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United States Department of Defense  
Office of the Secretary of Defense  
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- USA -

### **CASE OF AMMAR AL-BALUCHI**

Dear Secretary of Defense,

with this letter I would like to express that I am very concerned about the case of Ammar al-Baluchi.

Kuwait-born Ammar al-Baluchi faces the death penalty in connection with his trial before a military commission at the US naval base at Guantánamo Bay, Cuba. He was charged with wiring money to men later involved in the hijackings of the planes used in the 11 September 2001 attacks.

In April 2003, Ammar was abducted and taken into US custody in Pakistan. For the next three years, the CIA subjected him to enforced disappearance, moving him to different CIA-operated "black sites". Throughout this time, Ammar was brutally tortured by CIA authorities as part of their interrogation program. Acts of torture that he was forced to endure include water torture similar to water boarding; continuous high-volume music; extreme sleep deprivation; forced nudity, and beatings that have resulted in a painful traumatic brain injury.

Ammar was transferred to prison at Guantánamo Bay in 2006, where he still is today. He continues to suffer from symptoms including the inability to sleep, along with severe physical and psychological pain, as a result from his torture and brain injury. He has yet to receive medical treatment or rehabilitation for his extensive injuries. This continues to affect Ammar's ability to participate effectively in his own defense, even though the United States has invoked the death penalty against him.

Unfortunately for Ammar al-Baluchi and other individuals who have been tortured in the CIA secret detention program, the US has actively shrouded their extensive use of torture. Ammar and other detainees' experiences – including their own memories of their torture – have been classified as Top Secret. As a result, their recollections of years of torture cannot be shared to the public until authorities declassify them. This leaves Ammar unable to share the things he felt, saw, and experienced. The tortured are essentially silenced by their torturers, leaving the authorities unaccountable for the suffering and pain they inflicted upon detainees, including the trauma that torture survivors are now forced to bear.

Despite the CIA classifying Ammar's experiences of torture, classified information about Ammar's torture was provided by the CIA to the filmmakers of the Hollywood film 'Zero Dark Thirty'. The classified information provided to the filmmakers has never been provided to Ammar's lawyers.

I understand that the victim family members of the 9/11 attacks want justice. It is impossible not to share their concern at the fact that it is taking this long to see the trials start. But what does "justice" feel like at Guantánamo?

January 11, just days President Biden took office in the White House, marks the 19th anniversary of the opening of the detention center at the U.S. military base at Guantánamo Bay, Cuba. Amnesty International is calling upon the President to make good on his 2009 promise to close the detention center immediately upon taking office.

I, therefore

1. am concerned that the charges against Ammar al-Baluchi and his co-defendants carry the death penalty and want to point out international law prohibits the death penalty based on any trial that has not met the highest standards of fairness, and that the military commission trials do not meet such standards.
2. urge that the military commissions be abandoned in favor of trials in ordinary US civilian courts and that pursuit of the death penalty be dropped in any case, whatever the trial forum.
3. would like to point out that if confessions were obtained under torture, these must not be taken into account in a fair trial under the rule of law.
4. call for a prompt, full medical assessment of Ammar al-Baluchi's physical and psychological injuries and related apparent mental disability which he developed as a result of torture.
5. urge that Ammar al-Baluchi receives all necessary treatment and rehabilitative care.
6. call upon the U.S. Government to close the detention facility at Guantánamo.

Yours Sincerely