

# URGENT ACTION

## FREE DETAINEES, CLOSE GUANTÁNAMO

30 men remain unlawfully detained at the US military prison in Guantánamo Bay, Cuba. 16 are cleared for release yet remain imprisoned today. The prison has been open for more than 22 years and over 700 Muslim men and boys have passed through its doors. Many were tortured, all of them detained arbitrarily, and none have faced a fair trial. One of these individuals is Toffiq al-Bihani, who was cleared for transfer out of the facility in 2010 but remains there today. We demand the US government to transfer out Toffiq and the other cleared men and close the facility immediately.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Secretary Antony Blinken**

United States Department of State

2200 C Street NW, Washington DC 20037, USA

Send message: <http://register.state.gov/ContactUs/contactusform>

Dear Secretary Blinken,

*The US government's use of indefinite detention without charge at the military base in Guantánamo Bay as a response to 9/11 has been unlawful from the outset. I urge you to immediately prioritize and expedite the closure of the detention facility at the base. Many of the men have already been cleared for release and should be expeditiously transferred to countries that respect their human rights. This detention regime must be brought to an end.*

*One man who is currently detained, Toffiq al-Bihani, has been held since early 2003 without ever being charged with any offense. He was subjected to torture and other ill treatment at the hands of US authorities. He has been cleared for release since 2010, yet he remains imprisoned in Guantánamo today. It is entirely unclear why he has not yet been transferred to another country to be reunited with his family. His continued detention is unconscionable and arbitrary, a clear violation of his human rights.*

*There are currently 16 men cleared for transfer and they should be moved out of the facility immediately. In addition to the ongoing violation of their rights, Guantánamo is an all-too-easy location for future abuses to occur. Transferring out the men who have already been cleared will pave the way for the detention facility to be shut down once and for all. There are also 14 men detained who have not yet been cleared and are also arbitrarily detained. Many have been subjected to torture. The impunity that persists in relation to the torture, enforced disappearance and other human rights violations committed against these detainees is outrageous. Torture and enforced disappearance are crimes under international law.*

*I urge you to work toward a lawful solution for those still held at Guantánamo, including Toffiq al-Bihani, by either transferring them to other countries where their rights will be protected or by supporting fair judicial resolutions of the cases of those charged with crimes, and close Guantánamo once and for all. Those who suffered torture or other cruel, inhuman or degrading treatment must receive genuine access to an effective remedy, including rehabilitation and redress. Those responsible for the detained men's torture and enforced disappearance should be brought to justice in fair trials without recourse to the death penalty.*

Yours sincerely,

## ADDITIONAL INFORMATION

Under the presidential administration of Joseph Biden in the USA, seven men have been transferred out of the military prison at the US naval base in Guantánamo Bay, Cuba.

In July 2021, the Biden administration transferred a 56-year-old Moroccan citizen, Abdul Latif Nasser, to Morocco. Nasser had been cleared for release in 2016, but was held in Guantánamo for another five years. In total, he spent 19 years at Guantánamo without being charged.

In April 2022, the US government repatriated Sufyian Barhoumi to Algeria. He was captured in Pakistan in March 2002 and soon taken to Guantánamo Bay, where he never faced trial. He was notified under the Obama administration in August 2016 that he was eligible for release, but his case was stalled by a Trump administration policy that generally halted transfers.

In March 2022, the US government repatriated detainee Mohammed al-Qahtani to Saudi Arabia for mental health care. al-Qahtani was tortured so badly by US authorities that he was found ineligible for trial as the alleged 20th hijacker in the September 11th attacks.

In June 2022, Asadullah Haroon Gul, an Afghan prisoner held in US custody for nearly 15 years, was released from Guantánamo pursuant to a U.S. federal court order.

In February 2023, Majid Khan was transferred to Belize.

In March 2023, Ghassan Abdullah al-Sharbi was transferred to Saudi Arabia.

In April 2023, Said bin Brahim bin Umran Bakush was transferred to Algeria.

While these transfers are welcome, the administration must move much more quickly to transfer out the remaining 16 men cleared to leave, and to release to another country for resettlement or bring to a judicial resolution all those who remain.

Amnesty International calls on the Biden administration to close the detention facility at Guantánamo Bay once and for all. All those still detained there must either be released and transferred out or if there is sufficient admissible evidence under international law to prosecute internationally recognizable criminal offences then the authorities should do so through fair judicial resolution before a federal court without recourse to the death penalty. Detainees held at Guantánamo and elsewhere by the USA since 9/11 have been subjected to torture and enforced disappearance. The USA must investigate and bring suspected perpetrators of these crimes under international law to justice, whatever their current or former level of office.

Closing Guantánamo is not only about the current detentions, but also about crimes under international law from the past 20 years and the lack of accountability and remedy for them.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English. You can also write in your own message.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 30 June 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Toffiq al-Bihani (he, him)

**LINK TO PREVIOUS UA:** N/A