

BAGRAM: STILL A BLACK HOLE; SOMALIA: INCREASINGLY A BLACK HOLE

An Afghan named Zia-ur-Rahman held in Bagram petitioned for habeas corpus. And while District Court Judge James Gwin recognized “certain inconsistencies about—and the unsettled nature of—the United State’s intentions from Bagram, he still found that Zia-ur-Rahman’s plight matched that of the petitioners in al-Maqalah so closely that, under that precedent, he had to deny the petition.

Because the Petitioner makes no argument that he is differently situated than the petitioners in Al Maqaleh (this Petitioner is a non-U.S. citizen held as an enemy alien), this Court shares the Al Maqaleh conclusion: the “adequacy of process” prong weighs in [the] Petitioner’s favor but is not strong enough to offset the other legs of the Boumediene constitutional analysis.

And while none of the 16 detainees we’ve got hidden away in the prison in Bosaso, Somalia that Eli Lake visited, the conditions there are even worse than in Bagram.

I have better luck with Ahmad Mohammed Ali, an 18-year-old who says he joined al-Shabab when he was 16. He wears a jacket that looks three sizes too big and a wraparound cotton *ma-awis*. Ali was arrested by the Puntland Security Force at the end of 2011 in a raid against Al-Shabab in Bosaso. A semi-autonomous region of Somalia, Puntland is a U.S. ally in the war on terrorism and piracy, and its president, Abdirahman Mohamud Farole, says U.S. military and CIA

advisers work closely with his security force. Two U.S. military officials confirmed this.

Before Ali was shipped to prison, American interrogators questioned him in a separate facility, he says. The Americans were mainly interested in Al-Shabab. "I was given military training, but I was always under their watch, they never trusted me," Ali said of his Al-Shabab commanders. Once, he says, he was asked to guard a training camp and fell asleep at his post. When this was discovered, senior officers tied him up and beat his feet and ankles. He was then told that if he tried to leave Al-Shabab, his family would be murdered.

Because of his terrorist ties, Ali is locked up with grown men who are also suspected members of the group. One reason I was able to interview him is because he is now cooperating with the Puntland authorities. But Ali has paid a price. He said the other inmates in the prison's Al-Shabab section have attempted to strangle and beat him.

To be fair, Lake says most of the detainees at Bosaso are pirates. I don't know anyone who has suggested we open Gitmo up to store all the pirates we capture in the Red Sea. And the example of Ali seems to suggest the problem in Bosaso (as opposed to the prison in Aden Adde Airport Jeremy Scahill reported on, for example) is more akin to the Yemenis stuck in Gitmo than the debate over where to put Ahmed Warsame.

That is, what we lack are not prison facilities, per se, but programs in which to deradicalize kids like Ali and give them enough resources to get a start in life.

But I don't think we're the ones to provide that. Partly that's because the example in Bagram shows we're just interested in shell

games that allow us to stash these men away and forget about them. Partly because we're the biggest prison planet in the world; we're the last country you'd turn to to use detention as a means to transition out of unacceptable behavior.

All that said, we do appear to be acquiring more and more black holes these days.