

DJAMEL AMEZIANE***ALGERIAN GUANTÁNAMO REFUGEE IN NEED OF REFUGEE PROTECTION**

DJAMEL AMEZIANE is an ethnic Berber from Algeria who fled his home country 16 years ago in order to escape persecution and make a better life for himself. He traveled to Austria, where he worked as a top-paid chef in an Italian restaurant, and later to Canada, where he applied for political asylum and lived for five years, though his application was ultimately denied. Displaced, fearful of being returned to Algeria, and faced with few options, he traveled to Afghanistan. But as a foreigner in a land soon torn apart by conflict, he became an easy target for corrupt local forces, who sold him to the U.S. military for a bounty. The Americans transported him first to the Airbase at Kandahar, Afghanistan, and then to Guantánamo Bay, Cuba, where, after nearly seven years, he remains imprisoned

without charge and, to date, without judicial review of his detention. If Djamel is ever to leave Guantánamo in safety, he needs the protection of a third country to offer him resettlement. He has applied for resettlement in Canada, where he lived for five years prior to his detention.

Personal History

Djamel Ameziane was born in 1967 in Algiers to a close-knit family of four brothers and four sisters. He obtained a college diploma in Algeria and worked as a supervisor responsible for supplying drinking water and waste disposal. In 1992, Djamel left the country to escape escalating instability and oppression under the one-party government then in power. He transited through Italy to Vienna, Austria, where he lived legally for several years. Djamel began working as a dishwasher in Vienna, but his talent allowed him to rise quickly to become the highest-paid chef at *Al Caminetto Trattoria*, a well-known Italian restaurant. In 1995, following the election of a new government, more restrictive immigration policies kept Djamel from extending or renewing his visa, and his work permit was denied without explanation. He was forced to leave the country.

Djamel traveled directly to Canada because of its large French-speaking population and his belief that Canada's immigration policy would be more favorable to him. Immediately upon his arrival, he told immigration officials that he wanted to apply for asylum because he was afraid of being deported to Algeria. As he awaited a decision, Djamel obtained a temporary work permit and worked diligently for an office supply company and for various restaurants in Montreal. His application was denied in 2000 and he was forced to uproot his life and leave the country he had made his home for the past five years.

Fearful of being forcibly returned to Algeria and with few options, Djamel went to Afghanistan, where he felt he could live freely without discrimination as a Muslim man, and where he would not fear deportation to Algeria. Once in Afghanistan, he did not participate in any military training or fighting and, as soon as the war started, he fled to escape the fighting. He was captured by local police while trying to cross the border into Pakistan, and was turned over to U.S. forces for a bounty. Later, in Guantánamo, soldiers told Djamel that the Pakistanis sold people to them in Afghanistan for \$2,000, and in Pakistan for \$5,000.

* Djamel Ameziane is represented by attorneys Wells Dixon and Pardiss Kebriaei at the Center for Constitutional Rights. For more information about Guantánamo's refugees, contact emaclean@ccrjustice.org.

Djamel has never been alleged by the U.S. government to have engaged in any acts of terrorism or hostilities. He has never picked up a weapon or participated in any military training or fighting, nor is he accused of these acts. In short, he has never had any involvement with extremism, terrorism or any act of violence whatsoever. Tragically, Djamel was nonetheless sent to Guantánamo Bay. He was transferred on or around February 11, 2002.

Imprisonment at Guantánamo

As one of the first prisoners to arrive at Guantánamo, Mr. Ameziane was held in the now-infamous metal cages of Camp X-Ray. For over a year, he was held in solitary confinement in a small windowless cell in Camp 6, which the ICRC has described as more restrictive than supermax facilities in the U.S. Separate from the inhumane conditions of his detention, he has been subjected repeatedly to brutal acts of physical violence by military guards. In one incident, guards sprayed him all over with cayenne pepper and then hosed down with water to accentuate the effect of the pepper spray and make his skin burn. They then held his head down and placed a running water hose between his nose and mouth, running it for several minutes over his face and suffocating him, repeating the operation several times. Of that experience he writes, "I had the impression that my head was sinking in water. Simply thinking of it gives me the chills." Following that episode, the guards bound him in cuffs and chains and took him to an interrogation room, where he was left for several hours, writhing in pain, his clothes soaked while air conditioning blasted in the room, and his body burning from the pepper spray. He has spent as many as 25 and 30 hours at a time in the interrogation room, sometimes with techno music blasting, "enough to burst your eardrums."

For the injuries and ailments resulting from his imprisonment, he has never been afforded adequate medical care. For example, his vision has deteriorated as a result of his time in Camp 6, from staring at the white walls of his small cell all day. It took a year of repeated requests for him to receive an eye examination alone. He also developed rheumatism in his legs because of the extremely cold temperatures when he was in Camp 6, for which he could not even get a pair of socks.

During his over six and a half years at Guantánamo, Djamel has been deprived of critical moments with his family. His father passed away during this period, before Djamel could see or communicate with him one last time. His brothers and sisters have had wedding ceremonies he has been unable to attend and had children who have never known their uncle.

Fear of Return to Algeria

Djamel has a credible fear of persecution if he were to be returned to Algeria. In Djamel's hometown in Kabylie, an unstable region in the north of Algeria known for frequent, violent clashes between the Algerian army and Islamic opposition groups, practicing Muslims are automatically suspected of being supporters of such groups and are frequently harassed and targeted for arrests and detention by the government solely because of their religious practices. The stigma of having spent time in Guantánamo would alone be enough to put him at risk of being imprisoned if he is returned. Algeria has a documented history of torture and ill-treatment of its prisoners, particularly those suspected of links with terrorism, which international human rights organizations and the U.S. Department of State itself have recognized. Amnesty International has reported that the most serious violations of human rights abuses have been committed by the DRS, Algeria's "military security" police, in cases of individuals detained on suspicion of terrorist activity. The five Algerians transferred out of Guantánamo so far were all detained immediately upon arrival for questioning for a period of nearly two weeks, during which they were denied access to a lawyer and their families.

Need for Refugee Protection

Djamel remains trapped at Guantánamo until a third country comes forward to offer him resettlement protection. He has applied for resettlement in Canada, the country he lived in for five years and would not have left had he not previously been denied asylum.