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17 Innocent Uighurs Detained at Guantánamo Ask Supreme Court for Release

Supreme Court Asked to Determine Whether an Illegally Imprisoned Detainee is Entitled to a Remedy

Washington, D.C. – Today, lawyers for 17 Uighurs imprisoned at Guantánamo Bay asked the Supreme Court to recognize that the right to habeas corpus requires a remedy when a court finds that an individual is wrongly detained. The petition for the writ of certiorari, filed at the Supreme Court, asks for the Uighurs release from the detention center, where they have been detained since 2002. If the Court agrees to hear *Kiyemba v. Obama*, this would be the first time that it hears a Guantánamo case since deciding the landmark *Boumediene v. Bush* in June 2008.

"We now have asked the Supreme Court to hear the Uighur cases, and rule that the writ of habeas corpus guarantees to the innocent not just a judge's learned essay but something meaningful – their release," said **Sabin Willett, of Bingham McCutchen**, lead attorney for the Uighur detainees.

In October 2008, D.C. District Court Judge Ricardo Urbina ordered the U.S. government to release 17 wrongly-imprisoned Guantánamo detainees into the United States. The men, Uighurs from China, had been imprisoned without charge for over seven years. The U.S. government has acknowledged it neither had the authority to detain them nor could it release them to China because of a risk of torture. However, on February 18, 2009, the D.C. Circuit Court of Appeals reversed the decision and held that the indefinite detention of the men could continue. The men have now asked for the Supreme Court to review the case and find, as the District Court did, that their "release into the continental United States is the only possible effective remedy."

"This is now President Obama's Guantánamo. If he is truly committed to closing the detention center, these men should be on a plane to restart their lives in the United States," said **Emi MacLean**, staff attorney at the **Center for Constitutional Rights (CCR)**. "The U.S. government has acknowledged that these 17 men are wrongly imprisoned and have nowhere safe to go. Seven years is too long for such a grand mistake to go without a remedy."

The petition reads: “This Court has already held that imprisonment the Executive cannot show to be authorized by law is a particular wrong that does have a remedy, and that remedy is release.”

For a copy of the petition or to learn more about *Kiyemba v. Obama*, [click here](#).

CCR has led the legal battle over Guantánamo for the last six years – sending the first ever habeas attorney to the base and sending the first attorney to meet with a former CIA “ghost detainee” there. CCR has been responsible for organizing and coordinating more than 500 pro bono lawyers across the country in order to represent the men at Guantánamo, ensuring that nearly all have the option of legal representation. In addition, CCR has been working to resettle the approximately 60 men who remain at Guantánamo because they cannot return to their country of origin for fear of persecution and torture.

The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change.