

OBAMA HATES THE TRUTH ON BINYAN MOHAMED



Graphic by Darkblack

The news last week that President Obama had bought into and signed off on the full boat of shameful state secrets assertion in the case of *Binyan Mohamed v Jeppesen Dataplan* set off a wave of criticism. Obama came to the criticism the old fashioned way, he earned it by breaking his campaign promise and continuing the wretched excess of unitary secrecy. Obama's about face, and turn to the dark side of Bush/Cheney secrecy shocked even Ninth Circuit Chief Judge Mary Schroeder when confronted with it at the *Mohamed v. Jeppesen Dataplan* hearing.

That is the part of Obama's war on Binyam Mohamed through Bush style secrecy that has been widely reported, but there is much more that is not as well known. It ought to be. From this morning's Guardian:

A policy governing the interrogation of terrorism suspects in Pakistan that led to British citizens and residents being tortured was devised by MI5 lawyers and figures in government, according to evidence heard in court.

...

The existence of an official interrogation policy emerged during cross-examination in the high court in London of an MI5 officer who had questioned one of the detainees, Binyam Mohamed, the British resident currently held in Guantánamo Bay. The officer, who can be identified only as Witness B, admitted that although Mohamed had been in Pakistani custody for five weeks, and he knew the country to have a poor human rights record, he did not ask whether he

had been tortured or mistreated, did not inquire why he had lost weight, and did not consider whether his detention without trial was illegal.

...

Mohamed was eventually able to tell lawyers that before being questioned by MI5 he had been hung from leather straps, beaten and threatened with a firearm by Pakistani intelligence officers. After the meeting with MI5 he was "rendered" to Morocco where he endured 18 months of even more brutal torture, including having his genitals slashed with a scalpel. Some of the questions put to him under torture in Morocco were based on information passed by MI5 to the US.

The Guardian has learned from other sources that the interrogation policy was directed at a high level within Whitehall and that it has been further developed since Mohamed's detention in Pakistan. Evidence of this might emerge from 42 undisclosed US documents seen by the high court and sent to the MPs and peers on the intelligence and security committee (ISC).

To make this crystal clear, similar to what is going on in the Ninth Circuit in *Mohamed v. Jeppesen*, the High Court in London is being stymied in its inquiry into the criminal torture and abuse of Mr. Binyan Mohamed by a recalcitrant British government that is desperate to conceal its war crimes. But the key part here is *how* the Brits are concealing, and that is with the direct and active complicity of President Barack Obama and his Administration.

The path of this obstruction is so obnoxious, the Brits must have stolen it right out of Dick Cheney's playbook. Again from the Guardian:

Lawyers representing Mohamed went to the high court in an attempt to secure the

disclosure of the documents, but the court reluctantly refused earlier this month after David Miliband, the foreign secretary, said such a move would damage national security and UK-US relations.

Miliband's position in the affair came under renewed attack yesterday after it emerged that his officials solicited a letter from the US state department to back up his claim that if the evidence was disclosed, Washington might stop sharing intelligence with Britain. The claim persuaded the high court judges to suppress what they called "powerful evidence" relating to Mohamed's ill-treatment.

Edward Davey, the Liberal Democrat foreign affairs spokesman, today described the move as possibly "one of the most outrageous deceptions of parliament, the judiciary and the British people. There must be an immediate investigation, with all related correspondence made public."

Edward Davey is right, but what is more outrageous is that the Obama Administration appears to have happily joined in the scurrilous obstruction.

A flurry of letters between the British Foreign Office and the US State Department has revealed that Washington did threaten to withdraw intelligence-sharing with Britain if documents related to the alleged torture of a British terrorism detainee in Guantanamo Bay were made public.

The High Court in London said on Wednesday the Foreign Office had refused to allow the torture documents to be revealed because of a "threat" from Washington to stop sharing intelligence with Britain.

The US warning, related to the case of British detainee Binyam Mohamed, was promptly denied by British Foreign Secretary David Miliband, who insisted that there had been no threat from the US to "break off intelligence co-operation".

Now, I would like to make clear that the immediately above details and quote references letters and communications from last fall through shortly before Obama took office. But the salient fact is that, as with their actions in the wiretapping cases, *al-Haramain* and *Mohamed ve Jeppesen*, the Obama Administration has done absolutely nothing to change the egregious policy. They just keep following the Bush/Cheney script and, it would appear, that is still the case after a meeting between Secretary of State Clinton and Millbrand in the first week of February. Perhaps the best evidence of the Obama Administration's determination to maintain complicity on the bogus obstruction of the case in England occurred last week when one of Binyam's attorneys sent a letter to Obama:

US defence officials are preventing Barack Obama from seeing evidence that a former British resident held in Guantánamo Bay has been tortured, the prisoner's lawyer said last night, as campaigners and the Foreign Office prepared for the man's release in as little as a week.

Clive Stafford Smith, the director of the legal charity Reprieve, which represents Ethiopian-born Binyam Mohamed, sent Obama evidence of what he called "truly mediaeval" abuse but substantial parts were blanked out so the president could not read it.

In the letter to the president [PDF] , Stafford Smith urges him to order the disclosure of the evidence.

Stafford Smith tells Obama he should be aware of the "bizarre reality" of the situation. "You, as commander in chief, are being denied access to material that would help prove that crimes have been committed by US personnel. This decision is being made by the very people who you command."

It is understood US defence officials might have censored the evidence to protect the president from criminal liability or political embarrassment.

The letter and its blanked-out attachment were disclosed as two high court judges yesterday agreed to reopen the court case in which Mohamed's lawyers, the Guardian and other media are seeking disclosure of evidence of alleged torture against him. Mohamed's lawyers are challenging the judges' gagging order, claiming that David Miliband, the foreign secretary, changed his evidence.

That's right, Mohamed's attorney was begging for assistance for Mohamed and an order releasing the evidence of Binyam's torture, and *it was censored!* Oh, and crickets has been the response from Obama. That is diametrically, and cravenly so, opposed to the new, opposite of Bush/Cheney, open policy Obama promised during his campaign.

President Barack Obama has been in office less than a month, yet has been confronted head on with not one, but two, cases directly involving the life and human rights of Binyam Mohamed. Both cases squarely presented an opportunity for Mr. Obama to make the break from the oppressive rules of secrecy and torture ingrained by the Bush/Cheney regime. On both cases Obama threw his lot in with the secrecy and torture crowd.

Why does President Obama Hate The Truth On Binyan Mohamed?

P.S. – For more on the British Binyman Mohamed

case, please visit Valtin for his take.