

GHALEB AL-BIHANI, ISN 128

IN DIRE HEALTH & DETAINED FOR OVER A DECADE WITHOUT CHARGE

Ghaleb Al-Bihani is a young man from Yemen who is in seriously ill health and who has been detained at Guantánamo for over a decade without any charge.¹ He has been imprisoned for 11 years and will continue to be held indefinitely—on the basis of allegations that he was an assistant cook for a group that no longer exists. Ghaleb sought justice all the way up to the U.S. Supreme Court, but that court, his last hope for legal redress in the United States, refused to hear his case in April 2011.

Ghaleb lives with physical illness, including diabetes, and suffers from pain and psychological anguish. He recently expressed that the “current circumstances have become unbearable.” In his more hopeful moments, he imagines rebuilding a peaceful life beyond the prison walls. Despite his depression, he is trying to learn languages and other skills to improve himself in detention, and still dreams of the chance to rebuild his life. He would accept both repatriation to his country or safe resettlement in a third country.

Ghaleb’s health status

Ghaleb has been described by the Joint Task Force Guantánamo (JTF-GTMO) as being “on a list of high risk detainees from a health perspective.” His ailments include Type 2 Diabetes, asthma, chronic migraine headaches, chronic neck and lower back pain, depression, and anxiety. His blood sugar level fluctuates dangerously, rising as high as 700. He has been hospitalized for weeks at a time over the past several months, and medical personnel at Guantanamo have told him they are gravely concerned about his health. Ghaleb’s physical and psychological health have declined markedly over the last several months, and his attorneys assess that he is now in critical condition.

Ghaleb’s attempts to challenge his detention in U.S. courts

In January 2009, Judge Richard Leon denied Ghaleb’s habeas petition, ruling that Ghaleb could continue to be detained indefinitely at Guantánamo without charge, on the basis of allegations that he was a kitchen aide for Arab forces in Afghanistan supporting the Taliban in a local conflict against the Northern Alliance pre-9/11. In January 2010, the decision was affirmed by the D.C. Circuit in an opinion that disavowed the relevance of international law in determining the scope of the government’s detention authority—a position even the government rejects.

¹ Ghaleb’s Internment Serial Number (ISN) at Guantánamo is 128.

In August 2010, the full circuit court reviewed the January 2010 ruling, declining to endorse the claims about the irrelevance of international law, but affirming the denial of Ghaleb's habeas petition. In April 2011, the Supreme Court, Ghaleb's last hope, denied his petition for certiorari. As a result, an alleged kitchen aide, who was never accused of having raised arms against U.S. or allied forces, has lost 11 years of his life at Guantanamo and continues to be held indefinitely.

More information

Ghaleb Al-Bihani is represented by attorneys at the Center for Constitutional Rights. For more information, the Commission should contact:

Pardiss Kebriaei
Center for Constitutional Rights
pkebriaei@ccrjustice.org
(212) 614-6452