Annex B

Chronology of *Communications* regarding détentes at Guantanamo Bay and other locations

16 November 2001: the Special Rapporteur (SR) on Independence of judges and lawyers (IJL) issued a **press release** concerning the Presidential Military Order and impact on the rule of law, ie. setting up of military tribunals; absence of a guarantee of the right to legal representation while in detention; an executive review process to replace the right to appeal to a higher tribunal; and the exclusion of jurisdiction of any other courts and international tribunals.

16 January 2002: the SR on Torture sent an **urgent appeal** expressing concerns regarding the conditions of detention, inhuman treatment, restricted access to lawyers, human rights monitors and medical treatment at Guantanamo Bay. The Government responded on 3 April 2002.

18 September 2002: the SRs on Torture, IJL and Migrants sent **joint allegation letter** regarding cases of detention of many individuals, particularly non-US nationals, since 11 September 2001. The Government responded on 1 April 2003.

12 March 2003: the SR on IJL issued a **press release** expressing concern regarding the establishment and operation at Guantanamo Bay. The US will be seen as systematically evading the application of domestic and international law so as to deny these suspects their legal rights. Detention without trial offends the first principle of the rule of law.

8 May 2003: the Working Group on Arbitrary Detention (WGAD) rendered **Opinion No. 5/2003** concerning the USA and considered the detention to be contrary to article 9 of both the Universal Declaration and ICCPR.

7 July 2003: the SR on IJL issued a **press release** expressing concern about military commissions and suspension of due process. US is seen to be defying UN resolutions, including GA resolution 57/219 of 18 December 2002 and SC resolution 1456 of 20 January 2003. These resolutions affirm that States must ensure that any measures taken to combat terrorism must be in accordance with international law, including international human rights, refugee and humanitarian law.

22 October 2003: the SR on Torture sent an **allegation letter** to USA regarding the conditions and treatment of detainees at Guantanamo Bay. The Government responded on 3 March 2004.

8 December 2003: the SR on Torture sent an **allegation letter** concerning return of detainees from Guantanamo and risk of refoulement. The Government responded on 3 March 2004.

3 May 2004: the SR on Torture issued a **press release** on allegations of abuse of Iraqi prisoners by coalition forces.

5 May 2004: the WGAD issued a **press release** calling on coalition authorities to allow Iraqi detainees to challenge lawfulness of detentions.

27 May 2004: the SRs on Torture and Summary Executions sent a **joint urgent appeal** to the USA regarding 22 ethnic Uighurs of Chinese nationality being held at Guantanamo Bay who had been reportedly been subject to inhumane treatment during interrogation and facing possible forcible return and execution in China.

2 July 2004: the SRs on IJL, Torture and Health sent **a joint allegation letter** to USA regarding the condition of six foreign nations detained in solitary confinement at Guantanamo who may be tried before a military commission without access to all due process rights guaranteed under international law.

4 Feb 2005: 6 experts (Working Group on Enforced or Involuntary Disappearances (WGEID), WGAD, Torture, Health, IJL and the Independent Expert on Afghanistan) issued a **joint press release** regarding continued concern re: *incommunicado* detention, denial of legal assistance and conditions of detention that continue at Guantanamo Bay.