

From [Center for Constitutional Rights](#) | Original Article

## Still suffering effects of CIA abuse, Guled Duran is one of many stranded at Gitmo due to inaction by courts, Biden admin

A Somali man held without charge at Guantánamo since 2006 is asking a federal judge to act on his long-stalled case as he suffers continuing medical problems caused by abuse in a CIA “black site.” [Guled Duran](#) seeks to call attention to the inaction of both the courts and the Biden administration, which has kept him imprisoned even though it approved him for release nearly a year ago. He is one of the 35 men still detained at the 20-year-old prison and one of 20 cleared for release.

In a motion submitted on his behalf by lawyers from the Center for Constitutional Rights and attorney Sabrina Shroff, Duran requested a conference with the judge to chart a path toward resolution of his case on its merits. In 2016, he [filed a habeas petition](#) challenging the factual and legal basis of his indefinite detention, and the parties finished filing motions in April 2021, more than a year and a half ago. Inaction by the court has effectively stayed the case since then.

"Courts remain an essential check on indefinite detention at Guantanamo, now approaching twenty-one years, while the Biden administration commits policy malpractice by fighting to detain men it no longer wants to detain in a prison it has said should be closed," said [Wells Dixon](#),

Senior Staff Attorney at the Center for Constitutional Rights.

Adding urgency to Duran’s request is his medical condition. He was hospitalized just two weeks ago for life-threatening intestinal maladies that trace back to before his capture. Duran was captured in Djibouti in 2004 while traveling to Sudan for surgery to repair a wound he suffered when he was a victim of a street robbery. CIA interrogators denied him medical care – and otherwise abused him – to try to force him to cooperate. As his condition worsens, his lawyers say, the doctors at Guantánamo are not equipped to provide adequate care.

In January 2022, the Biden administration cleared Guled for release, making him the first so-called "high value detainee" previously held in secret CIA detention approved for transfer through the Periodic Review Board (PRB) process. Because U.S. law prohibits detainee transfers to the United States or Somalia, Duran requires resettlement. The government said it would make "vigorous efforts" to transfer Guled, but has not done so, his lawyers say.

The Biden administration has transferred only five men from Guantánamo and has not yet negotiated any third-country resettlements. [Majid Khan](#), a Center for Constitutional Rights client, is still awaiting transfer even though he completed his sentence on March 1 as part of a plea agreement with the government.

With the Biden administration leaving men stranded at Guantánamo, they have to rely on judicial relief, but courts are failing to dispose of cases quickly despite their obligation to do so under [Boumediene v. Bush](#), say attorneys. For example, Abdulsalam Al Hela, a Yemeni cleared for release, is still awaiting a decision by the Court of Appeals for the D.C. Circuit more than a year after oral arguments.