



William Lesh

By email: LeshWW@state.gov

Cc: Ellen Thorburn (ThorburnEB@state.gov); Sanaa Special Citizen Services (SanaaACS@state.gov), Kim Richter (RichterKB@state.gov), Office of American Citizen Services (YemenEmergencyUSC@state.gov)

2 April 2015

EXTREMELY URGENT

Re: repeated failure to provide basic information regarding safety of an American citizen

Dear Mr Lesh,

The deadline by which we requested that you provide information regarding the urgent case of Sharif Mobley passed last night. We are deeply concerned to note that neither you, nor any of the other officials with whom we have been dealing on this case, saw fit even to acknowledge its receipt – let alone provide us with a full response to the very basic questions we had posed.

All we received was a perfunctory five-line response, unattributed, from the Citizen Services – informing us that the Embassy in Sanaa is closed, providing us with a number of a lawyer well-known to us by virtue of being part of our legal team for nearly five years, and obliquely admitting that the U.S. government has no intention to help our client in any way.

That, despite the last two days in which the importance of our client’s case has been reflected in the extensive coverage of the story across the largest U.S. television networks and newspapers. I have provided a list of links to the main reports below.¹

The State Department’s current refusal to engage at any level with our client’s case is only the latest chapter of a story that began in August last year, when you tried to invoke entirely spurious “privacy issues” to avoid providing us – Mr Mobley’s clearly appointed legal counsel – with basic information possessed by the Embassy as to his simple whereabouts.

Thanks to a chance phone call – rather than any assistance provided by the U.S. government in relation to its citizen – we now know where our client is detained. We know his life is at imminent threat from a sustained aerial bombardment by Saudi forces that is being directed by the U.S. military. We also now know, thanks to a second rushed call yesterday, that he has faced an appalling litany of ill-treatment in his time in secret detention at the hands of the Yemeni National Security Bureau, including the use of electric cattle prods, mace spray, physical beatings, intimidation by dogs, dousing in cold water, racial insults, and death threats.

¹ MSNBC: <http://www.nbcnews.com/watch/nbc-news/u-s-dad-detained-in-yemen-its-very-scary-420592195524>
The Washington Post: http://www.washingtonpost.com/world/national-security/us-prisoner-in-yemen-said-to-be-held-in-area-under-saudi-led-bombardment/2015/03/31/ae35a386-d7c5-11e4-8103-fa84725dbf9d_story.html
Al-Jazeera: <http://america.aljazeera.com/articles/2015/3/31/NJ-native-abducted-in-yemen-pleads-for-help-amid-saudi-air-campaign.html>
The Guardian: <http://www.theguardian.com/world/2015/mar/31/sharif-mobley-yemeni-prison-fears-for-life-smuggled-phone-call>

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Shockingly, we have also learnt that Mr Mobley informed a representative of the State Department – a Mr Benson – of this ill-treatment in a visit to the prison last year, and that no action appears to have been taken as a result. In fact, Mr Benson apparently showed little concern:

“When I told the American embassy this, the translator from the American embassy, laughed ... I told him to tell you, to tell my lawyers about this. And I don't know if he ever gave you the message. But his name is Benson, the one who works for the American embassy and I told him about the treatment, and I told him that I was beaten.

None of the information Mr Mobley asked to be passed to our office was ever communicated to us.

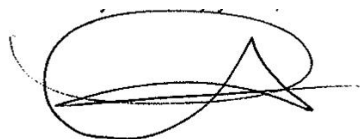
It appears, from the Citizen Services' suggestion that we contact Mr Mobley's Yemeni lawyer, that you are labouring under the mistaken belief that the Yemeni judicial system might assist our client. This is particularly galling. As you well know, there have been 10 hearings scheduled for Mr Mobley in the last year. On every single occasion, and in defiance of judicial orders, Mr Mobley was not produced at court. Instead, he remained in incommunicado detention and, as we now know, was suffering horrific mistreatment. It was a sham trial from the start, and it was no surprise that our client disappeared at exactly the moment that we were due to present evidence of that.

Our client faces an imminent threat to his life in a location under sustained aerial bombardment; he has alleged very serious ill-treatment amounting to torture at the hands of his captors; he is being held in conditions of grotesque squalour; and the judicial processes by which his case is supposedly being treated are non-existent, in a country that all international observers have described as fast collapsing into failed status.

In such circumstances, the duties of the U.S. government towards its citizen are quite clear: to ensure his immediate safety in the short-term by urgent interventions with its Saudi and Yemeni counterparts, and to arrange for Mr Mobley's urgent evacuation from Yemen at the first possible instance.

We trust that you will now provide a substantive response to us within 24 hours, detailing the steps you propose to take to discharge this duty and mitigate your failure to act to date.

Yours sincerely,



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