Dear Activists,

This is your campaign. With your energy, creativity, and commitment, Amnesty International USA is launching a campaign for fall/winter of 2015-2016 to close Guantánamo and to bring accountability for torture.

We will refuse to let the public forget about the human rights violations happening in their name. We will lift up the stories of the torture survivors and detainees in every way possible, to remind all who will listen that these are human beings with inherent rights.

This is the next chapter of the American Torture Story campaign.

We will use the first anniversary of the Senate Torture Report summary’s release – Dec. 9 – to continue to tell the American Torture Story and to ask for justice and accountability. Additionally, we will use Jan. 11, the anniversary of Guantánamo’s opening, to press the Obama administration to close Guantánamo and to end indefinite detention. Our rallying cry for that day is “I’m Still Here.” That’s because we will remind the world that the Guantánamo detainees are still languishing there, even as many try to ignore them. We will remind the world that torture survivors are still waiting for justice. And we will remind the U.S. government that we – the activists – are still here, calling for respect for human rights, and that we are not going anywhere.

We are focusing our actions on three individuals. Each of these individuals alleges torture at the hands of the U.S. government and remains detained in Guantánamo.

They each represent the types of people that remain in Guantánamo, to make it easier for us to explain the plight of the detainees for those who simply do not know. All three of these men allege torture, and the Senate Torture Report tells us more about both Toffiq al-Bihani and Mustafa al-Hawsawi’s treatment.

- There’s Toffiq al-Bihani, who has been cleared for transfer since 2010 but still waits inside Guantánamo’s walls.
- There’s Mustafa al-Hawsawi, who faces charges before the unfair and unjust military commissions and faces the possibility of the death penalty despite a trial that does not comply with international fair trial standards.
- Lastly, there’s Obaidullah, who has not yet been cleared by the slow Guantánamo clearance process, but neither does he face charges.

We’re here to help in any way we can. Don’t hesitate to contact us with any questions or ideas. And be sure to keep us posted as you take action by clicking here or by emailing us at security@aiusa.org!

We look forward to working together to end indefinite detention and impunity for torture.

Elizabeth Beavers
Policy & Activism Coordinator
Security with Human Rights
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Survivors of Torture and Enforced Disappearance

The stories of these detainees confirm what experience has long taught: that arbitrary arrest and secret, indefinite detention facilitate torture and other cruel, inhuman or degrading treatment. All three of these individuals allege torture and other ill-treatment at the hands of the U.S. government. We know from the Senate Intelligence Committee report on the CIA torture program and other sources that at least 29 detainees who currently remain at Guantánamo went through the CIA program, meaning that they were all held incommunicado and subjected to enforced disappearances in violation of international human rights law.

Torture and other ill-treatment inflicted on many of them included beatings, forced nudity, death threats to the detainee and his family, mock executions, short-shackling, stress positions, prolonged sleep deprivation, exposure to hour upon hour of extremely loud music and extreme temperatures, sensory deprivation, ice water “baths,” hanging by the arms for days and weeks at a time, withholding of food, prolonged solitary confinement, and more. In at least five cases, the torture included sodomy or other sexual assault. At least three cases included waterboarding, which simulates drowning.

After such harrowing experiences, the indefinite nature of these individuals’ detention can be expected to compound the hopelessness many of them reportedly feel. The US government has long been warned of the psychological distress caused by the indefinite detention regime at Guantánamo. In January 2004, the International Committee of the Red Cross (ICRC), describing itself as “uniquely placed to witness the impact this uncertainty has had on the internees,” revealed that it had “observed a worrying deterioration in the psychological health of a large number of them.”

That was nearly twelve years ago.

The physical consequences of these policies continue. All torture survivors should have access to rehabilitation services, yet those who remain in Guantánamo lack that access. They should also have full and independent medical care, because U.S. military medical personnel were often involved in acts of torture. Yet these same medical units continue to treat the detainees. The lengthy solitary confinement for many detainees, and the years of force-feeding of those who go on hunger strikes could pose unknown permanent consequences to their mental and physical health.

The very existence of Guantánamo is a violation of international standards that are as binding on the United States as its own domestic laws. These include the International Covenant on Civil and Political Rights and the Convention against Torture. No one should ever be tortured, and all those who engage in torture must be brought to justice. Period.
What We’re Campaigning For

The story of U.S. counterterrorism policy after the attacks of 9/11 includes a catalogue of human rights violations for which no one has been held accountable. Indefinite detention at Guantánamo and a policy of torture with impunity by a government that asserts itself as a global leader on human rights have left lives shattered. Only by confronting the disconnect between its self-image and its betrayal of longstanding international human rights norms can the United States regain its credibility in promoting human rights internationally.

Guantánamo’s detention center will forever be linked to abuses by the U.S. government: arbitrary detention, torture and other cruel, inhuman and degrading treatment, coercive interrogations, brutal force-feedings of hunger strikers, denial of appropriate medical care, and unfair trials. Some detainees were tortured and abused at Guantánamo. Some also experienced torture in secret CIA “black sites” or military facilities in Afghanistan before they arrived at Guantánamo.

Who are the Guantánamo Detainees?

Some were abducted from their homes, far from any active conflict zone. Others were captured in Afghanistan or Pakistan and turned over to U.S. forces in exchange for bounties. Prolonged incommunicado detention as well as enforced “disappearances” took place at Guantánamo and other U.S. facilities at the front lines of the global, endless “war on terror.”

From the U.S. government’s perspective, there are three categories of Guantánamo detainees: those cleared for transfer, those in military commission proceedings, and those whose disposition is unresolved:

- About half of the remaining detainees have been cleared for transfer out of the prison, such as Toffiq al-Bihani. This means that there was agreement by senior officials from the Departments of State, Defense, Justice, and Homeland Security, as well as the Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, that the individual poses no threat to U.S. national security.

- Ten have either been charged or convicted through the military commissions, a system of unfair trial proceedings that cannot ensure justice or protect human rights. Mustafa al-Hawsawi is one such detainee. The military commissions are a post-9/11 creation using rules that fall far short of international fair trial standards. The refusal to use regular civilian courts has meant that, nearly 15 years later, the families of 9/11 victims still do not have the justice to which they are entitled. The commission’s proceedings have been mired in legal challenges, procedural delays, and secrecy, and they are moving at a snail’s pace. If the 9/11 trials are ever completed – which is unlikely given that they have not even begun – the result could be a sentencing of death after unfair trial.

- The detainees who have not been cleared like Toffiq al-Bihani and are not facing charges like Mustafa al-Hawsawi are in limbo. Obaidullah is one of those detainees, and since 2002 has been languishing at Guantánamo even though he is not facing prosecution and has received no indication of when he will be free – if ever.
There are three types of people who remain in Guantánamo

Many have been cleared to be transferred out of Guantánamo, after agreement by senior officials from the Departments of State, Defense, Justice, and Homeland Security, as well as the Office of the Director of National Intelligence and the Joint Chiefs of Staff, that the individual poses no threat to U.S. national security. Toffiq al-Bihani is one of those approved for transfer since 2010 who is still waiting to leave.

Ten have been either charged or convicted through the military commissions system. The attacks of 9/11 were crimes against humanity, and those who perpetrated the attacks should face justice. But the military commissions system cannot bring that justice, and cannot protect the human rights of the defendants. Mustafa al-Hawsawi is one such detainee. After suffering torture at the hands of the U.S. government – as detailed in the Senate Torture Report executive summary last year – he waits years on end for an unfair trial to even begin, without adequate medical or psychiatric care.

The detainees who have not been cleared for transfer, and are also not facing charges, are simply waiting in limbo. Obaidullah is one of those detainees, and has been waiting in Guantánamo since 2002.

All three of these men allege torture and other cruel treatment. All three are still in Guantánamo. No one has been held accountable for their torture, and their seemingly endless incarceration drags on.

President Obama must close Guantánamo, end indefinite detention, and hold torturers accountable before he leaves office.

The Attorney General must review the Senate Torture Report for evidence of federal crimes that would warrant reopening and expanding investigations into torture.

Please contact Elizabeth Beavers ebeavers@aiusa.org
What Should Be Done?

The Obama administration continues to shirk its duty to bring to justice officials who authorized and carried out torture. The ongoing refusal to fully investigate and prosecute torture and to offer redress to its victims is itself a violation of international law that further undermines U.S. influence and moral authority each day that it continues. The Obama administration also has so far failed in the promise to close Guantánamo. By moving slowly to clear and transfer detainees, opposing the detainee’s legal petitions challenging their detention, and continuing with the failed military commissions, the administration’s actions appear contrary to its stated goals.

The damage done by Guantánamo and torture can never be reversed, but we can and must do what we can to end these policies and ensure that they never happen again.

We campaign to: close Guantánamo, end indefinite detention, and to ensure officials who are responsible for torture and enforced disappearances are brought to justice. President Obama has made promises to close Guantánamo and to end torture. But he only has a few months left in office to fulfill those promises by pursuing fair trials for the detainees’, or releasing them. Additionally, he must direct his Justice Department to review the Senate Torture Report for evidence of federal crimes warranting re-opened investigations and prosecutions of torture.
Questions & Answers

Q Haven’t all the Guantánamo detainees who were wrongly detained already been released? Aren’t the ones who are still there the “worst of the worst”?

A Approximately half of the remaining detainees were approved for transfer by senior officials from the Departments of State, Defense, Justice, and Homeland Security, as well as the Office of the Director of National Intelligence and the Joint Chiefs of Staff. This means that all of these agencies agreed that those detainees pose no threat to U.S. national security. Ten individuals are either facing charges or are serving time after conviction by the military commissions, which do not meet international standards for fair trials and can neither ensure justice for crimes nor respect the human rights of the defendants. The rest are simply in limbo because there is not enough evidence to prosecute them, but the slow clearance system has not yet processed them for transfer out of Guantánamo.

Q Who is responsible for the delay in closing the facility? If President Obama wants it closed, why doesn’t he close it?

A President Obama has frequently stated that he wants to close the Guantánamo Bay detention facility, and even issued an Executive Order for its closure in January 2009. The Obama administration has cited congressional opposition as the roadblock to closing the facility. While it is certainly true that Congress has passed legislation designed to make closing the prison more difficult, the administration itself has not done enough. The process of reviewing detainees to clear them for transfer is operated at a glacial pace that simply cannot clear all of the detainees’ before President Obama leaves office. The Secretary of Defense is slow to approve transfers for those cleared. And the Justice Department frequently opposes detainee’s efforts in the courts challenging their detention. These measures have resulted in gridlock and slow movement on Guantánamo closure.

Q Aren’t we at war? Don’t we need to gather intelligence from captured terrorists? Don’t the Geneva Conventions allow for the detention of terrorists until the end of hostilities?

A The attacks of 9/11 were crimes against humanity and should be prosecuted as such. Under the international law, the U.S. is required to bring the alleged perpetrators to justice in proceedings that meet international standards for fair trials. There have been many criminal prosecutions of terrorism suspects in federal civilian courts. These courts have handled and can continue to handle these prosecutions, through fair trials that protect public safety and promote public confidence. Amnesty rejects the global, endless war paradigm that views the world as a battlefield, placing detainees outside the reach of international human rights law. Additionally, it is important to recognize that many individuals in Guantanamo were captured by foreign warlords or spies and then sold to the U.S. even though they were later described by Bush administration officials and others as...
“the worst of the worst” captured from the battlefield. A war without end means detaining people potentially until they die. Amnesty rejects that paradigm and instead urges criminal prosecution under international fair trial standards.

If we try suspected terrorists in civilian courts, won’t it be difficult to get convictions because so much of the evidence against them is classified?

The Department of Justice has a record of convicting individuals accused of involvement in espionage, organized crime, transnational crime syndicates and conspiracies to attack U.S. military facilities and personnel, all while simultaneously protecting classified information. The federal courts have highly developed procedures that preserve the confidentiality of classified information while protecting defendants’ right to a fair trial. Furthermore, the trial and conviction of terrorism suspects by fair and impartial courts serve as clear examples of how the fair administration of justice can triumph over messages of violence, and is essential for upholding the rule of law and human rights for us all.

It is also the case that since September 11, 2001, the Department of Justice has prosecuted hundreds of defendants on terrorism-related charges. However, there are serious human rights concerns about many of these cases, particularly where they involve sting operations and use of the material support statute.

What does Amnesty think should be done with detainees who can’t be tried but who are too dangerous to release?

Nothing can justify continuing to unlawfully detain individuals without allowing them to confront the evidence against them in a fair trial. It is not acceptable to detain an individual out of fear or ignorance or hate. Amnesty rejects the idea that anyone who cannot be fairly prosecuted for a recognizable offense is “too dangerous to release,” and urges the U.S. government to either prosecute the detainees through fair trials or release them. Guantánamo must be closed, and all the detainees must be relocated to countries where their human rights will be respected. Effective measures can be and have been taken to monitor the activities of detainees who are transferred.

Why does Amnesty care more about the rights of Guantánamo detainees than about the safety of innocent citizens?

Nothing could be further from the truth. Human rights and public safety are not mutually exclusive. All over the world, Amnesty International campaigns for governments to ensure everyone’s right to life, including their safety from attacks by armed groups. When an attack occurs, we call on governments to fully investigate and bring the perpetrators to justice in fair trials, without recourse to the death penalty. We also call on governments to take steps to minimize the risk that attacks are repeated.
Helpful Tips for Activism on Guantánamo and Torture

1. **Be polite.** Show that your position is the one a polite and reasonable person would take.

2. **Try to connect with people, rather than disconnect.** Build bridges, don’t burn them.

3. **Look for common ground.** For example, we all care about the safety of our families and friends. Human rights protect all of us from abuse.

4. **If someone is mean or disrespectful towards you, just thank them for their opinion and excuse yourself from the conversation.** Don’t escalate the situation by arguing back or being rude.

5. **Don’t feel pressure to change someone’s mind.** Instead, focus on a more realistic goal of planting the seed of doubt in their minds about their own position. If they leave your conversation thinking about what you said rather than dismissing it, that is a positive step in advancing human rights!

6. **Acknowledge that the 9/11 attacks were a crime against humanity** and that there must be justice for the victims, but note that justice means a fair trial and nothing can justify torture, unlawful killings, unlawful indefinite detention, and other human rights violations.

7. **Unless you know the facts and the legal nuances, don’t get drawn into legalistic arguments.** Instead, stick with what you know in your heart to be true: indefinite detention without charge in an endless global war, unfair trials, and torture are illegal and immoral. It’s always fair to tell someone you will find out the answer to something you don’t know and get back to them.

8. **If someone doesn’t care** about abuses happening to someone else, you can point out that, by violating human rights, the U.S. government is undermining the rule of law and the global human rights framework, which puts each of us and our families at greater risk of violence.

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As Dr. Martin Luther King, Jr., wrote in his Letter from a Birmingham Jail, “injustice anywhere is a threat to justice everywhere.”
The United States has a responsibility to bring those responsible for attacks such as those perpetrated on September 11, 2001, to justice and provide remedy to the victims. Amnesty International believes Guantánamo is inconsistent with the United States' obligations to the victims of the 9/11 attacks as well as the accused. Victims of human rights abuses by armed groups have the right, like all victims, to justice, reparation, and the truth. Indefinite detention, torture, and unfair trials cannot achieve that justice.

There were reports of serious human rights abuses at Guantánamo in the early days of the detention center, but haven’t conditions there improved significantly in the last several years?

Some conditions for some detainees at Guantánamo have reportedly improved over the years. However, force-feeding of hunger-striking detainees has continued. Many detainees reportedly continue to be held in prolonged solitary confinement.

Many detainees who have experienced serious medical problems because of their treatment are not receiving adequate medical care and all are denied access to independent medical care, as well as rehabilitative services that would be appropriate to torture survivors.

The detainees have very limited access to the outside world, including limited or no ability to speak with their families or provide and receive information. Moreover, the indefinite nature of their detention is extremely stressful and continues to undermine detainees’ mental and physical health. The United Nations Committee against Torture, the body of experts charged with monitoring compliance with the Convention against Torture, has held that indefinite detention is per se a violation of the Convention. The very existence of the detention center, and the refusal of the U.S. government to hold anyone accountable for the torture and other abuses that have been inflicted on the individuals held there, is a serious ongoing human rights violation.

Isn’t there a lot of disagreement about whether the interrogation tactics used on detainees at Guantánamo and elsewhere were torture?

It’s indisputable that waterboarding, sexual abuse including sodomy, and beatings are criminal, both under international law and U.S. domestic law. It is equally clear that many other practices, particularly when used in combination, are likely to constitute torture.

These include prolonged sleep deprivation, exposure to extreme temperatures, and stress positions.

Many other abuses that were inflicted on Guantánamo detainees at a minimum constitute cruel, inhuman or degrading treatment, which the U.S. also is required to punish and prevent under international law. Those who would contend that these are not settled matters under international law are simply ignoring history.

The U.S. itself has criminally prosecuted cases of waterboarding in the past, for example.
For campaign materials, advice, answers to questions, speaker recommendations, etc.,
Contact Elizabeth Beavers (ebeavers@aiusa.org).

**Websites**

AIUSA’s Security With Human Rights Campaign Page:

Guantánamo issue page:

Witness to Guantánamo, a project that gathers video interviews of former detainees, guards, attorneys, and other voices of Guantánamo: www.witnessstoguantanamo.com.

Andy Worthington, a British journalist, has chronicled the stories of the Guantánamo detainees from the beginning at http://www.andyworthington.co.uk/.

Close Guantánamo (www.closeguantanamo.org) was founded by journalist Andy Worthington and attorney Tom Wilner.

This Shouldn’t Be Us is a Web site set up to advocate for Obaidullah’s release from Guantánamo (www.shouldntbeus.org)

**Books**

*Guantánamo Diary, Mohamedou Ould Slahi*, 2015
*The Senate Intelligence Committee Report on Torture*, 2014
*The Terror Courts: Rough Justice at Guantánamo Bay, Jess Bravin*, 2013
*Five Years of My Life: An Innocent Man in Guantánamo, Murat Kurnaz*, 2009
*My Guantánamo Diary, Mahvish Khan*, 2008

**Films**

“*The Road to Guantánamo*” (www.imdb.com/title/tt0468094)

“*Outside the Law: Stories from Guantánamo*”
(https://org.salsalabs.com/o/1170/t/13483/shop/item.jsp?storefront_KEY=975&t=&store_item_KEY=4209)

Amnesty International reports on Guantánamo and Torture
Amnesty International reports on Guantánamo and Torture

Compounding the Cruelty at Guantánamo (2 pp) – August 15, 2015

Crimes and Impunity: Full Senate Committee Report on CIA Secret Detentions Must Be Released, and Accountability for Crimes under International Law Ensured (146 pp) – April 21, 2015
http://www.amnestyusa.org/sites/default/files/usa_crimes_and_impunity_report.pdf

“We tortured some folks”: The wait for truth, remedy and accountability continues as redaction issue delays release of Senate report on CIA detentions (2014)

Bringing George W. Bush to Justice: International Obligations of States to Which Former U.S. President George W. Bush May Travel (2011)

Former President’s Defense of Torture Highlights Need for Criminal Investigations (2010)

Torture in black and white, but impunity continues: Department of Justice releases interrogation memorandums (2009)

Torture Acknowledged, Question of Accountability Remains (2009)

U.S. Responsibility for Enforced Disappearances in the “War on Terror” (2007)

Guantánamo at 13: USA Still Ignoring Human Rights Principles and Expecting Others to Do What It Refuses to Do (2 pp) – January 8, 2015

136 to Go...The Unbearable Slowness of Closing Guantánamo (2 pp)–Dec. 9, 2014

President and Congress Should Apply Human Rights Principles and Close Guantánamo (2 pp) – June 13, 2014

“I Am Fallen into Darkness”; The Case of Obaidullah, Guantánamo Detainee Now in His 12th Year Without Trial (56 pp) – July 25, 2013
Indefinite Detention at Guantánamo Continues – 100 Detainees on Hunger Strike
(24 pp) – May 3, 2013

Letter to US Secretary of Defense in Relation to Hunger Strikes at Guantánamo
(3 pp) – March 22, 2013

Another Detainee Dies at Guantánamo: Yemeni Man, in His 11th Year of Detention without Charge or Trial, Found Dead in His Cell (2 pp) – September 11, 2012

Wrong Court, Wrong Place, Wrong Punishment: Five Alleged “9/11 Conspirators” to be Arraigned for Capital Trial by Military Commission at Guantánamo (16 pp) – May 3, 2012

Guantánamo: A Decade of Damage to Human Rights (64 pp) – December 16, 2011
About Toffiq

Toffiq al-Bihani is a 43-year-old Yemeni national who has been held at Guantánamo Bay since early 2003 without being charged with a crime. Although a citizen of Yemen, Toffiq al-Bihani was born in Saudi Arabia in 1972 and grew up there as one of twelve brothers and sisters.

Despite the unfathomable circumstances he has faced over the past approximately 13 years, Toffiq’s attorneys say he remains good-humored and friendly. He has a colorful personality, likes to joke around, and is an avid fan of European soccer. While in detention at Guantánamo Bay, he has taken it upon himself to learn English and Spanish.

About His Detention and Treatment

He was captured outside of any active conflict zone in late 2001 or early 2002 and turned over to U.S. personnel in Afghanistan in March 2002. He was transferred to U.S. custody in a facility where he and other prisoners were hidden from the International Committee of the Red Cross (ICRC) until a fellow prisoner made the ICRC aware of their presence. He was held there for 10 weeks before being moved to a second site where he was held in solitary confinement for five months. He was then transferred to CIA custody around October 2002. For several weeks, he was held at the CIA Detention Site COBALT, where, according to the executive summary of the Senate Intelligence Committee report on the CIA torture program published in December 2014, he was subjected to torture, including in ways that were not authorized by CIA headquarters. He was then briefly held in U.S. military custody in Bagram before being transferred to Guantánamo in early 2003.

In 2010, a joint task force consisting of representatives of the Departments of Justice, Defense, State, and Homeland Security, as well as the Office of the Director of National Intelligence and the Joint Chiefs of Staff determined that Toffiq did not pose a national security risk, and cleared him for “conditional detention,” which means that he could not be sent back to Yemen at that time because the security environment in Yemen made it unsafe to do so. However, he can be transferred to third countries in the meantime, or returned to Yemen in the future if the moratorium on transfers to Yemen were lifted and other security measures were put in place.
In Toffiq’s Own Words

Regarding his first interrogation in Afghanistan, Toffiq al-Bihani says:

“I was handcuffed behind and they put a hood on my head so that I could not see anything. When I entered the interrogation room, the American guards pushed me down to the ground in a very savage manner. They started to cut my clothing with scissors. They undressed me completely and I was nude. They made me sit on a chair and it was very cold. I was also afraid and terrorized because the guards were aiming their weapons towards me. The interrogator put his personal gun on my forehead threatening to kill me.”

About the CIA detention site COBALT, he says:

“This was absolutely the worst prison. It was a very dark prison and there was no light, no bed or a carpet, the floor was semi cement. The restraints on my feet were very tight, they put me into a cell and kept me...tied to the wall for almost ten days...

The irritating music 24 hours a day was very loud and hard banging on the door. When I used to go for interrogations, I was unable to walk because of the restraints on my legs and tightness on my feet. I would fall down to the ground and scream that I cannot walk. They would pick me up from the ground and I would walk with them while they are hitting me on the way to the interrogation until I would bleed from my feet. When I would fall to the ground, they would drag me while I am on the ground. Then they would bring me back to the cell and sprinkle cold water on me. Sometimes they would put a weapon on my head threatening to kill me using some provocative statements which I cannot mention in this letter.

After ten days, they brought me down from the hanging position and made me sit on the floor. Then they tied my hands upwards for approximately one month so that I could not lie down on the floor for comfort, therefore I was unable to sleep except for quarter of an hour every day...

After one month and ten days, they removed all my restraints, however I was unable to rest or sleep because of extreme hunger and cold and the loud irritating music and the banging on the door. I stayed in this prison for approximately two months and a half and I had no idea whether it is day or night as it was extremely dark and oppressive conditions.”

Cleared For Transfer,
Still Detained: Toffiq al-Bihani

Five years later, he is still waiting for transfer from Guantánamo.
About Mustafa’s Detention and Treatment

Mustafa al-Hawsawi was captured in Pakistan by Pakistani agents in March 2003 and was transferred to the custody of the United States. He was held in secret CIA black sites until September 2006, when he was transferred to Guantánamo Bay and U.S. officials finally acknowledged his imprisonment.

Mr. al Hawsawi faces the death penalty before a military commissions system that violates international fair trial standards, that fails to protect his human rights, and that frustrates the truth seeking process by impeding transparency and denying accountability for torture. He is alleged to have acted as a financier of the September 11, 2001 attacks in the United States. However, the Senate Torture Report disclosed an internal CIA cable which the chief of interrogations sent to CIA headquarters wherein he expressed reservations regarding Mr. al Hawsawi’s alleged role and involvement. This CIA chief interrogator observed that “he does not appear to the [redacted] to be a person that is a financial mastermind.” Yet, Mr. al Hawsawi faces the possibility of the death sentence imposed through an unjust system and procured via an unfair trial.

NGOs Redress and the Human Rights Monitoring Institute (HRMI) submitted a complaint calling for an investigation into allegations that Mr al-Hawsawi was illegally transferred to and secretly detained and tortured in Lithuania as part of the CIA-led program. Redress and HRMI asked a Lithuanian prosecutor to conduct an effective investigation into the suspected criminal offenses committed in Lithuania against Mr al-Hawsawi. The organizations requested the Lithuanian Prosecutor General to secure evidence, seek clarification from Mr al-Hawsawi (via the U.S.), seek urgent preservation and disclosure of all relevant evidence, and identify all officials involved in the alleged violations with a view to ensuring they are prosecuted if, and as appropriate.

The Senate Torture Report summary, provides a glimpse of Mr. al Hawsawi’s suffering and torture at the hands of the CIA. According to that summary report, CIA prisoners were subjected to excessive force during rectal examinations that were used for behavioral control. Mr. al Hawsawi was later diagnosed with a symptomatic collapsed rectum, “chronic hemorrhoids,” and anal fissures. The report also chronicles how, in addition to being sodomized, he was subjected to “cold water dousing” in a manner that may have been “indistinguishable” from the torture technique known as “waterboarding.”
Mr. al Hawsawi has languished in solitary confinement at Guantánamo since 2006. Mr. al Hawsawi has yet to receive adequate treatment for his injuries. The military authorities responsible for his care have failed to remedy Mr. al Hawsawi’s chronic and severe medical conditions which include: a torn rectum that requires manual re-insertion of his rectal tissue after bowel movements; blood in his urine that could be indicative of a cancerous condition that has not been ruled out; severe and chronic headaches (cervicogenic disease), back and neck pain -- all brought on by the abuse he suffered at the hands of the CIA. The military authorities imprisoning him have an ethical conflict between following military orders and exercising independent judgment regarding medical care; they persist in withholding medical information and refuse to discuss Mr. al Hawsawi’s condition.

In His Own Words

AIUSA has been unable to obtain personal stories from Mr. al-Hawsawi, because his experiences and mental impressions are considered classified. Mr. al Hawsawi is an avid reader and occupies his time in prison keeping up with current events around the world.

Still Detained: Mustafa al-Hawsawi

A torture survivor who needs improved medical care and a fair trial.
About Obaidullah

Obaidullah was captured from his home in Afghanistan during a night raid by U.S. Special Forces in July 2002. The raid was conducted on a tip from an unknown source. For more than 13 years, he has been incarcerated without trial some 8,000 miles from his home and family in Afghanistan. His daughter, born two days before he was taken into custody, is now 11 years old. He has never touched or held her, only recently making his first contact with her, over videophone from the detention facility at Guantánamo Bay.

About his detention and treatment

Obaidullah was taken first to the prison at Bagram, where he was held until October 2002. During that time, he describes brutal treatment. The guards chained his arms above his head for extended periods of time, and often forced him to defecate on himself by refusing him a toilet. A guard slammed him into a door, resulting in a broken and bloody nose. He says he received no medical treatment for this incident. He was once bound by the arms and legs and slammed to the ground feet first, feeling as if his heel had been broken. He was subjected to sleep deprivation and to multiple beatings. He was forced to carry and clean the barrel-like containers that were used as detainee toilets and to clean a hall, sometimes using only a toothbrush. Interrogators told him that if he did not cooperate with them, “these kinds of punishments would continue for my whole life.” He was threatened with sexual abuse during interrogations.

In October 2002, he was transferred to Guantánamo, where he has been ever since. In 2013, after more than a decade in Guantánamo, he participated in a hunger strike for several months. Since the day he was picked up, the U.S. government has justified Obaidullah’s detention based on a flawed legal framework in what it then called the “global war on terror,” pursuant to which the U.S. considers that it can hold Obaidullah and other detainees until the U.S. determines hostilities to have ended.

Still Detained: Obaidullah

But Obaidullah is still there, waiting in limbo.
Obaidullah should be immediately released if he is not going to be charged without further delay and brought to fair trial in an independent civilian court within a reasonable time. Such decisions should have been made years ago.

In Obaidullah’s Own Words

To his attorneys:

“Please tell the world of this unfairness.”

On his interrogations at Bagram:

“During these interrogations, they questioned me at times under very hot lights, while making me kneel and put my hands on my head for hours. Sometimes I was forced to stand on my knees. I was also forced to stand at times in a bent position while they questioned me. These positions were very painful... Usually my hood was on when they questioned me, but not always. The hood had a rope at the neck. They pulled this rope so tight that it choked me.

Many times they tied my hands and then hooked them to the wall or ceiling over my head while they were questioning me. They also slapped me and spit in my mouth. They held me by the neck, shook me and screamed at me. The interrogators told me that if I didn’t talk, I would be there for my whole life. They also told me that they would kill my family or bring them to Bagram if I did not cooperate and admit to what they were saying.”

“They told me that if I didn’t talk and cooperate with them, they would force me into sexual activities to make me talk. I believed them when they said that they would do that to me, because I had heard from another Afghan prisoner that they had done that to someone else. In my culture, it is very shameful and a disgrace to be used sexually. I was very scared and very tired.”

On his interrogations in Guantánamo:

“When I was taken to an interrogation, they often put me in a freezing cold room with the air conditioning way up high. After the interrogation was over, they would leave me in there for another 3-4 hours by myself with the air conditioning up high.

For a long time, maybe a year, after I got to Guantánamo, the interrogators controlled everything about our lives. If we wanted water or if we wanted to see a doctor, it all depended on whether the interrogators approved it or not.

One time, about 2 or 3 months after I arrived in Guantánamo, I was very sick for many days. My throat was sore and I had a fever. Finally, they took me to the infirmary. A doctor began to examine me. After a short time, an interrogator came to the door and signaled to the doctor. The doctor went outside and talked to the interrogator for a short time and then left. He did not return. I was taken back to my cell even though I was still sick and felt very bad.”

A poem he wrote in 2011

Give me a hand through my dream, I am fallen into darkness.
Although I am alongside others’ laughter, I have been living ever in deep sorrows.
I am living on a great ocean’s shore, But always in shackles.”
Take Action on December 9 for Torture Accountability

December 9 marks one year since the executive summary of the Senate Torture Report was released. When it was released, it captivated national and global attention and shed new light on this American Torture Story. But one year later, the Justice Department hasn’t opened any new investigations or held anyone accountable for those crimes.

Make your presence known on December 9, to mark one year since the release of the report. Show the public and the U.S. government that you are still here, calling for justice.

On December 9, 2015

Generate Petition Signatures
Write a Letter to the Attorney General

Make a Phone Call to the Justice Department
Make a Phone Call to your Members of Congress

Share the Stories on Social Media

Please contact Elizabeth Beavers ebeavers@aiusa.org
Toffiq al-Bihani alleges that the CIA held him in secret detention and tortured him. He describes how they tied him to a wall for ten days, forced him into nudity, subjected him to extreme temperature, deprived him of sleep and food, and subjected him to loud and irritating music around the clock. The summary of the Senate Torture Report confirms that the CIA used techniques on him that were unauthorized. He remains indefinitely detained in Guantánamo.

Mustafa al-Hawsawi’s treatment by the CIA was exposed by the Senate Torture Report summary, which showed that he was subjected to cold “water dousing” in a manner that may have been “indistinguishable” from the torture technique known as “waterboarding.” The Senate report also found that he had been subjected to excessive force during rectal examination. He was later diagnosed with “chronic hemorrhoids, an anal fissure, and symptomatic rectal prolapse.” In Guantánamo, he continues to receive inadequate medical care for his condition.

Petition to the U.S. Attorney General: Review the Senate Torture Report for evidence of federal crimes that would warrant reopening and expanding investigations into torture.

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Write a Letter to the Attorney General

Why it’s important

December 9, 2015, marks one year since the Senate Select Committee on Intelligence released a summary of its report on the CIA torture program (Senate Torture Report). Despite the shocking new information included in this document, the U.S. Department of Justice has not re-opened investigations into the torture program or initiated appropriate prosecutions. In fact, the Department has made contradictory statements of whether it has even read the report.

Domestic and international law not only prohibits torture, but also requires accountability and redress. The Justice Department has an obligation to investigate allegations of torture, and ensure that those responsible be held accountable. Failure to fulfill these obligations sets the dangerous precedent of impunity for torture, and signals that there are no consequences for those who torture. Additionally, it harms U.S. credibility to press other nations to comply with human rights obligations when the U.S. itself is not in compliance.

Helpful tips

• Mention the year that has passed since the release of the Senate Torture Report

• Both Toffiq al-Bihani and Mustafa al-Hawsawi are good cases to cite, since they were mentioned in the Senate Torture Report. See below for sample letters.

• Ask for accountability and access to redress for the torture alleged by those individuals and others

• Ask the Attorney General to commit to reviewing the Senate Torture Report, including for evidence of federal crimes.

• Ask the Justice Department to re-open and expand investigations and, where sufficient evidence is available, bring prosecutions for those responsible for torture.
Dear Attorney General Lynch,

It has been one year since the Senate Select Committee on Intelligence released a summary of its report on the CIA’s secret detention program (Senate Torture Report). I am alarmed that in the time since that report’s release, the Justice Department has not responded by initiating new investigations or prosecutions. I am writing to urge you to review the full report, and to re-open investigations into possible violations of domestic or international law.

I was shocked by the torture that I read about in the report. Forced nudity, “rectal rehydration,” beatings, hanging people from walls, death threats, sleep deprivation, and water dousing that amounts to waterboarding – this is not the America that I believe in. I will not accept that no one has been held accountable for carrying out the torture program.

For years, those who ordered and committed torture, enforced disappearances and other human rights violations in the CIA’s secret detention program have enjoyed impunity for their crimes under international law. Their impunity makes a mockery of the U.S. justice system, including the Department of Justice.

You can and should change course. The Department of Justice should promptly re-open its investigation into CIA interrogations and expand its scope to ensure that it fully complies with international law and standards, covering all CIA interrogations, detentions and renditions. The Department must ensure that it brings to justice in fair trials all the persons, regardless of their level of office or former level of office, suspected of being involved in the commission of crimes under international law, such as torture and enforced disappearance.

You have the responsibility to break from this shameful past. Indeed, you should know that the Justice Department’s failures to date have had serious ramifications for U.S. compliance with its international human rights obligations to effectively investigate evidence of crimes under international law and bring the suspected perpetrators to justice.

I hope that by the time the next anniversary of the Senate Torture Report occurs, the Justice Department will have shown the world that the United States is serious about addressing human rights violations.

Sincerely,
The Honorable Loretta Lynch  
Attorney General  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Re: Accountability for Toffiq al-Bihani’s torture

Dear Attorney General Lynch,

It has been one year since the Senate Select Committee on Intelligence released a summary of its report on the CIA’s secret detention program (Senate Torture Report). I am alarmed that in the time since that report’s release, your Justice Department has not responded by initiating new investigations or prosecutions. I am writing to urge you to review the full report, and to re-open investigations into possible violations of domestic or international law.

I was shocked by the torture that I read about in the report. I was moved to write because I heard the story of Toffiq al-Bihani. He alleges torture at the hands of the U.S. government, including forced nudity, sleep deprivation, beatings, being tied to a wall for ten days, and having a gun placed to his head and threats to kill him. Last year’s Senate Torture Report states that Toffiq was one of 17 detainees on which the CIA used unauthorized tactics. Not only has no one been held accountable for their treatment of Toffiq, but he remains indefinitely detained in Guantánamo despite being approved for transfer in 2010.

For years, those who ordered and committed torture, enforced disappearances and other human rights violations in the CIA’s secret detention program have enjoyed impunity for their crimes under international law. Their impunity makes a mockery of the U.S. justice system, including the Department of Justice.

You can and should change course. The Department of Justice should promptly re-open its investigation into CIA interrogations and expand its scope to ensure that it fully complies with international law and standards, covering all CIA interrogations, detentions and renditions. The Department must ensure that it brings to justice in fair trials all the persons, regardless of their level of office or former level of office, suspected of being involved in the commission of crimes under international law, such as torture and enforced disappearance.

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I was shocked by the torture that I read about in the report. I was moved to write because I heard the story of Mustafa al-Hawsawi. The Senate Torture Report executive summary shows he was subjected to cold “water dousing” in a manner that may have been “indistinguishable” from the torture technique known as “waterboarding.” The Senate report also found that he had been subjected to excessive force during rectal examination. He was later diagnosed with “chronic hemorrhoids, an anal fissure, and symptomatic rectal prolapse.” He continues to receive inadequate medical care for his condition.

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You have the responsibility to break from this shameful past. Indeed, you should know that the Justice Department’s failures to date have had serious ramifications for U.S. compliance with its international human rights obligations to effectively investigate evidence of crimes under international law and bring the suspected perpetrators to justice.

I hope that by the time the next anniversary of the Senate Torture Report occurs, the Justice Department will have shown the world that the United States is serious about addressing human rights violations.

Sincerely,
The Justice Department still has not re-opened and expanded investigations into torture, based on the new evidence in the Senate Torture Report. Call the Department and ask that it complies with its legal obligations to ensure accountability for CIA torture and access to redress for its victims.

Call the Department Comment Line: 202-353-1555

Sample Script

Hello, my name is [insert name here] and I am calling from [insert location here]. I am a member of Amnesty International.

I am calling to express my concern about the Justice Department’s disregard of the Senate Select Committee on Intelligence report on the CIA’s secret detention program, known as the “Torture Report.” The Attorney General should order a review of the Senate Torture Report and potential violations of federal and international laws immediately.

The Department must make sure that it brings to justice in fair trials all persons suspected of being involved in the commission of crimes under international law, such as torture and enforced disappearance.
Make a Phone Call to Your Members of Congress

Your Member in the House of Representatives and your two Senators were elected to Congress to represent you in the legislature. On December 9, remind them that it is the anniversary of the release of the executive summary of the Senate Select Committee on Intelligence report on CIA torture, and that you want to see accountability for that torture.

Ask your Members of Congress to make a public statement calling on the Justice Department to commit to reviewing the Senate Torture Report.

Call the Capitol Switchboard: (202) 224-3121

Sample Script

“Hello, my name is ________ and I live in _________ (city, state). I am calling since today has marked one year since the Senate Torture Report summary was released.

I was shocked by what I read in that report and I am disappointed that the Justice Department has not opened new investigations based on this new evidence of torture, which is illegal under domestic and international law.

I want to urge Rep./Sen. ________ to make a public statement calling on the Justice Department to commit to a full review of the Senate Torture Report, including any evidence of federal crimes, and to re-open and expand its investigations.”
Why it’s important

There are many misconceptions and myths surrounding Guantánamo detainees and torture survivors. Perhaps even worse, people seem to have forgotten about them. What was once a hot-button topic is now rarely debated. Many of the discussions that do take place about Guantánamo and torture are rife with misconceptions and inaccuracies. The loudest voices in media use these topics to promote prejudice and fear-mongering about national security threats.

Social media is wide-ranging, allows for easy sharing, and tailor-made for widely distributing information. Many successful public education campaigns rely heavily on social media to put issues at the forefront of public debate and to affect change.

It is essential that, in the last year of the Obama administration, the public remember that the detainees are still in Guantánamo, and the torture survivors are still waiting for justice. It is also crucial that the Obama administration know that we are also still here, campaigning for that justice.

Helpful Tips

- Include links to Amnesty action items when possible (i.e., a link to an online action or the campaign page.)

- Graphics are best posted on Instagram or Facebook, with a request that others share it

- Twitter is a good place for short, simple, jarring statements, followed by a short link to an action or more information.

- Tag others who may be interested in sharing, whether it’s a social media-savvy celebrity or a friend in your network

- Tag your Members of Congress, @Whitehouse, @TheJusticeDept, and @LorettaLynch

- Always use the hashtag #AmericanTortureStory so your posts are easily accessible to others using the same hashtag, and creates the possibility of “trending” if enough people post with the same hashtag.
Sample Tweets

- One year after the torture report, @TheJusticeDept still hasn’t committed to reviewing the report. #AmericanTortureStory

- @TheJusticeDept, it’s been one year since you received the torture report. Have you read the #AmericanTortureStory?

- Hey @TheJusticeDept, when will you open new investigations based on the Senate torture report? You’ve had one year. #AmericanTortureStory

- @TheJusticeDept, when will you investigate al-Hawsawi’s torture? You must in order not to repeat the #AmericanTortureStory.

- The CIA abused Toffiq al-Bihani. @TheJusticeDept, when will you investigate? #AmericanTortureStory

Click here to download these infographics to share on social media.
Take Action on January 11
to Close Guantánamo and End Indefinite Detention

January 11 is the fourteenth anniversary since the detention facility at Guantánamo opened for business. Soon it will have been open longer under President Obama than it was open under President Bush. To commemorate this anniversary, take action. Make yourself visible to the public and to government officials, letting them know both that the Guantánamo detainees are still there, and you’re still here, demanding justice.

On January 11, 2016

Organize/Attend a Demonstration

Generate Petition Signatures

Write a Letter to the White House

Share the Stories on Social Media

Make a Phone Call to your Members of Congress

Please contact Elizabeth Beavers ebeavers@aiusa.org
Organize/Attend a Demonstration

You are invited to the annual Guantánamo demonstration in Washington, D.C.! Contact Elizabeth Beavers (ebeavers@aiusa.org) for more information.

If you can’t make it to Washington, organize something in your own community.

1. Generate interest in your action with a Facebook event

2. Contact local media, including public and community radio stations and local newspapers, and tell them about the event

3. Create conversation around your action by sharing tweets using #ImStillHere

4. Always have a photographer present, even if it’s with a phone camera

5. Always have a designated individual engaging with the public and media

6. Have education materials ready: the handout, infographics, letters people can sign on the spot, and petitions in this toolkit

7. It’s okay to have small, but effective actions—quality is what matters.

8. Be creative

Host a simple, but compelling, public event

Organize a film screening or a panel discussion or a reading of book excerpts. (See attached resource list for suggestions.)

Contact Elizabeth Beavers for speaker suggestions. Consider inviting a law professor from a nearby college or university. Amnesty may be able to help find a lawyer who has represented a Guantánamo client to speak at your event. You can also request a speaker from 9/11 Families for Peaceful Tomorrows at http://peacefultomorrows.org/speaker-bureau-request-form/. Always have handouts and simple actions that people can take. Start planning early!

If you are a student or a teacher or the parent of a student, investigate the possibility of having the school host a panel discussion or debate about Guantánamo, either in an appropriate class, or in a special event.

Stand at a busy intersection

Contact Elizabeth for an orange jumpsuit. Carry an “I’m Still Here” or other Guantánamo sign, and hand out the infographics, Print out the handout from page 6 of this toolkit, memo, or petitions, which can all be found in this toolkit.
TRANSFER THE CLEARED DETAINNEES
OUT OF GUANTÁNAMO

Toffiq al-Bihani has been locked up in Guantánamo since 2003. He was tortured by the CIA and continues to be detained at Guantánamo, despite never being charged with a crime and actually being cleared for transfer in 2010.

Petition to President Obama and the Secretary of Defense:
Transfer Toffiq and the other cleared detainees out of Guantánamo without delay.

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Obaidullah has been locked up in Guantánamo since 2003, when he was seized from his home by U.S. Special Forces on an anonymous tip. His daughter, born two days before he was taken into custody, is now 11 years old. He has never touched or held her. He is being detained even though he is not facing any charges. He is waiting to be cleared to leave by the slow Guantánamo clearance process.

Petition to President Obama and the Secretary of Defense:
End indefinite detention. Either prosecute people under international fair trial standards, or release them. It is a violation of international law to subject people to arbitrary and indefinite detention, and it must end now.

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Write a Letter to the White House

Why it’s important

The President and his administration bear the ultimate responsibility for closing Guantánamo. President Obama has promised many times to close the detention facility, but has not yet done everything in his power to fulfill that promise. His administration has very little time remaining to take action to close Guantánamo and end indefinite detention. His national security advisors need to hear that the activists are still here, demanding that Guantánamo be closed.

Helpful tips

• Send your letter on January 11 to mark the fourteen-year anniversary of Guantánamo

• Use the sample letters below for a general ask or to write on behalf of one of these three focus detainees.

• Tell the White House how moved you are by that detainee’s story

• Ask that they do everything in their power to close Guantánamo the right way, by giving detainees fair trials or releasing them.

• Tell them that continued indefinite detention is unacceptable
ABANDON THE MILITARY COMMISSIONS AND USE FAIR TRIALS FOR GUANTÁNAMO DETAINNEES

Mustafa al-Hawsawi was captured in 2003, tortured by the CIA, and held in Guantánamo since 2006. He is facing charges before the military commissions, created after the September 11 attacks to circumvent federal civilian trials. The commissions fall short of international fair trial standards, and create the possibility that al-Hawsawi may face the death penalty after unfair trial. These commissions cannot deliver justice to the families of the victims of the attacks, nor can they protect his human rights.

**Petition to President Obama and the Secretary of Defense:**
Abandon the failed military commissions system and give the Guantánamo detainees fair trials under international law standards without recourse to the death penalty.

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The Honorable Lisa O. Monaco  
Assistant to the President for Homeland Security and Counterterrorism  
Deputy National Security Adviser  
Office of the Homeland Security Advisor  
1650 Pennsylvania Avenue, NW  
Washington, DC 20502  

Re: Closing Guantánamo and Ending Indefinite Detention  

Dear Ms. Monaco:  

I am writing to express my deep concern about the ongoing indefinite detention taking place at Guantánamo Bay. It has now been fourteen years since the detention facility opened, and its continued existence violates the United States’ obligations under international human rights law and in opposition to the United States government’s professed values. I urge you to do everything in your power to quickly and responsibly close Guantánamo, without delay.

For many years, transfers out of Guantánamo have happened at a glacial pace. This is unacceptable. There are many still detained and very little time remaining in the Obama administration. You can and should do everything in your power to change course and to accelerate transfers out of Guantánamo.

Additionally, I urge you to abandon the military commission system that has not and cannot bring justice for the crimes against humanity committed on September 11, 2001. Only civilian trials in compliance with international fair trial standards can bring such justice and protect the human rights of the defendants. You have a responsibility to break from the failures of the military commissions and to work for real justice through federal trials in compliance with international fair trial standards.

By any reasonable moral standard, the apparently endless incarceration of these individuals is unconscionable. Under a global endless war paradigm, they appear destined to die in prison, many without ever facing charges. Many have been tortured, and the officials who orchestrated that torture enjoy impunity for their crimes. This is not the America I believe in.

I urge you to use your position of authority to ensure Guantánamo is closed without delay. Those who are not facing charges and fair trials must be released immediately. There is very little time remaining in the Obama administration, and it is essential that you use that time to restore the human rights that are being violated in the name of national security.

Sincerely
Dear Ms. Monaco:

I am writing to express my deep concern about the ongoing indefinite detention of Toffiq al-Bihani and the other detainees imprisoned at Guantánamo Bay. Toffiq and the others who have been approved for transfer remain in captivity, in violation of the United States’ obligations under international human rights law and in opposition to the United States government’s professed values. I urge you to do everything in your power to quickly and responsibly close Guantánamo, without delay.

Toffiq al-Bihani has been in Guantánamo since early 2003, after being captured and turned over to the U.S. government for custody and interrogation in early 2002. He alleges that he was tortured, particularly while in CIA custody at Detention Site COBALT. The executive summary of the Senate Intelligence Committee’s report on the CIA torture program confirms that his treatment included tactics that had not been authorized by CIA headquarters.

Toffiq al-Bihani is among those Yemeni detainees whom President Obama’s Guantánamo Review Task Force designated to be “conditionally detained,” after agreement by senior officials from the Departments of Defense, State, Justice, and Homeland Security, as well as the Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, determined that Mr. al-Bihani did not pose a threat to U.S. national security and could be transferred to a third country until the security situation in Yemen improved.

By any reasonable moral standard, Mr. al-Bihani’s apparently endless incarceration is unconscionable. The U.S. government has tortured him with impunity, has held him for 13 years with no intention of charging him with a crime, and continues to imprison him even after a stringent review process approved him for transfer. This is not the America I believe in. The U.S. government is in violation of its legal obligations and is damaging its credibility to hold other nations to those same standards.

I urge you to transfer those like Toffiq who have been approved to leave, and to either bring the rest of the detainees before federal civilian courts for proceedings that comply with international fair trial standards, or release them if they are not to be charged. Toffiq and the others should not have to spend one more night inside Guantánamo’s walls.

Sincerely,
Re: Releasing Obaidullah and the Other indefinite Guantánamo Detainees

Dear Ms. Monaco:

I am writing to express my deep concern about Obaidullah, who is facing indefinite detention at Guantánamo Bay. He has been locked up in Guantánamo since 2002, even though he is not facing any charges. It has now been fourteen years since the detention facility opened, and its continued existence violates the United States’ obligations under international human rights law and in opposition to the United States government’s professed values. I urge you to do everything in your power to release Obaidullah and to quickly and responsibly close the detention facility at Guantánamo.

Obaidullah has been incarcerated in Guantánamo since 2002 even though he is not facing charge or trial. If you do not intend to prosecute Obaidullah, you should send him home. By any reasonable moral standard, the apparently endless incarceration of Obaidullah and the others detained indefinitely is unconscionable. Under a global endless war paradigm, they appear destined to die in prison, many without ever facing charges. Obaidullah, like many others, alleges that he was tortured at the hands of the U.S. government, and the officials who orchestrated that torture enjoy impunity for their crimes. This is not the America I believe in.

For many years, transfers out of Guantánamo have happened at a glacial pace. This is unacceptable. There are many still detained and very little time remaining in the Obama administration. You can and should do everything in your power to change course and to accelerate transfers out of Guantánamo.

I urge you to use your position of authority to close Guantánamo without delay. If detainees like Obaidullah are not to be charged and tried before civilian courts according to fair trial standards, then they should be released immediately. There is very little time remaining in the Obama administration, and it is essential that you use that time to restore the human rights that are being violated in the name of national security.

Sincerely,
Dear Ms. Monaco:

I am writing to express my deep concern about Mustafa al-Hawsawi, a torture survivor facing unfair trial through the military commissions system at Guantánamo. After being tortured by the CIA, Mr. al-Hawsawi has reportedly sustained severe physical damage and is not receiving the medical care and psychiatric rehabilitation necessary to treat the damage caused by his torture. Instead, he is reportedly being held in solitary confinement as he awaits unfair trial through the military commissions. I urge you to do everything in your power to ensure that Mr. al-Hawsawi receives proper medical care and is removed from solitary confinement. Additionally, I urge you to abandon the military commissions and to quickly and responsibly close Guantánamo, without delay.

The military commission system has not and cannot bring justice for the attacks of September 11, which were crimes against humanity. Only civilian trials in compliance with international fair trial standards without recourse to the death penalty can bring such justice and protect the human rights of the defendants.

Mr. al-Hawsawi requires full and independent medical and psychiatric care and rehabilitation as a result of the torture he suffered at the hands of the U.S. government. Currently, he faces the possibility of the death penalty after unfair trial by military commission. Year after year he waits as a failed system drags on, failing to bring justice or protect his human rights. You have a responsibility to break from the failures of the military commissions and to work for real justice through federal trials in compliance with international fair trial standards. You also have a responsibility to ensure that the human rights of the detainees are protected. His continued solitary confinement and the unfair trial proceedings he faces before the military commissions are unconscionable. This is not the America I believe in.

I urge you to use your position of authority to ensure proper medical treatment for Mr. al-Hawsawi and the other torture survivors in Guantánamo. Additionally, you should close Guantánamo without delay. Those who are not to be charged and tried before civilian courts should be released immediately. There is very little time remaining in the Obama administration, and it is essential that you use that time to restore the human rights that are being violated in the name of national security.

Sincerely,
Why it’s important

There are many misconceptions and myths surrounding Guantánamo detainees and torture victims. Perhaps even worse, people seem to have forgotten about them. What was once a hot-button topic is now rarely debated, and is often pushed out of public consciousness.

Social media is wide-ranging, allows for easy sharing, and tailor-made for widely distributing information. Many successful public education campaigns rely heavily on social media to put issues at the forefront of public debate and to affect change.

It is essential that, in the last few months of the Obama administration, the public remember that the detainees are still in Guantánamo, and the torture victims are still waiting for justice. It is also crucial that the Obama administration know that we are also still here, campaigning for that justice.

Helpful Tips

• Include links to Amnesty action items when possible (i.e., a link to sign a petition or write a letter, etc.)

• Graphics are best posted on Instagram or Facebook, with a request that others share it

• Twitter is a good place for short, simple, jarring statements, followed by a short link to an action or more information.

• Tag others who may be interested in sharing, whether it’s a social media-savvy celebrity or a friend in your network

• Tag your Members of Congress and other elected officials such as @DeptofDefense or @Whitehouse or @POTUS

• Always use the hashtag #ImStillHere so your posts are easily accessible to others using the same hashtag, and creates the possibility of “trending” if enough people post with the same hashtag.
Sample Tweets

• Today is Guantánamo’s 14th anniversary. Don’t forget everyone who’s still there. #ImStillHere @DeptOfDefense @WhiteHouse

• Toffiq al-Bihani has been cleared to leave Guantánamo since 2010. He’s still there. @DeptOfDefense

• Obaidullah has been in Guantánamo since 2013 with no trial. When can he go home? @DeptOfDefense @POTUS #ImStillHere

• Torture victim Mustafa al-Hawsawi facing possibility of death penalty after unfair trial at Guantánamo. Unacceptable. @DeptOfDefense #ImStillHere

• Today is Guantánamo’s 14th anniversary, @POTUS. I won’t stop urging you to close it until it’s done. #ImStillHere

Click here to download these infographics to share on social media.
Make a Phone Call to Your Members of Congress

On January 11, remind your two Senators and one Representative that it is the fourteenth year since Guantánamo opened, and that President Obama has very little time left to fulfill his promise to close it.

Ask your Members of Congress to make a public statement calling on President Obama to close Guantánamo and end indefinite detention before he leaves office.

Call the Capitol Switchboard: (202) 224-3121

Sample Script

“Hello, my name is ________ and I live in ________ (city, state). I am calling since today marks fourteen years since the detention facility at Guantánamo opened.

I know there are people there who are cleared to leave, there are some facing charges in unfair trials, and others who are in limbo.

I want them all to either be given a fair trial or to be released. I want to tell Rep./Sen. ________ that I support closing Guantánamo, and ask him/her to make a public statement calling on President Obama to end indefinite detention before he leaves office.”
Take Action Anytime

Any day is a good day to take action against Guantánamo and torture. Here are other resources – in addition to everything else in this toolkit – that you can do any time:

Share the Stories on Social Media

Write a Letter to the Editor

Host a Film Screening or Event

Lobby your Members of Congress

Ask Your City Council to Issue a Resolution

Please contact Elizabeth Beavers ebeavers@aiusa.org
Share the Stories on Social Media

The infographics and sample tweets in this toolkit don’t have to just be used on the important dates. At any time, you can use them to educate your followers on Twitter, Facebook, or Instagram, and urge them to take action.

Click here to download these infographics to share on social media.
Write a Letter to the Editor

Why it’s important

Letters to the editor are an important way of getting and keeping Amnesty’s human rights message in the public discourse. In addition to general readers, legislators and other policy makers often take note of the views expressed in them. In fact, most elected officials run scans for their names in print. So, by mentioning your legislator in your letter to the editor, you heighten the chance that he or she will hear your message.

When you have something published in your local paper, that gives you a chance to send it to your Members of Congress and other elected officials, and to share it on social media as a way of amplifying the message. Besides submitting your own letters to your local newspaper, when you see a letter or op-ed you agree with, you can send it to your Members of Congress and let them know that it speaks for you. You can tweet it and post a link to it on Facebook.

Every day, you should scan newspapers you read regularly for any articles that provide an opportunity for a response that highlights our human rights message on Guantánamo and torture accountability.

Helpful tips

Here are some important things to keep in mind when writing letters-to-the-editor:

• Submit your letter early, preferably the same day as the article to which you are responding.

• Know your paper’s rules for letters. Adhere to their word limit; if you send them a letter that’s too long, you can’t expect them to take the time to edit it down to the proper length.

• Your letter should not just express agreement or disagreement with the thrust of the article, but should add new information or insight that contributes to ongoing discussion of the topic.

• If you are submitting a letter to a newspaper that is a major national media outlet (e.g., New York Times, Washington Post, Los Angeles Times, Chicago Tribune), it’s best not to identify yourself as being affiliated with Amnesty International in order to avoid any confusion about whether you are officially speaking for the organization.

A good letter to the editor will:

• Immediately reference the article to which it is responding
• Express agreement or disagreement
• Add new information
• Make a call for action, mentioning pertinent government officials by name.
“To the Editor:

One year after a summary of the Senate Torture Report was released, nothing has changed. No one has been held accountable for the crimes described in that document. Many of the victims are still being indefinitely detained in Guantánamo. This is not the America that I believe in. The America that I believe in would shut down Guantánamo and prosecute those who orchestrated the torture regime.

There are only a few months left in President Obama’s administration, and it is essential that he act quickly to restore the human rights that have been violated in the name of national security during his administration. He must not leave a legacy of human rights abuses and allow Guantánamo and impunity for torture to carry over to future administrations. Time is running out, and the victims should not have to wait any longer for justice.

[YOUR MEMBERS OF CONGRESS] should make a public statement urging President Obama to spend the last few months of his presidency closing Guantánamo and ensuring accountability for torture. No one should be tortured or detained indefinitely in my name or in the name of my security. Real security means human rights for all.

Name, town, affiliation"

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“I was disappointed to see that there was no coverage in your paper on Jan. 11 mentioning that it marks the fourteenth anniversary since Guantánamo’s prison was opened. It is essential that we not ignore the reality that the prison is still open, and that the individuals there have still not received justice.

Most people do not understand who is in Guantánamo or what has happened to them. Only a handful are facing any sort of charges, but instead of a genuinely fair trial, they are facing a military commissions system that can neither preserve their human rights nor properly ensure justice for the victims of the September 11 attacks. Many others have for years been cleared to leave but are still waiting. The rest are in limbo – facing no charges, but not yet cleared by the slow-paced system. Many of those detained have endured torture at the hands of the U.S. government.

This is inexcusable, and it is not the America that I believe in. No one should be locked up indefinitely in the name of national security. No one should be tortured in my name. I call upon [YOUR MEMBERS OF CONGRESS] to publicly urge President Obama to close Guantánamo and to ensure accountability for torture before he leaves office.

Name, town, affiliation"
Host A Simple, But Compelling Public Event

Organize a film screening or a panel discussion or a reading of book excerpts. (See attached resource list on pages 11-13 of this toolkit for suggestions.) Contact Elizabeth Beavers for speaker suggestions. Consider inviting a law professor from a nearby college or university. Amnesty may be able to help find a lawyer who has represented a Guantánamo client to speak at your event. You can also request a speaker from 9/11 Families for Peaceful Tomorrows at http://peacefultomorrows.org/speaker-bureau-request-form/. Always have handouts and simple actions that people can take. Start planning early!

If you are a student or a teacher or the parent of a student, investigate the possibility of having the school host a panel discussion or debate about Guantánamo, either in an appropriate class, or in a special event.
Lobby Your Members of Congress

Why it’s important

The key to justice and accountability for torture and indefinite detention is to generate pressure on the Obama administration. It is unlikely that this Congress will pass positive legislation, so the best thing that Members of Congress can do is to vocally and publicly call on the Obama administration to close Guantánamo, end indefinite detention, and bring accountability for torture.

Members of Congress need to hear that the constituents they represent are still deeply concerned about Guantánamo and torture, and that those constituents expect their Members of Congress to actively to restore the human rights violated by these policies.

There is very little time left in the Obama presidency, so every opportunity to put pressure on this administration to improve its human rights legacy is key.

Helpful tips

- Reach out to the AIUSA state legislative coordinator for your area by emailing grassroots@aiusa.org.
- Schedule a meeting with your Member while he or she is in district, if possible
- If not, schedule a meeting with the relevant staffer in the district. Look up your Senators’ or Representatives’ Web pages, and find the district office closest to you. Call the office and ask for the scheduler. Tell them you would like to set up a meeting for yourself, and mention any others in your delegation who will join you. Tell them it is in reference to Guantánamo and torture, and they will direct you to the appropriate staffer.
- Bring a delegation of concerned constituents if you can – there is strength in numbers!
- Be sure to thank the Member or staffer for their time and for something they’ve done. Even if it’s just for their public service.
- Have each person in the delegation introduce themselves and explain their ties/involvement in the district.
- Tell them that you are concerned that Guantánamo will not be properly closed, and there will not be accountability for torture, before President Obama leaves office.
- Share the story of one of the case studies in this toolkit. Tell them why that story moves you.
- Tell them you believe the next few months are crucial to call upon the administration to do everything in their power to restore the human rights violated by indefinite detention and torture.
- **Ask that the Member of Congress make a public statement calling on President Obama to close Guantánamo, end indefinite detention, and ensure accountability for torture before he leaves office.**
- **Ask that the Member of Congress write the Attorney General calling on her to commit to reviewing the Senate Torture Report, including evidence of federal crimes that would warrant reopening and expanding investigations into torture.**
- **Print the “leave-behind” on the next page of this toolkit and leave it with the staffer.**
- Be sure to follow up! Check back later to ask the staffer whether the Member has considered issuing the statement, and how you can support the Member in that effort. Remember that you do not have to be an expert – simply show the Member and his or her office that you are a concerned constituent.
- Don’t forget to visit http://www.amnestyusa.org/debrief after your lobby visit!
There are three types of people who remain in Guantánamo

Many have been cleared to be transferred out of Guantánamo, after agreement by senior officials from the Departments of State, Defense, Justice, and Homeland Security, as well as the Office of the Director of National Intelligence and the Joint Chiefs of Staff, that the individual poses no threat to U.S. national security. Toffiq al-Bihani is one of those approved for transfer since 2010 who is still waiting to leave.

Ten have been either charged or convicted through the military commissions system. The attacks of 9/11 were crimes against humanity, and those who perpetrated the attacks should face justice. But the military commissions system cannot bring that justice, and cannot protect the human rights of the defendants. Mustafa al-Hawsawi is one such detainee. After suffering torture at the hands of the U.S. government – as detailed in the Senate Torture Report executive summary last year – he waits years on end for an unfair trial to even begin, without adequate medical or psychiatric care.

The detainees who have not been cleared for transfer, and are also not facing charges, are simply waiting in limbo. Obaidullah is one of those detainees, and has been waiting in Guantánamo since 2002.

Please make a public statement urging President Obama to close Guantánamo, end indefinite detention, and hold torturers accountable before he leaves office.

Please write the Attorney General, calling on her to commit to reviewing the Senate Torture Report, including evidence of federal crimes that would warrant reopening and expanding investigations into torture.

Contact Elizabeth Beavers (ebeavers@aiusa.org) or Naureen Shah (nshah@aiusa.org) for more information. http://www.amnestyusa.org/our-work/campaigns/security-with-human-rights
Lobby Your City Council or Student Legislature on Guantánamo

Why it’s important

When people talk about Guantánamo detainees, there is a lot of fear and hate. Certain cities even publicly assert that they don’t want any current or former detainees to come into their area, even for trial or detention.

There is a real need for not just federal government officials in Washington to correct the misinformation about Guantánamo and torture, but also for local officials to do the same. If local city councils would pass resolutions denouncing torture, calling for accountability, and welcoming former detainees into their community, it would help focus national attention in a positive way and would counter the hate and fear that is all too often expressed instead.

Gather a delegation of other activists in your community and meet with city council members, asking that they pass a resolution welcoming cleared Guantánamo detainees and torture victims into their communities. Or you can ask your student body legislature to pass a resolution urging the community to welcome former detainees and torture victims.

Helpful tips

• Create a coalition of support from local human rights groups by asking to guest present at one of their regular meetings. Most groups have a voting process for supporting bigger actions. Keep a growing list of supporting groups and organizations.

• Go before the advisory board that advises your city on social justice and human rights issues (e.g. Social Justice Committee, Human Rights Commission, etc.) and ask that they champion the resolution before your city council or at least sign a letter of support.

• Launch a public relations campaign and generate media attention through innovative local actions; maintain friendly press contacts.

• Target specific “likely friendly” City Commissioners and their staffers; find someone who will champion the cause from “the inside.”

• Focus on the message of local inclusiveness and anti-Islamophobia.

See the next page for a sample resolution to suggest to your council.
Adopt a Resolution supporting the closure of the prison at Guantánamo Bay Naval Base, Cuba in the interests of human rights, national security and justice; calling on Congress to remove the senseless ban on the domestic transfer of those detainees approved for transfer; and offering to welcome one or more approved for transfer detainees into this community.

WHEREAS, the continued detention without charge or trial of the 57 men in Guantánamo Bay, Cuba who have been approved for transfer is a violation of the human rights treaties to which the United States is a party, and is incompatible with our national and local values of freedom and justice; and

WHEREAS, these detainees have been deemed no future threat by agreement of the Department of Justice, Department of Defense, Department of State, Department of Homeland Security, Office of the Director of National Intelligence, and Joint Chiefs of Staff; and

WHEREAS, Guantánamo detainees have undergone a wide range of interrogation procedures that constitute torture or maltreatment; and

WHEREAS, the detention facility at Guantánamo Bay has led the world to question the United States’ commitment to the rule of law, human rights, and the rejection of torture as an acceptable practice; and

WHEREAS, In January 2014, 29 retired Generals and 3 Admirals wrote President Obama reminding him they oversaw his signing of 3 executive orders that banned torture, closed CIA “black sites” and put Guantánamo on a path to closure. They further urged him to transfer all cleared detainees as soon as possible and complete reviews on the remaining eligible detainees by the year’s end, further stating, “Guantánamo does not serve America’s interests. As long as it remains open, Guantánamo will undermine America’s security and status as a nation where human rights and the rule of law matter.”; and

WHEREAS, President Obama has vowed repeatedly to close the detention center at Guantánamo Bay Naval Base, stating in January 2009 that Guantánamo would be closed by January 2010, later stating that, “It is a recruitment tool for extremists”; and

WHEREAS, many detainees cleared for transfer cannot be repatriated for various reasons; and

WHEREAS, the U.S. Congress has shamefully passed a ban on the transfer of any cleared detainees onto our own soil, even while the Obama Administration sends ambassadors around the world looking for foreign sanctuary for these approved for transfer detainees; and

WHEREAS, this city has many resources to help such detainees with trauma from their imprisonment, and is known as a welcoming community; and

WHEREAS, the ban on the domestic transfer of detainees reflects widespread misinformation that is detrimental to cohesion and inclusiveness in our communities; and

NOW THEREFORE BE IT RESOLVED that the Council of this City:

1) Supports and reaffirms President Obama’s call for the closure of Guantánamo in furtherance of our country’s human rights and national security interests;

2) Calls on Congress to remove its senseless ban on the domestic transfer of detainees;

3) And makes known that one or more detainees approved for transfer would be welcome into this community.

Be it further resolved that copies of this Resolution be sent to the President and Attorney General of the United States, the United States Senators for this state, and the United States Representative for this District.