

Council on American-Islamic Relations (CAIR)

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

https://www.cair.com/op_ed/op-ed-an-american-muslim-in-extra-judicial-exile-again/

Public Facing Advocacy Writing

I hope that someday we will all look back in shame at how routinely the United States once barred traveling American Muslims from returning to their country. But while that day may be far off, Ali Ahmed serves as just the latest example of how the misguided and illegal use of the no-fly list imposes a strange form of extrajudicial exile on a growing number of Americans.

Ali, a 20-year-old American citizen studying journalism in San Diego, traveled abroad for his wedding, to visit family, and to make a religious pilgrimage to Mecca. He performed his pilgrimage without incident, but soon after, Ali got his first hint that the U.S. was going to obstruct his movement abroad.

When he attempted to enter Kenya to visit his father and for the wedding, Kenyan authorities did not let him in and instead sent Ali to Bahrain. The next day, distraught that his wedding had to be postponed and that he would not be able to see his father, Ali tried to return to his country of citizenship, the United States. At the airport, he was told that he would not be allowed to return because sometime after he left the United States his government had put him on its no-fly list. There was no explanation, no way to resolve the problem just that he could not fly now or at any point in the future.

People placed on the no-fly list are not allowed to board airplanes, whether inside the U.S. or not, that will cross American airspace. Because the U.S. shares its no-fly list with other countries, it also impacts the ability of listed individuals to enter other countries. In the past few years, we've seen people on the U.S. no-fly list denied entry to Great Britain, Mexico, and now Kenya. And it's a life sentence for listed individuals: people put on the no-fly list almost never get off.

But Ali is not alone in this situation; he joins a long list of American Muslims who are not even accused of any wrongdoing, but who found themselves placed on the no-fly list in the midst of their travels. This list includes Gulet Mohamed from Virginia, Amr Abualrub from Connecticut, Aziz Nouhaili from Nevada, and Michael Migliore, Jamal Tarhuni, and Mustafa Elogbi all from Washington state. Just a few weeks ago the United States prevented another San Diego resident from returning to his country of citizenship. And these are only the ones we know about; there are surely many others who have not fought against their placement on the list and the effective exile that results.

It is unprecedented for our government to be able to effectively bar traveling Americans from returning to the U.S. This is why, many years from now when historians catalogue our governments' breathtaking transgressions in the post-9/11 era, the extrajudicial use of the no-fly list will be listed along with government-sanctioned torture, the Patriot Act, indefinite detention, kill lists, warrantless wiretapping, and the United States' international gulag of secret prisons. We'll view people like Ali Ahmed as part of the vanguard of American citizens who said Enough is enough, and asserted their rights. But for now, we can all do our part by demanding that our government allow Ali and others in his situation to come home.

By Gadeir Abbas

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