Amnesty International opposes the extradition of individuals to the USA where they may be held in isolation in "super-maximum security" facilities. Prisoners extradited to the USA on terrorism-related charges will likely be held in pre-trial isolation in the Security Housing Unit (SHU) of the federal Metropolitan Correctional Centre (MCC) in New York, and following conviction may be transferred to the federal government’s United States Penitentiary, Administrative Maximum (ADX) facility in Colorado.

As noted below and detailed in AI’s report, ‘Entombed. Isolation in the federal prison system’ (submitted to the Committee), Amnesty International considers that conditions of isolation at ADX and MCC SHU breach international standards for humane treatment and, especially when applied for a prolonged period or indefinitely, amount to cruel, inhuman or degrading treatment or punishment in violation of international law. Additionally, Amnesty International considers that conditions under which detainees have been confined in the MCC SHU are incompatible with the presumption of innocence in the case of untried prisoners whose detention should not be a form of punishment.

Amnesty International recommends that the United Kingdom authorities do not extradite individuals to the USA who may be held in MCC SHU or ADX, or in any other facility with comparable conditions.

**United States Penitentiary, Administrative Maximum (ADX) facility in Colorado:** With capacity for 490 male inmates, the vast majority of ADX prisoners are confined to solitary cells for 22-24 hours a day in conditions of severe physical and social isolation. The cells have solid walls preventing prisoners from seeing or having direct contact with those in adjacent cells. Most cells have an interior barred door as well as a solid outer door, compounding the sense of isolation. Prisoners eat all meals inside their cells, and in most units each cell contains a shower and a toilet, minimising the need for the inmate to leave his cell. Visits by prison staff, including routine checks by medical and mental health staff, take place at the cell door and medical and psychiatric consultations are sometimes conducted remotely through tele-conferencing. All visits are non-contact, with prisoners separated from their visitors by a glass screen. Prisoners in the General Population (the majority of prisoners at ADX) are allowed out-of-cell exercise for up to ten hours a week, in a bare interior room or in small individual yards or cages, with no view of the natural world. Prisoners in some other units receive even less out of cell time.

Prisoners convicted of terrorism-related offences may also have Special Administrative Measures (SAMS) placed on them by the Department of Justice which further restricts their communications with the outside world.

There is no detailed publicly available information on the time that prisoners spend in isolation in ADX; at a minimum individuals must spend a year at the most restrictive level of confinement before becoming eligible for a step-down program (SDP) to work their way to a less restrictive facility. However, a Federal Bureau of Prisons (BOP) analysis based on a
limited survey of 30 inmates in 2011 for a case before the European Court of Human Rights showed prisoners were likely to spend at least three years in General Population GP before being admitted to the SDP. Other sources based on a wider sample of prisoners have found that scores of prisoners have spent more than twice as long in solitary confinement. Advocates have criticised the internal review procedures – including those for deciding when a prisoner can access and progress through the SDP as over-discretionary and lacking clear criteria. According to lawsuits and other sources, this means that some prisoners effectively remain in isolation indefinitely, without being able to change their circumstances.

**Metropolitan Correctional Center (MCC):** Some prisoners held on terrorism-related charges in the federal system have been held in prolonged isolation in punitive conditions while awaiting trial. There is particular concern about conditions in the Security Housing Unit (SHU) on the 10th floor of the federal Metropolitan Correctional Center (MCC) in New York, where pre-trial detainees are confined for 23-24 hours a day to solitary cells which have little natural light and no provision for outdoor exercise. Lack of access to natural light and fresh air are in clear breach of international standards for humane treatment. Detainees housed in the unit have included foreign nationals charged with supporting terrorism who have been extradited to the USA; in addition to their harsh physical conditions of confinement, some have had only limited contact with their families and few or no social visits. Several prisoners have spent many months or years in the above conditions while awaiting trial. **Syed Fahad Hashmi** who was extradited from the UK in 2007 spent nearly three years in the unit before pleading guilty to one count of conspiring to provide material support to terrorists.

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