

Exhibit F

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FAWZI KHALID ABDULLAH FAHAD AL ODAH,)	
et al.,)	
Plaintiffs-Petitioners,)	
)	
v.)	No. CV 02-0828 (CKK)
)	
UNITED STATES OF AMERICA, et al.,)	
)	
Defendants-Respondents.)	
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DECLARATION OF THOMAS B. WILNER

I, Thomas B. Wilner, hereby declare under penalty of perjury that the following is true and correct:

1. My name is Thomas B. Wilner. I am over 18 years of age and a citizen of the United States of America.
2. I am a member of the Bars of the District of Columbia, the Commonwealth of Pennsylvania, the State of New York, the Supreme Court of the United States and various federal District Courts and Courts of Appeals around the country. Since April of 2002, I have represented the Kuwaiti citizens detained at Guantanamo Bay and their families.
3. On September 12, 2005, I traveled to Guantanamo, along with Neil Koslowe and Kristine Huskey of our office and our interpreter, Ashraf Michael, to meet with our clients detained there. We arrived the evening of September 12 and met with our clients in Camp Echo at Guantanamo on September 13, 14 and 15. During that period, one other lawyer, a solo practitioner, arrived on the evening of

Tuesday, September 13, and met with his single client on September 14 and 15. No other lawyers were present at Guantanamo conducting interviews during the entire time we were there.

4. I met the morning of September 13 with Omar Amin. I had met with Mr. Amin on all my previous trips to Guantanamo. He has suffered from a number of health problems while at Guantanamo, including hemorrhoids, swelling and pain in his sinuses, swelling of his lymph nodes and heart problems. The doctors at Guantanamo had operated on him previously for hemorrhoids, and those operations had proved unsuccessful. We had reported all these health problems previously to the U.S. government. Based on my observation, Mr. Amin had deteriorated significantly from our last visit. He was extremely thin, weak and depressed. I observed bald patches on his arms where the hair had fallen out. He reported that he had been on a hunger strike, but had stopped because he was too weak. He said that his health problems had grown worse. He reported that his chest constantly hurts, that his heart beats irregularly and that his left arm often becomes numb. He said that his sinuses are still bothering him and that his glands are still swollen. He also reported that his hemorrhoids are still very painful. He said that he has reported these conditions to the authorities at Guantanamo but has not received treatment. He reported that he was told that the doctors at Guantanamo will not treat his medical conditions until the hunger strike ends. He has been given only aspirin for his problems. He said that the medical care at Guantanamo is "atrocious," and that, even if the doctors say he needs one, he does

not want another operation for his hemorrhoids because the doctors at Guantanamo are “terrible.”

5. Mr. Amin said a number of the Kuwaitis are refusing food. He said that Abdulaziz al Shammari and Fawzi Al Odah have been refusing food for many weeks and that he heard they were both hospitalized and in dire physical condition.

6. In the afternoon, I met with Mohammed Al Daihani, who is participating in the hunger strike. Mr. Koslowe had met with him in the morning. Mr. Al Daihani appeared weak and gaunt and clearly had lost significant weight since our last visit. We tried to encourage him to end his hunger strike, telling him that we believed there had been positive developments before the courts and that we hoped he would be granted a hearing soon. Mr. Daihani told us that he had no faith in the U.S. courts. We had brought him a pizza from the local Subway on the base, which he refused to eat. Pointing to the pizza box, he said that “The American justice system is like this pizza box. It looks very good on the outside, but it is empty on the inside. It is nothing but air.” He said that the only control he has at Guantanamo is over what he eats, and that he will not eat again until he is released or charged and tried so that he can defend himself and prove his innocence. Mr. Daihani informed us that he had written us a letter at the end of July and asked why we had not responded. We had not received his letter as of September 12 when we left for Guantanamo.

7. I then met with Saad Al-Azmi. Mr. Al-Azmi is the youngest of the Kuwaiti detainees. He is 26 and has spent almost four of those years at Guantanamo. Although thin, he had always appeared healthy. He had changed significantly. He is participating in the hunger strike and has lost substantial weight. His shoulder bones were sticking out of his prison uniform. He is pale with circles under his eyes. He told us that the doctors had informed him that he had lost more than 30 pounds in the last few weeks, and now weighs only 140 pounds.
8. Mr. Al-Azmi told us the origins of the current hunger strike. He said that there had been a hunger strike that began in July with the prisoners asking: (1) to be charged and tried or released; (2) to be treated in compliance with the Geneva Conventions; (3) to be provided with adequate and proper food and water and medical care; (4) and to be accorded respect for their religion and, particularly, the Koran. Mr. Al-Azmi said that the prior hunger strike had been ended as a result of a negotiated agreement under which the U.S. authorities at Guantanamo agreed to the last three conditions. He said that conditions improved for several days, but that the interrogators then sabotaged the agreement by abusing him and a Tunisian detainee. Mr. Al-Azmi said the interrogators had opposed improving the conditions at Guantanamo and wanted to undermine the agreement. He said that his interrogator, Megan, had sexually taunted and humiliated him during interrogation, forced him to sit in the interrogation for seven hours without allowing him to relieve himself and that he was forced to urinate on himself as a result. He then refused to go to the next interrogation unless promised that he would not be abused. He said that he did not object to being interrogated but that

he would not “let his own feet take him to get abused.” As a result of his refusal, the Emergency Response Force (“ERF”) team came into his cell in riot gear, beat him, took him to the hospital to be bandaged, and then took him on a stretcher to his interrogator. I observed bruises on Mr. Al-Azmi’s arms and on his wrists and ankles. He said that the ERF team had also treated his Koran with disrespect.

9. Mr. Al-Azmi reported another incident which he believed helped precipitate or reinforce the renewed hunger strike. He said that in August a congressional delegation had visited Guantanamo. He believed it was led by Senator Kennedy. He said the delegation passed close to “Whiskey Block” in Camp 4 on its way to go into the Guantanamo hospital. Several detainees in Whiskey Block who spoke English yelled out the window that the delegation was not seeing the real picture of Guantanamo and that it should visit Camp 5 and talk to detainees there. Mr. Al-Azmi was in Whiskey Block in Camp 4 at that time. He said that two days later the guards came and took all 60 people from Whiskey Block and put them in different cells scattered throughout Camp Delta and removed items of their clothing and other comfort items. Mr. Al-Azmi said that the guards expressly told them that they were being taken from Camp 4 and punished because they had spoken out to the congressional delegation.
10. Mr. Al-Azmi also explained that the hunger strike takes many forms. Some people accept the food that is given them but then flush it down the toilet. The government, according to him, does not know these people are on hunger strike until they collapse in their cells. Other people skip only some meals each day, or

only meals on some days. Other people openly refuse food, and other people openly refuse both food and water.

11. We were required to leave Mr. Al-Azmi at approximately 5 p.m. on Tuesday, September 13. We asked the guards to see him again the next morning. The guards told us that they had orders to take him back to his regular cell and that he would not be available the next day.
12. We had been told that we would be able to interview four of our clients on Wednesday, September 14. That morning, however, only one of them, Fouad Al Rabiah, was in Camp Echo for us to interview. We met with him that morning. Mr. Rabiah has suffered numerous health problems while at Guantanamo; he has lost an enormous amount of weight, his eyesight is deteriorating and his back is extremely painful. He reported that, for health reasons, he could not join the strike fully but that he was skipping two of three meals a day. He confirmed the reasons for the hunger strike that had been described by Mr. Al-Azmi.
13. In the afternoon, I met with Fayiz Al Kandari who had been brought to Camp Echo. Mr. Al Kandari also confirmed the reasons for the hunger strike that had been described to us. He reported that he had joined the hunger strike for six days, then ate for a day to renew his strength, then joined the hunger strike for another six days, and had recently begun eating again. He also reported that several incidents of disrespect of the Koran had occurred after the first hunger strike had ended. He described the underlying reason for the hunger strike to be

the hopelessness of the situation at Guantanamo and the distrust of receiving any justice from the government or the courts.

14. Following my meeting with Mr. Fayiz Al Kandari, I met late in the afternoon with Mr. Abdullah Al Kandari. We had not left much time to meet with Abdullah Al Kandari because we had not been told he was on a hunger strike and he had always been one of the healthiest and most optimistic of our clients. Abdullah Al Kandari was a member of the national volley ball team of Kuwait and is a superb athlete. He had previously been detained in Camp 4, where limited socialization is permitted, and although he had limited room to exercise, had kept himself in superb condition. He had also always been cheerful and optimistic. I was absolutely shocked when I walked into the cell this time to see him. He was a completely different person. He looked terrible – bleary eyed, very weak and emaciated – and he was barely able to conduct a conversation. He reported that he had not eaten for 15 days. He said that he had been one of the people in Whiskey Block in Camp 4 who, after some of the people in that block had yelled out to a congressional delegation, had been taken to other cells and other camps and punished. He said that he has been treated with “absolutely no dignity; like an animal, not a human being.” He emphasized that he had done nothing wrong and, if the U.S. thinks he has, then he should be charged so that he can defend himself. We tried to encourage him to stop the hunger strike and reported recent developments in the U.S. court system that we thought were positive. He said that, although he appreciated our efforts, he has lost patience and any belief in the U.S. courts. He told us that his file of our confidential legal papers had been

searched and documents removed. He also said that the guards had taken his pen so that he could not write us. Because we had not known that Abdullah Al Kandari was on a hunger strike, we had allocated only approximately one hour at the end of the day to meet with him. I have never seen a greater change in a person over a short time, both mentally and physically.

15. On Thursday morning, September 15, Fawzi Al Odah was transported to Camp Echo from the detainee hospital, and I was able to speak with him. Although we had been told that he would be available to meet with us for approximately four hours, we were able to meet with him for only an hour and a half. The military authorities told us that they were under strict orders to return him to the hospital after that period "for medical reasons." Mr. Al Odah has been on a hunger strike since August 8. He had lost a significant amount of weight and told us that he now weighs only 113 pounds. He had a plastic tube protruding from his nose that was secured with tape. During the interview, he bled intermittently from his nose.
16. Mr. Al Odah said that he is among 20 detainees currently being force fed under a new method supervised by doctors flown to Guantanamo three weeks ago. He said that he heard in the hospital that six more detainees will be added to the number being force fed over the next several days. He said that the new method used is a larger feeding tube that forces a larger quantity of food into the detainee, but that causes nausea and vomiting. Mr. Al Odah said that he has been experiencing constant nausea, vomiting and diarrhea. Instead of gaining weight under this feeding method, he has lost an additional four pounds. He also said that, presumably to cause pain and encourage detainees to stop the hunger strike,

the medical staff at the hospital had been removing the tube after each feeding and then inserting it again for the next feeding without using an anesthetic. He said that the tube has now been left in. He also said that there is no use resisting the insertion of the tube, because the medical staff will just strap you down and force the tube in and keep you strapped during feeding.

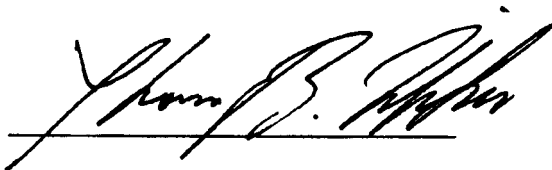
17. Mr. Al Odah said that he has vowed not to eat or drink anything until he is either released or dies. He said that he is innocent and, "if the United States thinks I am guilty of something, then charge me so that I can defend myself." He also indicated that he had heard of reports of U.S. Congressmen coming back from Guantanamo and saying that the detainees were all being well treated and eating very good food. He said that "I can no longer be part of this lie. If I eat, I condone the lie." We tried to encourage him to begin eating again, but he said that he would not and that this was a personal decision he had made.
18. After meeting with Mr. Al Odah, I met briefly again with Saad Al-Azmi who had been returned to Camp Echo. Mr. Al-Azmi had asked us during our visit on September 13 about the health of his family. We learned in the interim that his father had died. We had the sad task of informing Mr. Al-Azmi of that fact. Mr. Al-Azmi provided us more details on the manner in which he had been treated by his interrogator. He had been reluctant to provide greater detail earlier, apparently because Ms. Huskey had been in the room. As mentioned, his interrogator uses the name Megan. He described her as an attractive woman with blonde hair in a cut that goes approximately to her shoulders. He said that she had consistently acted inappropriately and sexually in the interrogations. She was accompanied by

another woman and a woman interpreter. She removed her outer shirt and was wearing a see-through undergarment. Mr. Al-Azmi said that you could clearly see her full breasts. He said that she did not touch him, but came up behind him and blew on his neck and also blew smoke in his face. He said that she and the other women talked dirty to him and about sexual acts. He repeated that they had kept him in the interrogation for seven hours without allowing him to relieve himself and mocked him when he urinated on himself. Mr. Al-Azmi said that Megan has treated him this way for quite some time. He apologized to me for not telling me about this sort of treatment earlier, but said that he did not want to jeopardize his treatment in Guantanamo and make the interrogators angry at him. I unfortunately was not able to stay long with Mr. Al-Azmi, because Abdulaziz al Shammari had been brought to Camp Echo for us to interview.

19. The government had not originally told us that Mr. Shammari was on a hunger strike. However, he has been on a hunger strike since August 4, longer than anyone else at Guantanamo. He was transported to Camp Echo from the detainee hospital in a van. Six people assisted him to the interview. He is skin and bones, and could only sit in a chair with the aid of a walker. He looked like the pictures one sees of starving people in the Sudan. He is being force fed in the same manner as Fawzi Al Odah. Like Mr. Al Odah, he had a plastic tube protruding from his nose that was secured with tape. He is not kept at the hospital with Mr. Al Odah, but at a special ward in the prison camp. We also tried to encourage him to begin eating and reported what we thought were positive developments in the court cases. Mr. Shammari expressed the same opinion as the others that the

court system had not provided relief and he had no faith that it ever would. He emphasized to us that what he is doing is a very personal act. While he supports the other people, he is not on a strike with them. He said that he has no faith in the courts and that they are "useless." He said that the only control he has at Guantanamo is over what he eats and drinks and that he simply will not voluntarily eat or drink again until he is home in Kuwait. Mr. Shammari also reported that his file of confidential legal papers had been taken from him, searched by the guards, and that he wanted it returned to him.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Thomas B. Wilner", is written over a horizontal line.

Thomas B. Wilner

Executed on September 29, 2005 in Washington, DC