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Finally Freed After 3 Years at Guantanamo

Afghan writers found to be no threat to U.S.

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New York Newsday
October 31, 2005

PESHAWAR, Pakistan - Former U.S. soldiers at the Pentagon's military prisons overseas have given evidence that a great many of the captives in "the global war on terror" are innocent.

In the past year, a former Army interpreter at Guantanamo and an interrogator at U.S. prisons in Afghanistan have published books on their experiences that in many ways buttress the accounts of ex-prisoners such as Afghan writers Badr Zaman Badr and Abdurrahim Muslim Dost.

In 2002, America's prisons in Afghanistan were crammed with ordinary people like Badr and Dost who were sometimes literally sold to U.S. forces for the bounties that Washington was offering, according to Chris Mackey, the former interrogator. In his book, "The Interrogators," Mackey (a pseudonym) said his Army intelligence unit struggled to evaluate "a steady stream of detainees from Pakistan and other governments or Afghan warlords pocketing a nice wad of cash for every prisoner they turned over."

Even when U.S. Special Forces in Afghanistan made the arrests, they "couldn't distinguish the good [people] from the bad ... so they dropped them all on our doorstep to let us sort them out," he said. "They were bringing back a lot of fighters, but they also were bringing back a lot of farmers."

At Guantanamo in 2003, the bulk of prisoners were either innocent or irrelevant to the U.S. investigation into terrorist activities, according to Sgt. Erik Saar, who supervised interpreters in interrogations there. "We did have some bad guys, and some talkers" who were giving useful intelligence information, Saar wrote in his book, "Inside the Wire." "But from what I saw, there weren't many more than a few dozen such characters at Guantanamo."

Even a prisoner who has convinced his interrogators that he is no threat to the United States may not be freed. That decision is made at the Pentagon. But "once the file's in Washington, the decisions are all political," Saar quoted a military interrogator as saying. Bureaucrats ask, "Would releasing too many [prisoners] make the Gitmo operation look bad?" Saar wrote.

For months, grim interrogators grilled them over a satirical article Dost had written in 1998, when the Clinton administration offered a \$5-million reward for Osama bin Laden. Dost responded that Afghans put up 5 million Afghans - equivalent to \$113 - for the arrest of President Bill Clinton.

"It was a lampoon ... of the poor Afghan economy" under the Taliban, Badr recalled. The article carefully instructed Afghans how to identify Clinton if they stumbled upon him. "It said he was clean-shaven, had light-colored eyes and he had been seen involved in a scandal with Monica Lewinsky," Badr said.

The interrogators, some flown down from Washington, didn't get the joke, he said. "Again and again, they were asking questions about this article. We had to explain that this was a satire." He paused. "It was really pathetic."

It took the brothers three years to convince the Americans that they posed no threat to Clinton or the United States, and to get released - a struggle that underscores the enormous odds weighing against innocent foreign Muslims caught in America's military prisons.

In recent months, scores of Afghans interviewed by Newsday - including a dozen former U.S. prisoners, plus human rights officials and senior Afghan security officials - said the United States is detaining enough innocent Afghans in its war against the Taliban and al-Qaida that it is seriously undermining popular support for its presence in Afghanistan.

As Badr and Dost fought for their freedom, they had enormous advantages over Guantanamo's 500-plus other captives. The brothers are university-educated, and Badr, who holds a master's degree in English literature, was one of few prisoners able to speak fluently to the interrogators in their own language. And since both men are writers, much of their lives and political ideas are on public record here in books and articles they have published.

A Pentagon spokesman, Lt. Cmdr. Flex Plexico, declared this summer that "there was no mistake" in the brothers' detention because it "was directly related to their combat activities [or support] as determined by an appropriate Department of Defense official." U.S. officials declined to discuss the case, so no full picture is available of why it took so long for the pair to be cleared.

The Pentagon's prison network overseas is assigned to help prevent attacks on the United States like those of Sept. 11, 2001, so "you cannot equate it to a justice system," said Army Col. Samuel Rob, who was serving this summer as the chief lawyer for U.S. forces in Afghanistan. Still, he added, innocent victims of the system are "a small percentage, I'd say."

The military is slow to clear innocent prisoners, largely because of its fear of letting even one real terrorist get away, said Rob.

"What if this is a truly bad individual, the next World Trade Center bomber, and you let him go? What do you say to the families?" asked Rob.

Rob and the Defense Department say the prison system performs satisfactorily in freeing innocents and letting military investigators focus on prisoners who really are part of terrorist networks. Badr and others - including some former military intelligence soldiers who served in Guantanamo and Afghanistan - emphatically disagree.

The United States for years called Badr and his brother "enemy combatants," but the men say they never saw a battlefield. And for an America that seeks a democratized Afghanistan, they seem, potentially, allies. Americans "have freedom to criticize your government, and this is very good," said Badr.

Also, "we know that America's laws say a person is innocent until he is proven to be guilty," although "for us it is the reverse."

Badr and Dost are Pashtuns, members of the ethnic group that spawned the Taliban. But the family library where they receive their guests is crammed with poetry, histories and religious treatises - mind-broadening stuff that the Taliban were more inclined to burn than read. For years, the brothers' library has served as a salon for Pashtun intellectuals and activists of many hues, including some who also have been arrested in the U.S.-funded dragnet for suspected Islamic militants.

Like millions of Afghans, they fled to Pakistan during the Soviet occupation of their country in the 1980s and joined one of the many anti-Soviet factions that got quiet support from Pakistan's military intelligence service. Their small group was called Jamiat-i-Dawatul Quran wa Sunna, and Dost became editor of its magazine. Even then, "we were not fighters," said Badr. "We took part in the war only as writers."

After the Soviet withdrawal in 1989, the men split with Jamiat, partly over its promotion of the extremist Wahhabi sect of Islam. Dost wrote lampoons against the group's leader, a cleric named Sami Ullah, portraying him as a corrupt pawn of its sponsor, Pakistan, working against Afghan interests.

In November 2001, as U.S. forces attacked Afghanistan, the mullah's brother, Roh Ullah, "called us and said if we didn't stop criticizing the party he would have us put in jail," said Badr. Ten days later, men from Pakistan's Inter-Services Intelligence Directorate hauled the brothers off to grimy cells.

Another Ullah brother, Hayat Ullah, insisted in an interview that their family had not instigated the arrests. Dost is a political rival, but "a very simple man," Hayat Ullah said. "We have many powerful rivals. If I were going to get ISI to pick up an enemy, why would I choose an ordinary person like him?"

Pakistan-U.S. transfer

But two Pakistani analysts with sources in ISI said the Ullah family has been accused in several cases of using its links to the agency to have rivals arrested. And Roh Ullah himself is now imprisoned at Guantanamo.

In the midnight chill of Feb. 9, 2002, ISI officers led Badr and Dost, blindfolded and handcuffed, onto the tarmac of Peshawar International Airport. When they heard airplanes, "we knew they were handing us to the Americans," Badr said. Beneath the blindfold, he stole glimpses of smiling Pakistani officers, grim U.S. soldiers and a cargo plane. "It was a big festival atmosphere, as though the Pakistanis were handing over Osama bin Laden to the United States," Badr said.

Shouting and shoving, American troops forced the brothers to the asphalt and bound their hands behind them with plastic ties. "They chained our feet," Badr said. "Dogs were barking at us. They pulled a sack down over my head. It was very difficult to breathe ... and I saw the flash of cameras. They were taking pictures of us."

Flown to U.S. prisons at Bagram and Kandahar air bases in Afghanistan, the brothers eventually learned from their interrogators that the ISI had denounced them to the U.S. as dangerous supporters of the Taliban and al-Qaida who had threatened President Clinton.

In the three-plus years that the brothers spent in U.S. prisons abroad, violent abuse and torture were widely reported. Eight of 12 men interviewed after their release in recent months from U.S. prisons in Afghanistan told Newsday they had been beaten or had seen or heard other prisoners being beaten.

The brothers escaped the worst abuse, partly because of Badr's fluent English. At times, prisoners "who didn't speak English got kicked by the MPs because they didn't understand what the soldiers wanted," he said. And both men said that while many prisoners clammed up under questioning, they were talkative and able to demonstrate cooperation.

"Fortunately, we were not tortured," Badr said, "but we heard torture." At Bagram, "We heard guards shouting at people to make them stand up all night without sleeping." At Kandahar, prisoners caught talking in their cells "were punished by being forced to kneel on the ground with their hands on their head and not moving for three or four hours in hot weather. Some became unconscious," he said. The U.S. military last year investigated abuse at its prisons in Afghanistan but the Pentagon ordered the report suppressed.

Routine interrogations

Badr and Dost were humiliated routinely. When being moved between prisons or in groups, they often were thrown to the ground, like that night at Peshawar airport. "They put our faces in the dust," Badr said.

Like virtually all ex-prisoners interviewed, he said he felt deliberately shamed by soldiers when they photographed him naked or gave him regular rectal exams.

The brothers were flown to Guantanamo in May 2002 as soon as Camp Delta, the permanent prison there, was opened. For more than two years, they sat in separate cells, waiting days between interrogation sessions to explain and re-explain their lives and writings.

In his 35 months in U.S. captivity, Badr said, he had about 150 interrogation sessions with 25 different lead interrogators from several U.S. agencies. "And that [Clinton] satire was the biggest cause of their suspicion," he said.

When one team of interrogators "began to accept that this was satire," the whole process would begin anew with interrogators from another agency. In all, Badr said he was told that four U.S. agencies - including the CIA, FBI and Defense Department - would have to give their assent before the men could be released. And their names would be circulated to 40 other countries to ensure they were not wanted anywhere else.

The Americans' investigations seemed to take forever to confirm even where they had lived and studied. "I would tell him something simple and ... two or two-and-a-half months later, he would come back and say, 'We checked, and you were right about that,'" Badr said.

Another problem was that "Many of the interpreters were not good," said Badr. He recalled an elderly man, arrested by U.S. forces for shooting his rifle at a helicopter, who explained that he had been trapping hawks and fired in anger at one that flew away. But the interpreter mistook the Persian word "booz" (hawk) for "baz" (goat). "The interrogator became very angry," Badr said. "He thought the old man was making a fool of him by claiming to be shooting at goats flying in the air."

Angered by ordeal

Rob conceded that "obviously, we could use more translators," but said the pace at which prisoners are processed - and innocents released - is adequate.

That idea angers Badr. "They detained us for three and a half years," he said. "Then they said to us, 'all right, you're innocent, so go away.'"

Of that anger, Rob said, "that's understandable. Especially if he's the breadwinner for his family and there's no one ... " The sentence hung uncompleted.

The brothers' anger is deepened by the abusiveness of many U.S. soldiers, whom Badr compared to "Yahoos," the thuggish characters of Jonathan Swift's "Gulliver's Travels." And they are upset that U.S. officials confiscated all of their prison writings.

Still, Badr sounds neither bitter nor an enemy of America. "I am curious to meet ordinary Americans," he said. "I appreciated my interrogators in Guantanamo. ... Many of them were misguided, for example about my religion.

... But I can say that they were civilized people." PESHAWAR, Pakistan

Badr Zaman Badr and his brother Abdurrahim Muslim Dost relish writing a good joke that jabs a corrupt politician or distills the sufferings of fellow Afghans. Badr admires the political satires in "The Canterbury Tales" and "Gulliver's Travels," and Dost wrote some wicked lampoons in the 1990s, accusing Afghan mullahs of growing rich while preaching and organizing jihad. So in

2002, when the U.S. military shackled the writers and flew them to Guantanamo among prisoners whom Defense Secretary Donald Rumsfeld declared "the worst of the worst" violent terrorists, the brothers found life imitating farce.