

The Odyssey of Djamel A.

Human rights. In 1995, Djamel Ameziane worked in a restaurant in Vienna. In 2001 he was at the wrong place at the wrong time – in Afghanistan. Since then, he has been stuck at the Guantanamo detention center: a story from America's failed war against terror. By Gunther Müller and Martin Staudinger



Djamel Ameziane

"He was a quiet and polite man. I would hire him again," said his former employer in Vienna.

Djamel Ameziane's path to Guantanamo began in the kitchen of an Italian restaurant at the New Market in downtown Vienna – and without the Austrian policy on foreigners it might have perhaps never happened that he has been stuck in Cuba as a US prisoner for almost nine years now: completely innocent, as far as that can be followed, and at the same time without any concrete hope to live a normal life again in the foreseeable future.

Ameziane, who was 35 when arrested and is now 43, stands for the injustice of Guantanamo. He is part of those detainees who the US would prefer to give back their freedom rather today than tomorrow*: because it is clear by now that they were not terrorists but that they simply had the bad luck to be at the wrong place at the wrong time after the attacks of 9/11.

At the same time, Ameziane, a native of Algeria and devout Muslim, stands as a symbol for the dead-lock into which the US maneuvered itself with its camps that were set up outside all international legal norms. That is to say that he is part of those inmates that the US cannot get rid of: because they would be threatened with prison, torture or even death if transferred to their home countries – and because so far no other country has agreed to admit them.

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US troops brought a total of 779 adults and adolescents to

* Specific personal information about the inmates' status is not open to the public: But everything speaks for the fact that Djamel Ameziane is on the list of the Guantanamo inmates that are scheduled for a release.

Guantanamo since 2001, where they were detained.

Guantanamo US president Barack Obama promised to close the prison camps by January 2010 – it came to nothing

The attempt to expose them as terrorists using torture-type interrogation methods, or to obtain information about Osama Bin Laden's al-Qaeda network apparently proved not to be particularly successful. So far, the evidence sufficed only for a few to initiate court proceedings.

More than 500 detainees were released from prison as of January 2010: They were classified as "valueless for the secret service" and dismissed without causing a stir, but also without compensation or an apology. The US government sent the majority back to Afghanistan, Pakistan, Saudi-Arabia and Yemen.

There remained 240 inmates. 44 of them were scheduled to go before the court, 48 are presumed to be too dangerous for a release, and "a repatriation" is recommended for the remainder.

This includes those delinquents that are caught in the same vicious cycle as Djamel Ameziane. Since US-president Barack Obama signed a decree for dissolving Guantanamo upon taking office in January 2009, diplomats are striving to find a solution for these cases.

This was successful for many already: In the past, nine European countries as well as Georgia and the archipelagic state of Palau gave a new home to a total of 33 former US military inmates. The remainder continues to be stuck in Cuba.

Even though the experiences in the receiving countries have been positive throughout to date, the US has been meeting with one rebuff after the next for months. The topic is discussed in Germany at least controversially. In contrast, Austria refused any type of cooperation from the outset - and sticks with it even though it is currently applying for a

“The acceptance of Guantanamo inmates would have been a good reason to prove that the government is not only interested in fair weather politics”
Heinz Patzelt, Amnesty Austria

seat on the Human Rights Council of the United Nations.

“Actually, this would be a good reason to prove that the government is not only interested in fair weather politics,” says Heinz Patzelt, general secretary of Amnesty International Austria. “Apart from that, I do not fully understand how you can neglect the opportunity of helping a large country in need, such as the US, by accepting a human being or two, who innocently got into trouble and who do not represent a risk even in the American’s opinion”.

But the loaded word Guantanamo apparently renders people numb – for pragmatic as well as for humanitarian reasons. And for the individuals’ fates in any case.

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Djamel Ameziane, born 1967, comes from the Berber people. His native

country is located in Kabylei, an extremely poor coastal region in Algeria, which is repeatedly shaken by civil disturbances and uprisings. He completed his studies at a university and subsequently worked as a water technician for the government.

His life came apart at the seems at the beginning of the nineties: Muslim bigots took hold in a completely run down Algeria. The Islamic Salvation Front (FIS) was particularly in vogue, and their glorious victory during the parliamentary votes of 1991 was already predicted. To avoid this, the government canceled the referendum and declared martial law. The consequences were an atrocious civil war with subsequently more than 120,000 victims.

Ameziane may be a devout Muslim – but he was probably not a fervent FIS follower. Otherwise, he would have hardly made the decision



[Image: **Exchange of prisoners**
 Where the Guantanamo prisoners are from and who accepted them.

Guantanamo inmates
 How the number of inmates changed.]

to leave Algeria to escape the violence. In 1992, he was washing dishes at Trattoria Al Caminetto in downtown Vienna. During those days, it was still relatively easy to settle down in Austria: The large migration streams had not yet begun to move and the residence regulations were loose accordingly.

Mario Collot, owner of Trattoria Al Caminetto and his head chef are still remembering today, 15 years later, an “especially polite, quiet colleague”. He did not attract any attention due to any distinct religious zeal, says Collot. “During his breaks, Djamel was sitting in the guest room for most of the time, reading French books.”

Within three years, Djamel Ameziane worked his way up, from washing dishes to the stove, from subworker to cook. In the meantime, Austria changed. A strict residence act was hammered out under Franz Löschner, SPÖ minister of the interior, which cost numerous foreigners their existence. In 1995, the competent authority refused to extend Ameziane’s visa. He therefore also lost his work permit.

This was the first step into the abyss of Guantanamo.

In constant fear of being deported to Algeria, Ameziane flew to Canada where he requested asylum - according to the US documents from Guantanamo, he was using a fake passport, which he had purchased for ATS 20,000 in Austria. Again, he started working in restaurants and put money aside. His application was rejected five years later.

At this point, Ameziane made a decision that could not have been

worse. He obtained yet another fake passport and travelled via Iran to Afghanistan, which at that time was ruled by the radical Islamic Taliban.

The files, which the US military created later about the Algerian suggest that he wanted to live at all costs in a country that applies sharia law. This is not according to the facts, counters attorney Wells Dixon, who is representing Ameziane on behalf of the human rights organization Center for Constitutional Rights as head of a three-person legal team: “My client wanted to go to Afghanistan because he believed it was only there that he could live in peace, anonymously and permanently.” And to feel certain not to be deported.

Ameziane settled in Jalalabad, a city near the Pakistani border. It was late in 2000, a few months before the “big bang”.

Soon after 9/11, Ameziane was on the run again - for the fourth time in his life. He was afraid of being killed by the Northern Alliance troops who, after the US attack on Afghanistan, were on the rise and who were pursuing the Taliban and Arabic foreigners – that was because the latter were suspected of being al-Qaeda fighters.

As many others did too, he started to go East: as part of a large stream of refugees consisting of innumerable small groups. Tens of thousands trickled out of the country off the main traffic routes: Bin Laden followers and defeated holy warriors as well as displaced and uprooted people. Ameziane’s path led through the White Mountains, where at that time, top al-Qaeda leaders were suspected to be in the Tora Bora cave complex.

Ameziane crossed the Pakistani border a few days later. He was accommodated in a village, and was given food and a place to sleep. The next morning, the local clan chiefs handed him over to the police. The

Americans paid \$5,000 a head for the Algerian.

Djamel Ameziane was one of the first captives who arrived in Guantanamo: on February 11, 2002.

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He now had a number: 310. An orange jumpsuit. And no more rights. The Guantanamo prison camp, which had been set up within only a few weeks filled quickly and continuously with new delinquents, which US interrogation specialists wanted to squeeze information from. “The first weeks were horrible”, remembers Abu Bakr Quasim, a former inmate, when talking to profil (see interview on page 52). The Muslim from China, a member of the pursued ethnic Uighur minority, was doing time in Guantanamo at the same time as Ameziane.

He experienced similar things as Ameziane and many other inmates: They were supposed to be broken by means of sleep deprivation, waterboarding, extreme heat or cold, unbearably loud music, remaining in painful “stress positions” for hours, and humiliation.

The gist of the interrogations to which he was subjected after the tortures reads dramatically in its brevity. It talks about fake passports, illegal border crossings, accommodations used jointly with the Taliban and a stay in Tora Bora – while the cave system, which Bin Laden had erected there, was bombarded by US troops.

Admittedly: No concrete indication exists that Ameziane was trained in using weapons or that he participated in combat operations. Soon, even the military in Guantanamo were convinced that not much could be gotten out of him. Ameziane was transferred to “Camp 4” – that part of the camp, which holds the most co-operative and least dangerous prisoners. It was there that Uighur Abu Bakr Quasim was

[Image:
■ Inmates who were returned to their home countries.
■ Inmates who were not returned to their home countries.
■ Number of Guantanamo inmates who come from this country]

“The beginning was horrible”

Abu Bakr Quasim, 41, a Chinese Uighur and former Guantanamo inmate, about his new life in Albania.



MADONN RACHFEP

Pizzeria “Vilaznia” is located in a small side street in the center of the Albanian capital Tirana whose patrons are exclusively Muslims. A middle aged man in suit pants and a baggy shirt sits in the back of this dimly lit restaurant: He is the Uighur Abu Bakr Quasim, 41 years old now. Quasim was one of the first Guantanamo inmates that the US found to be innocent and who was brought to a European partner country. Quasim knew about Albania only by hearsay; he thought the country was still under communist regime. “Luckily, the Americans explained to me beforehand,” remembers Quasim and he smirks. Between May through the fall of 2006, the Uighur was housed in a home for refugees just outside of Tirana, then the Albanian government provided him with an austere apartment in the city’s downtown. Quasim spoke with profil about the time in Guantanamo and his everyday life in one of the poorest countries in Europe.

Profil: On May 5, 2006, Albania accepted you and five other Guantanamo inmates. How does your everyday life look like today?

Quasim: I go to the mosque in the morning to pray, then I read the Koran at home or books about Islamic history. More often than not I visit my friends at the pizzeria, help them at work or chat.

profil: You still don’t have work?

Quasim: No, I could work in a Muslim pizzeria since I learned how to make pizzas. But the restaurants currently do not need any additional help. There is simply not enough customers.

profil: How are you able to survive?

Quasim: The Albanian state will pay my rent until September, then a little bit of money will be left over, which will be tight but I would still get by.

profil: And how will things continue as of

the fall?

Quasim: I have no idea. I still have not received a clear answer from the government. But one thing is for sure: Without money, it will be hard for me.

profil: Were you able to make friends in Tirana?

Quasim: I was all alone in the beginning. People were afraid of me thinking I was a terrorist. I then spoke with an Imam and he helped me along and supported me. It was through him that I found friends in the Muslim community. Meanwhile, I feel pretty well integrated here. And my Albanian continues to improve.

profil: You are from the Chinese province Xinjiang where the minority of Uighurs fights for its independence. Are you in contact with your family?

Quasim: Yes, we call each other as often as possible. For the most part using Skype because it is free. But this is not a solution for the long term: I have not seen my wife and three children for more than ten years. They are also not allowed to come visit me in Albania. We already asked, but neither China nor the state of Albania will allow that.

profil: Do you want to go back to China?

Quasim: No. A return would only make sense after we Uighurs have obtained independence from China. The Chinese are making the life of us Uighurs in Xinjiang a living hell, they harass us and lock us up without a reason. I left China precisely because it was impossible to work as a business man.

profil: Do you think back often to your imprisonment in Guantanamo?

Quasim: Yes, of course. After all, it was more than four years that I was innocently locked up. The beginning was especially horrible: I was beaten, they left glaring lights on at night so that I could not sleep. I don’t even want to talk about it anymore.

profil: What is your dream for the future?

Quasim: Independence from China and to see my family again. I would like to open my own pizzeria in Tirana as I am a businessman after all and I would like to continue being one. Yet, the opportunities for having my own business are not very good at this time. My hope remains the that the Albanian state will not abandon me.

Interview: Gunther Müller, Tirana

housed just short of three months after his arrest. “We had more elbow room there, we could do fitness training, had access to books,” he remembers. Not that it was particularly comfortable in “Camp 4”. “But compared to the high security wings, we were a lot better off.”

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What swayed Ameziane to go to Afghanistan of all places cannot be followed exactly until today: Was it really only the hope to be assured that he will not be deported to Algeria from Afghanistan? Had he become a religious zealot in view of the hopelessness about being accepted in the West? Did he really develop the romantic idea to be able to live in perfect Islam under the Taliban’s rule?

“The inmate stated to not have thought even remotely about the jihad when travelling to Afghanistan,” recorded a US military document under those reasons, which in the view of the Americans speak for the release of Ameziane.

The fact is, during the past nine years, the US military justice did not find any evidence or clues against Ameziane that would suffice for an accusation. “My client was never accused of a criminal offense and he vehemently denies any involvement in a criminal act,” said his attorney Wells Dixon to profil.

This connects the Algerian to those former Guantanamo prisoners who in the meantime had been accepted by EU countries— and this so far largely without any problems.

“The European countries that accepted Guantanamo prisoners had only good experiences so far. Because the people are thoroughly checked beforehand. How can they reoffend if they never had anything to do with Islamic terrorism?” says Polly Rossdale from the human rights organization “Reprieve” who

got involved in the rights of Guantanamo inmates.

Switzerland is currently integrating an Uzbek and two Uighurs who had been exhaustively checked by the security agencies prior thereto. "All they want is to start a new life as quickly as possible", says Lukas Labhard of Amnesty Switzerland. "There is absolutely nothing that would indicate that they are an emanating threat". It is similar in Ireland where two Uzbeks have found a new home. "They were not radical before Guantanamo and they are not radical now," says Kieran Clifford of Amnesty Ireland.

However, problems currently exist in Slovakia: Three former Guantanamo inmates went on a hunger strike there. "After a five month stay in a refugee camp, the men are still treated as criminals, they are not allowed to move around freely, and cannot call their families," says Polly Rossdale. "In the process, the men did not even get a court hearing in the US because it was clear that they were innocent".

Germany has not made a final decision whether it will accept former military prison inmates - as requested by the United States. In March of this year, a government delegation flew to Cuba to carefully examine three of the 181 remaining prisoners: a Syrian man and two Palestinians. The men had been found not guilty years ago by US courts and cleared of all charges.

Thus, an apparently simple decision. But when Thomas de Maizière, minister of the interior (CDU) knocked at the German states' doors to promote the acceptance of the three inmates, he encountered rejection: "Too expensive, too dangerous, cannot be integrated", was the tenor from Bavaria to Schleswig-Holstein. The states' heads were lastly backed by Berlin's security circles. "The risk is too great," found the German Federal

News Service (BND). The risk exists that "Islamic sleepers" in the Federal Republic of Germany might "accept the ex-prisoners with open arms" and get down to "attacks on German soil" together with the new arrivals sooner or later.

And if this was not enough, the security agencies are alarmed by reports according to which former Guantanamo inmates joined militant Islamist groups after their transfer home. Saudi Arabia, where a rehabilitation program is supposed to ensure their reintegration into society, has concrete figures for that: Accordingly, 25 returnees are again participating in the "holy war" - eleven went into hiding in Yemen, and the remainder were either killed in battle or arrested again.

The possibility that the detention in Guantanamo and associated mistreatments led to inmates subsequently being radicalized cannot be dismissed.

When taking office in January 2009, US president Barack Obama promised to close the camp within one year. As is well known, nothing has become of this, and only little points to any changes happening in the next few years. At last, US government representatives admitted to the New York Times that in view of the Republican's strong opposition against the project and changed political priorities, it is improbable that the camp in Cuba will be closed before the end of Obama's term in 2013.

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In the meantime, for Djamel Ameziane one day passes like the other in his barrack at Cuba's southern tip. He likes to paint in water colors - mainly landscapes, says his attorney Wells Dixon. He plays soccer sometimes, sometimes he studies foreign language dictionaries - including a German one he owns.

Meanwhile, the search for a receiving country continues. "Austria would be the first choice," ponders attorney Dixon. "He lived there, he knows the language, and he is not the type who would be a drain on the country's pocket". Ameziane told him that he would have never left Austria had he not been forced to do so. And he would perhaps still go to Trattoria Al Caminetto, which has moved to Krugerstreet in the meantime.

"I would take back a man like Djamel immediately", says the owner Mario Collot. "If he stands before our doors. And if he is still the same as before".