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A Son's Fate Hangs in Limbo

A Kuwaiti man helped U.S. during Gulf War. Now, he's frustrated over firstborn's detention in Cuba as an enemy combatant.

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WASHINGTON -- When Iraq invaded Kuwait 13 years ago, Khaled Al-Odah was a freedom fighter.

A U.S.-trained colonel in the Kuwaiti air force, he helped run the 1991 Persian Gulf War's underground resistance movement in his country. He put his life -- and his family -- at risk, setting up sniper operations and identifying targets for U.S. bombers.

When allied troops came marching up the main highway into Kuwait City on liberation day, he was holding the hand of his son Fawzi, then just about to turn 14.

"He was very happy," the father recalled of his eldest child. "He was dancing, waving to them. He slipped from my hand and went down to some of the troops."

Now, once again his son has slipped away.

In the weeks after the Sept. 11 terrorist attacks, Fawzi Al-Odah was captured and turned over to American authorities in Afghanistan.

His family insists he was helping refugees fleeing into Pakistan. Nevertheless, he was flown in shackles with other captives to the detention camp at the U.S. Naval Base on Guantanamo Bay, Cuba.

Once again, he was surrounded by U.S. troops, with weapons pointed at him this time.

Fawzi is 25 years old. His father is 50. They have not spoken, and they have not seen each other this last year and half. It was six months before Khaled even received a short Red Cross postcard from his son.

Whether Fawzi was helping refugees or was an enemy combatant is unclear, and his fate remains in limbo. The U.S. has not revealed plans for any of the 660 detainees at Camp Delta.

None has been charged with an offense, and none has been allowed to meet with an attorney. The federal courts in Washington have characterized them as foreign enemy combatants who, because they are not being held on U.S. soil, are not eligible for due process protection.

Khaled is not allowed to see his son. Nor can he get a visa from the U.S. Embassy in Kuwait City to visit Washington to lobby for help.

His plight is similar to other families with detainees on Guantanamo Bay -- wrenching in its uncertainty, hopeless in that no amount of money or good intentions, or even past deeds such as Khaled's aid to the American military, will bring a son home.

Khaled's wife, Souad, sits by the telephone. The family heard once that a detainee from Saudi Arabia was allowed to call home after he gave U.S. interrogators some important intelligence

information. But the Al-Odah phone does not ring. Relatives say that because Fawzi is innocent, he has nothing to tell authorities, and thus nothing to gain.

Now, there has been another war -- this one in Iraq -- and American soldiers again benefited from Kuwaiti assistance.

"So I am deeply frustrated," Khaled says in a telephone interview from Kuwait. Sometimes he goes quiet for long stretches. Other times he cries. Then he apologizes for losing his composure and goes on to explain that he is retired from the Kuwaiti air force now and has supported his wife and five children in the lucrative textile business. But nothing could have prepared him for losing a son this way.

"I thought now after this new war against Iraq and the tremendous help of my country to the United States, something could happen," he said. "A lot of allies turned their backs on the United States, but my country stood up and helped them.

"The least thing for the United States government to do is to release our sons. Wouldn't it be just a small reward for Kuwait, for helping liberate Iraq?"

Khaled said he joined the Kuwaiti air force in 1973. He went to military college, and he later was sent to the U.S. for pilot training and language school in Texas.

He still cherishes photographs of himself from that time -- in his pilot jumpsuit, climbing in and out of U.S. Air Force jets, flashing the victory sign with American pilots, drinking a Coca-Cola on his day off.

He flew later in France and was assigned as a Kuwaiti attaché in Paris. But he missed his growing family. So in 1986, he retired from the military and focused on the textile industry and garment manufacturing.

"It was a very, very good business at that time," he said. "Until the invasion."

The Iraqis rolled into Kuwait in 1990. Many of his old air force colleagues fled the tiny nation. Khaled said he and his family decided to stay.

"We created a resistance cell inside Kuwait," he said. "We got ourselves together and afterward we conducted some operations against the Iraqis."

He said they planned and carried out a few sniper attacks and car bombings. Using two satellite phones and identification smuggled in from Saudi Arabia and Jordan, he said, they alerted U.S. Air Force commanders in Riyadh, the Saudi capital, of potential bombing targets.

All the while, he said, he was constantly on the move, trading addresses, changing names, using fake identification cards. He told his oldest son that if the Iraqis knocked on the family door, to never abandon his father.

"I told him, 'If they ask about your father, say you have not seen him, and afterward, call me'.... And he managed very well. He was just [13], and I was afraid for him."

After the war, U.S. Air Force officials met in jubilation with Khaled and his band of resisters. They recall that their help was invaluable. Retired U.S. Col. Chris Christon remembers that meeting. "Those resistance guys really were heroic. No doubt about that," he said.

"From an air perspective, they provided us with target tip-offs," Christon said. "And we also used them very extensively for helping us to preclude any collateral damage during the air war. If we were going to put something on the bombing target list that was in Kuwait, we'd go back through

and try to ascertain that in fact we were on a target that was not going to have an adverse affect on the Kuwaitis."

Had the Iraqis captured Khaled and the other resisters, Christon said, "they would have killed them."

U.S. Air Force Gen. Charles A. Horner, who led the air campaign to free Kuwait, sent a letter of commendation to the Kuwaiti resisters. Without their help, he wrote, "the liberation of Kuwait would have been far more costly to the coalition forces and the people of Kuwait."

Khaled's onetime supervisor, Kuwaiti Col. Abdullah Al-Samdan, said Khaled "was our eyes" during the war. "He did a great job. And we had a very good record of appreciation from the American side right after the liberation."

Christon wonders why the U.S. continues to keep Khaled's son behind bars -- especially given the father's service during the war. "If he's really not guilty," Christon cautioned.

Al-Samdan believes the son is innocent. "We know he doesn't have any involvement with the terrorists," he said.

The family said Fawzi is a religious-studies graduate who preaches the Koran and often spent summers helping those less fortunate abroad -- digging wells or building schools. Never married, he left home the last time in August 2001 to teach poor students in Pakistan, relatives said.

After the trauma of Sept. 11, he told them that he wanted to stay and assist refugees from Afghanistan.

The family lost contact with him -- not hearing until January 2002 that he was inside a prison in Kohat.

A fellow Kuwaiti, who escaped the bedlam that came with the war on Afghanistan, wrote to the family: "Every Arab citizen was chased ... regardless of their work or beliefsWhen Pakistani villagers knew that there were financial rewards for those who could hand any Arab over to the American troops, they started to arrest them."

On May 7, 2002, the day after Fawzi turned 25, his parents received the first of a smattering of short Red Cross notes from their son. He was in U.S. hands at Guantanamo Bay.

"Investigations are still going on and I will be established innocent soon, God willing," he wrote. "Then I will return back to you safe, good, not ashamed or seduced." He ended the note, "Your son who loves you to the greatest extent possible. Fawzi."

In subsequent cards, he continued to place his faith in God and in his belief that the Americans eventually would exonerate him.

The Pentagon will not talk about individual cases of detainees at Guantanamo Bay.

But the Kuwaiti Embassy in Washington believes that most of the 12 Kuwaiti detainees were wrongly rounded up after U.S. forces began offering bounties. The Kuwaiti government believes the detainees should be allowed to defend themselves.

"Nothing will solve this issue until they are given due process," said Kuwaiti Ambassador Salem Abdullah Jaber Sabah.

Khaled has organized a committee of the 12 Kuwaiti families to press for the release of those being held. But lawyers in Washington have been unable to persuade the federal courts to grant some relief.

And Khaled has been denied a visa to travel to the U.S. on his son's behalf. State Department officials said it was against policy to talk about individual visa applications. But Kelly Shannon, spokesman for the Bureau of Consular Affairs in Washington, said that being a relative of an enemy combatant would not trigger an automatic rejection.

Meanwhile, Khaled Al-Odah stays home, near the phone, not knowing where to turn next.

"I once was optimistic," he said. "I thought the Americans would check with my son and find him innocent and release him immediately. I know how honest the Americans are."