

From [Center for Constitutional Rights](#)

On Wednesday, we submitted a filing to the International Criminal Court (ICC), concerning two men detained at Guantánamo, CCR clients [Sharqawi Al Hajj](#) and [Guled Hassan Duran](#). The filing was in support of the

[ICC Prosecutor's request to open a formal investigation](#) into crimes in and related to the armed conflict in Afghanistan. The filing, which includes the two "victim's representations," draws from publicly available information to detail the treatment, including torture, that the men endured in CIA black sites, proxy-detention, and DOD facilities, as well as their ongoing indefinite detention at Guantánamo, elaborates on the importance of an ICC investigation into these international crimes, and elaborates on the suggested scope of the inquiry to ensure the investigation captures the full liability of those who bear the greatest criminal responsibility. The CCR calls it a long-awaited opportunity for accountability.

"Impunity has been the norm for U.S. officials who created and ran a torture program that centered on 'black sites' and other detention facilities in Afghanistan, but extended to other black-site host countries, including Romania, Poland, or Lithuania, and 'proxy-detention' sites in places like Jordan," said CCR Senior Staff Attorney [Katherine Gallagher](#), who serves as victims' representative for purposes of last week's submission to the ICC. "We have long sought accountability for U.S. violations, both domestically and abroad. Now the victims of these grave crimes have the opportunity to present their view that the ICC must take action to hold U.S.-actors accountable."

An ICC prosecution is crucial to demonstrate that no one is above the law regardless of their power or position, that those who bear the greatest responsibility for serious international crimes will be held accountable and not enjoy global impunity, and that all victims of serious crimes can and will have their claims heard and adjudicated by an independent and impartial tribunal. We also urge the ICC to include CIA proxy-detention and continuing crimes at Guantánamo in its investigation, to consider crimes against humanity as well as war crimes for U.S. actors, and to include senior civilian and military leadership as well as private contractors among the potential perpetrators to be investigated for possible prosecution in The Hague.

CCR has [long sought to hold Bush administration officials accountable](#) for their role in the torture of detainees at Guantánamo, Afghanistan, and secret "black sites" around the globe.