



**DJAMEL AMEZIANE
ALGERIAN GUANTÁNAMO DETAINEE IN NEED
OF HUMANITARIAN PROTECTION;
DETAINED SINCE FEBRUARY 2002 AND
CLEARED FOR TRANSFER SINCE
OCTOBER 2008**

Date of Birth: April 14, 1967

Citizenship: Algerian

Ethnicity: Berber

Education: Institut Hydraulique de Ksar Chellala, college diploma, 1991

Languages: French, Arabic, English, German (limited)

Prior Residences: Vienna, Austria; Montreal, Canada

Prior Employment: Water and waste disposal technician; chef; salesman

Personal Interests: Football; cooking; drawing and painting; writing; reading mystery novels and French fashion magazines for men

CURRENT CRISIS AT GUANTÁNAMO

Djamel Ameziane has been indefinitely detained at Guantánamo for more than a decade, despite being cleared for transfer by President Bush in October 2008 and again by the Obama Administration's Guantánamo Review Task Force in May 2009. As of February 2013, Mr. Ameziane, along with the majority of men at Guantánamo, has been on a hunger strike to protest his indefinite detention and the Obama Administration's failure to close the prison. He has reported that he has lost close to sixty pounds and his health is deteriorating rapidly, including weakening vision, frequent nosebleeds, and extensive skin problems.

I am locked up in my cell twenty two hours a day and I only get out of my cell two or three times a week. . . . And it is very difficult for me to communicate with another prisoner while I am inside my cell, even with the prisoner staying in the cell next to mine. I am not allowed to take a shower except when it is my turn to go out for a rec-walk. . . . In my cell, I have no soap bars, no toothbrush, no tooth paste and no towel, and I'm only entitled to have such items when I go to the shower. I don't have a mattress - but rather an Isomat, nor a pillow They confiscated all my personal belongings, just everything I had in my possession, even my legal mail. [April 25, 2013 Letter from Guantánamo Bay, Cuba]

Because of the hell we are living here, I am really expecting people to die, instead of resolving the problems, the authorities here are pushing us to the extreme. I feel that they really want us to die. What is currently happening here has never happened before, even in the dark days of the Bush administration. [May 19, 2013 Letter from Guantánamo Bay, Cuba]

OVERVIEW

Mr. Ameziane is a college-educated citizen of Algeria. An ethnic Berber, Mr. Ameziane fled his home country more than 20 years ago in order to escape escalating violence and insecurity, and in search of a better life. He traveled first to Austria, where he worked as a high-paid chef in an Italian restaurant, and then to Canada, where he sought political asylum and lived for five years but was ultimately denied refuge. Fearful of being deported to Algeria, and faced with few options, Mr. Ameziane went to Afghanistan. He traveled to Afghanistan because it was the only country he could think of where, as a Muslim man, he might live peacefully and without constant fear of being returned to Algeria. He fled that country soon after the fighting began in October 2001, but was captured by local tribal authorities after crossing the border into Pakistan. They turned him over to Pakistani police, who turned him over to U.S. forces for a bounty. The Americans transported Mr. Ameziane first to the airbase at Kandahar, Afghanistan, and then to Guantánamo Bay, Cuba in February 2002, where he remains imprisoned today.

LEGAL CHALLENGES

Mr. Ameziane filed a petition for a writ of habeas corpus in the U.S. District Court for the District of Columbia in February 2005. Recently unsealed court documents show that in December 2008, the U.S. government attempted to avoid litigation and argued for a stay in the case because the detention of Mr. Ameziane was no longer “at issue” because he had been cleared for transfer and that the “only issue truly remaining is the country to which [Mr. Ameziane] should be sent.” The U.S. also asserted that there were no “military rationales” for Mr. Ameziane’s continued detention and that “steps are [being] taken to arrange for the end of such custody.” In May 2009, the Court stayed the case indefinitely, over Mr. Ameziane’s objections, and without issuing a ruling on the merits of his petition.

Mr. Ameziane also filed a petition before the Inter-American Commission on Human Rights (“IACHR”) in August 2008, in which he challenged his arbitrary detention and mistreatment at Guantánamo, including his torture and abuse, and the denial of adequate medical care, as well as his risk of forcible transfer to Algeria. The IACHR promptly issued urgent precautionary measures to ensure that he is not transferred or removed from Guantánamo to any country, including Algeria, without his express consent. In March 2012, the IACHR issued a landmark admissibility report in Mr. Ameziane’s case, marking the first time the IACHR has accepted jurisdiction over the case of a man detained at Guantánamo, and underscores the fact that there has been no effective domestic remedy available to victims of unjust detentions and other abuses at the base. The case is currently pending.

FEAR OF RETURN TO ALGERIA AND NEED FOR HUMANITARIAN PROTECTION

Mr. Ameziane has a credible fear of persecution if he were to be returned to Algeria. He is a member of the persecuted Berber minority group. The stigma of having spent time in Guantánamo would also be enough to put him at risk of being imprisoned if he is returned. Algeria has a documented history of torture and ill-treatment of its prisoners, particularly those suspected of links with terrorism, which international human rights organizations and the U.S. Department of State itself have recognized. All of the Algerians transferred out of Guantánamo so far have been detained immediately upon arrival for questioning for a period of nearly two weeks, during which they were denied access to a lawyer and their families. Several of them face the prospect of fundamentally unfair trials. Some were returned against their will, and at least one has suffered serious persecution.

Mr. Ameziane remains trapped at Guantánamo until a third country offers him safe resettlement. In 2008, the Anglican Diocese of Montreal submitted a private sponsorship application asking the Canadian government to accept Mr. Ameziane as a refugee “in urgent need of protection”, which has the support of the Canadian Council for Refugees, Amnesty International Canada and the Center for Constitutional Rights. His application is currently under review.

After he is released, Mr. Ameziane hopes to get married and start a family of his own; to work and live a quiet life in freedom; and to begin the process of rebuilding and enjoying his life after Guantánamo. He has lost the last decade of his life to Guantánamo, and his detention continues to be indefinite and perpetual. Nevertheless, he continues to have remarkable strength and hope for his future.

TAKE ACTION

- Write letters of hope to Djamel:
ADDRESS: Djamel Ameziane, ISN 310, U.S. Naval Station, Guantánamo Bay, Cuba, Washington, DC 20355
- Visit ccrjustice.org/ameziane and share Djamel’s story with your friends on Facebook and Twitter.

Mr. Ameziane is represented by attorneys at the Center for Constitutional Rights. For more information about him, please contact: J. Wells Dixon, Center for Constitutional Rights, 666 Broadway, 7th Floor, New York, NY 10012, Tel.: (212) 614-6423, wdixon@ccrjustice.org