

FILED WITH  
COURT SECURITY OFFICER  
11/14/05 [Signature]  
DATE

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA

SAIFULLAH PARACHA,

Petitioner,

v.

Case No. 04cv02022-PLF

**ORAL ARGUMENT IS REQUESTED**

Hon. GEORGE W. BUSH,

et al.,

Respondents.

**AFFIDAVITS IN SUPPORT OF  
PETITIONER'S MOTION FOR PRELIMINARY INJUNCTION  
ORDERING HIS REMOVAL FROM  
PUNITIVE CONDITIONS OF CONFINEMENT  
AND HIS MOTION TO BE ALLOWED A BIBLE**

Petitioner has moved for a preliminary injunction removing petitioner from punitive conditions of confinement, providing that he have access to medical care in an emergency, and/or ameliorating specific burdens of his confinement. Later, he made a specific motion to be allowed to have a Bible and other books. Petitioner now submits affidavits in support of those motions.

These affidavits would have been submitted with the motion but they were not available at that time. It was necessary for counsel to go to Guantanamo to get the affidavits, and then to send them to the Secure Facility by slow mail, and then to submit them through the Court Security Office clearance procedure. Petitioner apologizes for the handwritten corrections. Every effort has been made to make the affidavits legible.

All the affidavits were sworn to at Guantanamo Bay, Cuba, on October 24, 2005.

Pages 3 and 4 read:

Saifullah Paracha deposes and says:

1. Shortly after I got to GTMO in Sept 2004, I asked a guard for a Bible. She said she would ask the SOG. The SOG told me I could not have a Bible unless it was ordered by my interrogation team. I pointed out that my interrogation team was in New York and I expected no further contact with them.
  2. Someone suggested a chaplain could get me a Bible. I asked to see a chaplain.
  3. I had a Bible in my cell in Bagram. I believe this Bible is in a box here at GTMO with various effects I had at Bagram. I pointed this out to the guards.
  4. This was shortly after I got to GTMO in September 2004. I have renewed my request for a Bible from time to time since then. I still do not have a Bible.
- I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 24, 05.

Saifullah A. Paracha.

Paragraph 7. on page 6 reads:

The weekly sermon and prayer, held at Friday noontime, the Jummeah, is as important in Islam as the Mass in Catholicism or the Sabbath services in Judaism. I have not had a chance to attend such a service since I was seized in 2003.

Page 7 reads:

1. It is important in Islam that the five daily prayers, the Salat, be done communally. The worshipers stand in a line together, rich and poor, all classes and races. I have not been allowed to pray in this communal manner since I became imprisoned.
2. When I asked to see a chaplain I made it clear I would talk to one of any tradition. I have never heard or been told of any Islamic chaplain at Guantanamo.

Page 8 reads:

The difference between the various levels 1 thru 4 is not in the size or location of the cell. All cells in Camp 5 are isolated from human contact.

In November 2004 I was moved from level 3 to level 4. This mean everything was taken away from me except 1 blanket, 1 towel, and a praying mat, and a Koran. I had no cup, no soap, only 10 sheets of toilet paper, only a finger tooth brush. I was in level 4 till March 30, 2005. This was not as a result of any misbehavior or infraction on my part.

I am now back at level 1. I am still in isolation as described elsewhere, and I have no assurance I will not be returned to level 4.

Since July 2003 I have followed the policy of cooperation. Never have I been accused of any misbehavior as a prisoner.

Respectfully submitted,

November 4, 2005



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GAILLARD T. HUNT

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(D.C. Bar No. 89375)  
1409 Gleason Street  
Silver Spring, Maryland 20902  
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(Fax: 301-564-6059)

1. I am the petitioner in *Saifullah Paracha v. Hon. George Bush et al.*, 04cv02022-PLF. I make this affidavit in support of my motion to be released from punitive conditions of confinement, for access to medical attention in emergencies, and/or for amelioration of my confinement. I am over twenty-one years of age and am fully competent to testify to these facts of my own knowledge.

2. I suffered a myocardial infarction several years ago and have ever since then been on medication for my heart. Doctors have told me I must exercise regularly and watch my blood pressure, and that I am at risk for further heart attacks. Many of my relatives have died of heart disease. *I suffered another Heart Attack while in prison in Bagram, Afghanistan in 2003-2004.*

3. I am 58 years old. While imprisoned at Guantanamo, I suffered chest pains, *at least half a dozen times.*

4. I was unable to call for help because the intercom in my cell only works one way, inward. The cell door is heavy metal. If someone had the strength to pound on it, a guard might or might not hear it. I fear it could literally be a matter of life or death if I have another cardiac incident and am unable to call for help.

*5. When I had chest pains I had no way to call for help immediately. After several hours I was able to tell guard. After several more hours a medical Corporal came by and asked some questions. On more of these occasions a doctor has examined me.*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: *October 24, 2005*

*Saifullah Paracha*

SAIFULLAH PARACHA deposes and says:

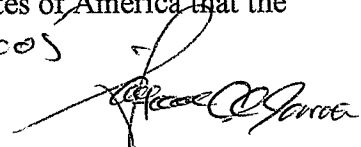
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2. My cell is approximately 7 feet by 9 feet. I have control over neither the lighting nor the temperature. The cell has one small translucent opening to the outside. This is about 4 inches by three feet of frosted glass, which admits light but through which nothing can be seen. There is also a one-way glass in the door through which the guards may look inside, but I may not see out. The door is heavy metal and largely soundproof. There is a slot in the door which the guards can open to push in meals.

3. The cell is generally uncomfortably air conditioned, down to the lower 50s, Fahrenheit, I estimate. I must wrap myself in both my blankets to keep warm.

4. Up till about July 2005, the lights were on in the cell at all times. Since then I may request that the lights be dimmed, but this request is only honored about half the time.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: OCT 24, 2005



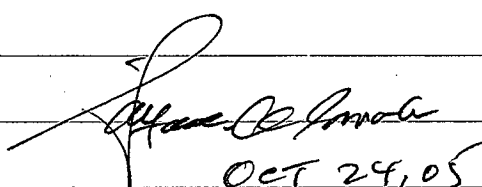
Saifullah Paracha  
~~BA being duly sworn & deposed 7 days.~~

1. shortly after I got to GTMO in Sept 2004, I asked a guard for a Bible. She said she would ask the SOG. The SOG told me I could not have a Bible unless it was ordered by my interrogation team. I pointed out that my interrogation team was in New York<sup>and</sup> I expected no further contact w/ them.

2. Someone suggested a chaplain could get me a Bible. I asked to see a chaplain.

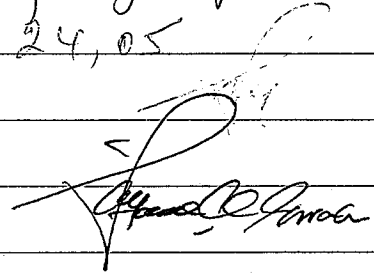
3. ~~That~~ I had a Bible in my cell in Bagram. I believe this Bible is in a box here at GTMO with various effects I ~~brought~~ had at Bagram. I pointed out ~~that~~ this out to the guards.

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~~I still have~~ I have renewed

  
OCT 24, 05

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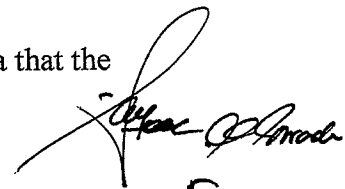
2. ~~In the year I have been at Guantanamo, I have seen the sky approximately~~  
~~times~~ I know I am at Guantanamo only because people have told me. I have ~~not~~  
seen the countryside ~~approximately~~ ~~times~~

3. ~~I am allowed in my cell a copy of the Koran and no other reading matter.~~ I asked for a Bible and an English dictionary but never received them. The Bible, both the Old Testament and the New Testament, is considered a holy text in Islam, so my request for a Bible is a religious request. As for the dictionary, I lived in New York for over fifteen years and I regularly use English in Pakistan, so I can communicate with the guards in English adequately, but I would like to be able to increase my vocabulary.

4. Counsel tells me he delivered several books sent by my relatives when he visited on September 14 and 15, 2004. I have not been allowed to see them.

5. I have no occupation or activity. I have no human contact except incidental exchanges with the guards. Until a few weeks ago, I was allowed one hour per day (on most but not all days) to exercise in a slightly larger ~~cell~~ ~~recreation yard~~, still in solitary with no other persons. A few weeks ago this was upgraded. For a while, I was allowed one hour a day in a cell approximately 15 feet by 15 feet, within a larger area where there ~~was another~~ ~~two other rec-yards~~

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SAIFULLAH PARACHA deposes and says:

rec-yards

~~cells~~ containing two other prisoners. We had no common language. ~~Recently they have not been there, so my exercise is again solitary.~~

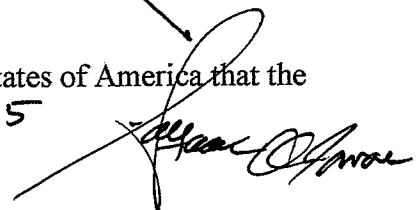
I have requested to exercise with detainees who know English (or my Pakistani language, Urdu.) This has not happened.

6. The call to prayer ~~was~~ broadcast over the intercom five times a day, ~~but I have~~

~~not been to a group religious service since my seizure two years ago.~~ Recently, one of the detainees has been allowed to open the food slot in his door and lead us in the prayers.

7. The weekly sermon and prayer, held at Friday noontime, the Jummah, was important in Islam as the Mass in Catholicism or the Sabbath services in Judaism. I have not had a chance to attend such a service since I was seized in 2003.

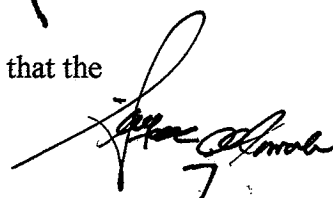
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SAIFULLAH PARACHA deposes and says:

1. It is important in Islam that the five daily prayers, the Salat, be done communally. The worshippers stand in a line together, rich and poor, all classes and races. I have not been allowed to pray in this ~~more~~ communal manner since I became imprisoned.
2. When I asked to see a chaplain I made it clear I would talk to one of my tradition. I have never heard or been told of any Islamic chaplain at Guantanamo.

I hereby certify under penalty of the perjury laws of the United States of America that the above statements are true and correct. Oct. 24, 2005

  
7

SAIFULLAH PARACHA deposes and says:

The difference between the various levels, I know it is not in the size or location of the cell. All cells ~~that~~ in Camp 5 are isolated from human contact.

In November 2004 I was moved from level 3 to level 4. This meant every thing was taken away from me except 1 blanket, 1 towel, and a praying mat, and a Koran. I had no cup, no soap, ~~no~~ only 10 sheets of toilet paper, ~~no~~ only a finger ~~tooth~~ tooth brush. I was in level 4 till March 30, 2005. This was not as a result of any misbehavior or infraction on my part.

I am now back at level 1. I am still in ~~total~~ isolation as described elsewhere, and I have no assurance I will not be returned to level 4.

Since July 2003 I have followed the policy of cooperation. Never have I been accused of any misbehavior as a prisoner.

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Oct 24, 2005

*Signature of Saifullah Paracha*