



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

fff@fff.org www.fff.org

Refuting Cheney's Lies: The Stories of Six Prisoners Released from Guantánamo by Andy Worthington

In the Bush administration's "war on terror," the gulf between rhetoric and reality was always pronounced, and never more so than when Vice President Dick Cheney spoke out. Cheney's [lies and distortions](#) were on open display in the last month before his departure from the White House, as he sought to leave his legacy of fear burnished on the nation's consciousness, and in a final fling he told Rush Limbaugh, in no uncertain terms, that when it came to Guantánamo, "now what's left, that is the hardcore."

Cheney's statement came just days after Judge Richard Leon, an appointee of George W. Bush, had ruled in the habeas corpus review of one of the supposed "hardcore" prisoners — a Chadian national called [Mohammed El-Gharani](#), who was just 14 years old when he was seized in a random raid on a mosque in Karachi, Pakistan, and was later sold to US forces — that the government had [failed to establish a case](#) against El-Gharani, and ordered his release "forthwith."

Leon ruled that what purported to be evidence had been supplied by two of El-Gharani's fellow prisoners whose reliability had been called into doubt by government officials, and when it came to a key allegation, which, in Cheney's version of reality, ought to have bolstered his claims — an allegation that El-Gharani had been part of an al-Qaeda cell in London in 1998 — Leon was particularly dismissive. "Putting aside the obvious and unanswered questions as to how a Saudi minor from a very poor family could have even become a member of a London-based cell," he wrote, "the Government simply advances no corroborating evidence for these statements it believes to be reliable from a fellow detainee, the basis of whose knowledge is — at best — unknown."

Leon's words, delivered in sober language, were nonetheless witheringly dismissive, but El-Gharani's lawyer, Clive Stafford Smith, had been advancing the same argument for years in rather more colorful terms. After noting that El-Gharani was just 11 years old at the time that he was supposed to have been plotting in London, Stafford Smith explained, "he must have been

beamed over to the al-Qaeda meetings by the Starship Enterprise, since he never left Saudi Arabia by conventional means.”

Judge Leon’s dismissal of Mohammed El-Gharani’s case was not the only development that fatally undermined the vice president’s words during his last weekend in power. Largely unnoticed, as most of the mainstream media prepared the bunting for Barack Obama’s inauguration, was the release of six prisoners from Guantánamo — an Afghan, an Algerian and four Iraqis — whose stories also demonstrate that, when the facts are examined rationally, rather than being spun through a veil of paranoia, Dick Cheney’s “war on terror” was largely a “war on truth.”

One of these cases — that of Haji Bismullah, an Afghan who was 23 years old when he was seized in February 2003 — was reported in the [New York Times](#) last Monday, and his story alone discredits Dick Cheney’s words. As the *Times* explained, and as Bismullah insisted during his imprisonment at Guantánamo, at the time of his capture he was working for the government of Hamid Karzai as the chief of transportation in a region of Helmand province. In a story that echoes dozens of others from Guantánamo, it transpired that he was removed from his job by unscrupulous rivals, connected with the Taliban, who cooked up a false story to impress the U.S. military.

Bismullah’s long imprisonment is particularly disturbing, as his brother, a spokesman for the pro-American provisional governor, had filed a sworn statement with officials at Guantánamo in 2006, declaring that Bismullah and his entire family “fought to drive the Taliban out of Afghanistan,” and Sher Mohammed Akhundzada, a member of the Afghan Senate and an ally of Hamid Karzai, had also declared in a sworn statement that “he had known Bismullah and his family for years,” and that, when they had fought the Taliban, “Haji Bismullah was with us.”

However, while the *Times* is to be credited for picking up on the injustice of Haji Bismullah’s story, the cases of the other five prisoners released at the same time also do nothing to bolster Cheney’s claims, and in fact reveal, in shocking detail, how Guantánamo has been sustained not by evidence that it contains “hardcore” prisoners bent on the destruction of the United States, but on false allegations, which, in the majority of cases — like the supposed evidence against Mohammed El-Gharani — wither away under scrutiny.

The first of the five, Hassan Mujamma Rabai Said, was 25 years old when he was seized in Pakistan and sold to U.S. forces, having traveled across the mountains with an Afghan guide. According to the account compiled by the military during his seven years of imprisonment, he left his homeland in August 2000, traveled to Syria, where he lived for ten months, and then made his way, via Iran and Pakistan, to Jalalabad, Afghanistan. Said may have become involved in militancy during the few months that he was in Afghanistan prior to the 9/11 attacks, and in the three months before his capture, but the authorities failed to establish that this was what had happened.

Instead, the case against him relied on unsubstantiated allegations made by his fellow prisoners in unknown circumstances. These included claims that he “was identified as training at al-Farouq” (the main training camp for Arabs, established by the Afghan warlord Abdul Rasul Sayyaf in the early 1990s, but associated with Osama bin Laden in the years before 9/11), that he “was identified” as being “in charge of weapons inventory” in Afghanistan’s Tora Bora mountains, where Northern Alliance soldiers (with U.S. support) fought al-Qaeda and Taliban fighters in late November and early December 2001, and that he “was identified as having been chosen to be a bodyguard for Osama bin Laden.” This latter allegation is particularly suspicious, as it is incomprehensible that someone would have been chosen to be a bodyguard for bin Laden after such a short amount of time, but it was also noticeable that Said himself persistently refuted all the allegations. Although he conceded that “political motivation and a properly declared fatwa are legitimate reasons for participating in jihad,” he maintained that he “did not participate in jihad actions.”

Even vaguer allegations were leveled against Hassan Abdul Said, an Iraqi who was also 25 years old when he “turned himself in” to U.S. forces in the northern Afghan city of Mazar-e-Sharif on January 1, 2002. With the exception of two unsubstantiated allegations — that he stayed at a Taliban guesthouse in Mazar-e-Sharif for three months, and was “an Arab fighter on the Northern Front” — the authorities failed to come up with any evidence to justify holding him as an “enemy combatant.”

Instead, the last summary of allegations against him (in November 2005) focused on complicated and often contradictory claims about his life in Iraq and allegations of his involvement in drug smuggling, and stated that he was briefly imprisoned in Uzbekistan for two and a half months for having false documents, and was then “turned over to the Taliban and imprisoned for one month.” This is hardly the type of treatment that would have encouraged Said to support the regime, and it seems probable that the authorities realized this two years ago, when he was cleared for release after the first round of the annual Administrative Review Boards, which came to an end in February 2006.

For the other Iraqis in Guantánamo, life seems to have been even harder. Ali al-Tayeea, who was 28 years old at the time of his capture, was a mechanic, who had been imprisoned under Saddam Hussein, and had also been imprisoned in Turkey. He then made his way to Afghanistan, where, he said, he found paid work driving a truck for the Taliban.

In November 2001, after the fall of the city of Kunduz, al-Tayeea was one of several hundred men who, after surrendering to the forces of General Rashid Dostum, a U.S. ally and one of the leaders of the Northern Alliance, were subsequently imprisoned in Qala-i-Janghi, a fort in Mazar-e-Sharif. After some of the prisoners seized weapons and started a battle against their captors, he was one of around 85 prisoners who survived by hiding in the basement, which was bombed and flooded over the course of a week. One of his companions was John Walker Lindh,

the so-called American Taliban, who received a 20-year sentence for supporting the Taliban in October 2002.

Al-Tayeea's description of his experience in Qala-i-Janghi is one of the most harrowing first-hand accounts available:

Now, all the people were outside and we hear the bomb and someone from Dostum's army had a machine gun on his shoulder. He opened fire on people. People were yelling, "please don't shoot" and he opened fire.... There were RPGs and Kalashnikovs. There was nothing we could do. We were in the centre and fire came from everywhere. A lot of people died. I laid down because my hands were tied. I asked someone to just open my hands a little bit. I begged for someone to just open my hands because they had been tied for a long time with wire and they were blue and cold. They opened my hands and I went inside the shelter. There was bombing and fire for the first three days. It was dark and you couldn't see who your neighbour was. Like, 70 people had died and it smelled bad. After three days, Dostum's army ... they thought we had guns. There were some people fighting outside.... We were inside the shelter. I didn't fire because I'm not a jackass. I stayed inside. After three days, they opened the window and put fire inside the shelter and there was nothing we could do about it. Many people died in the fire and it smelled like steak. I looked and I was beside John Walker. After this they put water in through the window. John Walker was tall and he's beside my shoulder. Some of the detainees that were short were under water.

Like Hassan Abdul Said and the other Iraqis released the weekend before last, Ali al-Tayeea had been cleared for release from Guantánamo for two years before he was eventually dispatched to an unknown fate in his homeland, but his time in the prison was particularly uncomfortable, as, by his own account, he had provided information to the interrogators, and had been threatened as a result. While it is understandable that prisoners would crack under the pressure of their harsh treatment in Guantánamo and their seemingly endless incarceration, and provide false information to the interrogators, it is, unfortunately, clear from the statements of other prisoners that al-Tayeea's allegations were particularly troublesome. Moreover, despite appealing for "the American government to help me with asylum," his experience shows that cooperation was no guarantee of any kind of reward.

In contrast to al-Tayeea's case, the other two Iraqis had to contend with their own barrage of false allegations. Abbas al-Naely, who was 33 years old at the time of his capture, appears to have entered Afghanistan as a refugee from the Iraqi army in 1994. Seized in Pakistan in April 2002, he was described by a fellow Iraqi prisoner, Jawad Jabber Sadkhan (the only Iraqi still imprisoned in Guantánamo), as a beggar with a hashish problem. In a written statement, Sadkhan explained that, when al-Naely came to his house begging for help, "I did not have anything to offer [him]. But when I looked at his overall look and his dirty clothing he had on, he looked so

miserable. So I went to a friend of mine and asked him for money.” He added, “He is a peaceful man and he does not pose a threat on nobody and he has parents that need him.”

In spite of this, and al-Naely’s statement that, when he was seized, the Pakistani authorities “told us that every Arab person has to go to the Americans for an investigation,” he came to be regarded by the U.S. military as a fighter for the Taliban who had “trained at the al-Farouq camp in Kabul,” had met Osama bin Laden and Mullah Omar, the Taliban’s leader, and had sworn *bayat* (an oath of loyalty) to Omar. In response, he denied ever meeting bin Laden, and, although he acknowledged that he had met Mullah Omar, explained that he had only asked him for financial help and assistance in returning to Iraq.

When it came to the allegation about al-Farouq, an extraordinary exchange took place between al-Naely and the presiding officer of his review board. “I never went to Farouq,” al-Naely explained, also pointing out that the camp was in Kandahar, not Kabul, to which the presiding officer replied, “Well I beg to differ with you because this source we have is very reliable. I have no problem if you admit to it. I would just prefer if you tell me the truth.”

The identity of the supposedly reliable source was not revealed, of course, but it was clear from Jawad Sadkhan’s statement that he had lied about al-Naely under duress, and there is no reason to suppose that any other sources were any more reliable. “Anything that happened between him and me, like some kind of animosity, was a result of the investigators here on this facility,” he wrote. “I was exposed to a lot of abuse, psychological abuse from the investigators and God only knows what happened. This person ISN 758 [al-Naely] is innocent from any allegations and God knows everything.”

For the last of the four Iraqis, Arkan al-Karim, who was 25 years old when he was taken by U.S. forces from a prison in Kabul in June 2002, even Abbas al-Naely’s experiences were tame. In an extraordinary list of allegations, al-Karim was accused of being “part of Osama bin Laden’s inner circle,” an al-Qaeda member “who ate frequently with Osama bin Laden,” and who “commanded 200 Arab and Taliban fighters in Kabul, and was also responsible for sending Arab fighters to Chechnya.” It was also alleged, *inter alia*, that he had “worked for Osama bin Laden for 13 years conducting weapons maintenance,” was “an expert in the areas of poisons, explosives, martial arts and weapons,” had “carried out an operation in Kuwait in which he blew up a building he believed was being used by the Israelis,” and had “taken up jihad in the Philippines, Chechnya and Bosnia.” Another claim involved an unidentified “al-Qaeda member” naming him as an understudy of Sheikh Abdullah Azzam, the cleric who had founded the first organization that supported the mujahideen resistance to the Soviet occupation of Afghanistan in the 1980s, and who was assassinated in 1989.

As al-Karim pointed out, the allegations about Abdullah Azzam, and about being a member of al-Qaeda for 13 years, were patently ludicrous, as he was just 13 years old in 1989, and had been in Iraq until 1994, when he drifted to Iran, and then Afghanistan, after deserting from

the Iraqi army, but it also seems clear, from his experiences in Afghanistan and in Guantánamo, that every other allegation was equally worthless. As he explained to his review board, far from working with al-Qaeda or the Taliban, he was actually imprisoned by the Taliban for two years. During this time, a fellow prisoner, a Syrian Kurd called [Abdul Rahim al-Ginco](#), who was also transferred to Guantánamo and is still held, “was tortured by al-Qaeda and eventually told them he and [al-Karim] were spies for the United States.”

Al-Karim explained that al-Ginco had “confessed in front of the interrogator [in Guantánamo] and said that he made me suffer and told a lot of lies on me in front of all those Arabs,” and added, “His confession is on a piece of paper and is here in Cuba.” He also reassured his review board that there were no problems between the two men, and explained, “I told him that I forgave him and I knew what they did to him. He was suffering just as I was.” In a separate statement, al-Ginco confirmed that he had identified al-Karim as an American spy, but said that he did it “because of the torturing that I was receiving,” and added that he chose to identify al-Karim and not someone else “because they pressured me and they told me to say that he was a spy.”

However, while this accounts for some of the false information masquerading as evidence in al-Karim’s case, it’s also clear that other prisoners were responsible for some of the other allegations. As he told his review board, he was a victim of the long-standing religious divide between Sunni and Shiite Muslims. The overwhelming majority of the prisoners in Guantánamo were (and are) Sunni Muslims, and as al-Karim explained, “I have no friends in this camp at all; most of them, if they don’t give me a hard time or they don’t give me a problem, they will not talk to me. But also, they’ve threatened me more than five or six times. They will say things about me.”

As these men struggle to rebuild their lives, or to avoid being arbitrarily imprisoned once more — in Afghanistan, where even government officials had no influence on the Bush administration; in Algeria, where justice resembles a game of [Russian Roulette](#); and in Iraq, where no one seems to know what fate awaits them — the stories of these six men demonstrate conclusively the utter contempt that Dick Cheney showed for notions of truth and justice, and they will, I hope, act as an encouragement to those in the new administration who are [preparing to review the cases](#), to see who can be released and who should still be held, to scrutinize the evidence — [such as it is](#) — with profound skepticism.

Andy Worthington is the author of [The Guantánamo Files: The Stories of the 774 Detainees in America’s Illegal Prison](#) (published by Pluto Press). Visit his website at: www.andyworthington.co.uk.