



08 November 2010

The President of the United States of America  
The White House  
Washington DC  
USA

**The Honorable Barack H. Obama**  
President of the United States of America

**Mr. President,**

**IN THE MATTER OF MR. FAYEZ AL KANDARI: KUWAITI CITIZEN DETAINED AT  
GUANTANAMO PRISONS SINCE 2002**

My name is Lawyer Adel Abdul Hadi and I am the Managing Partner of Al Oula Law Firm, a law firm located in the State of Kuwait. I was one of the attorneys that represented six Kuwaiti nationals following their arrest and detention on allegations of plotting to blow up Camp Arifjan in 2009 of which defendants were subsequently acquitted due to lack of evidence against them of the alleged crime. I am writing in respect of my client, Mr. Fayez Al Kandari, a Kuwaiti national detained at Guantanamo Prisons since 2002 on suspicions of being a member of a terrorist organization.

I acknowledge the efforts of the United States' government in ensuring world peace and security and its dogged fight against terrorism. These efforts are highly commendable. Terrorism is a global threat to our collective existence and all efforts at stemming its growing tide must be applied.

I appreciate the efforts made by your government towards securing the release of ten (10) out of twelve (12) Kuwaiti nationals who had earlier been detained at Guantanamo prisons. Two Kuwaiti nationals still remain incarcerated at Guantanamo: my client Fayez Al Kandari and Fawzi Al Odah. It is therefore with a deep sense of sadness and pain that I bring to your attention my client's case.

I have in recent times been in contact with Lt. Col. Barry Wingard, the US military attorney appointed by the US Department of Defense Military Commission to defend Fayez Al Kandari. Al Kandari was detained on allegations of being a member of a terrorist organization. Fayez Al Kandari

has from the time of his arrival at Guantanamo maintained his innocence and no concrete evidence appears to support the allegations made against him. So far, Al Kandari has spent about nine years in incarceration and still his testimony remains the same. He has continued to maintain his innocence of the allegations made against him and seeks justice.

Having reviewed his tragic story, I accepted to assist and cooperate with Lt. Col. Wingard and his defense team and we are determined to obtain justice for this young man. As part of our strategies designed to secure Al Kandari's release from Guantanamo, it is my intention to embark on a sensitization/awareness campaign in relation to this case and also use appropriate legal means to redress this injustice. These strategies are aimed at drawing attention to the injustice meted out to the person of Al Kandari merely on grounds of speculations and without concrete proof of his alleged involvement in the crime he has been accused of.

Recently, Al Kandari's habeas corpus petition was rejected by the United States District Court for the District of Columbia, consigning him to indefinite detention in Guantanamo. This is in spite of the fact that he has continued to maintain his innocence and that there exists no evidence against him. It goes against the principles of justice to have a perfectly innocent individual incarcerated even for a few minutes for an offence he did not commit. This is the situation with Fayez Al Kandari. Indeed it is an unfortunate tale to hear that Al Kandari has been deprived of his fundamental human rights and the comfort and embrace of his family and loved ones who have continued to despair over his predicament on the basis of mere speculation. I believe that the case of Mr. Al Kandari should be reviewed once again so that justice would be served.

### **Mr. President,**

In order to prove the integrity of our cause and secure Al Kandari's unconditional release from Guantanamo, I humbly request to meet with you to discuss the matter of this young man so all that is necessary to secure the swift release of Fayez Al Kandari would be done since little or no evidence has been submitted in proof of his case. It is our strong belief that where nothing is done to secure Al Kandari's release, he would be held in Guantanamo indefinitely even when no clear evidence links him to the alleged offence. At this juncture, I also acknowledge that the other young Kuwaiti national, Fawzi Al Odah is also detained at Guantanamo and that his case is similar to that of Al Kandari. Assistance by you in Al Kandari's case will certainly bring to light the case of Al Odah.

Finally Mr. President, I address you on behalf of the parents of Fayez and Fawzi who have continued to despair over the fate of their sons and desire their speedy return home. The anguish felt by the parents of these detainees was well captured in your speech made on September 27, 2006 with respect to the Habeas Corpus Amendment where you said:

*"But as a parent, I can also imagine the terror I would feel if one of my family members were rounded up in the middle of the night and sent to Guantanamo without even getting one chance to ask why they were being held and being able to prove their innocence."*

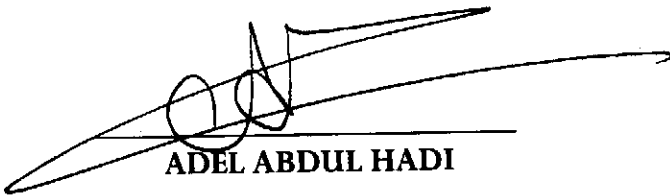
**Mr. President,**

It is my humble request that you order the review Fayez Al Kandari's case. I am completely confident in my heart that you would review this matter to ensure that justice is served and that this innocent man regains his freedom. This I know is in consonance with your intentions and your belief in maintaining American values which is serving justice and respecting the rights and liberty of all individuals.

I admire the position you have taken on the closure of Guantanamo detention center. Your statement at the signing of the Order for its closure that: "*The US would continue to fight terror, but maintain American values while doing so*" further testifies of your respect for the fundamental human rights of all individuals. It is my firm belief that in no distant future, Fayez Al Kandari and others like him who are innocent of allegations made against them would regain their freedom.

I thank you for your time Mr. President and I look forward to receiving your response in due course.

Yours sincerely,



**ADEL ABDUL HADI**

Enclosure

CC: Fayez Al Kandari File