

Center for Constitutional Rights

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://ccrjustice.org/home/press-center/press-releases/former-guant-namo-chief-being-investigated-torture-no-show-french>

Public Facing Advocacy Writing

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Attorneys to Seek Arrest Warrant

March 1, 2016, New York, Paris Retired U.S. General Geoffrey Miller, the former Guantanamo prison chief, was a no-show in a French court Tuesday. Miller had been summoned to answer questions stemming from accusations that he oversaw the torture of three French nationals at Guantanamo prison. The Center for Constitutional Rights and the European Center for Constitutional and Human Rights, who submitted [expert reports](#) and [other submissions](#) in the proceedings, issued the following statement.

Millers absence speaks volumes about the Obama administrations continued unwillingness to confront Americas torture legacy. The administration not only refuses to investigate U.S. officials like Miller for torture, it apparently remains unwilling to cooperate with international torture investigations like the one in France. Geoffrey Miller has much to answer for regarding the treatment of detainees during his tenure. The Convention Against Torture obligates both France and the U.S. to the prevent and punish torture, including through the exercise of universal jurisdiction, but only one country is upholding its obligations in this case. The Obama administrations continued embrace of impunity sends a clear message that it will pick and choose which international obligations to honor. The court should recognize the necessity of its investigation in light of the U.S. governments failure to pursue accountability for the torture of men at Guantanamo.

The New York-based Center for Constitutional Rights (CCR) and Berlin-based European Center for Constitutional and Human Rights (ECCHR) submitted [documents](#) explaining Geoffrey Millers position, while commander of Guantanamo, in the overall command structure within the U.S government. The organizations also submitted [information](#) on the torture program and the implementation of interrogation techniques at Guantanamo that violate international law, based on the findings of the 2008 Senate Armed Services Committee report on detainee torture and abuse. CCR and ECCHRs submissions were relied upon when a French [appeals court](#), the Chambre de l'instruction de la Cour d'appel de Paris, reversed a decision by the investigating magistrate to deny the victims request to subpoena Miller.

Under the existing U.S.-France Mutual Legal Assistance Treaty ([MLAT](#)), a request for Miller to appear should have been transmitted through the U.S. Embassy in Paris. Attorneys are considering next steps, including seeking an arrest warrant for Miller.

The investigation began in France after two former Guantanamo detainees, French citizens Nizar Sassi and Mourad Benchellali, lodged a criminal complaint in November 2002. They were later joined by a third, Khaled Ben Mustapha. In January 2012, following a motion filed by the mens lawyer, William Bourdon, investigating judge Clement issued the formal request, known as a letter-rogatory, to the U.S. government. It has not been answered.

The European Center for Constitutional and Human Rights (ECCHR) is an independent, non-profit legal and educational organization dedicated to protecting civil and human rights. ECCHR focusses on enforcing human rights by legal means. Since its foundation in 2007, ECCHR acted before national prosecution services and courts as well as before the International Criminal Court to bring perpetrators of international crimes to justice. From the very beginning, ECCHR pursued cases against U.S. officials for their responsibility within the U.S. torture and rendition programs. Visit www.ecchr.eu; follow @ECCHRBerlin.

The Center for Constitutional Rights works with communities under threat to fight for justice and liberation through litigation, advocacy, and strategic communications. Since 1966, the Center for Constitutional Rights has taken on oppressive systems of power, including structural racism, gender oppression, economic inequity, and governmental overreach. Learn more at ccrjustice.org.

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