



## SCOTUS Blocks Gitmo Detainee From 'State Secrets' on His Post-9/11 Torture at CIA Site in Poland

### Description

USA: Abu Zubaydah, a Guantanamo Bay detainee, filed a discovery request with the US government in an effort to obtain testimony from Central Intelligence Agency contractors James Mitchell and John Jessen, psychologists who helped craft the CIA's 'enhanced interrogation techniques,' which included rectal feeding, hanging by handcuffs, and waterboarding.

The US Supreme Court on Thursday ruled in favor of the US government regarding **Abu Zubaydah's** request to learn more about the torture he endured at a CIA black site in Poland after being taken from Pakistan in 2002 under suspicion of terrorism.

"Zubaydah's discovery request could force former CIA contractors to confirm the location of the detention site and that confirmation would itself significantly harm national security interest," read an opinion written by SCOTUS Justice **Stephen Breyer**, along with six colleagues.

"In our view, the Government has provided sufficient support for its claim of harm to warrant application of the privilege," Justice Breyer added.

SCOTUS Justice **Neil Gorsuch**, joined by Justice **Sonia Sotomayor**, argued that their colleagues may be "ignorant as judges of what we know to be true as citizens."

"Ending this suit may shield the government from some further modest measure of embarrassment," wrote Gorsuch, along with Sotomayor. "But respectfully, we should not pretend it will safeguard any secret."

Testimony and other information sought by Zubaydah and his lawyer would have been passed to

Polish authorities that have been investigating his time at the secret CIA facility.

**At the time of his 2002 capture in Pakistan, the US believed Zubaydah to be a high-ranking official of the al-Qaeda\* terrorist group behind the September 11, 2001, terror attacks in the US.**



This undated file photo provided by U.S. Central Command, shows Abu Zubaydah, date and location unknown

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He was held at CIA 'black sites' until he was transferred to the Guantanamo Bay Detention Camp in 2006. It has been reported that Zubaydah may have also been transported to the CIA's first 'black site' in Thailand between 2002 and 2006.

[A 2014 US Senate report](#) confirmed that **Zubaydah was waterboarded more than 80 times** and **spent more than 11 days in a coffin-sized box**. Zubaydah was subjected to starvation, a mock burial and other torture tactics approved by the Pentagon and developed by so-called 'psychologists' **James Mitchell** and **John Jessen**, who were compensated some \$81 million for their efforts to invent and implement their 'enhanced interrogation techniques.'

"After the use of the CIA's enhanced interrogation techniques ended, CIA personnel at the detention site concluded that Abu Zubaydah had been truthful and that he did not possess any new terrorist threat information," the unclassified report detailed.

Although seven SCOTUS Justices argued that the release of such information could endanger national security or tarnish the reputation of the US, both Jessen and Mitchell have provided several testimonies and stories on their CIA torture program. Mitchell has also written a book on the subject.

**During a 2020 testimony, Mitchell notably confessed to personally torturing Zubaydah over 60 times through the use of his waterboarding technique.**

*Khalid Sheikh Mohammed, one of the alleged co-conspirators of the 9/11 terror attacks, was tortured by Mitchell and Jessen through waterboarding.*

**While accepted by the Pentagon at the time, such tactics are now deemed torture.**

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Although the US government has granted the disclosure of information on how Zubaydah was treated, further details, including locations of the post-9/11 CIA 'black sites,' have been kept from public knowledge, with officials citing national security concerns and commitments to foreign partners.

Zubaydah, who has never been convicted or charged with a crime by the US, remains an indefinite inmate at the Guantanamo detention center.

*\*Al-Qaeda is a terrorist organisation outlawed in Russia and many other states*

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