplinary infraction, what little contact they do have other others is stripped away (Stoelting, 2012, p. 1). For example, those in Pelican Bay's SHU find themselves in "Privilege Group D" and are no longer allowed family visits or telephone calls. Even if an inmate is permitted family visits, supermax prisons tend to be prohibitively far away from family members. Inmates, such as those who successfully filed a lawsuit against California Governor Jerry Brown in *Ashker v. Brown* (2013), allege that prolonged solitary confinement (for these inmates, 10 to 28 *years*) violates Eighth Amendment prohibitions against cruel and unusual punishment, especially in light of the absence of meaningful review. In practice, inmates' information access rights, especially to Ruben's first-order environmental information, are being violated.

Prisoners in supermax prisons located on sovereign US soil are protected by the US Constitution and inmates have potential redress in the courts. However, most are not able to mount a successful challenge (for examples, see Stoelting, 2011). Many inmates can — at least in theory — work and/or behave their way out of complete isolation. However, the policies behind conditions and regulations found in US supermax prisons prevent most inmates from earning transfer to a less restrictive facility. The inability for an inmate to earn a reduction of restrictions has the concomitant effect that access to information of all kinds remains severely restricted.

5 Information Access at US Military Prisons

Field Manual No. 3-19.40 ("FM 3-19.40") titled *Military Police Internment/Resettlement Operations* "depicts the doctrinal foundation, principles, and processes that MP [military police] will employ when dealing with enemy prisoners of war (EPWs), civilian internees (CIs), US military prisoner operations, and MP support to civil-military operations" (Department of the Army, 2001). FM 3-19.40 details the protections afforded to EPWs and CIs under the Geneva Conventions and that the "basic US policy underlying the treatment of detainees and other captured or interned personnel during the course of a conflict requires and

directs that all persons be accorded humanitarian care and treatment from the moment of custody until their final release or repatriation" (p. 1-12).

5.1 Civilian Internees ("CIs")

A CI is a non-military person considered a security risk, or someone who has committed an offense (insurgent, criminal) (Department of the Army, 2001, p. 1-3). They are protected under the Geneva Convention Relative to the Protection of Civilian Persons in Time of War ("Geneva IV"), protections which are reflected in the text of FM 3-19.40. CIs have the right to receive the rules and regulations under which they are interred in a language they can understand, to send and receive correspondence, and to have dependent children interred with them in order to keep families together. Verbal instructions and orders should be given to the CIs in their native language, as should all notices and announcements to "ensure information is easily accessed" (Department of the Army, pp. 5-10–5-11). Any disciplinary matters should be conducted with a translator present, having given the CI precise information about the allegation and an opportunity to defend it. CIs that are confined due to a disciplinary matter are still entitled to 2 hours of time in the open air daily and to send and receive letters, cards, and telegrams. Social, recreational, and educational programs are encouraged, visits by close relatives are permitted if possible within the country of interment, and religious freedoms are fully respected. Medical and dental care, including psychiatric treatment, is provided as needed. (Department of the Army, 2001, pp. 5-1–5-18).

5.2 Enemy Prisoners of War ("EPWs")

Under the Geneva Convention Relative to the Treatment of Prisoners of War ("Geneva III"), an EPW is a member of an enemy armed force, or a member of a militia, volunteer corps, or civilian accompaniment that forms part of an enemy armed force (International Committee of the Red Cross, 1949a). Many of the same rules and regulations regarding the treatment of CIs apply to EPWs, such as receiving both written and spoken rules, regulations, orders, and notices in a language that can be understood by the EPWs, being fully informed of any disciplinary actions against them, allowing free exercise of religion, and providing all medical care as needed. Detained EPWs are represented by a senior EPW officer or elected representative, who has broad permission to communicate with outside groups, such as the International Commission of the Red Cross and US military authorities. EPWs are provided with a limited amount of free outgoing, and unlimited incoming, correspondence, may send and receive telegrams, but cannot make telephone calls. (Department of the Army, 2001, pp. 4-1–4-24).

5.3 US Military Prisoners

The Army Corrections System ("ACS") is outlined in FM 3-19.40, but receives detailed attention in Army Regulation ("AR") 190-47 (Department of the Army, 2006). ACS facilities are classified by three levels of security, with the United States Disciplinary Barracks ("USDB") at Fort Leavenworth, Kansas, providing maximum-security, long-term incarceration for up to 515 of those *convicted* of the most serious crimes, irrespective of the branch of the US military in which a prisoner served (p. 3). According to the USDB website:

> "Correctional and treatment programs consist of individual and group counseling for self-growth and crime specific, education classes, and vocational training. Vocational training certificates are offered in barbering, carpentry, embroidery, engraving, graphic arts, laundry/dry cleaning, printing, sheet metal, and welding." (U.S.D.B., 2012b)

Welfare activities include recreation time, access to reading materials, and retention of personal letters and photographs, books and magazines, and textbooks. A comprehensive library is available, including legal resources and a "varied and authoritative collection of reading material aimed at encompassing the various reading levels, interests, and cultural backgrounds of the prisoners confined" (Department of the Army,

2006, p. 13). Family visitations are encouraged, provided that an inmate's family members can afford to make the trip to Kansas, but once there, minimal physical contact is allowed between visitors and prisoners except under extraordinarily special circumstances (U.S.D.B., 2012a).

Regulations concerning correspondence are permissive, including limited free mail for inmates not receiving pay for prison work, with stationery being free from any indication that the inmate is confined (Department of the Army, 2006, pp. 41–42). However, letters must be written in English if at all possible (p 41). Telephone communication is permitted (p. 42). AR 190-47 also states that military prisoners are entitled to legal assistance, as well as access to a law library, and are kept "informed concerning the status of their cases or sentences and other pending legal matters" (p. 13). Mental health support is provided through a multi-disciplinary team (p. 17).

Information access principles for those held in military prisons, whether a CI, EPW, or an inmate of the USDB, is generally permissive, especially in comparison with US supermax prisons. Access to information appears to be restricted only by legitimate practical concerns such as a security and space, rather than as a matter of principle. The outcome of the above policies support the ability of internees and inmates to access Ruben's (1992) second-order internal information, constructs, and mental processes, as well as Ruben's first-and third-order information.

6 Brief History of Guantánamo Bay Detention Camp

Following al Qaeda's September 11, 2001 terrorist attacks on the USA, and as part of the United States Military's subsequent Operation Enduring Freedom waged in Afghanistan, President Bush issued a military order on November 13, 2001 (Bush, 2001), concerning the detention, treatment, and trial of any non-US citizen captured in the War on Terror. The order required that detainees be "treated humanely" (Bush, 2001). Two months later on January 11, 2002, the first twenty detainees arrived at Camp X-Ray, Guantánamo Bay Naval Base, Cuba, a detention camp formally used to house Haitians and Cubans who had attempted to sail to Florida in the mid-1990s (Cable News Network, 2002). By the end of that month, 156 detainees found themselves housed in the outside cells at Camp X-Ray (..kman et. al., 2013). By April 2002, prisoners were transferred to the purpose built Camp Delta (now renamed Camp 1), comprised of 200 open-air, steel mesh cells and an outdoor exercise area (United States, 2009, p. 11).

As the war progressed and more detainees arrived at Guantánamo Bay, additional camps were added. Camp 2 and 3, similar in configuration to Camp 1, opened in October 2002. Camp 4, opened in February 2003, was designed as a communal living camp, complete with recreation, education, and entertainment, for Guantánamo Bay's most compliant detainees. As of November 2012, Camps 1 through 4 were no longer in use (United States Government Accountability Office, 2012, p. 15).

Camp 5, added in April 2004, and Camp 6, opened in December 2006 were both modeled after US supermax prisons. Camp 5 cells have a clear window allowing natural light to enter, whereas Camp 6 cells receive sunlight through skylights. Both facilities have adjoining recreation yards, with Camp 5 having additional open-air, steel mesh cells for non-compliant detainees. Camp 6 has now been renovated to a shared housing unit. Camp 7 houses the so-called "High-Value Detainees" transferred from the CIA in September 2006 in a maximum-security, climate-controlled facility with individual recreation cages. Camp Iguana, originally housing child detainees, now holds pre-release detainees — those no longer classified as an enemy combatant — in a communal facility with free movement around several buildings containing living quarters, religious facilities, a library, and laundry facilities. (United States, 2009, pp. 11-13). Camp Echo, holding compliant detainees that would otherwise be at risk in Camp 6, consists of 10 wooden hut-like structures, with each detainee having their own hut (United States Government Accountability Office, p21).

At its peak in June 2003, Guantánamo Bay held 684 detainees, with a total of 779 individuals having been sent there (Scheinkman et. al., 2013). Since then, detainees have been slowly released or transferred to facilities in other countries, and as of November 2013, only 164 detainees remain at Guantánamo Bay (Scheinkman et. al., 2013). Over half of these have been cleared for release, but cannot return home, due to the risk of inhumane treatment if repatriated, or refusal by their country of citizenship to take them back. Others have simply not been released (Clive Stafford Smith, personal communication, May 9, 2013). 46 detainees are being held indefinitely, without having ever received a hearing of any kind (Shiffman, 2013).

6.1 Why Guantánamo Bay?

The reasoning behind holding those captured in the War on Terror at Guantánamo Bay rather than facilities on sovereign US soil has been continually questioned since late 2001. Perhaps it was, initially, merely a misguided attempt to keep the US mainland more secure in the face of previously unimaginable terrorist threats. However, Dratel (Greenberg & Dratel, 2005) argues that there can only have been "pernicious purposes designed to facilitate the unilateral and unfettered detention, interrogation, abuse, judgement, and punishment of prisoners" namely to put detainees beyond courts, the law, the United States Constitution, the Geneva Convention, and to absolve the US government of any liability for war crimes of those involved (p. xxi) with the process. Whichever of these viewpoints is true, the result was and still remains the holding of several hundred detainees beyond the reach of the law and finds them subjected to treatment which, by the standards found in every other prison system in America, would be considered harmful and abusive.

6.2 What Rights Ought to be Afforded to Guantánamo Bay Detainees?

Detainees in Guantánamo Bay are not protected by the US Constitution. Based on US Department of Justice memos (Philbin & Yoo, 2001; Yoo & Delahunty, 2002; Bybee, 2002), President Bush declared that Geneva III did not apply to those captured during the War on Terror because, as members of the fighting force of al Qaeda and the Taliban, both non-signatories of the Geneva Conventions, they not could not be classified as Prisoners of War (Bush, 2002).

Seemingly forgotten were provisions in Geneva IV applicable to any person captured in hostilities which, although allowing for *temporary* suspension of certain rights if "prejudicial to the security of such State," guarantees humane treatment and a fair and regular trial should one be held (International Committee of the Red Cross, 1949b, Article 5). In 2006, this sorry state of affairs was finally overturned in *Hamdan v. Rumsfeld*, which held that detainees were entitled to the minimum protections afforded by Geneva III. By 2008, in *Boumediene v. Bush,* detainees received the constitutional right of *habeas corpus*, but no additional constitutional rights were afforded them or have been since.

Irrespective of the US government or courts, "[p]ersons have a moral duty to respect human rights, a duty that does not derive from a more general moral duty to comply with national or international legal instruments," (Pogge, 2000, p. 46). Pogge (2000) continues: human rights "express *weighty* moral concerns, which normally override other normative considerations ... all human beings have *equal status*" (p. 46, emphasis original). The US government, its departments, and its agents have a duty separate from any legislative duty to uphold the human rights, including information access rights, of all people its actions affect.

7 Information Access for Guantánamo Bay Detainees

In the early days of the War on Terror, the conditions for Guantánamo Bay detainees were shrouded in secrecy, the exception being some leaked photographs and reports published in the media. Even less was known about the conditions suffered by those held in Abu Ghraib, Bagram, and an unknown number of secret prisons. The conditions experienced by detainees during this period are now known to have included

widespread cruel and inhuman treatment and torture. Recent reports indicate that conditions are slowly improving, but questions remain as to whether they have improved enough to no longer be considered a violation of the detainees' human rights.

7.1 Cell Conditions

The Center for Constitutional Rights ("CCR") (2009) reports that "solitary confinement, sensory deprivation, environmental manipulation, and sleep deprivation are daily realities for these men" (p. 3). Many detainees are confined to their cells, often with the air conditioning making it too cold, for at least 20 hours per day (p. 7).

Camp 6 has no outside facing windows and Camp 5 cells only have thin opaque slit windows. Some detainees have reported that even these small windows were sometimes painted over (Human Rights Watch, 2008, p. 48) but currently, detainees are only held in cells with clear windows (United States, 2009, p18). Outside recreation time is not guaranteed to be during daylight hours, with the result that some detainees never see the sun (Center for Constitutional Rights, 2009, p. 5). Cells are illuminated around the clock with fluorescent lighting (Council of Europe, 2007, p. 26; Center for Constitutional Rights, 2009, p. 7), which some detainees report causing them vision problems, even blindness (Human Rights Watch, pp. 30, 35, 39).

Constant noise has also been reported by detainees. The construction materials used in Camp 6 amplify noise (United States, 2008a, p. 35) and the now-closed Camp 3, which served as a punishment unit, was next to constantly-running and loud machinery (Human Rights Watch, p. 8). Communication in Camp 3 was impeded by this noise, and further limited by housing detainees apart from one another. In Camp 5 and 6 communication is restricted by thick walls and steel doors.

The inability to communicate due to prolonged solitary confinement and incommunicado detention violates Article 19, ICCPR and Article 12, UDHR, and has been declared by the Human Rights Committee of the United Nations as a violation of Article 5, UDHR's and Article 7, ICCPR's prohibition against cruel, inhuman or degrading treatment or punishment. Not only is access to Ruben's first-order environmental information and third-order social information severely curtailed, but the resultant psychological problems that stem from these conditions deny detainees access to their own fully-functioning mind, Ruben's second-order information. Dr. Daryl Matthews, a forensic psychologist at the University of Hawaii, found that "the complete loss in control over their [the detainees'] daily lives has resulted in profound depression and Post Traumatic Stress Disorder" (United States, 2008a, p. 35). Numerous studies have found that the "absence of social and environmental stimulation has been found to lead to a range of mental health problems, ranging from insomnia and confusion to hallucinations and psychosis" (Human Rights Watch, 2008, p. 20), which compounds the inability to access second-order information.

In Camp Echo and Camp Iguana, which function as communal living facilities, detainees do not suffer from many of the inadequacies of the other Guantánamo Bay detention facilities. In 2009, the Department of Defense ("DoD") reported that modifications were being made to convert Camp 6 into a communal living facility (United States, 2009, p. 12), but according to Clive Stafford Smith, Camp 6 has been returned to "solitary isolation" (personal communication, May 9, 2013).

7.2 Freedom of Religion

The CCR (2009) reports that detainees "suffer from religious humiliation and the inability to engage in religious practices" (p. 12). Detainees in non-communal camps are not allowed to pray face-to-face, but instead have to conduct their prayer calls, which require communication between the designated prayer caller and the other detainees, through open feed tray slots (*Khan Tumani v. Obama*, 2009, ¶ 8). In those cellblocks where there is extremely loud background noise, the detainee's right to practice religion through communal prayer is violated completely. In addition to violating the right to communicate, Article 18 of both the UDHR and ICCPR, which grants the right to freedom of religion, is also violated.

7.3 Correspondence With and News from the Outside World

In April 2002, Amnesty International reported that many of the Guantánamo Bay detainees had not been able to contact their families and inform them of their whereabouts, nor had their families been able to find out any information about them from the appropriate authorities (pp. 23–28). According to Williams (2002), detainees were able to send out a postcard to their family upon their arrival and thereafter allowed six pieces of mail per month. However, the Human Rights Watch (2008) states that detainees reported denial of access to writing implements (p. 48). Currently, detainees are able to send mail through ordinary mail, the amount of which is unrestricted for compliant detainees, and unlimited Red Cross Messages during Red Cross quarterly visits (United States, 2009, p. 36).

When mail is sent or received, it is censored using a process that takes 60 days (United States, 2009, p. 36). Clive Stafford Smith reports that "they censor the most ridiculous things ... one of things I've been doing just for my entertainment is to get the original of what someone's written. So, for example, if one of the detainee's twelve year old children writes him a letter, then we keep the original of it and then we'd see what gets through to him" (personal communication, May 9, 2013).

Family telephone calls, at the rate of one per year, with the only exception being in the event of a relative's death, have been permitted since 2009, but are heavily monitored (Center for Constitutional Rights, 2009, p. 14). Detainees in Camp 7 are not authorized to make telephone calls under any circumstance (United States, 2009, p. 34). For detainees with little to no reading and writing literacy, or families with a similar skill gap, telephone calls and personal visits are the only way to communicate. Only one family visit has ever occurred: in the case of Australian David Hicks, the authorities reportedly allowed a single, 15-minute visit just prior to the beginning of his trial (Higham, 2004). Heavily censored newspapers are now available to complia

nt detainees and news is accessible on radio and television for those permitted access (United States, 2009, p. 34).

Detainee access to information about their family and the larger outside world is severely curtailed. This curtailment is in violation of Article 72, Geneva III. Article 19, UDHR rights to freedom of expression and to seek, receive and impart information are violated by the censorship of both incoming and outgoing information, even taking into account that Article 19, ICCPR provides for restrictions if necessary to protect national security. The lack of information and communication access prevents detainees from playing a meaningful part in their family lives, which is a detriment to their own health and wellbeing, as well as their family's.

7.4 Enrichment Activities

Article 38, Geneva III provides that EPWs must be given opportunities to participate in intellectual and educational pursuits (International Committee of the Red Cross, 1949a). Access to reading materials has slowly improved over the 11 years that Guantánamo Bay has been open. All detainees are allowed books from the library, which in 2009 contained more than 13,000 titles, 900 magazines, and 300 DVDs (United States, 2009, p. 34). Non-compliant detainees are allowed to access three books and one magazine at any given time, those in Camps 5, 6, and 7 are allowed four books and two magazines, and those in Camps Echo and Iguana are allowed five books, three magazines and one personal DVD, with items being distributed weekly (United States, 2009, p. 34). This is a vast improvement from just one year earlier when detainees in Camp 3 were "allowed a Koran in their cell but virtually nothing else" (Human Rights Watch, 2008, p. 8).

The images on Charlie Savage's tumblr photo blog, "Guantanamo prison library books for detainees," depict available materials being predominantly in English, with Arabic speakers also having a less limited selection. Human Rights Watch (2008) reports that "several lawyers for non-Arabic-speaking prisoners have complained that, at least in the past, their clients have had very inadequate access to books in

a language they can read" (p. 17). As of November 2013, the author is waiting for a substantive response to a Freedom of Information Request for US Southern Military Command to produce all records relating to the contents the library at Guantánamo Bay.

Other than those in Camp 7, detainees that are compliant can take native-language literacy classes, as well as classes in English and art (United States, 2009, p. 34). Cable television and computer games are available in the communal living camps (United States, 2009, p. 34; Isikoff, 2013) and Camp 5 contains two media rooms, one on each tier (United States Government Accountability Office, p. 17). If Camp 6 has been recently been converted to its originally intended medium-security status, it includes a new outdoor recreation yard and a media center with television and DVD player (United States, 2009, p. 11; Isikoff, 2013). However, Smith states that Camp 6 has instead been returned to a maximum-security facility (personal communication, May 9, 2013) and therefore it is unlikely that these amenities are being made available to detainees.

There appears to be problematic access to intellectual and educational information, especially for detainees in Camp 7, who are being denied their Article 26, UDHR right to an education. With no in-cell radio or television, those who have limited or no reading or writing skills may find it exceptionally hard to fill their time, particularly if they are a non-compliant detainee on lock-down, as their access to information is seriously limited. This limitation can aggravate any psychological problems detainees may have due to isolation and/or lack of communication.

7.5 Participation in the Legal Process

"Everyone — even a person suspected of the worst possible crimes — has the right not to be questioned without his or her counsel being present and before being informed of his or her rights in a language which he or she understands" (Amnesty International, 2002, p. 28). Amnesty International reports that detainees were not receiving this information, nor are they informed of the charges against them (Amnesty International, 2002, pp. 28, 40). Many detainees, after years of detention, have still have not been informed of the charges against them and are being held without charge (Clive Stafford Smith, personal communication, May 9, 2013). This is in direct conflict with Article 105, Geneva III (International Committee of the Red Cross, 1949a).

Prior to *Rasul v. Bush* (2004), the US government withheld access to counsel from Guantánamo Bay detainees and, in many cases, held them incommunicado from the outside world (Driscoll, 2006, p. 891). Following the decision in *Rasul,* which provided for attorney access to detainees, a protective order was issued in *In re Guantanamo Detainee Cases* (2004) prohibiting attorneys of detainees from sharing classified information with their clients. Classified information is "anything written or oral that the government has in its possession or has ever had in its possession that it marks as classified or tells the attorney is classified" (*In re Guantanamo Detainee Cases*, 2004, pp. 176–177; Denbeaux & Boyd-Nafstad, p. 500). This includes "most of the information relating to the facts of the client's detainment and information necessary to defend the client" (Denbeaux & Boyd-Nafstad, p. 500).

Additionally, the 2004 protective order requires all legal mail sent from counsel to detainees pass through a "privilege team," who redacts any potentially classified information (*In re Guantanamo Detainee Cases*, 2004, pp. 180). Counsel's laptops, cell phones, cameras, and voice recorders are prohibited during client visits — visits for which the attorney must seek security clearance and give 20 days advance notice. Any handwritten notes taken by attorneys during the visit must be surrendered before leaving Guantánamo Bay and are sent to the privilege team in Washington, DC (*In re Guantanamo Detainee Cases*, 2004, pp. 191; Clive Stafford Smith, personal communication, May 9, 2013). Any information redacted by the privilege team is prohibited from use by the attorney in legal papers or proceedings, although the attorney may visit the privilege team in person to re-read redacted sections of their notes (Clive Stafford Smith, personal communication, May 9, 2013).

Although telephone calls between attorneys and detainees are permitted, requests for calls must be made 15 days in advance and are strictly monitored as they happen (Clive Stafford Smith, personal communication, May 9, 2013). Requests for both expedited telephone calls and visits are possible, but Knefel (2013) reports that these requests are denied even in dire situations such as widespread hunger striking. As recently as May 10, 2013, Smith (2013) tweeted that two of his clients refused his telephone calls, the implication being that it was due to concerns of censorship.

Guantánamo Bay detainees are being denied access to information about their own legal status, their rights, and, due to censorship of their attorneys' papers, the legal process. The denial of information prevents detainees from participating in their own defense or to mount a legal challenge to their ongoing detainment. Denbeaux et. al. (2006) conclude that critical information about a detainee's legal status — that he was about to be released to his homeland — might have restrained him from committing suicide on June 10, 2006 (p. 2). Although detainee access to legal information has improved since Guantánamo Bay's inception, the US government continues to practice the principle of secrecy and censorship with little regard for the effects of this policy on detainees.

7.6 Do Interrogations Violate Information Access Rights?

The methods of interrogation sanctioned during the first few years of Guantánamo Bay included yelling, deception, isolation and segregation, light deprivation, stress induction, and 20-hour long sessions (Greenberg & Dratel, 2005, p. 1239). Many detainees reported use of non-sanctioned methods in addition to those approved for use, such as beating, hooding, stress positions, sexual humiliation, and use of un-muzzled military dogs (United States, 2008a, p. 28, 33; United States, 2010, p. 41). Many of these methods directly inhibit access to information, particularly regarding environmental stimuli and communication with others. However, Ruben's second-order internal information would be severely obstructed due to the psychological stress that results from these interrogation techniques.

Presently, "[a]ll interrogations are voluntary; approximately one-third of the sessions are at detainees' request" (United States, 2009, p. 15). Interrogators can provide incentives for cooperation and no basic comfort items are taken away for failure to answer questions (United States, 2009, p. 62). According to the DoD, "significant changes made in Guantánamo have moved interrogation practices far beyond the minimum standards articulated in Common Article 3 [Geneva III], U.S. law and DoD regulations" (United States, 2009, p. 63).

8 Conclusion

Dratel (Greenberg & Dratel, 2005) argues that "[l]awyers and public officials need to be instructed ... to be cognizant of the real-life consequences of their policy choices" (p. xxiii). The real life consequences of US government policy in the War of Terror has led to restrictive access to information in all three of both Buckland's (1991) and Ruben's (1992) categorizations. For many types of information access, the realities of detainment in Guantánamo Bay equate to human rights violations.

Human rights violations have caused one attorney to remark that his client was "slowly but surely slipping into madness" (United States, 2008a, p. 35). Hunger strikes, in protest of conditions, have been a common occurrence at Guantánamo Bay through the years. At its peak during June 2013, there were 106 total hunger strikers out of 166 detainees. By July 2013, 46 were being tube fed (Gamio & Rosenberg, 2013), both in violation of international standards set out by the World Medical Association and the United Nations (France-Presse, 2013).

The reputation of the US government has suffered as a result of their Guantánamo Bay policies. The government has the responsibility to ensure the human rights of Guantánamo Bay detainees are upheld: "[t]he panic-laden fear generated by the events of September 11th cannot serve as license ... to suspend our constitutional heritage, our core values as a nation, or the behavioral standards that mark a civilized and

humane society" (Greenberg & Dratel, 2005, p. xxiii). The Parliamentary Assembly of the Council of Europe (2005) has the following opinion:

> "The United States has long been a beacon of democracy and a champion of human rights throughout the world and its positive influence on European development in this respect since the Second World War is greatly appreciated. Nevertheless, the Assembly considers that the United States Government has betrayed its own highest principles in the zeal with which it has attempted to pursue the "war on terror". These errors have perhaps been most manifest in relation to Guantánamo Bay."

President Barack Obama included the closing of Guantánamo Bay as a prominent issue during his 2008 election campaign, but has so far been unable to achieve this goal, partly due to a number of statutes prohibiting the transfer of detainees to the United States (The White House, 2013). In a November 2012 report, the United States Government Accountability Office examined the options for bringing Guantánamo Bay detainees to the mainland US, either to DoD or federal BoP facilities. Although this report was hypothetical at the time of its writing, it provided President Obama with the opinion that the BoP has the "correctional expertise to safely and securely house detainees with a nexus to terrorism" (p. 48).

On April 30, 2013, the President stated that Guantánamo Bay "is a lingering problem that is not going to get better. It's going to get worse. It's going to fester" (The White House, 2013). Guantánamo Bay must be closed if continuing human rights violations, including the violation of information access rights, are to be halted. The President renewed his commitment to close Guantánamo Bay and stated he will do all he can administratively to achieve this, but that Congress will have to intervene to make the final closing a reality (The White House, 2013). It is hoped, for the sake of detainees' human rights, this will happen.

9 References

Amnesty International. (2002). Memorandum to the US Government on the rights of people in US custody in Afghanistan and Guantánamo Bay. AMR 51/053/2002. Retrieved May 10, 2013, from http://www.refworld.org/pdfid/3cbd591f4.pdf.

Amnesty International. (2011). USA, Guantánamo a decade of damage to human rights and 10 anti-human rights messages Guantánamo still sends. Retrieved from http://www.amnesty.org/en/library/asset/AMR51/103/2011/en/43fe877f-92c6-44b8-ad3e-4840db5d0852/amr511032011en.pdf.

Ashker v. Brown, PC-CA-0054. Docket / Court, 4:09-cv-05796-CW (N.D. Cal.), 2013).

Boumediene v. Bush, 553 U.S. 723 (2008).

Buckland, M. K. (1991). Information as thing. *Jasis, 42*(5), 351-360.

Bush, G. W. (2001). Military Order of November 13, 2001. Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism. Retrieved May 7, 2013, from http://www.fas.org/irp/offdocs/eo/mo-111301.htm.

Bush, G. W. (2002). February 7, 2002, Memorandum for The Vice President, The Secretary Of State, The Secretary Of Defense, The Attorney General, Chief Of Staff To The President, Director Of Central Intelligence Assistant To The President For National Security Affairs, Chairman Of The Joint Chiefs Of Staff. Humane Treatment of Taliban and al Qaeda Detainees. Retrieved May 7, 2013, from http://www.pegc.us/archive/White_House/bush_memo_20020207_ed.pdf.

Cable News Network. (January 11, 2002). Shackled detainees arrive in Guantanamo. Retrieved May 7, 2013, from http://archives.cnn.com/2002/WORLD/asiapcf/central/01/11/ret.detainee.transfer/.

Case, D. O. (2012). *Looking for information: A survey of research on information seeking, needs, and behavior*. Emerald Group Pub Limited.

Center for Constitutional Rights. (2009). Current conditions of confinement at Guantánamo: still in violation of the law. Retrieved May 7, 2013, from http://ccrjustice.org/files/CCR_Report_Conditions_At_Guantanamo.pdf.

Colman, D. (2013, April 27). The Odd Collection of Books in the Guantanamo Prison Library. Retrieved May 10, 2013, from http://www.openculture.com/2013/04/the_odd_collection_of_books_in_the_guantanamo_prison_library.html.

Couch, V. S., Farber, M. A., Horrocks, M., Slahi, M. O. & Yoo, J. (2012). Oral history interview with V. Stuart Couch. Retrieved from http://www.columbia.edu/cu/libraries/inside/ccoh_assets/ccoh_10100507_transcript.pdf.

Council of Europe. Parliamentary Assembly. (2005). Resolution 1433 (2005). Lawfulness of detentions by the United States in Guantánamo Bay. Retrieved May 10, 2013, from http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta05/ERES1433.htm#_ftn1.

Council of Europe. Parliamentary Assembly, & European Commission for Democracy through Law. (2007). *Guantánamo: violation of human rights and international law?* Strasbourg: Council Of Europe Pub.

Denbeaux, M., & Boyd-Nafstad, C. (2006). The Attorney-Client Relationship in Guantanamo Bay. *Fordham Int'l LJ, 30*, 491.

Denbeaux, M., Beroth, B., Buerkle, S., Camoni, S., Chrisner, M., Deutsch, A., . . . Litwin, M. (2011). Death in Camp Delta. Seton Hall Law School Legal Studies Research Paper No. 2010-37. Retrieved from http://law.shu.edu/ProgramsCenters/PublicIntGovServ/policyresearch/upload/gtmo_death_camp_delta.pdf.

Denbeaux, M., Denbeaux, J. & Gregorek, J. (2006). June 10th Suicides at Guantanamo: Government Words and Deeds Compared. Retrieved from http://law.shu.edu/publications/guantanamoReports/guantanamo_report_june_suicides_8_21_06.pdf.

Department of the Army. (2001). Field Manual No. FM 3-19.40. Military Police. Internment/resettlement operations. Retrieved May 7, 2013, from http://www.loc.gov/rr/frd/Military_Law/pdf/mil_pol_operations.pdf.

Department of the Army. (2006). Army Regulation 190–47. Military Police. The Army Corrections System. Retrieved May 7, 2013, from http://www.apd.army.mil/pdffiles/r190_47.pdf.

Driscoll, B. M. (2006). Guantanamo Protective Order, The. *Fordham Int'l LJ, 30*, 873.

Falkoff, M. D. (2006). Litigation and Delay at Guantanamo Bay. *NY City L.Rev., 10*, 393.

Federal Bureau of Prisons. (2008). Admission and Orientation Handbook. United States Penitentiary, Administrative Maximum Facility, Florence, Colorado. November 2008. Retrieved May 9, 2013, from http://www.bop.gov/locations/institutions/flm/FLM_aohandbook.pdf.

Federal Bureau of Prisons. (2013). Weekly Population Report. Retrieved May 9, 2013, from http://www.bop.gov/locations/weekly_report.jsp.

Fisher, D., & Unesco. (1982). *The right to communicate: A status report.* Unesco.

Floyd Howell v. Jamaica, Communication No. 798/1998 (20 January 1998), CCPR/C/79/D/798/1998.

France-Presse, A. (2013, May 1). U.N. officials: Force-feeding Guantanamo protesters violates international law. *The Raw Story*. Retrieved May 10, 2013, from http://www.rawstory.com/rs/2013/05/01/u-n-officials-force-feeding-guantanamo-protesters-violates-international-law/.

Gamio, L., & Rosenberg, C. (2013, November 16). Tracking the Hunger Strike. *The Miami Herald*. Retrieved November 17, 2013, from http://www.miamiherald.com/static/media/projects/gitmo_chart/.

Greenberg, K. J., & Dratel, J. L. (2005). *The torture papers : the road to Abu Ghraib*. New York: Cambridge University Press.

Hamdan v. Rumsfeld, 548 U.S. 557 (2006).

Hanson, C. (2011, April). Supermax Prisons in the United States. *insidetime*. Retrieved May 7, 2013, from http://insidetime.com/articleview.asp?a=927&c=supermax_prisons_in_the_united_states&cat=Culture.

Higham, S. (2004, August 26). Australian Pleads Not Guilty to War Crimes. *Washington Post.* Retrieved May 10, 2013, from http://www.washingtonpost.com/wp-dyn/articles/A32895-2004Aug25.html.

Hudson v. McMillian, 503 U.S. 1 (1992).

Human Rights Watch. (2008). Locked Up Alone: Detention Conditions and Mental Health at Guantanamo. Retrieved from http://www.hrw.org/sites/default/files/reports/us0608_1.pdf.

In re Guantanamo Detainee Cases, 344 F. Supp. 2d 174 (D.D.C. 2004).

International Committee of the Red Cross. (1949a). Convention (III) relative to the Treatment of Prisoners of War. Geneva, 12 August 1949. Retrieved May 7, 2013, from http://www.icrc.org/applic/ihl/ihl.nsf/xsp/.ibmmodres/domino/OpenAttachment/applic/ihl/ihl.nsf/77CB9983BE01D004C12563CD002D6B3E/FULLTEXT/GC-III-EN.pdf.

International Committee of the Red Cross. (1949b). Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949. Retrieved May 7, 2013, from http://www.icrc.org/applic/ihl/ihl.nsf/xsp/.ibmmodres/domino/OpenAttachment/applic/ihl/ihl.nsf/AE2D398352C5B028C12563CD002D6B5C/FULLTEXT/ATTXSYRB.pdf.

International Committee of the Red Cross. (2004). Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq During Arrest, Internment and Interrogation. Retrieved May 9, 2013, from http://image.guardian.co.uk/sys-files/Guardian/documents/2004/05/11/ICRCreport.pdf.

Isikoff, M. (2012, June 7). Soccer, cable TV at Gitmo? US lockup in Cuba quietly being upgraded. Retrieved May 7, 2013, from http://openchannel.nbcnews.com/_news/2012/06/07/12110360-soccer-cable-tv-at-gitmo-us-lockup-in-cuba-quietly-being-upgraded?lite.

Khan Tumani v. Obama, No. 05-cv-526 (D.C. Cir. Feb. 13, 2009).

Knefel, J. (2013, April 16). Guantanamo Lawyers Denied Phone Access to Clients. *Rolling Stone.* Retrieved May 10, 2013, from http://www.rollingstone.com/politics/news/guantanamo-lawyers-denied-phone-access-to-clients-20130416.

Landman, T. (2004). Measuring human rights: principle, practice and policy. *Human Rights Quarterly, 26*(4), 906-931.

Martin v. Struthers, 319 U.S. 141 (1943).

McIver, W. J., Birdsall, W. F., & Rasmussen, M. (2003). The Internet and the right to communicate. *First Monday, 8*(12-1).

Philbin, P. F., & Yoo, J. C. (2001). December 28, 2001, Memorandum for Willian J. Haynes, II, General Counsel, Department of Defense. Possible Habeas Jurisdiction over Aliens Held in Guantanamo Bay, Cuba. Retrieved May 7, 2013, from http://upload.wikimedia.org/wikipedia/commons/8/83/20011228-philbin-yoo-guantanamo-habeus-memo.pdf.

Pizarro, J., & Stenius, V. M. (2004). Supermax prisons: Their rise, current practices, and effect on inmates. *The Prison Journal, 84*(2), 248-264.

Pogge, T. (2000). The international significance of human rights. *The Journal of Ethics, 4*(1-2), 45-69.

Rasul v. Bush, 542 U.S. 466, 471-72 (2004).

Reiter, K. A. (2012). Parole, snitch, or die: California's supermax prisons and prisoners, 1997–2007. *Punishment & Society, 14*(5), 530-563. doi:10.1177/1462474512464007.

Ruben, B. D. (1992). The communication- information relationship in system- theoretic perspective. *Journal of the American Society for Information Science, 43*(1), 15-27.

Savage, C. (2013). Guantanamo prison library books for detainees. Retrieved May 10, 2013, from http://gitmobooks.tumblr.com.

Scheinkman, A., Williams, M., McLean, A., Ashkenas Jeremy, Tse, A., The New York Times & National Public Radio. (2013). The Guantánamo Docket. Retrieved November 17, 2013, from http://projects.nytimes.com/guantanamo/.

Shiffman, K. (. P. (2013, May 6). What's next for Guantanamo? *On Point with Tom Ashbrook.* Boston, MA: National Public Radio. Retrieved May 7, 2013, from http://onpoint.wbur.org/2013/05/06/whats-next-for-guantanamo.

Smith, C. S. (2007). *Bad men: Guantanamo Bay and the secret prisons.* London, England: George Weidenfeld & Nicholson.

Smith, C. S. (2013, May 11). Censorship+: 2 @ReprieveUK Gitmo clients refuse legal calls. Retrieved May 11, 2013, from https://twitter.com/CliveSSmith.

Smith, C. S., & Grele, R. J. (2010). Oral history interview with Clive Stafford Smith. Retrieved from http://www.columbia.edu/cu/libraries/inside/ccoh_assets/ccoh_8626430_transcript.pdf.

Smith, E. S. (1995). Equal information access and the evolution of American democracy. *Journal of Educational Media and Library Sciences, 33*, 158-171.

Soylent Communications. (2012). Inmate: ADX Florence (Supermax). Retrieved May 9, 2013, from http://www.nndb.com/lists/717/000134315/.

Stoelting, D. P. (2011). New York City Bar. Committee on International Human Rights. Supermax confinement in U.S. Prisons. Retrieved May 9, 2013, from http://www2.nycbar.org/pdf/report/uploads/20072165-TheBrutalityofSupermaxConfinement.pdf.

Sturges, P., & Gastinger, A. (2010). Information literacy as a human right. *Libri, 60*(3), 195-202.

The White House. (April 30, 2013). News Conference by the President. Retrieved May 7, 2013, from http://www.whitehouse.gov/the-press-office/2013/04/30/news-conference-president.

Theoharis, J., & Sassen, S. (2012, September 26). A Human Rights Court Gives Torture the Green Light. *The Nation.* Retrieved May 9, 2013, from http://www.thenation.com/article/170191/human-rights-court-gives-torture-green-light#.

U.S.D.B. Visitation. (2012a). Retrieved May 7, 2013, from http://usdb.leavenworth.army.mil/visitation.html.

U.S.D.B. Welcome to the U.S. Disciplinary Barracks. (2012b). Retrieved May 7, 2013, from http://usdb.leavenworth.army.mil/main.htm.

United Nations. (1966). International Covenant on Civil and Political Rights. Retrieved May 7, 2013, from http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx.

United Nations. (1984). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Retrieved May 7, 2013, from http://www.un.org/documents/ga/res/39/a39r046.htm.

United Nations.The Universal Declaration of Human Rights. Retrieved May 7, 2013, from http://www.un.org/en/documents/udhr/index.shtml.

United States Department of Defense. (2004). Guantanamo Detainees. Retrieved May 8, 2013, from http://www.defense.gov/news/Apr2004/d20040406gua.pdf.

United States Department of Justice. (March 13, 2009). Department of Justice Withdraws “Enemy Combatant” Definition for Guantanamo Detainees. Retrieved May 9, 2013, from http://www.justice.gov/opa/pr/2009/March/09-ag-232.html.

United States Government Accountability Office. (2012). November 2012. Report to the Chairman, Select Committee on Intelligence, U.S. Senate. GUANTÁNAMO BAY DETAINEES. Facilities and Factors for Consideration If Detainees Were Brought to the United States. Retrieved May 10, 2013,

from http://www.feinstein.senate.gov/public/index.cfm/files/serve/?File_id=396aa814-9eb8-4349-83e3-dcb9c795a45c.

United States. (2008). City on the hill or prison on the bay? : the mistakes of Guantanamo and the decline of America's image : hearing before the Subcommittee on International Organizations, Human Rights, and Oversight of the Committee on Foreign Affairs, House of Representatives, One Hundred Tenth Congress, second session, May 6, 2008. Retrieved May 7, 2013, from http://archives.republicans.foreignaffairs.house.gov/110/42293.pdf.

United States. (2010). Guantanamo implications for U.S. human rights leadership : hearing before the Commission on Security and Cooperation in Europe, One Hundred Tenth Congress, first session, June 21, 2007. Retrieved May 7, 2013, from http://permanent.access.gpo.gov/gpo3512/062107[1].pdf.

United States. Department of Defense. (2009). Review of Department compliance with President's Executive Order on detainee conditions of confinement. Retrieved from http://www.defense.gov/pubs/pdfs/review_of_department_compliance_with_presidents_executive_order_on_detainee_conditions_of_confinementa.pdf.

United States. Guantánamo Review Task Force. (2010). Final report. Retrieved from http://www.justice.gov/ag/guantanamo-review-final-report.pdf.

Williams, R. (2002, July 23). Detainees Send, Receive Mail Via Joint Task Force, Red Cross. *American Forces Press Service*. Retrieved May 11, 2013, from http://www.defense.gov/news/newsarticle.aspx?id=43630.

Yoo, J. C., & Delahunty, R. J. (2002). January 9, 2002, Memorandum for William J. Hayes II, General Counsel, Department of Defense. Application of Treaties and Laws to al Qaeda and Taliban Detainees. Retrieved May 7, 2013, from http://upload.wikimedia.org/wikipedia/en/9/91/20020109_Yoo_Delahunty_Geneva_Convention_memo.pdf.