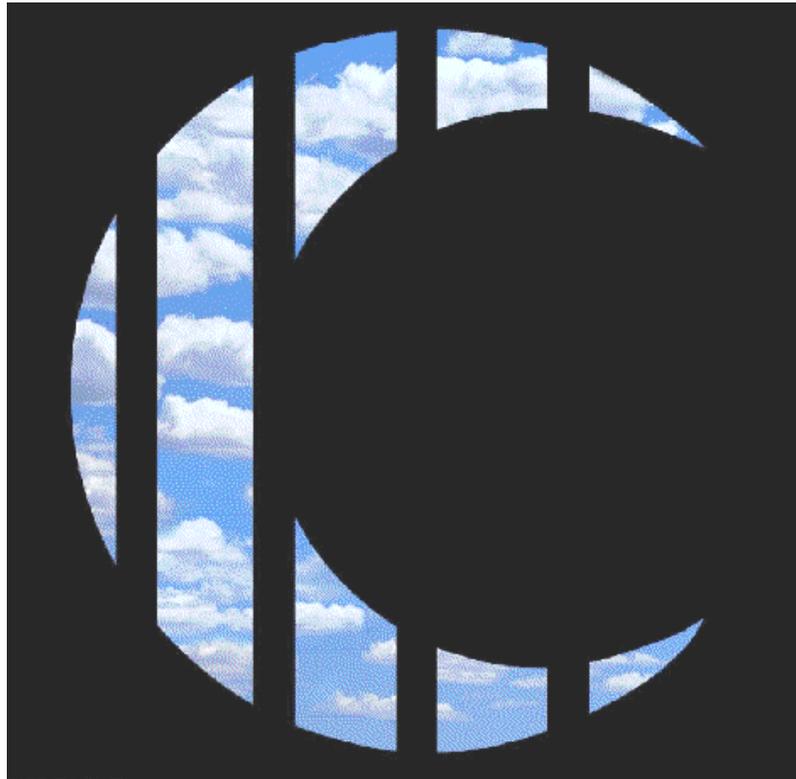




PRISONERS OF FAITH CAMPAIGN PACK



Sami Muhyideen Al Hajj

WARNING: Some of the contents of this report deal with torture and may cause distress

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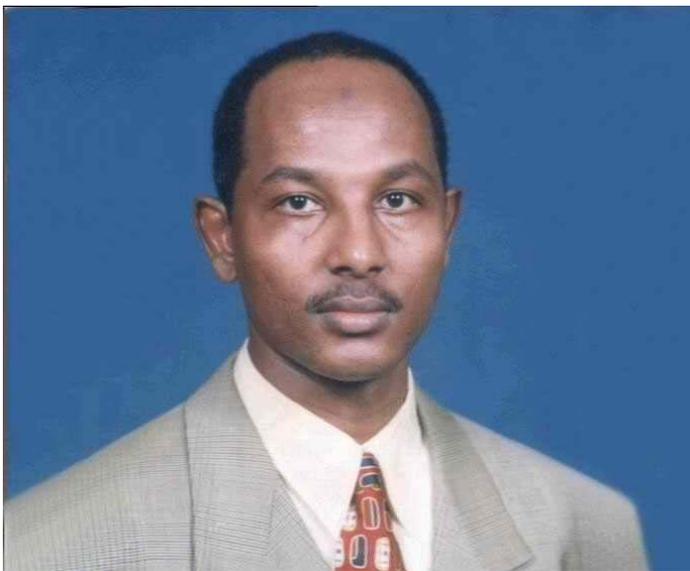
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“...Was my going to Afghanistan for less than four weeks and carrying a camera for the Al Jazeera news channel straight after the terrorist war against the unarmed Afghan people a crime I am being punished for with incarceration for more than four years, the upshot of which is that I am accused of terrorism?! There are many questions that are going around and around in my head like a millstone, poking at the reality behind the glossy slogans boasted by the flags of freedom, peace and democracy all over the world.”¹

Excerpt from Sami Muhyideen Al Hajj's letter that he wrote from his Guantanamo Bay cell.

¹ Sami Muhyideen Al Haj, Why am I being punished, 19 Dec 2005, <http://www.cageprisoners.com/articles.php?id=11337>

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Introduction

Assalaam alaikum wa rahmatullah wa barakatuh

Dear Brothers and Sisters

It has been estimated that there are approximately 250,000 Muslim prisoners of faith around the world today, held in both Muslim and non-Muslim countries. They can be politicians, members of human rights organisations, students, writers, actors and indeed come from all spheres of life, but have one thing in common in that they have wished to adhere to the Islamic belief and way of life. The government of the country where the prisoners of faith are held often portrays them as terrorists, inciters of religious hatred or of even trying to change the constitution of the country. Once locked away, it is all too easy to forget about these prisoners of faith, who can be subjected to the most extreme and brutal forms of torture. Despite the various human rights treaties which have been ratified by governments to protect the right of an individual not to be subjected to torture and the countless UN resolutions banning its use, this practice still continues, largely ignored by the international community. The right not to be tortured is non-derogable, meaning in all situations even in a state of emergency this right must be guaranteed.

IHRC's prisoner of faith campaigns have been running since the organisation began and continue and complement the work of many dedicated campaigns world-wide. More packs will be made available. Please check our website and go to the campaigns page at www.ihrc.org.uk or contact us via email at info@ihrc.org.

The Letter Writing Campaign

IHRC's campaign for prisoners of faith is based on a letter writing campaign. We have found this to be an effective method of applying pressure to different governmental organisations, (national and international), bodies such as the United Nations, European Commission of Human Rights and other similar organisations. They are currently failing to exert pressure on member countries which have pledged to uphold human rights values.

Questions that have been asked in the past concerning the campaign have included:

- What difference will one letter make?
- Does it really work?
- Will we get in trouble writing the letters, since *they* will have our contact details?

It is true that one letter may end up being ignored by the recipient. At least the person who sent it will be able to answer on the Day of Judgement that s/he made a stand against injustice to try to help the prisoners. However letters sent in their hundreds cannot be ignored. One MP stated that if his constituency receives even five letters on the same topic, a meeting is convened to answer the question at hand. Of course this may be the policy of one of the "better" MPs, but the fact remains that hundreds of letters demanding to know why a certain prisoner of faith is being detained and tortured for no other reason than wishing to practice his/her religion must generate a response which can then be taken further.

In fact it was due to a sustained letter writing campaign that the Turkish journalist Gul Aslan, held for three years without charge in Bandirma prison was released in August 1999; the judge

presiding over her trial stated that her case was an international embarrassment. Thousands of prisoners of faith have also been released in Bahrain, India and Nigeria after similar campaigns.

Huda Kaya, whilst held in Malatya Prison in July 1999, after participating in a rally against the hijab ban, wrote the following to IHRC:

“We are so proud to see that you are interested in the problems of Muslims in Turkey who are living the basic principle of Islam that only the momineen are brothers...Surely Allah loves those who fight in His way in ranks as if they were a strong and compact wall (Surah Saff-4/Holy Qur’an)...And again by using IHRC, I am sending salaam to all those valuable momineen brothers and sisters. WE ARE WAITING FOR YOUR LETTERS.”

Al-Hamdullillah, Huda Kaya and her daughters who faced the death penalty for participating in the rally were released from prison in December 1999.

Many people do feel slightly apprehensive about writing letters to different governmental organisations about prisoners of faith. Letter writing is a tool widely used by human rights organisations and is a fundamental basic right aligned to freedom of speech.

Model letters are provided for each of the prisoners of faith, which can be sent directly or adjusted as necessary to include further details. We ask that if you do receive a reply to send **a copy of the letter sent (even if it is the model letter) and the reply to IHRC**. This is extremely important as it helps IHRC to monitor the situation with regards to the prisoner of faith and to improve upon the current model letters. Please also keep letters polite.

Letter writing campaigns take time to become established, but Insha’Allah further results will be obtained. However, the success of the campaign is dependent upon the number of people committing to it. More campaigners need to get involved, on a regular basis. The campaign can then be extended to include e.g. vigils and protests at different embassies to raise awareness and Insha’Allah obtain the release of the prisoner of faith.

Finally we ask you to remember these and the many thousand other prisoners of faith in your du’as – imprisoned simply for their beliefs.

Why Campaign with the Islamic Human Rights Commission?²

As Muslims, we have an undeniable responsibility to struggle against oppression and injustice, and to work for a world based on principles of equity and compassion. To do so, Muslims must first of all be aware of the current state of affairs in the world at large, an obligation that has been indicated by the Prophet Muhammad (SAW) as follows: “Whoever wakes up in the morning not thinking about the affairs of the Ummah (community) is not one of us.” (Muslim)

The Qur’an clearly points out that Muslims must fight against oppression in all forms, be it against Muslim or non-Muslim: “*And what reason have you that you should not fight in the way of Allah and of the weak among the men, women and children (of) those who say: Our Lord! Cause us to go forth from this town, whose people are oppressors, and give us from Thee a guardian and give us from Thee a helper.*” (Qur’an 4:75) This verse shows that Muslims have a responsibility to aid the oppressed regardless of the faith or ethnicity of both the oppressed and the oppressor.

Indeed, the Prophet (SAW) has clearly stated that refusing to struggle against oppression and injustice could be tantamount to becoming an oppressor and even exiting the fold of Islam. “Whoever goes along with an oppressor and strengthens his hands, knowing that he is an oppressor, has taken himself out of the fold of Islam.” (from ‘Aws ibn Sharahbil, by al-Bayhaqi in his *Shu’ab al-Iman*; cited in *Mishkat* (1381 AH), Vol. 2, p. 641:5136) “Whoever sees something wrong should use his strength to set it right; if he cannot, he should speak against it; and if he cannot it, he should at least consider it wrong in his heart; and this is the weakest of faith.” (Muslim, from Abu Sa’id al-Khudri, Vol. 1, p. 69:78, *Kitab al-Iman*)

Thus, it is clear that genuine adherence to Islam inherently entails committed activism against all forms of injustice and oppression. This includes standing up against those who perpetrate and promulgate injustice regardless of whether they are Muslim or non-Muslim, and striving to protect the rights of all people from oppression once more regardless of ethnicity or religion.

The question then arises as to the best methodology we should implement to fulfil the obligation outlined above. Once more, the Qur’an and the Prophet (SAW) have made clear the best means of doing so. First of all, the Qur’an states that it is an obligation for Muslims to form groups or organisations through which they may exhort to what is right and denounce wrong: “*Let there be among you a group that invites to the good, enjoins what is right and forbids what is evil, and they are those who are successful.*” (Qur’an 3:104) In other words, Muslims should form structured organisations through which they can call upon all relevant parties to implement justice and avoid injustice - the Islamic Human Rights Commission (IHRC) strives to be just such an organisation. This is a universal obligation that Muslims have been commanded to fulfil by Allah (SWT) in relation to all individuals, communities and groups, both Muslim and non-Muslim without exception. This therefore necessarily includes calling on international organisations such as the United Nations and NATO; national organisations such as human rights groups and think-tanks; governments and non-governmental organisations; state and non-state institutions; and so on, to implement justice and avoid injustice. It is the obligation of Muslims to make significant contact with all such national and international bodies to encourage and exhort them to practice justice, and finally to denounce and condemn any of their unjust practices.

Indeed, the Prophet (SAW) has quite specifically highlighted the merits of speaking out directly to the perpetrator or supporter of oppression. This is done by condemning their oppressive

² Nafeez Mosaddeq Ahmed

behaviour, recommending to them the most just practice in relation to this behaviour, and calling upon them to reform their behaviour according to justice by implementing this recommendation. The Prophet (SAW) stated: “The best Jihad is the word of truth spoken in the presence of a tyrant ruler” (narrated by Ahmad). Indeed, this sort of direct activism against oppression may not necessarily be literal and physical. Research and campaigning through writing in order to fulfil the obligation outlined above has also been highly praised by the Prophet (SAW), and therefore must include contacting relevant groups and organisations to demand that they adhere to justice. This has been directly alluded to in the statement of the Prophet (SAW) quoted above: “Whoever sees something wrong should use his strength to set it right; if he cannot, he should speak against it...”

The next question with regards to methodology is how to call upon these groups, bodies and organisations in an effective and convincing manner. It is well known that when the Prophets (AS) fulfilled their mission to preach the message of Islam to the different communities to which they came, they did so deliberately in a language and terminology which they could best understand. In other words, they gauged the intellectual and rational background of their listeners and tailored their preaching so that listeners were able to comprehend the Prophets’ message.

This has even entailed utilising the ideology of the listeners in such a way as to use the concepts and terminology which they are already familiar with, to prove a correct concept. For example, the Qur’an relates that Prophet Ibrahim (AS), in conversation with his people, utilised the concepts and terminology of the paganist worldview to prove the Islamic worldview. (*Qur’an* 6:75-79, 7:80-83, 41:47)

In a similar fashion, it is possible to highlight the unjust practices of governments, organisations and individuals using concepts and terminology that they understand - such as the prevailing human rights discourse - so as to prove their unjust nature. The objective of doing so would simply be to demonstrate their hypocrisy in failing to adhere to the very humanitarian principles which they themselves claim to uphold, by pointing out the discrepancy between their behaviour and the basic rights of human beings.

Where the Divinely-ordained rights of human beings correlate with rights recognised internationally, it makes sense to call upon national and international bodies to implement such rights. This would serve greatly to help fulfil our Islamic responsibility to struggle against global injustice and oppression, to protect the intrinsic rights of Muslims worldwide, and to promote justice and equity. In this way, we would be pressuring existing international instruments to act in accordance with justice. As the Prophet stated in a famous hadith: “The similitude of the believers is like a single body. If any part of it complains of an injury, the entire body responds.” Campaigning with IHRC can help make this response effective.

There are many examples proving that Muslim pressure can have an impact. For example, the Zionist Lord Michael Levy was temporarily sidelined from his position as Tony Blair’s Middle East envoy. This occurred in the wake of the Foreign Office having received up to over a thousand letters from IHRC campaigners. Lord Levy’s sidelining was widely reported in the press by newspapers such as the *Times* and the *Independent*. Although Lord Levy was later returned to his position, it remains clear that this sort of pressure can work.

Similarly, when a number of Turkish Sisters were jailed for undertaking a peaceful protest against the ban on Hijab in schools and universities, IHRC volunteers were asked to send letters to several organisations and leaders, including Mary Robinson, the then UN High Commissioner for Human Rights. The Turkish sisters, who had the death sentence levelled against them, were soon

released when the UN intervened under pressure from IHRC campaigners to prevent them from being killed.

Another recent example is that of Oxfam, when it announced that it will not renew its contract with pro-Zionist Starbucks after immense pressure from various human rights groups led by IHRC.

Yet another example is that of the recent success in the case of Mirza Tahir Hussain whose imminent death sentence was commuted owing to great efforts by many governmental bodies and co-ordinated by IHRC.

There are many other examples. Campaigning can work if enough consistent, determined and widespread pressure can be imposed on political leaders and organisations. IHRC believes that it is our responsibility to call these leaders and organisations to account for their policies and actions, and to exhort them to act in accordance with justice.

Introduction

Sami Muhyideen al Hajj is a 35 year old Sudanese cameraman for Al Jazeera. He was arrested on the Pakistan-Afghanistan border on 15 December 2001³ while on an assignment to report the war in Afghanistan. He was originally seized because the US thought that he had filmed an interview with Osama Bin Laden. But Sami had never done such a thing, yet he was still held captive by the Pakistani authorities and handed over to the US on 7 January 2002 in Quetta⁴ due to a number of other “charges” against him. According to a declassified report provided to IHRC by human rights group Reprieve, these other “charges” are ‘...risible and in any case largely irrelevant...’⁵ In an interview to Al Jazeera, Sami’s lawyer, Clive Stafford Smith, who is the Legal Director of Reprieve, states that Sami has been simply accused of being an ‘enemy combatant’, “a ridiculously vague term that can include anyone the Americans want to include”.⁶

Sami has a wife and a five year old son whom he is not allowed to see. He last saw them when his son was one year old. He is only allowed to keep in touch with them through letters but even they are tampered with and sometimes arrive very late.

Trip to Guantanamo

His trip from Quetta to Guantanamo marked the beginning of inhumane, brutal treatment which was delivered to him nonstop.

The report from Reprieve gives a detailed account of the suffering he endured at the base camps where he temporarily stayed. From Quetta, he was stripped of his clothes and possessions, shackled and hooded and flown to a US airbase in Bagram where he stayed for sixteen days, which according to Sami were ‘the longest days of his life.’⁷ He was intimidated and harassed by dogs, kept in a freezing hangar with other detainees and was given freezing cold meals everyday. The detainees only had an oil drum to use as a toilet.

In a letter he wrote from his Guantanamo Bay cell, he writes about his ordeal in Bagram,

“...we were only allowed to go and relieve ourselves twice a day, once before sunrise and once before sunset, and you would only be allowed to go when it was your turn. I remember once that I had to go urgently, so I whispered to the person before me to allow me to go before him. Then a soldier shouted angrily in my face, ‘No talking! Come here.’ He pointed to the door and he hung me there from my hands on the wire and I stayed there standing throughout the day shivering from the extreme cold which caused me to urinate on my clothes. The soldiers just laughed at me!”⁸

He was not allowed to move or talk or to cleanse himself for prayers. Once he was stomped by guards and shoved out of a plane which led to the tearing of the ligaments in his left knee.

³ Reprieve, Memorandum on Sami Muhyideen al Hajj, 22 Sept 2006, pg 1

⁴ Ibid

⁵ Ibid

⁶ Asim Khan & Mahfoud El Gartit, Guantanamo Ordeal of Al Jazeera Cameraman, 28 Oct 2005, <http://english.aljazeera.net/English/Archive/Archive?ArchiveID=15809>

⁷ Reprieve, Memorandum on Sami Muhyideen al Hajj, 22 Sept 2006, pg 1

⁸ Sami Muhyideen Al Hajj, Why am I being punished, 19 Dec 2005, <http://www.cageprisoners.com/articles.php?id=11337>

According to the declassified report by Reprieve, “He now has no lateral support in his knee and can simply fall over any time.”⁹

From Bagram, he was flown to another US airbase in Kandahar where he suffered more abuses at the hands of the US military police. His beard hair was pulled out one by one. He was beaten several times ‘including as punishment for speaking in groups of more than three prisoners.’¹⁰ He was forced to kneel on cold concrete for long periods of time which bruised his knees. The US military police shoved fingers up his anus and used abusive language at him. The Quran was disrespected in front of him by being thrown down the toilet. He was not allowed to take a shower for 100 days and was only allowed to clean himself when the Red Cross visited. He was denied a toothbrush throughout his stay at Kandahar and was given a bed infested with bugs. He would often pass out because of dehydration caused by excessive heat.

Arrival in Guantanamo

As the Reprieve report further states, on his journey to Guantanamo he suffered even more inhumane treatment. His clothes were forcibly cut off and new ones put on. He was shackled, gagged and blindfolded and put in a plane with 30 to 40 other detainees.¹¹ He was not allowed to sleep on the journey; if he would, a military policeman would hit him on the head. The detainees were only allowed to eat crackers and share a bottle of water. No facilities of washing were provided on the plane. When Sami had to go to the toilet, a military policeman would free one of his hands; give him no toilet paper and watch. He would be beaten again upon returning.

The plane arrived in Guantanamo on 13 June 2002.¹²

Abuse at Guantanamo

- Denial of Medical Facilities

Sami was denied medical treatment for his long-standing medical illnesses as well as for injuries sustained after detention.

He was diagnosed with throat cancer in 1998¹³ and his doctor had prescribed him medicines to be taken on a daily basis for the rest of his life. Sami has been denied access to these medicines ever since he came in the custody of the US.

He was not allowed any treatment for his injured left knee, damaged due to the brutal torture in Bagram. He was told by the doctors at Guantanamo that the damaged knee had to be operated upon, but so far he has been denied this operation. His knee condition has worsened recently due to his falling over it. He was allowed to use a walker to aid him and a special toilet seat (a hole in the ground) so that he would not have to squat and agonize his knee, but even these few facilities were taken away after three detainees committed suicide in Guantanamo. He was told he could

⁹ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 2

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

¹³ Ibid

have the toilet seat back if he “cooperated” with the US military by saying that Al Jazeera has links to Al Qaeda, something he has refused to do.

Apart from these two main medical conditions, Sami suffers from weak eyesight, rheumatism, and severe tooth decay. But he has not received treatment for any of the above ailments. According to his lawyer, ‘...aside from one rudimentary cleaning with a wire brush, he has received no dental treatment.’¹⁴

- Incident of Desecration of the Quran

Sami has witnessed the Quran being disrespected in front of him several times. According to the report submitted by Reprieve, one day, ‘...in August 2003, US MPs wrote “f*** you” in the Quran and stamped on it, leaving a foot print.’¹⁵ This behavior was considered so blasphemous that many Muslim prisoners, including Sami, went on a hunger strike to protest against the sacrilege. Due to the hunger strike, Sami was tortured and treated with even more brutality than before.

On the second day of the hunger strike, Sami was “ERFed”, meaning that ‘a squad of men in riot gear came into his cell and beat him.’¹⁶ He was also put on Level 4 which is the harshest treatment level at Guantanamo Bay.

On the third day, Sami was ‘put in isolation, pushed down the stairs, kicked and beaten.’¹⁷ He suffered a severe cut on his left cheek due to this incident, which required stitches but he was only allowed to get it treated through an isolation window, without any pain relievers. This injury, from which he bears a scar on his face, was ‘registered two days later by the Red Cross...’¹⁸

In the following days, the report further states, Sami was kept in isolation for four days and then transferred to Camp V, ‘the maximum security wing of Guantanamo.’¹⁹ He was kept on Level 4 for eight months. In April 2004, he was transferred to Camp Romeo where prisoners are humiliated by not being allowed to wear anything except a piece of cloth in the middle of their body.²⁰

- Hunger Strikes

Sami has been one of the many detainees who have been on several hunger strikes to protest against the atrocities at Guantanamo. In a letter to his lawyer Clive Stafford-Smith, he said that on 12 July 2005, around 190 detainees held a hunger strike to demand an end to the tyranny that they are subjected to.²¹ Some of the demands were to end the ‘heavy handed approach to the prisoners, particularly those in Camp V,’ to provide the health care that the prisoners need, and ‘to stop the

¹⁴ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 3

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Ibid

²⁰ Jazeera Lensman Tortured at Guantanamo Jail, The Peninsula, 27 June 2005,

http://www.thepeninsulaqatar.com/Display_news.asp?section=local_news&month=june2005&file=local_news2005062732215.xml

²¹ Sami Muhyideen Al Haj, Hunger Strike Diary, 9 Aug 2005, <http://www.cageprisoners.com/articles.php?id=9929>

widespread practice of drugging the prisoners and manipulating their state of mind.²² This hunger strike was heavy enough to pressurize the US military to promise the detainees that they would stand by the Geneva Conventions. But a few days later, conditions returned to their original state and the MPs went back to assaulting the prisoners. According to Sami, "...we all had to go back on hunger strike again. It is not something I look forward to, but I must. We have to stand together on this, more for prisoners who are being mistreated in Camp V than for anything else. I hope to survive it alive..."²³

According to the declassified report by Reprieve, the strikes continued till January but 'brutal force feedings with the help of ERF prevented many men from continuing.'²⁴ Even now many detainees refuse to give up the strikes and hence are in a grave condition.

- Racism and More Abuse

Because Sami is black, he has been subjected to racial abuse by the US MPs. They have often called him by racist and abusive terms such as 'nigger whore' and 'stupid black.'²⁵ He is offered 'even less recreation than other detainees.'²⁶ Often he has his cell searched without any specific reason. He himself speaks about this grave injustice in his letter he wrote from Guantanamo,

"...having black skin was reason enough for the white soldiers to harass us, provoke us and punish us sometimes with reason and sometimes for no reason at all. They would always wake us up under the pretext of needing to inspect our cells. I remember that one night they asked me to wake up for an inspection, then when they entered and found nothing, they punished me for seven days because they found three grains of rice on the floor that ants had gathered around. I said to myself, why am I being punished?"²⁷

Once, a week after his arrival at Guantanamo, the detainees were told to stick their hands out of their cells to be injected with what they claimed was a tetanus vaccine. When Sami informed the MPs that he had already been vaccinated and that the vaccine would be effective for the next five years, he was yelled at and forcefully injected. Later, he was punished for insisting against vaccination by having his possessions, including his blanket and toothbrush, removed from his cell and being forced to sleep on the hard metal floor for three days.²⁸

The detainees are often yelled at, at night, if they sleep with their head and hands under the blanket. Once Sami was punished for a whole week for putting his toothpaste where his toothbrush should have been.²⁹ On another occasion, Sami was woken up at night and transferred to Camp Romeo, where he was stripped of his clothes except his shirt and shorts, shackled and put in a cage. The next day when he begged to know why he was being punished, he was told that they had found an iron nail outside his cell window and that he would be punished like this for two more weeks. At this Sami exclaimed, "I've got an iron nail? Where could I have brought it from and how could I have put it on my window from the outside? And why?" However, his

²² Ibid

²³ Ibid

²⁴ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 4

²⁵ Ibid

²⁶ Ibid

²⁷ Sami Muhyideen Al Haj, Why am I being punished, 19 Dec 2005,

<http://www.cageprisoners.com/articles.php?id=11337>

²⁸ Ibid

²⁹ Ibid

appeal was left unanswered. Sami's helplessness is evident from his words in his letter from Guantanamo when he writes, "I spent two weeks sitting because I couldn't kneel in my shorts without revealing my private parts. I slept on the metal on fourteen nights in the cold winter."³⁰

He is "ERFed" quite often. On one occasion, he was reported to have been "ERFed" as much as '6 times in 10 days.' His feet, arms and head have been tortured many times at Guantanamo, the report from Reprieve states.³¹ Even his food is not left untampered and it often contains dead insects and bugs.

Life at Guantanamo became even harder for Sami and the rest of the detainees after three prisoners reportedly committed suicide on 9 June 2006.³² Sami's medication for his knee was taken away. General conditions in the prison deteriorated even more. According to Sami, the guards would shut the windows in the 'stifling...Cuban heat'³³, or turn on the air conditioners full blast so that the prisoners freeze. They would also turn off the water supply so that prisoners would not be able to wash themselves for prayers or flush the toilets.³⁴

This brutal treatment that the Guantanamo inmates endure is just the tip of the iceberg. Much of what they suffer is not allowed to be made public. According to Sami's lawyer, Stafford Smith, if he discloses anything which he discusses with his client, without it having been screened by the US government, he faces 40 years in prison. The perpetrators, on the hand, have to face nothing.³⁵

Interrogation at Guantanamo

According to Sami's lawyer, the US had gone to the lengths of spying on Al Jazeera journalists and they had tapped Sami's conversations with his wife while he was on assignment.³⁶ Since he has been seized, he has been interrogated roughly 130 times at Guantanamo.³⁷ Before his first interrogation, he was deprived of sleep for two days.³⁸ The US wants him to say that 'Al Jazeera is a front for Al Qaida, and is funded by Al Qaida'³⁹ and that 'Al Qaida paid his employers to conduct interviews with Osama Bin Laden.'⁴⁰ Further, in most interrogation sessions, the US has been 'trying to co-opt Sami as an informant against Al Jazeera...'⁴¹ In one interrogation session, Sami was reportedly offered US citizenship if he agreed to become a spy. He himself states, "They have said, 'If you work with us, we will teach you journalism, we will get you a visa to live anywhere you want, we will even give you US nationality, we will protect you, we will give you money. We will help you write a book and then we will publish it. This will help make the al-

³⁰ Ibid

³¹ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 4

³² Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 5

³³ Ibid

³⁴ Ibid

³⁵ Clive Stafford Smith, Human Rights: The Silent World of Sami, 12 June 2006, NewStatesMan, <http://www.newstatesman.com/200606120033>

³⁶ Asim Khan & Mahfoud El Gartit, Guantanamo Ordeal of Al Jazeera Cameraman, 28 Oct 2005, <http://english.aljazeera.net/English/Archive/Archive?ArchiveID=15809>

³⁷ Ibid

³⁸ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 4

³⁹ Asim Khan & Mahfoud El Gartit, Guantanamo Ordeal of Al Jazeera Cameraman, 28 Oct 2005, <http://english.aljazeera.net/English/Archive/Archive?ArchiveID=15809>

⁴⁰ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 4

⁴¹ Ibid

Qaida people contact you, and work with you.”⁴² He further states the US military threatened his family if he agreed to the proposal but refused after being released.⁴³

But Sami has refused to lie and has requested his interrogators to question him regarding the “charges” for which he has been detained.

According to his lawyer Stafford-Smith, “He is completely innocent. He is about as much of a terrorist as my granddad. The only reason he has been treated like he has is because he is an Al Jazeera journalist.”⁴⁴

Sami’s lawyer further states, ‘As an American, I am ashamed to say this, but this is just the Bush administration's effort to force Sami to make up lies against Al Jazeera for political purposes.’⁴⁵

Sami’s Ordeal in His Own Words

From his Guantanamo cell Sami wrote:

“Why am I being punished? This question has continued to grind in my head like a millstone and stab at my heart. I still search every corner of my mind hoping that perhaps I will find a light or a memory that will make me forget the situation I am in...Is this treatment compulsory? Have we become like a flock of sheep that we are herded, fettered and obey without arguing or speaking or even asking questions?

“...Was my going to Afghanistan for less than four weeks and carrying a camera for the Al Jazeera news channel straight after the terrorist war against the unarmed Afghan people a crime I am being punished for with incarceration for more than four years, the upshot of which is that I am accused of terrorism?! There are many questions that are going around and around in my head like a millstone, poking at the reality behind the glossy slogans boasted by the flags of freedom, peace and democracy all over the world.”⁴⁶

In another letter, he expresses his deep sorrow:

“Who are these people who are held in cages not even fit for wild animals? How do these humans live?

“...The Prophet Jonah lived inside a whale - and Moses lived in a coffin. So, I have to force myself to think that these Guantanamo cells are only for those who are strong, and those who have the will to adopt the path of the prophets.

⁴² Vikram Dodd, Guantanamo...Al Jazeera, 26 Sept 2005, Guardian Limited,

<http://www.guardian.co.uk/international/story/0,3604,1578134,00.html>

⁴³ Ibid

⁴⁴ Asim Khan & Mahfoud El Gartit, Guantanamo Ordeal of Al Jazeera Cameraman, 28 Oct 2005,

<http://english.aljazeera.net/English/Archive/Archive?ArchiveID=15809>

⁴⁵ Ibid

⁴⁶ Sami Muhyideen Al Haj, Why am I being punished, 19 Dec 2005,

<http://www.cageprisoners.com/articles.php?id=11337>

“...If I have to stay all my life in these cages, let those who inflict this on me do what they wish, but I feel that I am living the life of a king.”⁴⁷

Sami's Case

Little has been done for Sami's release from Guantanamo. His case is one of the many cases which was not permitted to go forward⁴⁸ and be heard because of the US Court of Appeals which was deciding about another case before Sami's case could be allowed a hearing.

In recent developments, the US and Sudan were close to striking a negotiation deal for his release in August 2007⁴⁹, on the condition that Sami will have to stay in Sudan after his release. However, many human rights groups consider this an illegal restriction, as Sami's job is in Doha, Qatar. Negotiations have since then stalled and Sami's case is at a standstill again.

Sami – Current Conditions

Sami began a hunger strike on 7 January 2007⁵⁰, to mark his five years in US custody without trial. Since then he has refused to eat. As a result he is being continuously force-fed by the camp authorities, who employ a 110 cm⁵¹ long feeding tube which is forced down his nose, connecting to his stomach. Many human rights organizations such as Reporters Without Borders have condemned this manner of force feeding.

According to Sami's lawyer, Clive Stafford Smith, inexperienced nurses are employed to administer tube-feeding, and hence on many occasions they have incorrectly inserted the tube in the detainees' lungs or used large diameter tubes or forgotten to use lubricant while inserting, hence causing injuries to the detainees.⁵² Sami has had the tube inserted into his lungs on several occasions, thus inflicting injuries.

The latest declassified report by Reprieve⁵³ reveals that Sami is forced to take a lot of liquid at his feeding which sometimes induces vomiting, if this happens the military police administer the forced-feeding all over again. Sami is suffering from hemorrhoids, because of intestinal problems, and as a result needs a cushion when he is strapped to the feeding chair which is usually for two hours or more. Sami's blood has been taken out more than 100 times but he has never been informed of the results.

⁴⁷ Gavin Esler, Letters from Guantanamo, 27 Sept 2006, <http://news.bbc.co.uk/1/hi/programmes/5381322.stm>

⁴⁸ Reprieve, Memorandum on Sami Muhyideen al Haj, 22 Sept 2006, pg 5

⁴⁹ Al-Hajj Nears Guantanamo Release, Al Jazeera, 15 Aug 2007

⁵⁰ Al Jazeera Detainee 'Force-Fed', Al Jazeera, 7 March 2007, <http://english.aljazeera.net/NR/exeres/19771268-9CA6-4EED-BD24-E01263DDF4A2.htm>

⁵¹ Sami Al-Haj: I am Afraid I will be the Next to Die, Postscript: Clive Stafford Smith, 10 Sept 2007, <http://www.pressgazette.co.uk/story.asp?sectioncode=6&storycode=38719&c=1>

⁵² Al-Hajj's Health 'Deteriorating', Al Jazeera, 22 Aug 2007, <http://english.aljazeera.net/NR/exeres/51EE6A7E-DC7C-4CB9-8D52-829BC08D69AB.htm>

Sudanese Cameraman Sami Al-Haj in Critical Condition in Guantanamo, Reporters Without Borders, 23 Aug 2007, <http://cageprisoners.com/articles.php?id=21572>

⁵³ Sami al Haj and the Guantanamo Hunger Strike, 21 Aug 2007, Global Coordination for Sami Alhaj, <http://www.samisolidarity.net/Articles/Sami%20al%20Haj%20and%20the%20Guantanamo%20Hunger%20strike.htm>

Stafford Smith states that as a result of his hunger strike, Sami's health has deteriorated to the extent that he has lost almost a fifth⁵⁴ of his body weight. During his meeting with Sami in early July 2007, he discovered that his mental health had deteriorated considerably as Sami was having '...difficulty concentrating and expressing himself in English...' ⁵⁵ and appeared anxious and 'even paranoid'⁵⁶ and fearful of his death. Sami confided in his lawyer by stating,

"My prison number is 3, 4, 5...First, in June 2006, there were three prisoners who died. Then, this May, there was a fourth to die. Three, four... five, I am afraid I am going to be the fifth."⁵⁷

Meanwhile, the prison authorities continue punishing the hunger strikers and treating them very harshly, so that it becomes too 'painful' for them to go on striking. For example, according to the Reprieve report, Sami was punished by having his shackles tightened, the other prisoners are provided with padded shackles.⁵⁸ All strikers are being made to wear pampers outside their clothes, '...for when they inevitable soil themselves.'⁵⁹ They are denied soap to clean themselves afterwards. Further, Sami recently had the big toe of his right foot broken by military police who were violently shoving him while taking him for recreation. The prison guards have gradually taken away items of basic necessities from Sami such as his knee brace, soap, toothpaste, prayer beads, bed sheets, eye glasses and books.⁶⁰ He is only left with the clothes that he wears and a thin mat on which he sleeps.

Now, Sami's condition is so critical that a team of British and American psychiatrists have recently issued a warning in a medical report that Sami is '...close to becoming the fifth detainee at the US naval base to take his own life'.⁶¹ 250 days after his hunger strike began, he is "...suffering from severe depression and may be deteriorating to the point of imminent death", states Dr Dan Creson, a US psychiatrist. According to the doctors' report, '...there is very strong evidence that he has given up his fight for life...' and is experiencing conditions similar to those suffered by female victims of Darfur, recognized by doctors as 'passive suicide.'⁶²

Sami's family members have been suffering all along as well and are desperate for his release, his wife states,

"It's very hard to live with this punishment when he hasn't even been tried. By which law can an innocent man be held for so many years without even being charged? If he had been charged I might feel he was at least paying for some crime. But this has cost him his health, his youth."⁶³

⁵⁴ Robert Verkaik, Al-Jazeera Man Close to Death at Guantanamo Bay, The Independent, 13 Sept 2007, <http://news.independent.co.uk/world/americas/article2956428.ece>

⁵⁵ Sudanese Cameraman Sami Al-Haj in Critical Condition in Guantanamo, Reporters Without Borders, 23 Aug 2007, <http://cageprisoners.com/articles.php?id=21572>

⁵⁶ Al-Hajj's Health 'Deteriorating', Al Jazeera, 22 Aug 2007, <http://english.aljazeera.net/NR/exeres/51EE6A7E-DC7C-4CB9-8D52-829BC08D69AB.htm>

⁵⁷ Sami Al-Haj: I am Afraid I will be the Next to Die, Postscript: Clive Stafford Smith, 10 Sept 2007, <http://www.pressgazette.co.uk/story.asp?sectioncode=6&storycode=38719&c=1>

⁵⁸ Sami al Haj and the Guantanamo Hunger Strike, 21 Aug 2007, Global Coordination for Sami Alhaj, <http://www.samisolidarity.net/Articles/Sami%20al%20Haj%20and%20the%20Guantanamo%20Hunger%20strike.htm>

⁵⁹ *ibid*

⁶⁰ Al Jazeera Detainee 'Force-Fed', Al Jazeera, 7 March 2007, <http://english.aljazeera.net/NR/exeres/19771268-9CA6-4EED-BD24-E01263DDF4A2.htm>

⁶¹ Robert Verkaik, Al-Jazeera Man Close to Death at Guantanamo Bay, The Independent, 13 Sept 2007, <http://news.independent.co.uk/world/americas/article2956428.ece>

⁶² *ibid*

⁶³ Ian Black, What About Prisoner 345?, The Guardian, 30 April 2007, <http://media.guardian.co.uk/site/story/0,,2068273,00.html>

Address for material to be sent to Sami Muhyideen

You can send letters of encouragement to Sami at the following address:

Sami Al Hajj, ISN 345
Camp Delta
U.S. Naval Base, Guantanamo Bay
Washington, DC 20355
USA

Alternatively, you can also submit letters for Sami to their local Red Cross office.

Instructions for sending model letters to organisations, authorities etc.

Please send the model letter with chosen insertions to the addresses below. Use the relevant insertion according to the recipient of the letter. Addresses for the recipients are given immediately after the model letters.

Model Letter for Sami Muhyideen

Name
Address

Date

Name of Recipient
Address of Recipient

Dear [Name of Recipient],

Re: Appeal for the immediate release of Al Jazeera Cameraman detained in Guantanamo

I am writing to you to urge for the immediate release of Sami Muhyideen Al Hajj, a Sudanese born, Al Jazeera cameraman who has been detained in Guantanamo Bay, without being charged or tried in court, for the past five years. Sami was seized by the US military at the Pakistan-Afghanistan border while covering the war in Afghanistan.

Sami began a hunger strike in January 2007 to protest for his release and the rights of all detainees at Guantanamo. His strike continues till today as he has refused to eat. The US prison authorities are employing brutal means to force-feed him, via a tube which is inserted in his stomach through his nose. Sami has had the tube inserted into his lungs on several occasions by inexperienced nurses, thus inflicting injuries. According to his lawyer Clive Stafford Smith, he has lost almost a fifth of his body weight because of the hunger strike. His health has deteriorated to the extent that a team of British and American doctors have issued statements in a medical report, warning that he could be the fifth detainee to take his own life at Guantanamo.

His lawyer has revealed that he has been brutally tortured in prison. His punishment has become more severe ever since he began the hunger strike. The prison authorities have confiscated from him all his basic amenities except the clothes that he wears and the mat that he sleeps on. His shackles have been tightened so that it is painful for him whenever he moves.

There is no evidence of terrorism against him, yet he is still detained, without any hope for release in the near future.

Guantanamo Bay is an illegal prison where there is no respect for the Geneva Conventions or human rights norms. There have been several reports about the atrocities which are inflicted upon prisoners at Guantanamo. They are denied basic human rights, and are treated worse than animals. Four detainees have already committed suicide from depression and fear of such horrendous treatment.

I urge you to work diligently for the release of Sami Muhyideen Al Hajj. Such shocking treatment of a respected reporter who was simply doing his duty, is symbolic of the extent to which traditional civil liberties and democratic values such as the freedom of the press are rapidly evaporating in Western society.

INSERT APPROPRIATE PARAGRAPH

I look forward to hearing from you about his current conditions and measures taken to ensure his immediate and unconditional release.

Yours Sincerely,

[Name]

Insertions

Recipient Name: Ms Louise Arbour, UN High Commissioner on Human Rights

INSERTION

I strongly urge you to pressurise the American government to release Sami Al Haj immediately and unconditionally as his life is in danger and he needs immediate medical attention. Please ensure the appropriate working groups in your office act upon this matter.

Recipient Name: Minister of Foreign Affairs in Your Country, UK residents can write to Rt. Hon. David Miliband MP

INSERTION

I strongly urge you to make representations on behalf of Sami Al Haj and pressurize the American government to release him immediately and unconditionally as his life is in danger and he needs immediate medical attention. Your department has committed itself to promoting human rights and in the circumstances this has been a clear travesty of justice, where Sami's human rights have been abused.

Recipient Name: Dr. Lam Akol Ajawain, Minister of Foreign Affairs, Sudan

INSERTION

Being a native of Sudan, Sami Al-Hajj needs support from your government. I urge you to pay immediate attention to Sami's case and pressurize the American government to release him immediately and unconditionally as his life is in danger and he needs immediate medical attention.

Recipient Name: Embassy of the Republic of Sudan in Your Country, UK residents can write to H.E. Omar Mohammed Ahmed Siddig,

INSERTION

Being a native of Sudan, Sami Al-Hajj needs support from your government. I urge you to pay immediate attention to Sami's case and pressurize the American government to release him immediately and unconditionally as his life is in danger and he needs immediate medical attention.

Address for Sami Muhyideen's Model Letters

- Ms Louise Arbour
UN High Commissioner on Human Rights
Petitions Team
Office of the High Commissioner for Human Rights
United Nations Office at Geneva
1211 Geneva 10, Switzerland

Fax: + 41 22 917 9022

Email: tb-petitions@ohchr.org

- Rt. Hon. David Miliband MP
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Fax: +44 20 7839 2417

Email private.office@fco.gov.uk

- Dr. Lam Akol Ajawain
Minister of Foreign Affairs
PO Box 873
Khartoum
Sudan

Fax: +249 11 779 383

- H.E. Omar Mohammed Ahmed Siddig
The Embassy of the Republic of Sudan
3 Cleveland Row
St James's
London SW1A 1DD
UK

Fax: +44 207 839 7560

Email: admin@sudanembassy.co.uk