

# Center for Constitutional Rights

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

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## Public Facing Advocacy Writing

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*Washington, D.C. & New York City, September 7, 2017* At a landmark hearing held today in Mexico City, the Center for Justice and International Law (CEJIL) and the Center for Constitutional Rights (CCR) urged the Inter-American Commission on Human Rights (IACHR) to hold the U.S. accountable for the abuse and discrimination of Guantanamo detainee Djamel Ameziane.

This is not a case with complicated considerations of law, as all the violations detailed were committed against Djamel by state actors, while in state custody. The Commission has, in fact, already undertaken much of the legal analysis necessary to decide this case, said **Elsa Meany**, Senior Attorney at CEJIL. However, the current legal framework in the U.S. provides civil and criminal immunity for those responsible that effectively provides an amnesty for grave violations of human rights, in contravention of clear Inter-American standards. A decision by the Commission will constitute a decisive step towards accountability and recognition of Djamel's fight for justice and reparations.

The hearing marked the first time the IACHR was asked to issue a merits report based on human rights violations suffered by a former detainee at the Guantanamo Bay detention center. Throughout their presentation, the petitioners highlighted the importance of the Commission's role in addressing the impunity and lack of reparations in Ameziane's case, and also highlighted that his detention and torture were never contested by the State. Moreover, the petitioners noted that the decision itself would mark a historic victory for Ameziane and other victims of the War on Terror.

Over the past 16 years, the Commission has not yet issued a Merits Report in relation to the violations committed by the United States within the framework of the War on Terror, despite having multiple pending cases regarding rendition, unlawful and arbitrary detention and torture at Guantanamo, said [Wells Dixon](#), senior staff attorney at CCR. We urge the Commission to build on existing jurisprudence and decide the present case, consolidating a set of standards that will have implications in this region and globally.

Finally, at a time when U.S. President Donald Trump has repeatedly stated his intention to not only keep the detention center open, but to fill it up, the petitioners voiced Ameziane's own requests, which he had previously submitted in writing. In his statement, Ameziane urged OAS member states to remain involved in the issue given the current context in the U.S., and assist in the transfer of Guantanamo detainees and supporting efforts to close the detention center, among others.

Members of the Commission, what I respectfully ask of you today is this: Please issue a merits decision and decide my case. I ask you to order reparations and other relief so that I can get the assistance that I need and move forward with my life, and put Guantanamo behind me forever, [Ameziane](#) said. I also want an apology. I ask the representatives of the U.S.: Will you say on behalf of your government that you are sorry for what the U.S. Government did to me?

For their part, the Commissioners stated they would continue to study the issue and expressed consternation at Ameziane's prolonged detention at the camp without any charges, indicating that reparations should be made, including, at a minimum, that his personal belongings be returned.

### Background

For nearly 12 years, Djamel Ameziane, an Algerian citizen, was arbitrarily detained without charge at the Guantanamo Bay prison camp. During his detention, Ameziane was tortured and suffered from other forms of abuse. In 2008, the U.S. approved his release from Guantanamo, yet he remained imprisoned for another five years. In December 2013, Ameziane was forcibly repatriated to Algeria despite having fled from violence and persecution for belonging to a minority ethnicity. If the IACHR rules in favor of Ameziane, it would be the first case regarding human rights violations committed at the Guantanamo Bay prison that a regional human rights body issues a decision on. The decision would mark a historic victory for him and Guantanamo Bay detainees and their right to judicial reparations.

### [More information.](#)

*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](https://ccrjustice.org).*

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