

Rights Groups Call for End to Secret Detentions

By SCOTT SHANE 2007 .7 .JUN

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WASHINGTON, June 6 — Six human rights groups on Wednesday released a list of 39 people they believe have been secretly imprisoned by the United States and whose whereabouts are unknown, calling on the Bush administration to abandon such detentions.

The list, compiled from news media reports, interviews and government documents, includes terrorism suspects and those thought to have ties to militant groups. In some suspects' cases, officials acknowledge that they were at one time in United States custody. In others, the rights groups say, there is other evidence, sometimes sketchy, that they had at least once been in American hands.

The list includes, for instance, Hassan Ghul, a Pakistani who is accused of being a member of [Al Qaeda](#) and whose capture in northern [Iraq](#) in January 2004 was announced by President Bush. At the other extreme, two unnamed Somali nationals are on the list because they were overheard in 2005 by another prisoner who was later released, Marwan Jabour, in the cell next to his at a secret American detention center, possibly in [Afghanistan](#).

Meg Satterthwaite, of the Center for Human Rights and Global Justice at [New York University](#), one of the six groups, said the recent American practice mimicked "disappearances" of political opponents under Latin American dictators. "Enforced disappearances are illegal, regardless of who carries them out," she said.

The other groups that compiled the list were [Amnesty International](#), the Center for Constitutional Rights, [Human Rights Watch](#) and two British groups, Reprieve and Cageprisoners. Three of the groups are suing under the Freedom of Information Act to learn what became of the prisoners.

The Bush administration has defended secretly detaining some suspects as a necessity of the fight against terrorism because officials do not want to tip off terrorist groups that their operatives are in custody. They say the comparison with past Latin American regimes is unfair, because those seized by the Americans are not killed and their whereabouts will eventually be revealed.

A [Central Intelligence Agency](#) spokesman, Paul Gimigliano, would not comment on the names on the list. But he said "there is no shortage of myth about what the C.I.A. has done to fight terror."

"The plain truth is that we act in strict accord with American law," he said, adding that the agency's actions "have been very effective in disrupting plots and saving lives."

In a reminder that the handling of captured terrorism suspects remains a pressing issue, Pentagon officials said Wednesday that a courier linking terrorist cells in the Horn of Africa and Al Qaeda officials in [Pakistan](#) was captured recently in East Africa and transported this week to [Guantánamo Bay](#), [Cuba](#).

Bryan Whitman, a Pentagon spokesman, said the detainee, Abdullahi Sudi Arale, was suspected of providing terrorist cells in East Africa with explosives and weapons. He traveled from Pakistan to [Somalia](#) in September 2006 and held a leadership role in the Islamic Courts Council, which held power in part of Somalia until earlier this year, according to a Pentagon statement.

"We believe him to be an extremely dangerous member of the Al Qaeda network," Mr. Whitman said. But he said Mr. Arale, whose age and nationality were not released, would not be part of the "high value" group in the Guantánamo prisoner population of about 385.

Even before the secret detentions were officially confirmed, the practice drew widespread objections, including from within the Bush administration. William H. Taft IV, legal adviser at the State Department from 2001 to 2005, opposed it while in office and on Wednesday said he had not changed his view.

"I believe the United States should always account for people in its custody," said Mr. Taft, who had not reviewed the human rights groups' report. "When our own people are missing, we want to be able to insist on an accounting from their captors," Mr. Taft said. He added that keeping prisoners secret could tempt their jailers to abuse them and to cover up their deaths in custody.

In September, President Bush for the first time officially acknowledged the C.I.A.'s secret overseas detentions, saying that the 14 prisoners then in the agency's hands had been moved to Guantánamo. A 15th so-called high-level prisoner, an Iraqi Kurd named Abd al-Hadi al-Iraqi, alleged to be a top aide to [Osama bin Laden](#), was moved to Guantánamo in April after being held secretly by the C.I.A. for several months.

Mohammad Khan, 31, a Pakistani banker who was held in secret in Pakistan and questioned by Americans for 56 days in 2003, described the experience in an interview from Karachi on Wednesday. Mr. Khan's brother, Majid Khan, who was arrested along with him but held in secret C.I.A. custody for the next three years, is among the high-level prisoners at Guantánamo. He is accused of plotting to blow up gas stations in the United States and planning other terrorist acts, charges his brother said he denies.

After their imprisonment, "Our family members had no idea where we were," Mr. Khan said. He said his brother was questioned by Americans for up to eight hours while confined to a small chair and eventually signed false confessions.

Later, Mr. Khan said, he and other family members, including some who live in the Baltimore area, believed for a time that Majid Khan was dead and learned of his whereabouts only from President Bush's September speech.

"How can there be any justification for this?" Mr. Khan said. "You can't kidnap people and hold them somewhere in the world and torture them." •