



There are only two distinct classes of people on this Earth: those who espouse enthusiasm and those who despise it.

INSIGHT

# Tutu: Why I called Omar Khadr

STEPHEN COAN speaks to Archbishop Desmond Tutu about why he feels Omar Khadr's case is so important

ON May 30 while attending the "As Long As the Rivers Flow: Coming Back to the Treaty Relationship In Our Time" conference in northern Alberta, Canada, Archbishop Desmond Tutu took time out to telephone Omar Khadr, who is currently being held in Bowden prison after spending 10 years in the Guantanamo Bay detention camp.

Khadr is a Canadian citizen who at the age of 15 and severely wounded was captured following a firefight in the village of Ayub Kheyl in Afghanistan on July 27, 2002. He was subsequently held and interrogated at the Guantanamo Bay detention camp, the U.S. military prison located within the Guantanamo Bay Naval Base in Cuba.

After lengthy interrogation, Khadr was accused of killing an American soldier and planting mines targeting U.S. convoys.

In 2010 a U.S. military tribunal sentenced Khadr to 40 years in prison but thanks to him pleading guilty in a plea agreement to charges of war crimes, including murder of an American soldier "in violation of the laws of war", spying and aiding terrorism, he was given an eight-year sentence, which did not include time already served. This included a transfer to Canada to serve the remainder of his sentence after a year according to a diplomatic agreement between the U.S. and Canada.

At the time his lawyers said a guilty plea was the only way he could get out of Guantanamo, where he otherwise faced indefinite detention even if he was acquitted.

The Toronto-born Khadr has since appealed his convictions on the basis that what he was convicted of doing as a 15-year-old was not a war crime under either American or international law.

Khadr's case has divided Canada — where he was moved to in 2012. There Khadr is either viewed as an unrepentant terrorist or as a child soldier who underwent a mockery of a trial totally at odds with international law on how child soldiers should be treated. The "Free Omar

Khadr Now" campaign is calling for his release and rehabilitation.

Khadr is currently being held in Bowden Institution, a medium security prison in the province of Alberta.

On Tuesday the Alberta Court of Appeal ruled that the now 27-year-old Khadr should be serving a youth sentence in Canada, and should not be in a federal prison. However, the federal government said it plans to appeal the ruling and will apply to delay the transfer while it asks the Supreme Court to hear the case.

It was at Bowden that Khadr received the telephone call from Tutu.

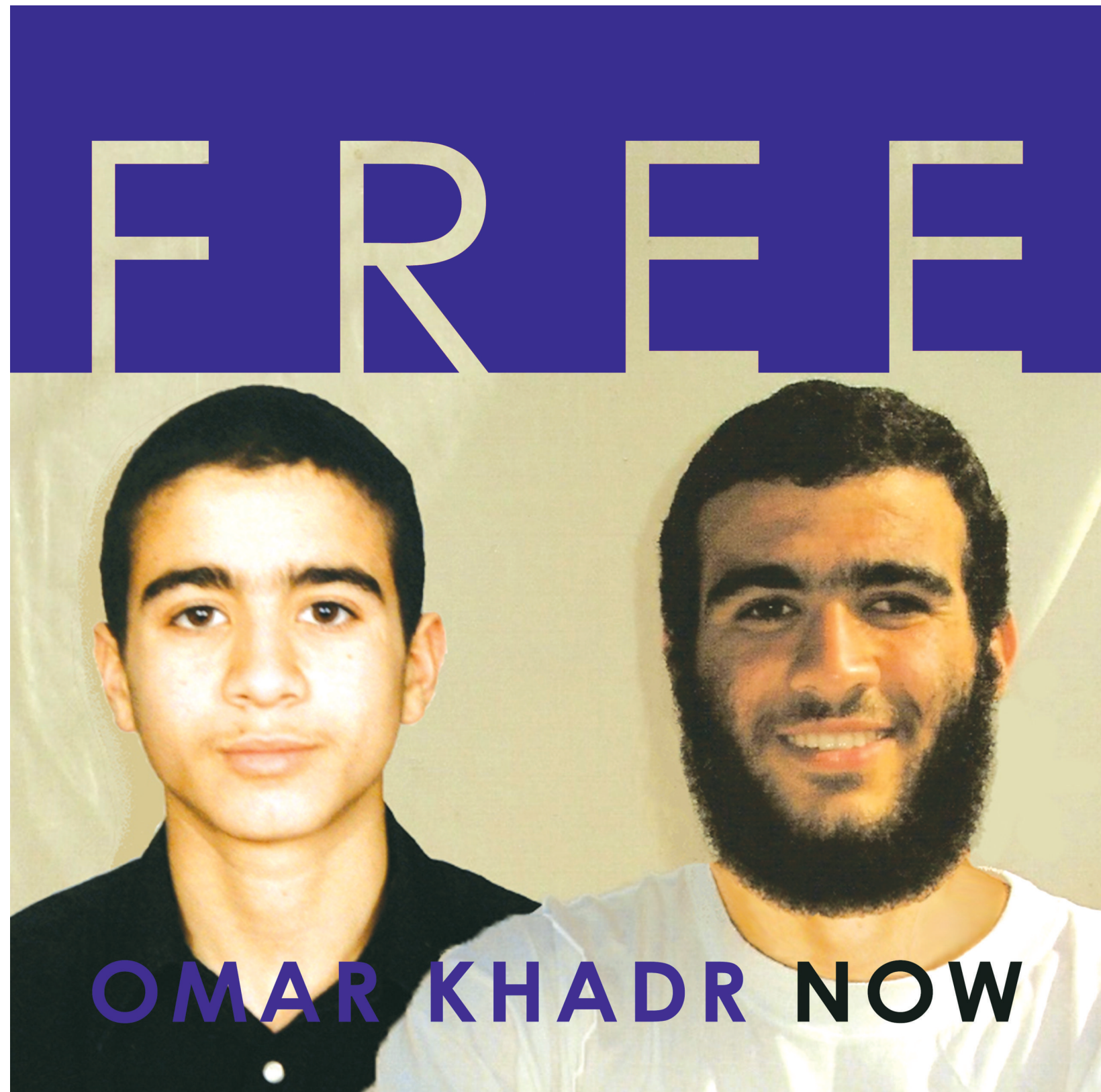
Tutu told *The Witness* that he had been asked to contact Khadr by Arlette Zinck, Associate Professor of English, King's University College, Alberta, who has been teaching Khadr in prison, but "more fundamentally, I would be interested in anyone I think has been dealt with unjustly".

Tutu has been a vocal critic of the existence of Guantanamo prison and the U.S. use of non-judicial procedures to imprison people there, frequently comparing this to similar practices of detention without trial in South Africa under apartheid. "Many people were incarcerated [in South Africa] for endless periods, held in solitary confinement simply on the say so of some lackey of an unjust and oppressive system. It has been galling in the extreme to discover that those in other countries who even helped us overthrow our oppressive system of apartheid, should have no qualms it seems in employing the same discredited methods as those of a system they purported to oppose," he said.

"One reason why President Obama was elected the first time round was that he promised he would shut down Guantanamo Bay," said Tutu. "I am hugely disappointed that he has not fulfilled a very important promise."

Asked if he thought Khadr was innocent or guilty, Tutu said his views were "quite irrelevant". "The point is that he was tried not in an open court, where he could be represented by a lawyer of his choice. This is apart from the fact that when he was arrested, he was only 15 years of age, a minor by every credible assessment and at the very least to have been charged as the minor that he was."

Tutu said it was "unconscionable" that Khadr, following a "travesty of a trial, where he was treated as an adult in a vicious kangaroo court", should



Omar Khadr featured in a poster from the 'Free Omar Khadr Now' campaign. PHOTO: SUPPLIED

be languishing in jail and that his own country Canada should be an accomplice in holding him in prison.

"This is an example of a horrible miscarriage of justice, and that in a modern democratic state."

Speaking to Khadr on the telephone,

Tutu said he was "pleasantly surprised at how calm and un-bitter" Khadr sounded. "We just exchanged pleasantries. But he really impressed me in that short conversation as a gentle and sensitive person ..."

"He later wrote a very nice note thank-

ing me for taking the trouble to call him ... He struck me as a very gentle and caring and courteous human being who does not belong where he is at present. The Canadian authorities would do their stature much good if they released him immediately."

Today the appeal decision regarding a judgment given last year denying Khadr's transfer to a provincial (non-maximum security) institution and access to educational and parole opportunities will be filed online from the Alberta Court of Appeal.

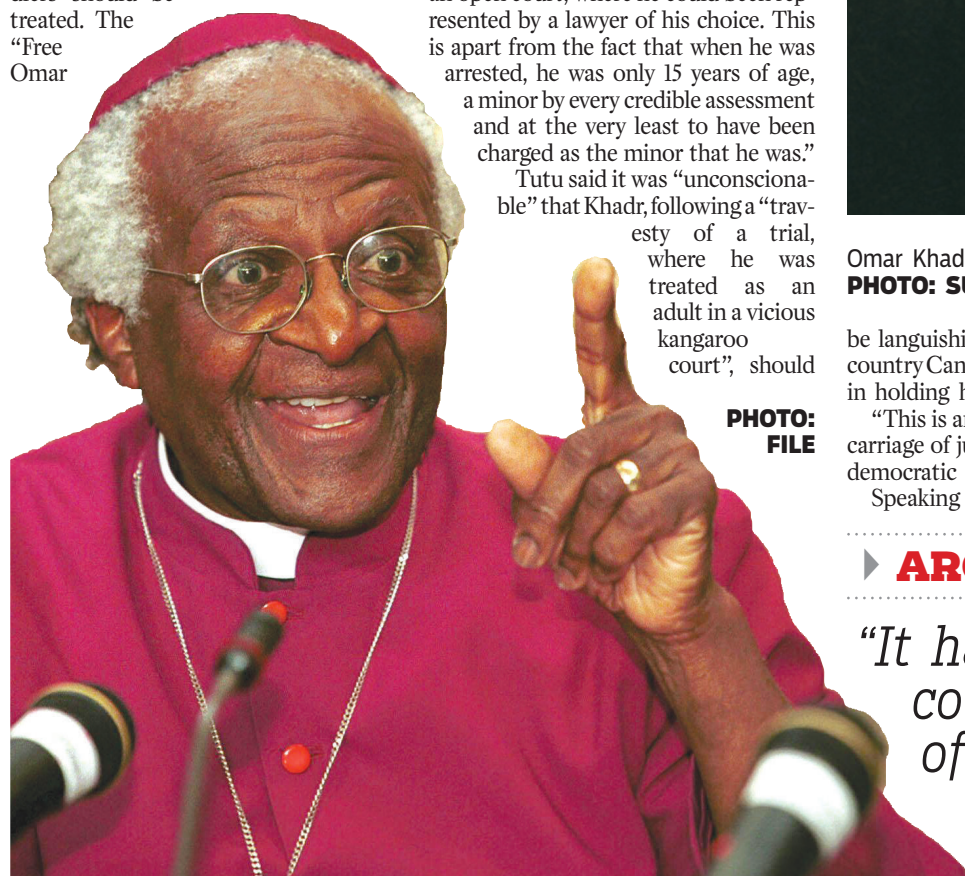


PHOTO: FILE

## ARCHBISHOP DESMOND TUTU

*"It has been galling in the extreme to discover that those in other countries who even helped us overthrow our oppressive system of apartheid, should have no qualms it seems in employing the same discredited methods as those of a system they purported to oppose."*

## Who is Omar Khadr?

OMAR Khadr was born in Toronto in 1986. His parents Ahmed Khadr and Maha el-Samnah, were Egyptian and Palestinian immigrants who became Canadian citizens.

His father worked for various NGOs bringing aid to Afghanistan and Khadr spent his childhood moving back and forth between Canada and Pakistan.

In 2002, his father left the 15-year-old with a group associated with Abu Laith al-Libi — a senior leader of the Al-Qaeda movement in Afghanistan who was subsequently killed in a 2008 drone strike. Khadr is said to have received weapons training with the group.

On July 27, 2002, a military force comprising American soldiers and Afghan militia were on a reconnaissance mission in the village of Ayub Kheyl during which five men were seen in a house with AK47s. A call to surrender was met with gunfire. Reinforcements were called for and in a subsequent firefight four U.S. soldiers were wounded. An air strike was called in and the houses were strafed and bombed by Apache helicopters and F-18 Hornets.

Meanwhile more reinforcements had arrived that saw the ground troops number around 100. Investigating the ruins of the bombed houses it was found that two wounded people had survived, one was Khadr. At some point a grenade was thrown that wounded Sergeant Christopher Speer, who subsequently died of his injuries.

One of the wounded men was later killed while Khadr, who was wounded by shrapnel and subsequently lost the sight in his left eye, was shot twice in the back. Initially he was thought to be dead but when it was ascertained he was still alive he was taken by helicopter to Bagram Airbase in Afghanistan.

During the 11 years Khadr spent at Guantanamo, he spent the majority of that time in solitary confinement shackled to the floor of his cell and medical treatment was withheld that could have prevented the loss of sight in his left eye. According to one source, while his severe chest wounds were "still raw, Khadr was hooded, his wrists shackled to the ceiling and made to stand for hours".

For the last 10 years Khadr has been represented pro bono by lawyer Dennis Edney.

After Khadr was telephoned by Archbishop Tutu in May, Edney said that "Omar was delighted and honoured" to speak to Tutu. "The conversation was a spiritual discussion between them that helped to further strengthen Omar's belief in humanity, notwithstanding all he has suffered."

It was further reported that Edney said that through his studies, Khadr is familiar with Tutu's critical role in ending apartheid in South Africa and then running our Truth and Reconciliation Commission.

Kathleen Copps, a member of the Vancouver Free Omar Khadr Now committee, told *The Witness* that Khadr felt "extremely blessed to have had the opportunity" to talk to Tutu. "As part of his reading programme, Omar had been inspired by Nelson Mandela's *Long Walk to Freedom* and the struggle to end apartheid, so speaking with Tutu was especially significant for him."

# Brazilians slowly waking up to racism problem after years of denial

RIO DE JANEIRO — Former Brazilian national midfielder Arouca, playing for Pele's old club Santos, was doing a sideline TV interview a few months ago when opposing fans began to chant "monkey, monkey, monkey".

Those taunting hit him with another jab: Go to Africa and find a team. Get out of here.

President Dilma Rousseff, who has pledged a "World Cup without racism", tweeted quickly: "It is unacceptable that Brazil, the country with the largest black population after Nigeria, has racism issues."

It does, and Brazilians are slowly waking up to it.

Still, they are more accustomed to saying this is a country free of prejudice, and the subject is rarely discussed openly and seldom makes the news. Many hold to the myth of a "racial democracy" because the country never had laws separating the races.

"The Brazilian form of racism is worse than apartheid because it works on the basis of deception," said Elisa Larkin Nascimento, director of the Afro-Brazilian Studies and Research Institute in Rio. "There is denial," she added. "Many people — particularly the ruling class —

say there is no racism. With that stance, you are left with nothing to talk about."

Over the last few decades, Brazil has begun to introduce affirmative-action programmes, African diaspora history is being taught in schools, and a cabinet-level position has been created to deal with racial equality.

"The biggest leap was to get the society to talk about racism and realise that, in fact, it does exist in Brazil," said Larkin Nascimento, who wrote the book *The Sorcery of Color: Identity, Race and Gender in Brazil*.

Settled by Portuguese and a mix of other Europeans, Brazil imported about five million slaves — 10 times more than the United States — and ended slavery in 1888. That was 25 years after the United States banned the practice.

Blacks in Brazil earn about half of what whites do, and there is only one black minister in Rousseff's cabinet. The first black justice on Brazil's Supreme Court — Joaquim Barbosa, who rose to chief justice — recently announced his retirement. Magazine covers seldom feature a black face, movies often feature all-white casts and the very popular soap operas feature mostly white actors. Brazil's present World Cup team is

made up of 90% black or mixed-race players, though Brazilian fans attending World Cup matches — and Brazil's club matches during the season — are predominantly white. Its most famous player was Pele, who was known as "The Black Pearl". He would have been banned from playing early in the 20th century when the game, introduced by Europeans, was closed to non-white players.

Much of the game is still closed to the black and poor.

"Nobody like me could ever get in there to watch," said Joacy de Silva, a dark-skinned man picking through an orange trash bin just 25 metres from an entrance to Rio's Maracana stadium where Spain faced Chile in the World Cup. He stuck his head and hand deep into a smelly mess of cans and rotting food, then came up to finish his thought.

"I can't say I am angry," he said. "I don't know. I have my life and the rich have their life."

Black and brown-skinned people are rarely customers in top-notch restaurants, elegant shopping malls or airports. They tend to be cleaners, nannies or kitchen workers.

Most have been priced out of many of the 12 World Cup stadiums, built or



Argentina (left) and Belgium players pose with an anti-racism banner before the World Cup quarter-final soccer match between the two teams at the Estadio Nacional in Brasilia recently. PHOTO: AP

renovated at a cost of \$4 billion (R42.6 billion) — 80% public money. Figuring out who is black in Brazil can be tough, and a so-called "black commu-

nity" doesn't exist. Brazilians self-identify. A light-skinned person may choose to be seen as black, but others judge, too. At the University of Brasilia, identical

twins applied for admission under an affirmative-action programme. Only one was judged to be black.

"There is no sense here of anyone be-

longing to the black community," said Larkin Nascimento, who is white, was born in the United States but has lived in Brazil for more than 30 years. "Here you have a person who is black that yearns to be white and does everything in life that they possibly can to be considered white."

Until the abolition of slavery, perhaps 80% of Brazil was black. That was followed by a government whitening policy until the middle of the 20th century, when Europeans, Japanese and other non-Africans were recruited to dilute the African dominance.

The Brazilian government in a household survey several decades ago asked people to describe their colour. It came up with about 150 descriptions. Some of those, translated into English by the website *Africa Is A Country*, include snowy white, pinkish white, black-brown, reddish, chestnut, half-black, toasted, wheat, murky, singed.

"Who is black?" Larkin Nascimento asked rhetorically. "If you go into classy hotels or restaurants, you know who's not there. You can see it. The police, when they're rounding up people on the streets, they know who is black."

— Sapa-AP.