

Protect Rights of 'War On Terrorism' Detainees

Dr. Najeeb bin Mohamed Al-Nauimi is the former Justice Minister of Qatar, and is currently an attorney and legal adviser. He formed the Committee for the Defense of the Detainees in Guantanamo, those held by U.S. authorities in Guantanamo Bay, Cuba as part of the U.S. war on terrorism, to represent the families of the detainees. He is also



Dr. Najeeb A-Nauimi

the attorney for Yasser Esam Hamdi, an American citizen of Saudi parentage who was detained at "Camp X-Ray," and has been transferred to the Naval Brig in Norfolk to await trial in Alexandria, Virginia. He was interviewed by Hussein Askary Al-Nadeem, on May 13.

EIR: Dr. Al-Nauimi, you have established a non-governmental committee for the defense of the detainees in the U.S. base in Guantanamo, Cuba. What can you tell us about this committee? Who are the members? And how is it going to function?

Dr. Al-Nauimi: I have seen the television [reports], where millions of people were watching the inhuman treatment to the deported detainees to Guantanamo base in Cuba—some of them were drugged, and all of them blindfolded and ears plugged, their hands and legs were chained. I had a very depressed feeling about why humans should be treated by other humans in this way, given that there are other ways of detaining a person. The first question which came to my mind was: Are there lawyers defending these detainees? Then I started inquiring and contacting different non-governmental organizations, such as the International Bar Association's Human Rights section, who were not helpful at all, and did not even answer my letters. So, I decided to establish a committee, by communicating with hundreds of lawyers and law associations around the world, by sending them letters, and outlining the objectives and the purposes of the committee, which are:

1. To defend the detainees.

2. To appoint American lawyers to defend the detainees.
3. To collect financial donations for payment of the legal expenses and the expenses of the committee.
4. To convey to the international media the rights of the prisoners.
5. To explain the legal and *Sharia* [Islamic law] concepts which govern the acts done by the detainees.
6. To explain to the detainees their legal rights in the context of the public rules of international law, particularly the rights given by the Geneva Convention of 1947 and the Protocol of 1977.
7. To establish an administrative channel in the committee to follow up the proceedings that may be taken in respect of the detainees.
8. The activity of the committee shall be connected only with the legal and human issues, not any political issues.

We have, so far, 16 members on the committee, and I welcome other professors of law and practicing lawyers to join the committee, at the following e-mail: drnajeeb@qatar.net.qa, or najeeb@nn-law.com. The committee functions by holding meetings and by communications.

EIR: What is the status of the detainees in Guantanamo—prisoners of war, or criminals? What does international law say about this action that has been taken by the U.S. administration?

Dr. Al-Nauimi: The legal status of the detainees in Guantanamo, in accordance with the U.S. government statement, that the detainees of the Taliban are POW [prisoners of war], and others, have not been yet defined. However, there are many detainees for whom we have proof that they are not al-Qaeda or Taliban, but were victims of the civil war in Afghanistan, who we think should be released immediately. International law does not support the action which has been taken by the U.S. administrators—procedurally speaking, the way they were arrested, and the deportation, and the flouting of the international humanitarian law which purely applies to such circumstances. At least, releasing the names and the identities of the detainees.

EIR: Recent reports in the U.S. media suggest that the Bush Administration officials are considering new doctrines that would allow the prisoners to be tried in military tribunals, even without submitting any evidence showing that they were involved in war crimes or terrorist acts. According to this method, would it be sufficient to establish a mere association with al-Qaeda or the Taliban? Has there been any precedent to such thinking? And what would that imply for the legal system in the world in general, given the fact that many of the prisoners are not even identified?

Dr. Al-Nauimi: The new doctrine by the Bush Administration could not be implemented, since the U.S. government should act in accordance with the U.S. Constitution and the international treaties and declarations they have signed

and ratified. Furthermore, such Presidential order could be challenged before the U.S. Supreme Court. I make a reference to 1942 *Ex Parte Quirn*, 317 U.S. 1 (1942), and other cases.

EIR: Has your committee been in touch with U.S. authorities? Has the U.S. Justice Department been cooperating with you to facilitate your mission? What do you expect from them?

Dr. Al-Nauimi: I have sent three letters, on March 25, 2002, to the President, Vice President, and Attorney General. We have received a reply from Mr. Bradford Prince, Associate Counsel to President George Bush, who replied on behalf of the President, stating that my letter would be forwarded to the Secretary of Defense and his General Counsel. We hope that we would soon receive a response from the Secretary or Defense Counsel, Mr. William Haynes.

I am an attorney for Yasser Esam Hamdi, who is a U.S. citizen by birth, and the Federal public defender has filed a petition, in cooperation with us, before the United States District Court for the Eastern District of Virginia, Norfolk Division, on May 10, 2002, against Donald Rumsfeld, Secretary of Defense, and Commander W.R. Paulette, Norfolk Naval Brig, Norfolk, Virginia.

EIR: You say that the work and intentions of your committee are not political. Is it possible to avoid the hot political issues, especially as the U.S. administration has been using the case of the detainees as a major part of its propaganda campaign in the so-called “war on terrorism”?

Dr. Al-Nauimi: Our committee is a non-political committee, and its intention is to defend detainees and POWs by using the legal mechanism rather than the political mechanisms. However, the U.S. government is a political government, elected by the American people, and we do respect that. But the U.S. government differs from the U.S. judicial body, although the propaganda, what they call the war on terrorism, is, more or less, from the U.S. point of view, an enforcement of their laws to prevent an act of terrorism. And our mission, as well, is to enlighten the U.S. government to the dark side of the consequences of the war on the humans they have detained, and to explain the reality and the facts of these individuals who were captured during the war in Afghanistan.

EIR: What do you think U.S. civil rights groups and the public should do in this case?

Dr. Al-Nauimi: I think the U.S. civil rights groups should stand with us and help us in defending those who have been detained by the U.S. military, and we should be given the chance to explain our cause before the American public. And we hope they will understand the humanitarian intention of our committee, to defend the human rights of the detainees in Guantanamo.

Bernard Lewis Drops His Scholar's Robes

by Scott Thompson

Dr. Bernard Lewis, professor emeritus at Princeton University, has upon two recent occasions dropped his scholar's robes to reveal the truth of *EIR*'s charge that he has been one of the leading architects of the Anglo-American establishment's “perpetual war” policies for the Middle East. It is a matter of strategic importance that Muslims finally realize the Jekyll-Hyde nature of Dr. Lewis, who honed his skills at deception during World War II in British military intelligence.

At scholarly events such as one May 7 lecture and debate at the Library of Congress, diplomats from Islamic states fawned over Dr. Lewis, who waxed poetical about the unfortunate decline of Islam since the Arab Renaissance, which was at its height during the Dark Age in Europe. Except for his lying insistence that Islam failed because it lacked science (when, to take just one example, the 11th-Century scientist Ibn Sina was one of the greatest minds in history, in the field of medicine), anyone would have thought that Dr. Lewis had a passionate love for the resurrection of Renaissance Islamic culture. This scholarly dissertation and calm debate presented his “Dr. Jekyll” side.

However, the same Dr. Lewis's “Mr. Hyde” personality came flying out in an April 30 interview with this author, and in a revealing April 18 interview with the Public Broadcasting System's “Charlie Rose Show.” Dr. Lewis maintains:

- Palestinian Authority President Yasser Arafat is an irredeemable terrorist who must be replaced by unnamed “moderates.”
- The Oslo Accords were a strategic miscalculation by Israel.
- The House of Saud must be replaced in Saudi Arabia, since it is the chief funder of terrorism and is totalitarian in nature.
- There must be a “regime change” (Newspeak for coup d'état) in Iraq based upon the lessons of the Afghanistan War, regardless of the fact that Afghanistan has been proven to be quicksand, with no clear victor despite repeated invasions by Britain, the Soviet Union, and the United States.
- The Iranian government must be overthrown, including the “Westernizing” President Seyyed Mohammad Khatami, whom Dr. Lewis proclaims to be a “clever fraud.”

This comes as no surprise to readers of the profile of Lewis that appeared in *EIR*'s Jan. 25, 2002 feature, “‘Open Conspirators’ Behind September 11 Coup Plot.” We reported