



THE PERMANENT MISSION  
OF THE  
UNITED STATES OF AMERICA  
TO THE  
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS  
IN GENEVA

June 22, 2023

Dear Special Rapporteur Ní Aoláin:

I have the honor to transmit to you the formal response of the United States of America regarding your June 14, 2023, final report of your technical visit to the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Taylor", with a long horizontal flourish extending to the right.

Ambassador Michèle Taylor  
Permanent Representative of the  
United States of America to the  
UN Human Rights Council

Ms. Fionnuala Ní Aoláin  
Special Rapporteur on counter-terrorism and human rights  
Geneva

## **United States Submission**

The United States was pleased to facilitate the visit of the **UN Special Rapporteur (SR) on the promotion and protection of human rights and fundamental freedoms while countering terrorism** to Guantanamo Bay. This was the first time the U.S. government had authorized a visit to the Guantanamo Bay facility by a UN Special Rapporteur.

It is our firm belief that UN Member States must be willing to open themselves to the scrutiny of outside observers. In that spirit, we gave the SR unprecedented access to the Guantanamo Bay site. We also provided her team with detailed information both prior to her visit and in response to her questions. We did so with confidence that the conditions of confinement at Guantanamo Bay are humane and reflect the United States' respect for and protection of human rights for all who are within our custody. We are gratified that she acknowledges our openness, transparency, and leadership by example, as well as our ongoing commitment to upholding human rights.

We emphasize that the conclusions the SR conveys in the report are solely her own and do not reflect the official views of the United Nations. The United States disagrees in significant respects with many factual and legal assertions the SR has made. We are committed to providing safe and humane treatment for detainees at Guantanamo, in full accordance with international and U.S. domestic law. Detainees live communally and prepare meals together; receive specialized medical and psychiatric care; are given full access to legal counsel; and communicate regularly with family members. We are nonetheless carefully reviewing the SR's recommendations and will take any appropriate actions, as warranted.

The Biden Administration has made significant progress towards responsibly reducing the detainee population and closing the Guantanamo facility. Ten individuals have been transferred out of Guantanamo since the start of the Biden-Harris Administration – one-quarter of the population we inherited – and we are actively working to find suitable locations for those remaining detainees eligible for transfer. For those few not yet eligible for transfer, we conduct periodic reviews to determine whether continued detention under the law of war is warranted. Separately, the military commissions process continues for those detainees subject to criminal prosecution.

We appreciate the open and transparent dialogue with the SR and her commitment to working with nations around the world to improve human rights conditions. The United States places great value on the work of UN Special Rapporteurs, and we encourage other countries to follow our example and subject their practices to outside scrutiny.