

The Saudi Process of Repatriating and Reintegrating Guantanamo Returnees

By Christopher Boucek

THE PLIGHT OF Saudi nationals interned at Guantanamo Bay has been a major domestic issue in Saudi Arabia since the detention facility first opened in January 2002. For nearly six years, the Saudi government has sought to secure the repatriation of its nationals. From the outset, Saudi authorities have maintained that when the Saudi nationals detained at Guantanamo do return to the kingdom, that they "will be subject to Saudi laws and justice."¹ This article will outline the repatriation procedure for Saudi returnees from Guantanamo and detail their reintegration process. These programs are part of a much larger Saudi security and counter-terrorism strategy designed to undermine the support for terrorism in the kingdom through the rehabilitation and demobilization of its supporters and activists. Unique in their size, scope and content, Saudi Arabia's rehabilitation programs are generating positive results that demonstrate alternative ways of dealing with the many dilemmas posed by indefinite incarceration.

There have been a number of releases and repatriations of Saudi nationals from Guantanamo. About 117 of the 139 Saudis held at Guantanamo have been returned to their home country. Detainees are usually released in groups from Guantanamo and the Saudi government then brings them back to the kingdom. This is all part of a carefully choreographed reintegration procedure designed to facilitate dialogue and reinforce the message that the Saudi government is striving to help individuals corrupted by extremist beliefs return to proper Islam.

The first repatriation occurred in May 2003, and the most recent took place in November 2007. It is expected that more Saudis will eventually be released; however, it appears extremely likely that U.S. authorities will refuse to

release every Saudi national detained at Guantanamo. Nonetheless, it is the Saudi government's position to work for the release of all its nationals held as enemy combatants.

As early as January 2002, Saudi Arabia began to publicly press for the repatriation of Saudi nationals detained at Guantanamo Bay.² According to reports published at the time, Prince Nayef, the minister of interior, stated that 100 of the 158 detainees in Guantanamo were Saudi, and that 240 Saudis were apprehended by joint U.S.-Pakistani teams on the Afghan border.³ The number of Saudi prisoners at Guantanamo rose to 125 by the summer of 2002.⁴ The Saudis offered to interrogate and try them in Saudi Arabia and also offered to assist in the interrogation of suspected al-Qa`ida operatives in American detention at the U.S. base in Cuba.⁵ In February 2002, Prince Nayef stated that he wanted to see all the Saudis in Guantanamo returned to the kingdom after the investigations were concluded.⁶

In June 2002, a Saudi team of experts drawn from the Interior and Foreign Ministries made the first publicly acknowledged visit to Saudi nationals interned at Guantanamo.⁷ According to published reports, no Saudi officials had been allowed to meet with any of the Guantanamo detainees prior to this. According to press reports from the time, Deputy Interior Minister Prince Ahmed bin Abdel Aziz was forced to meet with representative of the International Committee of the Red Cross to learn about the status of Saudi prisoners.⁸

By August 2002 it was revealed that the Saudi government was in negotiations for the return of Saudi nationals detained at Guantanamo.⁹ While negotiations were acknowledged to have started, it was also acknowledged that they would need much more time. In May

2003, Secretary of State Colin Powell announced that the United States and Saudi Arabia had reached an agreement to repatriate Saudi nationals interned at Guantanamo.¹⁰ During that month, the first Saudis were released.

Repatriation

Strict secrecy surrounds the return of each group of detainees and there is no advance announcement of when a group will return to the kingdom. An official plane is dispatched with representatives of the Ministry of Interior and the ministry's Advisory Committee, including medical doctors and other assorted medical personnel, psychologists, psychiatrists and security officers. The plane departs from Riyadh in the early morning before dawn, and makes only one stop en route for several hours in Morocco. In Cuba, the Saudis meet with the Americans to receive the Saudis that are to be repatriated. When the Saudis take custody of their nationals, they request that they be un-handcuffed before boarding. This is important as it sets the stage for all subsequent interactions with the returnees. Saudi medical personnel collect medical records and, if needed, supplies of any medications that they may be taking. After this short transfer process, the Saudi plane then departs for the return flight to Riyadh.

According to personnel involved in the flights, returnees are often silent and expressionless at first, unsure at what is happening to them. After years of internment, it takes some time for the reality that they are on their way back home to fully process. Doctors tend to the returnees, performing routine exams and diagnostic tests onboard the aircraft.¹¹ After completing the medical screening, psychological evaluations begin. The questioning, interrogation and counseling process also begin on the flight back from Guantanamo. The entire process lasts about 38 hours, with the plane touching down in Riyadh in the early morning darkness.

A number of dignitaries often greet their arrival, including members of the royal family. The plane is met at the airport by more officials from the

1 Tarek Terkishy, "Naif Refutes Jail Torture Allegations," *Arab News*, January 31, 2002.

2 *Al-Watan*, January 28, 2002; *Arab News*, January 29, 2002.

3 *Ibid*.

4 *Okaz*, August 26, 2002; *Arab News*, August 31, 2002.

5 *Arab News*, February 11, 2002.

6 *Okaz*, February 27, 2002.

7 *Al-Watan*, June 29, 2002; *Arab News*, June 30, 2002.

8 *Arab News*, June 30, 2002; *Okaz*, June 13, 2002.

9 *Arab News*, August 27, 2002; *Okaz*, August 26, 2002.

10 *Okaz*, May 25, 2003.

11 Personal interview, Dr. Abdel Aziz al-Ghamdi, Riyadh, Saudi Arabia, November 2007.

Advisory Committee and the ministry's rehabilitation program. Shaykh Ahmed Hamid Jelani, director of the Care Rehabilitation Center, boards the plane and personally welcomes all of the returnees back to their country.¹² From the airport, returnees are transferred to jail, usually to al-Ha'ir prison outside Riyadh.

Reunions

Once they have arrived, the Ministry of Interior formally contacts the families of returnees and informs them that their loved ones have returned. Assistant Minister of Interior for Security Affairs Prince Mohammed bin Nayef personally contacts families, and others are notified directly by provincial governors. The ministry then brings the families to Riyadh where they are checked into one hotel at the government's expense. After the families have been notified, the ministry releases the names of all the Saudis that have returned to the kingdom and provides a telephone number to the media for friends and extended family to contact. No announcements are made before their arrival in order to reduce media sensationalism, keep the focus on family reunifications and also because it can never be known with certainty who the U.S. military will release.

For the first week the returnees just visit with their families. The ministry brings families out to al-Ha'ir prison and coordinates the visits for all the detainees. Meanwhile, counselors and shaykhs from the Advisory Committee are also at the hotel to speak with returnees' families. This is done not only to provide counseling services for the emotionally exhausting experience that they are undergoing, but also to start the process of interacting with the returnees' families and larger social network. The involvement of an individual's family and larger social network is a critical aspect of all Saudi rehabilitation and reintegration programs, and it is essential to the program's success. Engaging the families of returnees has been a priority from the outset. One of the earliest moves was the creation of a special liaison office in the ministry to work exclusively with the families of Guantanamo detainees to facilitate

information sharing about family kin and the delivery of letters.¹³

After being reunited with their own families, the returnees meet with the families of other Saudi nationals still held at Guantanamo. This is important for a number of reasons, most of all to impress upon the returnees that should they run afoul of the authorities, their comrades who they left at Guantanamo will not return. It is therefore critical that they not fall in with the wrong crowd. This aspect of collective responsibility is a common thread in Saudi rehabilitation and after-care programs, and one that generates positive results in large part due to traditional Saudi cultural factors. In fact, often when Guantanamo returnees are furloughed for religious observances or family celebrations such as weddings, the family members of those still remaining at Guantanamo provide such strict surveillance that security personnel often can step back and observe from a distance.¹⁴

Reintegration

After going through questioning, returnees are brought into the Saudi judicial system. They are usually charged from among several offenses, most frequently leaving the kingdom without permission and carrying a weapon. Their cases are tried before a special court arranged by the Justice Ministry. It is important to note that this is not a

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“special court” similar to a security court as in other Arab countries, but simply a special arrangement to handle the cases of Guantanamo returnees whose cases are too sensitive to appear in the regular court system. The returnees are not transferred to the court like other defendants, and the judge visits them in this special arrangement.

¹² *Arab News*, January 13, 2003.

¹³ Personal interview, HRH Prince Muhammed bin Nayef, assistant minister of interior for security affairs, Riyadh, Saudi Arabia, October 2007.

After typically being found guilty of these charges,¹⁵ returnees are usually sentenced for up to two years. While serving their sentence, Guantanamo returnees go through the Counseling Program, the Ministry of Interior's rehabilitation program designed to counter *takfiri* (excommunication) extremism through a combination of intensive religious study and dialogue and psychological counseling.¹⁶ After serving between six months to one year in custody, it is not uncommon for a returnee to receive a royal pardon, at which point they are transferred to the Ministry of Interior's rehabilitation care facility. It is understood that this occurs after sufficient progress has been made in the counseling process and the Advisory Committee has made a recommendation that the returnee has adequately proven himself to be ready to move to the next stage in the rehabilitation process. A vital part of this process is that the returnee has incriminated his actions, and recognized his guilt.¹⁷

At this point, returnees are transferred from confined custody in a correctional facility to a residential rehabilitation center. The environment at the Care Rehabilitation Center is in marked contrast to that inside prison.¹⁸ While residents at the rehabilitation center are still confined to the center, there is much greater latitude in activities and living style.¹⁹ Dorms replace cells, and there are numerous activities, including sports and other recreational pastimes.

Most importantly, every resident at the center knows exactly how long he will be there, and this contributes to the atmosphere of non-confrontation. At the rehabilitation center, returnees spend time with the doctors and shaykhs from the Advisory Committee who will evaluate the progress and make recommendations for each detainee's release. Through classes, therapy,

¹⁵ This is not always the case.

¹⁶ Christopher Boucek, “Extremist Reeducation and Rehabilitation in Saudi Arabia,” *Terrorism Monitor* 5:16 (2007).

¹⁷ Personal interview, HRH Prince Muhammed bin Nayef, Riyadh, Saudi Arabia, October 2007.

¹⁸ Based on site visits to al-Ha'ir prison and the Care Rehabilitation Center, November 2007.

¹⁹ For a good overview of the rehabilitation center, see the online *Time* magazine photo essay at www.time.com.

¹² Personal interviews, Shaykh Ahmed Hamid Jelani and Care Rehabilitation Center staff, Riyadh, Saudi Arabia, November 2007.

dialogue, discussion and interaction, the staff of the rehabilitation center seek to add in good behavior after bad behavior has been removed in prison.²⁰ While at the rehabilitation center, returnees are permitted to leave for short periods when in the custody of their family, and their families can visit them at the center. Through these activities, trust is built, and slowly they are reintegrated into society.²¹

Upon release, the government has helped returnees secure employment and housing, has paid for wedding dowries and automobiles, and even provides additional stipends. Much has been made in the Western press of the financial incentives offered to returnees; however, this focus is disproportionate to the vast amount of work that goes unseen by the program workers. While the financial support should not be discounted since it is a crucial part of the Saudi strategy, it needs to be put into proper perspective alongside the intangible factors offered by the program. It is here where the Saudi effort has made remarkable progress in only several years.

To date, none of the released Saudi Guantanamo returnees have reoffended.²² The results generated by the Saudi reintegration program have led to considerable interest in exploring alternatives to traditional "hard" security measures. Admittedly, the Saudi program utilizes many unique cultural features, many of which are distinctive to the kingdom. What the Saudi program demonstrates, however, is that there is a solution to the massive populations in security prisons, and with a reported 25,000 prisoners in U.S. custody in Iraq alone, it is clear why the American military has expressed an interest. As such, the Saudi reintegration programs not only warrant further detailed study, but examination of how they can be applied elsewhere.

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²⁰ Personal interview, Dr. Turki al-Atyan, psychologist, Riyadh, Saudi Arabia, November 2007.

²¹ Personal interview, Dr. Abdulrahman al-Hadlaq, adviser to HRH assistant minister of interior for security affairs, Riyadh, Saudi Arabia, November 2007.

²² Personal interviews, Ministry of Interior officials, Riyadh, Saudi Arabia, October and November 2007.