

Obama administration continues to cover up US torture of prisoners

Tom Carter
25 August 2010

A series of recent press reports—in regional or overseas publications, not by the major US dailies or television networks—have shed light on the continuity between the Bush administration and the Obama administration when it comes to the torture operations conducted at secret US prisons run by the CIA and the Pentagon.

The Obama administration has rebuffed numerous requests for information and documentation from foreign governments, many of them its close allies, who have been compelled for domestic political reasons to open investigations into torture and illegal detention of prisoners by US government agents.

An article August 18 in the *Kansas City Star* reported that while the Obama administration has successfully blocked suits over torture within the US, a number of significant cases have developed outside the US addressing the role of top US officials in organizing torture.

“This is the remarkable thing: Other countries are reckoning with the legacy of the Bush administration’s torture program, and meanwhile the United States is not,” Jameel Jaffer, the director of the American Civil Liberties Union’s national security program, told the newspaper.

The Obama administration has either refused to cooperate with or actively hindered these investigations. “The Obama administration, rather than investigate the abuses of the last eight years, has increasingly become an obstacle to accountability,” Jaffer said.

In November, a CIA station chief and 22 other Americans working for the CIA were convicted in absentia in Italy for the 2003 kidnapping and “rendition” of Muslim cleric Abu Omar from Italy to Egypt, where he was brutally tortured. The Obama administration refused to cooperate with the Italian authorities during the investigation, rejecting requests for evidence and interviews. After the judgment was entered, Obama indicated that he was “disappointed” by the court decision.

While those in the CIA who were convicted are considered fugitives under Italian law, they have not been extradited to Italy and remain free in the US and elsewhere.

An ongoing case in Spain involves four Spanish citizens who were held at Guantánamo Bay, where they were sexually assaulted and humiliated, subjected to death threats, physically

tortured and beaten, and interrogated constantly in violation of international law. Charges have been filed against six senior Bush administration officials. The Obama administration has refused to respond to or cooperate with the investigation.

British authorities recently revealed, in response to a court order, classified information regarding the “rendition” of Binyam Mohamed, an Ethiopian national living in Britain. US and British authorities had conspired to transport him to “black sites” in Morocco and Afghanistan, including the infamous “dark prison” in Afghanistan, and eventually to send him to Guantánamo Bay. The revelations, which provoked a public outcry, included the fact that Mohamed was the victim of horrific acts of brutality, including being slashed with razor blades on his penis and elsewhere.

Intelligence officials in the Obama administration refused to cooperate with the British investigation, and were infuriated by the decision to release the information regarding Mohamed, calling the decision “not helpful, and we deeply regret it.”

Investigations regarding torture organized by the US government are also underway in Australia, Poland, and Lithuania, as well as in the European Court of Human Rights in France. Whatever the political limitations of these investigations, the revelations that have been made are significant. A picture is emerging of a worldwide US-led torture network, assisted by the governments of dozens of countries, operating countless facilities, including US military prisons such as Abu Ghraib in Iraq, Guantánamo Bay in Cuba, and “black sites” in Morocco, Pakistan, and elsewhere, secretly ensnaring tens of thousands. This network, which poses an extreme threat to democratic rights all over the world, continues to function and enjoys the support of the Obama administration.

On August 17, the Associated Press reported that the CIA had uncovered tapes of Ramzi Binalshibh being interrogated at a secret “black site” overseas in 2002. These video and audio tapes, found under a desk, had apparently accidentally survived a purge carried out in 2005 by the Bush administration, in which at least 92 videos created by the CIA showing the torture of prisoners were destroyed.

Binalshibh, captured by the US in Karachi, Pakistan, in 2002, is alleged to be a key facilitator of the September 11, 2001,

attacks. After his capture, he was taken to a “black site” in Morocco, where he was tortured and beaten, before he was moved to Guantánamo Bay, where he has remained to this day.

Transcripts produced of the Binalshibh interrogations were widely used in the “war on terror” prosecutions and detentions; transcripts were introduced at a German trial in 2004 and a Spanish trial in 2005, as well as at numerous proceedings before the military tribunals established at Guantánamo Bay. However, the actual circumstances of Binalshibh’s interrogations were kept strictly secret. When in October 2005 Spanish prosecutors requested an opportunity to question Binalshibh regarding 18 alleged Al-Qaeda suspects in Spain, the Bush administration refused.

Since his imprisonment, Binalshibh’s mental condition has reportedly deteriorated. He is subject to severe delusions and schizophrenia, nervously scratches his face, and has thrown his own feces at surveillance cameras. In 2008, his lawyer requested a mental competency hearing. It emerged that the US authorities had been administering the prisoner a number of potent drugs, ostensibly to treat his psychosis.

There is an emerging trend in which the victims of the US torture network emerge with severe mental disabilities, whether from trauma to the brain resulting from physical violence, psychological trauma from protracted torture, or the use of “truth serum” drugs. José Padilla, a Brooklyn-born man imprisoned and tortured for almost four years by the Bush administration, also emerged with serious psychological and other health problems.

If Binalshibh appears coherent in the 2002 video, it will provide evidence that his mental condition is the result of torture at the hands of US authorities.

The ACLU has filed a lawsuit against the FBI, CIA, and other intelligence agencies seeking records regarding the torture of Naji Hamdan in a prison in the United Arab Emirates. Hamdan, former owner of an auto parts store in Los Angeles, said he once heard a voice that sounded American warning him to “do what they want or these people will [expletive] you up.” The suit was filed after the Obama administration refused to hand over information requested in January regarding Hamdan’s case.

Employing the same legal arguments that were developed by the Bush administration, the Obama administration has argued that the president has vast foreign policy powers as “Commander-in-Chief” of the armed forces, and that the Authorization for Use of Military Force (“AUMF”), passed in the aftermath of the events of September 11, 2001, grants the president broad and virtually unchecked power in the pursuit of the so-called “war on terror.”

In June of this year, the Obama administration successfully argued that the US Supreme Court should not review the dismissal of Maher Arar’s case against former Attorney General John Ashcroft and other US officials on the grounds of “national security.” The innocent Arar, a dual Canadian and

Syrian citizen, was the subject of a 2002 US “extraordinary rendition” from New York to Syria, where he was systematically interrogated using torture.

US officials conspired with Syrian intelligence agencies for Arar to spend 10 months in a secret underground cell in Syria measuring six feet long, seven feet high, and three feet wide. He shared the cell with rats, and cats urinated on him from above. His captors beat him with a two-inch-thick electric cable on his palms, hips, and lower back in interrogation sessions that lasted up to 18 hours.

The official mantra of the Obama administration in relation to torture and other abuses of power under the Bush administration, repeated endlessly from Obama’s first days in office, is that “we need to look forward as opposed to looking backward.”

Meanwhile, “looking forward,” Obama has kept operational the international system of torture facilities known as the “black sites” and maintained all the major police-state measures implemented under Bush, including indefinite detention without trial, domestic spying, “rendition,” and assassination.

Obama continues to operate the Guantánamo Bay prison camp, eight months after his self-proclaimed deadline of January 20, 2010, to close it. The prison is notorious for the torture and humiliation of its inmates. Prisoners currently locked in the \$38 million “Camp 6,” which one lawyer dubbed the “insane asylum,” are kept in windowless cells for 22 hours a day with no personal items such as pencils or books, and many are in a state of severe mental distress and desperation. A number of prisoners have been held for more than eight years without ever being charged with a crime.

The “no looking backward” doctrine not only exempts leading figures in the Bush administration from accountability for torture, but it frees the US military-intelligence apparatus to continue the same abuses under Obama. After 19 months in office, there are numerous top officials in the Obama administration who should face the same charges of crimes against international law that await Bush & Co.

The author also recommends:

US Supreme Court refuses to hear Arar case
[18 January 2010]

Italian court convicts US agents in CIA rendition case
[6 November 2009]

The Binyam Mohamed case: Top UK judges find US and Britain guilty of torture
[13 February 2010]



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