

By Andy Worthington

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As part of my series, “Guantánamo Habeas Week” ([introduced here](#)), it’s my pleasure to present a list of the 47 habeas corpus rulings made to date, with links to the articles I have written over the last 19 months analyzing the judges’ rulings.

As I explained in the introduction to this series, I remain impressed that the judges involved have ruled in the prisoners’ favor in 34 of the 47 cases, particularly because they have revealed the alarming flimsiness of most of the material presented by the government as evidence — primarily, confessions extracted through the torture or coercion of the prisoners themselves, or through the torture, coercion or bribery of other prisoners, either in Guantánamo, the CIA’s secret prisons, or proxy prisons run on behalf of the CIA in other countries.

However, as I also explained, I remain deeply troubled about the justification for continuing to hold the majority of the prisoners who lost their habeas petitions, because the basis for doing so — the [Authorization for Use of Military Force](#) , passed by Congress in the wake of the 9/11 attacks and maintained as a justification by President Obama — was, and is a deeply flawed document, which fails to distinguish between a small group of genuine terrorists (al-Qaeda) and a considerably larger group of men (and boys) associated with the Taliban. The result is that men continue to be consigned to indefinite detention, on an apparently sound legal basis, even though they were only peripherally involved with the military conflict in Afghanistan to secure the fall of the Taliban, and should, all along, have been held (if at all) as prisoners of war, and protected by the Geneva Conventions.

Please note that, although 23 of the prisoners who won their habeas petitions have been released, eleven are still held. With the exception of the Uighurs, the government has appealed the rulings (or appears intent on appealing). In the cases of prisoners who lost their habeas petitions, a number of appeals have also been filed. See the [Center for Constitutional Rights’ Habeas Scorecard](#) for further information on the status of the various appeals.

The 47 Guantánamo Habeas Corpus Results

October 2008



1 WON: Abdul Helil Mamut (aka Abdul Khalil Manut, Abdul Nasser, Abdulnassir) (Uighur, ISN 278)

Released in Bermuda, June 2009.

2 WON: Abdullah Abdulquadirakhun (aka Abdulla Abdulqadir, Jalal Jalaladin) (Uighur, ISN 285)

Released in Bermuda, June 2009.

3 WON: Emam Abdulahat (aka Salahidin Abdulahad, Abdul Semet) (Uighur, ISN 295)

Released in Bermuda, June 2009.

4 WON: Huzaifa Parhat (aka Hozaifa Parhat, Ablikim Turahun) (Uighur, ISN 320)

Released in Bermuda, June 2009.

5 WON: Nag Mohammed (aka Edham Mamet) (Uighur, ISN 102)

Released in Palau, October 2009.

6 WON: Ahmad Tourson (Uighur, ISN 201)

Released in Palau, October 2009.

7 WON: Anwar Hassan (aka Hassan Anvar) (Uighur, ISN 250)

Released in Palau, October 2009.

8 WON: Abdulghappar Abdul Rahman (Uighur, ISN 281)

Released in Palau, October 2009.

9 WON: Dawut Abdurehim (Uighur, ISN 289)

Released in Palau, October 2009.

10 WON: Adel Noori (Uighur, ISN 584)

Released in Palau, October 2009.

11 WON: Arkin Mahmud (Uighur, ISN 103)

Released in Switzerland, March 2010.

12 WON: Bahtiyar Mahnut (Uighur, ISN 277)

Released in Switzerland, March 2010.

13 WON: Abdul Razak (Uighur, ISN 219)

Still held.

14 WON: Yusef Abbas (Uighur, ISN 275)

Still held.

15 WON: Saidullah Khalik (Uighur, ISN 280)

Still held.

16 WON: Hajiakbar Abdulghupur (Uighur, ISN 282)

Still held.

17 WON: Ahmed Mohamed (Uighur, ISN 328)

Still held.

For my analysis of the ruling, see: [From Guantánamo to the United States: The Story of the Wrongly Imprisoned Uighurs](#)

For Judge Ricardo Urbina's unclassified opinion, see [here](#) . And see [here](#) for a transcript of the hearing.

For the releases in Bermuda, see: [Who Are The Four Guantánamo Uighurs Sent To Bermuda?](#)

For the releases in Palau, see: [Who Are The Six Uighurs Released From Guantánamo To Palau?](#)

For the releases in Switzerland, see: [More Dark Truths from Guantánamo, as Five Innocent Men Released](#)

For the Supreme Court's refusal to consider the case of the last five Uighurs held, see: [Guantánamo Uighurs Back in Legal Limbo](#)

November 2008



18 WON: Mohammed Nechle (Bosnian Algerian, ISN 10003)

Released in Bosnia, December 2008.

19 WON: Mustafa Ait Idr (Bosnian Algerian, ISN 10004)

Released in Bosnia, December 2008.

20 WON: Boudella al-Haj (Bosnian Algerian, ISN 10006)

Released in Bosnia, December 2008.

21 WON: Lakhdar Boumediene (Bosnian Algerian, ISN 10005)

Released in France, May 2009.

22 WON: Sabir Lahmar (Bosnian Algerian, ISN 10002)

Released in France, November 2009.

1 LOST: Belkacem Bensayah (Bosnian Algerian, ISN 10001)

Still held.

For my analysis of the ruling, see: [After 7 Years, Judge Orders Release of Guantánamo Kidnap Victims](#)

For Judge Leon's unclassified opinion, see [here](#).

For the releases in Bosnia, see: [Freed Bosnian Calls Guantánamo the "worst place in the world"](#)

For the release of Boumediene in France, see: [Pain At Guantánamo And Paralysis In Government](#)

For the release of Lahmar in France, see: [Four Men Leave Guantánamo; Two Face Ill-Defined Trials In Italy](#)

For Bensayah's appeal, see: [First Guantánamo Prisoner To Lose Habeas Hearing Appeals Ruling](#)

. And also see this [New York Times](#) article examining conflict within the Obama administration on prisoner cases, including that of Bensayah.

December 2008

2 LOST: Hisham Sliti (Tunisia, ISN 174)

Still held.

For my analysis of the ruling, see: [No End in Sight for the "Enemy Combatants" of Guantánamo](#)

For Judge Richard Leon's unclassified opinion, see [here](#).

January 2009

3 LOST: Muaz al-Alawi (aka Moath al-Alwi) (Yemen, ISN 28)

Still held.

For my analysis of the ruling, see: [No End in Sight for the "Enemy Combatants" of Guantánamo](#)

For Judge Richard Leon's unclassified opinion, see [here](#).



[Fahim bin Ali \(U.S. v. Ali, No. 09-138\) Release From Guantánamo: The Latest Habeas Rulings](#)
The unclassified opinion has not been released yet, but the classified opinion, see [here](#).



[Abdullah bin Ali \(U.S. v. Ali, No. 09-139\) Release From Guantánamo: The Latest Habeas Rulings](#)
The unclassified opinion has not been released yet, but the classified opinion, see [here](#).



[Abdullah bin Ali \(U.S. v. Ali, No. 09-139\) Release From Guantánamo: The Latest Habeas Rulings](#)
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