

By Andy Worthington

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Abdul Ghani before his capture, in a photo made available by his lawyers.

As we at "[Close Guantánamo](#)" continue our series profiling [prisoners still held at Guantánamo](#) -- and specifically, at this time, the Afghans [who are still held](#) -- our latest profile is of Abdul Ghani, an unfortunate villager from Kandahar province, who farmed pomegranates and scavenged for scrap metal, and was seized in November 2002 and arrived in Guantánamo nine years ago.

Alarminglly, Abdul Ghani was one of a number of insignificant Afghan prisoners [put forward for a trial by military commission](#) under President Bush in 2008. The authorities claimed that he had played a part in attacks and planned attacks as part of the insurgency against US forces, although Ghani himself, and his lawyers, have consistently disputed his purported involvement.

It should, however, be noted that, even if Abdul Ghani had been involved in the activities of which he is accused, it is extraordinary that, over nine years later, he remains in Guantánamo, a prison cynically described as holding "the worst of the worst" terrorists by the Bush administration, when, if he had been held in Afghanistan instead of being flown to Guantánamo, he would have been released many years ago.

As it is, the charges against him were dropped before George W. Bush left office, and have not been reinstated, but he remains held, with no end to his detention in sight. The following profile was written by his military defense attorney, Lt. Col. Barry Wingard. For further information, and to support Abdul Ghani, please feel free to [become his friend on Facebook](#).

Why Not Release Abdul Ghani?

By Lt. Col. Barry Wingard

In the news recently there has been [much speculation](#) about the prospective peace talks between the Taliban and the American-led coalition in Afghanistan. As part of these peace negotiations, the Taliban has asked for the release of Taliban detainees held at Guantánamo Bay, Cuba. Some specific names have been reported to have been discussed, such as Muhammad Fazl, the former Taliban deputy defense minister. To all the speculation I say: why not my client, Abdul Ghani, a man by all accounts guilty of nothing more than mistaken identity and kept ten years without trial for having a common name and being in the wrong at the wrong time?

Abdul Ghani was born around January 1972 in Khoshab, a small village in Kandahar province, Afghanistan. Around 400 people live in the village, which is approximately 45 minutes by foot from Kandahar Airport.

Before his capture, Abdul farmed and hustled to make ends meet by harvesting pomengranates and collecting metal for resale in the local markets. He speaks Pashtu, the native language throughout the province, and a little Arabic, and he has two brothers, who are active in the local community. One is the Imam for the village.

In November 2002, Abdul Ghani was seized from his village and sold to US forces for an unspecified amount of money. Once in US custody, he spent four months at an Afghan prison, where he was forced to endure harsh treatment, before being transferred to Guantánamo Bay on March 23, 2003, where he remains to this day. He has now been held for nine years without a trial, and the ninth anniversary of his arrival at Guantánamo passed last week, unnoticed by all except his family and his lawyers.

The main allegation against Abdul Ghani is that he was involved in carrying rockets (potentially to be used against US forces) for money. However, although his village is a poor one with limited resources, and money brings the necessities of life not the luxuries, there is almost universal recognition that he is the victim of mistaken identity, and has been held for nearly ten years because he was in the wrong place at the wrong time.

All of the villagers in Khoshab are anxious for Abdul Ghani's return. He continues to maintain a good reputation, and the villagers support his release and would support him in becoming reintegrated into his former profession as a farmer. He intends to once again become a valued member of the local village community, and will remain under the supervision of his brothers and village elders.

His fiancée, a lady who has patiently waited for him through all these years is even more anxious for the day Abdul Ghani returns and they are able to begin their lives together anew.

Abdul Ghani is nothing more than a hard working farmer and active member of his local village. For ten years, that simple lifestyle has been disrupted unnecessarily, and the time has long since passed for his return home. He has patiently waited for his release while maintaining his Afghan honor, and is ready to return to an active life of community involvement and farming his lands. Essentially, he is eager to reclaim the life that has been taken from him during all these years of captivity.

As Abdul's attorney I can tell you first hand that we will not rest until he is reunited with his family and fiancée. If anyone should be returned back to their home to resume their now shattered life, it is Abdul Ghani.

I have little doubt that we will get Abdul Ghani home sooner or later, but I'm extremely mindful that it's our job to make it sooner rather than later, for Abdul's sake. You see, his captors may have the money and power, but we have the truth.

The views expressed in this article do not represent the views of the Department of Defense or the United States government. Lt. Col. Wingard is a military lawyer who represents both Abdul Ghani (Afghani) and [Fayiz al-Kandari](#) (Kuwaiti) and has served for 28 years in the military. When not on active duty, he is a public defender in the city of Pittsburgh.