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Case illustrates difficulties in identifying dangerous detainees

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WASHINGTON - (KRT) - Guantanamo detainee Martin Mubanga recently lost his plea to be released after he retracted a confession that he planned attacks on Jewish institutions in New York City.

But the case of Mubanga, who considers himself a rapper instead of a fighter, according to his lawyer, illustrates some of the difficulties in determining who among the 549 suspected terrorists at Guantanamo are dangerous and who should be let go.

Among those released have been young teenagers and elderly men who insisted they had nothing to do with terror. Others, however, have persuaded their interrogators of their innocence only to return to Afghanistan or Pakistan to resume jihad.

Mubanga is a 32-year-old Brit nabbed in Zambia in January 2002 and sent to the U.S. base and terror prison in Cuba. He confessed to being "tasked to look into a list of 33 largely New York-based Jewish organizations" and "to carry out violence against one, if not all, of the groups," a military document alleges.

The intelligence from Mubanga was considered serious enough for the FBI to notify the groups of the general threat, but no extraordinary actions were taken as a result, sources told the New York Daily News.

The military charged that Mubanga trained with weapons at the notorious al Farooq terror camp in Afghanistan in 2000, fought with the Taliban against Afghanistan's Northern Alliance after the Sept. 11 attacks, and even saw Osama bin Laden.

But at his Sept. 25 military hearing, where Mubanga challenged his imprisonment as an "enemy combatant," he denied the detailed story of his days with al-Qaida.

"I retract everything I ever said from the time the Zambian authorities picked me up on orders from the Americans until now ... because it was obtained from me by excessive duress," Mubanga wrote in a statement.

Mubanga's civilian lawyer, Brent Mickum - who was not allowed into the nonjudicial hearing - said his client hardly fits the profile of a bin Laden henchman.

"Mubanga imagines himself a bit of a rapper," Mickum said.

During a recent visit, the lawyer said, Mubanga blurted out hip-hop rhymes in Jamaican slang "about getting out of Gitmo and prison life" while chained to the floor of his cell.

In Britain, Mubanga was a courier and a frequent juvenile delinquent who attended Catholic boarding school in Wales. He converted to Islam in the mid-1990s after a stint at a lockup for young offenders for soccer violence, one of his sisters wrote in an affidavit.

Visiting Zambia to see a sick relative in early 2002, Mubanga and another sister were surprised to read in Britain's Sunday Times that he'd been captured in Afghanistan. His passport was stolen in

Pakistan and was used fraudulently, she said. Zambian authorities soon arrested the siblings, and Mubanga wound up at Guantanamo.

Worldwide criticism of indefinite detentions at Guantanamo prompted the Pentagon to convene hearings this year for prisoners to argue for their freedom. While most detainees wouldn't participate, Mubanga appealed and lost. The U.S. legal adviser to the panel has challenged the tribunal's decision.

The adviser, Navy Cmdr. James Crisfield, wrote in a scathing Oct. 4 memo that Mubanga should get a new hearing because the tribunal made mistakes, including not allowing Mubanga's sisters and an aunt to testify. Those decisions "question the accuracy" of the hearing, Crisfield wrote.