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**Rehabilitation and Resettlement: Examining the Pathways of Former Guantánamo Bay
Detainees in their Pursuit of Justice, Accountability, and Resources**

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Dedication and Thanks

This study is dedicated to Dr. Alexandra Moore of Binghamton University, State University of New York, whose passion for human rights has profoundly inspired me. Through your guidance, I have come to understand the impact of Guantánamo and the lives it has touched. Your mentorship, friendship, and excellence as a professor have not only illuminated my path but also provided me with a remarkable female role model whose life and work I aspire to emulate.

To my mother, who has sacrificed so much to ensure I could pursue my dreams at Columbia University: I recognize the immense significance of your support as a single mother guiding me through both undergraduate and graduate studies. Your belief in my dreams and your relentless encouragement have been instrumental in my journey. I am deeply grateful for your unwavering love, support, and confidence in my future.

To my grandfather, who passed away this past February: I think of you all the time. Throughout this thesis-writing process, I have heard your voice and reminded myself how proud you were of me; this has been a constant source of motivation. I wish you were here to see the final results.

I extend my heartfelt thanks to Professor Belinda Cooper, my thesis advisor, whose invaluable feedback and encouragement have transformed my ideas into a coherent and impactful reality. Your guidance has been essential in grounding my work and helping me express my thoughts with clarity and intelligence.

Lastly, I dedicate this thesis to Mansoor Adayfi and Mohamedou Ould Slahi, who granted me the profound privilege of sharing their stories. As I complete my master's thesis, I am acutely aware that thirty individuals still remain in Guantánamo Bay. Born in the wake of the September 11, 2001, attacks and a native of New York, my friends, family members, and community have all felt the ramifications of that day. In the years following, I have also witnessed my country's grave human rights violations committed in the name of counterterrorism. The stories of death, struggle, and forced repatriation of former detainees weigh heavily on me. Although I have only included five case studies here, I am aware of many more whose experiences deserve to be heard and reflect the broader legacy of Guantánamo. The United States has stretched the bounds of international law too far in its counterterrorism efforts, and I believe we may never fully recover from this distortion of justice.

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Abstract:

This study investigates the resettlement and reintegration of former Guantánamo Bay detainees, focusing on their pursuit of justice, accountability, and access to resources after their release. Set against the backdrop of the War on Terror, it examines how current rehabilitation efforts fall short in providing meaningful transitional resources. Using a mixed-methods approach, including semi-structured interviews with former detainees and an analysis of existing rehabilitation frameworks, this research integrates insights from migration studies and transitional justice. It explores alternative systems for redress tailored to the needs of former detainees, critically assesses the effectiveness of current mechanisms, and identifies gaps in care. The study also highlights how these individuals advocate for themselves when existing rehabilitation efforts fail and offers recommendations for improving support systems and accountability frameworks related to the War on Terror.

A. Introduction*1. The History of Guantánamo and the Creation of the Modern Detention Facility*

The United States first occupied Guantánamo Bay in 1898, a move rooted in imperialist ambitions as it supported Cuban rebels in their fight for independence from Spain.¹ After the Spanish-American War, a lease agreement allowed the United States to establish the Guantánamo Bay naval base in Cuba, originally driven by strategic interests in the Caribbean, particularly concerning the liberation of formerly enslaved Black communities.² U.S. presence in Guantánamo has allowed the country to exercise its jurisdiction in a physical space outside of U.S. borders with the ultimate sovereignty lying with Cuba.³ Cuba has openly criticized the U.S. presence in Guantánamo Bay and its corresponding human rights abuses,⁴ calling it an

¹ Walicek, Don E. "Responding to Erasure: U.S. Imperialism, Guantánamo Bay, and Haitian Asylum Policy." *New Caribbean Studies*, 2017, 67–99. https://doi.org/10.1007/978-3-319-62268-2_3; Mayer, Jane. *The dark side: The inside story of how the War on Terror turned into a war on American ideals*. New York: Doubleday, 2008.

² "Agreement Between the United States and Cuba for the Lease of Lands for Coaling and Naval Stations." Yale Law School. https://avalon.law.yale.edu/20th_century/dip_cuba003.asp.

³ *Id.*

⁴ O'Connor, Tom. "Cuba Slams 20-Year U.S. Guantánamo 'Occupation,' 'abuses,' U.N. Seeks End." *Newsweek*, January 12, 2022. <https://www.newsweek.com/cuba-slams-20-years-us-occupation-abuses-guantanamo-bay-un-calls-closure-1668249>.

“illegitimate military occupation” and an “outrage [to] Cuba’s sovereign rights.”⁵ Cuba holds that the 1903 lease agreement is illegitimate because it was imposed without genuine consent.

In the 1990s, Guantánamo assumed a new role as a detention facility for Haitian asylum seekers, whom the United States treated as a “burden and security concern.”⁶ Despite ratifying the 1967 United Nations Protocol Relating to the Status of Refugees, the U.S. declined to grant asylum to Haitians, arguing that their motives for fleeing were primarily economic rather than political. Throughout the 1970s, Haitians arriving at Guantánamo faced rejection of refugee status and forced repatriation.⁷ This chapter of the base’s history marks the beginning of a prolonged legacy of racialized violence in Guantánamo, both through migration and detention.

Against this backdrop, the terrorist attacks of September 11, 2001, catalyzed a profound shift in global politics and the purpose of Guantánamo. Beginning with the Bush administration’s strategic expansion of the power of the executive branch, a new aggressive counterterrorism strategy culminated in the CIA’s rendition, detention, and interrogation program. Approximately 780 of the individuals extralegally extradited and transferred by this program ended up at the Guantánamo Bay detention facility.⁸ Justification for the torture of these individuals was framed around their designation as unlawful combatants and a false “ticking-time-bomb” scenario, suggesting that extracting information from these individuals by any means necessary was essential to preventing imminent terrorist attacks and saving American lives.⁹ The human rights abuses occurring at this facility have drawn international attention and sparked academic discourse about U.S. abuses of international law.

⁵ “Cuba Calls US Nuclear Submarine at Guantanamo Bay an ‘Escalation.’” Al Jazeera, July 11, 2023. <https://www.aljazeera.com/news/2023/7/11/cuba-calls-us-nuclear-submarine-at-guantanamo-bay-an-escalation#:~:text=In%20Tuesday's%20statement%2C%20Cuba's%20foreign,Spanish%2DAmerican%20War%20in%201898.>

⁶ Walicek, *supra* note 1

⁷ *Id.*

⁸ Mayer, *supra* note 1

⁹ Luban, David. “Liberalism, Torture, and the Ticking Bomb.” *Virginia Law Review* 91, no. 6 (October 2005): 1425–61. 1445.

2. *Objective*

As U.S. administrations have changed, policies regarding Guantánamo have shifted, with the Obama administration vowing to close the facility and the Trump administration advocating for its continued use as a prison. In recent years, challenges have arisen as the government grapples with reconciling the resettlement of individuals whose status remains obscure. Of particular concern were persecuted and stateless Guantánamo Bay detainees unable to be repatriated due to security concerns around restrictions under the Convention Against Torture (CAT).¹⁰ Afghan, Yemeni, Palestinian, and Uyghur Muslim detainees face difficulties in the U.S. resettlement process, leaving many as “forever prisoners” with no release in sight. While only thirty of the original 780 men remain in Guantánamo in 2024, those released to third countries continue a precarious existence, isolated from family, culture, and their new society by language barriers and stigma.¹¹

This project sits at the intersection of law and politics, exploring issues of redress, accountability, and resistance faced by detainees in navigating overlapping sovereignties¹² and human rights violations. Specifically, it will examine the following questions: What are the experiences of former detainees when they are released and how do current rehabilitation mechanisms assist or fail them in rebuilding their lives? What resources do former detainees desire and are there other rehabilitation mechanisms that might apply to meeting these needs? And how do they, as individuals outside the state apparatus, mobilize to access resources, civil

¹⁰ According to Article 3 of CAT, “[n]o State party shall expel, return (‘refouler’) or extradite an individual to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture”; Weiner, Sarah. “The Immigration Consequences of Relocating Guantanamo Detainees.” *Yale Law & Policy Review* 35, no. 2 (2017): 539.

¹¹ The New York Times. “The Guantánamo Docket.” The New York Times, May 18, 2021. <https://www.nytimes.com/interactive/2021/us/guantanamo-bay-detainees.html>.

¹² In this paper, the term ‘overlapping sovereignties’ is used to refer to a situation where multiple governing entities hold authority over the same population. In the case of resettled Guantánamo Bay detainees, this term is used to address the experience of being governed by the United States, the detainee’s country of origin, and their country of resettlement.

society, and accountability measures to address any gaps in care? This project argues that current resettlement and reintegration programs for former Guantánamo detainees are inadequate and proposes a framework based on lessons from other rehabilitation efforts and suggestions from former detainees.

B. Literature Review

This literature review delves into these questions within three broader academic discourses: resettlement, transitional justice, and migration studies. The first body of scholarship examines the challenges of resettlement and reintegration faced by former detainees, highlighting how the legal ambiguity surrounding their status hinders their access to conventional support systems. The second section explores ongoing transitional justice efforts concerning the Guantánamo Bay detention facility, examining the complexities of detainees navigating traditional avenues of redress within a context often at odds with prevailing American and War on Terror frameworks. The last section connects reintegration and transitional justice approaches to migration studies to illuminate how the unique positionality of detainees might empower them to engage in resistance through political and legal avenues to obtain justice, accountability, and reintegration resources.

I. Resettlement and Reintegration

Despite the growing number of detainee releases in recent years, scholarship on the resettlement and reintegration of former Guantánamo Bay detainees remains severely limited, largely due to the secrecy shrouding negotiations between the United States and foreign governments.¹³ The few existing studies primarily address the negative psychological and social impacts of Guantánamo on detainees after they are resettled and will be discussed in greater

¹³ Rietveld, Gaia, Joris van Wijk, and Maarten P. Bolhuis. "Who Wants 'the Worst of the Worst'? Rationales for and Consequences of Third Country Resettlement of Guantanamo Bay Detainees." *Crime, Law and Social Change* 76 (2021): 35–83. <https://doi.org/10.1007/s10611-020-09932-z>.

detail in the methodology section of this paper. Consequently, much of the literature on reintegration draws from analogous cases of resettlement and reintegration of criminals, extremists, and Prisoners of War (POW).¹⁴ While these comparative contexts offer valuable insights into existing programs and state approaches to the release of formerly detained individuals, a notable gap persists in understanding the unique circumstances of Guantánamo Bay detainees.¹⁵

The Bush administration's creation of the category of "enemy combatant" through the Torture Memos complicated the reintegration and resettlement prospects for former Guantánamo Bay detainees. Additionally, the reintegration and resettlement of former detainees, particularly those ineligible for repatriation to their home countries, pose distinct national security concerns. Policymakers express apprehensions regarding potential recidivism and the maintenance of foreign relations, often advocating for severe restrictions on resettling former detainees in European nations.¹⁶ While the release for Guantánamo Bay detainees remains complicated, existing research on the rehabilitation and reintegration of former combatants and prisoners significantly informs this work. This paper sits in conversation with these sources, linking their findings and methodologies to the context of Guantánamo. By analyzing the successes of these programs' approaches, it explores how these efforts could potentially benefit former detainees.

2. Transitional Justice

Transitional justice, emerging as a sub-discipline of human rights in the late twentieth century in Latin America and Eastern Europe, gained its initial momentum with the landmark

¹⁴ Rom, Sheila A. "'Extremist' Rehabilitation: A Fundamental Misunderstanding? Divergent Micro and Macro-Level Narratives Regarding Motivations of Former Guantanamo Bay 'Extremists' Participating in the Saudi Arabian De-Radicalization and Rehabilitation Program." *Brussels Journal of International Studies* 10 (2013): 144–86.

¹⁵ Iyer, Nandini, Krista Kshatriya, Jonas Lerman, and Laura Weitzman. *Returning home: Resettlement and reintegration of detainees released from the U.S. Naval Base in Guantánamo Bay, Cuba*. Berkeley, California: International Human Rights Law Clinic, University of California, Berkeley, School of Law, 2009.

¹⁶ Iyer et. al.

Nuremberg Trials.¹⁷ Subsequent efforts aimed at addressing and rectifying global instances of violence included efforts in South Africa to dismantle the apartheid state and tribunals to reckon with the Rwandan genocide against the Tutsis.¹⁸ This section explores the previous efforts and discussions on the applicability of transitional justice principles to the Guantánamo Bay detention facility. It examines historical instances of redress in the United States and ongoing efforts to reproduce these efforts in the context of the Global War on Terror.

While transitional justice efforts have been successful globally, their implementation has encountered significant obstacles at the state level in the United States. The reluctance of government institutions, state legislators, and educational institutions to confront the genocidal histories of Indigenous and enslaved communities highlights the hypocrisy within the nation's governance and foreign policy. American professor Noam Chomsky highlights that the failure to acknowledge these atrocities emphasizes the pervasive myth of American exceptionalism, enabling the United States to demand accountability from other nations while applying different standards of judgment to itself.¹⁹ The refusal of the United States to ratify the Rome Statute, which outlines the scope of international crimes prosecutable by the International Criminal Court (ICC), contributes to its evasion of accountability for human rights abuses, most noticeable in its actions during the Global War on Terror and the operations at the Guantánamo Bay detention facility.²⁰

¹⁷ These trials, which prosecuted prominent Nazi leaders in the aftermath of the Holocaust, marked a significant step towards international accountability and the pursuit of justice for mass atrocities.

¹⁸ Wilson, Richard A. "Justice and Legitimacy in the South African Transition." *The Politics of Memory and Democratization*, April 5, 2001, 190–217. <https://doi.org/10.1093/0199240906.003.0007>.

¹⁹ Chomsky, Noam. 2016. "American Exceptionalism: Some Current Case Studies." *Raritan* 35 (4) (Spring): 1–10, 162.

²⁰ Gondi, James. "War crimes tribunals, mass atrocities and the role of humanity's law in transitional justice." *International Journal of Transitional Justice*, vol. 8, no. 1, 7 Feb. 2014, pp. 162–170, <https://doi.org/10.1093/ijtj/ijt030>.

Despite governmental resistance to addressing its legacies of colonialism, slavery, and systemic violence against marginalized communities, the United States, “almost despite itself, [has served as] a bellwether of the global reconciliation movement.”²¹ Grassroots initiatives like the Greensboro Truth and Reconciliation Projects, which convened public hearings on the 1979 massacre of union organizers by the Ku Klux Klan (KKK), illustrate not only public demand for redress but also viable approaches to implementing transitional justice in the American context.²² Notable among state-led efforts is the acknowledgment of the imprisonment of Japanese Americans during World War II through formal apologies and reparations.²³ Analyses of such successes within the literature suggest that while holding the U.S. government accountable for its past transgressions is difficult, it remains feasible through sustained public pressure.

Despite the promising possibilities of transitional justice within the broader American context, scholars question the framework’s compatibility with the War on Terror and the operations of the Guantánamo Bay detention facility. Scholars like German jurist and judge Kai Ambos and Professor of Law Frédéric Mégret communicate that doubts linger regarding the feasibility of prosecuting former Bush administration officials, given the United States’ selective adherence to international law and the complex jurisdictional issues arising from the facility’s overlapping sovereignties.²⁴ Another question that emerges is whether or not states can be held

²¹ Campbell, James T. “Settling Accounts? An Americanist Perspective on Historical Reconciliation.” *The American Historical Review* 114, no. 4 (October 2009): 963–77. 964.

²² Campbell, 2006.

²³ Campbell, 968.

²⁴ Ambos, Kai. “PROSECUTING GUANTÁNAMO IN EUROPE: CAN AND SHALL THE MASTERMINDS OF THE “TORTURE MEMOS” BE HELD CRIMINALLY RESPONSIBLE ON THE BASIS OF UNIVERSAL JURISDICTION?” *Case Western Reserve Journal of International Law* 42, no. 1 (2009): 405-448; Mégret, Frédéric. “Transitional Justice for the ‘War on Terror?’” *Journal of Human Rights* 22, no. 5 (August 17, 2023): 643–59. <https://doi.org/10.1080/14754835.2023.2239273>.

accountable for abuses outside their borders, not only due to the conventional territorial limitations of international law but also due to the U.S.'s failure to address its internal issues.²⁵

Domestic legal mechanisms, such as the Federal Tort Claims Act (FTCA), the Alien Tort Statute (ATS), and the common law action for constitutional torts under *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, offer avenues for extraterritorial accountability. However, the literature reveals the shortcomings in each of these pathways in the context of Guantánamo due to the ambiguous legal status of the detention facility.²⁶ Furthermore, while changes in the interpretation of the ATS²⁷ have been thoroughly examined by Laura Pennelle in her article “The Guantanamo Gap: Can Foreign Nationals Obtain Redress for Prolonged Arbitrary Detention and Torture Suffered Outside the United States?,”²⁸ gaps persist in understanding new limitations on foreign nationals’ ability to hold the U.S. government accountable in its rendition, detention, and interrogation program.²⁹

²⁵ Ambos, *Id.*

²⁶ Pennelle, LN. “The Guantánamo Gap: Can Foreign Nationals Obtain Redress for Prolonged Arbitrary Detention and Torture Suffered Outside the United States.” *California Western International Law Journal* 36 (2006): 303–52.

²⁷ *Kiobel v. Royal Dutch Petroleum* determined whether the ATS could be extraterritorially. The Supreme Court ruled that the ATS did not have extraterritorial jurisdiction unless the case fulfilled the “touch of concern” requirement, which required that the case present a clear and specific connection to the United States. While the touch of concern requirement has yet to be applied in ATS litigation, there exists the possibility of its invocation. See “Clarifying *Kiobel*’s ‘Touch and Concern’ Test.” Harvard Law Review, March 24, 2023. <https://harvardlawreview.org/print/vol-130/clarifying-kiobels-touch-and-concern-test/>.

²⁸ *Id.*

²⁹ Scholars like Federico Fabbrini and Petra Stojnic have explored the extraterritorial application of human rights law in the case of terrorism and rendition through the European Court of Human Rights (ECHR) and the European Court of Human Rights (ECtHR). While cases like *Al-Skeini v. The United Kingdom* have established precedents for holding countries accountable for human rights abuses outside of their borders, these precedents do not extend to the United States as it is neither a signatory of the ECHR or within the jurisdiction of the ECtHR; See *Al-Skeini and Others v. United Kingdom*, European Court of Human Rights, Application No. 55721/07, 34163/07, 19839/07, 15197/07, 15498/07, 15520/07, Judgment of July 7, 2011; Fabbrini, Federico. “The European Court of Human Rights, Extraordinary Renditions and the Right to the Truth: Ensuring Accountability for Gross Human Rights Violations Committed in the Fight against Terrorism.” *Human Rights Law Review* 14, no. 1 (October 31, 2013): 85–106. <https://doi.org/10.1093/hrlr/ngt017>; Stojnic, Petra. “‘Gentlemen at Home, Hoodlums Elsewhere’: The Extraterritorial Application of the European Convention of Human Rights.” *University of Oxford*.

Ultimately, previous scholarship illuminates the potential incongruity and skepticism surrounding the application of transitional justice frameworks to the War on Terror and the Guantánamo Bay detention facility. Nonetheless, transitional justice ideas like retribution, justice, and accountability remain important topics in the Guantánamo conversation. While this paper expands on previous scholars' discussion of the necessity for accountability, the following section will explore how integrating insights from migration studies into transitional justice efforts might offer a more nuanced approach to addressing questions of redress and sustenance (i.e. financial compensation, mental health resources, education, community support) by centering the agency of detainees.

3. Migration Studies

Previous literature on Guantánamo has grappled with the intricate dynamics of integrating migration studies into the discourse surrounding the release and resettlement of former detainees. While recognizing the potential to understand former detainees as refugees, a report by The Human Rights Lab at the University of North Carolina at Chapel Hill (UNC) acknowledged that refugee and migration frameworks face inherent limitations because the United States has not signed U.N. migration treaties.³⁰ Furthermore, provisions under these conventions make it incredibly difficult to argue that former detainees should be considered refugees, with the 1951 Convention Relating to the Status of Refugees excluding individuals deemed to have “committed a crime against peace, a war crime, or a crime against humanity” or “committed a serious non-political crime outside the country of refuge before his admission to that country as a refugee.”³¹

³⁰ Weissman, Deborah M. “‘Guantánamo Two’ Upholding the Rights of Resettled ...” UNC Human Rights Policy Lab, 2022. <https://law.unc.edu/wp-content/uploads/2023/06/Guantanamo-Two-Rights-.pdf>.

³¹ Reid-Henry, Simon. “Exceptional Sovereignty? Guantánamo Bay and the Re-colonial Present.” *Antipode* 39, no. 4 (September 14, 2007): 627–648. <https://doi.org/10.1111/j.1467-8330.2007.00544.x>.

Because the United States has effectively categorized Guantánamo Bay detainees as terrorists, their access to avenues of redress and resettlement support that is typically afforded to other migrant groups is almost non-existent. Despite the potential for detainees to attain significant legal status, exemplified by extending asylee status to five Uyghur detainees in Albania, comprehensive scholarship in this area remains limited, primarily due to restricted government disclosure of the negotiation stipulations when resettling these individuals.³²

This thesis expands on previous efforts to draw connections between migration studies, transitional justice, and Guantánamo Bay by extending refugee theory to the figure of the detainee. In his article “Agamben’s State of Exception in Context: A Critical Analysis with Regard to Post-9/11 Jurisprudence,” international lawyer Stefano Xenofontos previously linked Guantánamo to the “state of exception,” a condition that emerges when governments suspend natural legal order under the guise of emergency or crisis.³³ The War on Terror, characterized by executive orders expanding the president’s authority, the establishment of military tribunals, and the suspension of habeas corpus rights and international legal obligations, embodies the state of exception, a condition especially relevant as the United States begins to release and resettle former prisoners.

Philosophical concepts such as biopolitics, governmentality, the *homo sacer*, and the bios-zoe binary offer valuable insights into understanding the detainee’s relationship with the

³² While media outlets have reported that Uyghur detainees gained ‘asylee status,’ the precise implications of this designation remain ambiguous to the international community. This status may be what the media colloquially understands the status of former detainees or it may be some negotiated form of refugee status. However, details regarding this information, negotiations, and stipulations, are shrouded in secrecy. See Rietveld et. al; Crook; ; USA 17 Uighur Detainees Held at Guantánamo. Accessed August 27, 2024. <https://www.amnesty.org/es/wp-content/uploads/2021/06/amr511122008eng.pdf> Simard, K. “Innocent at Guantanamo Bay: Granting Political Asylum to Unlawfully Detained Uighur Muslims.” *Suffolk Transnational Law Review*, no. 365 (2006).

³³ Xenofontos, Stafanos. “Agamben’s State of Exception in Context: A Critical Analysis with Regard to Post-9/11 Jurisprudence.” *Legal Issues Journal* 4, no. 113 (2016).

state before, during, and after their detention.³⁴ This thesis primarily relies on Giorgio Agamben's assertion that with the decline of the nation-state, the refugee emerges as the "only thinkable figure... to build our political philosophy anew..."³⁵ Agamben argues that the refugee's position from outside traditional state structures presents a unique opportunity to challenge "the fundamental concepts through which we have so far represented the subjects of the political (Man, the Citizen and its rights, but also the sovereign people, the worker, and so forth)."³⁶

James C. Scott, F. Engin, and Greg Marc Nielsen have all examined how non-citizens have advocated for themselves through passive resistance through their theories of feigned ignorance, sabotage,³⁷ and acts of citizenship, such as tax-paying and protesting.³⁸ These scholars have further framed non-citizens as politically active and intentional historical figures. Building upon these frameworks, this project advocates for an expansion of his argument to encompass the figure of the Guantánamo Bay detainee. Similar to refugees, Guantánamo detainees occupy a unique vantage point from which to disrupt state power and injustices that have shaped the Middle East and global politics. As Guantánamo trundles along towards closure, the imperative of reconciling the resettlement and reintegration of detainees emerges as the next step in addressing the historical wrongs that the United States has perpetuated against the Middle East and its people.

C. Methodology

³⁴ Lemke, Thomas. *Biopolitics: An Advanced Introduction*. Translated by Lisa Jean Moore. New York City, New York: NYU Press, 2011; Butler, Judith. "Indefinite Detention." *Qui Parle* 29, no. 1 (June 2020): 15–24.

³⁵ Agamben, Giorgio. *Means without End: Notes on Politics*. of *Theory Out of Bounds*, 2000.

³⁶ *Id.*

³⁷ Scott, James C. *Weapons of the weak: Everyday forms of peasant resistance*. London: Yale University Press, 1985.

³⁸ Isin, Engin F., and Greg Marc Nielsen. *Acts of citizenship*. London, England: Zed Books, 2008.

This project exercises a mixed methods approach, integrating analyses of resettlement schemes and interviews to investigate the barriers to redress faced by former Guantánamo Bay detainees and understand their methods of resistance and means of advocating for themselves. It begins with analyzing existing humanitarian organizations, non-governmental organizations (NGOs), and state efforts to resettle Guantánamo Bay detainees. By acknowledging their potential benefits and shortcomings, the study determines that these programs are inadequate in addressing the complex needs of detainees and providing for long-term rehabilitation and care.

To complement the resettlement scheme analysis, the second half of this study will employ a semi-structured interview methodology that prioritizes a victim-centered approach to understanding former detainees' resettlement experiences and needs. Interviewees come from various geographical and cultural backgrounds, all sharing the common experience of detention in Guantánamo. This study principally relies on responses from five former Guantánamo Bay detainees, including Feroz Ali Abbasi, Mansoor Adayfi, Moazzam Begg, Sabri Muhammed Al Qurashi, and Mohamedou Ould Slahi, who have either returned to their native country or resettled in a third country.

The third section of this paper integrates detainee responses with established resettlement and reintegration frameworks for former child combatants and prisoners. By considering detainees' expressed needs post-release, this section leverages best practices from these frameworks to offer recommendations for humanitarian organizations, NGOs, and states involved with the reintegration of former Guantánamo Bay detainees.

This study underwent a vigorous Institutional Review Board (IRB) review because it included human subject research. Given the study's broad scope, most participants were recruited

through personal connections and networks of former detainees. Participants were not financially compensated for their involvement, but rather, understood that their participation contributed to knowledge of an understudied aspect of Guantánamo. Participants were asked to sign a consent form detailing their participation. All information, including signed consent forms and tapings from interviews, were kept in a data-encrypted endpoint and destroyed with the publication of this project. Two interviews were conducted by the researcher as part of this project: Mansoor Adayfi and Mohamedou Ould Slahi. Both interviewees consented to their names and experiences being used in this project and were given the option to anonymously contribute. Interviews were between thirty minutes and one hour. For a detailed description of the interview questions, see *Appendix A*.

Due to the potential challenges in gaining access to affected communities, this study supplements its interviews with those previously conducted by researchers and activists. The initiative, conducted by The Rule of Law Oral History Project at the Columbia Center for Oral History, documents human and civil rights abuses in the aftermath of 9/11 through the stories of attorneys, prosecutors, and detainees.³⁹ Additionally, this study uses an interview with CAGE, an organization that documents the stories of former Guantánamo Bay detainees. With a primary focus on detainee experiences and resettlement, including those from Feroz Ali Abbasi, Moazzam Begg, and Sabri Muhammed Al Qurashi, these additional interviews will address gaps in participant representation and enrich the study's applicability by providing broader insights into the resettlement experience.

³⁹ "Rule of Law Oral History Project ." Columbia University Libraries. Accessed March 25, 2024. https://library.columbia.edu/libraries/ccoh/digital/rule_of_law.html.

The use of interviews in the context of Guantánamo and former prisoners is significant because it creates a platform for detainees to share their experiences of torture and arbitrary detention. According to Oliver Heath and Sandra Halperin, professors of politics and political science respectively, the aim of interviews is “not to make generalizations, but to gain valid knowledge and understanding about what the person in question thinks.”⁴⁰ Interviews with former Guantánamo Bay detainees have primarily been used in this manner in journalistic reporting. Stories on individual detainees explain their perspective on Guantánamo, giving their voice a platform in a system otherwise designed to silence them. This thesis similarly uses interviews to gather information about the specific experiences of resettlement and reintegration of five former detainees.

However, as Thomas Diefenbach, an experienced researcher, points out, the benefits of interviewing can also be a potential downfall of the methodology. The selection of interviewees is never an objective process.⁴¹ Participants in this study were selected partially because of pre-existing and available research conducted by other researchers as part of the Columbia University Rule of Law Oral History Project and CAGE International. Participants directly interviewed by the principal investigator were selected based on previously constructed professional relationships and mutual connections. Each of the interviewees was asked to participate in this study because of their experiences of resettlement; none of the participants were ever charged with a crime. According to the Guantánamo Docket, seven detainees were charged in military commissions, and four detainees were convicted in military commissions;

⁴⁰ Halperin, Sandra, and Oliver Heath. "Interviewing and Focus Groups." In *Political Research: Methods and Practical Skills*. 3rd ed. Oxford: Oxford University Press, 2020. Politics Trove, 2020. doi: 10.1093/hepl/9780198820628.003.0012.

⁴¹ Diefenbach, Thomas. "Are Case Studies More than Sophisticated Storytelling? Methodological Problems of Qualitative Empirical Research Mainly Based on Semi-Structured Interviews." *Quality and Quantity: International Journal of Methodology* 47, no. 6 (October 2013). <https://doi.org/10.4135/9781473915480.n47>.

several other detainees, including Sanad Yislam al-Kazimi and Mohammed Abdul Malik Bajabu, were suspected to be guilty of involvement in terrorist acts against the United States but prosecution was never pursued for unknown reasons.⁴² While the stories of reintegration and resettlement of genuine terrorist suspects are significant, this study only engages with individuals who maintain their innocence after their release by the United States.

As a result, this selection process is not representative of the experiences of most or all former Guantánamo Bay detainees but tries to take a sample of experiences, such as (1) repatriation to country of origin, (2) repatriation to country of origin and then later migration to another country, (3) resettlement to a third country where the individual has no experience or connections. By interviewing only five individuals, this study, while covering many potential pathways for former detainees, does fall into the pitfall of uplifting certain worldviews, opinions, and interests. It is important to note that this study does not attempt to make generalizations about every experience of a former detainee.

Additionally, because interviews engage with the worldviews and opinions of individuals, interviewees cannot always be relied upon as reliable sources. Diefenbach further points out that interviewees answer questions according to a cultural script that influences the way they express themselves. Therefore, “the interview is better viewed as the scene for a social interaction rather than a simple tool for collection of data.”⁴³ Because interviews rely on individuals to tell the truth or their version of the truth, interviewees may consciously or unconsciously exhibit biases as politically active figures narrating their perspectives. By engaging with interviews, this thesis acknowledges that while opinions may not be factual, they can only be understood as the

⁴² *supra* note 12

⁴³ *supra* note 35

experience of former Guantánamo Bay detainees, but are nonetheless significant. This study aims to address this pitfall by fact-checking interviewees and providing footnotes and context for any opinions provided during the interview process.

With this in mind, academia has a rich history of successfully using interviews with former Guantánamo Bay detainees to engage in qualitative research of the detention facility and life after release. One notable study published by the Human Rights Center and the International Human Rights Law Clinic at the University of California, Berkeley explores the return of released Guantánamo Bay detainees and the impact of their experience on family, employment, religion, and community reception. This report interviewed sixty-two former detainees residing in nine countries using semi-structured questionnaires.⁴⁴ The Human Rights Policy Lab at UNC has also used interviews in its policy report to explore the experiences of detainees.⁴⁵ This study builds off of these reports through its use of semi-structured virtual interviews and expands on the rights of detainees by examining how detainees as non-citizens have politically advocated for themselves and managed their resettlement when existing schemes have failed to provide them meaningful reintegration.

D. Significance

While this study addresses a niche community, its findings possess wide applicability to both the landscape of the War on Terror and the broader discourse on individuals operating outside of the state apparatus. Although Guantánamo Bay detainees present a unique intellectual challenge because of their detention in an extraterritorial prison, they constitute only a fraction of

⁴⁴ *Id.*

⁴⁵ *supra* note 31

the estimated thousands of people detained in the name of the international War on Terror.⁴⁶ The insights from this study regarding the post-detainment resettlement of Guantánamo detainees can be extended to other historical examples when individuals have not been assigned conventional legal status.⁴⁷ Finally, this study's connection between Guantánamo Bay detainees as individuals lacking conventional status and other individuals with estranged relationships to the state offers a unique opportunity to extend Agamben's theoretical framework. It prompts a rethinking of how individuals outside conventional authority structures can harness political power and justice, accountability, and redress.

E. Reintegration and Resettlement

I. Efforts of Humanitarian Organization and NGOs

Humanitarian organizations and NGOs play an important role in the reintegration and resettlement of former Guantánamo Bay detainees, especially given the limited efforts of state agencies. There are four primary organizations mentioned throughout this project that works towards the rehabilitation and reintegration of former Guantánamo Bay Detainees: (1) CAGE, (2) International Committee of the Red Cross (ICRC), (3) Reprieve, and (4) The Guantánamo Survivors Fund.

a. CAGE

CAGE is an advocacy organization based in London, United Kingdom. Established in 2003, the organization is dedicated to holding governments accountable for their actions in the

⁴⁶ "Detention." *The Costs of War*. Accessed March 26, 2024. <https://watson.brown.edu/costsofwar/costs/social/rights/detention>.

⁴⁷ For example, the release of suspected terrorists from Abu Ghraib, IRA members from U.K. prisons, and Palestinians from Israeli military and civilian detention centers all grapple with the same issue surrounding the management of individuals no longer perceived as a threat to the nation-state.

Global War on Terror and assisting its victims. They offer case consultation for victims and their families, a helpline, initiate campaigns on behalf of detained individuals, and produce research reports on the War on Terror.⁴⁸

While CAGE has received several positive reviews from former detainees, it has caught negative media attention because of its refusal to “play the politics of condemnation” when asked about extremist Islamist terrorism. Asim Qureshi, the research director at CAGE, explains that the organization deliberately chooses not to issue apologies for acts of terrorism, a stance that often provokes public controversy.⁴⁹ Qureshi argues that demanding Muslims apologize for acts of extremism unfairly presumes a lack of humanity and wrongly links Islam with terrorism.⁵⁰ Critics, like Baroness Sayeeda Warsi, contend that this position undermines the significant contributions made by the organization.⁵¹

b. International Committee of the Red Cross (ICRC)

The ICRC is a humanitarian organization with a mission to uphold the rights of people in conflict, reconnect families, and help detainees.⁵² The ICRC is historically an impartial organization but has used its platform to call for the transfer of eligible Guantánamo detainees. It began visiting detainees in Guantánamo in 2002 and facilitated communication between them

⁴⁸ “About: Cage International.” About | CAGE International. Accessed August 15, 2024. <https://www.cage.ngo/about>.

⁴⁹ Qureshi, Asim. “Fight the Power: How Cage Resists from within a ‘Suspect Community.’” *Palgrave Communications* 3, no. 1 (September 1, 2017). <https://doi.org/10.1057/palcomms.2017.90>.

⁵⁰ Id.

⁵¹ *supra* note 49

⁵² Bridgeman, Tess. “A Rare Public Wake-up Call from the ICRC on Guantanamo Transfers.” *Just Security*, January 20, 2022. <https://www.justsecurity.org/79899/a-rare-public-wake-up-call-from-the-icrc-on-guantanamo-transfers/>.

and their families and U.S. authorities.⁵³ Detainees like Sabri Al Qurashi and Mansoor Adayfi report that the ICRC primarily monitors the cases of former prisoners after their release.⁵⁴

c. Reprieve

Reprieve, a nonprofit aimed at defending marginalized communities, began its Life After Guantánamo Project (LAG) in 2009.⁵⁵ The fund aims to help former detainees transition to their lives after Guantánamo, recognizing the mental health and financial struggles that many released detainees face. Reprieve focuses on connecting former detainees with social, medical, psychological, legal, and financial support within their communities of resettlement or repatriation.⁵⁶ According to a 2010 report published in the *Torture: Journal on Torture Victims and Prevention of Torture*, Reprieve staff visit former detainees in their host country soon after they were released and remain in contact with former detainees through regular calls. Representatives from LAG, first, meet with former detainees to learn about their goals and, then, identify and connect detainees with local and culturally appropriate services.⁵⁷

Advocates of the program, like Polly Rossdale and Katie Taylor, assert that LAG's multidisciplinary approach is essential to rehabilitating former Guantánamo Bay detainees. They believe that the program's broad understanding of reparations is needed to address the unique mental and physical needs of former detainees because they do not have access to formal redress

⁵³ "After 20 Years of Visits, ICRC Calls for Transfers of Eligible Guantanamo Detainees." International Committee of the Red Cross, May 27, 2022.

<https://www.icrc.org/en/document/icrc-calls-transfers-eligible-guantanamo-detainees>.

⁵⁴ This study does not offer a comprehensive overview of the ICRC's support but does not suggest that such information is inaccessible. Future research should involve interviews with organizations like the ICRC to gain a more detailed understanding of their activities and services.

⁵⁵ *Id.*

⁵⁶ Rossdale, Polly, and Katie Taylor. "An Account of 'Life after Guantánamo': A Rehabilitation Project for Former Guantánamo Detainees across Continents." *Torture Journal* 27, no. 2 (October 10, 2017).

<https://doi.org/10.7146/torture.v27i2.97218>.

⁵⁷ *Id.*

networks.⁵⁸ LAG's approach appears to effectively address the diverse needs of released Guantánamo Bay detainees. However, this study was unable to find statistics that assessed its impact. Once again, further research is needed to evaluate the adequacy of resource distribution by these organizations.

d. The Guantánamo Survivors Fund

The Guantánamo Survivors Fund is a public charity that raised more than \$100,000 to provide short-term support for released detainees. In the first twenty-two months, the fund provided grants to more than thirty-nine survivors. Funds continue to provide support for tuition, language classes, job training, rent, medical expenses, and necessary travel for former Guantánamo Bay detainees.

II. *Guantánamo Reintegration and Resettlement Programs*

Existing reintegration and resettlement programs are largely managed by receiving states. Countries like Algeria, Indonesia, Malaysia, Morocco, Singapore, and Yemen have established deradicalization initiatives to address the perceived threat of Islamist extremism.⁵⁹ These programs are primarily driven by national security concerns rather than a focus on the welfare of detainees. Nonetheless, this approach is within the rights of states. According to Article 51 of the U.N. Charter, states have the right to defend themselves against armed attack, which may include an imminent terrorist attack or the threat of one.⁶⁰

⁵⁸ *supra* note 56

⁵⁹ Boucek, Christopher. "The Saudi Process of Repatriating and Reintegrating Guantanamo Returnees." Combating Terrorism Center at West Point, November 16, 2017.

⁶⁰ "Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression (Articles 39-51)." United Nations. Accessed September 3, 2024. <https://www.un.org/en/about-us/un-charter/chapter-7>.

Upon release, each of these states has a legitimate concern for national security as the United States has labeled detainees terrorist threats as part of their rendition and detention. With over ninety percent of detainees never being charged with a crime,⁶¹ the United States' decision to clear detainees for release indicates that they no longer believe these individuals to be a legitimate threat to the security of the United States. However, recidivism remains a concern for both the United States and the receiving countries. Numbers on recidivism and Guantánamo are largely unclear, but Mark Denbeaux of Seton Hall Law School reports that there are fifteen confirmed instances of detainees returning to combat.⁶² While this number is only a fraction of released detainees, any involvement in terrorist activity is a concern for states that are trying to protect their citizens and interests.

Amongst nations engaged in reintegration efforts, Saudi Arabia is distinguished not only for its success but also for its direct approach with former Guantánamo Bay detainees. As the country with the second most released detainees, it is often cited as a model example of de-radicalization programs.⁶³ Saudi Arabia's program focuses heavily on the role of family, including financial support for weddings and dowries for released detainees.⁶⁴ Saudi Arabia has led reintegration and repatriation initiatives, with former Minister of the Interior Prince Nayef advocating for the return of all Saudi detainees from Guantánamo after thorough investigations.⁶⁵

⁶¹ "Close Guantánamo: Top Facts ." Reprieve, August 20, 2021.

<https://reprieve.org/uk/campaign/guantanamo/faq/#:~:text=5.,being%20charged%20with%20a%20crime>.

⁶² Denbeaux's numbers of recidivism may be outdated because they were published in the early 2010s. However, his work is widely considered to have the most reliable information on recidivism of Guantánamo bay detainees; See Kennedy, Sean A., Mark Denbeaux, Joshua W. Denbeaux, David Gratz, Sean August Camoni, Adam Deutsch, Michael McDonough, et al. "Revisionist Recidivism: An Analysis of the Government's Representations of Alleged 'Recidivism' of the Guantánamo Detainees." *SSRN Electronic Journal*, 2012. <https://doi.org/10.2139/ssrn.2002903>.

⁶³ *supra* note 59

⁶⁴ *Id.*

⁶⁵ *supra* note 59

While details about the repatriation process remain somewhat secretive, Saudi Arabia's approach provides significant insights into one method of handling former detainees. According to a report published by the CTC Sentinel, a publication of the Combating Terrorism Center at the United States Military Academy at West Point,⁶⁶ there is "no advance announcement of when a group [of detainees] will return to the kingdom."⁶⁷ A plane, staffed by representatives from the Ministry of the Interior, doctors, psychologists, and security officers, departs from Saudi Arabia early in the morning. Upon arrival in Guantánamo, Saudi representatives coordinate with American personnel to receive the detainees. After the transfer, the plane returns to Saudi Arabia, where doctors conduct routine medical exams, diagnostic testing, and neuropsychological evaluations.⁶⁸

Upon arrival in Saudi Arabia, former detainees are introduced to members of the royal family and the rehabilitation program. They are transferred to al-Ha'ir prison, a maximum-security facility near Riyadh.⁶⁹ Families are contacted by the Ministry of the Interior and provided accommodations in nearby hotels while visiting the detainees.⁷⁰ Additionally, Saudi Arabia reinforces collective responsibility by requiring returnees to meet with the families of other Saudi detainees still held at Guantánamo, emphasizing that any misbehavior by former detainees could impact the repatriation of others.⁷¹ This approach underscores how states like Saudi Arabia and the United States use the bodies of former detainees, even after their release, to

⁶⁶ The CTC Sentinel is well-regarded within the field of counterterrorism and security studies. It focuses on current trends in terrorism, counterterrorism strategies, regional case studies, and policy implications; *Id.*

⁶⁷ *supra* note 59

⁶⁸ "It is important to note that this is not a 'special court' similar to a security court as in other Arab countries, but simply a special arrangement to handle the cases of Guantánamo returnees whose cases are too sensitive to appear in the regular court system. The returnees are not transferred to the court like other defendants, and the judge visits them in this special arrangement;" *Id.*

⁶⁹ *supra* note 59

⁷⁰ *Id.*

⁷¹ *supra* note 59

control their behavior. By communicating that their actions could not only lead to future imprisonment but could also affect the fate of those they left behind, the state encourages detainees to regulate both themselves and others they have been released with.⁷² As a result, former detainees are still considered threats to national security by the United States and foreign governments even if they have never been charged with a crime and are physically outside of Guantánamo.

Following their questioning, returnees appear before a special court in Saudi Arabia where the government conducts its assessment of guilt and detainees often receive sentences of around two years.⁷³ During this period, they participated in the Ministry of the Interior's rehabilitation program "designed to counter *takfiri* (excommunication) extremism through a combination of intensive religious study... dialogue and psychological counseling."⁷⁴ After completing this program and serving their sentence, they are moved to a rehabilitation care facility, where they live in dorm-like settings and engage in recreational activities while continuing their psychological and religious counseling.⁷⁵ Upon release from the rehabilitation center, the government assists former detainees with finding employment and housing.⁷⁶

In contrast, Yemen, which grapples with ongoing civil war, famine, and violence, lacks the financial and logistical resources to support a program as extensive as Saudi Arabia's. The Yemeni Committee for Dialogue, tasked with implementing a rehabilitation program, initially met with five detainees in September 2002 to design the program. However, the program never

⁷² *Id.*

⁷³ Detainees are often charged with several criminal offenses upon their return to Saudi Arabia. In his report on the Saudi repatriation program, Boucek notes that detainees are often charged with leaving the kingdom without permission or for carrying a weapon; *supra* note 59

⁷⁴ *Id.*

⁷⁵ *supra* note 36

⁷⁶ *Id.*

got off the ground, collapsing “due to design flaws, evident from inception, that were compounded by the Yemeni Government’s lack of financial resources, and inability to provide adequate after-care for released detainees.”⁷⁷ Unlike Saudi Arabia, Yemen was unable to adapt to the changing needs of detainees as they aged throughout detention and rehabilitation.⁷⁸

Thus, the Saudi Arabian program remains the model program, with the government reporting no incidents of recidivism.⁷⁹ However, a 2009 article published by ABC News highlights that the program is only eighty percent successful, raising questions about monitoring, follow-up, and long-term care.⁸⁰ By using approaches rooted in religious and cultural traditions, Saudi Arabia has shaped deradicalization programs as essential components of counterterrorist strategy by countering the ideologies of terrorist organizations.⁸¹

While the Saudi rehabilitation program has several positive aspects, its approach also raises legitimate concerns. The program’s emphasis on cultural and religious rehabilitation is important, but it appears to lack a comprehensive framework for long-term mental health care. Some detainees need more than religious counseling; they might require medical treatment like medication and specialized therapy for conditions like PTSD and anxiety.

Additionally, the program’s conditions for release - including the requirement to admit wrongdoing and participate in rehabilitation - can undermine detainees’ due process and political rights, especially for detainees who maintain their innocence and have never been charged with a

⁷⁷ *supra* note 59 at 7

⁷⁸ *supra* note 59

⁷⁹ Accurate data on recidivism is incredibly difficult to come by; *Id.* at 9

⁸⁰ “Does Rehab for Terrorists Work?” ABC News, 2009.

<https://abcnews.go.com/International/guantanamo-release-saudi-rehab-ali-al-shihri-now/story?id=9458164#.T0reHIeuafg>.

⁸¹ *supra* note 59

crime by the United States.⁸² Released individuals cannot speak out against the narrative imposed by the government, creating severe limitations on their freedom of expression and activism. These limitations on their rights, while potentially necessary for security after someone is initially released, continue long after detainees go through the program. This, coupled with Saudi Arabia's reputation for human rights abuses and authoritarian practices, contributes to widespread distrust and skepticism amongst former detainees.

E. Case Studies: Resettlement and Political Involvement of Former GTMO Detainees

The following section explores five experiences of resettlement, reintegration, and repatriation of former detainees from the Guantánamo Bay detention facility. While these stories are extremely impactful and demonstrate the difficulties of release, this study recognizes the unique challenges of each released detainee; the use of these individuals and their experiences as case studies representative of a larger phenomenon.

I. Feroz Ali Abbasi

Feroz Ali Abbasi was born in Entebbe, Uganda to a Pakistani father and a Nubian mother. At the age of eight, he and his mother, along with his brother, moved to Croydon, United Kingdom. Abbasi was detained in January 2002 at around twenty-six years old and spent approximately five years in Guantánamo before being released and repatriated back to the United Kingdom.⁸³

⁸² Hussain, Murtaza. "Did A Woke Mob Cancel the 'Jihad Rehab' Doc? Here's the Real Story." *The Intercept*, October 20, 2022. <https://theintercept.com/2022/10/20/guantanamo-jihad-rehab-documentary/>.

⁸³ Abbasi, Feroz Ali, Ronald J. Grele, and Kanishk Tharoor. *The Rule of Law Oral History Project: Feroz Ali Abbasi*. Other. *Oral History Archives*. Columbia University, May 31, 2011.

In an interview with the Columbia University Rule of Law Oral History Project,⁸⁴ Abbasi described the disheartening experience of his release. He recalled being informed of his return in a matter-of-fact manner by soldiers who read a statement indicating that he was going home and that the allegations against him had been dropped. Initially skeptical, Abbasi only came to believe it when he found himself on a plane heading back to the U.K. The return was anticlimactic and “not a homecoming.” Instead, Abbasi remembered feeling depressed as he recognized familiar sights from the taxi window.⁸⁵

After his release from Guantánamo, Abbasi struggled with a sense of disorientation and a need to redefine himself as “more than Guantánamo.” He faced significant challenges finding employment due to the stigma of being a formerly suspected terrorist, which many businesses and employers were unwilling to overlook. In 2005, he approached Cageprisoners, a human rights organization dedicated to addressing the issues faced by individuals affected by the War on Terror. Before this, he had distanced himself from Guantánamo, spending five years in isolation and choosing not to take part in any political resistance.⁸⁶

His involvement with Cageprisoners was driven by a desire to make sense of his own experiences and to address the broader issues of unlawful detention. Through his activism with CAGE, Abbasi has sought to raise awareness about wrongful detentions and has served as a consultant to lawyers, offering insights into Islam and the challenges faced by released prisoners.

II. *Mansoor Adayfi*

⁸⁴ Abbasi’s interview was conducted in 2011 by the Columbia Center for Oral History, Rule of Law Oral History Project.

⁸⁵ *supra* note 73

⁸⁶ *Id.*

Mansoor Adayfi, a Yemeni national, was just nineteen years old when he was abducted and sent to the Guantánami Bay detention facility. He spent fourteen years in detention, accused of being a middle-aged Egyptian al-Qaeda general⁸⁷, before being released to Serbia in 2016.⁸⁸ Despite hoping for resettlement in Qatar, where he has family, a secret U.S. deal with Serbia placed him in a country where he had no connections and was unfamiliar with the language.⁸⁹ His only knowledge of Serbia was its role in the Balkan Wars of the 1990s, where Serbian forces massacred Bosnian Muslims in the Balkan wars of the 1990s.⁹⁰

Since arriving in Serbia, Mansoor has faced significant challenges in integrating into society. He is unable to attend religious services regularly because the nearest mosque is a long commute away.⁹¹ After an interview in which he criticized his new life, a Serbian media outlet labeled him an “al-Qaeda jihadist” and “convicted terrorist.” This negative portrayal reflects many of his interactions with the Serbian public; he is often followed by police and has found surveillance software on his phone. His acquaintances, including classmates and café patrons, have faced police harassment as well, leading him to keep his social circle small to avoid putting others at risk.

Mansoor coined the term “Guantánamo 2.0” to describe the plight many detainees face upon release. He laments:

⁸⁷ Adayfi was confused with Mansoor al-Harbi, who was an Egyptian al-Qaeda operative. al-Harbi was in his thirties or forties when Adayfi was detained, meaning the CIA mistaked both Adayfi’s identity and his age by almost ten to twenty years; “Meet Mansoor Adayfi: I Was Kidnapped as a Teen, Sold to the CIA & Jailed at Guantánamo for 14 Years.” Democracy Now!, November 24, 2021.

https://www.democracynow.org/2021/9/27/mansoor_adayfi_guantanamo_book.

⁸⁸ “22 Years of Justice Denied.” Amnesty International, March 22, 2024.

<https://www.amnesty.org/en/latest/news/2024/03/22-years-of-justice-denied/#:~:text=Despite%20his%20past%2C%20Mansoor%20has,closing%20the%20%20prison%20at%20%20Guantanamo>.

⁸⁹ Gunter, Joel. “Life after Guantanamo: ‘We Are Still in Jail.’” BBC News, June 12, 2022.

<https://www.bbc.com/news/world-us-canada-61609417>.

⁹⁰ *Id.*

⁹¹ *supra* note 87

“Without legal status, you live like a ghost... you can do absolutely nothing, you cannot work, you cannot study... Why do [so] many prisoners want to go back? When you are being released from Guantánamo, you are not free and you are being oppressed... You are under the mercy of the receiving country.”⁹²

He stays in touch with fellow former detainees through WhatsApp and is actively involved with CAGE, an organization dedicated to supporting former detainees. Upon his release, Mansoor chose to devote his life to aiding others who have endured similar hardships. He believes that CAGE is among the most impactful organizations supporting former detainees; however, he feels it has been unfairly portrayed by the U.K. media.⁹³ Adayfi’s involvement with CAGE has also allowed him to speak at international forums, governments, and parliaments. Despite his difficult circumstances, Mansoor feels fortunate that his situation has improved, albeit slightly.

Mansoor spends a lot of his time advocating for the closure of Guantánamo. He trains for marathons to raise awareness, uses his academic pursuits to explore the issue, and has written a book, *Don’t Forget Us Here*, as well as contributing to *Deaf Wall Speak: The Guantánamo Artwork and Testimony of Moath Al-Alwi*. His Bachelor’s thesis focused on the resettlement and reintegration of former detainees, and he is currently working on his Master’s thesis, which addresses the closure of Guantánamo.⁹⁴ His thesis proposed the creation of the Guantánamo Survivors Fund to provide immediate support for former detainees, addressing urgent needs such

⁹² Adayfi, Mansoor, and Olivia Vinson. Interview with MA. Other. *HRSMA Master’s Thesis Interviews*, August 1, 2024.

⁹³ CAGE has been accused of being “extremist apologists” and intervening in counterterrorism policy by U.K. officials like former Justice Secretary Michael Gove and Home Secretary Theresa May; See Ullah, Areeb. “Who Are the Muslim Groups Michael Gove Accuses of Extremism?” Middle East Eye, March 14, 2024. <https://www.middleeasteye.net/news/uk-mab-cage-mend-michael-gove-who-are-muslim-groups-accused-extremism>.

⁹⁴ Adayfi’s thesis was not shared and is not publicly available or published.

as medical care, rent, language classes, tuition, and job training. About his thesis, Adayfi says, “It is not easy because you live with the trauma over and over again, but you are connected to that topic.”⁹⁵

Mansoor is critical of current rehabilitation programs for former detainees, which he believes fail to support long-term recovery and integration. He views the Saudi reintegration program as propaganda, noting that it requires individuals to admit guilt as a condition for participation. Adayfi believes that it has been used to target activists and human rights defenders. Similarly, he dismisses the Yemeni program as inadequate, arguing that many governments have used counterterrorism and rehabilitation funds ineffectively. He advocates for programs focused on long-term care, vocational training, and access to therapy.⁹⁶

He also expresses skepticism toward organizations like Reprieve, which claim to support detainees but often lack evidence of successful assistance.⁹⁷ Mansoor is troubled by the deportation of detainees who had successfully rebuilt their lives in their countries of resettlement, only to be forced to leave.⁹⁸

Despite his tireless advocacy efforts to address the complex issues faced by former detainees, Mansoor acknowledges the challenges. Many former detainees suffer from PTSD and may avoid discussing their experiences. He observes that some people steer clear to avoid feeling uncomfortable about his complaints. As he continues to share his story, he highlights the additional stigma he faces as a former detainee and a person of color, noting that “the first crime

⁹⁵ *Id.*

⁹⁶ *supra* note 92

⁹⁷ There is no available information about how many former detainees Reprieve has actually helped. On their website, Reprieve highlights two examples of assistance they provided to former detainees.

⁹⁸ *Id.*

is that you are not born White.”⁹⁹ He emphasizes that being White or holding citizenship from a Western country is a privilege starkly highlighted by his experience of release from Guantánamo.

III. *Moazzam Begg*

Moazzam Begg, a British-Pakistani national, was detained in Afghanistan in early 2002. After spending three years in detention - one at Bagram Airfield and two at Guantánamo Bay - he was released and repatriated to the United Kingdom, returning to his hometown of Birmingham.¹⁰⁰

In an interview with the Columbia Rule of Law Project, Begg described three significant challenges he faced due to his experience at Guantánamo and subsequent release: stigma, the breakdown of familial and social relationships, and the impact on his faith. He noted that, in other situations where individuals have been “falsely imprisoned, tortured, abused,” the perpetrators are usually held accountable. In contrast, no such accountability has been sought for Guantánamo, and survivors often suffer further harm from the denial of recognition and necessary medical and psychological care. Begg argues that this lack of acknowledgment extends beyond Guantánamo detainees, negatively affecting Muslims globally, who face widespread stereotyping as terrorists. He shared personal experiences, including children being attacked at school and strained relationships within communities of different ethnicities and religions.¹⁰¹

Begg also highlighted the profound impact Guantánamo had on his family relationships. Having fathered four children before his detention, he expressed deep sorrow over missing significant milestones in their lives. Returning home, he found himself estranged from his

⁹⁹ *supra* note 92

¹⁰⁰ Begg, Moazzam. Ronald J. Grele, and Kanishk Tharoor. The Rule of Law Oral History Project: Feroz Ali Abassi. Other. *Oral History Archives*. Columbia University, May 30, 2011.

¹⁰¹ *Id.*

children, seeing “children that [he had] never seen... [and others] who have grown up to the point that they are no longer those young children.” He struggled to reintegrate into his family where his position was “no longer recognized, because those roles have been filled.”¹⁰²

Faith played a crucial role in Begg’s survival of torture and solitary confinement. While his faith has helped him manage the stigma, he acknowledges how counterterrorism measures and rhetoric, such as those led by the CIA’s Rendition, Detention, and Interrogation program, have unfairly associated Islam with radicalism. Despite the stigma, Begg has found solace in his religion and community.¹⁰³

Motivated by these challenges, Begg became politically active, driven to address the issues he faced. His interactions with interrogators, the CIA, the FBI, and military intelligence during his imprisonment led him to recognize a lack of understanding of Islamic cultures and languages among those involved in Guantánamo’s atrocities. This realization inspired his advocacy work.¹⁰⁴

Begg’s political involvement began in Bagram, where he advocated for the rights of fellow prisoners and found it intolerable to remain silent about the abuse he witnessed. This commitment to justice and accountability led him to work with Cageprisoners, where he helps document and present information to authorities, aiming to hold intelligence agencies and governments accountable. In his role as a director, Begg collaborates with lawyers and former detainees from Guantánamo, Bagram, and other facilities, and helps organize resettlement support with organizations like Amnesty, Reprieve, and the Center for Constitutional Rights. He

¹⁰² *supra* note 100

¹⁰³ *Id.*

¹⁰⁴ *supra* note 100

continues to speak at various forums, such as the European Union Parliament,¹⁰⁵ advocating for those affected by wrongful detention and torture.

In addition to his work with human rights organizations, Begg published a memoir in 2006, titled *Enemy Combatant: A British Muslim's Journey to Guantánamo and Back*. In this powerful book, Begg chronicles his initial detention in Bagram Airfield, the torture and abuse he endured at Guantánamo, and the profound effects these experiences have had on his family, faith, and life post-release.

In his memoir, Begg explores critical themes related to human rights, detainee treatment, and the broader consequences of the War on Terror. While the book centers on Begg's story, his narrative serves as an act of political resistance, offering a compelling voice in a system that sought to silence him. His account has played a significant role in sparking discussions about the legality and morality of the Guantánamo Bay detention facility and has highlighted the broader implications of the United States and the United Kingdom's approach to upholding human rights.

IV. Sabri Muhammad Al Qurashi

Sabri Muhammad Al Qurashi was born in Saudi Arabia in 1973 but came from a Yemeni family. Raised in Hafar Al-Batin, he worked in the importation of perfume from Pakistan. During a business trip in Karachi, Pakistan, on September 11, 2001, he learned of the attacks on the World Trade Center and was warned that many foreigners were being detained and falsely accused of being Al-Qaeda terrorists for a \$5,000 bounty. He was advised to stay in Pakistan in the month following 9/11, However, his situation took a dark turn when Pakistani Intelligence

¹⁰⁵ Worthington, Andy. "The Incredibly Powerful 'Close Guantánamo!' Event in the EU Parliament, September 28, 2023." Andy Worthington. Accessed August 14, 2024. <https://www.andyworthington.co.uk/2023/10/01/video-and-report-the-incredibly-powerful-close-guantanamo-event-in-the-eu-parliament-september-28-2023/>.

Service (ISI) officers, accompanied by Americans, raided his apartment and arrested him along with eight other foreigners he had been living with.¹⁰⁶

Qurashi faced severe abuse in Pakistan, Afghanistan, and later at Guantánamo Bay, Cuba. He was imprisoned without charge at Guantánamo for twelve years, from 2002 to 2014, a period he described as “hell” and claimed “ruined [his] life.” Despite being cleared for release in 2010, he remained imprisoned for another four years.¹⁰⁷

In 2013, a Kazakh delegation offered him a new beginning in Kazakhstan, promising freedom, citizenship rights, and support for studying and working. Eager for a fresh start, Qurashi agreed to move there. However, the reality was starkly different. Upon arrival in Kazakhstan, he was confined to a small studio for three weeks and then to a hospital room for an additional ten days. Uncertain about the reasons for his confinement and the medical exams he underwent, Qurashi protested by going on a hunger strike. This led to a threatening encounter with a police officer, who warned him of dire consequences if he did not cease his protest, saying, “You’re not in America anymore, you’re in Russia.¹⁰⁸ If you don’t stop this, we will kill you and break your bones. And nobody will even ask after you.” This interaction set the stage for Qurashi’s life in Kazakhstan. Once on the streets, Qurashi faced and continues to face constant harassment from police and officials who demanded his ID card. Without official status, he is frequently detained at the police station until someone from the Red Crescent¹⁰⁹ releases him. He

¹⁰⁶ Qurashi’s interview was part of CAGE’s work to document the stories and experiences of Guantánamo Bay detainees; *see* “‘Kazakhstan Is Just Another Guantanamo’ - Interview with Former Guantanamo Prisoner Sabri Muhammad Al Qurashi.” CAGE International: Aspiring To A Just World. Accessed August 14, 2024i.

¹⁰⁷ *Id.*

¹⁰⁸ Kazakhstan is a Muslim republic state formerly part of the Soviet Union. With the dissolution of the Soviet Union in 1991, Kazakhstan held its first presidential election the same year and declared its independence.

¹⁰⁹ The Red Crescent is a non-profit organization linked to the Red Cross. It operates out of Almaty, Kazakhstan.

has been attacked on the streets, which resulted in nerve damage and a broken nose, with no legal recourse.¹¹⁰

The Red Crescent arranges his healthcare and housing, but Qurashi is prohibited from working, studying, or earning an income. His social interactions are limited due to government harassment of anyone who associates with him. He describes his isolation poignantly:

I have no basic dignity or freedom to move even in the streets around my apartment... Here, I feel like I live like a dead person, or even a ghost. But even a ghost has more freedom and can easily travel around... Truly, my life now is just as bad as when I was in Guantanamo, and in many aspects even worse. At least there I knew I was in prison and that I would get out one day. Now I'm living as if I'm dead and being told I am free when I am not. I also fear I will die here, and nobody will care.¹¹¹

Qurashi endured further trauma with the death of his fellow detainee, Asim Thabit Abdullah Al Khaliqi, who arrived in Kazakhstan in 2015. According to Qurashi, Khaliqi, who was ill and refused medical treatment, was denied a proper burial and had his body hidden from his family. Qurashi fears a similar fate for himself. The combination of maltreatment in Kazakhstan and the loss of his friend have left Qurashi feeling defeated.

I have been treated like a terrorist since the day I stepped on the plane here. I struggle every single day. I can't even contemplate the future: what does that even mean for somebody in my position? In Guantanamo[,] I had hope I would be free one day. I

¹¹⁰ *supra* note 106

¹¹¹ *Id.*

thought of being reunited with my family and living my life again - instead now I live without basic human dignity and am treated like trash.¹¹²

Advised not to speak to the media, Qurashi's decision to share his story is a political act of remarkable bravery. He feels abandoned by Kazakhstan, the United States, and Yemen, grappling with PTSD, depression, and other health issues.

I want to live my life with dignity, meet my wife and have freedom. Now I feel like I'm frozen in time. I feel dead. I only pray now to keep hold of my sanity. I need to move from this country and raise awareness around the conditions we are living in here. I need to spread my story and let the world know that this is what is happening to the former detainees of Guantanamo. We are people who have already had our lives ruined for decades, now we are forced to live a fresh kind of hell. All I want is to live like a normal human being, with legal status and the basic rights of a citizen. I want people to know I am a human, a victim of torture and now living like a dead man. My health is declining, and I am getting older, I need help and solidarity to relieve me of a life like this... I am not allowed to have a community or human relationships, instead my paintings have become my friends, my family, my children, my community, and my people. One day I hope I can do more than paint a world where freedom might exist for me.¹¹³

There are concerns amongst other released detainees that Qurashi may face forced removal to Yemen, where the situation remains unstable. According to the Washington Post, it is not uncommon for former Guantánamo detainees from Yemen to be expelled back to Yemen. Oman resettled twenty-eight Yemenis from Cuba, giving them housing, health care, and jobs. In

¹¹² *supra* note 106

¹¹³ *Id.*

January of 2024, Omani officials informed the men that in July, they would be “stripped of their benefits and legal residency and would have to return to Yemen.”¹¹⁴ This pattern of abandonment underscores the ongoing struggle of former Guantánamo detainees. Qurashi, like many others, continues to navigate the legacy of Guantánamo, using art and writing to shed light on his experiences and advocate for his rights. His artwork, though often depicting peaceful landscapes, also portrays the harsh realities of life at Guantánamo, reflecting both his personal trauma and his hope for a future where freedom and dignity might be possible.¹¹⁵

V. *Mohamedou Ould Slahi*

Mohamedou Ould Slahi was born in Rosso, Mauritania in 1970. At the age of five, he moved with his family to the capital, Nouakchott, where he became a first-generation student in the local French school system. He excelled in school, ultimately earning a scholarship to study IT engineering at the Gerhard-Mercator University in Duisburg, Germany. However, his promising future took a drastic turn when he was kidnapped on November 20, 2001, and subsequently detained at Guantánamo Bay for nearly fifteen years under suspicion of connections to al-Qaeda, until his release on October 17, 2016.¹¹⁶

When Slahi learned of his impending release, he was in solitary confinement at Camp VI during hurricane season. He spent nearly ninety percent of his time at Guantánamo in isolation because he was considered a high-value detainee. During this time, a female Air Force captain

¹¹⁴ Hauslohner, Abigail. “Oman to Expel Dozens of Ex-Guantánamo Detainees - The Washington Post.” The New York Post, May 22, 2024.

<https://www.washingtonpost.com/national-security/2024/05/22/guantanamo-oman-detainees-yemen/>.

¹¹⁵ “Sabri Al Qurashi.” Art from Guantánamo Bay. Accessed August 14, 2024.

<https://www.artfromguantanamo.com/sabri-al-qurashi>.

¹¹⁶ Slahi, Mohamedou Ould, and Olivia Vinson. Interview with MA. Other. *HRSMA Master’s Thesis Interviews*, August 1, 2024.

came to him, her eyes only visible through the bean hole,¹¹⁷ and said “Do you know that you’re going home?” He was overwhelmed by the news but knew that there were still many obstacles in his way, having heard of other detainees being brought to the airport only to be returned. Still, this news triggered a flood of emotions for Slahi; he recounts:

I cannot describe my feelings in words because it is like someone coming to you today and telling you that you are going to Mars, the planet. Because I had no idea about life outside prison, you know. I am not used to talking to people, I am not used to hanging out with people. And I don’t recognize my family anymore because when you leave... people whom I left were three years old, babies; they are not men and women. And people who were, like, fifteen are now thirty, you know. I could not recognize their faces anymore. And my mom died and passed on when I was in prison. And I really wanted freedom so much. I didn’t know what to expect, I didn’t know what it meant to be outside, not to be in shackles anymore, not to be blindfolded when you move.¹¹⁸

Slahi was unaware of the resettlement process until his release. A secret contract between the U.S. and Mauritania dictated his fate. From the start, he discovered he was not allowed a passport or an ID card. Later, he found out that this decision was permanent, a situation he found “horrific,” as it meant he could never leave Mauritania. This arrangement, which even American lawyers were not fully informed about, seemed to contravene human rights and international law by enforcing collective punishment. Eventually, Slahi obtained a passport, thanks to good friends, a best-selling book, and a film.¹¹⁹

¹¹⁷ A small opening in the cells at Guantánamo that allows for food to pass from prison personnel to detainees.

¹¹⁸ *supra* note 116

¹¹⁹ There is very limited public information available about how Slahi obtained a passport. According to a Human Rights Watch report, Slahi was told by Mauritanian security officers that the U.S. had prohibited him from obtaining a passport for two years. He received a national ID card in July 2017 and his lawyer, Brahim Ebety, assisted in

In 2016, upon his release, Slahi was reluctant to return to Mauritania, a country that had previously handed him over for torture. Although his brother in Germany had secured approval from the German government for his resettlement, the U.S. refused. Slahi believes this refusal was due to the U.S. wanting him to remain in a country with limited democracy, where they could exert absolute control over him. Upon his repatriation to Mauritania, Slahi was apprehensive about reuniting with his family. He isolated himself for the first few weeks, adjusting to the overwhelming influx of information through YouTube on his smartphone - a stark contrast to his years of isolation. He had to learn how to respond to text messages and emails, having never received a message during his imprisonment.

Slahi received no assistance from Mauritania, the United States, or any organizations. He describes the experience as “swimming with handcuffs” due to the lack of travel documents and support. He now resides in Amsterdam, Netherlands, where he works as a writer for a Dutch theater.¹²⁰ His past experiences at Guantánamo continue to shape his life, as he explains:

So when you go through a traumatic experience... you will not go back to who you were. So, you have to understand it's not going back. You have to move forward and deal with it, with the new you. And... so, I go to therapy. It took me many years to accept to go to therapy and it helps, but it is really very slow. And nightmares, really bad. Sometimes, I wake up sweating. For instance, I cannot watch the news because it is very hard for me to watch. So, I am a different person, you know. But I am also a better person because I can relate to pain. I am completely anti-war and anti-torture. I try to help other people...

applications for a passport. *See* “Mauritania: Allow Ex-Guantanamo Detainee to Travel.” Human Rights Watch, October 28, 2020. <https://www.hrw.org/news/2019/06/13/mauritania-allow-ex-guantanamo-detainee-travel>. a

¹²⁰ “Former Guantanamo Bay Prisoner Sues Canada for \$35m.” Anadolu Ajansi. Accessed August 8, 2024. <https://www.aa.com.tr/en/americas/former-guantanamo-bay-prisoner-sues-canada-for-35m/2571405#:~:text=Released%20from%20Guantanamo%20in%202017,on%20one%20of%20his%20books>.

Slahi is actively involved in advocacy, speaking at colleges, high schools, the U.K. Parliament, and the European Parliament. He frequently connects with other former detainees and academics from around the world. His memoir, *Guantánamo Diary*,¹²¹ and the film, *The Mauritanian*¹²² (released in 2021) details his experiences. Beyond his Guantánamo-related activism, Slahi contributes to his Amsterdam community by helping refugees express themselves through dance and writing and teaching about Middle Eastern culture and dance.

Regarding resettlement schemes for other detainees, Slahi admits he has limited first-hand knowledge, mostly from lawyers. He firmly asserts he would never willingly participate in such a program, viewing them as offering no genuine choice or recourse. His own experience of having his rights stripped has made him resolute in valuing his freedom above all else.¹²³

F. Comparative Frameworks

With the detainees interviewed as part of this project voicing some shortcomings of existing resettlement schemes, the following section delves into two key frameworks for reintegration and resettlement that set precedents for more comprehensive care: (1) the war crimes framework through the reintegration of former child soldiers and (2) the release of prisoners framework. The selection of these frameworks was informed by a thorough

¹²¹ *Guantánamo Diary* was a 2015 memoir published by Slahi detailing his experiences as a detainee at Guantánamo. His book was originally published with heavy redactions, which Slahi filled in after he was released; Slahi, Mohamedou Ould, and Larry Siems. *Guantánamo Diary: The fully restored text*. Edinburgh: Canongate, 2017.

¹²² *The Mauritanian* was a movie released in 2021 based on “Guantánamo Diary,” Slahi’s book. The film follows Slahi’s journey during detainment, torture, and eventual release. It was directed by Kevin Macdonald and stars big-name actors, such as Tahar Rahim, Nancy Hollander, Shailene Woodley, and Benedict Cumberbatch. It was nominated for nine awards, including from the Golden Globes and the British Academy Film Awards (BAFTA); see “The Mauritanian: Official Movie Website: Rent or Own on Digital HD: Rent or Own on Digital HD & Blu-Ray™ & DVD Today.” The Mauritanian | Official Movie Website | Own it on Digital HD Today | Blu-ray™ & DVD May 11., February 12, 2021. <https://www.themauritanian.movie/>.

¹²³ *supra* note 116

investigation of various domestic and international mechanisms related to reintegration, resettlement, and repatriation.

Although the United States has established robust reintegration programs for various categories of people - often referred to as rehabilitation programs, such as the Veterans' Rehabilitation and Education Amendment¹²⁴ and the Trafficking Victims Protection Act¹²⁵ - many of these are not directly applicable to Guantánamo Bay detainees. These programs model important trauma-informed care practices and outline governmental responsibilities in supporting individuals through recovery; however, they are not designed to address the unique status of former Guantánamo Bay detainees, who do not fit into categories like trafficking victims, veterans, or immigrants.

Consequently, this study examines the release and resettlement of former detainees through two frameworks that align more closely with the unique context of Guantánamo. The frameworks for the reintegration of both child soldiers and former prisoners address the ambiguity that all three groups share between victim and perpetrator that complicates resettlement and consider the preferred terminology of former detainees, who often reject the

¹²⁴ The Veterans' Rehabilitation Amendment, released in 1979, intended to help veterans returning from war who experienced a disability that impacted their ability to seek employment. In this act, the government uses the language of 'rehabilitation,' framed as returning veterans to "the point of employability." The related rehabilitation program operates as a vocational training program or "independent living services and assistance for [veterans] for whom a vocational goal has been determined not to be reasonably feasible;" See H.R.5288 Veterans' Rehabilitation and Education Amendments. Hefner, W. G (1980).

¹²⁵ The Trafficking Victims Protection Act (TVPA) is a piece of legislation introduced under the Clinton administration intended to combat human trafficking. While primarily dealing with prevention, one of the act's primary focuses is victim assistance and protection mechanisms. Under this act, victim assistance and protection looks like access to comprehensive services, including housing, medical care, counseling and mental health services, legal assistance, and job training and education.# There is also a component of access to immigration ebenefits under T visas, nonimmigrant visas that allow trafficking victims to remain in the U.S. if they assist law enforcement with investigation, and continued presence, a temporary immigration designation that allows trafficking victims to remain in the U.S. during investigation and prosecution of trafficking; See "Human-Trafficking." United Nations : Office on Drugs and Crime. Accessed August 1, 2024.
<https://www.unodc.org/unodc/en/human-Trafficking/Human-Trafficking.html#:~:text=Human%20Trafficking%20is%20the%20recruitment,every%20region%20of%20the%20world.>

label of enemy combatants in favor of describing themselves as prisoners.¹²⁶ The three groups (former Guantánamo Bay detainees, former child combatants, and former prisoners) identified as part of this study have all struggled with reintegration after their release from detention or armed combat, facing a major disruption in their lives developmentally, financially, and socially. The goal of this section is to explore both international and domestic efforts to rehabilitate these groups to examine whether or not there are aspects of successful reintegration or rehabilitation applicable to the Guantánamo context.

III. War Crimes Framework - Reintegration of Child Soldiers

Article 38 of the Convention of the Rights of the Child (CRC) (1989) loosely defines a child soldier as “any person who has not attained the age of fifteen years [that State Parties have recruited into] their armed forces.”¹²⁷ Despite most countries setting the age of majority at 18, the CRC takes a conservative stance, allowing for the recruitment of children aged fifteen to eighteen, with priority given to the oldest.¹²⁸ While the CRC does not explicitly address the reintegration of child soldiers, Article 39 declares that children are entitled to recovery and reintegration, suggesting a framework for such programs. The Optional Protocol on the Involvement of Children in Armed Conflict, released nearly eleven years later, expands the CRC’s standards, raising the age of direct participation to eighteen, and prohibiting the recruitment of children under this age by armed groups. The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007) further expand on these guidelines, by enabling “children to play an active role as a civilian member of society,

¹²⁶ Moore, Alexandra Schultheis, Elizabeth Swanson Goldberg, and Moath Al-Alwi. *The Guantánamo Artwork and Testimony of Moath al-Alwi: Deaf Walls Speak*. Cham, Switzerland: Palgrave Macmillan, an imprint of Springer Nature Switzerland, 2024.

¹²⁷ United Nations. 1989. “Convention on the Rights of the Child.” *Treaty Series* 1577 (November): 3.

¹²⁸ *Id.*

integrated into the community and, where possible, reconciled with her/his family.”¹²⁹ The emphasis on facilitating children’s “active role[s] as... civilian member[s] of society”¹³⁰ advocates for more robust reintegration schemes that encompass social and political involvement, potentially safeguarding their rights to vote, pay taxes, and contribute to society.

Sierra Leone’s demobilization, disarmament, and reintegration (DDR) program is widely regarded as a model of post-conflict programs, having successfully reintegrated nearly 64,000 former combatants, including 6,845 children.¹³¹ The program focused on three primary strategies for reintegrating former child combatants: (1) community sensitization, (2) family reunification, and (3) education.

Initially, many community members were apprehensive about the return of former child combatants, particularly those linked to the Revolutionary United Front (RUF).¹³² However, with the support of NGOs and humanitarian organizations, Sierra Leone managed to shift the narrative surrounding former combatants and foster community acceptance. NGO representatives engaged with prominent local figures, such as chiefs and counselors, to promote forgiveness and acceptance. These leaders then communicated these messages to the broader community. The sensitization efforts also included house-to-house conversations about acceptance and local workshops on peace-building, conflict resolution, and forgiveness.¹³³

¹²⁹ "The Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups." Paris, February 2007.

¹³⁰ *Id.*

¹³¹ Solomon, Christiana, and Jeremy Giniger. “Disarmament, Demobilisation and Reintegration in Sierra ...” University of Bradford, July 2008.

https://au.int/sites/default/files/documents/39119-doc-85._disarmament_demobilisation_and_reintegration_in_sierra_leone.pdf.

¹³² RUF members were particularly difficult to reintegrate because many former child combatants had killed or committed violence against their community. See Williamson, John. “The Disarmament, Demobilization and Reintegration of Child Soldiers: Social and Psychological Transformation in Sierra Leone.” *Intervention* 4, no. 3 (November 2006): 185–205. <https://doi.org/10.1097/wtf.0b013e328011a7fb>.

¹³³ *Id.*

According to John Williamson, a Senior Technical Advisor for the Displaced Child and Orphans Fund (DCOF),¹³⁴ involving the community in the reintegration process helped mitigate stigma and facilitated a supportive environment for returning children. When children perceived that their community was backing them and had their best interests at heart, their reintegration was more successful and included culturally appropriate healing ceremonies.

Alongside community sensitization, Sierra Leone achieved a ninety-eight percent family reunification rate for demobilized children. Following disarmament, children were placed in interim care facilities for up to six weeks while NGO officials worked to trace their families. During this period, the care facilities helped children return to a normal routine, including activities such as play, classes, chores, and artwork. NGO personnel also organized community-based activities to strengthen caregiver capacity and prepare them for the return of their children.¹³⁵ According to an article by Harvard's Department of Global Health and Population and Center for Health Human Rights, family reunification was a crucial factor in a child's successful reintegration after combat.¹³⁶

Lastly, Sierra Leone's focus on skill-building and education contributed significantly to the success of its program. The country implemented three key projects to ensure long-term opportunities for returning children. The Rapid Response Education Project provided six months of preparatory education to help children re-enter school, while the Community Education Investment Program offered schools resource kits to support 200 students annually. Additionally,

¹³⁴ The DCOF is a branch of the United States Agency for International Development.

¹³⁵ *supra* note 131

¹³⁶ Betancourt, Theresa Stichick. "Sierra Leone's Former Child Soldiers: A Follow-up Study of Psychosocial Adjustment and Community Reintegration." *PsycEXTRA Dataset*, 2009. <https://doi.org/10.1037/e517292011-112>.

the Rapid Response for Primary School program helped students catch up on missed material due to the conflict.¹³⁷

Ultimately, the combination of community sensitization, family reunification, and access to education enabled former child combatants in Sierra Leone to reintegrate socially, psychologically, and economically into their communities. While imperfect, this multifaceted approach addressed various aspects of their lives, allowing them to overcome trauma and become successful, politically active individuals who contribute positively to their society.

IV. Domestic Release of Prisoners

In the United States, the issue of crime remains highly contentious, with a growing emphasis on reducing recidivism leading progressive states like California and New York to seek alternatives to traditional incarceration. These states are increasingly exploring rehabilitation-focused strategies to address the root causes of criminal behavior and reduce offending. Federally, initiatives like the Second Chance Act, enacted by Congress in April 2008, have been instrumental in decreasing recidivism. This legislation has allocated nearly 165 million dollars in federal grants to support mental health services, substance treatment, housing, education, and employment for formerly incarcerated individuals.¹³⁸ As a result, innovative state-led programs, such as the Allegheny County Jail Collaborative Reentry Program, have been developed, focusing on tailored, community-specific approaches to reducing recidivism.¹³⁹

In the field of penology, three notable programs are recognized for their success in facilitating reintegration and reentry: (1) The Allegheny County Jail Collaborative (ACJC)

¹³⁷ *supra* note 131

¹³⁸ “The Second Chance Act.” The National Reentry Resource Center, April 2018. https://csgjusticecenter.org/wp-content/uploads/2020/02/July-2018_SCA_factsheet.pdf.

¹³⁹ *Id.*

Reentry Program (2) the Warren County Regional Jail (WCRJ) Inmate Reentry Program, and (3) The Boston Reentry Initiative.¹⁴⁰

Pennsylvania's Allegheny County reentry program was one of the pioneers in establishing a comprehensive reentry initiative for release prisoners. Inmates are paired with Reentry specialists who assist them in accessing crucial services during the six to twelve months following their release. The specialists support individuals in securing education, substance abuse and mental health treatment, job readiness training, and employment opportunities.¹⁴¹ With the help of these interventions, the ACJC program participants had a higher rate of reintegration and fifty percent lower recidivism rate than members of a matched comparison group that did not have an intervention.¹⁴²

Launched in 2001, the WCRJ Inmate Reentry Program in Kentucky aims to facilitate the successful reintegration of released prisoners and reduce recidivism. This program extends its support both before and after release, offering drug rehabilitation, informational handbooks, vocational training, mentoring, and work opportunities.¹⁴³ A key strength of the WCRJ program is its emphasis on community involvement, enlisting local professionals, church members, and employers to support individuals in their transition.¹⁴⁴ This community-based approach helps mitigate stigma and improve employment prospects for recently released prisoners.

¹⁴⁰ Shaivitz, Michelle D. *Making Ex-prisoners into Citizens: Creating an Inmate Reentry Program in a Local Jail Setting, Implications for Outreach, External Service, and Recidivism; The Impact of Employing a Recidivism Associate on Successful Community Reintegration*, March 2015.

¹⁴¹ *Id.*

¹⁴² Willison, J. B., Bieler, S., & Kim, K. (2014, October 6). Evaluation of the Allegheny County jail collaborative reentry program. Washington, DC: Urban Institute, Justice Policy Center; Yamatani, Hide, and Solveig Spjeldnes. Saving Our Criminal Justice System: The Efficacy of a Collaborative Social Service. Accessed September 4, 2024. <https://www.thefreelibrary.com/Saving+our+criminal+justice+system:+the+efficacy+of+a+collaborative...-a0246012990>.

¹⁴³ "Warren County Regional Jail: Inmate Reentry Program." Bowling Green: Warren County Regional Jail.

¹⁴⁴ *supra* note 139

Finally, the BRI, managed by the Suffolk County House of Correction at South Bay, addresses the reintegration of high-risk inmates in the Boston area. Each month, the Boston Police Department selects fifteen to twenty inmates to participate in the BRI. The program starts with an initial meeting involving representatives from religious organizations and social services to outline available resources.¹⁴⁵ Inmates then work with caseworkers to create individualized reintegration plans that include resource research, case management, mentoring, addiction treatment, and employment support.¹⁴⁶ Criminologists Anthony Braga, Anne Piehl, and David Hureau found that participation in the BRI led to a thirty percent reduction in arrest rates among those in the program compared to those who did not participate in the BRI's intervention.¹⁴⁷

Each of these programs helps play a crucial role in aiding individuals' transition from incarceration into their local communities, providing essential resources, connections with their peers, and job opportunities. Although support typically lasts up to a year, these initiatives are designed to help former prisoners achieve long-term independence and financial stability, fostering their successful reintegration into society.

G. Conclusion

I. Findings: The Needs of Detainees and Gaps in Care

The five detainees interviewed as part of this study all describe significant challenges in adjusting to life after their release from Guantánamo. While their experiences represent just a fraction of the broader narrative, they align with both the memoirs of other released detainees

¹⁴⁵ *supra* note 139

¹⁴⁶ *Id.*

¹⁴⁷ Braga, A. A., Piehl, A. M., & Hureau, D. (2009, November). Controlling violent offenders released to the community: An evaluation of the Boston reentry initiative. *Journal of Research in Crime and Delinquency*, 46(4), 411-436.

and the experiences of former combatants and detained individuals more generally. This research demonstrates that current resettlement programs often fail to address the long-term needs of former detainees, suggesting that more comprehensive and tailored approaches are necessary.

Each detainee has encountered some degree of stigma, which varies depending on their country of resettlement. For example, Begg faces Islamophobia and racism in a predominantly White country despite being surrounded by a significant Muslim population. Adayfi encounters similar issues, but to a different severity, in a country where Islamophobic rhetoric has surged since 2019.¹⁴⁸ Qurashi deals with stigma and hardship in an authoritarian regime, while Slahi faced¹⁴⁹ difficulties in a weak democracy, even though both were resettled in Muslim-majority countries. Despite their unique resettlement contexts, all have experienced stigma associated with being labeled terrorists, including threats from government officials and harassment of family members. Despite ongoing rehabilitation efforts, the former detainees interviewed as part of this project express feelings of social isolation and a sense of abandonment.

A common need among the detainees is acknowledgment of their suffering - a key principle of transitional justice. This includes recognizing the wrongs they endured and the role of perpetrators. According to transitional justice scholars, Olivette Otele, Luisa Gandolfo, and Yoav Galai, inadequate memorialization or acknowledgment of harm prolongs suffering and obstructs reconciliation efforts.¹⁵⁰ For detainees, particularly those released to countries like Saudi Arabia that presume guilt, the lack of acknowledgment compounds their trauma. They

¹⁴⁸ Gadzo, Mersiha. “‘Large Increase in Anti-Bosnian, Anti-Muslim Bigotry’: Report.” Al Jazeera, September 29, 2019. <https://www.aljazeera.com/features/2019/9/23/large-increase-in-anti-bosnian-anti-muslim-bigotry-report>.

¹⁴⁹ As mentioned during his interview, Slahi no longer resides in Mauritania.

¹⁵⁰ Otele, Olivette, Luisa Gandolfo, and Yoav Galai. *Post-conflict memorialization: Missing memorials, absent bodies*. Cham: Palgrave Macmillan, 2021.

seek validation of their victimization and a collective memory of the United States' role in the Global War on Terror.

Adayfi, Qurashi, and Slahi all call for more comprehensive post-release care. Adayfi seeks long-term assistance, including vocational training and financial stability, while Slahi desires more immediate support from governments, non-profits, and humanitarian organizations after release. Despite the efforts of organizations like Reprieve, which offer social and resource support, former detainees frequently report a lack of vocational training, financial aid, and relief from stigma. They also express concern about the efficacy of humanitarian organizations and NGOs in providing resources. Further research is needed to understand why these resources are perceived as inadequate and whether barriers exist in accessing them.

Rossdale and Taylor suggest that former detainees may not trust organizations because they have experienced deception during their imprisonment. For example, many detainees in Guantánamo were told that they were meeting with ICRC staff, only to end up with interrogators in disguise and the information shared in these allegedly confidential meetings later being used against them.¹⁵¹ However, some detainees do maintain faith in NGO and humanitarian efforts. Begg, for instance, shows a degree of trust in these organizations' work as he has previously worked with Reprieve and Amnesty International. Additionally, four detainees have worked with CAGE, which is perceived more positively among detainees due to its reputation as a Muslim organization with former detainees among its representatives.

Two former detainees express significant skepticism about state reintegration efforts. Slahi and Adayfi both voice suspicion about the Saudi reintegration program due to concerns

¹⁵¹ *supra* note 56

over human rights violations, mandatory admissions of guilt, and restrictions on freedoms. Their concerns are compounded by reports of limited freedom of expression.

II. Key Takeaways from Other Reintegration Programs

With these concerns in mind, this paper turns back to its analysis of comparative rehabilitation and reintegration frameworks. Both Sierra Leone's rehabilitation program for former child combatants and the United States' domestic reentry programs for prisoners offer valuable insights into addressing the needs and concerns expressed by former detainees. These programs highlight effective practices for bridging gaps in care and supporting reintegration.

Sierra Leone's program is particularly noteworthy for its emphasis on family reintegration. By addressing feelings of isolation and social stigma, the program helped former child combatants reconnect with their families and communities. In contrast, while the Saudi program includes some elements of family reunification, detainees located in other countries often lack the crucial family support necessary for effective rehabilitation. Restrictions on travel further exacerbate their isolation, preventing them from visiting family, as seen in Slahi's experience of being denied reunification with his brother in Germany. As a result, integrating family reunification more uniformly could enhance the overall rehabilitation process for former detainees.

Moreover, both Sierra Leone and the WCRJ programs emphasize community preparation for the return of former combatants and prisoners. Sierra Leone's approach involved fostering forgiveness and acceptance through workshops and community engagement, ensuring that former child combatants received the necessary support. Similarly, the WCRJ program builds a support network of professionals and religious figures, offering jobs and mentoring to help

ex-prisoners achieve financial stability and support. Establishing similar community-focused programs in areas where former detainees are commonly resettled could mitigate stigma and improve employment opportunities. Several detainees reported harassment from local officials or community members, highlighting the need for community education and involvement to counteract these negative perceptions.

Rehabilitation efforts for former Guantánamo Bay detainees could also benefit from adopting education and training practices used in Sierra Leone, Allegheny County, and Boston. These set participants up for long-term success. For instance, Sierra Leone's Rapid Response for Primary School Program helps students catch up on missed education, a model that could be adapted for former detainees who were kidnapped during critical development years. Allegheny County's job preparation program could be used to assist former detainees who faced prolonged periods of incarceration and gaps in their resumes.

Additionally, the U.S. prison reentry programs offer comprehensive mental health and substance abuse treatment services, which are crucial to former detainees who have endured significant trauma. Individual case management systems in the U.S. programs provide specialized care, which could be beneficial for former Guantánamo detainees. As mentioned earlier in this paper, uniform approaches to care for former Guantánamo detainees are difficult because their circumstances largely depend on where they have been resettled or repatriated; individualized care, like that offered by the BRI, has the potential to resolve some of these problems and address the unique systems of power at play, whether they be racism or authoritarianism.

While these recommendations offer promising avenues for improving rehabilitation, this study acknowledges the challenges in applying these suggestions universally. Former Guantánamo detainees encounter specific difficulties that differ significantly from those faced by former child combatants and prisoners.¹⁵² These differences raise questions about the responsibility for their rehabilitation and how best to address their unique needs. Furthermore, the desires of detainees may be fundamentally different from the desires of states. Receiving states are primarily and practically concerned with recidivism and national security threats. The desires of individuals who consider threats may outweigh their desire to protect the rights and interests of those same individuals. Nonetheless, this study remains optimistic and offers suggestions with the hope that states will consider the interests of former detainees released or repatriated to their countries, not only to prevent recidivism but also to protect their human rights.

III. How Detainees Access Accountability, Justice, and Resources for Themselves

This study concludes by revisiting Agamben's theory that individuals outside the state apparatus can effect change within the state. Despite the prevailing systems of power and significant gaps in care, Guantánamo Bay detainees have actively sought to address their needs when existing rehabilitation schemes fall short. The detainees interviewed for this study demonstrate five primary methods of self-advocacy and self-rehabilitation: (1) protest, (2) art, (3) community involvement and building, (4) researching, publishing, and studying, and (5) advocating for international pressure to close Guantánamo.

a. Protest

¹⁵² These include the need to assert their innocence despite prolonged detention and their status as non-citizens of the state that has detained them.

Detainees such as Adayfi and Qurashi have utilized protest as a means of self-advocacy. Guantánamo has a history of protests that has undoubtedly influenced their efforts to assert their rights. Qurashi, for example, used hunger strikes, a method commonly used in the detention facility, to resist non-consensual medical testing. According to Joshua Reno, a professor of Anthropology at Binghamton University, hunger strikes are a “bodily form of resistance” ... that means publicly resisting [the need for food] in a performance, a display meant for others to witness.”¹⁵³ By leveraging the state’s need to keep him alive, Qurashi used hunger strikes within the tradition of Guantánamo to build his “social presence” despite his physical diminishment.¹⁵⁴ Qurashi used this method of protest to push for more information about his health, while Adayfi utilized a different avenue for protest: running. Through his running campaigns and corresponding social media protests to close Guantánamo, he has highlighted the plight of current and former detainees and advocated for the closure of the facility.

b. Art

In addition to protest, artistic expression provides a powerful means for former detainees to reclaim their voices and advocate for justice. Adayfi, Begg, and Slahi have written memoirs that challenge the U.S. narrative and expose human rights abuses obscured by national security claims. Similarly, detainees have used painting, oil pastels, and collaging to explore their life after release. Art classes in Guantánamo began after the inauguration of the Obama administration, to “provide intellectual stimulation for the detainees.” Although this was a positive development, detainees remained in shackles during their sessions and had access to

¹⁵³ Reno, Joshua. “From Wasting Away to a Way Within Waaste: The Visibility of Moath al-Alwi .” Essay. In *Deaf Walls Speak: The Guantánamo Artwork and Testimony of Moath Al-Alwi*. Palgrave MacMillan.

¹⁵⁴ *Id.*

only limited materials, due to concerns that they might use the supplies to create weapons.¹⁵⁵ Many detainees have continued to create art after their release, using skills acquired in the detention facility, to create politically charged artwork that critiques Guantánamo and depicts its impact on their lives. For many of these former detainees, creating artwork after release serves as both a platform for sharing their stories and a vital outlet for their healing journey.

c. Community Involvement and Building

Community involvement and building are also crucial for former detainees in advocating for themselves and supporting their reintegration. Adayfi's restricted interaction with his religious and cultural community in Serbia, exacerbated by surveillance and harassment, underscores the efforts by both the United States and receiving states to hinder the social integration of detainees following their release. Despite these barriers, efforts to engage in local activities, such as language classes or volunteering, represent steps toward healing and empowerment.

In cases where local community engagement is challenging, former detainees have formed support networks among themselves using Whatsapp chats. Despite their diverse backgrounds, these individuals create a space for mutual support, sharing resources and advice, and discussing resettlement challenges. This network serves as a form of resistance against the isolation imposed by Guantánamo and release.

d. Researching, Publishing, and Studying

¹⁵⁵ Thompson, Erin. "Art from Guantánamo ." *The Paris Review*, September 30, 2017. <https://www.theparisreview.org/blog/2017/10/02/art-from-guantanamo/>.

Former detainees also advocate for themselves and their reintegration by conducting research and publishing work on Guantánamo and their experiences after release. Through op-eds, articles, and academic theses, they promote social justice, challenge stigma, and reclaim their narratives. Former detainees such as Abbasi, Adayfi, and Begg have countered misinformation and collaborated on reports with NGOs like CAGE. Many of them have used these forums to contribute to statistics or studies on struggles with reintegration. They have also used education to create avenues for personal advancement and reintegration. For example, Adayfi's pursuit of education, despite limited access to support programs, has provided him with an academic platform to advance his advocacy.

e. Advocating for International Pressure to Close Guantánamo

Finally, former detainees like Adayfi, Begg, and Slahi actively advocate for redress and accountability by seeking international pressure to close Guantánamo. By appealing to foreign governments and international organizations, they aim to align global norms with the rights of detainees. Their advocacy includes engaging with foreign governments and the European Parliament to build support for closing Guantánamo and preventing further harm to detainees. This is also a therapeutic process as their experiences are validated and acknowledged on an international stage.

IV. Implications

This study's examination of the experiences of former Guantánamo Bay detainees and their reintegration challenges, alongside insights from rehabilitation programs for former child combatants in Sierra Leone and domestic reentry programs in the U.S., underscores the need for systemic changes in post-detention care. This study found that former Guantánamo detainees

encounter a range of profound difficulties upon release, including social stigma, isolation, and inadequate support systems. These challenges are compounded by a lack of acknowledgment of their suffering and insufficiently tailored care services. The experiences of the detainees interviewed as part of this study highlight that the existing rehabilitation and reintegration systems fall short of meeting their needs, leaving them in a state of limbo and struggling to rebuild their lives. This study highlights the urgent need for further research to evaluate the current programs' resources and identify why there are gaps in their effectiveness. Understanding these dynamics is essential for developing programs that truly support former detainees in their reintegration journey

The analysis of Sierra Leone's rehabilitation program for former child combatants and various U.S. domestic reentry programs reveals several key lessons for improving support for former detainees. Sierra Leone's approach, which emphasizes family reunification and community sensitization, demonstrates the value of addressing social isolation and stigma through comprehensive familial and communal support. U.S. programs like those in Allegheny County, Warren County, and Boston illustrate the effectiveness of community-specific interventions, mental health care, and vocational training in facilitating successful reintegration.

It is imperative to create a more effective and compassionate approach to post-detention care, especially given the role our government has played in traumatizing and abusing these individuals. Each of the programs highlighted in this thesis should inform and enhance one another, as human rights work involves not only about preventing and reporting human rights abuses but also supporting individuals who have already endured them. Therefore, addressing the issues in the reintegration and rehabilitation of former Guantánamo Bay detainees not only

supports the individuals directly affected but also contributes to broader goals of justice, accountability, and human rights.

Appendix A

- 1) What is your name and age?
 - a) What country are you from?
 - b) What country are you currently in?
- 2) When were you released from Guantánamo? And how long were you there?
- 3) Can you describe the process of finding out about your release and where you would be released to?
 - a) What did you know about the resettlement process before your release?
- 4) Did you want to return back to your home country?
 - a) Did you know anyone in your country of resettlement before you arrived?
 - b) Did you have any knowledge of the country you were to be released to? If so, what did you know?
 - c) Do you speak the language of the country you were resettled in?
- 5) Can you describe the transition? How did you feel when you first arrived and what did your life look like during this period?
- 6) Can you describe what a typical day looks like for you (your social life, religious circle, traveling)?
- 7) Do you keep in contact with other detainees?
- 8) Do you know what your immigration status is?
- 9) How would you describe the quality of your life right now?
 - a) How has Guantánamo affected you after your release?
 - b) How has your status as a former Guantánamo Bay detainee impacted you?
- 10) What resources (financial, education) do you receive?

- a) Are there any resources you feel that you need that you currently don't have access to?
- 11) Are you involved in any activism related to Guantánamo?
- a) Are you able to advocate for yourself if your needs aren't being met?
 - b) How have your peers advocated for themselves in similar situations?
 - c) Are you able to vote?
- 12) Have you noticed any public response to your activism?
- 13) Has anyone ever discussed reparations or resettlement with you? If so, who? And what do you think about the prospect of receiving compensation for the abuses you endured at Guantánamo?
- 14) Are you aware of any community efforts to provide redress to former detainees from Guantánamo?
- 15) How have things changed since you first arrived in [insert name of country]?
- 16) Have you gained any more independence/freedom/rights?
- a) How did you gain these rights or how did you find out that you had gained them?

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