

Harper's Magazine exposes Guantánamo cover-up

Fred Mazelis
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The forthcoming issue of *Harper's Magazine* contains a devastating exposure of the alleged suicides of three Guantánamo Bay detainees in June 2006. The article, now available online, is by noted human rights attorney and regular *Harper's* contributor Scott Horton. Horton's lengthy and detailed investigation strongly suggests that the prisoners may have been murdered under torture, and their deaths then reported as suicides and as "an act of asymmetric warfare," in the notorious words of Guantánamo commander, Rear Admiral Harry Harris.

On June 10, 2006, it was announced that three longtime inmates at Guantánamo, including a 22-year-old prisoner who had been held since he was 17 years old, had committed suicide the previous evening. Salah Ahmed al-Salami, a 47-year-old Yemeni, and two Saudis, 30-year old Mani Shaman al-Utaybi and 22-year-old Yasser Talal al-Zahrani, allegedly had stuffed rags down their throats and then hung themselves in their cells using bed sheets.

Many believed the official story, since there had been numerous hunger strikes and other indications of the growing desperation of hundreds of detainees who had absolutely no hope of even confronting their accusers, much less proving their innocence and seeing their families again. The *World Socialist Web Site* did report, however, that a Saudi attorney for some of the prisoners suggested that they might have been murdered. "Their suicide, that is, if they did commit suicide, is a response to the oppression and injustice they lived in," said the attorney, Katib al-Shimary. The families of the dead men also made clear they did not believe the official version of events.

In fact, evidence that has been covered up by both the Bush and Obama administrations clearly indicates that the detainees might have been suffocated during torture, perhaps through the use of cloth in their mouths as used in the practice of waterboarding.

An official US Naval Criminal Investigative Service report was issued two years after the alleged suicides. The NCIS, which has investigative jurisdiction within Guantánamo, concluded, according to Horton's article, that "each prisoner had fashioned a noose from torn sheets and T-shirts and tied it to the top of his cell's eight-foot-high steel-mesh wall. Each prisoner was able somehow to bind his own hands, and, in at least one case, his own feet, then stuff more rags deep down into his own throat. We are then asked to believe that each prisoner, even as he was choking on those rags, climbed up on his washbasin, slipped his head through the noose, tightened it, and leapt from the washbasin to hang until he was asphyxiated. The NCIS report also proposes that the three prisoners, who were held in non-adjointing cells, carried out each of these attacks almost simultaneously."

The Justice Department, the Pentagon and the State Department have steadfastly reiterated this version of events. According to Horton, however, four army guards at Guantánamo have come forward to contradict the NCIS report. These soldiers say they were ordered by their commanding officer not to speak out. Staff Sergeant Joseph Hickman says that the three prisoners did not die in their cells, but had been transported earlier to another location, a secret "black site" about a mile away from the camp, a location that was part of the chain of similar sites around the world where "extraordinary" interrogation techniques were used against prisoners. The site near Guantánamo was nicknamed "Camp No," because anyone who asked if it existed was told, "No, it doesn't."

Horton says that the cover-up of the events of June 2006, now more than three-and-a-half years old, "is amazing in its audacity, and it is continuing into the Obama administration."

The unbelievable scenario for the suicides and the cover-up of the transport of the detainees to Camp No is only part of the evidence that Horton has uncovered, basing

himself in part on a report on the deaths of the detainees by Seton Hall University law professor Mark Denbeaux. There is also the fact that a fourth prisoner, Shaker Aamer, has charged that he was almost suffocated while being tortured on the same evening that saw the deaths of the three others.

Aamer's account is contained in an affidavit by his lawyer, Zachary Katznelson, that has been filed with a federal district court.

"On June 9, 2006, [Aamer] was beaten for two and a half hours straight.... Mr. Aamer stated he had refused to provide a retina scan and fingerprints. He reported to me that he was strapped to a chair, fully restrained at the head, arms and legs. The MPs inflicted so much pain, Mr. Aamer said he thought he was going to die.... When he screamed, they cut off his airway, then put a mask on him so he could not cry out."

Aamer, 41, is a British resident whose wife is British and who has lived with their four children in the UK. He has been held at Guantánamo for eight years, and Horton's report makes clear that his continued detention may have something to do with the fact that his testimony is one more piece of evidence of a cover-up.

Another bizarre and telling aspect of the case is the report by Horton that "military pathologists connected with the Armed Forces Institute of Pathology arranged immediate autopsies of the three dead prisoners, without securing permission of the men's families." The autopsies appear to have been done so quickly that no time was allowed for the arrival of an experienced medical examiner from the US. When the families requested independent autopsies, these revealed that the original autopsies had removed "the structure that would have been the natural focus of the autopsy, the throat."

Additionally, Horton reports that immediately after the report of the deaths as suicides, officials seized every piece of paper belonging to every prisoner at Guantánamo, amounting to about 1,065 pounds of material and including much privileged attorney-client correspondence.

The *Harper's* article quotes the father of 22-year-old Yasser al-Zahari on the fate of his son. "They snatched my seventeen-year-old son for a bounty payment," he said. "They took him to Guantánamo and held him prisoner for five years. They tortured him. Then they killed him and returned him to me in a box, cut up."

When the Obama administration took office, Sergeant Joe Hickman's conscience prodded him to act, in the belief that "with a new administration and new ideas I

could actually come forward. It was haunting me."

Hickman contacted Seton Hall professor Marx Denbeaux, and within a short period the Justice Department had agreed to review the case. There were some interviews with Justice Department officials, but some months later, attorney Denbeaux received word that the Justice Department investigation was being closed because "the gist of Sergeant Hickman's information could not be confirmed."

Just as Obama has reneged on his promise to close Guantánamo within a year, his one small sop offered to antiwar public opinion, so the Democratic administration is continuing to defend and continue all of the criminal policies of its predecessor. Horton points out that Teresa McHenry, the Justice Department official who took charge of the latest aborted investigation of the June 2006 deaths, served in the Justice Department under Bush and participated in the process of approving various torture techniques to be used by CIA agents and others.

"McHenry knows full well that government officials who attempt to cover up crimes perpetrated against prisoners in wartime face prosecution under the doctrine of command responsibility," writes Horton. The Obama Justice Department, Horton clearly indicates, is following the president's cynical dictum to "look forward, not backward," the phrase coined by the White House to signal that the book would be closed on the war crimes of the Bush administration.

Symbolic of the seamless continuity between the Bush and Obama administrations on these matters is the role of General Stanley McChrystal. Camp No, where the three Guantánamo prisoners died on June 9, 2006, may have been under the control of the CIA or of the Joint Special Operations Command, an authority set up under former Pentagon chief Donald Rumsfeld as his own version of the CIA. If it was a Joint Special Operations jurisdiction, in command of the JSOC at that time was none other than Stanley McChrystal. McChrystal is now Obama's top commander in Afghanistan, presiding over the troop "surge" announced some months ago on that war front.

The full text of the Harper's article can be found here.



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