



ACTION BRIEF

# CLOSE GUANTÁNAMO

SECURITY WITH HUMAN RIGHTS PROGRAM

Every detainee should be fairly tried or released.

*Toffiq al-Bihani, a 46-year-old Yemeni national, has been held at Guantánamo Bay since early 2003. He has never been charged with a crime. Although all relevant US national security agencies determined in 2010 that al-Bihani does not pose a security risk and can be safely transferred out of Guantánamo, he remains imprisoned there, nine years later.*

The U.S. Government opened the detention center at Guantánamo Bay in January, 2002, to house people outside the reach of the law after the attacks of September 11, 2001. Since then, 780 men have been detained at Guantánamo. Seventeen years after its opening, 40 detainees remain. Most have never been charged with a crime. In contrast with President Obama who at least wanted to close the prison, President Donald Trump has promised to keep it open and “load it up with some bad dudes,” however he defines them.

It is time to restore the rule of law. International human rights law requires that each detainee either be fairly tried in a civilian court or released to a country where their rights will be respected. Many of the men remaining at Guantánamo without charge or trial were tortured or otherwise mistreated by US agents. This is a violation of human rights and illegal under US and international law. Tactics included beatings, forced nudity, death threats to the detainee and his family, mock executions, short-shackling, stress positions, prolonged sleep deprivation, exposure to hours 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.



## TAKE ACTION

- 1 Urge the Department of Defense to transfer Toffiq al-Bihani and close the Guantánamo detention center by signing and sharing our petition at [www.amnestyusa.org/toffiq](http://www.amnestyusa.org/toffiq) or write letters to Acting Secretary Patrick Shanahan, Secretary of Defense, 1000 Defense Pentagon, DC 20301-1000.
- 2 Call your congressional representative at 202-225-3121, urging them to hold hearings on why Toffiq al-Bihani and other detainees cleared for transfer by U.S. national security agencies for years remain stuck at Guantánamo.
- 3 Call the White House at 202-456-1414 urging the Trump administration to close Guantánamo and to immediately transfer all prisoners cleared or provide legitimate trials for those accused of crimes.

Please let us know if you took  
action by emailing  
[SECURITY@AIUSA.ORG](mailto:SECURITY@AIUSA.ORG)  
so that we can keep a tally.

## TRANSFER TOFFIQ AL-BIHANI OUT OF GUANTÁNAMO

In at least 5 cases, the torture included sodomy and other sexual assault. At least 3 cases included waterboarding, which simulates drowning. After such harrowing experiences, their ongoing indefinite detention can only compound the hopelessness many of them reportedly feel. The physical consequences of the United States' abusive policies continue as well. All torture survivors should have access to rehabilitation services and full and independent medical care. Those imprisoned at Guantánamo do not. Like many detainees at Guantánamo, Toffiq al-Bihani 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 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 later transferred and held in solitary confinement for five months. He was then transferred to CIA custody around October 2002, where he was tortured. He was transferred to Guantánamo in early 2003. Like most detainees at Guantánamo, Toffiq al-Bihani has never been charged with a crime, given a trial, or convicted of any wrongdoing. The very existence of the U.S. detention center at Guantánamo is a violation of international laws and standards that are binding on

the United States. 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. This has not happened in the United States.

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