

From [Center for Constitutional Rights](#)



Three amicus briefs have been submitted in support of the [first major legal challenge to Donald Trump's Guantánamo policy](#), filed

by CCR and co-counsel on January 11, the 16<sup>th</sup>

anniversary of the opening of the prison. A brief

[filed by Muslim Advocates](#)

on behalf of 13 Muslim, faith-based, and civil rights community organizations argues that Trump's blanket refusal to release any prisoners from Guantánamo is based on blatant animus towards Muslims and part of his broader attack on Muslim communities. "Like the series of cases challenging the President's 'Muslim Ban,'" the brief reads, "this case presents a once-rare occurrence: a state actor whose policies are avowedly driven by a discriminatory and punitive ideology." The brief highlights a critical feature of Trump's Guantánamo: while we have always noted that Guantánamo has only ever held Muslim men and boys, Trump is avowedly and intentionally making it a Muslim Prison. A second brief

[filed on behalf of a group of due process scholars](#)

argues that ongoing detention without charge at Guantánamo amounts to unconstitutional preventative detention and that the President "must charge or release Petitioners in order to comply with principles of liberty embodied in the Due Process Clause." Finally, a brief

[filed by the Center for Victims of Torture](#)

(CVT) argues that continued indefinite detention has and will continue to cause physical and psychological trauma, and that these effects are magnified for those men who were tortured in CIA detention and at Guantánamo. "To be sure, Guantánamo is different now than it was in the early to mid-2000s," CVT argues. But for torture survivors in particular, Guantánamo's essence will never change, and as long as the men remain confined there, they will never escape it.

Together, the amicus briefs support CCR's argument that Trump's Guantánamo policy amounts to arbitrary, discriminatory detention, that the dangers of continuing to detain these men indefinitely are grave, and that the courts must intervene.