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## **Kuwaiti national's release seen as shift in Bush administration's attitude toward those held without charge**

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As a Kuwaiti national became the 203rd person freed from the U.S. naval base at Guantanamo Bay, Cuba, last weekend, human-rights advocates hailed it as another small victory.

The release of Nasser Al-Mutairi - and reports of more releases to come - signals a shift in the Bush administration's attitude toward detainees who have been held without charge for three years, they said.

That apparent change is particularly welcome after allegations that prisoners were mistreated and since military officials said only a small number of detainees have valuable intelligence.

"It's great that Nasser has been released," said Tom Wilner, a Washington attorney who helps represent Al-Mutairi and 11 other Kuwaitis held at Camp Delta since early 2002. "Hopefully, it's the beginning of the release of all of them."

Al-Mutairi and the others, their attorneys say, were wrongly plucked from the Afghanistan-Pakistan border during the war against Taliban and al-Qaida fighters. Locals, the attorneys say, sold them to U.S. and Pakistani authorities for bounties.

Khalid Al-Odah, another detainee's father, said he met Al-Mutairi when his plane landed in Kuwait City. The 27-year-old Sabahia native struggled to walk to the tarmac, Al-Odah said, adding that he appeared weak and was so thin his ribs showed through his jacket.

"I greeted him and hugged him and it was a great moment," Al-Odah said from Kuwait. He said Al-Mutairi was being held by Kuwaiti authorities, who may free him on bail or release him if they find no reason to charge him.

Wilner, who helped file one of the lawsuits that forced the U.S. government to allow the detainees to challenge their detention and to have legal counsel, said Al-Mutairi and his other clients were in Afghanistan to help the poor.

Like most of the 550 detainees still being held, Al-Mutairi was never charged with a crime. Capt. Beci Brenton, a Defense Department spokeswoman, said the United States has held nearly 550 hearings and determined that less than half the detainees are "enemy combatants." Two have been classified as non-enemy combatants.

Twelve detainees may face a separate military tribunal on war-crimes charges, said a Defense Department spokesman, Maj. Michael Shavers, who said four Britons and an Australian also will be released.

The developments in Al-Mutairi's case come in the wake of damning reports by the American Civil Liberties Union, which secured documents through the Freedom of Information Act that show many of the detainees held in Guantanamo Bay have been abused.

"We don't know what has prompted the release," said Donna Lieberman, executive director of the New York Civil Liberties Union. "But we do know that the documents that we obtained from the government after huge resistance document a systematic abuse, if not torture, that was

condoned, if not ordered, from the highest levels. So it makes sense that the government would be revisiting its policies of detention."

The reports confirm statements by former detainees.

Shavers said officials believe only 25 percent of detainees have real intelligence value. He said the rest are threats to the United States or may have committed war crimes.

The reports of abuse, the low intelligence value of most of the detainees and the fact that the men have been held for long periods without charges irks human-rights activists. Key Bush administration actions have been ruled illegal by the U.S. Supreme Court and federal courts.

"They've always proclaimed that this vetting process is secure and accurate and worked from a security perspective and a due process perspective," said Avi Cover, a New York-based spokesman for Human Rights First. "Perhaps there are some real threats among the men in there, but this blanket they're throwing over Guantanamo is onerous."

Cover said the strong-arm methods may violate human rights or international law, are being proven ineffective and could backfire, igniting terrorism against the United States.