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Behind Barbed Wire in Guantanamo

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By the third week of the hunger strike, the fasting inmate wrote, the cellblocks echoed with groans. Emaciated prisoners were vomiting blood or dropping unconscious to the floor. The military hospital overflowed with strikers being force-fed through their noses.

"We are dying a slow death in here," wrote the inmate, British resident Omar Deghayes. "We have not been charged with any crime. I do not understand what America is doing."

Deghayes, 35, was chronicling a six-week hunger strike in June and July among scores of inmates protesting conditions at the U.S. military prison at Guantanamo Bay, Cuba. The strike resumed in early August and today entered its ninth week, posing the latest challenge to the Pentagon's already controversial handling of suspects in its war on terror.

Like many of the 500 inmates at Guantanamo, all but four of whom are being held indefinitely without charges, Deghayes insists he is innocent. Though the Pentagon calls him an Islamic militant who honed his skills in Afghanistan, his lawyer has dug up evidence that suggests he may have been seized in a case of mistaken identity.

His writings, which his lawyer declassified in a painstaking procedure, open a rare window into life inside the top-security prison and the reasons its inmates, all foreign Muslim men, say they're on hunger strike.

"Disrespect to all religious rituals," the Libyan-born Deghayes wrote in English, his second language. "And this is the fourth year in prison without any charges ... No medicine ... No facilities to wash. Nor the sun."

"Degraded and abused," Deghayes, who says Guantanamo guards beat him so badly they blinded him in one eye, wrote of prisoners in another entry.

The Pentagon downplays the protest's significance, saying the number of strikers has dropped to 27, 20 of whom are being force-fed in a hospital. It said that is down from 131 in mid-September.

It also denies any abuse. "Our detention mission is conducted in a humane manner that protects the security of both detainees and personnel," said Maj. Gen. Jay W. Hood, Guantanamo's commander, in recent court papers.

But military officials won't say what prompted the strike or explain why their numbers dropped. Nor will they allow relatives, independent medical teams and most defense lawyers to visit or telephone striking prisoners, saying national security concerns preclude such access.

The few defense attorneys who have recently visited the base maintain the number of strikers peaked at 200 and remains far higher than the military admits. Last week, a half-dozen of them filed motions in federal court seeking immediate visitation rights to fasting inmates and court oversight of the strike, saying they don't trust the Pentagon to tell them the truth. Those motions are still pending.

Amid the information blackout, Deghayes' writings are among the few firsthand accounts of both the strike and life in general inside the prison, which the Pentagon calls a key outpost in the war on terror and Amnesty International slams as a "gulag."

"Many are falling, and sounds of illness," Deghayes wrote of the strike in late July. "... If the authorities here don't do something fast to improve things I think ... [the number of hunger strikers who risk dying] will go out of control."

A few days later, Deghayes described hope rippling through the cellblocks because authorities promised better food and conditions, temporarily ending the fasting. "They gave me a comb. I brushed my hair and beard for the first time" since he arrived in Guantanamo three years ago, he exulted.

Then word spread of inmates being abused or sexually humiliated. One inmate said his Quran was mishandled. In one of his last declassified entries in early August, Deghayes accurately predicted: "The strike will start again."

The hunger strike presents an unusual catch-22 for the Pentagon. Already accused by human rights groups of flouting international conventions governing prisoners of war, the Pentagon is now being blamed for violating inmates' rights by keeping them alive.

The group Physicians for Human Rights is urging an independent medical assessment of the fast, noting that the American Medical Association ethical code bans force-feeding prisoners who are on hunger strike. The Pentagon counters that it must intervene because the hunger strike amounts to a suicide attempt they are ethically bound to thwart.

Clive Stafford Smith, a prominent British civil rights attorney who represents Deghayes, is convinced his client is among the remaining group of strikers. "He's as headstrong as can be," Stafford Smith said.

In some ways, Deghayes' cosmopolitan background sets him apart from many Guantanamo inmates. Two courses shy of a British law degree, he comes from a prominent Libyan family that fled to exile in Britain after his father, a union activist, was tortured to death in 1980 by the regime of Libya's Col. Moammar Gadhafi.

Though he lived in Afghanistan for nearly two years under the Taliban, his heroes include Mahatma Gandhi and Nelson Mandela.

But the circumstances of his capture and detention are in other ways typical. Like hundreds of other Muslim men, he was seized in Pakistan in early 2002 as the United States cast a wide net for al-Qaida following the Sept. 11 terror attacks.

Lawyers for the Pentagon and prosecutors in Spain contend Deghayes may have al-Qaida connections. One of the main pieces of evidence against Deghayes, Stafford Smith notes, is a terrorist videotape seized in the late 1990s in an apartment in Madrid that contains an image of a bug-eyed militant whom Spanish authorities identified as a "Mr. Deghayes."

A face identification expert hired by Stafford Smith notes that Deghayes and the man in the video have "distinctly" different nostrils and eyes; among other issues, Deghayes' right eye, even before he was blinded, has drooped since childhood when another boy accidentally injured it with a play sword. Both eyes of the man in the video bulge.

Moreover, a terrorist tracking expert at the British Broadcasting Corp. is convinced the man in the video is a notorious Saudi militant, Abd-al-Aziz al-Ghamdi. That militant, who also is known as Abu Walid, led Arab fighters in Chechnya from 2002 until his reported death last year.

"I'm 100-percent certain he is Abu Walid and not Omar Deghayes," the expert, Paul Tumelty, told Newsday.

Stafford Smith describes the other accusations the U.S. government has released about Deghayes as equally flimsy.

One accusation is that Deghayes "left England for Afghanistan in order to live in an Islamic society" -- an action he's never denied. Another is that he received "small arms training" during high school in Libya -- which he notes was mandatory when he lived there.

A third is that he is a member of Fighting Islamic Group, a Libyan militant organization allied with al-Qaida that seeks to overthrow Gadhafi -- though the government doesn't provide any evidence. Deghayes readily admits he hates Gadhafi's regime for killing his father. But he has urged the American authorities to check with captured FIG members, including some in Guantanamo, who can attest he wasn't part of that group.

Military officials refused to discuss details of Deghayes' case.

During interviews in London and in Brighton, the British coastal city where Deghayes lived with his mother and four siblings after his father was killed, friends and relatives described his detention as history repeating itself with a cruel new twist.

"What happened to my husband is now happening to my son," said Deghayes' mother, Zohra Zawawi, 63, as she burst into tears. "But the country that's doing this is supposed to be defending democracy."

"Convicted child molesters have more rights than Omar. So do thugs and killers," said one brother, businessman Taher Deghayes, 39.

Friends and family described Deghayes as an intellectual who loved conservative Islam but dreamed of becoming a British lawyer. "He was not a sheep," said his sister, Amani Deghayes, 31, who is a lawyer herself.

He often preached at local mosques, but one of his messages was that violence had no place in Islam. Deghayes made the same case from prison in a recent diary entry about Guantanamo. "I do not see how such bombings in London can enhance any Islamic cause," he wrote, adding that the road to change was "media and public awareness."

Asked why Deghayes would choose to live in Afghanistan, his friends and relatives said he was prompted by frustration over failing his last two law courses, as well as curiosity about life in an Islamic state and a desire to perform charity for drought victims. Upon his arrival in 1999 he married an Afghan woman and, they said, devoted himself to wheat farming and charity projects in a village outside Kabul.

Newsday was unable to verify Deghayes' activities in Afghanistan. Residents of both the street where relatives say he lived and the village where they say he farmed did not recall him. But with the turmoil and mass flight of citizens that ensued during the final years of the Taliban and after the U.S.-led invasion, many people who might have vouched for him could be dead or missing.

After the U.S.-led invasion of Afghanistan in late 2001, Deghayes fled to Pakistan with his wife, Miriam, and son Suleiman, now 4. Relatives said he was trying to obtain visas to bring his wife and son to Britain when he was seized in the city of Lahore in early 2002.

A campaign to free Deghayes or try him in a civilian court is gaining momentum in Britain, where he was granted permanent residency in 1987. His mother and four siblings already are British citizens.

"The war on terrorism cannot be won by bypassing fundamental principles for those suspected of terrorism," said Kevin Martin, president of the prestigious British Law Society, of which Deghayes was a student member in the late 1990s. "The Law Society firmly believes that no detainee should be held without charge or trial."

But Deghayes and four other British residents imprisoned at Guantanamo remain known as "The Forgotten Five" to distinguish them from nine British citizens who have been released from the prison camp following pressure from Britain, a key U.S. ally in the war on terror.

Because they aren't citizens, Britain has abandoned these residents to life behind barbed wire, critics say.

In his first public comment on the case, Home Secretary Charles Clarke said he'd "pay attention" to the appeals to intervene in Deghayes' case. But a Foreign Office spokeswoman in London said Britain had relayed concerns about detained British residents to Washington but was powerless to do more. "Unfortunately, we don't have authority," the spokeswoman said, adding that the residents were the responsibility of their homeland governments.

In the case of Deghayes, that means Libya, a country still governed by the regime that killed his father. One of the greatest fears of Deghayes' relatives and human rights groups including Amnesty International is that Washington will ship him back to Libya, rather than Britain, if it releases him.

"If Omar is sent back to Libya, that could be the end of him," said Deghayes' sister Amani.

In September 2004, Libyan agents who visited Guantanamo interrogated Deghayes and threatened to kill him if he were returned to Libya, Stafford Smith said.

Deghayes' mother, Zawawi, has received only a couple dozen letters from her son since he was imprisoned. Most are heavily censored and take months to arrive. In one, he wrote that his hair had turned white. In another, he continued to plan for life after his release, asking his mother if they could pursue a childhood dream of starting a charity in Africa.

"I wrote back that I'd love to do it," his mother said. "That is, if I'm still alive by then."