

REPORT OF WELFARE VISIT WITH OMAR KHADR
May 7, 8 & 9, 2008

Summary: On May 7th, 8th, & 9th, 2008, I met with Omar Khadr for approximately 8 hours over the course of three welfare visits carried out at Camp Iguana in Guantanamo Bay, Cuba (2.75 hours on May 7th, 3.75 hours on May 8th and 1.5 hours on May 9th). As before, we maintained a strong rapport, through which I had the opportunity to observe a gentle, humorous, thoughtful and intelligent young man. Increasing media and parliamentary attention to his case, of which he is aware, seems to be contributing, in part, to his sense of hope and generally positive outlook on life. Nevertheless, a lack of educational and rehabilitation opportunities and the ongoing psychological effects of detention during formative years, coupled with the impact of few support systems, appear to be having some effect on Omar's maturity and emotional growth as he moves into adulthood.

Omar's status as a 'highly compliant' detainee means that he continues to be housed in Camp IV, which results in some of the best treatment available to those in detention at Guantanamo Bay; he lives in communal facilities, has access to two hours of outside recreation a day, has food available to him throughout the day (although he hates it), can keep personal items in bins assigned to him, gets 'movie night' once a week (generally outdated nature and animal films that hold little interest to Omar) and is able to borrow books from the Camp IV library (he is a voracious reader). According to both the Joint Task Force (JTF) GTMO Detainee Operations Staff and Omar himself, Omar's compliance and good nature have further resulted in positive relations with the guards and other military personnel as well as fellow detainees, something I was able to personally observe during the course of our visits when guards came to escort Omar for bathroom breaks.

JTF GTMO Staff reiterated earlier statements about the significant and positive change in Omar's behaviour over the last year, attributable in large part, in their view, to ongoing welfare visits conducted by Canadian Officials, and to Omar's move into Camp IV. Numerous American interlocutors further took great pains to emphasize in a variety of ways and on a number of occasions the view that Omar is a "good kid". They also expressed the belief that Omar is "salvageable", so long as he is removed as soon as possible from exposure to radicalizing forces surrounding him in the form of certain other detainees.

In keeping with the substance of our last visits in March 2008, Omar focused discussions on his desire to return to Canada, to educate himself, to 'live a normal life' and to 'be given a chance'. Furthermore, as before, he is fixated on wanting to help people, particularly those in 'the most need', and as such is dreaming of a variety of career paths, most specifically that of an Emergency Medical Technician. He is also quite excited about the prospect of learning French, as discussed in the last welfare visit report prepared by JLH/Amégan, and was pleased that I had brought down related educational materials for his use.

Conditions of Meetings: As outlined in previous welfare reports, pursuant to a Court Order, which ordinarily limits contact by Canadian officials to consular personnel, observers to the Military Commission proceedings in Guantanamo are permitted to carry out welfare visits with Omar Khadr. Under the terms of the Order, this report and any related notes are provided to Omar's legal counsel within 30 days of the meeting.

At the outset of our initial meeting, I reiterated to Omar that any information he shared with me could be used in the preparation of my welfare visit report, and that this report and accompanying hand-written notes would be provided to his Canadian counsel. I also reminded him that we could not talk about any legal issues or any of the details leading to his detention. I let him know that we had an obligation to protect his privacy, however once the report and notes were provided to his counsel, we had no control over what counsel did with that information. I noted that he was free to end the visit at any time, and had the right to refuse to answer any questions I posed. After our first visit, I was apprised of the fact that Omar had provided a waiver of privacy to his

counsel, and as such he has given his authorization to the release of his personal information. At the beginning of our second visit, I reconfirmed the above points and discussed the waiver of privacy with him. He indicated his understanding of this and confirmed his authorization to the release of such information, indicating on only one occasion in the subsequent meetings that he would prefer I kept something private. As such, with the exception of that piece of information, this report is reflective of the sum of our visits.

In keeping with prior instances, our visits took place at various locations within Camp Iguana, in the "habeas huts". The Military Police were professional, helpful and accommodating in facilitating my visits and in ensuring various food items were stored, heated and brought in at different times during the course of our visits. When needed, Omar banged on the wall of the hut to attract the attention of guards, who were generally readily summoned. The huts are well-maintained and clean, each containing a large area rug to cover the raised wooden floor, two office chairs, a table/desk and a large sofa. We are able to move the furniture around as we see fit, although Omar indicated that he is not supposed to use the sofa in any way. As a result, when he is left waiting for long periods of time for visitors to arrive, as is often the case, he is forced to lie on the carpet to rest or to ease any discomfort from sitting in the small chair.

Our visits were conducted in privacy, but monitored throughout by a camera in one corner of the hut, which remained focused on Omar throughout. Despite the privacy, Omar again indicated his belief that all of our conversations are monitored.

Report: I offer the following observations based on my interactions with Omar during the aforementioned visits, but note that I am not a trained consular or medical expert. Omar was clearly happy to see me, and generally in good spirits throughout the course of our visits, though quite pensive and reflective at times. He remains in overall good physical condition and appeared relaxed and comfortable during our visits, remaining open to questions and to sharing information about himself. As before, he was curious about me and asked a number of personal and general questions. He also expressed a keen interest in current global events like the cyclone in Burma and in Canadian cultural, political and economic issues. Given the limitations on the parameters of our discussions, conversation was again dominated by the topics of Omar's health and well-being, on the future, on Omar's interests and goals, on his desire to live a "normal life" and be a "normal person" and on his strong wish to be given a chance in life.

Our second visit took place in the afternoon and evening following Omar's hearing. Due to concerns about multiple transfers between the courtroom, Camp IV and Camp Iguana, Omar was brought directly to the 'habeas huts' after the hearing, in anticipation of later meetings with his counsel and with me. I was tied up in another lunch meeting following the hearing, and his counsel was busy with the post-hearing press conference. As a result, Omar was left, shackled to the floor, waiting by himself in the 'habeas huts' for well over two hours. Unfortunately, this is apparently a common occurrence and understandably proves quite frustrating for Omar, who as a result, often misses his outdoor recreation time or other activities. In general, Omar seems to find an element of comfort in the structure of his daily routine, and is bothered by changes or disruptions to this, whether due to legal proceedings or other events. Conversely, he requested that I visit him as much as possible, and continued to appear quite willing to forgo sleep, other Camp IV activities and regular prayers, in order to meet with me.

As before, Omar's defence counsel expressed support for the benefits to Omar of ongoing welfare visits, and manifested this support by modifying their meeting schedule with Omar to accommodate my visits as much as possible.

General Physical Health

Omar stands approximately 6'0" – 6'1" tall and currently weighs about 185 lbs. He continues to be careful with what he eats, given that his stomach problems are ongoing and he loathes the food provided to him at Camp. That said, he clearly has a healthy appetite and loves the various treats I am able to bring in with me, greatly enjoying the lasagne, ice cream, fruits, candies, nuts,

Jell-O, juices and salads. Given the limited warning I was given prior to the organization of my second visit, I simply brought in the ingredients for a meal, which we assembled during our visit, to Omar's great enjoyment. Generally, however, he forgoes at least one meal a day in Camp, though is careful to maintain a healthy weight for fear of being force-fed. Despite a request made during my last visit that he be provided with a side of cheese and olives with every meal, and other light foods that sit better with him, this has not happened.

Approximately two weeks ago Omar was seen by a dentist, who was able to repair the chipped enamel on the bottom of his right tooth, which has greatly reduced his pain and discomfort. On my last visit, I purchased him a tube of Sensodyne but this has not yet been delivered to him. He believes there is a particular reason that this kind of toothpaste is no longer allowed, which is why it hasn't yet reached him. He indicated that many detainees used to be provided with this brand, but that recently guards have discontinued its distribution to detainees. I did not have an opportunity to question JTF Staff about the clearance of this particular toothpaste, but did confirm with Omar that he still has toothpaste available to him. Omar confirmed that he is being studious in maintaining his oral hygiene, brushing thoroughly once a day. I encouraged him to brush at least once more per day although he indicated that he had spoken to the dental staff, who told him that once was enough so long as he did a good job.

Several weeks ago Omar's knee unexpectedly locked while running during outdoor recreation time. This caused him to fall and deeply skin his palms. The wounds on his palms have mostly healed, although when he showed them to me traces of scars could still be seen. He was seen by the medical staff approximately two weeks ago, who x-rayed his knee, but found no serious injury. Since then he reports that his knee is doing fine, although he has not been running regularly since, despite this being an activity he enjoys. The yoga book I brought down on a previous visit had just recently been cleared, and we discussed the benefits of yoga to aid Omar with his flexibility and overall health.

The shoes I brought down on my last visit had been brought to him, and he was appreciative of them, although they are too big for him and therefore difficult to run in. Insoles provided by JLH/Amégan on his last visit, to mitigate the size issue, have not yet been brought in to Omar. Moreover, despite specifically buying shoes which would meet required security standards, Omar showed me where the shoes had been cut open to ensure that a particularly stiff area did not, in fact, contain any metal components. As a result, the closing latch on the right shoes had been damaged, making it more difficult to fasten and tighten. The ankle brace I brought down on my previous visit has not yet been provided to Omar.

As outlined in previous reports, Omar's back and shoulder continue to cause him problems, including stiffness and pain. We have repeatedly been asking for him to be provided with both an extra blanket for warmth and a pillow, which he feels will be helpful in easing some of this discomfort. The pillow I purchased in March had been sent in and rejected on several occasions, and despite follow up done by CNO, still had not reached Omar. I underlined again our understanding that a pillow poses no security risks given that other detainees are permitted to keep pillows, and that due to the shrapnel still inside Omar's body, and his ongoing complaints of back pain, we would consider the use of a pillow related to his overall physical well-being. Those interlocutors with whom I have direct contact expressed their intention to continue pressing for the pillow to be delivered.

Omar has not yet received an extra blanket for warmth at night either, despite several requests made in this regard. I raised this again with interlocutors, indicating that in keeping with the points raised above regarding the shrapnel inside Omar's body and his particular sensitivities to the cold, the provision of a blanket is also considered relevant to his overall physical well-being.

The damage to Omar's right eye, resulting in increasing blurriness, and the increasing blindness of his left eye cause Omar great concern. The constant bright light to which Omar is exposed, both natural and fluorescent, cause him strain and result in bothersome headaches. Since my

visit in March we have been pressing American interlocutors to provide Omar with some form of shaded glasses to assist in combating further deterioration of his eyesight and to address his headaches. Responses to these interventions have, to date, gone ignored. In response, and after seeking input from JTF Staff as to relevant security consideration regarding the shaded glasses, to which we received no reply, we purchased a pair of sunglasses. These, however, were not allowed, as I was told that authorized shaded glasses, which are meant to clip on to Omar's existing glasses, can only be provided through them. I continued to indicate to JTF Staff that we are of the view that this issue should be addressed at the soonest to ensure that he has access to those remedies that can delay or prevent the further onset of deteriorating vision. Given that Omar's last eye exam was five or six months ago (according to him), further follow up is merited to ensure that Omar receives timely medical attention to address this request.

General Psychological & Emotional Well-Being

Based on our interactions over the course of our visits in March as well as those to which this report refers, I have concerns about Omar's overall psychological and emotional well-being. In many ways he demonstrates a high level of maturity, as reflected by certain statements such as "Life is a gift so you must make the best of it. You need a good attitude or else you go crazy" and "I've learned that you must not worry too much about pleasing other people, you must be guided by what is right and what is wrong." In other ways, his comments and attitudes reflect a younger mentality (e.g. his annoyance with the legal proceedings which affect his opportunities for outdoor recreation).

His consuming desire to help people, which he views as his purpose in life and which forms part of the vision he has for his life, is a way in which he has told me he can forget his troubles and focus on addressing those of others. He indicated that many of the detainees confide in him, and he does his best to inspire them and give them hope. Conversely, he has told me on numerous occasions that he prefers not to 'wear his heart on his sleeve', and therefore keeps his feelings inside, not wanting to 'burden' others with his problems. In a variety of contexts, Omar has indicated that he enjoys the company of others, and has particular detainees with whom he enjoys talking (generally those he views as 'open' and willing to discuss books, movies and current events), but generally doesn't view himself as overly social. That said, he stated that anytime anyone comes to him, which they often do, he feels compelled to help. He was particularly pleased to share with me a saying he had come up with to this effect; "Putting a smile on a deprived face is the highest degree of humanity".

Omar appears proud of being viewed as patient, fair and kind, but he is hyper-concerned about never being seen to be weak. As a result, though he is often approached by others as a confidante, he indicates that there is no one with whom he trusts his deepest feelings, hopes and fears and no one to express himself to. In his mind, any sharing of this information could be used against him. Unsurprisingly given his life experiences to date, he is hesitant to 'reveal himself', although he did reiterate his trust in CNO/Collins, JLH/Nölke, JLH/Amégan and myself.

To this end, he shared with me several examples of instances in which he felt particular sadness, on one occasion lamenting that he's never actually had any real friends due to the family's ongoing movement and his subsequent detention. He also expressed concerns about having spent his formative years (in reference primarily to his time in Guantanamo Bay) surrounded by only adults, some of whom he saw as good and some as bad.

We discussed the concept of formative years, given his concern that all of these were over for him, and he agreed with my suggestion that as human beings we are constantly developing, and different periods in our life are meaningful for different reasons. Based on this he expressed the hope that his formative years were still to come. In this regard, he emphasized yet again his desire to return to Canada, which represents home to him and is a place he "feels in his soul".

Through both explicit and implicit comments from Omar regarding his actions and attitudes, it is clear that he does his best to assert control over his life in those areas he is able. To this end, he

makes efforts to impose structure in his routine by rising early every day, setting aside blocks of time for different activities, allocating specific periods for socializing and for private time, and trying to be disciplined about food intake as well as exercise.

It is imperative that an independent psychological examination be conducted at the soonest, by someone better qualified than I in this regard, in order to accurately assess Omar's mental state.

Educational Opportunities

As before, Omar currently has no educational opportunities available to him, beyond rudimentary language classes, which, according to him, haven't been being offered for several months (as outlined in JLH/Amégan's report, there are currently no teachers available). As such, he continues to rely only on materials available from the library and provided by Canadian Officials.

In response to his comments that some of the math and English materials we had brought down on earlier visits were proving too difficult for him without assistance, I brought a number of other resources estimated to be at a more appropriate level, including two books used in the Ontario curriculum at the Grade 7 & 8 levels, a workbook for intermediate school children on the United Nations system, and several introductory French workbooks. I had asked to have these material security-cleared immediately, so that I could bring them into my visits with Omar, in the hopes of reviewing them with him and helping him set some goals towards accomplishing certain activities. Despite promises that this would be done, none of the books had been cleared before my departure.

Omar is excited at the prospect of learning French. As mentioned in previous reports, he is fluent in four languages and evidently has an ear for language. He had been practicing with some of the French-speaking detainees, proudly exchanging niceties in French when I arrived for our first visit, and later telling me, "Je m'appelle Omar. J'ai 21ans. Je suis Canadien." He has informally built a French class into his routine every evening, tutored by another detainee, and was looking forward to furthering his learning with the books I brought.

He continues to be an avid reader, and requested that we continue to bring him books as there is nothing left in the library of interest to him. He uses his dictionary actively while reading, to help him understand words he doesn't know, and requested that the dictionary be approved to enable him to bring it with him into meetings with his lawyers and other visitors. I made this request on his behalf, however follow up would be helpful to ensure this is done – there are no reasons why this shouldn't be allowed.

As mentioned in previous reports, Omar still has not been given flexible pens which he can keep. JTF Staff insist that he has access to these pens for the bulk of the day, and therefore there is no reason he needs to keep them in his possession. Omar points out that he is often motivated to write or work in his workbooks at moments when he does not have access to a pen. Given the fact that the pens are not a security issue, as many other detainees are able to keep them, and the importance which Omar attaches to them, there again seems to be no reason this cannot be granted. However, repeated requests to this effect have gone ignored, and as such, further follow up is merited.

Subsequent to discussions held during my visit in March about providing Omar with further educational opportunities funded by the US, in which I was told explicitly that if Canada were to suggest this or a similar initiative, something could more than likely be arranged, no action appears to have been taken. Given the importance of educational opportunities for Omar, we strongly urge that action be initiated to follow through with this. Omar is very intelligent and desirous of receiving an education. Limitations on his vocabulary and grammar are frustrating to him, and prove restrictive on his ability to communicate in written form. He has now been without any formal education for over six years.

Conclusions & Next Steps: Omar's good nature, coupled with a belief amongst the interlocutors with whom I dealt that he is a "non-radicalized" "good kid", translate into fair and friendly treatment by the JTF Staff towards him. They continue to stop by to chat with him quite regularly, and he has indicated that he believes himself to generally be treated reasonably. Nevertheless, a number of requests made both by Omar and Canadian Government Officials either fall through the cracks, go ignored or are not processed in a timely manner. Therefore, more active follow up on this end is crucial to ensure that Omar receive appropriate comfort items and that his medical and educational needs are meaningfully met.

JTF Staff indicated that there are a number of items destined for Omar from previous visits, which have not yet been brought to him, and while interlocutors indicated that they generally spread out the delivery of certain food and toiletries items over every 2 – 3 weeks, there doesn't seem to be reason for the delay of books and magazines, the pillow, the blanket, the origami paper (which accompanies the book he has already received), the insoles, the ankle brace and the English Koran. As a number of detainees receive special meals, there again seems to be no reason Omar can't be provided with a small portion of cheese and olives, even if not on a daily basis. Closer monitoring and follow up will have a direct impact on Omar's quality of life as it relates to his ability to access books, magazines and some creature comforts. In addition to the educational materials I provided, I also brought some more novels, magazines, Tin-Tin comics, anise and sesame seeds, salad dressing, chips, candies, juice mixes, cologne, a first aid book and a pad of lined paper.

JLH/Amégan brought a copy of the book 'Guantanamo's Child' with him on the last visit, at Omar's request. Omar indicated he had not yet received the book, however JTF Staff told me that it hadn't been returned to them, which led them to believe that it was still with the censors and may yet be permitted.

Omar has indicated that he would like to have his phone call with his family. As his last call was conducted in 2007, he now has authority for his 2008 call, which will be his third. I spoke to the JTF Staff about this and was told that Omar need only ask and they will arrange the call between Guantanamo Bay and Toronto. I understand that the phone call will be organized [REDACTED] in Toronto. I reminded Omar to reiterate his request to the appropriate authorities within Camp, but promised also to follow up on our end.

Grateful if Consular could make specific efforts to pursue the following issues:

- Phone Call to his Family
- Pillow & Extra Blanket
- Stamped Dictionary (to allow him to bring it to meetings with him)
- Eye Exam & Shaded Glasses
- Educational Opportunities
- Independent Psychological and Medical Examinations

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