

# **EXHIBIT A**



United States Department of State

*Bureau of Western Hemisphere Affairs*

*Washington, D.C. 20520-6258*

July 24, 2012

Elizabeth Abi-Mershed  
Assistant Executive Secretary  
Inter-American Commission on Human Rights  
Organization of American States  
Washington, D.C.

**Ref: Djamel Ameziane**  
**Case No. 12.865**  
**United States**

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Dear Ms. Abi-Mershed:

Thank you for your communication of April 3, 2012 notifying the United States of the Report on Admissibility on the above referenced matter, and for the Commission's letter of June 25, 2012 transmitting additional information submitted by the Petitioner.

We wish to note our concern with the Commission's assessment in its Report on Admissibility that as of March 20, 2012, the United States has not submitted any written response in this matter. The United States would like to draw your attention to its written submissions provided on March 30 and August 26, 2011, which specifically reference and respond to issues relevant to Mr. Ameziane's case. We are also mindful of the several written and oral submissions provided by the United States in the matter of 254 Detainees in the Guantanamo Bay Military Base, Precautionary Measures No. 259-02, which was opened on February 25, 2002, and whose petitioners raise many of the same concerns as Mr. Ameziane. We ask that the Commission consider these submissions in its future treatment of this matter.

The United States appreciates the Commission's offer to assist the parties in considering friendly settlement in accordance with Articles 37(4) and 40 of its Rules of Procedure, and we are pleased that Mr. Ameziane's counsel has expressed interest in pursuing certain discussions in this context.

The United States would be pleased to enter into friendly settlement discussions concerning Petitioner's claim that his client has not been afforded an opportunity to contest the legality of his detention before a competent court. In this regard, the United States observes that Mr. Ameziane's federal habeas corpus petition, filed on February 24, 2005, has been stayed by the U.S. District Court for the District of Columbia. Filing a petition to lift the stay and thereby proceed to the merits of Mr. Ameziane's habeas corpus petition remains an available option to Petitioner, and the United States is willing to discuss this issue in a friendly settlement process. We anticipate that pertinent officials in the U.S. Department of Justice, Department of Defense, and Department of State would contribute to this discussion.

While we remain attentive to Petitioner's concerns with respect to transfer issues, we regret that we would be unable to discuss the specific issues raised in Petitioner's friendly settlement request at this time. The United States continues to work diligently toward Mr. Ameziane's transfer in accordance with U.S. law and policy. The United States has a firm policy against transferring any individual to a place where he is more likely than not to face torture and has processes in place to assess and mitigate the risk of mistreatment.

The United States is hopeful that friendly settlement proceedings would be constructive. The United States understands that should earnest efforts to obtain friendly settlement fail, the Commission will continue to process the case in accordance with Rule of Procedure 40(6). However, should any of the events contemplated in Article 40(4) result in the termination of such proceedings, the United States respectfully reserves the ability to submit observations on the merits within a period of three months from the date of termination, as would be consistent with the procedure on the merits set forth in Article 37(1).

We wish to thank the Commission for its attention to this matter and its support of the friendly settlement process.

Please accept the renewed assurances of my highest consideration.

Sincerely,

A handwritten signature in cursive script that reads "Carmen Lomellin". The signature is written in black ink and is positioned above the typed name and title.

Carmen Lomellin  
Ambassador and  
Deputy Permanent Representative