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Former Guantanamo detainees fuel growing al-Qaeda cell

By Sudarsan Raghavan
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SANAA, YEMEN -- Former detainees of the U.S. prison in Guantanamo Bay, Cuba, have led and fueled the growing assertiveness of the al-Qaeda branch that claimed responsibility for the attempted Christmas Day bombing of a U.S. airliner, potentially complicating the Obama administration's efforts to shut down the facility.

They include two Saudi nationals: the deputy leader of al-Qaeda in the Arabian Peninsula, Saïd Ali al-Shihri, and the group's chief theological adviser, Ibrahim Suleiman al Rubaish. Months after their release to Saudi Arabia, both crossed the kingdom's porous border into Yemen and rejoined the terrorist network.

Shihri and Rubaish were released under the Bush administration, as was a Yemeni man killed in a government raid this month while allegedly plotting an attack on the British Embassy. A Yemeni official said Tuesday that the government thinks he is the first Yemeni to have joined al-Qaeda in the Arabian Peninsula after being released from Guantanamo.

That a group partially led by former Guantanamo detainees may have equipped and trained Nigerian bombing suspect Umar Farouk Abdulmutallab is likely to raise more questions about plans to repatriate those prisoners to Yemen. Six were released last week; 80 Yemenis are now left at Guantanamo, nearly half the remaining detainee population. Many are heavily radicalized, with strong ties to extremist individuals or groups in Yemen, said U.S. officials and terrorism analysts.

Republicans have in recent months urged the Obama administration to rethink sending detainees to Yemen. They have cited al-Qaeda's growing footprint in the country, its instability and the case of Maj. Nidal M. Hasan, who is charged with killing 13 people at Fort Hood, Tex., after exchanging e-mails with a radical Yemeni American cleric.

"This is a very dangerous policy that threatens the safety and security of the U.S. people," said Rep. Frank R. Wolf (R-Va.).

A senior Obama administration official, speaking on the condition of anonymity, said al-Qaeda has used the prison "as a rallying cry and recruiting tool." Closing the facility, the official said, "is a national security imperative."

A second administration official said the government had little choice with the six detainees released last week. A federal judge had already ordered one to be released. The officials said the government concluded it did not have enough evidence to win against the remaining five in hearings in which the detainees had challenged their imprisonment under the doctrine of habeas corpus. The prospect of losing

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in federal court is likely to trigger other releases, the official said.

"We do not want a situation where the executive is defying the courts," the official said. "That's a recipe for a constitutional crisis."

Wolf, who did not object when the Bush administration repatriated 14 Yemeni detainees to their homeland, said that "conditions in Yemen have dramatically changed" with the emergence of al-Qaeda in the Arabian Peninsula. Wolf added that he had access to classified biographies of the six Yemenis sent back last week.

"Did they read the bios? They are dangerous people," Wolf said.

A third administration official, also speaking on the condition of anonymity, said the Yemenis sent back had been carefully screened to assess their potential for being recruited by al-Qaeda upon their return. He also expressed confidence in the Yemeni government's ability to handle their reintegration: "We have been exceptionally pleased with the dialogue and cooperation with Yemen over the last 11 months."

The Yemeni former Guantanamo detainee who joined al-Qaeda was among four suspects killed by Yemeni forces in a Dec. 17 raid north of the capital, according to a Yemeni official and a human rights activist. Hani Abdo Shaalan, who was released from the U.S. facility in June 2007, and three other suspected militants were planning to bomb the British Embassy and other Western sites, said a Yemeni official who was briefed on the operation.

Shaalan, 30, had traveled to Afghanistan by way of Pakistan in July 2001. He was searching for work, according to his Combatant Status Review Tribunal. He eventually found work as a chef's assistant in a Taliban camp and was at Tora Bora during the U.S. air campaign there. Pakistani forces captured him in their country, near the Afghan border.

Human rights lawyer Ahmed Amran, who assists the repatriated detainees, said Shaalan's family reported his disappearance last year.

After their release from Guantanamo, Shihri and Rubaish, both of whom trained and fought with al-Qaeda in Afghanistan, were sent to a Saudi rehabilitation program that uses dialogue and art therapy to reform militants. In February, the Saudi government released a list of 85 most wanted Saudi terrorists. At least 11 were graduates of the program, including Shihri and Rubaish.

Shihri, now 36, became al-Qaeda in the Arabian Peninsula's deputy leader after the Yemeni and Saudi Arabian branches of al-Qaeda merged in January. Rubaish, now 30, is the branch's mufti, or Islamic scholar, responsible for religious guidance and theological justification for committing violence.

Another former Guantanamo detainee, Mohammed al-Awfi, was one of the merged group's key field commanders for months. He, too, had gone through the Saudi rehabilitation program, then fled to Yemen along with Shihri. In January, he appeared on a video by the group announcing that he had joined al-Qaeda. But a month later, his relatives in Saudi Arabia persuaded him to surrender to Saudi authorities.

Yemen has struggled with its handling of former militants.

A prison-based rehabilitation program was widely considered a failure. Graduates had no follow-up

support, and many later traveled to fight in Iraq and Afghanistan. Some were thought to have taken part in a September 2008 al-Qaeda attack on the U.S. Embassy in Yemen that killed 16, including six assailants.

Other suspects became radicalized inside Yemeni prisons and joined al-Qaeda, according to human rights activists. All the surviving suspected al-Qaeda militants involved in the 2000 bombing of the USS Cole in the southern city of Aden, which killed 17 American sailors, have either been released by Yemen's government or escaped in a 2006 jailbreak from a maximum-security prison. Among those who escaped was Nasser al-Wuhayshi, the current leader of al-Qaeda in the Arabian Peninsula.

Yemeni officials say they are capable of rehabilitating detainees but lack the resources.

Amran, the human rights lawyer, said that he does not know why Shaalan joined al-Qaeda but that the government needs to improve its reintegration programs. "The Yemen government doesn't assist detainees. No employer wants to hire them without a guarantee," said Amran, who works for the Yemeni group Hood. "If there's no help for the detainees, they will join al-Qaeda."

Staff writer Peter Finn and staff researcher Julie Tate contributed to this report.

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