

URGENT ACTION

JUDGE ORDERS RELEASE OF GUANTÁNAMO DETAINEE

On 21 July, a US federal judge ordered the immediate release from Guantánamo of Yemeni national Adnan Farhan Abdul Latif. The US Department of Justice may still appeal this decision.

Adnan Farhan Abdul Latif has been held in Guantánamo without charge or trial for more than eight years. Amnesty International issued an urgent action on his case in May 2009 after he attempted to commit suicide during a meeting with his lawyer. He had made several previous suicide attempts, including whilst being held in solitary confinement in Guantánamo's psychiatric ward. In May 2010, he told his lawyer that he was still being subjected to ill-treatment and that he still felt suicidal.

In granting Adnan Latif's habeas corpus petition, Judge Kennedy ordered the US administration to "take all necessary and appropriate diplomatic steps to facilitate Latif's release forthwith." He ordered the US Department of Justice to respond to this order by 20 August 2010. It is not yet known whether the US administration will appeal against this decision. Even if they do not appeal, Adnan Farhan Abdul Latif may not be returned to Yemen soon, because the US administration suspended all transfers to Yemen in December 2009.

On 13 July 2010, another Yemeni national, Mohammed Hassan Mohammed Odaini was repatriated to Yemen following his court ordered release. The US Department of Justice did not appeal against the ruling, but administration officials made it clear that his repatriation was to be seen as an exception and that his release "should not be viewed as a reflection of the broader policy for other Yemeni detainees" and that the general suspension of transfers to Yemen from Guantánamo was still in place.

Approximately 50% of those who remain detained at Guantánamo are Yemeni nationals. The task force established under President Obama's executive order on ending the Guantánamo detentions approved 36 Yemeni nationals for repatriation. Another 30 were designated for possible future transfer when security conditions were deemed to have been met. Only eight Yemenis have been repatriated so far by the Obama administration.

PLEASE WRITE IMMEDIATELY in English calling on the US authorities to:

- Release Adnan Farhan Abdul Latif immediately and, if it is in accordance with his wishes, return him to Yemen;
- Provide him with access to effective redress and remedy for his time held in US custody;
- Immediately release anyone held in Guantánamo who is not to be charge and tried in accordance with international law.

PLEASE SEND APPEALS BEFORE 6 SEPTEMBER 2010 TO:

The White House

Mr David Rapallo
National Security Council
The White House
1600 Pennsylvania Ave., N.W.
Washington, DC 20500, USA

Fax: +1 202 456 9110

Dear Mr Rapallo

State Department

Hon. Daniel Fried
Special Envoy to Guantanamo
State Department
2201 C Street NW, Washington, DC
20520, USA

Fax: +1 202 647 3897

Dear Special Envoy Fried

Defense Department

Mr William Lietzau
Deputy Assistant Secretary of Defense
for Detainee Affairs
Pentagon
Arlington, VA 20222, USA

Dear Mr Lietzau

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the third update of UA 125/09. Further information: <http://www.amnesty.org/en/library/info/AMR51/066/2009/en>,

<http://www.amnesty.org/en/library/info/AMR51/073/2009/en> and <http://www.amnesty.org/en/library/info/AMR51/037/2010>

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