

CONTENTS

Page

ACKNOWLEDGEMENTS

iii

ABSTRACT

iv

LIST OF ABBRIVIATIONS

vii

LIST OF FIGURES

viii

CHAPTER 1 INTRODUCTION

1

1.1 Statement of Research Problems and Purposes

5

1.2 Research Questions

6

1.3 Significance of Research

6

1.4 Research Methods

6

1.5 Ethical Considerations and Trustworthiness

7

1.6 Limitations of the Research

8

1.7 Outline of the Thesis

8

1.8 Scope of the Research and Definitions

9

CHAPTER 2 SEPTEMBER 11, "WAR ON TERRORISM" AND THE TREATMENT OF THE DETAINEES AT GUANTANAMO

BAY NAVAL BASE

12

2.1 September 11

12

2.2 "War on Terrorism"

14

2.3 "Torture Memos"

20

2.4 Examples of Reported Torture and Inhumane Treatment of Detainees at Guantanamo Bay Naval Base

25

2.5 Summary of Chapter 2

31

CONTENTS (cont.)

	Page
CHAPTER 3 STATES' OBLIGATIONS REGARDING THE PROHIBITION OF TORTURE AND INHUMANE TREATMENT UNDER INTERNATIONAL LAW	33
3.1 International Law	33
3.2 The Geneva Conventions	35
3.3 United Nations' Human Rights Protection Mechanism	41
3.4 Article 7 ICCPR, article 10(1) ICCPR, and article 16(1) CAT (The Prohibition of Torture and Inhumane Treatment)	50
3.5 Article 1(1) CAT (The Definition of Torture)	54
3.6 Article 2 ICCPR (Territorial Responsibility)	61
3.7 The Issues of Reservations	63
3.8 Summary of Chapter 3	67
 CHAPTER 4 THE TREATMENT OF THE DETAINEES AT GUANTANAMO BAY NAVAL BASE BY THE UNITED STATES	 69
4.1 A Critical Analysis of the United States' Treatment of the Detainees at Guantanamo Bay Naval Base	69
4.2 United States' Reservations to the Definition of "Torture" and "Inhumane Treatment"	92
4.3 Summary of Chapter 4	102
 CHAPTER 5 CONCLUSIONS	 105
 BIBLIOGRAPHY	 112
 APPENDIX	 136
 BIOGRAPHY	 145