



# Report on Ghost Detention

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## **Ghost Prisons**

The *War on Terror* has heralded in unprecedented times for those living in the democratic world. The way in which the Bush administration has dealt with detainees worldwide leaves major questions regarding the implementation of the human rights and the international rule of law. The policy of transferring detainees, holding them incommunicado, keeping them off record books and outsourcing of torture has now become standard practice for many States. George W Bush in his State of Union Address commented on this form of detention by saying,

*“More than 3,000 suspected terrorists have been arrested in many countries. Many others have met a different fate. Put it this way, they’re no longer a problem to the United States and our friends and allies.”<sup>1</sup>*

According to Pentagon figures though, the number that are being held are not 3,000, but rather more like 9,000. These detainees have no fundamental rights such as access to a lawyer, fair hearing, and the right to humane and dignified treatment as required under the POW conditions of the Geneva Conventions.<sup>2</sup> These figures are those who are being currently held across the world at the moment, since 2001, just through the US-led wars in Iraq and Afghanistan, some 65,000 prisoners have been detained and subsequently freed.<sup>3</sup>

The reason for these high numbers is that the strategy that has been adopted by the US has been to imprison anyone considered to be a suspect, regardless of what those grounds might be. In order to detain such a wide suspect list, the US have been forced to commandeer blocks and buildings in order to establish detention sites and interrogation facilities. These facilities can take the form of anything from a shipping container to an apartment block. The greatest concern stemming from this practice is the complete invisibility of any infrastructure. There is no method of recording the prisons, prisoners, or staff members hired to perform the interrogations.<sup>4</sup>

The suspects are not merely processed by the Americans though, the detainees are sent to Afghanistan, Pakistan, Uzbekistan, Jordan, Egypt, Thailand, Malaysia and the British island of Diego Garcia. Particularly those detainees who are kept of any official registers or books are frequently shuttled between the facilities in an attempt to extract information through a variety of interrogation techniques. These suspects have been termed by the US military as ‘ghost detainees’.<sup>5</sup> Human Rights First, in a report on ghost detention state,

*“Information about this system, particularly the location of U.S. detention facilities, how many are held within them, on what legal basis they are held, and who has access to the prisoners – emerges in a piecemeal way, if at all, and then largely as a result of the work of investigative reporters and other non-governmental sources. The official secrecy surrounding U.S. practices has made conditions ripe for illegality and abuse.”<sup>6</sup>*

Similarly the International Committee of the Red Cross has expressed its concerns over US practice in relation to the *ghost detainees*,

*“Beyond Bagram and Guantanamo Bay, the ICRC is increasingly concerned about the fate of an unknown number of people captured as part of the so-called global war on terror and held in undisclosed locations. For the ICRC, obtaining information on these detainees and access to them is an important humanitarian priority and a logical continuation of its current detention work in Bagram and Guantanamo Bay.”<sup>7</sup>*

## Suspected Sites of Ghost Detention Across the World

### ***Guantanamo Bay***

All those who are considered to be valuable Al Qaeda suspects according to the CIA are held within the secret prisons that were previously not disclosed to the public. The secret prison forms as part of a larger complex where the Department of Defense holds these high-valued suspects. According to the Washington Post, CIA detainees are held under special rules with far greater secrecy as allowed under a presidential directive.<sup>8</sup> Despite increasing public and political pressure, the facility was constructed between 2003 and 2004 showing that there is no real sign of this interrogation process relenting any time soon.

### ***Abu Ghraib (Baghdad, Iraq)***

Within the Abu Ghraib prison itself in Baghdad, the military police have a policy of moving the detainees around the complex in order to hide them from any delegation sent by the ICRC. These detainees specifically have been imprisoned there without any names, charges or other documentation. The 800<sup>th</sup> Military Police Brigade, according to Major General Antonio M. Taguba's report on 26<sup>th</sup> February 2004, were in the practice of holding such detainees, "*without accounting for them, knowing their identities, or even the reason for their detention.*"<sup>9</sup>

### ***Camp Cropper (near Baghdad International Airport, Iraq)***

Donald Rumsfeld, on 16<sup>th</sup> June 2004 admitted to ordering that one detainee, Rashul, be hidden away from the Red Cross on the grounds that he did not want any interference with his interrogation.<sup>10</sup> The High Value Detention facility near Baghdad airport at Camp Cropper then became Rashul's home for the next seven months as he is held as a ghost detainee.<sup>11</sup>

### ***Camp Bucca (Umm Qasr, Iraq near Kuwait border)***

Revelations from Camp Bucca come after an unidentified female soldier speaks openly about how she and colleagues of hers shot and killed prisoners, "*If we shoot any more of the Iraqis, or attack any of them, they're gonna supposedly come in and attack the camp.... But we'll believe that when it actually happens, because we've already killed another Iraqi just last night when I was working. So I don't know what's going on...*" She goes as far as purposely antagonising them, "*I actually got in trouble the other day because I was throwing rocks at them.*"<sup>12</sup> The lack of knowledge regarding the detentions of many of the ghost detainees allows for systematic abuse to occur where due to a lack of registration, they simply fall off the radar.

### ***Battlefield Interrogation Facilities (Baghdad, Iraq)***

Captured suspected "insurgents" and other militants are brought to the ultra-secret Battlefield Interrogation Facilities (BIF) in Baghdad run by Delta Force. NBC will report that "*it is the scene of the most egregious violations of the Geneva Conventions in all of Iraq's prisons.*" BIF is described as a "*place where the normal rules of interrogation don't apply.*" Prisoners "*are kept in tiny dark cells. And in the BIF's six interrogation rooms, Delta Force soldiers routinely drug prisoners, hold a prisoner under water until he thinks he's drowning, or smother them almost to*

*suffocation.*” Pentagon officials will deny that prisoners held at the facility are subjected to illegal interrogation tactics.<sup>13</sup>

### ***LSA Diamondback Facility (Mosul, Iraq)***

Interrogation performed by members of the Naval Special Warfare Team beat an Iraqi POW while he was detained at the LSA Diamondback facility in Mosul, Iraq. Although the official reports by the Navy suggest that he died in this sleep, the report on his death by the coroner concludes that he died from, *“blunt-force trauma to the torso and positional asphyxia.”*<sup>14</sup>

### ***Al Qaim Facility (northwest of Baghdad)***

Iraqi Major General Hamed Mowhoush, having been taken to the Al Qaim detention facility in the northwest of Baghdad is interrogated by two officers of the 66<sup>th</sup> Military Intelligence Company. As they question him, they force him into a sleeping bag and roll him back and forth. Finally, Chief Warrant Officer Lewis Welshofer sits on Mowhoush’s chest and covers his mouth. The General finally dies of asphyxiation due to the smothering and chest compression.<sup>15</sup>

### ***US Base in Adhamiya (Saddam’s former palace)***

One detainee describes how she was taken and hidden by the US as she went to beseech them to free her brother, *“They handcuffed me and blindfolded me and put a piece of white cloth over my eyes. They bundled me into a Humvee and took me to a place inside the palace. I was dumped in a room with a single wooden chair. It was extremely cold. After five hours they brought my sister in. I couldn’t see anything but I could recognize her from her crying.”*<sup>16</sup>

### ***Camp Whitehorse (near Nassiriya, Iraq)***

During a hearing on the June 2003 death of Najem Sa’doun Hattab at Camp Whitehorse detention center near Nassiriya, Iraq, a former US marine, granted immunity for testifying, says that it was common for Coalition forces *“to kick and punch prisoners who did not cooperate—and even some who did.”*<sup>17</sup>

### ***Ariana (Kabul, Afghanistan)***

In the centre of Kabul, The New York Times uncovers and reports on the existence of a secret CIA detention facility called the ‘Ariana’. It is unknown how many detainees are actually held there and has been kept off limits to the ICRC. It has been reported that former Taliban commander, Mullah Rocketi, had been detained there for a period of eight months. After making an undisclosed deal with his captors, he alleges that he was treated fairly the whole time her was there. Another Taliban leader, Jan Baz Khan, has been detained at Ariana since January 2004.<sup>18</sup>

### ***Fire Base Tycze (southern Afghanistan)***

During a routine cleaning of the office of a captain at Bagram Airbase, a CD is found which contains photographs of masked US soldiers pointing their rifles and guns at the heads of hooded and blindfolded detainees. These photos were taken at the US Fire Base Tycze near the village of Deh Rawod in southern Afghanistan. The pictures show that

detainees are being kept in locations other than those that have been disclosed as official detention facilities.<sup>19</sup>

### ***Asadabad (northeast province of Kunar, Afghanistan)***

A CIA employed contractor, David A. Passaro, faces accusations of kicking and beating a detainee over two days at a military base in Afghanistan. The detainee had surrendered himself at the Asadabad base.<sup>20</sup>

### ***Kandahar (Afghanistan)***

Kandahar Airbase has become home to around seventy detainees, although the true figure is not really known. Due to the ICRC not being given a permanent presence at any of the bases, they have no access to the detainees, especially immediately after arrest. Often detainees are arrested and held incommunicado, by the time the ICRC are able to visit, the detainees have either been released or already transferred to another site.<sup>21</sup>

### ***Sheberghan Prison (Afghanistan)***

Shafiq Rasul, Asif Iqbal and Rhuhel Ahmed (the “Tipton Three”), held at Sheberghan prison, are among thirty to fifty other foreign prisoners whose custody is taken over by US Special Forces from the troops of the Northern Alliance.<sup>22</sup>

### ***Gardez (Afghanistan)***

Dr Rafiullah Bidar, regional director of the Afghan Independent Human Rights Commission, at his office in Gardez showed files charting abuses by the US military and stated, “*All I do nowadays is chart complaints against the US military...Many thousands of people have been rounded up and detained by them. Those who have been freed say that they were held alongside foreign detainees who’ve been brought to this country to be processed. No one is charged. No one is identified. No international monitors are allowed into the US jails.*”<sup>23</sup>

### ***Kabul (Afghanistan)***

Khalid el-Masri, while in being held in the US prison in Kabul is visited by a native German speaker who does not identify himself to him. “I asked him,” El-Masri recalls, “...‘Are you from the German authorities?’ He says: ‘I do not want to answer that question.’ When I asked him if the German authorities knew that I was there, he answered: ‘I can’t answer this question.’...” When el-Masri pushes him further, the German replies that the simple fact is that the American do not want to leave any evidence that he had been detained in that prison, for that reason any attempt to have him released would be blocked.<sup>24</sup>

### ***The Pit (Kabul, Afghanistan)***

The CIA’s interrogation centre in Kabul is better known as *The Pit* due to the atrocious conditions the prisoners are kept in.<sup>25</sup> According to the Washington Post, “*The existence and locations of the facilities -- referred to as ‘black sites’ in classified White House, CIA, Justice Department and congressional documents -- are known to only a handful of officials in the United States and, usually, only to the president and a few top intelligence officers in each host country.*”<sup>26</sup>

### ***Diego Garcia (Island in Indian Ocean)***

There have been many reports by news agencies that detainees are being held at the British island of Diego Garcia in the southern part of the Indian Ocean. Although Pentagon officials have denied the existence of any base on the island, they do refuse to respond to any inquiries regarding the activities of the US base there.<sup>27</sup>

### ***USS Bataan and USS Peleliu (US Ships)***

Directly after the war in Afghanistan, there were a number of detainees who were transferred for short periods on time on the USS Bataan and USS Peleliu. The USS Bataan held John Walker Lindh and David Hicks in January 2002 along with a number of Taliban and Al Qaeda prisoners. The USS Peleliu held around eight detainees before they were transferred to the USS Bataan. Conversely, on 14<sup>th</sup> December 2001 Lindh was transferred to the USS Peleliu where he claims there were at least an additional four detainees brought on board. The US Defense Department has refused to confirm or deny whether or not they are holding any detainees onboard naval ships.<sup>28</sup>

### ***Far Falastin (Far Palestine Branch of Syrian Intelligence)***

Abdullah Almalki said regarding his detention in Syria with having been first taken to the Far Palestine Branch of Syrian Intelligence, *“The beating started ... and was very intense for a week, and then less intense for another week. That second and the third days were the worst. I could hear other prisoners being tortured, and screaming and screaming. Interrogations are carried out in different rooms.”*<sup>29</sup> All of the detainees captured by the US and Syrian authorities were first taken to the Far Falastin Branch as soon they were captured.

### ***Sednaya (Syria)***

A month after his transfer to the Sednaya prison in Syria, Maher Arar meets another prisoner he recognizes as Abdullah Almalki, the man he was questioned about a year before in New York. *“His head was shaved, and he was very, very thin and pale. He was very weak.”* Almalki is in far worse shape than Arar. *“He told me he had also been at the Palestine Branch, and that he had also been in a grave like I had been except he had been in it longer. He told me he had been severely tortured with the tire, and the cable. He was also hanged upside down. He was tortured much worse than me. He had also been tortured when he was brought to Sednaya, so that was only two weeks before.”*<sup>30</sup>

### ***Kohat and Alizai (Pakistan)***

US officials had been given express authority over Kohat airport where construction was planned for a special facility to hold Al Qaeda and Taliban detainees in September 2003. Director-General of Inter Services Public Relations (ISPR) Major General Shaukat Sultan denied this development emphatically. Both the Department of Defense and the CIA refuse to confirm or deny any such facility in Pakistan.<sup>31</sup>

### ***Markaz Amen El Dawla (Nasr city, Egypt)***

Ahmed Abou El Maati was taken to the Markaz Amen Al Dawla in Egypt after being transferred from the Far Falastine Branch in Syria, it was *“[H]ere that Ahmad experienced the worst torture of his entire ordeal. His hands were kept handcuffed behind his back all the time except for*



*about ten minutes per day when the cuffs would be switched to the front so he could eat and use the toilet. The cuffs were tight and made his wrists bleed. His shoulder felt as if it were coming away from his body. He begged and begged for the cuffs to be moved to the front or taken off, but he was ignored.*<sup>32</sup>

### ***Mukhabarat Alama (Cairo, Egypt)***

Ahmed Abou El Maati was questioned about a Canadian passport that was mangled which he explained got left in his trouser pocket when he washed his clothes. The mukhabarat then proceeded to beat and kick him until he signed a false confession to say that he deliberately destroyed the passport.<sup>33</sup>

### ***Al-Tamara Interrogation Centre (Rabat, Morocco)***

The US has relied heavily upon all of its allies. In particular, the Moroccans have been very forthcoming in giving assistance by holding scores of detainees that were once held by the Americans. These detainees were originally captured by the Pakistani forces, who passed them on to the US, who subsequently passed them on to Morocco. They are now held at the al-Tamara interrogation centre which is located in a forest five miles outside of Rabat. The practice of rendition to these ghost prisons is exemplified by the situation of Abdullah Tabarak who was seized by the Pakistanis, given to the US, sent to Bagram, flown to Guantanamo, and finally ended up in Morocco.<sup>34</sup>

### ***Black Site Detention Facility (Yemen)***

*‘It was no makeshift military camp but a purpose-built facility, or at least one that had been extensively refurbished in an effort to make it as anonymous as possible. There were no pictures or ornaments on the walls, no floor coverings, no windows, no natural light. The only clue to its construction, according to Salah ‘Ali, was that it was not Arab-built, as the toilets faced the direction of Mecca. The description of the facility tallies with a Washington Post report of the covert prison system run by the CIA, in which secret detention facilities in some eight countries are referred to as ‘black sites’.*<sup>35</sup>

## **Ghost Detainees – Lies and Truth**

The global war on terror has claimed innocent victims now entering into the figures of the tens of thousands. Such atrocities are being carried out all in the name of national security and public safety. What such detentions have done though, is to stigmatise people and cast them out as rejects from their own societies. Lives have not just been destroyed at the level of those detained, but rather whole communities have been ripped apart through the blanket detentions that have been taking place.

The lies that are used in order to incriminate people with the most circumstantial of evidence form as part of the global methodology being used by the security of the allied countries who are detaining suspects without any kind of charge or disclosure. The smallest of coincidences or insignificant details are used as a means of holding people away from any proper judicial scrutiny, and interrogating them using torture in order to extract false confessions which will only lead to further arrests thus starting a vicious cycle.

The purpose behind the case studies provided of Aafia Siddiqui, Abdullah Khadr and Maher Arar is to show how two completely different pictures can be presented of the same person from the perspective of the lies made up on circumstantial evidence, and also from the perspective of their truth. The lies that have been told have not only resulted in the arrest and disappearance of these people, but it has had the most disastrously impacting consequences on the lives of those around them.

## Aafia Siddiqui – The Lies

Born to Mohammed Siddiqui (a doctor trained in England) and Ismet Siddiqui (a homemaker), Aafia was one of three siblings. Her brother Mohammed is an architect living in Houston with his paediatrician wife and their children; while her sister Fowzia, is a Harvard-trained neurologist who was previously working at Sinai Hospital in Baltimore before returning to Pakistan.<sup>36</sup>

Completing her early education in Pakistan, Siddiqui moved to live near her brother in Texas in 1990 and attend at the University of Houston. Excelling in her academic achievements, she managed to gain a transfer to the Massachusetts Institute of Technology (MIT) to study Biology. She stayed in the university's all-female dormitory, McCormick Hall, where fellow students described her as being a studious woman who was devout in her religious beliefs.<sup>37</sup>

During her time at MIT, Siddiqui joined the on campus Muslim Student Association (MSA). She became an active preacher who produced manuals for others who would also wish to preach. In one of her guides she writes,

*'Imagine our humble, but sincere da'wah effort turning into a major da'wah movement in this country! Just imagine it! And us, reaping the reward of everyone who accepts Islam through this movement, through the years to come...Think and plan big...May Allah give this strength and sincerity to us so that our humble effort continue, and expands until America becomes a Muslim land.'*<sup>38</sup>

Having graduated, the parents of Siddiqui set themselves on the task of finding her a husband. A suitable match was soon found in the form of Mohammed Amjad Khan who was a medical student and the son of a wealthy family. Like Siddiqui, Khan was looking to make a life for himself in the US and did not feel threatened by Siddiqui's aspirations to further her career.<sup>39</sup>

Not wishing to finish her studies, Siddiqui went on to do a doctorate in neurological science<sup>40</sup> while her husband finished his medical studies.

According to Hassan Abbas, a Pakistani visiting scholar at Harvard Law School, Siddiqui was the one who first rejected their western lifestyle and wished to move back to Pakistan. Speaking to a colleague of Khan's from Massachusetts General Hospital, apparently Siddiqui was more the fundamentalist of the two. Trying to set up a list of Pakistani academics, Abbas attempted to have Siddiqui added, however when he asked about her he comments, *"To my surprise...despite my good contacts and friendships, nobody was willing to even say a single word about her."*<sup>41</sup>

The couple lived on the 20<sup>th</sup> floor of Roxbury's Back Bay Manor with their, at the time, two children. From their apartment the couple ran a non-profit organisation called the Institute of Islamic Research and Teaching along with Siddiqui's sister Fowzia. The organisation was started in 1999 and became an important focus in their lives. Their neighbours living in the same commented that, *"In some ways we knew her kids better than we knew her...She'd leave them to play in the hallway a lot."* When another neighbour asked her child what he studied in school, he said, *"...the Koran."*<sup>42</sup>

In the middle of June 2001, Siddiqui landed in Liberia having flown from Quetta, Pakistan. An hour long drive to the airport in the intense heat did not seem to phase her in her headscarf. The driver of the car, who was to later become the chief informant in a UN-led investigation, *“described her as a quiet Islamic woman who wore traditional dress and kept to herself.”* She went straight to her designated point, the Hotel Boulevard in the capital Monrovia, where men were waiting to tend to her needs. They knew that a high-profile Al Qaeda operative was arriving, and Siddiqui was that very person.<sup>43</sup>

During the week that Siddiqui remained there, she mostly kept to herself only making small trips into town to run her own errands. **As soon as she had come to Liberia, she was leaving, except now with a large parcel which contained diamonds from the illegal trade in Africa. That would be the way that Al Qaeda would fund its global operations, through hard-to-trace diamonds, and it was Siddiqui who was instrumental in acquiring that resource.**<sup>44</sup>

It was in the weeks after 9/11 that the FBI became particularly suspicious of the people in the Bay Manor building, in particular what was going on in home of Khan and Siddiqui. The FBI intensified their investigation after two Saudi nationals took over the lease from the couple to the 20<sup>th</sup> floor apartment. The connection between the Saudis and the couple, was that Hatem Al Dhahri and Khan had shared a lease in 2001 on Mission Hill.<sup>45</sup>

During their stay there, Abdullah Al Reshood and Hatem Al Dhahri received a \$20,000 wire transfer from the Saudi government. This immediately raised a red flag for Fleet filed a SAR (Suspicious Activity Report) with the Treasury Department, who in turn reported it to the FBI. The FBI were shocked to find that there was such a close connection between this transfer and Siddiqui and Khan, who had already had their debit card purchases checked to find the buying of military equipment. Specifically Khan had bought night-vision goggles, body armour, and military manuals from American websites. They were also donating to charities which were being closely monitored by the FBI.<sup>46</sup>

After brief questioning by the authorities, both Khan and Siddiqui fled the US claiming that it had become difficult for Muslims to live in the West. They returned to Pakistan where tension between the husband and wife increased to such an extent that they agreed to a separation. Siddiqui moved back to live with her mother and Khan moved away elsewhere in Karachi.<sup>47</sup>

By December 2002, Siddiqui made her return to America apparently to look for work in the Baltimore area to be near her sister. Although she had job interviews lined up at John Hopkins and SUNY, the FBI suspected that her real purpose in being in the US was to open a post box for the purported Al Qaeda operative, Majid Khan. He allegedly had already made plans to blow up gas stations in the Baltimore-Washington area.<sup>48</sup>

On the morning of 1<sup>st</sup> March 2003, Pakistani authorities arrested Khalid Sheikh Mohammed, the well known mastermind behind the 9/11 attacks. His arrest led to the disappearance of Siddiqui. Authorities say that it was Mohammed who finally gave her name up to the Pakistani authorities.<sup>49</sup>

The last Siddiqui's mother saw of her, was when her daughter was hurriedly placing her three children into a taxi, and the four of them driving off to Karachi airport. Since

then now one has heard or seen the mother or children. Officials are still looking for Siddiqui and are sure that she must have gone into hiding.<sup>50</sup> A senior Pakistani security officer commented to the Associated Press news agency, *"We have tried to locate her, but she has apparently gone underground. We do not know why."*<sup>51</sup>

Attorney General John Ashcroft and FBI Director Robert Mueller III on 26<sup>th</sup> May 2004 made a public appeal to the American people in helping the law enforcement agencies to find six men and one woman with ties to terrorism. The one woman that was shown in the pictures was Aafia Siddiqui. Ashcroft specifically commented that, *"credible intelligence from multiple sources indicate that al Qaeda plans to attempt an attack on the United States in the next few months."* He further added that the seven, including Siddiqui, "...should all be considered armed and dangerous."<sup>52</sup>

After the 'Seeking Information' notice had been posted, the taxi driver for Siddiqui in Liberia recognised her and immediately contacted the investigators at the Special Court in Sierra Leone who were examining Africa's illegal diamond trade. The driver was convinced that the woman that he drove from the airport to Monrovia and the pictures of Siddiqui were one and the same person.<sup>53</sup>

Still to this day, Siddiqui and her three children remain missing. The FBI and the Pakistani security services are looking for her in order to question her involvement with Al Qaeda operations based in the US.

## Aafia Siddiqui – The Truth

Born to Mohammed Siddiqui (a doctor trained in England) and Ismet Siddiqui (a homemaker), Aafia was one of three siblings. Her brother Mohammed is an architect living in Houston with his paediatrician wife and their children; while her sister Fowzia, is a Harvard-trained neurologist who was previously working at Sinai Hospital in Baltimore before returning to Pakistan.<sup>54</sup>

Completing her early education in Pakistan, Siddiqui moved to live near her brother in Texas in 1990 and attend at the University of Houston. Excelling in her academic achievements, she managed to gain a transfer to the Massachusetts Institute of Technology (MIT) to study Biology. She stayed in the university's all-female dormitory, McCormick Hall, where fellow students described her as being a studious woman who was devout in her religious beliefs but was by no means a fundamentalist. A former MIT student living in the same dorm commented, *"She was religious, but that wasn't unusual in McCormick."* Further, the student at the front desk said, *"She was just nice and soft-spoken....She wasn't terribly assertive."*<sup>55</sup>

During her time at MIT, Siddiqui joined the on campus Muslim Student Association (MSA). Her activity within the association was geared towards the teaching of Islam to non-Muslims in order to better their understanding of the faith and invite them to join. *"Some of what Siddiqui wrote – about needing enough money to buy Islamic literature and posterboard – sounds like a handout for a PTA meeting."*<sup>56</sup>

Her emphasis in her life on bettering the conditions of Muslims even pervaded her academic achievements. During her sophomore year at MIT, she won a grant of \$5,000 to study the effects of Islam on women living in Pakistan.<sup>57</sup>

Having graduated, the parents of Siddiqui set themselves on the task of finding her a husband. A suitable match was soon found in the form of Mohammed Amjad Khan who was a medical student and the son of a wealthy family. Like Siddiqui, Khan was looking to make a life for himself in the US and did not feel threatened by Siddiqui's aspirations to further her career.<sup>58</sup>

Not wishing to finish her studies, Siddiqui went on to do a doctorate in cognitive neuroscience at Brandeis University while her husband finished his medical studies. Media reporting painted Siddiqui to be a microbiologist, geneticist or neurologist, fields which were very far from what she was actually doing. Commenting on these claims, the lawyer for the family Elaine Whitfield stated,

*"They started with the whole idea that Aafia was involved in biochemical warfare... She wasn't taking brain cells and testing how they reacted to gases. But there's all this news in the media about the changing face of Al Qaeda and the neurobiology scare, and now we've got this MIT graduate with a Brandeis PhD who's cooking up all these viruses."*<sup>59</sup>

The reality of the situation is, that Siddiqui's PhD was based on the concept that human beings learn by imitation. When questioning Professor DiZio, one of her supervisors, regarding her research and how it could be used by Al Qaeda, he clearly stated, *"I cant see how it can be applied to anything...it's not very applied work. It didn't have a medical aspect to it."*

*And, as a computer expert, she was competent. But you know, calling her a mastermind or something does not seem – I never saw any evidence.*<sup>60</sup>

By the end of her doctoral degree, Sharp says that Siddiqui and her husband Khan were beginning to argue more and more frequently about the way in which they should raise their children. Sharp says that, “*Aafia wanted to live in the West*”, and that it was Khan who had the desire to move back to Pakistan.<sup>61</sup>

The couple lived on the 20<sup>th</sup> floor of Roxbury’s Back Bay Manor with their, at the time, two children. From their apartment the couple ran a non-profit organisation called the Institute of Islamic Research and Teaching along with Siddiqui’s sister Fowzia. The organisation was started in 1999 and became an important focus in their lives.<sup>62</sup>

Abdullah Faruq, the Imam of the Mosque for the Praising of Allah in Roxbury knew the family from the mosque. Faruq commented, “*What I know of her...is that she was living here in America, and her organisation was for sharing Islamic information with the American people.*” He went on to explain how Siddiqui would have copies of the Qur’an ordered to the mosque where she would pick them up from, and without requesting any help would carry all the heavy boxes herself up to her 20<sup>th</sup> floor apartment. As for the possibility her being a radical Muslim, Faruq said that her philosophy on religion was, “*As long as it’s not evil, I can do it...I show my hands, show my face. I drive my own car. I have my credit cards.*” Finishing off, he said of her, “*Aafia Siddiqui was an American girl. And a good sister.*”<sup>63</sup>

A friend and student of Siddiqui’s said of her, “She was always frustrated here that Muslims were not addressing the needs of their community.” Another associate, the Imam of the Islamic Centre of New England in Quincy, Talal Eid, knew her from her charity work and said, “You know, we were all active, but to see a woman who was active in this way was really something nice.”<sup>64</sup>

In the week that the FBI claim Siddiqui was in Liberia buying diamonds from Africa’s illegal diamond trade to fund Al Qaeda operations, she was really in Boston. At this time she was a 29-year-old mother of two, and like all other mothers in the area, she was consumed with the everyday hustle and bustle of life. Her religious activity during the day involved picking up copies of the Qur’an and dropping them off to prisons for the benefit of inmates. She also hosted a playgroup in her apartment for the children of other parents. Finally, as her sister Fowzia was still completing her fellowship in neurology, Siddiqui took her sister’s child into her care. Despite all of this, she still worked as an anaesthetist at Brigham.<sup>65</sup>

Her lawyer Sharp was happy at the claim that her client was in Liberia, as it placed her in a specific place at a specific time. Sharp assured, “*Aafia Siddiqui was here in June 2001, And I can prove it.*”<sup>66</sup>

It was in the weeks after 9/11 that the FBI became particularly suspicious of the people in the Bay Manor building, in particular what was going on in home of Khan and Siddiqui. The FBI intensified their investigation after two Saudi nationals too over the lease from the couple to the 20<sup>th</sup> floor apartment. The connection between the Saudis and the couple, was that Hatem Al Dhahri and Khan had shared a lease in 2001 on Mission Hill.<sup>67</sup>

During their stay there, Abdullah Al Reshood and Hatem Al Dhahri received a \$20,000 wire transfer from the Saudi government. This immediately raised a red flag for Fleet filed a SAR (Suspicious Activity Report) with the Treasury Department, who in turn reported it to the FBI. The FBI were shocked to find that there was such a close connection between this transfer and Siddiqui and Khan, who had already had their debit card purchases checked to find the buying of military equipment. Specifically Khan had bought night-vision goggles, body armour, and military manuals from American websites. They were also donating to charities which were being closely monitored by the FBI.<sup>68</sup>

The \$20,000 was explained personally by a Saudi official who said it was for the wife of Al Reshood who needed to have medical treatment. Khan explained that the goggles and body armour were solely for big-game hunting that he enjoyed doing in Pakistan, he said that these items were not available over there and thus he had to buy them from the US.<sup>69</sup>

After brief questioning by the authorities, both Khan and Siddiqui left the US claiming that it had become difficult for Muslims to live in the West. They returned to Pakistan where tension between the husband and wife increased to such an extent that they agreed to a separation. Siddiqui moved back to live with her mother and Khan moved away elsewhere in Karachi.<sup>70</sup>

By December 2002, Siddiqui made her return to America apparently to look for work in the Baltimore area to be near her sister. Although she had job interviews lined up at John Hopkins and SUNY, the FBI suspected that her real purpose in being in the US was to open a post box for the purported Al Qaeda operative, Majid Khan. He allegedly had already made plans to blow up gas stations in the Baltimore-Washington area. The family of Siddiqui strongly hold to the fact that the only reason that Siddiqui would possibly open a post office box is simply to receive replies from the jobs that she hoped to get.<sup>71</sup>

On the morning of 1<sup>st</sup> March 2003, Pakistani authorities arrested Khalid Sheikh Mohammed, the well known mastermind behind the 9/11 attacks. His arrest led to the disappearance of Siddiqui. Authorities say that it was Mohammed who finally gave her name up to the Pakistani authorities. Due to the secretive nature of the interrogation that took place by the US and Pakistani authorities, it is impossible to corroborate whether or not Mohammed actually gave Siddiqui's name and in what capacity he knew her. Sharp claims that Siddiqui in real life was, "...probably a pretty naïve and trusting person", and thus could have easily had her identity stolen from her.<sup>72</sup>

The last Siddiqui's mother saw of her, was when her daughter was hurriedly placing her three children into a taxi, and the four of them driving off to Karachi airport. Since then now one has heard or seen the mother or children. The mother and children, according to the Pakistani Urdu press, had been seen being picked up by the Pakistani authorities and taken into custody. What is strange is that both a spokesman for the Pakistani interior ministry and two unnamed US officials confirmed these reports in the press. Within a week though, both had retracted their statements saying that Siddiqui had fled and could not be found.<sup>73</sup> However, Chicago's NBC in an article dated 3<sup>rd</sup> April 2003 claimed that Siddiqui was being interrogated by American intelligence officials.<sup>74</sup>

Siddiqui's mother, Ismet, claims that it was only a matter of days after her daughter's disappearance that a man arrived at the family home on a motorcycle. He told her that if



she ever wanted to see her daughter and grandchildren again, she would keep quiet about this whole affair.<sup>75</sup>

Siddiqui's uncle Mr Faruqi wrote a letter to the Pakistani paper Dawn stating that,

*"...Dr Aafia Siddiqui's mother and sister (along with her two children) have apparently been put under house-arrest and are not allowed to have any physical or telephonic contact even with their family members."*<sup>76</sup>

Harvard visiting scholar, Hassan Abbas, says, *"The rumor among well-informed Pakistanis is that Pakistani intelligence arrested Aafia and then killed her."* Her disappearance does not leave much room for hope. Pakistani journalist, Muzamal Suherwardy, agreed with this opinion commenting, *"ISI does not keep people for so long...it was alleged that she was in custody of ISI and then disappeared...she could have been put on trial in Pakistan."*<sup>77</sup>

Whatever the situation may be regarding the disappearance of Aafia Siddiqui, what is clear is that this woman is the unfortunate victim of circumstance. The campaign against her staged by the Americans on the basis of circumstantial evidence has been the direct result of her disappearance. If the ISI have killed her, then there must be legal recourse, and if she is being held as a ghost detainee at an undisclosed location, then she must be given access to her lawyer in order to finally prove that she is innocent of any crime.

## Abdullah Khadr – The Lies

In 1977 Ahmed Said Khadr emigrated from Egypt to Canada where he met his wife Maha while studying computer engineering at the University of Ottawa.<sup>78</sup> She had been a resident in Ottawa for many years and had a Palestinian-Canadian background.<sup>79</sup> It was in 1980 that the Soviet Union invaded Afghanistan, with such an offensive came the call from Islamic scholars from around the world declaring the official state of jihad (holy war). From throughout the world Muslims came to the aid of the Afghani people to help repel the Soviet attack.<sup>80</sup>

It was during the Afghan-Soviet war of the 80s that Ahmed Said Khadr for the first time met Osama bin Laden.<sup>81</sup> They were there for the same purpose, in order to volunteer to fight alongside the lines of mujahideen (Muslims fighting a jihad). The two men first met in 1985 when they were running money into Afghanistan to support the guerrillas.<sup>82</sup> Commenting on their connection, Ahmed's daughter Zaynab stated,

*"He knew Osama bin Laden...If you want to say they were friends, well, they were friends 20 years ago. During the Afghanistan war, Osama bin Laden and my father were taking money into Afghanistan."*

His son Abdurahman Khadr said of the relationship,

*"They're old friends...My father is one of those really old people. It's like, you know, you're having buddies from your school and stuff. So they're old friends. They meet a lot. My father really respects Osama and Osama really respects my father."*<sup>83</sup>

Working under the premise of helping the Ottawa based Muslim charity, Human Concern International, Ahmed Khadr was raising funds to help finance the resistance and also using the refugee camps on the Afghan-Pak border as a home for the Islamic fighters.<sup>84</sup>

After the war ended, the Khadr family remained for a little while in Canada, however by the mid-90s, Ahmed Said Khadr made the decision to move his entire family to Afghanistan where he wished for them to settle.<sup>85</sup>

Canadian intelligence became aware of Ahmed Khadr's activities when in 1996 he was arrested for the bombing of the Egyptian Embassy in Islamabad. The Pakistani police who arrested him claimed that he was an accomplice to the killing of 15 people in the explosion. Proclaiming his innocence over any crime, he went on hunger strike telling the local Pakistani journalists, *"I'm Canadian. I am 100 per cent innocent."* During his trade mission to Pakistan, Canadian Prime Minister Jean Chrétien took up his case and secured his release from the authorities.<sup>86</sup>

When the Khadr family finally settled full-time in Afghanistan, Ahmed immediately sent his sons off to be enrolled in bin Laden's training camps. It was his eldest son Abdullah who was first to go to such a camp and it is reported by Canadian intelligence, that Abdullah was the suspected commander of an Al Qaeda camp in Logar, which apparently was the same location as a school run by his father.<sup>87</sup>

Eventually, at the age of 15, the next eldest son Abdurahman was sent to the notorious Khaldun Camp where known terrorists such as Ahmed Ressay had been trained. Ressay was an Algerian based in Montreal who had attempted to blow up Los Angeles International Airport. In a telling interview with CBC, Abdurahman exposed the family's connections with al-Qaeda,

*"Until now everybody says that we're an al-Qaeda family, but when I say this, just by me saying it, I just admit that we are an al-Qaeda family now. We had connections to al-Qaeda...My family in Pakistan, they will never admit this at all. Why? Because they're totally – you know – they are what they are and they deny it. They will never admit this."*<sup>88</sup>

When he was questioned about the kind of training and indoctrination that him and his brothers received by his fundamentalist parents and in the training camps, he commented,

*"I want to show people that I'm a person that lived my life as Ahmed Said's son...A person that was raised to become an al-Qaeda, was raised to become a suicide bomber, was raised to become a bad person..."*<sup>89</sup>

Based on these revelations by Abdurahman, it seems very clear that Abdullah Khadr would have been a key figure in the Al Qaeda infrastructure for the Afghani youth. Interaction between the Khadr and bin Laden families was commonplace as the children very much grew up with one another. Zaynab Khadr went to school with the daughter of bin Laden's number 2, Ayman Al Zawahiri. Further than that, at her wedding, the guest of honour was Osama bin Laden, as she married a known sharpshooter from Yemen.<sup>90</sup>

The Al Qaeda attacks of 11<sup>th</sup> September 2001 changed the lives of the Khadr's forever. They would probably say that this was the very thing that they had been training their whole lives for, however when Operation Enduring Freedom took place, it had a devastating effect on them all. As soon as the bombing of Kabul began, the Al Qaeda leaders fled to the tribal regions of northern Pakistan where they could find their safe havens and protection.

On 2<sup>nd</sup> October 2003, the Pakistani army received information that senior Al Qaeda members were hiding out in one of the homes in Waziristan. After demanding the immediate surrender of all those within the house, the army led an offensive to capture those inside. After 12 hours of intense fighting a Pakistani Cobra helicopter shelled those inside. 18 prisoners were captured and among the eight bodies that were recovered, one belonged to the 57 year old Canadian, Ahmed Said Khadr. Speaking of her father's death, Zaynab Khadr told reporters,

*"My father had always wished that he would be killed...he would be killed for the sake of Allah. I remember when we were young he would say, if you guys love me, pray for me that I get jibaded, which is killed."*<sup>91</sup>

When the identity of Khadr had been confirmed, Major-General Shaukat Sultan commented that, "...he was certainly a terrorist...because...he did not surrender voluntarily on the offer that was made earlier before the operation went in."<sup>92</sup>

Khadr's 14 year old son Abdul Karim was also in the house at the time. He was cornered and besieged that day when a bullet finally found its mark and ripped through his spleen, liver, kidney and finally nicking his spinal cord. Abdul Karim was being held in Islamabad, he is now paralysed from the waist down but has been reunited with his family in Canada.<sup>93</sup> His brother Omar was shot by the Americans three times after he had apparently killed an American soldier with a grenade. Omar lost sight in his right eye and was eventually taken to Guantanamo Bay where he is now being held.<sup>94</sup>

Abdurahman by this time had already been captured by the Northern Alliance who had handed him over to the US military who in turn took him to Guantanamo Bay.<sup>95</sup> Abdurahman was finally released after he agreed to act as an informant for the CIA and expose his families connections with Al Qaeda.

From the men of the family, it is only Abdullah Khadr who managed to escape the American and Pakistani military. According to a Taliban source speaking to Agence France-Presse, Abdullah was the suicide bomber who on 26<sup>th</sup> January jumped on a jeep that was being driven by the Canadian Corporal Jamie Murphy and blew them both up. This report was later found out to be false when Abdullah did an interview with CBC to prove that he could not have possibly been the suicide bomber.<sup>96</sup>

Still a wanted Al Qaeda fugitive in Pakistan, Abdullah is always on the run from the authorities. When questioned about the talks that his father would give about becoming a martyr, he told his interviewers,

*"Dying for Islam is...hopeful for every Muslim...Everybody loves to die for his religion...Every Muslim dreams of being a shaheed for Islam...like you die for your religion. Everybody dreams of this, even a Christian would like to die for their religion."*

Currently the whereabouts of Abdullah are uncertain, the suspected leader of an Al Qaeda cell, roams the Pakistani countryside, always on the run from the authorities.

## Abdullah Khadr – The Truth

In 1977 Ahmed Said Khadr emigrated from Egypt to Canada where he met his wife Maha while studying computer engineering at the University of Ottawa.<sup>97</sup> She had been a resident in Ottawa for many years and had a Palestinian-Canadian background.<sup>98</sup> It was in 1980 that the Soviet Union invaded Afghanistan, with such an offensive came the call from Islamic scholars from around the world declaring the official state of jihad (holy war). From throughout the world Muslims came to the aid of the Afghani people to help repel the Soviet attack.<sup>99</sup>

It was during the Afghan-Soviet war of the 80s that Ahmed Said Khadr for the first time met Osama bin Laden.<sup>100</sup> Ahmed Said Khadr had joined a Muslim charity based in Ottawa, Human Concern International which was funded by CIDA, the aid agency for the Canadian government. Khadr was taking money across to Afghanistan to help those who were being affected by Soviet army.<sup>101</sup> Commenting on his connection to bin Laden, Ahmed's daughter Zaynab stated,

*“He knew Osama bin Laden...If you want to say they were friends, well, they were friends 20 years ago. During the Afghanistan war, Osama bin Laden and my father were taking money into Afghanistan.”<sup>102</sup>*

Clarifying on the nature of the relationship, especially in light of the attempted invasion both men had seen at the hands of the Soviets, Ahmed's wife Maha said about them,

*“They had their differences...But he [Ahmed] respected him [bin Laden] as a person, that is standing up for something he believes in and is willing to sacrifice for it, a man who is doing a lot of good for people who are helping him, these people who are keeping him in the country and he is helping them doing many things, so he respected him as a person and as a leader of his group or whatever he believes in. But we were never part of them.”<sup>103</sup>*

After the war ended, the Khadr family for a little while in Canada, however by the mid-90s, Ahmed Said Khadr made the decision to move his entire family to Afghanistan where he wished for them to settle.<sup>104</sup>

Canadian intelligence became aware of Ahmed Khadr's activities when in 1996 he was arrested for the bombing of the Egyptian Embassy in Islamabad. The Pakistani police who arrested him claimed that he was an accomplice to the killing of 15 people in the explosion. Proclaiming his innocence over any crime, he went on hunger strike telling the local Pakistani journalists, *“I'm Canadian. I am 100 per cent innocent.”<sup>105</sup>*

At the time, the Canadian Prime Minister, Jean Chrétien was involved in a trade mission to Pakistan. The Khadrs all went to the hotel in Islamabad where Chrétien was staying in order to plead the case of their father. The eldest son distinctly remembers the meeting between them saying,

*“He told me that ‘once I was a son of a farmer, and I became prime minister. Maybe one day you will become one.’ That was a nice compliment.”<sup>106</sup>*

The Canadian Prime Minister agreed to make representations on behalf of the Khadr family to his Pakistani counterpart, Benazir Bhutto. Soon after, the Khadr family were reunited and resumed their lives in Afghanistan where they continued their charity work.<sup>107</sup>

After having done some work with a Toronto-based organisation called Health and Education Project International (HEPI), Ahmed turned his attention towards working with the Taliban. Maha strongly claims that this did not mean that the Khadr family had any affiliation with the Taliban regime, rather they did what any foreign aid worker had to do in the circumstance, cooperate with the government in power. Zaynab commenting about her father's philosophy on working with such a government, stated,

*"We don't care which government controls Afghanistan, it's the cause...My father used to say, 'If the Taliban are bad, what did the children do?'"*<sup>108</sup>

Differences of opinion and methodology were a common feature between the Taliban and the Khadr family. The latter wished solely to establish systems for the benefit of the Afghani people, even if that meant going against the wishes of the government. Ahmed one day took control of an abandoned office of KHAD, the Afghan secret service. After having renovated the building, the Taliban claimed it back to which Ahmed Khadr became angry and took his complaint directly to Mullah Omar demanding recompense.<sup>109</sup>

The Khadr family lived in a state of purgatory as they were not accepted in either the Al Qaeda/Taliban circles or the western world. According to Zaynab, *"For the Americans, we're al-Qaeda, for the al-Qaeda we're Canadians. It's really weird where you end up. I swear, we were never accepted because you know, we're Canadians."* She also explained that, *"We did not fit in anywhere...Ninety per cent of the Arabs in Afghanistan were fighters. Not us. We worked hard for an Islamic NGO."*<sup>110</sup>

A real point of contention between the two came about when the family established a school for girls which displeased the Taliban authorities. Maha said that fortunately the school was never closed, *"but it was a fight, we really had to fight to get those schools running."* Further, she claims that all of her husband's work stemmed from his belief in Islam, *"Human relief work is part of our belief and I think it's our right to collect money."*<sup>111</sup>

The lawyer for the Khadr family, when later issuing a petition to locate Ahmed and his youngest son Abdul Karim stated that Mr Khadr, *"since 1983 has devoted his life [to] helping the suffering human beings globally in general and in Pakistan and Afghanistan in particular."* The petition goes on to also show that he, *"established five clinics and two hospitals in Peshawar, schools, vocational institutes and an emergency mobile clinic, a camp named Hope Village, Makkah Mukarama Hospital, and agricultural and irrigation projects."*<sup>112</sup>

The petition makes it clear that Ahmed and his son, *"are innocents...They have served the suffering humanity as declared by their conscience [sic] and teaching of Islam just because they are although Canadian nationals but originally Arabs [sic] Muslims."*<sup>113</sup>

As part of the process of education and cultivation in Afghanistan, Ahmed sent his sons off to military camps in order to receive training and discipline. Such activity is commonplace for all boys of a young age grouping up in Afghanistan. Zaynab Khadr explained saying, *"They did go to training camps and the past 20 years many people have been going...From a religious point of view, a Muslim had to know how to defend himself."* The training

that the boys received was very much part of the educational structure was simply the way things were in Afghanistan.

Although their son Abdurahman portrays a different picture of the camps, saying that they are training grounds for future Al Qaeda operatives, his mother firmly asserts that these are the delusions of a troubled child who had little to no discipline. Commenting on her son, she complained about the way he would act before they sent him to the training camps, *"He wants to play and have fun...We needed to get him into something just to be disciplined."*<sup>114</sup>

He was well known for hanging around the local market place drinking straight from a bottle of imported Tabasco sauce simply to impress his friends. His sister's impression of him is that he, *"...always kept bad company. He lies, he cheats, and he lies some more. Now he is wacko."* Abdurahman's entry into the camps was not as much the training of a suicide bomber as much as it was the correction of a troubled child. Like many parents, Ahmed and Maha felt that military training would focus their children better.<sup>115</sup>

Abdurahman's older brother Abdullah had a very different view of the training that he received. When asked about his role as the camp commander at Logar as was claimed by the Americans, he said,

*"Have no idea. Completely no idea where it came from...I was pretty young then, maybe 14, 15 something like that. Then they didn't need us. And the Al Qaeda people didn't like us that much."*

*In Afghanistan you have contact with everybody. We had contacts with foreigners, with Arabs, work in foreign NGOs and most people from the other side. In Afghanistan, you knew everybody. The foreign people are mostly a hundred in Kabul – or 200, so it is easy to know 200 persons."*

*If anybody would see you going with someone it's easy to say, 'oh he's working with a white man.' Then you are an agent for America, for Canada, and that's what this was said about us. And if you're working with a dark man, 'oh you're working for Al Qaeda now.' So it is a really easy story to make up in Afghanistan. You can make up anything in Afghanistan."*<sup>116</sup>

The Al Qaeda attacks of 11<sup>th</sup> September 2001 changed the lives of the Khadr's forever. They would probably say that this was the very thing that they had been training their whole lives for, however when Operation Enduring Freedom took place, it had a devastating effect on them all. As soon as the bombing of Kabul began, the Al Qaeda leaders fled to the tribal regions of northern Pakistan where they could find their safe havens and protection, however, similarly all those who did not wish to be bombarded fled as well.

For many Muslims, the issue of fighting against the Americans and the Northern Alliance had very little to do with support for Al Qaeda or the Taliban. Many of the people involved in the fighting had seen the destruction that the Northern Alliance had put the country through before the Taliban rose to power, and for many of them, the protection of their land from an outside invader was enough to fight against the Americans. Maha felt so strongly about Afghanistan despite it not being her country of origin she stated,

*‘Remember that film Home Alone? They said, ‘This is my house and I’m going to defend it.’...We believed so much that it was ours we were ready to defend it.’<sup>117</sup>*

On 2<sup>nd</sup> October 2003, the Pakistani army received information that senior Al Qaeda members were hiding out in one of the homes in Waziristan. After demanding the immediate surrender of all those within the house, the army led an offensive to capture those inside. After 12 hours of intense fighting a Pakistani Cobra helicopter shelled those inside. 18 prisoners were captured and among the eight bodies that were recovered, one belonged to the 57 year old Canadian, Ahmed Said Khadr.<sup>118</sup> The Khadr were fighting against the invading forces for the sake of their beliefs in order to protect the land that they love, there were no connections to Al Qaeda or the Taliban which prompted such a struggle, only the desire to protect their lands.

Khadr’s 14 year old son Abdul Karim was also in the house at the time. He was cornered and besieged that day when a bullet finally found its mark and ripped through his spleen, liver, kidney and finally nicking his spinal cord. Abdul Karim was being held in Islamabad, he is now paralysed from the waist down but has been reunited with his family in Canada.<sup>119</sup> His brother Omar was shot by the Americans three times after he had apparently killed an American soldier with a grenade. Omar lost sight in his right eye and was eventually taken to Guantanamo Bay where he is now being held.<sup>120</sup>

Speaking about the right of her brother Omar to defend himself against the US troops, Zaynab commented,

*‘He’d been bombarded for hours. Three of his friends who were with him had been killed. He was the only sole survivor...What do you expect him to do, come up with his hands in the air? I mean it’s a war. They’re shooting at him. Why can’t he shoot at you? If you killed three, why can’t he kill one? Why is it, why does nobody say you killed three of his friends? Why does everyone say you killed an American soldier?...’<sup>121</sup>*

Abdurahman by this time had already been captured by the Northern Alliance who had handed him over to the US military who in turn took him to Guantanamo Bay.<sup>122</sup> Abdurahman was finally released after he agreed to act as an informant for the CIA and expose his family’s connections with Al Qaeda.

From the men of the family, it is only Abdullah Khadr who managed to escape the American and Pakistani military. According to a Taliban source speaking to Agence France-Presse, Abdullah was the suicide bomber who on 26<sup>th</sup> January jumped on a jeep that was being driven by the Canadian Corporal Jamie Murphy and blew them both up. This report was later found out to be false when Abdullah did an interview with CBC to prove that he could not have possibly been the suicide bomber, *‘If I was the suicide bomber, I wouldn’t be doing this interview with you right now.’<sup>123</sup>*

When Abdullah was asked about the concept of suicide bombing and how he felt about it, his view leaves nothing to be questioned, *‘...I was never convinced by it...Dying for Islam is hopeful for every Muslims to die for Islam. Everybody loves to die for his religion. But how is different. Suicide never.’<sup>124</sup>* Further questioning regarding Abdullah sympathies and connections to Al Qaeda revealed a young man very much confident in his own view of life and religion, not one that has been indoctrinated by a supposed worldwide terrorist organisation. He said that sympathetic to Al Qaeda,



*“To what they do? Building a homeland for Muslims, yes. Their way, not that much...You know, of making a homeland for Muslims and telling America to go out of their Muslims countries, the simplest Muslim would like to do that. So the Americans want to destroy Al Qaeda, [they] would probably have to put one and a half billion Muslims in Guantanamo Bay. Is only way.”<sup>125</sup>*

The interview with CBC was the last anyone had any actual direct contact with Abdullah Khadr. On 15<sup>th</sup> October 2004, Abdullah was captured by the Pakistani authorities who questioned him before handing him over to the FBI. Dennis Edney, the lawyer to the family said that the Pakistanis offered to hand Abdullah over to the Canadians, however after their refusal to take him, he was given over to the Americans instead. Edney has been trying to track his client ever since and has even written to the Canadian Foreign Affairs Minister to ask why Abdullah’s status was not recognised.<sup>126</sup>

Abdullah’s whereabouts are now uncertain. The Canadian Department of Foreign Affairs stated last November that it was trying to determine whether a Canadian citizen had been arrested in Pakistan on charges of terrorism, however as yet nothing has been found out.<sup>127</sup> Without finding Abdullah, there is no way that due process can be served for him to prove his innocence in being anything other than a lawful combatant defending his home from an illegal invasion. He always feared being caught, for in his own words,

*“I would end up somewhere I wouldn’t want to be – Guantanamo Bay. Bagram. And maybe some place that nobody would ever hear where I am. There is lots of people, innocent people we know of. America says that say they are out, and their families say that ‘we don’t have any information.’”<sup>128</sup>*

## Maher Arar – The Lies

Arar was born in Syria and is aged 34 years who holds a dual nationality in Syria and Canada. He moved to Canada at the age of 17 with his family in 1988 to avoid military service. In 1991 he became a Canadian citizen in then moved to Ottawa in 1991. Prior to his arrest he was working as a wireless technology consultant.<sup>129</sup>

### *Deportation to Syria:*

Mr Arar and the U.S. government agree on the barest outlines of his story:

He was flying home from Tunisia to Canada in the fall of 2002 on a path that took him through New York. He had, however, been placed on a terrorist watch list. When he presented his Canadian passport, he was detained for more than a week and despite his pleas to be sent to Canada he was sent to Syria. There he was held for 10 months until intervention by the Canadian government secured his release.

### *The details thereafter are not agreed by Mr Arar*

Full details of his involvement with Al-Qaeda can't be disclosed due to the sensitive security nature. However, according to anonymous officials he was carrying out a list of operatives with Al-Qaeda. In addition Washington Post (Washington Post<sup>130</sup>) reported that the basis of this assertion derived from multiple international intelligence agencies, which linked him to terrorist groups. Mr Arar was apprehended in the airport a list of known Al Qaeda operatives, affiliates or associates were found in his wallet or pockets.

The basis of the United States of America sending him to Syria was to avoid prejudicing the interests of the United States of America if he were to be sent to Canada that is why he was deported to Syria.

### *Assurances from the Syrian authorities that Maher Arar would not be tortured*

The obligations which are set out in the international convention was complied with when Mr Maher was sent to Syria; because the authorities had obtained assurances from them that he would not be tortured, which meant that Mr Arar would be treated humanely.

During his detention in Syria if credible allegations of torture are made then steps would be carried out to ensure that this is not the case as the authorities in Syria have to honour their obligations.<sup>131</sup>

The United States of America officially rejects the assertion that it knowingly sends suspects abroad to be tortured.<sup>132</sup> This statement was re-iterated by President Bush on 27<sup>th</sup> January 2005.<sup>133</sup>

On June 14, 2005, Franco Pillarella, Canadian ambassador to Syria at the time of Arar's deportation, said that he had no reason to believe Arar had been badly treated, and in general had no reason to conclusively believe that Syria engaged in routine torture.<sup>134</sup>

Even when the Canadian diplomat had met Maher Arar in captivity in Syria Leo Martel stated that there had been no sign of torture.<sup>135</sup>

*Mr Arar is a terrorist*

Canadian and U.S. intelligence officials are '100-per-cent sure' that a Syrian-born Canadian who was imprisoned for a year in Damascus trained at the same al-Qaida camp in Afghanistan as a former Montrealer convicted of planning a terrorist attack.<sup>136</sup>

One Senior intelligence official said that he still believes that Mr Arar has connections to Al Qaeda.<sup>137</sup>

### Maher Arar – The Truth

Arar was born in Syria and is aged 34 years. He is a dual national of Syria and Canada. When he was the age of 17 he moved to Canada with his family in 1988 to avoid military service. In 1991 he became a Canadian citizen and then in 1997 he moved to Ottawa. He worked as a wireless technology consultant prior to his arrest in the USA.<sup>138</sup>

Mr Arar's story commences when he was in the process of catching a connecting flight in the USA to reach Montreal. Upon mere allegations, which he did not have a right to defend, he was sent to Syria where he was tortured severely.

His case not only highlights the reality that the USA outsources torture by sending suspects to country, which have abhorrent human rights records. In addition it also highlights the new concept of 'ghost detainees'.

#### *Ghost Detainee*

Arar was deported on 7<sup>th</sup> or 8<sup>th</sup> October 2002 to Syria. The Canadian authorities were unaware of this until 10<sup>th</sup> October 2002. During this period of time it caused immense grief for his family and Human Rights organisations. On 21<sup>st</sup> October Amnesty International issued a statement.<sup>139</sup>

His precise whereabouts was kept a secret throughout the whole ordeal; all that the family and others were aware of was that he was in a Syrian Jail.<sup>140</sup>

Arar was not charged, provided details of the case against him and was denied the opportunity to speak to Canadian Consular officials on his own. During the period of April 22 and August 14 2003 the Canadian officials were denied access to see him despite numerous requests.<sup>141</sup>

#### *Mr Arar's horrific ordeal Chronologically<sup>142 143</sup>:*

##### *26<sup>th</sup> September 2002:*

Upon returning from Tunisia on holiday he tries to catch his connecting flight from New York to return home, Montreal. Instead of returning home he is detained by the USA authorities for allegedly being on the Al-Qaeda watch list.

He is refused access to a lawyer and is interrogated until midnight. Questions range from what his job is to his association or acquaintance with named individuals. The name of Abdullah Almalki appears in the questioning. He replies truthfully that they know each other on a casual basis. The questioning is pretty tense, humiliating and rude. He was handcuffed, shackled and put in a cell.

##### *27<sup>th</sup> September 2002*

The next day he is taken for further questioning, by this time he hasn't slept or eaten. He is asked about issues ranging from what his views are of Osama Bin Laden, Palestine and Iraq. Personal information is also extracted like his bank account details and contact details of his relatives.

He is asked whether or not he wants to be sent to Syria, he protests vigorously and tries to explain the reasons why he left from there in the first place and sought refugee in Canada.

The authorities place a form in front of him to sign, they do not explain the contents. As a result of the confusion and exhaustion he agrees to sign it.

*Between 28<sup>th</sup> September and 7<sup>th</sup> October 2002*

He is given a document stating that he can't be admitted to the USA due to him not being an American citizen and because he has been designated as a member of a listed terrorist organisation 'Al Qaeda'.

Despite repeated requests for a lawyer it was only on 2<sup>nd</sup> October 2002 that he is allowed to speak to a lawyer where he informs then that he is terrified of the prospect of being sent to Syria.

He completes a form stating that he is willing to be sent to Canada and the place that he doesn't want to be deported to. Upon receiving a visit from a Canadian Consul he expresses his concerns of being deported to Syria, but she reassures him that this will not happen.

His lawyer visits him for a second time, where again Mr Arar relays his fears of being sent to Syria. She strongly advises him not to sign any documents in her absence.

On 6<sup>th</sup> October 2002 he is incorrectly informed that his attorney has refused to visit him. Reasons were ascertained from him as to why he does not want to return to Syria. They ask him to sign a document, which he refuses to do so.

*8<sup>th</sup> October 2002*

Mr Arar is informed that due to him knowing a few men and as a result of other classified information it has been decided that he will be deported to Syria. Even though Arar had clearly stated that if he sent to Syria he would be tortured; the authorities still continued to make the arrangements for him to be deported to Syria. At this point an order is in force, which was signed by a U.S. official authorising him to be sent to Syria (Washington Post 11/19/2003).<sup>144</sup> The Canadian authorities were not informed of this.

As Syria refused to take Mr Arar directly they flew him to Jordan en route.

*9<sup>th</sup> October 2002*

Upon his arrival he is received by six or seven Jordanians and straight away put into a van where the beatings commenced. This especially continues intensely every time he tries to move or talk.

After completing formalities for instance taking his fingerprints and photographs he is blindfolded and incorrectly informed that he will be returning to Montreal. They take him to the Syrian border. Where he is eventually taken to a prison called 'far falestin'

He is taken in a room where the interrogation commences; he is shown a metal chair, which he later discovers, is used for torture. To avoid further torture Arar decides to confess to anything that they say. Interrogation lasts for four hours where he is threatened of violence.

*10<sup>th</sup> October 2002*

He is taken to a small cell, where he will be spending the next ten months and ten days. It is about three feet wide, six feet deep and seven feet high. Arar describes it is a 'grave'. There is a small opening, which lets a tiny shaft of light through. Cats urinate through the ceiling traps of these cells often onto the prisoners. Rats wander there too.

*Intense interrogation: 11<sup>th</sup> October 2002 - 16<sup>th</sup> October 2002*

He is taken upstairs where he is interrogated and tortured severely the range of barbaric acts include being beaten on his palms, wrists, lower back and hips with a shredded black electrical cable which is about two inches in diameter. He is threatened with the metal chair, electric shocks, and with the tire, into which prisoners are stuffed, immobilized and beaten.

At times the interrogation would last for eighteen hours on and off. He is asked about whether or not he had received military training in Afghanistan too which he falsely states that he has. This is because the pain was becoming too unbearable and he thought that this might stop him from being tortured any further.

During these interrogation periods he was made to wait in a room where he could hear the other prisoners screaming repeatedly due to the unbearable torture that they were being put through.

*17<sup>th</sup> October till 22<sup>nd</sup> October 2002*

They adopt a different tactic by blindfolding him and taking him to a room where he would hear people talking about him. For instance someone said that Arar knows terrorists. Occasionally he would get slapped.

*23<sup>rd</sup> October 2002*

Arar has his beard shaved and is taken to another room where he is interrogated. He is warned not to tell the Canadian consul that he was beaten up. There is no privacy in these meetings as there is Syrian official's presence as well. All that Arar does throughout the meeting is to cry.

*29<sup>th</sup> October 2002*

Again Canadian Consul visit him, Syrian officials and their interrogator are present.

*Early November 2002*

On two occasions he is told to sign hand written documents. The first one he is not allowed to read, it consists of seven pages. The second one stipulates questions ranging from who his friends are to how long has he been absent from his country. The captors

already answer the questions. The remaining document he is told to hand write based on them dictating the contents which includes his admission to supposedly having been to Afghanistan.

*On 12<sup>th</sup> November 2002 & 10<sup>th</sup> December 2002*

Under the same circumstances as previously stated Arar is paid a visit by Candian Consul.

*December 2002*

During this period of time Arar experiences a nervous crisis, his mind is crowded with memories. Upon loosing control he starts screaming. On the second instance the guard notices and just takes him to wash his face.

*7<sup>th</sup> January 2003 & 8<sup>th</sup> February 2003*

Arar receives his fifth visit from Canadian Consul, under the same circumstances as described above.

*April 2003*

Arar is taken to an outdoor court, where in six months this is the first time that he has been in sunlight.

Later on in 23<sup>rd</sup> April 2003 he is taken by Syrian Officials to meet the Canadian Ambassador and MP's there are Syrian officials and interrogators as per usual present in the meeting. This is where Arar overhears that his plight has got some media coverage.

*June 2003*

On two occasions Arar is taken in the sunshine.

*14<sup>th</sup> August 2003*

A Canadian consul pays Arar a seventh visit. Despite the threat of further torture he decides to inform the Canadian Consul in English that he has been tortured. Fortunately, though after the visit despite the Syrian authorities fury he isn't tortured.

*August 2003*

Arar is forced to admit in writing amongst other things that he went to a training camp in Afghanistan. Whenever Arar objects the official kicks him. He complies by signing and thumb printing the last page.

Thereafter he is taken to Sednaya prison and put in a collective cell, he isn't fortunately tortured though.

*28<sup>th</sup> September to 4<sup>th</sup> October 2003*

Arar is driven back to Palestine Branch; although he isn't tortured he is kept in the waiting room. This is where he can hear the prisoners being tortured and screaming.

*5<sup>th</sup> October 2003 (Maher Arar's release and return to Canada)*

A Syrian prosecutor compels Arar to sign and fingerprint a confession stating that he has been to Afghanistan. Despite protesting that he had previously admitted this under duress they don't listen. In fact Arar is not even provided an opportunity to read the contents of the document that he is signing.

He is later on informed that he will be returned to Canada, which turns out to be true.

It is upon his return that he starts seeking legal redress for the unjust and inhumane way in which he was treated. A public inquiry is taking place in Canada, a lawsuit suing John Ashcroft has been lodged.

#### *Bush Administration*

It is self evident that 'assurances' obtained from countries that have a poor human rights record does not hold any value. However, on the other hand the Bush Administration have made their position clear about extraordinary rendition by stating that the U.N. convention against the 'Torture's ban on cruel, inhumane and degrading treatment does not apply to American interrogations, which take place of foreigner's overseas.<sup>145</sup>

#### *Public inquiry*

Although the public inquiry has not been concluded a fact-finding report has been published.<sup>146</sup> This involved establishing whether or not Arar has been tortured and what impact if any has this had on him psychologically, on his social and family relationships, and on his economic relationships.

Interviews were conducted with three other people who had previously been detained in Syria. Aspects for instance the methods of torture adopted by the captors. He also interviewed Arar, his wife and a specialist.

It was concluded that he had been tortured, this has lead to a profoundly negative effect between him and his family. Economically his family is devastated as well.

#### *Documents/revelations of Canada's role.<sup>147</sup>*

Arar was put through unnecessary torture and subjected to inhumane conditions when this could have been prevented if the Canadian authorities took concerted steps. For instance it transpired that the Canadian Solicitor General Wayne Easter later admits that Canada contributed information that led to Arar's arrest (Washington Post, 11/.20/2003).

Although eventually Arar was able to see some sort of light at the end of the tunnel there are still a number of detainees that are unaccounted for.



## **Ghost Detainees – The Six Degrees of Al Qaeda**

The six degrees of separation thesis states, that any two people can be connected to one another through six points of coincidence. The war on terror has chosen to mimic this theory in its detention policy. If one takes any two detainees held anywhere as part of the war on terror, one thing is certain, that they can undoubtedly be connected within six degrees of separation to one another and Al Qaeda.

What is of course absurd about this policy, is that it relies very much upon coincidence and circumstantial evidence to provide the worst form of justification in detaining suspects. Major crimes have been committed against innocent individuals. A chance meeting at a local community centre or mosque is often taken as reason enough for a detainee to be ripped away from any life that he has ever known, only to be held and tortured in some obscure location somewhere in the world.

The cases of Maher Arar, Ahmad Abou El Maati and Abdullah Almalki help to perfectly highlight the problem of this situation. Arar provides an excellent link in showing the lies that have been told about him, but then further how those lies can also affect the lives of others. The Canadians held and tortured in Syria know that it is only because of coincidence that they have been abused so badly. The lack of any real intelligence does not seem to stand as a bar to stop illegality of detention, rather it has become the very premise under which the detentions are taking place.

### *Six Degree Chain*

Abdullah Khadr

Abdullah Almalki (see Appendix I for further information)

Maher Arar

Ahmad Abou El Maati (see Appendix II for further information)

Amer El Maati

Aafia Siddiqui

### *Abdullah Khadr – Abdullah Almalki:*

Abdullah Almalki was a colleague of the Khadr family while doing humanitarian work in Pakistan. Abdullah Khadr is the son of Ahmed Said Khadr and did much work for his father. During the course of his work he had interaction with Abdullah. Abdullah was continually questioned regarding his connection with the Khadr family despite his insistence that they had merely worked with one another on humanitarian projects.

### *Abdullah Almalki – Maher Arar*

Maher Arar knew Abdullah from Canada. They were casual friends and knew one another due to their Syrian background. When interrogations took place of both in the Far Falastine Branch of Syrian Intelligence, they were forced to confess that they knew one another in Afghanistan as well.

*Maher Arar – Ahmad Abou El Maati*

The two men were acquaintances in Canada. Once again both men have Syrian backgrounds and for that reason were rendered to Syria for the purposes of extracting confessions under torture.

*Ahmad Abou El Maati – Amer El Maati*

Of the two brothers, it is in fact Amer El Maati who has been officially tracked by the FBI. While in the Syrian prison Ahmad was forced to confess that his brother had coerced him into taking flying lessons and identifying targets to bomb in Canada. Amer was on a 'seeking information' poster that was being used by US Attorney General John Ashcroft along with other suspected Al Qaeda terrorists. What is worrying, is that much of the information that they suspect regarding Amer, comes from the false confessions obtained through the torture of his brother.

*Amer El Maati – Aafia Siddiqui*

The 'seeking information' poster that presented Amer El Maati also contained details and pictures of Aafia Siddiqui. US Attorney General John Ashcroft said of both that they are suspected Al Qaeda operatives who should be considered armed and dangerous. They had been identified as being people who were connected to possible terror threats to the United States. What has been clear so far, is that these warnings were based very much on circumstantial evidence and hold no real basis in fact.

*Conclusion*

Any detainee located anywhere in the detentions as part of the War on Terror can be linked to another detainee and eventually Osama bin Laden. The interrogations that are taking place under torture only allow for false accusations and arrest of thousands of innocent people. A wide net has been cast in order to catch the very few, and even they are not given the right to defend their innocence.

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- <sup>3</sup> CBS News 'Report: 108 Died in US Custody' 16/03/2005
- <sup>4</sup> The Guardian 'One Huge US Jail' 19/03/2005
- <sup>5</sup> The Guardian 'One Huge US Jail' 19/03/2005
- <sup>6</sup> Human Rights First 'Ending Secret Detentions' 06/2004
- <sup>7</sup> ICRC 'United States: ICRC President Urges Progress on Detention-Related Issues' Press Release 04/03/2004
- <sup>8</sup> Washington Post 'CIA Runs Secret Jail at Guantanamo' 17/12/2004
- <sup>9</sup> Los Angeles Times 05/05/2004, Washington Post 08/05/2004, Washington Post 11/05/2004
- <sup>10</sup> CBS News 18/06/2004
- <sup>11</sup> US News and World Report 21/06/2004
- <sup>12</sup> CBS News 12/03/2004
- <sup>13</sup> NBC News 20/05/2004 and CNN 21/05/2004
- <sup>14</sup> Denver Post 18/05/2004
- <sup>15</sup> Denver Post 19/05/2004
- <sup>16</sup> The Guardian 20/09/2004
- <sup>17</sup> San Diego Tribune 03/02/2004
- <sup>18</sup> New York Times 17/09/2004
- <sup>19</sup> Los Angeles Times 18/02/2005
- <sup>20</sup> New York Times 'Contractor Indicted in Afghan Detainee's Beating' 18/06/2004
- <sup>21</sup> News Amnesty 'War on Terror Detentions- FAQ'
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- <sup>24</sup> The Guardian 14/01/2005
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- <sup>26</sup> Priest D 'CIA Holds Terror Suspects in Secret Prisons' Washington Post 2/11/2005
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- <sup>28</sup> Human Rights First 'Ending Secret Detentions' 06/2004
- <sup>29</sup> Maher Arar speaking to CBC 26/11/2004
- <sup>30</sup> CBC News 26/11/2004
- <sup>31</sup> Human Rights First 'Ending Secret Detentions' 06/2004
- <sup>32</sup> Chronology produced by Abou El Maati's legal counsel, Barbara Jackman
- <sup>33</sup> Chronology produced by Abou El Maati's legal counsel, Barbara Jackman
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- <sup>35</sup> Amnesty International 'United States of America/Yemen: Secret Detention in CIA "Black Sites"' 08/11/2005
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- <sup>38</sup> Ibid
- <sup>39</sup> Ibid
- <sup>40</sup> BBC News 'Pakistani 'al-Qaeda' Woman Named' 27/05/2004
- <sup>41</sup> Supra 36
- <sup>42</sup> Ibid
- <sup>43</sup> Ibid
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- <sup>47</sup> Ibid
- <sup>48</sup> Ibid
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- <sup>50</sup> Ibid
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- <sup>135</sup> <http://www.rcinet.ca/rci/en/news/2005/08/20050830.shtml>
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- <sup>137</sup> <http://www.washingtonpost.com/ac2/wp-dyn/A522-2003Nov4?language=printer>
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