



PRESS RELEASE

Contact:

Jen Nessel, CCR, +1 212 614 6449, jnessel@ccrjustice.org

Andreas Schueller, ECCHR, Berlin, +49 30 40048590, schueller@ecchr.eu

French Court Investigating U.S. Torture: Summons Former Gitmo Commander

April 2, 2015, Paris/Berlin/New York – Today, in a case seeking to hold U.S. officials accountable for the torture and other serious mistreatment of three French citizens formerly detained at Guantánamo, the *Chambre de l’instruction de la Cour d’appel de Paris* ordered a lower court to summon former Guantánamo Commander Geoffrey D. Miller to explain his role in the abuse. Miller went on to work at the notorious Abu Ghraib prison in Iraq, having previously expressed wanting to “Gitmo-ize” the prison.

“France took a significant step forward today towards ending the era of impunity for U.S. torture at Guantánamo. We applaud the French court for recognizing that the United States’ unwillingness to thoroughly investigate and prosecute these crimes requires that it must thoroughly investigate this case—not shelve it,” said **Center for Constitutional Rights Senior Staff Attorney and Vice President of the International Federation for Human Rights (FIDH) Katherine Gallagher**. “Geoffrey Miller must now choose whether to answer the French court’s questions or give up the ability to travel freely to the EU.”

The lower court judges had refused to summon Miller based on their belief that the United States would not cooperate in making him available. According to news reports, the French investigative judge assigned to the case, Sophie Clement, had requested access to the detention camp at Guantánamo Bay, to relevant documents, as well as to anyone who had contact with the three men during their detention. The United States has never replied.

The New York-based Center for Constitutional Rights (CCR) and Berlin-based European Center for Constitutional and Human Rights (ECCHR) supported the appeal and submitted [documents](#) explaining Geoffrey Miller’s position, while commander of Guantánamo, in the overall command structure within the United States government. The organizations also submitted background [information](#) on the torture program and the implementation of interrogation techniques at Guantánamo that violate international law, based on the findings of the 2008 Senate Armed Services Committee report on detainee torture and abuse.

“France must continue its investigations in cooperation with other European states,” said **Andreas Schueller of the ECCHR**. “Torture at Guantánamo still waits for a proper judicial reaction.”

CCR and ECCHR previously submitted an [expert report](#) in the case, in February 2014, detailing Miller’s individual criminal responsibility for prisoner abuse at Guantánamo that amounts to torture under international law. The parties requested that Miller be questioned as a suspect in the investigation proceedings.

The investigations began in France after two former Guantánamo detainees, French citizens Nizar Sassi and Mourad Benchellali, lodged a criminal complaint in November 2002. They were later joined by a third, Khaled Ben Mustapha. In January 2012, following a motion filed by the men's lawyer, William Bourdon, investigating judge Clement issued the formal request, known as a letter-rogoratory, to the U.S. government.

[See CCR's case page for more information.](#)

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. Visit www.ccrjustice.org and follow @theCCR.

The European Center for Constitutional and Human Rights (ECCHR) is an independent, non-profit legal and educational organization dedicated to protecting civil and human rights. ECCHR focusses on enforcing human rights by legal means. Since its foundation in 2007, ECCHR acted before national prosecution services and courts as well as before the International Criminal Court to bring perpetrators of international crimes to justice. From the very beginning, ECCHR pursued cases against U.S. officials for their responsibility within the U.S. torture and rendition programs. Visit www.ecchr.eu; follow @ECCHRBerlin.