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## Campaign for Mohammed

One day last summer, our office got a call from the “secure facility.” You have a letter. Abby volunteered to take the trip and get it. It was from our favorite client, a young man named Mohammed Al Amin from Sub-Saharan Africa who’d been living and working in Pakistan in 2001. He’d never even heard of al Qaeda until the Twin Towers fell. Nonetheless, he was picked up by Pakistani authorities in exchange for a bounty and ended up at Guantánamo.<sup>1</sup> He’d been there for five years. We’ve been his lawyers for two, ever since another prisoner asked the Center for Constitutional Rights to find a lawyer for Al Amin, describing him as “not much more than a kid.”

We sent his letter to be translated by one of our volunteer translators, the mother of one of CCR’s paralegals. “To my Attorney,” it begins:

Warm Greetings. This is the first letter I was able to write for over three months, for I am forbidden to write both legal and other letters as the result of my hunger strike.... I am confined to isolation in an ugly location where I can’t recognize days from nights and I am going through deep suffering.

The letter wasn’t long, but it was hard to read. He had started a peaceful hunger strike to protest his fifth year of detention without charge. He described being strapped into a chair that he at first took to be an electric chair, and how he was force fed by a tube through the nose. Mr. Al Amin described how the tube was inserted and removed for each feeding, sometimes repeatedly, and jabbed into his stomach, and sinuses. The feeding mixture was pumped into him, until he vomited, at which point he was fed again, until he vomited again. He was left in the restraint chair for hours at a time. When the tube was yanked out, he would lose consciousness from the pain and shock. He would be doused with cold water and locked in a freezing cold room where there was a steel bunk, but no mattress and no blanket. He wanted us to know what was happening.

I am urging you, as soon as you receive my letter, to take the necessary steps....  
Peace is the best ending. Mohammed.

The letter was dated February 25, 2007—it was about four months old. Abby and I called other lawyers representing Guantánamo detainees, human rights group representatives, reporters we knew, but one big advantage of running an island prison where all outgoing information is classified “secret” is that no one knew for sure whether our client was still on a hunger strike or not, or what was happening to him. The lawyers at the Department of Justice assured us that they didn’t know anything about any interference with a detainee’s ability to write to counsel, which would have been improper and could not, or would not, give us any information about our client’s condition.

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<sup>1</sup> The payment of bounties by the United States turned out to be a common practice and led to many unwarranted arrests. See Amnesty International Report, *Pakistan: Human Rights Ignored in the War on Terror*, September 2006; Tom Burgis, *US Fuels Pakistan Bounty Market*, Financial Times, Sept. 28, 2006 (describing bounties earned by Pakistani police and government agents for rounding up “suspects”).

We made plans to go to Guantánamo, but it takes months to get approval from the Department of Defense, and to get the stars to line up on the same day: a translator, a room at the base, and plane tickets on one of the two tiny airlines that schedule inconvenient flights between Guantánamo and Ft. Lauderdale.

In the meantime, we got a curt e-mail from the Department of Defense. The Department had rejected our submission on behalf Mr. Al Amin to the Administrative Review Board, the DOD proceeding that was to evaluate whether a detainee was a danger to the United States.

Why? No submission was necessary. Mr. Al Amin wasn't scheduled to receive an annual review. He had already been "approved to leave Guantánamo." Franz Kafka couldn't have done it better. It turned out later that Mohammed Al Amin had been cleared for release for quite some time. Although he had been "approved to leave," Mr. Al Amin continued to be detained in solitary confinement, in the dark and cold, and to be force fed. Amnesty International took up Mr. Al Amin's case, and began a letter writing campaign on his behalf.<sup>2</sup>

By the time we were able to see him, it was more than six months after he had written to us. He told us that getting the letter to us was a stroke of luck—the guard had made a mistake and let him have paper and pencil. But it didn't feel like a stroke of luck to me—it took the letter four months to get to me, and once it did, there was really nothing I could do but visit months later. And tell him the government had long ago cleared him for release, yet there he was, still.

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I was thinking of that visit one day, not long ago, because I had been asked to accompany a group of human rights activists tasked with visiting members of Congress, to try to explain what was happening at Guantánamo, and to try to stop Congress from stripping away the detainees' ability to challenge their detention without charge in court.

We were sitting in a conference room near the Senate floor, and the staff asked about our clients, so I told them this story. Your client is just collateral damage in the war on terror, one staffer said. A Senator I like and respect asked me, but how can we let them go now, even if they were innocent before? What if they've been radicalized? Another yelled at us for placing op-eds by military leaders who supported the rule of law in his hometown papers. We were repeatedly asked if there was a chance for compromise, so as to avoid a recorded vote in an election year.

One of the interest groups advised us not to talk about the detainees because the polls show that no one cares about their plight, that it is too hard to humanize them. Talk about American values, they advised. What does this say about us?

I gave a copy of Vladimir Bukovsky's Washington Post op-ed, *Torture's Long Shadow*, to one member of Congress. It described Bukovsky's experience of being force fed by KGB agents and the pain of being forced to sleep on an iron frame night after night after night in the cold. What Vladimir Bukovsky described, I said, happened to my client but it wasn't the KGB that did it. I heard the Congressman read it later to his colleagues. I don't want to be on the wrong side of history, a Senator told us.

We went to a lot of meetings, and many Congress members and their staffs worked very hard to try to balance the competing pressures. But in the end, it was the Supreme Court that stopped us from being on the wrong side of history. And although my client never got his day in court, he was unceremoniously returned home in September 2007.

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<sup>2</sup> The letters he ultimately received from folks in Maine and from as far away as Spain cheered him up immensely.

