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We speak with a lawyer who helped to represent the six Guantánamo prisoners who the U.S. government released to Uruguay, including Jihad Abu Wa'el Dhiab. CUNY law professor Ramzi Kassem has been to Guantánamo about 50 times. He discusses his client Dhiab's case, what he is asking for and what the situation is overall at Guantánamo. "They've been in Uruguay for almost two years," Kassem says. "And for that entire time, Mr. Dhiab and the other prisoners have been asking this question. You know, when are we going to see our families? Is that going to happen? How is that going to happen?"

**AMY GOODMAN:** We just brought you our exclusive interview with a former Guantánamo prisoner who was cleared to leave under both Presidents Bush and Obama but remained at Guantánamo for over 12 years. His name, Jihad Abu Wa'el Dhiab. He has never been charged with a crime.

Well, last week, *Democracy Now!* spoke to Ramzi Kassem, professor of law at City University of New York Law School—that's the CUNY Law School—where he directs the Immigrant & Non-Citizen Rights Clinic and has represented many Guantánamo prisoners. He has been to Guantánamo about 50 times, one of the lawyers who represented the six Guantánamo prisoners who the U.S. government released to Uruguay. I began by asking Ramzi Kassem to tell us about Dhiab's case, why he hasn't been able to see his family, what he's been asking for, what he was promised, and what the situation is overall at Guantánamo.

**RAMZI KASSEM:** Yeah, so I'm among the people who negotiated. Obviously, there were U.S. government officials involved, Uruguayan government officials involved. And then, on the defense lawyer side, I was one of those who partook in that negotiation, primarily on behalf of my client, Abdelhadi Faraj, who's another Syrian who was resettled in Uruguay, just like Dhiab. Ultimately, what happened was that four Syrians, one Palestinian, one Tunisian—all Guantánamo refugees—were resettled in Uruguay.

And, you know, I have to stress that the Uruguayan government's attitude towards these men was commendable. They viewed them and treated them as refugees under international law. They resisted, you know, the United States' insistence that their movement be restricted, that they be treated as something else, that they be placed under surveillance, for example. All of these things, according to public media reports, are standard when it comes to how the United States negotiates these repatriations or resettlements from Guantánamo. And to their credit, the Uruguayan government said, in large part because the rulers of Uruguay at the time, the president and his Cabinet, were themselves former political prisoners—

**AMY GOODMAN:** President Mujica.

**RAMZI KASSEM:** President Mujica had spent over a decade in prison under that very label, as a terrorist, in solitary confinement, so he understood, and the men in his Cabinet understood, what that meant. And so, to their credit, they treated these men like refugees. And they said—they said that they would allow them to reunite with their families in Uruguay, that they would facilitate family reunification. So all of the right things were said.

Unfortunately, the problem was in the implementation. When the men arrived in Uruguay, you know, less preparation had been done than what we had expected and what we had hoped. And one of the main shortcomings is on this front—family reunification. In other words, you know, the government of Uruguay, with the help of the Red Cross, is offering families of men like Dhiab and men like my client to come from places like Syria or refugee camps in Turkey. But they're only offering temporary visits, and they're not giving the men the means to actually support those families in Uruguay. So, the net result, and I'll tell you the case that I—I'll tell you about the case that I know best, my client, Mr. Abdelhadi Faraj. His family is in war-torn Syria. He would love to see his parents. He hasn't seen them in 15 years. If he were to agree to have the Red Cross somehow try to bring them, make that very dangerous journey out of Syria and to Uruguay, he can only keep them there for a couple of weeks. His parents are elderly. They live in a very dangerous place. The trip itself would be life-threatening. So he doesn't want to subject them to that risk, unless he has the ability to actually have them live with him in Uruguay. So, that's where the shortcoming has been. No one, not the Uruguayan government and certainly not the United States, has stepped up to make that happen.

And I mention the United States because I think the Uruguayans have gone above and beyond the call, in many ways, despite the shortcomings of in preparation for the arrival of these men as refugees from Guantánamo. They have gone above and beyond the call. The bulk, the lion's share, of responsibility still rests with our country. It still rests with the United States. Our country is responsible for what happened to men like Dhiab. They're the ones—the United States took Dhiab and put him at Guantánamo and subjected him to torture there, of different forms. And the United States is the one that—

**AMY GOODMAN:** And he was put at Bagram first.

**RAMZI KASSEM:** And he was at Bagram first. And that's common. The majority of Guantánamo prisoners, or a large number of them, at least, went through Bagram or other sites before arriving at Guantánamo. So the primary share of responsibility still rests with the United States. I believe that our country has a moral and historical duty to try to make these men whole. Other countries have. Canada has paid compensation. The United Kingdom has paid compensation. The United States has not accepted responsibility or compensated these men for what they have been through. And they continue to suffer from it—for it, and their families continue to suffer. And Dhiab is just one example among many.

**AMY GOODMAN:** Dhiab was—wanted to be at his daughter's wedding. I mean, he hasn't seen his children and his parents in between 15 and 20 years. Could he leave Uruguay? I mean, he actually attempted to. He went to Venezuela. He was taken by the secret police of Venezuela, and he was deported back to Uruguay. I mean, it's not a crime for him to leave Uruguay, but he was deported back. What can he do? I mean, he is just using the only thing he has, which is his body, to try to demand, by going on a hunger strike, which he did for so long at Guantánamo, to demand some kind of action. He says, "If I am free, why cannot I see my family?"

**RAMZI KASSEM:** And it's especially tragic that he's had to revert to that mode of communication, the mode of communication that he had when he was at Guantánamo. In other words, the only form of expression and protest available to many of the prisoners is to go on hunger strike, is to refuse food and sustenance from their captors. And that isn't a crime, right?

It's a form of peaceful protest. And it is tragic that now that he's in Uruguay, supposedly a free man, he feels that he has no choice but to do that in order to be heard, because, you know, he's been clamoring for a while. They've been in Uruguay for almost two years. And for that entire time, Mr. Dhiab and the other prisoners have been asking this question. You know, when are we going to see our families? Is that going to happen? How is that going to happen?

The Uruguayans, when these men arrived, because they were considering them refugees, the Uruguayan government issued them what's called a *cedula*, which is basically a national ID card, which allows them to travel in certain countries in South America and some countries in Central America, perhaps. So that's how Dhiab, earlier in his tenure in Uruguay, went to Argentina, for example, and gave a press conference there. And that's probably part of the explanation of how he eventually got to Venezuela and was then sent back to Uruguay. The rub is in that for him to go to Turkey, the Turkish government would have to acquiesce. Someone would have to facilitate that travel. He'd have to be issued travel papers, which obviously he's not going to get from the Syrian government, given what's going on in Syria right now, and, ultimately, the United States government, whether or not they're going to publicly recognize it. My view, my opinion, is that the United States government probably has a say, as well.

Now, still, the right thing to do here is to find some way to reunite Mr. Dhiab with his family. And it's either by bringing his family over from that refugee camp in Turkey to Uruguay in a sustainable fashion, where they can live with him in Uruguay and make a life for themselves there, or the other solution would be for him to go to Turkey and join his family there. It is—it's compounding the injury that these men have suffered to keep them apart from their families after everything that they've been through. And again, this doesn't just hold for Mr. Dhiab. He is being vocal, vocal and brave, in expressing his protest in that way. But I can tell you that my client, Mr. Faraj, who does not want to be in the media limelight, feels the same way. And the other prisoners that he's still in touch with in Uruguay, former Guantánamo prisoners, they feel the same way, as well. And it's really—it shouldn't be shocking to anyone that these men, after all of these years, wish to see their families. Guantánamo is not a prison where families can visit. It's not like a facility here in the United States where there are visitation privileges and people can come over the weekend. These men have literally not seen their families for over a decade and a half.

**AMY GOODMAN:** Have some of the men seen their families brought to Uruguay, and then they have to leave?

**RAMZI KASSEM:** You know, I'm not familiar with the cases of all six of the Guantánamo refugees in Uruguay. I can tell you that for Mr. Dhiab that hasn't happened, and I can tell you that for my client, Mr. Faraj, that has not happened, for the reason that I explained earlier.

**AMY GOODMAN:** So, you have been to Guantánamo for what? Like 50 times now, representing your clients. How many do you represent?

**RAMZI KASSEM:** At this point, I have three clients remaining at Guantánamo. Over time, since 2005, I've represented over a dozen Guantánamo prisoners.

**AMY GOODMAN:** That, what, you added it up to what? Being how much time at Guantánamo that you've spent?

**RAMZI KASSEM:** Sadly, I did that math last time I was at Guantánamo a couple of months ago. It adds up to, I think, over a year at this point.

**AMY GOODMAN:** You've spent over a year at Guantánamo.

**RAMZI KASSEM:** Yeah, which obviously pales in comparison to what my clients have spent, what they have gone through. But it was still shocking to me. I mean, if you told me 10 years ago, in 2006, when I made my first trip to Guantánamo, that a decade later I'd still be traveling there, I would have called you crazy.

**AMY GOODMAN:** President Obama just said, once again, he wants it closed by the end of his term. Do you think this will happen? What is happening at Guantánamo right now?

**RAMZI KASSEM:** You know, President Obama, unfortunately, has been saying that since he was candidate Obama in 2007. You know, I agree with Mr. Dhiab on this. I believe that, unfortunately, our president has had that authority. He was elected, actually, on that basis. He had a mandate coming into office in 2009 to close that prison. For political reasons, not policy reasons, but for political reasons, he chose not to make it a priority. He gave the opposition time to mobilize and make it more difficult for him. Still, despite those obstacles, ultimately, he has the authority to close that prison. When President Bush opened Guantánamo on January 11, 2002, he didn't seek congressional approval; he just did it unilaterally as a president of the United States. President Obama could do the same. He is choosing not to do it. He's choosing not to take what he believes is a political risk.

**AMY GOODMAN:** To see the [full interview](#) with Ramzi Kassem, CUNY law professor, go to [democracynow.org](http://democracynow.org)