

# Center for Constitutional Rights

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

**<https://ccrjustice.org/home/press-center/press-releases/ccr-warns-us-isis-detainee-must-be-charged-or-released>**

## Public Facing Advocacy Writing

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September 14, 2017, New York In response to reports that a United States citizen fighting for the Islamic State in Syria has been taken into U.S. custody, the Center for Constitutional Rights issued the following statement:

The reported capture of a U.S. citizen fighting for ISIS in Syria may present a moment for Trump to score political points, but there is no question what is required by law: as an American, this person retains his constitutional rights, and he must be dealt with through the civilian criminal justice system, if at all, not held without charge until "the end of hostilities," whenever that is. Even assuming he was indeed fighting in the context of armed conflict, civilians directly participating in hostilities must be charged promptly or released, not held indefinitely, and treated humanely in the interim. That is the law, much as we have forgotten it in the United States over the past 16 years of the "war on terror." If he is held without charge at Guantanamo or some other site for prolonged detention, the Trump administration should know that litigation awaits.

The Center for Constitutional Rights has led the legal battle over Guantanamo for more than 15 years representing clients in two Supreme Court cases and organizing and coordinating hundreds of pro bono lawyers across the country, ensuring that nearly all the men detained at Guantanamo have had the option of legal representation. Among other Guantanamo cases, the Center represents the families of men who died at Guantanamo, and men who have been released and are seeking justice in international courts.

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

Please contact us for general press inquiries, or to set up interviews.

We can connect you with just the right person at CCR for the story youre working on.

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