

# Former CIA agent responsible for torture revelations sentenced to prison

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The Obama administration's vendetta against whistleblowers continues with the sentence of 30 months jail time handed down on Friday for former CIA agent John C. Kiriakou, who in 2007 acknowledged that US agents were involved in torture.

On December 10, 2007, Kiriakou was interviewed on ABC News about the capture of Abu Zubaydah, who the Bush administration claimed was an Al Qaeda "mastermind" and aide to Osama Bin Laden. In the course of the interview, Kiriakou acknowledged that CIA agents waterboarded Zubaydah.

Kiriakou's statements about torture in the 2007 interview were ambivalent. On the one hand, Kiriakou stated that the torture of Zubaydah was effective in obtaining information. On the other hand, Kiriakou was apparently troubled by the political, legal, and moral implications of torture.

Whatever Kiriakou's intentions in his initial ABC News interview, his statements represented the first public confirmation by a government agent that Zubaydah had been waterboarded. The interview was widely reported and lauded internationally, but it also made Kiriakou a number of enemies in high places.

Kiriakou's 2007 interview represented a step forward in efforts to bring to light the criminal abduction, torture, and murder apparatus erected by the US government in the course of the so-called "war on terror." The revelation that Zubaydah was tortured certainly implicated top personnel in the US government, as well as the torturers themselves, in war crimes and other serious violations of US and international law.

In the upside-down world of the US justice system, the orchestrators of torture remain at large, and Kiriakou is going to prison.

According to his 2010 memoir entitled, *The Reluctant Spy: My Secret Life in the CIA's War on Terror* (which the CIA prevented him from publishing for two years),

Kiriakou did not participate in the torture of Zubaydah. Kiriakou instead relied in the 2007 interview on one internal agency cable, according to which Zubaydah had been waterboarded only once and had provided "actionable intelligence." In fact, the cable was false. Two years later it emerged that Zubaydah was waterboarded 83 times.

In the course of his capture, Zubaydah was shot and seriously injured as he attempted to flee. In secret CIA "black sites," Zubaydah endured brutal beatings, sexual humiliation, sleep deprivation, extreme temperatures, stress positions, being locked in a crouching position in a tiny box for long periods of time, and loud music at debilitating volumes. At one point, CIA agents removed Zubaydah's left eye.

The Bush administration claimed that Zubaydah was Al Qaeda's "number three" leader and the "hub of the wheel." However, in subsequent legal proceedings, the US government admitted that Zubaydah had not been a "member" of Al Qaeda or even "formally" identified with the organization, and he had no advance knowledge of the September 11, 2001 attacks.

According to his attorneys, Zubaydah currently suffers from permanent brain damage and can no longer remember his father's name or his mother's face.

The torture of Zubaydah and others was carried out at the behest of top figures in the US political establishment. The August 2002 "torture memos" drafted by Deputy Assistant Attorney General John Yoo, which recommend waterboarding, include the following description of the procedure:

"In this procedure, the individual is bound securely to an inclined bench, which is approximately four feet by seven feet. The individual's feet are generally elevated. A cloth is placed over the forehead and eyes. Water is then applied to the cloth in a controlled manner. As this is done, the cloth is lowered until it covers both the nose and

mouth. Once the cloth is saturated and completely covers the mouth and nose, airflow is slightly restricted for 20 to 40 seconds due to the presence of the cloth... During those 20 to 40 seconds, water is continuously applied from a height of twelve to twenty-four inches. After this period, the cloth is lifted, and the individual is allowed to breathe unimpeded for three or four full breaths... The procedure may then be repeated. The water is usually applied from a canteen cup or small watering can with a spout..."

While Kiriakou is chiefly known for his role in exposing torture, his memoir also contains several damning revelations concerning the Bush administration's criminal preparations for the invasion of Iraq in 2003, which were the subject of a *Truthout* investigative report.

According to Kiriakou, he and another CIA official were approached in August 2002 by the CIA's unnamed director of Iraq operations. "Okay, here's the deal," the director said. "We're going to invade Iraq next spring...It's a done deal...The decision's already been made...the planning's completed, everything's in place."

Kiriakou said he was told to ignore the public "debate" as to whether the US should invade Iraq. "We were going to war regardless of what the legislative branch or what the federal government chose to do," Kiriakou wrote. Kiriakou identified the office of Vice President Dick Cheney as one of the principal moving forces behind the war.

The pretext for the Obama administration's prosecution of Kiriakou was his alleged leak of the names of covert CIA agents involved in torture to journalists in 2008. Kiriakou, for his part, claims the leak was inadvertent. "If I'd known the guy was still under cover," Kiriakou said, according to the *New York Times*, "I would never have mentioned him."

The prosecution of Kiriakou marks the sixth in a string of prosecutions by the Obama administration of individuals who have leaked "classified" information. Before these six prosecutions, there were only three such prosecutions in US history, including the Nixon administration's prosecution of Daniel Ellsberg, who famously leaked the Pentagon Papers.

The *New York Times* reported on January 5 that the "leak prosecutions," including of Kiriakou, "have been lauded on Capitol Hill as a long-overdue response to a rash of dangerous disclosures and have been defended by both Mr. Obama and his attorney general, Eric H. Holder Jr."

"We know the government wants to send a signal...that

the U.S. is intent on protecting its secrets from disclosure in cases relating to torture, and wants to chill further disclosures by anyone," read a statement by the Friends of John Kiriakou, soliciting donations for his legal defense fund.

"But this is a case that should never have been brought anywhere—let alone in a country that values free speech and the protections of the First Amendment. Journalists covering national security issues understand the stakes here, and what this case represents."

The Obama administration's trademark political prosecution method is to seek gratuitously excessive prison time for the targeted individual in order to bully that person into making a guilty plea to a lesser charge. In this case, Kiriakou was threatened with up to 45 years in prison, with violations of the World-War-I-era Espionage Act included among the charges in the indictment.

Kiriakou has stated that he accepted the plea deal for 30 months prison time out of concern for his family and young children, who at one point were reduced to living on food stamps following his indictment. In addition to prison time, Kiriakou has accrued approximately \$500,000 in legal fees associated with his defense, according to one account.

Kiriakou's prosecution for allegedly leaking the names of undercover intelligence agents cannot help but recall the Valerie Plame affair. In June 2007, I. Lewis "Scooter" Libby, Vice President Dick Cheney's chief of staff, was convicted in connection with the leak of the name of CIA agent Valerie Plame. Plame's name was leaked in apparent retaliation for revelations by former ambassador Joseph Wilson, Plame's husband, concerning the falsity of the Bush administration's "weapons of mass destruction" claims in the period leading up to the invasion of Iraq. In 2007, the Bush administration commuted Libby's prison sentence.

To date, Kiriakou is the only CIA agent to be prosecuted by the Obama administration in connection with torture.



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