

Lawsuit demands that Obama administration release Guantanamo torture tapes

Tom Carter
12 January 2012

A lawsuit filed Monday by lawyers for the Center for Constitutional Rights (CCR) in federal court in New York demands that the Obama administration turn over video tapes documenting the torture of Mohammed al-Qahtani at the US military prison in Guantanamo.

The videotapes requested by the CCR constitute important evidence of war crimes and crimes against humanity, and could serve as the basis for criminal indictments of top US military and civilian officials.

The CCR made a formal Freedom of Information Act (FOIA) request for the tapes last year, but the Obama administration refused to turn them over. Al-Qahtani's attorneys have recently been allowed to see the tapes but have been ordered not to disclose the contents.

The lawsuit filed Monday targets the Department of Defense, the Department of Justice, the FBI and the CIA, charging that these entities failure to turn over the tapes pursuant to the FOIA request cannot be justified. The CCR has argued that there is a crucial public interest to be served by their release.

"The story of Mohammed al-Qahtani summarizes everything that is abhorrent about Guantanamo," explained CCR Legal Director Baher Azmy in a press release. "Yet 10 years after the opening of the prison camp, the whole story, in all its horror, still remains to be told. The American people are entitled to know exactly how the government has betrayed fundamental American values and the rule of law. That will not happen until these videotapes are released."

Saudi citizen al-Qahtani was brutally tortured at Guantanamo pursuant to the military "First Special Interrogation Plan" directly authorized by George W. Bush's defense secretary, Donald Rumsfeld. Al-Qahtani was accused of attempting to participate in the 9/11 attacks, but has never been charged with a crime or put on trial. He apparently traveled to the United States in August 2001 from Dubai, but he was turned back as he

attempted to enter the country. He was 22 or 23 years old at the time he was captured in Afghanistan in 2002 and sent to the infamous Guantanamo Bay prison camp for torture.

In March 2006, *Time* magazine acquired and published a secret log of al-Qahtani's interrogations, titled "SECRET ORCON INTERROGATION LOG DETAINEE 063," which describes 49 consecutive days of torture for 20 hours per day. The log is available in PDF.

A central feature of al-Qahtani's torture was prolonged sleep deprivation. He was permitted to sleep only four hours per night throughout the 49 days of interrogation. During those four hours he was repeatedly awakened and dragged onto his feet for two minutes at a time in order to "prevent sleep." He was also kept in total isolation, not being permitted to communicate with any persons other than his tormentors.

During the 20-hour interrogations, al-Qahtani's torturers were apparently given free rein to act on every sadistic and psychotic whim. His torture included being forced to pick up trash with his hands cuffed while being called "a pig," being forced to strip naked and look at pornography in the presence of female prison guards, being molested by female prison guards, and being forcibly subjected to an enema. Interrogation techniques described in the log include "pride & ego down," "circumstantial evidence," "fear-up," and "Al Qaeda falling apart."

The interrogation log is so gruesome in parts that it is difficult to read. Throughout the 49 days of interrogation, al-Qahtani was strapped to a chair for long periods and doctors repeatedly and forcibly administered huge quantities of liquids intravenously, causing what must have been excruciating pain. So much liquid was injected into al-Qahtani's bloodstream that his feet swelled up grotesquely.

An entry in the log for November 25, 2002 reads as follows: "0940: Detainee was given three-and-one half

bags of IV. He started moaning . . . 1000: Detainee again said he has to go to bathroom. SGT R said he can go in the bottle. Detainee said he wanted to go to the bathroom because it's more comfortable. SGT R said '... you can either go in the bottle or in your pants.' Detainee goes in his pants."

Al-Qahtani's torturers made threats against his family, singling out female family members, and made a special effort to interfere with the prisoner's attempts to pray. There were countless beatings and other abuse, the use of attack dogs and loud music, and al-Qahtani spent much of the time during the daily 20-hour interrogations in tight restraints.

The torturers' notes document al-Qahtani's initial defiance under torture and his subsequent psychological breakdown. On November 26, 2002, after 19 hours of uninterrupted torture that day, the log reads as follows: "2308: Detainee claimed that the interrogations are based on malice, hate and jealousy. He said, 'The treatment is wild and animalistic. Everybody has limits. Once those limits are crossed, what is somebody supposed to do?'" The torturers note this statement with blood-curdling satisfaction, as it suggests to them that al-Qahtani's limits are soon to be reached.

The interrogators worked methodically, deliberately, ruthlessly, sparing no effort or expense to destroy al-Qahtani's mind and body. The methods of the torturers—and their chillingly meticulous notes—cannot help but call to mind the methods of the fascist dictatorships of the first half of the 20th century.

On December 12, 2002, the log reads: "0150: Interrogators gave detainee rules for the evening. 1) No talking. 2) Face forward. 3) Don't ask for anything. Detainee almost immediately began to speak. The interrogators screamed at detainee until he stopped. Detainee was reminded of his worthlessness as a human being. He was reminded of the fact that his standard of living is less than a Banana rat. While running the Pride and Ego (P/E) down approach, SSG M showed the bottom of his boot to detainee. Detainee had one of the longest emotional outbursts seen yet. He went into a fit of rage yelling insults in English and Arabic to interrogators. He began to move his arms and legs in his chair as if to want to break away from the shackles and attack..."

The torture stops only when al-Qahtani breaks down and begins to confess.

There can be no doubt that what was done to al-Qahtani constitutes a war crime, for which the torturers themselves, all the way up to White House officials and

top military brass, should be indicted and prosecuted.

In 2008, the Bush administration dropped all charges against al-Qahtani, but simultaneously refused to release him. In an interview with *Washington Post* journalist Bob Woodward, Bush administration official Susan J. Crawford said: "We tortured Qahtani. His treatment met the legal definition of torture." The military tribunal did not want to move forward on his case because, she explained, the military feared that the details of his torture would emerge.

The Obama administration, which is refusing to turn over the tapes, has a policy of aggressively moving to block any legal action that threatens to reveal government criminality, from the suppression of the Abu Graib torture photographs to intervening to shut down legal cases that threaten to reveal corporate involvement in torture. Asserting authoritarian legal doctrines developed by Bush administration lawyers, the Obama administration consistently argues that evidence of torture constitutes a "state secret," and that the judicial branch is not permitted to interfere with the president's exercise of his "wartime powers."

The same administration that is refusing to release the al-Qahtani videotapes regularly dispatches the US military to the far corners of the globe in the name of defending "democratic rights." Vast quantities of bombs have been dropped in recent years in the name of "humanitarian intervention." The more the American political establishment is itself bursting at the seams with war criminals, the more loudly it can be heard denouncing Libyan, Syrian or other officials for the same or lesser crimes.

The al-Qahtani videotapes take on special significance in light of the recent signing into law by Obama of the National Defense Authorization Act, which gives the US military express authorization to abduct and imprison any person, anywhere in the world, including US citizens, in torture camps such as Guantanamo, without charge or trial.

As of this writing, al-Qahtani remains in Guantanamo, with no charges ever filed and no trial ever held. According to his attorneys, he confronts a life-threatening medical condition as a result of the torture.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact