

Obama reassures CIA no prosecutions planned

Revelations that two prisoners were waterboarded 266 times

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Yesterday President Barack Obama made his first trip to visit CIA headquarters in Langley, Virginia. The visit was described as an effort to “boost morale” at the top US spy agency in the wake of revelations that it has carried out brutal and systematic torture for years, opening up its agents to prosecution as war criminals.

But the trip was roundly interpreted as a means of mollifying anger in the intelligence apparatus over the release of Justice Department memos detailing the Bush administration’s torture program. Four former CIA heads had criticized the move, with one, Michael Hayden, suggesting on a Sunday news program that the revelations would hamper the US in “the war on terror.”

Before addressing agency employees, Obama held a private meeting with CIA Director Leon Panetta and about 50 agents, assuring them once again that there will be no prosecutions or investigations directed at CIA officials.

Obama later referred obliquely to conflict in this private meeting, noting, “some conversations that I’ve had with senior folks here at Langley in which I think people have expressed understandable anxiety and concern” over the memos’ release.

In his public address, Obama all but apologized to the assembled agents for releasing the memos. “I acted primarily because of the exceptional circumstances that surrounded these memos, particularly the fact that so much of the information was public,” he said, “The covert nature of the information had been compromised.”

Obama reiterated in strong terms that not only will his administration not investigate torture, it will protect the agents who carried it out. “We will protect your identities and your security as you vigorously pursue your missions,” he said.

“I understand that it’s hard when you are asked to protect the American people against people who have no scruples, and would willingly and gladly kill innocents,” Obama continued. “Al-Qaida’s not constrained by a constitution. Many of our adversaries are not constrained by a belief in freedom of speech or representation in court or rule of law.”

These comments would aptly fit the US military and spy

apparatus, which has carried out grave violations of basic human rights that have led to the deaths of hundreds of thousands of civilians in Iraq, Afghanistan and Pakistan.

Indeed, by declaring that he will not investigate or prosecute those who have carried out torture, Obama is himself flaunting the “rule of law,” both domestic and international.

Bush White House, CIA, supervised torture of Abu Zubaydah

The hypocrisy and cowardice of Obama’s pandering before the CIA is underscored by further revelations from the recently released Justice Department torture memos and a *New York Times* article on the torture of one prisoner, Abu Zubaydah.

Central Intelligence Agency (CIA) agents used waterboarding scores of times on two men in the span of one month, according to the 2005 Office of Legal Counsel (OLC) memo released on Thursday. Zubaydah was waterboarded 83 times in August 2002. Khalid Shaikh Mohammed was waterboarded 183 times in March 2003.

The OLC memos leave no doubt that the torture of Zubaydah was coordinated at least from CIA headquarters in Langley, Virginia. This was corroborated by a *New York Times* article published on Saturday, based on interviews with anonymous former intelligence agents.

Both the memo and the anonymous agents’ testimony confirm that the torture of Zubaydah preceded the drafting of earliest of the recently released memos, which was signed in 2003.

The *Times* article also reveals that the CIA’s initial estimate of Zubaydah as a top “lieutenant” of Osama bin Laden was “based on a highly inflated assessment of his importance.”

According to the agents, Zubaydah’s treatment was closely overseen by “CIA headquarters,” which worked in close collaboration with the Justice Department lawyers John C. Yoo and Jay Bybee, both of whom participated in the drafting of the

torture memos.

One of the Justice Department memos closely substantiates the agents' testimony, pointing out that the waterboarding of Zubaydah was initiated "at the direction of CIA headquarters," and top officials "watch[ed] the last waterboard session."

The CIA's application of waterboarding is little changed from its use during the Spanish Inquisition in the 15th and 16th centuries. It consists of immobilizing the victim on an inclined stretcher. CIA torturers then place a cloth over the victim's mouth and nose, and proceed to pour water over the cloth. This induces suffocation and the sensation of drowning. In a modern twist, CIA medical personnel stand by to monitor the oxygen level in the victim's blood, in order to keep the prisoner alive so that the waterboarding process can be repeated.

There is strong evidence that the torture was closely overseen from the White House by the National Security Principals Committee, which consisted of Vice President Dick Cheney, Secretary of Defense Donald Rumsfeld, National Security Advisor Condoleezza Rice, CIA Director George Tenet and Attorney General John Ashcroft.

The Principal's Committee met in 2002 and 2003, approving the methods of torture enacted on Zubaydah, according to an *ABC News* report from April 2008. Citing anonymous sources, *ABC News* reported, "The high-level discussions about these 'enhanced interrogation techniques' were so detailed...some of these interrogation sessions were almost choreographed—down to the number of times CIA agents could use a specific tactic." Among the methods discussed and approved was waterboarding.

According to an Associated Press article, also published last April, "CIA officers would demonstrate some of the tactics, or at least detail how they worked, to make sure the small group of 'principals' fully understood what the al-Qaida detainees would undergo." (See "Top Bush aides directed torture from the White House").

In December 2007, the Bush administration admitted that the CIA had destroyed videotapes depicting the interrogation of Zubaydah. Later it was revealed that nearly 100 video recordings of taped interrogations—potential evidence in any future criminal prosecution—were destroyed.

According to Saturday's *Times* article, CIA agents in the field—Zubaydah was tortured at a black site in Thailand—had informed the agency that they believed that Zubaydah's usefulness had been exhausted, and that torture should cease. This was overruled by Washington.

The agent's testimony to the *Times* on the superfluous nature of the torture is also confirmed by a footnote in the torture memos, which stated that the continued waterboarding of Zubaydah had been "unnecessary." The memo states, "although the on-scene interrogation team judged Zubaydah to be compliant, elements within CIA headquarters still believed he was withholding information."

In addition to the forms of torture outlined in the Justice

Department memo, the agents told the *Times* that Zubaydah was "kept awake night and day with blasting rock music [and had] his clothes removed and...his cell cold."

One agent said that though Zubaydah "pleaded for his life...he had no more information to give." Another described the man's torture as the "depths of human misery and degradation."

Zubaydah's and Shaikh Mohammed's own testimony on their experiences has been revealed by a recently released International Committee of the Red Cross report on CIA treatment of "high value detainees."

Zubaydah described his waterboarding in the following manner:

I was then dragged from the small box, unable to walk properly and put on what looked like a hospital bed, and strapped down very tightly with belts. A black cloth was then placed over my face and the interrogators used a mineral water bottle to pour water on the cloth so that I could not breathe. After a few minutes the cloth was removed and the bed was rotated into an upright position. The pressure of the straps on my wounds was very painful. I vomited. The bed was then again lowered to a horizontal position and the same torture carried out again with the black cloth over my face and water poured on from a bottle. On this occasion my head was in a more backward, downwards position and the water was poured on for a longer time. I struggled against the straps, trying to breathe, but it was hopeless. I thought I was going to die. I lost control of my urine. Since then I still lose control of my urine when under stress. I was then placed again in the tall box....

A central reason President Obama wishes to avoid investigations of the CIA perpetrators of torture is that this would quickly draw in for questioning and prosecution top-ranking Bush administration officials. Such an investigation would also expose top Democrats, including Nancy Pelosi, who was briefed and given a presentation of CIA interrogation methods as early as 2002.

In other words, further investigation of torture poses the threat of a full-blown crisis of the American state.

Far from launching prosecutions against torture—as he is obligated to do under US law and international treaties—Obama has redoubled his efforts to reassure intelligence operatives that he will protect them against investigation.



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