

## Post 9/11 Torture and Secret Detention

### Abduction, Torture, & Repeated Raping of Aafia Siddiqui

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Post-9/11, the “war on terror” has been a jihad against Islam, the colonizers v. the colonized, or what Edward Said called “the familiar (America, Europe, us) and the strange (the Orient, East, them).” Dr. Aafia Siddiqui is one of its most tragic, aggrieved, and ravaged victims. Her ordeal continues horrifically.

Boston Magazine’s Katherine Oxment asked: “Who’s afraid of Aafia Siddiqui? She went to MIT and Brandeis, married a (physician, lived in Boston), cared for her children....raised money for charities....did other volunteer work, hosted play groups in her apartment, (is) deeply religious....distribute(d) Korans to inmates in area prisons,” and did nothing out of the ordinary. (She) “was a normal woman living a normal American life. Until the FBI called her a terrorist....a high-profile Al Qaeda operative,” but we’ve seen these charges before, and each time they were bogus. They’re egregiously so against Aafia – a woman guilty only of being Muslim at the wrong time in America or elsewhere if you’re on Washington’s target list.

Against her and others, no evidence exists so prosecutors invent it. Most (or key parts) is kept classified, unavailable to the defense, and trials are judicial equivalents of circuses. Witnesses are enlisted, pressured, coerced, and/or bought off to cooperate. Proceedings are carefully orchestrated. Due process is effectively denied, and juries are intimidated to convict the innocent for political advantage.

The dominant media cooperate. Using information from Washington Post writer, Douglas Farah, and other sources, writer Lindsey Worth of FMS, Inc. referred to “the mysterious Aafia Siddiqui....allegedly Al Qaeda’s only female leader” in connecting her to “the Al Queda diamond operation” in West Africa.

The Times Online calls Aafia “Al-Qaeda woman,” and for ABC News she’s “Mata Hari” in a lengthy report featuring unsubstantiated charges against her, including:

- possessing detailed radiological, chemical and biological information, including possessing a liter of cyanide and instructions for a “dirty bomb;”
- more documents for a mass casualty attack;
- a list of New York targets, including the Statue of Liberty, Brooklyn Bridge, Empire State Building, Wall Street, and the animal disease center on Plum Island;
- terrorist recruiting;

- possessing excerpts from “The Anarchist’s Arsenal;”
- “documents detailing US military assets;”
- methods of attack by reconnaissance drones, underwater bombs and gliders; and
- a thumb (or flash) drive packed with emails detailing “specific cells” and planned attacks to carry out.

According to the FBI, she is, or was when captured, a potential “treasure trove” of information on terrorist supporters, sympathizers or sleepers in America and overseas. CIA officer John Kiriakou said she’s “the most significant capture in five years,” and an unnamed counterterrorism official called her “a very dangerous person, no doubt about it.”

For Kiriakou, she’s a “radical” involved in planning “a wide variety of different operations (perhaps with WMDs),” including a “possible attempt on the life of the President.” Unnamed sources from three federal agencies accused her of an “ill conceived” and perhaps amateurish plot to “kill all living US presidents,” including Jimmy Carter by poisoning.

By marriage to his nephew, she’s also reputedly linked to Khalid Sheikh Mohammed, the “principal architect of the 9/11 attacks,” according to the 9/11 Commission. He reportedly “gave her up” after capture on March 1, 2003, and shortly thereafter she and her children disappeared.

The DOJ also connects her to Adnan El Shukrijumah, another suspected Al Qaeda member “involved in terrorist planning with senior Al Qaeda leaders overseas and across America,” according to John Ashcroft.

Aafia’s friends and family deny all charges. They call her an innocent victim of US persecution, and an especially egregious one for being ravaged in detention. One supporter (Abu Sabaya) said this about the woman he knew:

“I want you to come to know of the concern and dedication that this woman had for Islam as described by those who knew her – a dedication that was manifested by way of actions that were very simple and easy, yet seldom carried out by those who are able.

Those who knew Aafia recall that she was a very small, quiet, polite, and shy woman who was barely noticeable in a gathering. However....she would say what (was) needed” when necessary.

While at MIT, she organized drives to deliver Korans and other Islamic literature to Muslims in local prisons. She was also dedicated to Islam on campus where fellow students described her as soft-spoken, studious, religious, but not extremist or fundamentalist. She wrote three instructional guides on the faith. More as well on how to run a daw’ah table to provide religious information and training for da’iyas (callers to Islam). She wrote:

“Imagine our humble, but sincere daw’ah effort turning into a major daw’ah movement in this country! Just imagine it! And us, reaping the reward of everyone who accepts Islam through this movement (for) years to come. Think and plan big. May Allah give this strength and sincerity to us so that our humble effort continues and expands until America becomes a Muslim land.”

Aafia taught local Muslim children on Sundays, but her greatest passion was to help oppressed Muslims worldwide. She spoke publicly, sent emails, gave slideshow presentations, and raised donations while a student and caring for three young children at home.

Because of her faith, activism, and passion for the oppressed, it's little wonder she was targeted and why Assistant US Attorney Christopher LaVigne called her "a high security risk" despite no evidence to prove it.

## **Her Background and What Happened**

Aafia is a Pakistani national with degrees from MIT and a doctorate in neurocognitive science from Brandeis. Despite false media reports, she's not a microbiologist, geneticist or neurologist. Nor did her training provide expertise for WMD terrorism. As her lawyer, Elaine Whitfeld Sharp, explains:

The prosecution claimed "that Aafia was involved in biochemical warfare. She wasn't taking brain cells and testing how they reacted to gases. But there's all this news in the media about the changing face of Al Qaeda, the neurobiology scare, and now we've got this MIT graduate with a Brandeis Ph.D. who's cooking up all these viruses."

Boston Magazine writer Katherine Ozment explained what Aafia "was actually cooking up" - the simple concept that people learn by imitation. To study it, "she devised a computer program and used adult volunteers, who came to her office and watched various objects move randomly across the screen, then reproduced what they recalled. The point was to see how well they retained the information having seen in on the screen."

Brandeis professor of cognitive science Paul DiZio laughed about how this could apply to terrorism. "I can't see how it can be applied to anything. It's not applied work. It didn't have a medical aspect to it. And, as a computer expert, she was competent. But you know, calling her a mastermind or something (is ludicrous) - I never saw any evidence."

She and her husband (a medical resident at the time at Brigham and Women's Hospital) used their apartment for a 1999 nonprofit organization they began called the Institute of Islamic Research and Teaching. It had nothing to do with terrorism. According to the neighborhood Mosque's Imam, Abdullah Faruq: "What I know of (Aafia) is that she was living here in America, and her organization was for sharing Islamic information with the American people."

Faruq was impressed with her dedication. "Aafia was an American girl and a good sister." She also wanted her husband to use his medical skills to help the less fortunate. Despite her devout faith, "there was nothing radical about Siddiqui. She just seemed like a very kind person."

She's also a mother of three, and a victim of extreme viciousness in detention. According to her mother, Ismet, she "left the family home in Gulshan-e-Iqbal in a taxi on March 30 to catch a flight for Rawalpindi, but never reached the airport." Inside sources claim she was picked up by intelligence agents en route, and initial reports suggest then handed over to the FBI.

She was missing for over a year when the agency posted her photographs on its web site. Shortly afterward, a story was leaked about her involvement in the 2001 Liberian diamond

trade with her as an Al Qaeda operative. The family's attorney, Elaine Whitfield Sharp, called the allegation a blessing in disguise because it placed Aafia in Liberia at a specific time when she can prove she was in Boston that week.

Aafia's mother says that only days after her daughter's disappearance a man on motorcycle came to her family home and warned her to say nothing about what happened if she wanted to see Aafia and her grandchildren again. She hasn't since, and according to the Pakistani Urdu press, the family was picked up by local authorities and taken into custody. A government interior ministry spokesman and two unnamed US officials confirmed the report in the press. They then retracted their statements, but local Chicago NBC news (based on a Press Trust of India account) reported that Aafia was being interrogated by US intelligence officials.

At the time, the FBI website stated: "Although the FBI has no information indicating this individual is connected to specific terrorist activities, the FBI would like to locate and question this individual." The agency knew full well what happened - that Aafia was in secret detention, that her horrific ordeal had begun, and that they and other US authorities were involved.

#### A Brief Timeline of Aafia's Case

- March 18, 2003: the FBI issues an alert requesting information about Aafia;
- March 29: UPI reports that the FBI believes Aafia may be an Al Qaeda "fixer," transferring money to support "terrorist" operations;
- March 30: Aafia disappears en route to the airport for a flight to Rawalpindi;
- April 3: CNN reports that Al Qaeda figure Khalid Sheikh Mohammed (arrested March 1) mentioned Aafia during interrogation; Pakistani authorities deny any knowledge of her whereabouts;
- April 4: the FBI denies that it captured and is detaining Aafia;
- May 26: John Ashcroft and FBI director Robert Mueller cite reports that Al Qaeda plans an attack on the US in the summer or fall; Aafia is named as an Al Qaeda "operative and facilitator" and is one of seven Al Qaeda members being sought;
- May 28, 2004: Pakistan's Interior Ministry confirms that Aafia was turned over to US authorities in 2003 after it was unable to establish any links she may have had with Al Qaeda;
- A 2006 Amnesty International report includes Aafia as one of many of the "disappeared" in the "war on terror;"
- A 2007 Ghost Prisoner Human Rights Watch report said that Aafia "may have once been held" in secret CIA detention;
- A February 2008 Asian Human Rights Commission report said Aafia was brought to Karachi and severely tortured to secure her compliance as a government witness against Khalid Shiekh Mohammed;

- July 7, 2008: UK journalist Yvonne Ridley identifies Aafia as “Prisoner 650” at the US Bagram, Afghanistan torture-prison;
- July 11: US Lt. Col. Rumi Nielson-Green denies that any women are being held at Bagram;
- July 31: the FBI tells Aafia’s brother that she’s in US custody;
- August 4: a DOJ press release says that Afghanistan National Police arrested Aafia in Ghazni on July 17 and that she was wounded the next day while trying to shoot US Army personnel;
- August 6: US Magistrate Judge Ronald Ellis orders Aafia be held without bail; her court-appointed lawyer, Elizabeth Fink, says charges against her are “absurd;” a bail hearing was set for August 11 and another for August 18 to determine if she should be tried;
- August 12: the Washington Pakistani embassy formally requests that Aafia be repatriated to Pakistan;
- August 13: the US military in Afghanistan denies it ever held Aafia in detention and that an unnamed female prisoner was someone else;
- September 12: according to a report in MIT’s The Tech, court documents released today indicate that Aafia “was diagnosed with chronic depressive type psychosis;”
- September 23: Judge Richard Berman enters a “not guilty” plea on behalf of Aafia; she refuses to come to court because doing so requires she be strip-searched; he sets December 17 as the next hearing date to determine her fitness to stand trial; he also sets March 9, 2009 as a tentative trial date;
- September 29: World Net Daily reports that for the “first time since 9/11, counterterrorism field agents have been authorized to spy on young Muslim men and women - including American citizens - who have traveled to Pakistan without any specific evidence (suggesting) wrongdoing;”
- October 2: Aafia is moved to the Carswell Federal Medical Center, Fort Worth, TX for psychiatric evaluation; in vain, her lawyer pleaded that she not be sent because she urgently needs medical treatment;
- October 6: Pakistani senators Mushahid Hussain Syed, Sadia Abbasi Mehmood, and SM Zafar met with Aafia; Faqir Saeed of the Pakistani embassy as well; she tells them of her ordeal - that she was abducted in 2003, given an injection, found herself in a cell, and was forced to sign papers and confess to things she didn’t do; her children’s lives were threatened and she was abused grievously;
- November 17: Judge Richard Berman indicates that a psychiatric evaluation indicates that Aafia is “not competent to proceed as a result of her mental disease, which renders her unable to understand the nature and consequences of the proceedings against her;”
- December 17: the next scheduled date (in New York District Court) to determine if Aafia is fit to stand trial;
- March 9, 2009: the tentative date for Aafia’s trial to begin.

## **The US Bagram, Afghanistan Torture-Prison**

After her abduction, Aafia disappeared into Bagram hell and was known only as “Prisoner 650.” Then later, by released prisoners, as the “Gray Lady of Bagram” because of her screams they heard for years.

At one time, Bagram (north of Kabul at the US air base) held twice as many prisoners as Guantanamo and likely still holds hundreds. They’re crammed into wire cages, routinely tortured, forced to sleep on floor mats, and have buckets for latrines, or at least did until recently. Many prisoners are held secretly, have been there for years, have no access to lawyers, or any knowledge of the allegations against them. Most, perhaps all, are innocent victims and guilty only of being Muslims at the wrong time in the wrong place.

What’s known about Bagram comes from released or transferred prisoners who got access to counsel. In early 2008, The New York Times also reported that the International Committee of the Red Cross filed a confidential complaint with US authorities charging that its detainees were held incommunicado for weeks or months in isolation cells and subjected to cruel treatment (torture) in violation of international law.

In February 2005, The London Guardian reported that a prisoner named Mustafa was blindfolded, handcuffed, gagged, and forced to bend down over a table by three US soldiers. They then “forcibly rammed a stick up my rectum....I could not stop screaming when this happened.”

Another case involved Wesam Abdulrahman Ahmed Al Deemawi. For over a 40 days, he was threatened with dogs, stripped and photographed “in shameful and obscene positions,” placed in a cage with a hook and hanging rope, and hung on it blindfolded for two days. Both men were never charged and were later released.

Other prisoners were beaten, chained, hung from the ceiling by their wrists, and subjected to numerous other tortures and indignities – for months or years. In some cases so horrifically they died. Aafia and other women were (and still are) at Bagram and other US torture- prisons (including torture-ships at sea), according to British journalist Yvonne Ridley: “There are many Muslim women in the captivity of American forces and if (people remain) silent, (they’ll) lose their sisters forever.” Some are treated even worse than Aafia.

Ridley wrote about Bagram’s “Prisoner 650” and her ordeal of torture and repeatedly being raped for over four years. “The cries of (this) helpless woman echoed (with such torment) in the jail that (it) prompted prisoners to go on hunger strike.” Ridley called her a “gray lady (because) she (was) almost a ghost, a spectre whose cries and screams continue to haunt those who heard her. This would never happen to a Western woman.” It did to Aafia, other Muslim women as well, and their ordeal continues horrifically.

## **US and International Law on Prisoners of War and Enforced Disappearances**

US and international law are clear and unequivocal on prisoner detentions and their treatment. America under George Bush defiles it, and, given the rogue team he’s assembled, the Obama administration (with or without Guantanamo) promises little or no change. These practices are grievous crimes of war and against humanity and should never be tolerated against anyone for any reason. Yet they persist.

The US War Crimes Act (1996) defines these offenses as grave breaches under the Geneva

Conventions (1949) and violations of its Common Article 3. It states in part:

...."the following acts are prohibited at any time and in any place.....:

— violence to life and person (including) murder, mutilation, cruel treatment and torture;

— ....humiliating and degrading treatment;"

— sentencing or executing detainees "without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees....recognized as indispensable by civilized peoples;" and

— assuring wounded and sick are (properly) cared for.

The US Army Field Manual 27-10 is also explicit on the rule of law. It incorporates the Nuremberg Principles prohibiting crimes against humanity, and specifically obligates soldiers to disobey illegal orders or be subject to prosecution under international law. Paragraph 498 states that any person, military or civilian, who commits a crime under international law bears responsibility and may be punished. Paragraph 499 defines a "war crime." Paragraph 509 denies the defense of superior orders in the commission of a crime, and paragraph 510 denies the defense of an "act of state."

Under Article VI of the Constitution (the supremacy clause), international law is part of domestic law, and US presidents take an oath under Article II, Section 1, Clause 7 to "preserve, protect and defend the Constitution...." Further, Article II, Section 3 requires the president to "take Care that the Laws be faithfully exercised."

International human rights law also strictly prohibits secret detentions. Under Principle 6 of the (May 1989) UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions:

"Governments shall ensure that persons deprived of their liberty are (to be) held in officially recognised places of custody, and that accurate information on their custody and whereabouts, including transfers, is made promptly available to their relatives and lawyers or other persons of confidence."

US and international laws leave no ambiguity on torture or its seriousness when practiced. The (1949) Third Geneva Convention's Article 13 (on the Treatment of Prisoners of War) states:

Detainees "must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited....(these persons) must at all times be protected, particularly against acts of violence or intimidation...."

Third Geneva also prohibits physical or mental torture, all other forms of coercion, collective punishment, corporal punishments, and any type of violence. These acts are "war crimes." Various other US and international laws also prohibit them, yet they're official US policy, so far with impunity.

In December 1992, the UN General Assembly passed the Declaration on the Protection of all Persons from Enforced Disappearance. It states that:

“any act of enforced disappearance is an offence to human dignity.” It “places the persons subjected thereto outside the protection of the law and inflicts severe suffering on them and their families. It constitutes a violation of the rules of international law guaranteeing, inter alia (among other things), the right to recognition as a person before the law, the right to liberty and security of the person, and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment....No state shall practice, permit or tolerate enforced disappearances” and must terminate any such acts “in any territory under its jurisdiction.” Such practices are crimes of war and against humanity.

In 2005, the Center for Human Rights and Global Justice (CHR&GJ, New York University School of Law) published a report titled: “Fate and Whereabouts Unknown: Detainees in the “War on Terror.” It presented “factual summaries of (28) individuals who may be in secret (US) detention sites” and included known information about Aafia at the time.

CHR&GJ said enforced disappearances happen “when individuals are deprived of their liberty by state agents and the state fails to provide information about their fate or whereabouts; through these actions, detainees are placed outside the protection of law.”

“Disappearances” include these practices:

- individuals (often unidentified) held in secret US-run or controlled “black sites;”
- individuals in foreign-based sites under US control or direction;
- individuals “extraordinarily renditioned” to “black” or other sites; and
- individuals held in conflict areas and not properly registered and/or identified, such as CIA “ghost prisoners” on US military facilities like at Bagram.

United States of America v. Aafia Siddiqui

On September 2, the Justice Department (DOJ) indicted Aafia “for attempting to kill United States Nationals in Afghanistan and Six Additional Charges.” On September 4, she was arraigned before Judge Richard Berman in US District Court for the Southern District of New York.

Michael Garcia, US Attorney for the Southern District of New York, stated (in a September 2 press release) that on July 18, 2008, “a team of United States servicemen and law enforcement officers, and others assisting them, attempted to interview Aafia Siddiqui in Ghazni, Afghanistan, where she had been detained by local police the day before....unbeknownst to the United States interview team, unsecured, behind a curtain — Siddiqui obtained one of the United States Army officer’s M-4 rifles and attempted to fire it, and did fire it, at another United States Army officer and other members of the United States interview team....

Siddiqui then assaulted one of the United States Army interpreters, as he attempted to obtain the M-4 rifle from her. Siddiqui subsequently assaulted one of the FBI agents and one of the United States Army officers, as they attempted to subdue her.”

Garcia said nothing about years of torture and rape at Bagram or that this frail, weakened, 110 pound woman was confronted by three US Army officers, two FBI agents, and two Army interpreters, yet inexplicably managed to assault three of them, get one of their rifles, open



fire at close range, hit no one, and only she was severely wounded. As her attorney put it:

“Picture this woman who is very tiny (and extremely frail and weakened from her ordeal), and ask yourself how she engaged in armed conflict....with six (armed and well-trained) military men, how did this happen? And how did she get shot? I think you can answer that, can't you (and question the absurdity of DOJ's charges against her)?

Garcia outlined, but didn't indict, on the above-listed allegations about specific “cells,” handwritten notes about a “mass casualty attack,” constructing “dirty bombs,” and using various devices and means to deliver them. It was also alleged that before 9/11 she travelled to Liberia where she was involved in illegal diamond trading to support Al Qaeda and then opened a Baltimore post office box for one of its members. None of these claims are credible or showed up in her indictment.

#### Count One

Attempted Murder of United States Nationals by obtaining a US Army Officer's M-4 rifle and attempting to fire and firing it at him, two other US Interview Team members, and repeatedly stating her intent and desire to kill Americans.

#### Count Two

Attempted Murder of United States Officers and Employees in the same manner while they were engaged in and on account of the performance of their official duties.

#### Count Three

Armed Assault of United States Officers and Employees in the same manner.

#### Count Four

Discharge of A Firearm During (a) Crime of Violence as described above.

#### Count Five

Assault of United States Officers and Employees as described above.

#### Count Six

(Further charges of) Assault of United States Officers and Employees as described above.

#### Count Seven

(More charges of) Assault of United States Officers and Employees as described above.

#### Aafia's Deteriorating Health

In response to British MP Lord Nazir's letter on Aafia's whereabouts, US authorities confirmed that she's incarcerated at Carswell Federal Medical Center, Fort Worth, TX (pursuant to an October 1, 2008 US District Court, NY judicial directive) where she's undergoing psychiatric evaluation, but not getting desperately needed medical attention.

Nazir earlier raised questions about her detention and said “she (was) physically tortured

and continuously raped by the officers at the (Bagram) prison” – for over four years. He now wants her immediately released and repatriated to Pakistan after it was learned she’s held on dubious charges plus all the horrific treatment she endured – yet is guilty of nothing.

Aafia is in deplorable condition and, according to Judge Berman, not in a correct state of mind to stand trial. On August 7, 2008, Iqbal Haider, Co-chairperson of Human Rights Commission of Pakistan (HRCP) expressed concern about her. He called it shocking and of grave concern that pictures of her show a beat-up frail and helpless woman, the effects of years of torture, abuse, and continuous rape. There are dark circles under her eyes, a badly repaired broken nose, “made up” teeth and crumbled lips, and overall “a picture of a severely dehydrated, sick person almost as if on the death bed. It shows the inhumane brutality of an apparently civilised nation by the administration of a country which claims to be much civilised.”

According to HRCP and Aafia’s family, her physical condition is deplorable, and she badly needs immediate medical treatment outside the Carswell prison where it’s not given. “Her wound was oozing blood,” and her clothes were soaked in it. Earlier in custody, one of her kidneys was removed, yet her abdominal pain persists. She has large stitches down her torso from the surgery, negligently done, and may be suffering from internal bleeding. Her teeth were removed. Her nose was broken and improperly reset. Her gunshot wound was incompetently dressed, and her overall condition is dire and life-threatening.

This poor woman was savaged by a criminal state operating outside the law for political advantage. Her outrageous treatment continues. Her son, Ahmed (a US citizen), is being detained in Afghanistan, but the whereabouts of her other two children is unknown.

### **A Final Comment**

Post-9/11, the Bush administration:

- declared permanent war without cause;
- ravaged Iraq and Afghanistan;
- incited and/or engaged in other direct and proxy wars;
- militarized the country;
- enacted repressive police state laws;
- trashed the rule of law;
- made human and civil rights a nonstarter;
- defiled every human dignity imaginable;
- institutionalized illegal spying and electoral theft;
- made torture official US policy;
- criminalized dissent;
- waged war on working Americans;

- engineered the largest ever wealth transfer to the rich;
- turned government into a crime syndicate;
- looted the national treasury;
- bankrupted the nation;
- criminally defrauded the public; and
- waged a global jihad against Islam.

Aafia is one of its most aggrieved. She's been destroyed physically and emotionally. Her former being no longer exists. Her survival is in jeopardy, yet she remains incarcerated, has been indicted, will be tried, likely convicted, and may spend the rest of her life in prison. And for what? For her faith, devoutness, ethnicity, humble charity, all at the wrong time in America. The message to everyone is clear. We're all Aafia Siddiquis.

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