

## Ex-prisoner asks the US to review its founding ideals

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**KHARTOUM, SUDAN** — It took US Army interrogators at Guantánamo Bay five years to reach the conclusion that Adel Hassan Hamad was exactly who he claimed to be: a hospital administrator in Pakistan. On Dec. 11, 2007, they put him back on a military cargo plane, hooded and handcuffed, and sent him back to his home in Sudan.

Now Mr. Hamad says he'll sue the US government for compensation for those lost years — years where his family became impoverished and one daughter became sick and died. But he says it's not just about the money. He wants the US to return to what it used to be, a beacon of freedom.

"We don't want animosity, we just want to respect America again," says Hamad, speaking in English phrases he learned while in prison. "The American conscience and the American people need to return to the great concepts established by the Founding Fathers, of freedom, democracy, equality, and justice. All these values and even the justice system are being shaken, played with."

Accused — but never officially charged — with fighting against the US, Hamad See **GUANTÁNAMO** page 10

and fellow Sudanese Salim Mahmud Adam are now fighting, through the US courts, for the rights they say they never received in the US military detention centers at Guantánamo Bay, Cuba.

Hamad became famous as the "YouTube detainee," after his attorney, Steven Wax posted a first-ever video habeas corpus petition on the Internet video site.

Like many former inmates of Guantánamo, these two men tell stories of torture and abuse that have become so

common as to lose their shock value. But they also share glimpses of American kindness, faith, and courage. Their legal efforts are intended to build on this common humanity and to restore US judicial principles. It's an ideal that other activists echo.

"We used to look to America as a model for human rights," says Khaled Alamsi, a Yemeni human rights attorney representing dozens of Yemeni prisoners at Guantánamo. Mr. Alamsi was in Khartoum to meet Hamad and Mr. Adam, and to attend a recent conference to highlight the mistreatment of prisoners at Guantánamo. "But now, after 11th September, US policy has given dictatorships in the third world the right to do what they want. Now they use America as a model, and what happens at Guantánamo is the same as what happens in Third World prisons," he says.

There were 275 prisoners at Guantánamo as of Jan. 31, 2007, according to the Department of Defense, or about one-third of an estimated 750 people who have been held at Guantánamo since 2002. Only three of these have faced formal charges; the rest have been discharged, without explanation. Such indefinite detention without trial is illegal under the Geneva Conventions, of which the US is a signatory, but US government officials argue that their methods are justified. Today's enemies are not regular army troops, they say, but terrorists, or "unlawful combatants."

Both Hamad and Adam still face travel and work restrictions under the terms of their release, says Mr. Wax, a Portland, Ore.-based federal public defender, who was assigned to work on Hamad's case. The two Sudanese men have pursued cases to clear their names in US court, through the writ of habeas corpus. Under this provision, the government must show evidence to prove that a person should be detained, or it must release that person.

Adam's case for habeas corpus was dismissed, but Hamad's continues to await a hearing in the Washington D.C. district courts. The two men say they will be filing a civil suit seeking compensation for their years in Guantánamo.

On Dec. 5, 2007, the US Supreme Court heard arguments in *Boumediene v. Bush*, which could affect the dozens of habeas corpus cases of individual Guantánamo detainees. In the case, the Center for Constitutional Rights argued that Guantánamo detainees were entitled



to habeas corpus rights, even if they are non-citizens. The court's decision is pending and could come any time.

At the time of his capture, on July 18, 2002, Hamad says he was neither a soldier nor a terrorist, but an administrator  
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