

US torture victim Abu Zubaydah given “hearing” at Guantanamo

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Last Tuesday, United States military officials escorted a dozen journalists and human-rights representatives into a sealed Pentagon conference room to watch the live video feed of a “hearing” before the Guantanamo Bay detention center “Periodic Review Board,” which will advise the Obama administration on the fate of Abu Zubaydah, one of 41 inmates still not cleared for release or transfer eight years after Obama pledged to close the military prison.

Zubaydah, whose given name is Zayn al-Ibidin Muhammed Husayn, was born in Saudi Arabia 45 years ago to Palestinian parents. At most a mid-level Al Qaeda functionary, Zubaydah was shot and captured by CIA-backed Pakistani troops during a March 2002 operation. Rather than giving the required notification as a prisoner of war to the International Red Cross, the CIA transferred the critically wounded Zubaydah to a secret US military prison in Thailand.

Even while still attached to a respirator and breathing through a tube, Zubaydah informed interrogators from the FBI that he would cooperate and provide all the information he could. While still in the intensive care unit, Zubaydah provided background on his Al Qaeda activities, including identifying Khalid Shaykh Mohammad from a photograph as the “mastermind” of the September 11 attacks.

After Zubaydah was questioned by the FBI, the CIA decided to use him as its guinea pig for testing out both the legality and the techniques of “enhanced interrogation”—i.e., torture—being implemented by the Bush administration under the guise of the “war on terror.” Despite almost three weeks of continuous torture, including 83 waterboarding sessions, Zubaydah provided no more information for the simple reason that he did not have any more information to provide.

Tuesday’s video feed is the only time that Zubaydah has been seen by anyone other than US military and intelligence officials, or his lawyers, for almost 14 and a half years.

The tribunal, composed of representatives from six security agencies, convened at a secret location somewhere else in the Washington area. It is expected to rule on whether Abu Zubaydah still poses a danger to US security or that of

its allies.

Last Tuesday’s appearance bore the earmarks of an Orwellian nightmare show trial. After some technical difficulties were solved, the video feed began with Zubaydah sitting mute while a military official read his “Guantanamo Detainee Profile.”

Referring to Zubaydah by his detainee number rather than name, the document states: “GZ-10016 possibly had some advanced knowledge of the bombings of the US Embassies in Kenya and Tanzania in 1998 and the USS Cole bombing in 2000,” and that “following 9/11, GZ-10016 took a more active role in attack preparations,” including “the feasibility of exploding a radiological device in the United States.”

Despite the severity of these accusations, the US government never charged Zubaydah with any violation of US or international law, nor provided the semblance of due process.

The profile adds that because Zubaydah “has had little communication with his family,” “he would lack a support network, even if he tried to leverage his university coursework in computer programming to get a job and reintegrate into society.”

In other words, because the US government has imprisoned Zubaydah virtually incommunicado in an isolated military prison half a world away from his home for a third of his life, he no longer has the necessary family support to be released safely.

The profile ends with the words that no doubt doom his release: “GZ-10016 probably retains an extremist mindset.”

Among gestures described by journalists during the reading of his “profile,” Zubaydah fiddled with a black eye patch that was hanging around his neck. The circumstances of Zubaydah’s losing his left eye during incarceration have never been explained.

Next, another military official read Zubaydah’s brief, “Personal Representative Opening Statement.”

According to this document, Zubaydah “initially believed that he did not have any chance or hope to be released” but “has come to believe that he might have a chance to leave

Guantanamo through this process.”

Zubaydah “has expressed a desire to be reunited with his family and begin the process of recovering from injuries he sustained during his capture,” and, somewhat oddly, adds that he has “seed money” he can use “to start a business after he is reintegrated into society and is living a peaceful life.”

Zubaydah’s statement ends with assurances that he “has no desire or intent to harm the United States or any other country, and he has repeatedly said that the Islamic State is out of control and has gone too far.”

Just 10 minutes after it began, this “public” portion of the hearing ended abruptly without its subject uttering a sound. The video feed was turned off and the audience was escorted out of the Pentagon. The military released a photograph of Zubaydah instead of the video recording.

Torture was never mentioned, although the US government’s abuse of Zubaydah was thoroughly documented in unclassified sections of the Senate Select Committee on Intelligence’s Report on the CIA’s “Detention and Interrogation Program” released in December 2014.

After telling the FBI everything he knew, Zubaydah became the guinea pig for 10 CIA “enhanced interrogation techniques,” including “walling,” “facial slap,” “cramped confinement,” “wall standing,” “stress positions,” “sleep deprivation,” “waterboarding,” “diapers,” “insects,” and “mock burial.”

These revolting, medieval techniques were given quasi-legal cover by Bush administration lawyers John Yoo, now a full Professor of Law at the University of California, Berkeley, and Jay Bybee, later appointed to the Ninth Circuit Court of Appeals as a lifetime judge.

“The criminal prohibition on torture would not prohibit the methods proposed by the interrogation team because of the absence of any specific intent to inflict severe physical or mental pain or suffering,” Yoo famously advised the Bush Administration.

The CIA interrogation began with housing Zubaydah naked in a brightly lit, white room with loud rock music blaring around the clock. Midday on August 4, 2002, CIA agents came into the cell and slammed Zubaydah against a concrete wall. Threatening to put him in a coffin-size box, the CIA interrogator slapped Zubaydah every time he denied having information about impending terrorist attacks against the United States.

Six hours later, Zubaydah was waterboarded for the first time. According to the Senate Report, this “aggressive phase of interrogation” lasted 20 days, during which “Zubaydah spent a total of 266 hours (11 days, 2 hours) in the large (coffin size) confinement box and 29 hours in a small

confinement box, which had a width of 21 inches, a depth of 2.5 feet, and a height of 2.5 feet.”

The repeated waterboarding caused “involuntary leg, chest and arm spasms” accompanied by Zubaydah’s “hysterical pleas.” According to the Senate Report, during one session, Zubaydah “became completely unresponsive, with bubbles rising through his open, full mouth,” and “remained unresponsive until medical intervention, when he regained consciousness and expelled copious amounts of liquid.”

Some of those present broke down into tears and had to be transferred to other duties. The CIA destroyed the video recordings of its torture sessions.

Zubaydah lawyer Joe Margulies, a Cornell University law professor, told *The New York Times* that his client’s experience with CIA torture makes the recent hearing “just a formality, a ritual,” and “Abu Zubaydah will not be released.”

“Here’s the bottom line. Since Barack Obama took office, there is no one more different—who they thought he was and who he is—than Abu Zubaydah. He has done nothing that authorizes his continued detention. It is morally and legally unjustified,” Margulies added.

“I once had hopes that the US would have a thoughtful, fair examination of Abu Zubaydah’s torture but no longer because of the lengths this administration has gone to protect the CIA,” Margulies concluded.

What last Tuesday’s farce reveals most clearly is the unbroken cover-up of the Bush administration’s war crimes through the eighth year of a Democratic administration. Rather than holding the perpetrators to account, the Obama administration is continuing their most fundamental denial of human rights, indefinite imprisonment without due process of law.

Many were duped eight years ago by Obama’s pledge to close the Guantanamo prison and believed that the new president would hold the torturers responsible for the crimes they committed against Zubaydah and countless others.

This time around, however, the Democratic Party’s nominee, Hillary Clinton, is running an explicitly right-wing campaign, assuring the same military and intelligence officials responsible for torture of her complete support.



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