

Center for Constitutional Rights

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

<https://ccrjustice.org/home/what-we-do/our-cases/ameziane-v-obama-ameziane-v-united-states>

Campaign and Advocacy

On December 5, 2013, the U.S. transferred Mr. Ameziane from Guantanamo to Algeria against his will despite his well-founded fear of persecution in his home country, and without giving him the opportunity to have the court evaluate his fear of return. Mr. Ameziane forced transfer to Algeria violates international law, including the Convention Against Torture. The district court dismissed Mr. Ameziane's habeas petition as moot in July 2014. In May 2020, the Inter-American Commission on Human Rights released a landmark decision in Ameziane's merits case.

[Djamel Ameziane](#)

Even though U.S. government never charged the Algerian-born college graduate, artist, and chef, Djamel Ameziane, with engaging in hostilities, terrorism, or any acts of violence eventually conceding there was, in fact, no military rationale for his continued detention he was nonetheless imprisoned for nearly 12 years at Guantanamo. *Ameziane v. Obama* is a habeas corpus petition that was filed in 2002 on behalf of Djamel Ameziane, challenging his unlawful detention at Guantanamo. Respondents in the case include the president, the secretary of defense, and military commanders of the Joint Task Force Guantanamo. The Center for Constitutional Rights took over the case at Mr. Ameziane's request in 2006. In 2008, CCR filed *Ameziane v. United States* before the Inter-American Commission on Human Rights (IACHR), a petition to consider the torture, abuse, and other human rights violations perpetrated against Mr. Ameziane at Guantanamo. The IACHR case also included a request for precautionary measures requiring the United States to honor its non-refoulement obligations and cease all mistreatment of Mr. Ameziane. The IACHR promptly issued precautionary measures as requested, and later reiterated them.

In the early 1990s Djamel fled Algeria for Austria to escape escalating violence and instability in his home country. A refugee, he lived and worked legally as a chef in a well-respected restaurant in Vienna. Following the 1995 election of a new government in Austria, Djamel's visa and work permit were not renewed and he was forced to leave the country. He then traveled to Canada where he sought asylum, but after five years his application was denied and he was forced to uproot again. With dwindling options, Djamel went to Afghanistan. He never participated in any military training or fighting, but soon after war broke out he was abducted by local police crossing the border to Pakistan in an attempt to escape the escalating violence. From there he was sold to U.S. forces for bounty and sent to Guantanamo where he suffered abuse and solitary confinement.

Djamel's story is a notorious example of the thousands of people the United States government has illegally detained, enabled by the so-called war on terror. CCR has been on the front lines of this human rights battle since Guantanamo prison opened its doors on January 11, 2002, filing countless cases on behalf of those denied due process and coordinating the representation of hundreds more.

CCR and CEJIL urge the IACHR to declare that the U.S. government violated Mr. Ameziane's human rights and prescribe relief, including access to adequate medical care, financial assistance for basic needs, return of his personal property, and a public apology for what was done to him. Ameziane submits a personal statement to the Commission. If the IACHR rules in favor of Mr. Ameziane, it will be a landmark decision on the right to judicial remedy and reparations for Guantanamo detainees who were subjected to torture and discrimination.

The purpose of the status conference is to address the seizure by Joint Task Force Guantanamo of all the legal and non-legal materials in his possession, and their apparent comingling with more than 100 bins of other detainee papers. These documents, seized during a raid on Camp 6 at Guantanamo on April 13, 2013, included several years' worth of privileged and confidential attorney-client communications as well as family photos and other personal items.

The motion is filed following the Supreme Court ruling in *Boumediene v. Bush* that detainees at Guantanamo Bay have the constitutionally protected right to petition for habeas corpus relief.

Court denies without prejudice the government's motion to dismiss pending the U.S. Supreme Court's decision in *Boumediene v. Bush*

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