US war crime at Mazar-i-Sharif prison: new videotape evidence

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The American media has been focused for the last several days on reports from the Bush administration that it has in its possession a videotape of Osama bin Laden allegedly taking responsibility for the September 11 terrorist attacks. The White House has not yet released the tape, or even a transcript, but that has not stopped media pundits from parroting the government account.

Far less attention has been paid to a videotape, which is not only verifiable but has been shown on national television, providing new evidence of the US role in the massacre of Taliban POWs inside a prison in Mazar-i-Sharif during the last week of November. The tape's existence was revealed by *Newsweek* magazine and a partial transcript published.

The tape shows an American CIA agent, Johnny Micheal Spann, interrogating a 20-year-old American citizen, John Walker Lindh, who converted to Islam, traveled to Pakistan to study and then enlisted in the Taliban militia in Afghanistan. He was among the hundreds of foreign Taliban who surrendered at Kunduz November 23-24, and then were trucked to the Jala-i-Qanghi prison in Mazar-i-Sharif.

Walker, as he now calls himself, gave *Newsweek* this account of the conditions in the prison: "Early in the morning they began taking us out, slowly, one by one, into the compound.... Our hands were tied, and they were kicking and beating some of us. Some of the mujahedin were scared, crying. They thought we were all going to be killed."

Walker saw "two Americans ... taking pictures with a digital camera and a video camera. They were there for interrogating us." These two were Spann and a second CIA agent, known only by his first name, Dave. The transcript of the videotape records the following remarks:

Spann: Where are you from? Where are you from? You believe in what you're doing here that much, you're willing to be killed here?

The CIA agent then snapped his fingers in front of Walker's face, but Walker remained impassive. Spann then summoned a Northern Alliance soldier who pulled Walker's hair back from his face so that Spann could take a photograph. The two CIA agents then conferred, but only parts of their conversation can be heard. Then the second CIA agent is clearly heard, speaking about Walker, and making a threat which the prisoner clearly understood.

Dave: The problem is, he's got to decide if he wants to live or die, and die here. We're just going to leave him, and he's going to f_cking sit in prison the rest of his f_cking short life. It's his decision, man. We can only help the guys who want to talk to us. We can only get the Red Cross to help so many guys.

After Walker continues his silence, Dave tells Spann, "That's all right man. Gotta give him a chance. He got his chance."

The meaning of this conversation is unmistakable, and criminal. The two CIA agents threaten Walker with immediate death ("die, and die here ... the rest of his f_cking short life") if he does not cooperate and provide information on the Taliban and Al Qaeda.

Such threats are a direct violation of the Geneva Convention on the treatment of prisoners of war, as is the suggestion that Red Cross assistance—which means food, medical care and the possibility of contacting family—are to be permitted only for those who collaborate with their captors.

This interchange makes clear the circumstances under which the captured Taliban POWs, who had surrendered less than 24 hours before, turned on their captors and staged an uprising born of desperation and

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fear. More than 200 prisoners had already been interrogated and their hands tied behind their backs, in what they must have been certain was the preparation for their execution, when the revolt began.

Spann was apparently among the first casualties of the uprising, grabbed by a half dozen prisoners, beaten and shot to death. His CIA partner fled the scene and could later be heard on a cell phone calling in air strikes on the prison compound. As many as 800 prisoners may have died in the subsequent slaughter.

That the prisoners at Mazar-i-Sharif had good reason to fear for their lives was indirectly confirmed by a top administration official, Deputy Secretary of Defense Paul Wolfowitz, in a television interview broadcast Sunday. Wolfowitz declared that Walker and his family should be glad that he was now in the custody of the Americans rather than captured by "somebody else"—referring to the Northern Alliance soldiers who presumably would have summarily executed him.

In the aftermath of the bloodbath, the Bush administration sought to transform the CIA interrogator into a national hero, hailing him as the first American to give his life for his country in the Afghanistan war. This was a more than dubious effort, since Spann's role was closer to that of torturer than soldier. He lost his life, not in combat with an armed enemy, but because he misjudged the willingness of prisoners to endure abuse, terror and eventual murder.

It was noted in the American press that many of the "old hands" at the CIA were appalled at the White House decision to release Spann's name and identify him as a CIA officer—the first time this has been done with a CIA casualty. This is not because that information would constitute a breach of security, endangering other CIA operations and agents.

It is rather because the role of the CIA has led all previous American governments to impose at least a certain distance between its grisly activities and the policymakers in Washington. CIA officers could supervise torture sessions, arm death squads or carry out assassinations, but there had to be what was called in the trade "plausible deniability."

It is not possible for George W. Bush or Donald Rumsfeld to claim that what Spann and "Dave" carried out in Mazar-i-Sharif was an excess, or an aberration, or a violation of American policy in relation to the treatment of prisoners. Both the one-to-one abuse documented in the videotape of Walker, and the subsequent mass killing of prisoners by bomb, rocket and machinegun, represent war crimes for which the leading officials of the Bush administration should be held responsible.

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