

MOHAMMED SULAYMON BARRE¹

SOMALI UNHCR MANDATE REFUGEE WRONGLY IMPRISONED IN GUANTÁNAMO IN NEED OF REPATRIATION TO SOMALILAND



The continuing war forced me to leave my country. I wanted to seek a safer place to live. . . I left the country under the United Nations umbrella. I was a refugee in Pakistan. . . I was arrested in my house. . . between 2:30 and 3:00 [in the morning]. . . My wife was with me at home when I was arrested. . . Up to now, I haven't learned anything about what has happened to her.

- *Combatant Status Review Tribunal, 2004*

A lot of interrogators said to me that through this war that was led by the United States, a lot of mistakes were made and they must be corrected. They told me many times [that] I am here by mistake.

Open your ears very well and hear me out.

- *Administrative Review Board, 2005*

Summary

Mohammed Sulaymon Barre is from Somaliland, formerly the northwestern region of Somalia that declared independence in 1991. He had been a refugee recognized by the United Nations High Commissioner for Refugees (UNHCR) for more than a decade prior to his transfer to Guantánamo and remains protected under the UNHCR mandate today. He is a civilian and a victim. He was gainfully employed and living with his wife far from any battlefield when he was abducted from his home in Pakistan in the middle of the night in November 2001. He has been detained ever since, virtually *incommunicado* in military custody at Guantánamo Bay, Cuba.

Mr. Barre's Personal History

Mr. Barre is in his early forties. He received a Bachelor's Degree in Agriculture from the University of Agriculture near Mogadishu, the Somali capital. While Mr. Barre was studying in the university, civil war erupted in Somalia and Mr. Barre's family was persecuted by the Somali dictator, Mohammed Said Budee. After Mr. Barre completed his studies, he was forced to leave Mogadishu because of the escalating war; he returned to the region where his family lived. As a result of the chaos and violence that increasingly consumed the country, Mr. Barre was forced to flee Somalia entirely in the early 1990s hoping to rebuild his life in a country that was safe.

Mr. Barre fled Somalia to Pakistan, after having heard that the UNHCR office in Islamabad provided the opportunity for Somali refugees fleeing the war to secure United Nations protection. Soon after his arrival, he applied for and was granted refugee protection; he was subsequently in regular contact with the UNHCR office in Pakistan.

¹ Mohammed Sulaymon Barre is represented by J. Wells Dixon and Emi MacLean at the Center for Constitutional Rights. For more information, contact emaclean@ccrjustice.org. *Photo credit:* Abdi Cadani@flickr.com

In Pakistan, Mr. Barre worked as an agent for the Dahabshiil Company, a well-known international financial transfer company with agents in 34 countries throughout the world, including in the U.S. and U.K. Dahabshiil's clients include UN organizations, non-governmental organizations, the British Broadcasting Corporation, and the Somali diaspora.

Mr. Barre's Abduction from His Home and U.S. Detention in Afghanistan and Guantanamo

Mr. Barre was one of the earliest victims of house raids by the Pakistani military after the U.S. invasion of Afghanistan. On November 1, 2001, around 3:00 a.m., Mr. Barre was arrested by Pakistani officials while at home with his wife. He was taken away in the middle of the night to a Pakistani prison, told that he was merely being investigated and would be released in the morning.

Instead, after four months in a Pakistani prison, Mr. Barre was blindfolded and handed over to U.S. forces along with another group of prisoners. U.S. forces transferred Mr. Barre in a military airplane to Kandahar, Afghanistan, and later to Bagram. While imprisoned in Afghanistan, Mr. Barre was tortured by U.S. forces, including through physical abuse, isolation, temperature extremes, and deprivation of adequate food, when he refused to make a false confession. He was later transferred to Guantánamo Bay where he remains today, more than six years after he was first abducted.

Lack of Credible Allegations Against Mr. Barre

Mr. Barre has not been afforded any procedures that would satisfy his rights under U.S. or international law. He has not been charged and he has no expectation of ever being charged. For the more than six years Mr. Barre has been imprisoned in Guantánamo, there has been no evidence advanced that would justify his continued detention.

The entirety of the allegations made against him do not amount to illegal activity, are entirely unsubstantiated, or are internally inconsistent or directly contradicted by existing evidence. Moreover, the allegations against him have varied dramatically during the time that he has been detained in Guantánamo.

It is likely that Mr. Barre, like many others at Guantánamo, fell victim to the chaos of the war in Afghanistan. At the time, the U.S. military offered large sums of money – \$5,000 or more – to anyone who handed over alleged “terrorists.” The United States blanketed Afghanistan and Pakistan with leaflets promising “wealth and power beyond your dreams” or “enough money to take care of your family, your village, your tribe for the rest of your life.” Both he and his elder father-in-law – also a UNHCR mandate refugee, and a schoolteacher for the Red Crescent school – were abducted and transferred to Guantánamo, where they both remain today.

Urgent Need for Mr. Barre's Repatriation to Somaliland

Mr. Barre remains imprisoned in Guantánamo without lawful process. He cannot safely be returned to Somalia, a country he fled during a civil war and a country which remains in disarray. UNHCR recognized his refugee status and granted him mandate protection. Sadly, the situation in Somalia has not improved since he fled years earlier. The country is in near-anarchy and Mr. Barre would be at great risk of torture or persecution if he were forced to return there. However, Mr. Barre could safely return to his family in Somaliland, formerly the northwestern region of Somalia which declared its independence from Somalia in 1991. His family eagerly awaits his return.