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Kuwaitis Want Guantanamo Evidence Barred

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KUWAIT CITY -- Lawyers for five Kuwaitis freed from U.S. detention at Guantanamo Bay argued Sunday that there was no evidence to convict their clients of joining or collecting money for al-Qaida in Afghanistan.

They told a criminal court that the Muslim fundamentalists should not face trial at home based on testimony collected at the prison in Cuba. They also questioned Kuwait's jurisdiction to try people for actions they are accused of committing abroad.

"In this case, there are only (American) interrogations, and they can't be considered evidence," defense attorney Mubarak al-Shimmiri told the tribunal.

The defendants, who were returned to Kuwait in November, face 10 years in prison if convicted. The court will announce its verdict May 21.

The five are accused of charges that include joining al-Qaida, fighting alongside Afghanistan's ousted Taliban regime, which hosted the terror group, and working for Al-Wafa, an Afghan charity the U.S. says helped finance al-Qaida.

The prosecution alleges that the men, who have pleaded innocent, endangered their country's "political standing" and its ties with friendly nations.

But Khaled al-Ajmi, a lawyer for one of the men countered, "if the defendants were guilty, they would have never made it out of Guantanamo." He said his client, Abdullah Saleh al-Ajmi, never went to Afghanistan and was in Pakistan teaching about Islam when he was captured by Pakistanis who handed him to the American military in Afghanistan for a bounty.

Another defendant, Abdul-Aziz al-Shimmiri, accused the U.S. of detaining innocent people in Afghanistan and Pakistan to impress the American public.

"I shouldn't be standing here," al-Shimmiri said at the end of Sunday's hearing.

The other men accused are Adel Zamel Abdul-Mohsen, Saad Madhi al-Azmi, and Mohammed Smailil al-Dehani.

Six Kuwaitis are still being held in Guantanamo.

A former detainee who returned to Kuwait in January 2005 was acquitted of terror-related charges before an appeals tribunal overturned the verdict and sentenced him to five years in prison.

Kuwait has been a major U.S. ally since the 1991 war that liberated it from Iraqi occupation. But some Muslim extremists oppose the American military presence in the oil-rich country since then.

Scores of Kuwaitis have fought alongside Muslim militants in Afghanistan, Bosnia, Chechnya and Iraq.