



3 November 2015

Ms. Loretta Lynch
Attorney General of the United States
Via post and e-mail to DOJ counsel in *Chekkouri v. Obama*:
Timothy.Johnson4@usdoj.gov, terry.henry@usdoj.gov

Dear Ms. Lynch,

Urgent: Enforcement of Diplomatic Assurances Regarding Younous Chekkouri

I am a Director at the human rights organization Reprieve and counsel to Younous Chekkouri, the man who until mid-September was Prisoner Number 197 in Guantánamo Bay. Some weeks ago the Defense Department transferred him to Morocco, subject to diplomatic assurances (conveyed to him and to me by State Department officials) that he would be held for no longer than 72 hours and that the Moroccans had no intention of prosecuting him. That was nearly seven weeks ago.

I am writing in haste because I understand you are now visiting Rabat, just a few minutes' drive from where Mr. Chekkouri is now held. He is currently detained in Salé prison, in contravention of the assurances provided to the United States and on which we relied in advising Mr. Chekkouri to accept the transfer. Moroccan authorities are apparently contemplating a charge for, as best as we can reconstruct, the same allegations your Justice Department attorneys withdrew when we litigated them in the habeas corpus case. The next hearing that is expected to determine whether he is to be charged is tomorrow, November 4.

We therefore ask that you urgently intervene with Moroccan authorities, urging them to honor their prior assurances regarding Mr. Chekkouri. Reprieve understands the aim of your visit is to discuss judicial cooperation – but the United States cannot in good conscience continue to cooperate with an entity that does not respect its bilateral agreements with the U.S. In addition, cooperation on terrorism prosecutions is inadvisable when Mr. Chekkouri may shortly be charged based on long-disavowed torture evidence from Guantánamo (or from the dungeons of Morocco itself). This is a critical opportunity for you to proactively affirm the principle of the rule of law.

During a meeting with the U.S. Ambassador to Morocco, The Honorable Dwight Bush, earlier this month, I raised the issue of the violated assurances. If he viewed their violation and the potential prosecution of Mr Chekkouri as a problem he declined to offer any assistance. Your line attorneys at the DOJ Civil Division, however, are aware of their representations on these matters to the District Court throughout the habeas process, and that there is a pending matter in federal court concerning Mr. Chekkouri's fate.

I hope to read very soon that Mr. Chekkouri has at last been reunited with his family, and that your presence signals an intention on the part of the United States government to put its full diplomatic and political weight into enforcing the diplomatic agreement. Having procured his agreement to go to Morocco, the US government has an ongoing ethical responsibility to Mr. Chekkouri.

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Chair: Ken Macdonald QC
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Richard Rogers, Ruth Rogers, Jon Snow, Marina Warner and Vivienne Westwood



My colleague Johanna Hortolani is in Morocco tomorrow for Mr. Chekkouri's hearing and is available to discuss these matters with you on an urgent basis. I can also be reached on my number at Reprieve: +44 207 553 8140. We look forward to your urgent reply.

Best regards,

Cori Crider

A handwritten signature in black ink that reads "Cori Crider". The signature is written in a cursive, flowing style.

cori@reprieve.org.uk

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