

American Torturers

FBI and CIA Abuses at Dark Sites and Guantanamo

MARK DENBEAUX

Professor, Seton Hall University School of Law
Director, Seton Hall Law Center for Policy and Research
Counsel for Guantanamo Detainees

DR. JESS GHANNAM

Clinical Professor of Psychiatry and Global Health Sciences,
University of California, San Francisco

Drawings & Descriptions of Torture by

ABU ZUBAYDAH

(Zayn al-Abidin Muhammad Husayn, ISN 10016)

CONTRIBUTORS

Asma Alqudah '20, Andrew Broome '21, Brenden Brower '21, Austin Burnett '21, Veronica Chmiel '21,
Leighton Cohen '21, Darius K. Dehnad '23, Louis Dodge '21, Robert Garcia '21, Melanie Laprade '21,
Joseph Mendonsa '21, Hana Jeong Pak '22, Kamille Perry '21, Chelsea Thomas '21, Niki Waters '20

ABSTRACT

Despite the efforts of the federal government, particularly the Central Intelligence Agency, to conceal evidence of the actual operation of the “enhanced interrogation techniques” (“EITs”) it deployed on detainees in dark sites and at Guantanamo, a steady drumbeat of disclosures has provided an unparalleled view into this disgraceful episode in the nation’s history. One of the most dramatic revelations has been the drawings by Detainee Zayn al-Abidin Muhammad Husayn aka Abu Zubaydah (hereinafter “Mr. Abu Zubaydah”), the first victim of such EITs. These drawings viscerally convey the brutal reality the CIA sought to hide with its calculated destruction of video recordings of torture conducted by its agents. These drawings also depict the kinds of torture -- in which the FBI was also complicit -- inflicted on the artist and his fellow detainees. These tortures are, if possible, all the more disturbing as to Mr. Abu Zubaydah himself because even the torturers—CIA and FBI – now recognize that his was a case of mistaken identity. Nevertheless, he remains in detention – albeit uncharged – until this day. His drawings dovetail with the recent accounts of Dr. James Mitchell, a chief architect of the torture regime, who both wrote a book on EITs and testified in hearings on Guantanamo. These sources, together with the report of the Senate Select Committee on Intelligence, provide the most complete – and compelling – account to date of America’s torture program.

This Report is an amalgam of the work of many individuals but special credit must be accorded Mr. Abu Zubaydah’s artistic renderings of the mistreatment he and other detainees received. All 40 of Mr. Abu Zubaydah’s drawings and descriptions of torture are found in the report, and included in the Appendix. Questions regarding the Report may be addressed to Professor Emeritus Mark P. Denbeaux at Mark.Denbeaux@shu.edu.

DEDICATION

This paper is dedicated to victims of torture – past and present – especially those who have been subject to inhumane torture in black sites across the globe operated by the Central Intelligence Agency (“CIA”), and at Guantanamo Bay, where many have been held, indefinitely, with no charges or trial.

Mr. Abu Zubaydah was not the only individual tortured--he was only the first among many. The Senate Select Committee on Intelligence (hereinafter “SSCI”) Report, published in 2014, identified at least 119 individuals who were detained by the CIA as part of its torture program in CIA black sites. This figure is likely a lower estimate of torture victims as some were held in facilities operated by foreign intelligence services or in U.S. military custody, where CIA still had access to those individuals. Importantly, of the 119, there are 14, including Mr. Abu Zubaydah, who were brought to Guantanamo in September 2006. Called “High Value Detainees” (“HVDs”) because of their torture by the CIA, these 14 remain detained in Guantanamo without trials. In fact, some have not been, and will never be, charged with a crime. They are *forever prisoners*.

In this Dedication, the 119 identified torture victims are named first and the High Value detainees who were tortured and were brought to Guantanamo in September 2006 where they remain today are listed separately.

The 119 Identified Detainees

1. Abu Zubaydah
2. Ridha Ahmad Najjar, aka Najjar
3. Rafiq bin Bashir bin Halul al-Hami
4. Tawfiq Nasir Awad al Bihani
5. Lutfi al-Arabi al-Gharisi
6. Dr. Hikmat Shaukat
7. Gul Rahman
8. Ghulam Rabbani aka Abu Badr
9. Abdelrahim Hussein Abdul Nashiri
10. Ghairat Bahir
11. Ramzi Mohammed bin al-Shibh
12. Muhammad Umar 'Abd al-Rahman, aka Asadallah
13. Abu Khalid
14. Khaled Shaik Mohammad
15. Mustafa Ahmad al-Hawsawi
16. Abu Yasir al-Jaza'iri
17. Suleiman Abdullah
18. Abu Hazim, aka Abu Hazim al-Libi
19. Al-Shara'iya, aka Abd al-Karim
20. Ammar al-Baluchi
21. Walid bin Attash
22. Laid Ben Dohman Saidi, aka Abu Hudhaifa
23. Majid Khan
24. Mohd Farik bin Amin, aka Abu Zubair
25. Samr Mimi Abdul Latif al-Barq
26. Bashir bin Lap, aka Lillie
27. Riduan bin Isomuddin, aka Hambali
28. Majid Bin Muhammad Bin Sulayman Khayil, aka Arsala Khan
29. Adnan al-Libi
30. Hassan Ghul
31. Muhammad Qurban Sayyid Ibrahim
32. Abu Bahar al-Turki
33. Abu Talha al-Magrebi
34. Janat Gul
35. Ahmed Khalfan Ghailani
36. Sharif al-Masri
37. Abu Faraj al-Libi
38. Abu Ja'far al-Iraqi
39. Muhammad Rahim
40. Zakariya
41. Jamal Eldin Boudraa
42. Abbar al-Hawari, aka Abu Sufiyan
43. Hassan Muhammad Abu Bakr Qa'id
44. Ayub Marshid Ali Salih
45. Bashir Nasir Ali al-Marwalah
46. Ha'il Aziz Ahmad al-Mithali
47. Hassan bin Attash
48. Musab Umar Ali al-Mudwani
49. Said Saleh Said, aka Said Salih Said
50. Shawqi Awad
51. Umar Faruq aka Abu al-Faruq al-Kuwaiti
52. Abd al-Salam al-Hilah
53. Karim, aka Asat Sar Jan
54. Akbar Zakaria, aka Zakaria Zeineddin
55. Yaqub al-Baluchi aka Abu Talha
56. Abd al-Rahim Ghulam Rabbani
57. Haji Ghalgi
58. Nazar Ali
59. Juma Gul
60. Wafti bin Ali aka Abdullah
61. Adel
62. Qari Mohib Ur Rehman
63. Shah Wali Khan
64. Hayatullah Haqqani
65. Bisher al-Rawi
66. Jamil el-Banna, aka Abu Anas
67. Pacha Wazir
68. Muhammad Amein Al-Bakri
69. Abdullah Midhat Mursi
70. Ibn Shaykh al-Libi
71. Hamid Aich
72. Sayed Habib
73. Muhammad Khan (son of Suhbat)
74. Ibrahim Haqqani
75. Mohammad Dinshah
76. Muhammad Jafar Jamal al-Qahtani
77. Abu Nasim al-Tunisi
78. Zarmein
79. Hiwa Abdul Rahman Rashul
80. Adel Abu Redwan Ben Hamlili
81. Shaistah Habibullah Khan
82. Ali Jan
83. Muhammad Khan (son of Amir)
84. Modin Nik Muhammad
85. Abdullah Ashami
86. Sanad 'Ali Yislam al-Kazimi
87. Salah Nasir Salim Ali, aka Muhsin
88. Abd Qudra Allah Mala Azrat al-Hadi
89. Bismullah
90. Sa'id Allam
91. Sa'ida Gul
92. Shah Khan Wali
93. Yahya, aka Rugollah
94. Zakariya 'abd al-Rauf
95. Zamarai Nur Muhammad Juma Khan
96. Abdullah Salim al-Qahtani
97. Awwad Sabhan al-Shammari
98. Noor Jalal
99. Aso Hawleri
100. Mohd al-Shomaila
101. Ali Saeed Awadh
102. Muhammad Abdullah Saleh
103. Riyadh the Facilitator
104. Abu Abdallah al-Zulaytini
105. Binyam Ahmed Mohamed
106. Firas al-Yemeni
107. Khalid 'Abd al-Razzaq al-Masri
108. Saud Memon
109. Gul Rahman (2)
110. Hassan Ahmed Guleed
111. Abu 'Abdallah
112. Abd al-Bari al-Filistini
113. Ayyub al-Libi
114. Marwan al-Jabbur
115. Qattal al-Uzbeki
116. Abdi Rashid Samatar
117. Abu Munthir al-Magrebi
118. Ibrahim Jan
119. Abd al-Hadi al-Iraqi

The 14 High Value Detainees (HVDs)

Mr. Abu Zubaydah and 13 other individuals who were brought to Guantanamo in September 2006 were subjected to cruel physical and psychological torture in various CIA black sites prior to their indefinite confinement in Guantanamo. While this paper mainly documents the gruesome torture of the CIA's first formal prisoner, Mr. Abu Zubaydah (ISN 10016), the torture he suffered was just the beginning, and perhaps not the worst. The 13 other victims of torture, in addition to Mr. Abu Zubaydah, are:

Ramzi Mohammed bin al-Shibh (ISN 10013)
Abdelrahim Hussein Abdul Nashiri (ISN 10015)
Mustafha Ahmad Al Hawsawi (ISN 10011)
Khaled Shaik Mohammed (ISN 10024)
Majid Khan (ISN 10020)
Ali Abdul Aziz Mohammed (ISN 10018)
Walid bin Attash (ISN 10014)
Mohammed Farik Bin Amin (ISN 10021)
Mohammed Nazir Bin Lep (ISN 10022)
Encep Nuraman (aka Hambali) (ISN 10019)
Haned Hassan Ahmad Guleed (ISN 10023)
Ahmed Khalafan Ghailani (ISN 10012)
Mustafah Faraj Al-Azibi (ISN 10017)

I. INTRODUCTION

Prior to this publication, the Center for Policy and Research issued a report detailing the ten torture techniques that the U.S. government authorized for use in its “enhanced interrogation techniques” program—more aptly referred herein as “America’s torture program.”¹ That report, *How America Tortures*, describes those techniques as they were approved but more importantly, as they were applied.² Unsurprisingly, those responsible for implementing the program deviated from what was initially envisioned in the now infamous Bybee Memorandum.³ Those deviations transformed the program from the merely indefensible to the almost unimaginable. Despite systematic CIA efforts to destroy all video evidence of this crime, a first-hand account of America’s torture program survived in the mind of its first victim—Zayn al-Abidin Muhammad Husayn—and inevitably in the minds of all others subjected to the same torture program.

Through his original illustrations and accompanying descriptions published in this report, Mr. Abu Zubaydah memorializes his experience and the experiences of other Guantanamo (“GTMO”) prisoners. His illustrations—the last surviving visual representations of America’s torture program—bring to life what the CIA and FBI hoped to keep buried. Expanding on the foundation laid in *How America Tortures*, this report shows how the torturers tortured and just how far they strayed from the techniques that were officially authorized.

The historical significance of Mr. Abu Zubaydah’s illustrations in documenting the torture of GTMO prisoners cannot be overstated. As the CIA’s first victim, Mr. Abu Zubaydah serves as the premiere witness for the implementation of both the approved and unapproved torture techniques. His detailed, disturbing recollection of the trauma he endured as the first victim is remarkably and unmistakably authentic. In fact, Mr. Abu Zubaydah’s depictions are so realistic that the faces of his abusers have been redacted to protect their identity. In almost every drawing, a black box replaces the face of one or more of those responsible for the repeated and unrelenting torture of Mr. Abu Zubaydah and the other GTMO prisoners.

The redactions of Mr. Abu Zubaydah’s drawings are not the first attempt to conceal the evidence surrounding his years spent in CIA and FBI custody. As this report will detail, Abu Zubaydah spent his time in CIA and FBI custody viciously beaten, repeatedly drowned, and endlessly abused. In several drawings, Mr. Abu Zubaydah prominently places multiple video cameras recording this violence. Regrettably, the tapes from those cameras no longer exist, and other drawings representing this torture were never declassified. The events contained within those tapes are so horrific that the CIA intentionally violated a federal court order by destroying all video

¹ On August 1, 2002, a memo to John Rizzo from Jay Bybee approved the use of ten torture techniques: (1) the attention grasp, (2) walling, (3) facial hold, (4) facial slap (insult slap), (5) cramped confinement, (6) wall standing, (7) stress positions, (8) sleep deprivation, (9) insects placed in a confinement box, and (10) waterboarding. See Memorandum for John Rizzo, Acting General Counsel, Central Intelligence Agency from Jay S. Bybee, Assistant Attorney General, Office of Legal Counsel, Re: Interrogation of al Qaeda Operative (Aug. 1, 2002), <https://www.justice.gov/sites/default/files/olc/legacy/2010/08/05/memo-bybee2002.pdf> [hereinafter “Bybee Memo”].

² Denbeaux, Mark, et al., *How America Tortures*, Seton Hall University Center for Policy and Research (Dec. 2, 2019), <https://ssrn.com/abstract=3494533> [hereinafter “Mr. Abu Zubaydah Notes on Torture”].

³ Bybee Memo, *supra* note 1.

evidence of their commission.⁴ Of the video evidence destroyed, there were at least ninety-two tapes—*ninety* of which related to interrogations of Abu Zubaydah.⁵

Despite the CIA's various attempts to characterize the tapes and their contents as inconsequential, the agency's own records suggest otherwise. In 2003, the CIA's Office of the Inspector General initiated a special review of the torture program—including an examination of the torture tapes prior to their destruction. After review, Inspector General John Helgerson concluded the recordings were undeniably damning. The report stated that as a result of the CIA's "[u]nauthorized, improvised, inhumane, and undocumented detention and interrogation techniques . . . [t]he Agency faces potentially serious long-term political and legal challenges . . . particularly [in] its use of [enhanced interrogation techniques]."⁶ Jose Rodriguez—the man who ordered the tapes' destruction—said it best when he stated, the "heat from destroying [the tapes] is nothing compared to what it would be if the tapes ever got into public domain" and that "out of context, they would make us look terrible; *it would be 'devastating' to us.*"⁷

Due to the CIA's extralegal destruction of the torture tapes, Mr. Abu Zubaydah's experience-based illustrations garner even more historical significance. No other Guantanamo detainee has been permitted to release such a detailed portrayal of the specific tactics and routines that the CIA used. As the "poster boy" and first test subject of the CIA torture program, Mr. Abu Zubaydah's narrative is all the more significant. With each deliberate pen stroke, Mr. Abu Zubaydah sketches the stories of GTMO prisoners from the confines of his cell at Guantanamo Bay. His drawings display the grizzly truth that the CIA, the FBI, and other members of the federal government, understandably, wished the public would never see. Slowly those secrets are rising to the surface. Through recent testimony, James Mitchell revealed some previously unknown details about the torture program and its methodology. Fortunately, the omissions in Mitchell's testimony are captured by Mr. Abu Zubaydah's paper and pen.

The following illustrations and their accompanying descriptions show the CIA's and the FBI's unrelenting efforts to break the prisoners. Every waking minute of his life became another opportunity for his torturers to practice their craft. He came to reside in a small box with only a toilet; he was subjected to round the clock waterboarding, walling, and stress positions; in the few moments he considered sleep, he was forcibly kept awake through beatings, loud noises, and the fear of deadly insects inserted into his cell. He was sexually abused, religiously persecuted, and continually chained. This report documents the life of the tortured, the confined, the abused—the narrative that the CIA and FBI sought to prevent the public from ever learning.

⁴ *ACLU v. Dept. of Defense*, 339 F. Supp.2d 501, 502 (S.D.N.Y. June 2, 2004) (Judge Alan Hellerstein ordering the CIA to produce or identify documents requested by the ACLU—which would have included the videotapes.)

⁵ *ACLU v. Dept. of Defense*, 827 F. Supp. 2d 217, 222 (S.D.N.Y. Oct. 5, 2011).

⁶ *Id.* at 224-25.

⁷ *Id.* at 226 (emphasis added).

II. THE FBI'S INVOLVEMENT IN TORTURE

The public has been led to believe that the CIA was solely responsible for torturing detainees, while the FBI's hands remained clean of the dirty work. This could not be further from the truth. The reality is that the FBI played a central and secret role from the beginning. In fact, the FBI was involved from the first day when Abu Zubaydah was captured—both before and after America's first, and only, torture program was officially sanctioned by the Department of Justice. (To be clear, the issue is not which agency is worse or deserves more blame—the issue is that both the CIA and the FBI participated in the dehumanizing and violent torture of detainees.)

When Abu Zubaydah was first detained by the CIA in late March 2002, President Bush approved his rendition from Pakistan to Detention Site Green, where he was questioned by special agents of the FBI.⁸ He informed the interrogators that he intended to cooperate and provided background information on his activities before his medical condition deteriorated and was apparently hospitalized the very evening he arrived at Detention Site Green.⁹ As his medical condition worsened, he was put on a breathing tube; however, he continued to communicate with both CIA and FBI officials while at the hospital by using an alphabet chart during this time.¹⁰

FBI agents remained with him while he was hospitalized and immediately debriefed him after his breathing tube was removed on April 10, 2002.¹¹ During an FBI interrogation the same day, Abu Zubaydah identified a man named Mukhtar as the “mastermind” of the FBI attacks and identified “Mukhtar” in a picture.¹² The picture showed Khalid Sheikh Mohammad (KSM), whom Abu Zubaydah reported was related to Ramzi Yousef, a man convicted and imprisoned in the United States for his involvement in the 1993 World Trade Center attack.¹³ Abu Zubaydah further provided information on KSM's background. He also provided information on al-Qaida, his past travel to the United States, and general information on extremists in Pakistan.¹⁴ Future representations made by the CIA about the success of the agency's Detention and Interrogation program describe this intelligence, specifically that on KSM, as “vital” information, although a review of CIA records found it merely corroborated information already available in CIA databases.¹⁵

What these representations demonstrate, however, is the close nature of the work done between the FBI and the CIA during this early stage of Abu Zubaydah's interrogation. The CIA credits information revealed to the FBI as being an example of the success of *its own* interrogation program, when the two agencies seemingly had two distinct – and at times, adverse – interrogation teams.

⁸ *Report of the Senate Select Committee on Intelligence Committee Study of the Central Intelligence Agency's Detention and Interrogation Program*, S. Rep. No. 113-288 24 (2014) [hereafter “SSCI Report”].

⁹ *Id.* at 25.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 26.

Further, much of such information was collected prior to the CIA's use of enhanced interrogation techniques, yet the CIA represented that the information was acquired "as a result" of their new torture program, using it as a pretext to continue the program.¹⁶

While Abu Zubaydah was still hospitalized, the CIA "formally proposed that Abu Zubaydah be kept in an all-white room that was lit 24 hours a day, that Abu Zubaydah not be provided any amenities, that his sleep be disrupted, that loud noise be constantly fed into his cell, and that only a small number of people interact with him,"¹⁷ leading to a state of "learned helplessness."¹⁸

On April 12, 2002, in an update on the Abu Zubaydah interrogation plans, the CIA planned to ramp up their interrogation tactics and "[i]n accordance with the strategy, and with concurrence from FBI Headquarters, the two on-site FBI agents will no longer directly participate in the interview/debriefing session." (CIA Sensitive Addendum "Update on the Abu Zubaydah Operation," dated 12 April 2002, "1630 Hours.") Implicit in this statement is the fact that the FBI had previously had a "presence" in the interview room, possibly even simultaneously with CIA interrogations. This was the same day that DCI Tenet gave orders that the CIA would have sole custody of Zubaydah.¹⁹ The FBI special agents questioning Zubaydah at the hospital objected to the CIA's plans. The SSCI report does not indicate that CIA officers also remained with Abu Zubaydah while he was hospitalized. At that time, Abu Zubaydah identified Khalid Shaykh Mohammad (KSM) as the mastermind of the September 11 attack.²⁰

On April 13, 2002, while Abu Zubaydah was still hospitalized, the CIA implemented their "new interrogation program" conducted by a CIA interrogator "coached by [a] psychological team."²¹ In a meeting lasting only 11 minutes, the CIA interrogator advised Abu Zubaydah that he had a most important secret that the interrogator needed to know."²² Abu Zubaydah nodded in agreement, but ultimately fell asleep.²³ Though the FBI was barred from interrogating him, the FBI officers they remained on site, sitting in the adjoining room. In a cable back to headquarters, the FBI officers noted that they "spent the rest of the day in the adjoining room with the CIA officer and one of the psychiatrists waiting for Abu Zubaydah to signal he was ready to talk."²⁴ The officers had even "explained their rapport-building approaches to the CIA interrogation team tried to explain that [they had] used this approach before on other Al-Qaeda members with much success"²⁵ and "tried to politely suggest that valuable time was passing where we could attempt to solicit threat information."²⁶

On April 15, 2002, "Abu Zubaydah was sedated and moved from the hospital [back] to Detention Site Green,"²⁷ awaking "surprised and disturbed by his new situation." The next day, on April 16, 2002, the interrogation strategy changed away from "total isolation as originally planned"

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.* at 27.

²² *Id.*

²³ *Id.* at 27-28.

²⁴ *Id.* at 28.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

and towards a “24-hour interrogation strategy,” which allowed FBI officers to resume interrogating Abu Zubaydah.²⁰ The identities of these new interrogators were also masked to further prevent Abu Zubaydah from identifying them, beginning in April 2002, resulting in even blurrier line between FBI and CIA.²¹

The officers were to wear “all black uniforms, including boots, gloves, balaclavas, and goggles.”²⁸ This was intended to prevent Abu Zubaydah “from seeing the security guards as individuals who he may attempt to establish a relationship or dialogue with.”²⁹ During this time, Abu Zubaydah was kept naked, in his cell, handcuffed, shackled, with loud music and noise generators, and sleep deprived, to ensure that he was at his most vulnerable state. At this point, when being stripped to nothing but a towel,³⁰ there was a blurred line between the CIA and the FBI, such that they were synonymous as their torturers. It is likely that in the course of the aggravated techniques used by the CIA that Abu Zubaydah lost any good faith rapport he may have previously had with the FBI.

On April 17, 2002, FBI officials questioned him again.³¹ An officer met with him for six hours, during which time Abu Zubaydah denied any knowledge related to specific targets and provided only general information related to extremists in Pakistan.³² He continued to deny having any knowledge relating to a pending attack, or specific targets, claiming that the conversations between “brothers on the front lines” were “just talk,” such that the United States should not be concerned.³³ Although Abu Zubaydah had “not seen the interviewing agent,” he greeted the agent by name.³⁴ It is not clear whether this agent was required to wear the identity-concealing garb discussed above, or if he revealed his identity to Abu Zubaydah voluntarily. In either case, after these harsh conditions and interrogation techniques had commenced, Abu Zubaydah was cognizant of the fact that he was still being questioned by FBI agents, although it is not clear that Abu Zubaydah knew the distinction between the agents interrogating him from different agencies.

On April 20, 2002, he told FBI agents about men who had approached him with a plan to detonate a uranium-based explosive device in the United States.³⁵ Though Abu Zubaydah reiterated his disbelief that this was a viable plan, and that he did not know the individuals, he provided physical descriptions of the two individuals, which the CIA later represented as having enhanced the agency’s previous suspicions in the thwarting of the ‘Dirty Bomb Plot’ and the capture of Jose Padilla.³⁶ However, this information was provided after Abu Zubaydah was allowed to sleep.³⁷

On July 13, 2002, the CIA’s acting general counsel, John Rizzo, met with attorneys from the National Security Council and the Department of Justice Office of Legal Counsel (OLC), as well as with Michael Chertoff, the head of the Department of Justice Criminal Division, and Daniel Levin, the chief of staff to the FBI director, to provide an overview of the CIA’s proposed

²⁸ *Id.* at 29.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.* at 29-30.

³⁷ *Id.* at 30.

interrogation techniques and to ask for a formal, definitive DOJ opinion regarding the lawfulness of employing the specific CIA interrogation techniques against Abu Zubaydah.

After Abu Zubaydah was placed in isolation in early June, the FBI special agents did not return to Detention Site Green as all interrogation had ceased.

This information would later be used by the CIA as evidence in support of the use of enhanced interrogation techniques, implying that even three months before the torture program had officially been approved the CIA may have been experimenting with the same or different “enhanced” techniques that the agency would employ once the program obtained formal authorization.³⁸ This is further evidenced by the CIA’s decision to adopt Mitchell’s most “coercive interrogation option” out of the three strategies sent to CIA HQ around late April 2002 in the face of FBI opposition.³⁹

Given the presence of FBI officers during this period of intense interrogation their mere presence, whether or not they participated in the torture, would undermine their credibility as interrogators in Abu Zubaydah’s eyes. Even if the FBI officers did not participate in the torture, if it occurred at that time, they undoubtedly witnessed it or had knowledge that it occurred. Indeed, the Department of Justice concluded that FBI agents “participated in interviews in which interrogation techniques that would not be available to an FBI agent in the United States were used on Zubaydah.”⁴⁰ Further, Abu Zubaydah’s perception of who was interrogating him was entirely dependent on what the interrogator chose to share.

FBI agents reported that during this time, CIA personnel impersonated FBI agents in interviews with detainees.⁴¹ More importantly, the interrogator’s identity and employer would be inconsequential to Abu Zubaydah once the torture had begun because a reasonable person in that situation would realize that any interaction with agents of the United States government could result in further torture based on the things that he said or did not say.

Any ability to get a clean confession would be tainted by his fear that anything he said could lead to further torture, altering his decision matrix and creating uncertainty as to the accuracy of any statements he made after the torture began. If in fact the CIA began using enhanced interrogation techniques before they were legally authorized, any confessions taken by the FBI after that time should be viewed skeptically.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *A Review of the FBI’s Involvement in and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan, and Iraq*, U.S. Dep’t. of Just. Off. of the Inspector General 323 (rev. May 2008), <https://www.oversight.gov/sites/default/files/oig-reports/s0910.pdf>.

⁴¹ *Id.* at 200, 259.

III. THE LONG-TERM EFFECTS OF TORTURE: A BRIEF NOTE

One of the essential lies of the torture program was the proposition that the torture effects were temporary—the OLC reasoning that the controlled environment allowed for termination before chronic pain developed. Therefore, for the OLC’s purposes, these enhanced interrogation techniques did not rise to the level of torture. Research and common sense argue otherwise. Irrespective of the label, the effects of these acts were the same. Traumatic events impact the brain and the central nervous system, and the structure of the techniques performed on GTMO prisoners created a profound and indelible lifelong impact on their brains and, as a result, the totality of their human existence.

Traumatic events are encoded in the brain through a complex system of neurotransmitters, hormones, and neurons. During those traumatic events, the Hypothalamic Pituitary Axis (“HPA”) plays a vital role in regulating that system. When a traumatic event occurs, the central nervous system initiates a stress response. The HPA is intimately involved with coding and managing our stress responses to those events. When people experience intense traumatic events, the HPA is compromised and unable to regulate the massive, cascading physiological damage being inflicted upon the person. The long-term consequences of chronic HPA dysregulation are extensive. Individuals suffering from HPA dysregulation often develop chronic health problems, including cardiovascular disease, hypertension, hyperlipidemia, gastrointestinal distress, and wide-ranging psychiatric symptoms and cognitive difficulties.

Research on the consequences of chronic child abuse, domestic violence, sexual violence, and chronic traumatic exposure during war have repeatedly demonstrated the long-term negative consequences of chronic exposure to stressful events. Voluminous research on the effects of posttraumatic stress disorder demonstrates the likelihood for lifelong cognitive and emotional changes from even a single traumatic event. For example, Mr. Abu Zubaydah's torture lasted many weeks, and, even after the physical torture ended, the psychological trauma persisted. Mr. Abu Zubaydah relives his torture experience almost every day at Guantanamo Bay, and in the absence of any treatment, his condition worsens by the day. Far from temporary, the impact of the U.S. Government’s torture program is enduring and devastating for both Mr. Abu Zubaydah and all others subjected to the same program at black sites and prisons around the world.

Either by ignorance or willful blindness, those responsible for the torture program still refuse to acknowledge its devastating effects. Donald Rumsfeld, the former Department of Defense Secretary once said, “I stand for ten hours a day. Why is standing limited to four hours?” He stood at a work desk in the Pentagon, fully clothed, in a position of power. Often times, these prisoners were naked, stripped of their humanity and dignity, sleep-deprived, shackled, threatened with death, physically beaten, slapped, hooded, hosed down with freezing water, anally raped, and drowned in water.

IV. A DAY IN THE LIFE OF THE TORTURED

The United States government has held Mr. Abu Zubaydah and other GTMO prisoners captive for almost two decades. For a period of twenty consecutive days, near the beginning of this decades-long captivity, Mr. Abu Zubaydah endured round-the-clock torture by the CIA. It is hard to appreciate what that must feel like to the victim, but this was Mr. Abu Zubaydah's life in CIA and FBI custody.

Looking at Mr. Abu Zubaydah's drawings one at a time can give the impression of a limited event, a single water boarding session or a single confinement session in a suffocating, coffin-like box. What is lost in the drawings is the painful reality of the staging, the length of time, the unfolding and tortuous execution of each technique. The drawings, albeit powerful and compelling, cannot be fully appreciated without the proper context. One session could last for hours and frequently involved multiple torture techniques during the same day. Mr. Abu Zubaydah, however, clued the reader in on this—perhaps unknowingly or subconsciously—by depicting several clocks in one drawing to highlight the passage of time.⁴²

The lived experience of America's torture program was multidimensional and multisensory. It occurred over many dimensions—space, time, and complexity. The multidimensional, multisensory nature of the experience was a product of the torture program's design. It was designed so that combinations of sensory and psychological pain could be used to torment the prisoners. It was through this continuous abuse that the interrogators hoped to condition the detainee to a “baseline dependent state.” In pursuit of this goal, interrogators deployed techniques designed to disrupt basic life functions. Those techniques included forced nudity, dietary manipulation, and sleep deprivation. Then, interrogators combined those techniques with *enhanced interrogation* techniques which were designed to degrade and inflict vast amounts of physical pain. Finally, to reduce the prisoners' ability to resist or escape their suffering, the interrogators immobilized their motor functions by temperature manipulation combined with freezing water.⁴³

For example, during consecutive 24-hour sessions, Mr. Abu Zubaydah was “waterboarded, confined into a tiny ‘dog box,’ deprived of sleep . . . hung by the hands, deprived of food, forced into stress positions, shackled . . . for weeks and weeks.”⁴⁴ He was subjected “to temperature extremes while being kept naked, denied the ability to use the toilet, requiring [him] to defecate and urinate on [him]self, exposed to extremely loud and constant noise and light, slammed by [his] head into the wall, beaten in [his] face and back, and many more similar examples of horrifying treatment.”⁴⁵

Without reprieve, the “interrogations” continued like clockwork. Mr. Abu Zubaydah recalls that “[a]s soon as two interrogators were done with [him] after harsh hours of interrogations, two others would come to replace them.”⁴⁶ Though night and day became indistinguishable, the rhythms of torture held steadfast. In his drawings, the artist reflects on how “[t]he humiliations, the terrorizing, the hunger, the pain, the tension, the nervousness and the sleep deprivation lasted

⁴² See Appendix, *infra*, at Drawing #10.

⁴³ *SSCI Report*, *supra* note 8, at 105.

⁴⁴ Mr. Abu Zubaydah Notes on Torture, *supra* note 2, at 87.

⁴⁵ *Id.*

⁴⁶ *Id.* at 65.

for some time until one day they did all these things to me but with more intensity and for longer periods of time before they brought me back to the big box.”⁴⁷ While this report categorizes different forms of torture into distinct categories, the line demarcating their use is not as clear. At the discretion of their interrogators, Mr. Abu Zubaydah and other prisoners were simultaneously subjected to stress positions, sleep deprivation, beatings, starvation, and more. America’s torture program was not a neat methodology. It was what it was designed to be: chaos.

There was no respite, there was no break, and to this day, there is no escape. The brain’s processing of complex traumatic exposures is not additive. One plus one does not equal two when you are being exposed to multidimensional traumatic events. Multidimensional torture is experienced and coded in the brain on a logarithmic scale, so that the negative impact is compounded multiple times over. As alluded to by Dr. Ghannam, it leaves life-long scars—scars that never heal and can erupt and bleed at any time. This renders the possibility of healing from repeated trauma exposure unlikely.

None of these prisoners have ever received treatment for this abuse. In fact, rather than receive treatment, their traumatic exposure is chronically re-activated every day during detention—every time they see a guard, every time they are placed in their cell, every time they feel bodily pain—vivid flashbacks of torture come to life. In this way, the torture never goes away. For example, as an added level of depravity, the architects—Mitchell and Jensen—knew of Mr. Abu Zubaydah’s trauma history, including a traumatic brain injury in 1992 that was so severe he was unable to speak, read, or write for an entire year. The impact of traumatic exposures on a person with a traumatic brain injury is especially burdensome. For Mr. Abu Zubaydah, the burden is with him every second of his existence.

⁴⁷ *Id.* at 73.

V. WATER

Water is for most humans a healing element. Cognizant of this reality, the CIA and its agents weaponized water in a variety of ways. Water is widely recognized as an essential component to the enhanced interrogation technique of waterboarding. As America's torture program evolved, the CIA's use of water evolved as a means of torture. While the detainees were stripped naked, and often forced to lie in their own filth, even their opportunity to be washed was manipulated through ice water "baths" in extreme temperatures, water dousing in air-conditioned rooms, and horrific, high-pressure hosing. The following illustrations by Mr. Abu Zubaydah, his accompanying descriptions, and other referenced materials describe the several uses of water in America's torture program.

A. "Again and Again" – Traditional Waterboarding Procedures

On August 4, 2002, at 6:20 PM, the CIA waterboarded Mr. Abu Zubaydah for the first time.⁴⁸ Just one day prior, the CIA received formal approval to apply the "enhanced interrogation techniques" on its first post-9/11 detainee, and its interrogators wasted no time exercising their new authority.⁴⁹ Once approved, the waterboarding never stopped. Each day for hours on end, Mr. Abu Zubaydah laid bound to a makeshift metal table and blinded by a thin cloth—the only barrier between him and the gallons of water rushing toward his face.

They restrained me to a metal bed that had many belts in every direction. I was totally restrained to the point that I was unable to make any movement whatsoever . . . After they restrained my body, they restrained my head as well with the help of strong plastic cushions on the sides, which made it impossible for me to move it, not even for one centimeter to the left or one centimeter to the right, and obviously neither upward nor downward. At any rate, I didn't understand the reason for this very strong restraint and found them suddenly putting a black cloth over my head and covered it completely. I suddenly felt water being poured . . . [T]he water that was being continuously poured and flowed over my face was indeed aimed at giving me the feeling of drowning resulting from a feeling of suffocation. And this is exactly what happened. They kept pouring water and concentrating on my nose and my mouth until I really felt I was drowning and my chest was just about to explode from the lack of oxygen.⁵⁰

He likened the waterboarding board to that of a medical patient's gurney or stretcher; it "has straps to restrain the patient (in this case, the detainee) and has . . . two plastic pieces to firmly brace the head of the patient (detainee) to always keep the head motionless."⁵¹ Nevertheless, Zubaydah notes that there was a stark difference between the one used in a patient context and the one used on detainees:

[T]he special bed used to transport the patient (detainee here) on which a stretcher is placed, has a particular mechanism under the head of the detainee that is manually controlled. It gets depressed few degrees to lower the head of the detainee so the constantly flowing water's entry through the cloth placed on the detainee's face would be more difficult; the more degrees they depress, and eventually the detainee's head, the more and more difficult the situation becomes. Even when they remove the cloth from the detainee's face, the return to normal breathing is delayed due to the airways being filled with the trapped water. Then

⁴⁸ *SSCI Report*, *supra* note 8, at 41.

⁴⁹ *Id.*

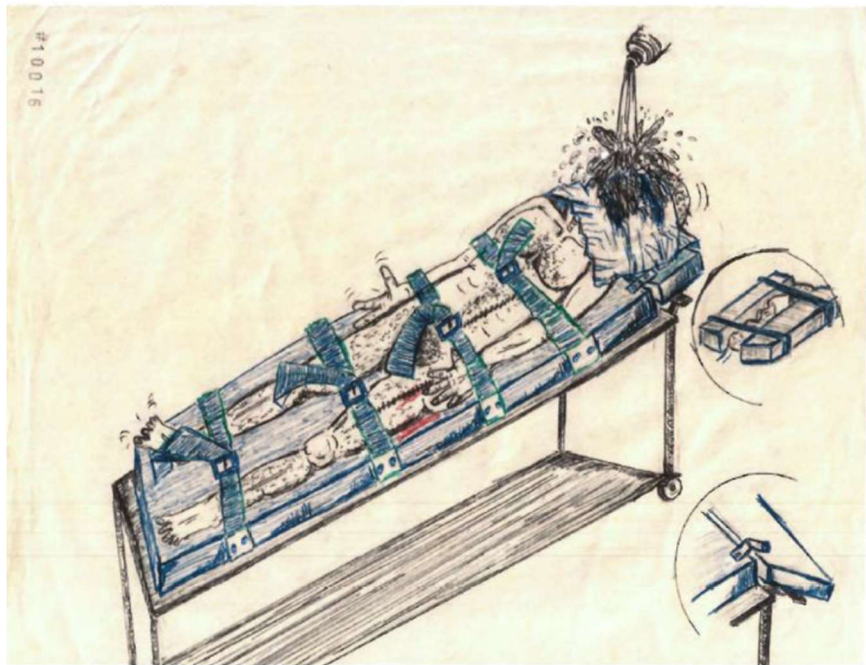
⁵⁰ *Id.*

⁵¹ *See* Appendix, *infra*, at Drawing #4.

they repeat the same method again and again . . . and in every time, the detainee feels as if he had actually died from the drowning.⁵²

Dr. James Mitchell applied multiple waterboarding sessions to Mr. Abu Zubaydah.⁵³ The Department of Justice (“DOJ”) provided Mitchell with specific guidance on how to conduct these sessions on Mr. Abu Zubaydah.⁵⁴ When asked about the waterboarding process, Mitchell stated that this meant that “in 20 minutes, you could do 40 pours. If you did that for 17 or 18 days, it would quite literally be many hundreds of pours.”⁵⁵

Mitchell observed the startling effect that the DOJ-approved waterboarding inflicted upon Zubaydah: “[W]ith respect to Mr. Abu Zubaydah, it became very clear to me right away in the first session that that was too much water; that we had actually been authorized to use too much.”⁵⁶ The SSCI Report unveiled the gruesome details where “over a two-and-a-half hour period, Mr. Abu Zubaydah coughed, vomited, and had involuntary spasms of the torso and extremities during water boarding.”⁵⁷ After the first round of pours, Mr. Abu Zubaydah explains



how the interrogators then “set the bed in a vertical position” while he was still restrained.⁵⁸ For a brief moment, he hoped that might be the end, but “as soon as [he] emptied [his] stomach from the water and the food[,] they brought the bed back to the normal horizontal position” to continue the onslaught.⁵⁹ As the table lowered, they would place “the black cloth over [his] head again.”⁶⁰

He recalls how “the suffering was more intense every time they interrupted the operation for few minutes to allow [him] to breath or vomit.”⁶¹ The CIA labeled waterboarding as an “enhanced interrogation technique;” however, suffering, not information, was the intended result at that point. Dr. Mitchell explains, “In that first session, Mr. Abu Zubaydah was so panicked that we didn’t think he would provide reliable information on the waterboard. We weren’t expecting

⁵² *Id.*

⁵³ *SSCI Report, supra* note 8, at 40.

⁵⁴ Unofficial Transcript of Motions Hearing at 30442, *United States v. Khalid Sheikh Mohammed* [hereinafter “Mitchell Transcripts”].

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *SSCI Report, supra* note 8, at 41 (internal citations omitted).

⁵⁸ Mr. Abu Zubaydah Notes on Torture, *supra* note 2, at 10.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

him to. The program was not designed to extract information while the EITs were being administered.”⁶²

CIA records reveal the discomfort expressed by those personnel witnessing this “technique” inflicted upon Mr. Abu Zubaydah: “[I]t seems the collective opinion that we should not go much further . . . everyone seems strong for now but if the group has to continue . . . we cannot guarantee how much longer.”⁶³ Nevertheless, this discomfort was not enough to discourage the continued use of waterboarding. Following the first day, the CIA waterboarded Mr. Abu Zubaydah at least 80 more times. In his book, Mitchell describes one particular waterboarding session as “an ugly sight:”

Mr. Abu Zubaydah had beans and rice stuck to his face and in his chest hair. Because the fluid around his lips was kind of thick, it bubbled as he breathed in and out. We wiped it off with a hood and waited what seemed like a long time to see if medical personnel were going to intervene. When they didn’t (although one stuck his head in the door for a confirming glance) and we were sure Mr. Abu Zubaydah was breathing properly, we did one or two more short pours so that he didn’t get the idea that a dramatic display would stop the procedures.⁶⁴

Corresponding emails from members at the detention center reveal that during at least one session, Mr. Abu Zubaydah “*became completely unresponsive, with bubbles rising through his open, full mouth.*”⁶⁵ The effects of the waterboarding sessions were not limited to Mr. Abu Zubaydah although some of the details may have varied as the torturers revised their techniques in response to their experiences with the artist.

⁶² James E. Mitchell & Bill Harlow, *Enhanced Interrogation: Inside the Minds and Motives of the Islamic Terrorists Trying to Destroy America* 70 (2016).

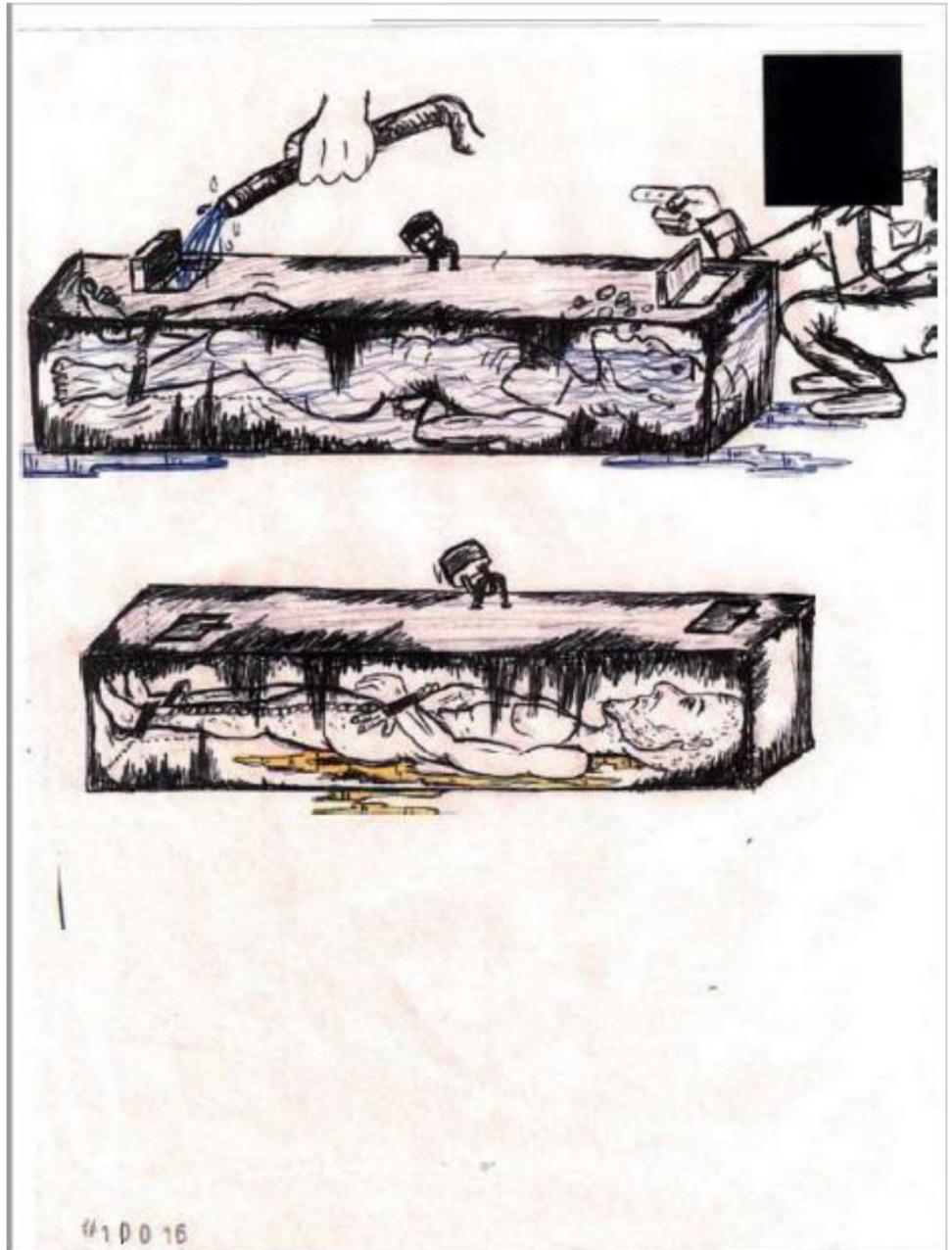
⁶³ *SSCI Report*, *supra* note 8, at 44.

⁶⁴ Mitchell & Harlow, *supra* note 62, at 69.

⁶⁵ *SSCI Report*, *supra* note 8, at 43–44.

B. Total Immersion

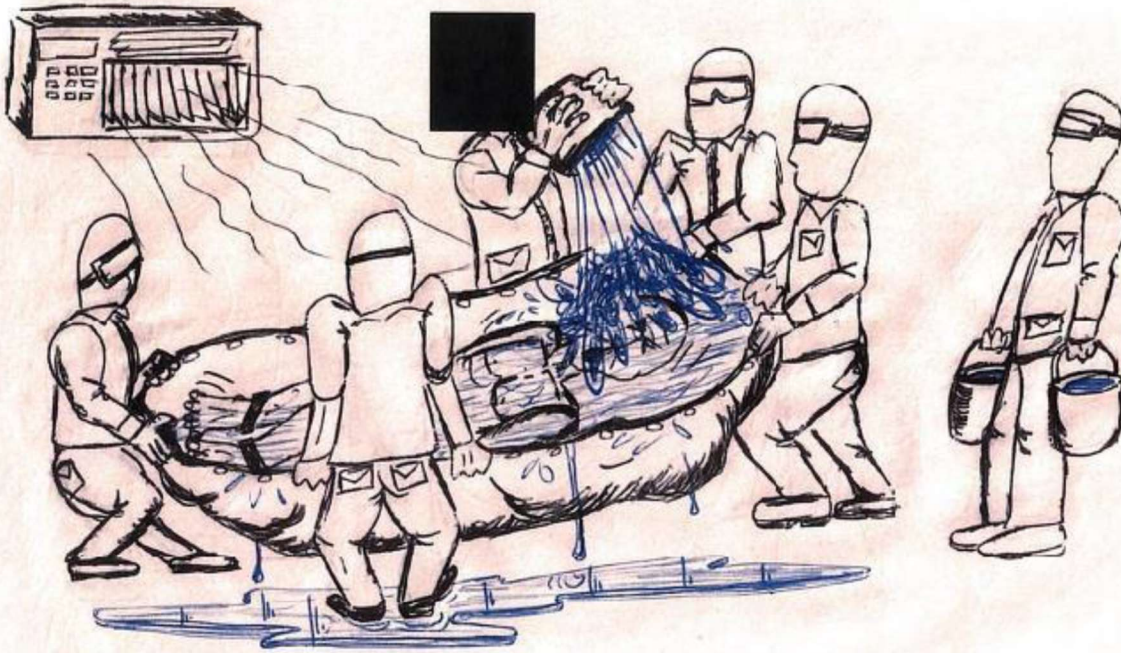
Over time, the DOJ-approved technique of waterboarding evolved into a myriad of forms. The torturers used coffins for mock burials and confinement sessions, but as pictured below, they were also a common tool of water torture. On a traditional waterboard, the board angles downward, so that the water cannot make its way down the detainee's airways. In the coffin, "the water reaches his nose, mouth, and then he starts to move strongly with distress while coughing off of drowning."⁶⁶ In this illustration, the prisoner is lying in a coffin with two small openings, one for interrogation and one for water. There are no straps to keep him immobile on a board. Instead, the prisoner is shackled at the ankles to the coffin, with his wrists shackled behind his back. As he lies bound, water enters through the hole by his feet. With the water constantly rising, the prisoner exists in a mounting state of fear. As the water begins to reach his face, he lifts back his head to elevate his nose. At this point, the water is only a few seconds from interrupting his breath. He knows he must make his last gasp for air count. Once the water reaches the top, all he can do is wait: "The water will leak from the box, but the cycle repeats again, and he'll stay terrified of drowning all day."⁶⁷ Since Mr. Abu Zubaydah spent a total of 266 hours in coffin-sized confinement box, each moment of this confinement was combined with the fear and threat of impending water and drowning.⁶⁸



⁶⁶ See Appendix, *infra*, at Drawing #15.

⁶⁷ *Id.*

⁶⁸ SSCI Report, *supra* note 8, at 42.



Another form of water immersion utilizes a “terbal,” or tarp. If this method is chosen, the terbal is wrapped around the detainee and filled with water. The water then forms an inescapable vacuum around the detainee, and the interrogators “start pouring the cold water on his head in the cold weather and continue pouring until the prisoner’s body is drowned.”⁶⁹ The guards are able to manipulate the water in the terbal to control the prisoner’s intake of air, “so if they want him to only breathe they [] bend the terbal a little so the prisoner can get his head [out] of the water to breathe.”⁷⁰ At this point, “they will start their questions,” and “if they are convinced of what he says, they w[ill] bend the terbal to cover him with water until he almost dies and that point they will bend the terbal to allow him to get his head and nose out of the water so he breathes like mad.”⁷¹

⁶⁹ See Appendix, *infra*, at Drawing #20.

⁷⁰ *Id.*

⁷¹ *Id.*

C. Water “Bathing”

Because of the constantly evolving forms of water torture, the detainees were never certain when and how water would be weaponized next. Even bathing presented another opportunity for abuse. From the interrogators’ perspective, one upside to “bathing” was that it did not require confirmation from CIA headquarters to conduct. There were “no specifications for how to ensure the safety of detainees during the procedure,” which means there were no guidelines for how long or how much water could be used on a detainee.⁷² Unsurprisingly, these “baths” were used as a punitive and interrogative technique.⁷³

In addition to its physical consequence, this form of water torture was combined with nudity and cramped confinement to further dehumanize the detainees.⁷⁴ “Bathing,” as they coined it, was just another name for water dousing, an opportunity to manipulate a necessity for detainees into an experiment in hypothermia and degradation.⁷⁵

At Detention Site Cobalt, detainees were often held down, naked, on a tarp on the floor, with the tarp pulled up around them to form a makeshift tub, while cold or refrigerated water was poured on them. Others were hosed down repeatedly while they were shackled naked, in the standing sleep deprivation position. These same detainees were subsequently placed in rooms with temperatures ranging from 59 to 80 degrees Fahrenheit.⁷⁶

As a co-requisite to “bathing,” interrogators would adjust the temperature to maximize the physical pain the water inflicted. With hose in hand, they would then focus on the detainee’s genitals to further demean their spirit and insult their religious values. The combined effects allowed the interrogators to “renew ‘capture shock’ of detainees.”⁴⁷ Describing the picture below, Mr. Abu Zubaydah writes:

“On top of this cold, they also used or turned on a very strong (fan), then they start pouring very cold water on the detainee’s head, (that has been already shaved), for a long time until



⁷² SSCI Report, *supra* note 8, at 99, 103 n. 599.

⁷³ *Id.*

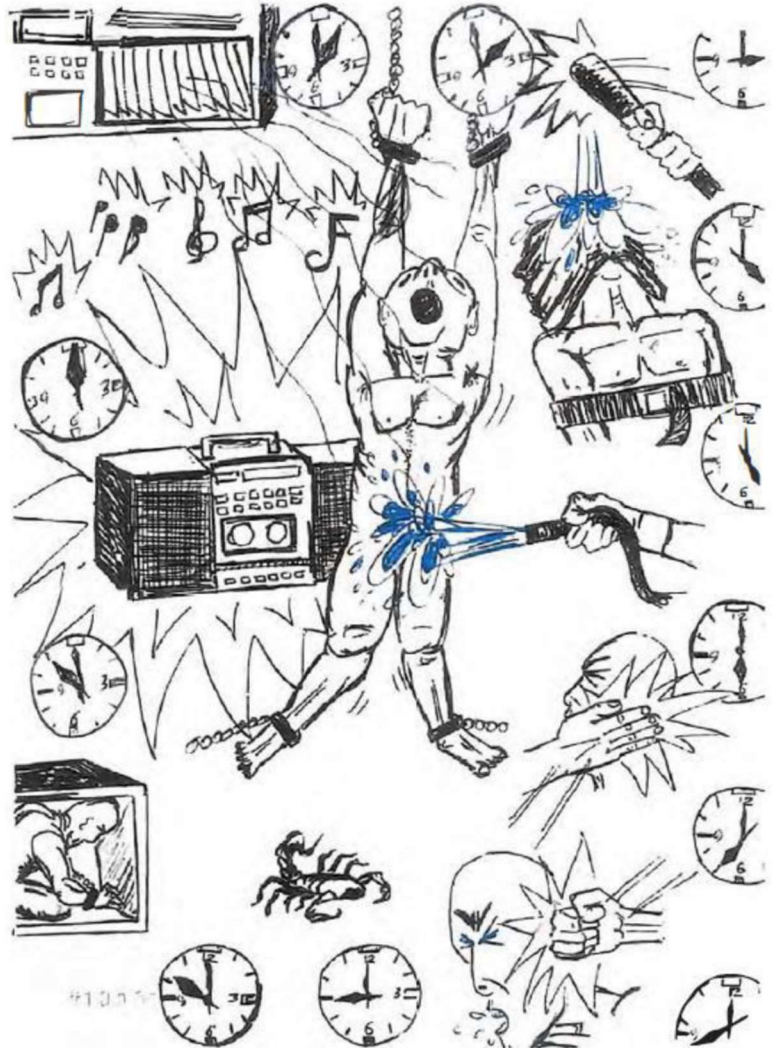
⁷⁴ *Id.*

⁷⁵ *Id.* at 104 n. 610.

⁷⁶ *Id.* at 105.

he falls down (and because he is tied up with a chain or two that make him (hang). The hands' joint pain and the pain of blood blockage force the prisoner to stand again, and they will continue pouring cold water on his head. Then, another guard comes with a water hose, and starts shooting very cold water on his back, belly, behind, and genitals, focusing on an area or moving around (they used to focus) on the head from the top, and/or under the genitals. (The pain of cooling the testicles is like someone holding them and squeezing them hardly and repeatedly). They used this method for hours (before) the interrogation and hours after it (The AC and the fan does not stop during the interrogation).⁷⁷

The illustration to the right portrays another one of these “baths.” Zubaydah shows how he was chained in a position that prevented him from blocking the high-pressure water which was often directed at his genital area. In addition to high-pressure hoses, the torturers would also use stiff brushes, which sometimes “caused cuts and bruises resulting in the intervention of a medical officer.”⁷⁸ In recent testimony, Mitchell discusses several of these acts, specifically pointing to an incident involving detainee Al-Nashiri being “bathed” with cold water and a coarse-haired brush.⁷⁹ This bathing involved aggressive scrubbing of Al Nashiri’s genitals, and in particular his testicles.⁸⁰ In assaulting Al Nashiri, the interrogators were not using a particular EIT, but were instead following “standard” procedures for intake and cleanliness.⁸¹ Nevertheless, they focused this technique in such a way as to cause severe injury to his genital area.



⁷⁷ See Appendix, *infra*, at Drawing #11.

⁷⁸ SSCI Report, *supra* note 8, at 70.

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

D. Commentary

Although these techniques are euphuistically referred to as “water boarding,” “water dousing,” etc., no word better describes these acts than “drowning.” The emotions induced by the fear of death by drowning are among the most terrifying that a human being can experience. Water is poured into the throat while the other airway is blocked by someone pinching the nose. Therefore, one’s ability to breathe is entirely inhibited.

Oxygen, essential for the brain and all other vital organs, is denied. The victim begins to choke, his chest is heaving in extreme pain, and as his brain and body metabolize the remaining the oxygen in his blood stream, a complex set of physiological stress responses is initiated. The terrifying sense that you are about to die sets in, and, because you are strapped to board and unable to move, you are overcome by a profound sense of helplessness.

The intention and goal of this technique is to convince you that there is nothing you can do to save your life. In furtherance of that goal, your inability to breathe is only one aspect of the abuse. During these drowning sessions, the prisoner was purposefully stripped of his clothing. Being without clothes while being tortured exacerbates the overwhelming reality that one’s body is exposed, vulnerable, and without any protection. The torturer has complete control over the victim’s existence as he is repeatedly drowned—again, again and again. Eventually he faints, blacks out, or dies.

VI. STRESS POSITIONS

In recent testimony, Dr. Mitchell describes variations of stress positions that he recommended for use in America's torture program. This testimony includes an emotionally detached and methodical description of a stress position where one of the detainee's legs is extended straight out in front, the other kneeled on the floor, his arms raised above his head, and his body leaning.⁸² Mitchell then describes another stress position in which a person is bent forward with his forehead on a wall to hold him up. He claims that this is an authorized stress technique if done properly, that is. ...⁸³ According to Mitchell, these varied stress positions were designed to facilitate a feeling of physical discomfort rather than to ...⁸⁴ Despite their alleged purpose, CIA cables state the contrary; as were waterboarding sessions, stress positions were also intended ...⁸⁵

Stress positions have been one of the most ubiquitous torture techniques of America's torture program, used during rendition, for sleep deprivation purposes, and as an independent form of torture.⁸⁶ Worse yet, torturers frequently combined stress positions with a variety of other techniques, including but in no way limited to, cold temperatures, water dousing, forced nudity, and beatings.⁸⁷ In fact, stress techniques most often presented concurrently with other torture methods as a means to maximize pain and discomfort. Below are drawings from Mr. Abu Zubaydah, along with his descriptions and corroborating descriptions from Mitchell's testimony and CIA Cables.

⁸² Mitchell Transcripts, *supra* note 54, at 31825.

⁸³ *Id.* at 31829.

⁸⁴ *Id.* at 31825.

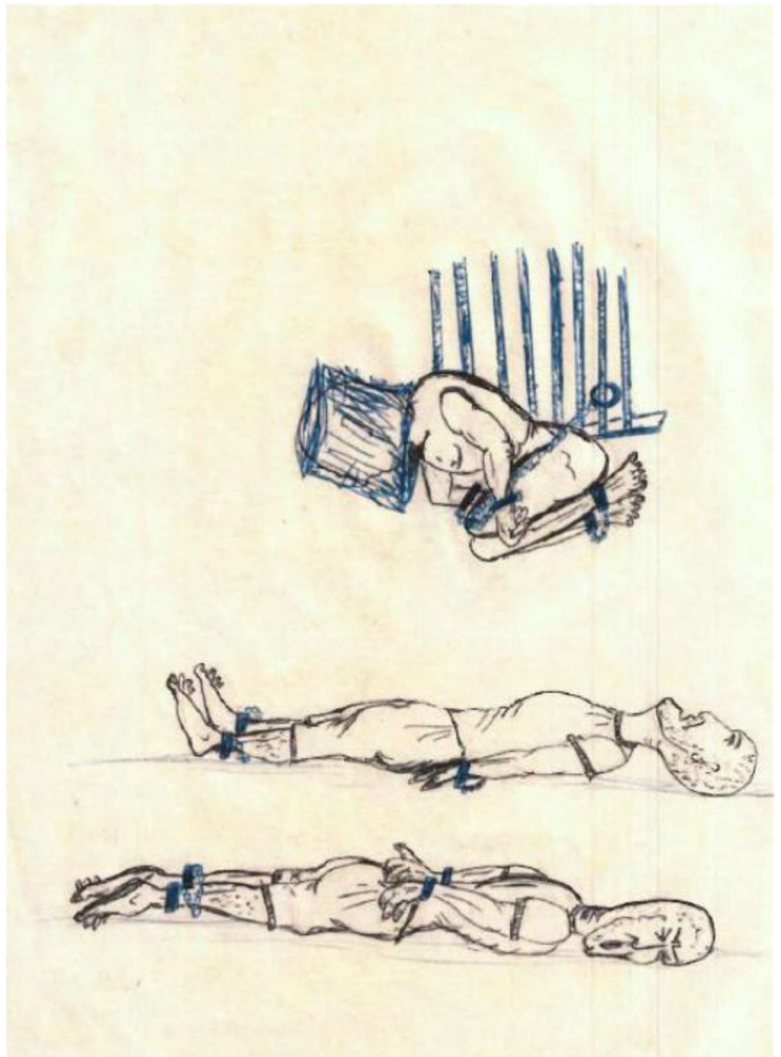
⁸⁵ *SSCI Report*, *supra* note 8, at 65.

⁸⁶ *Id.* at 113.

⁸⁷ See Appendix, *infra*, at Drawing #7.

A. Short Shackles

Short shackles were often used during renditions, “using a short chain attached to manacles, feet or hands, that [held] the person in a position where they [could not] move very much.”⁸⁸ According to Mitchell, “[the detainee’s] hands and feet [were] close together in a way that they’re unable to rise up off the floor.”⁸⁹ The interrogators shackled detainees to the floor for up to thirty hours at a time while they transported them from one detention site to another, often equipping them with a diaper to allow for discharge of bodily waste.⁹⁰ Aside from renditions in vehicles and on planes, a detainee could be left in this crouched position for “days or weeks on the cement floor of the very cold prison cell,” barely able to move, let alone stand up or reposition.⁹¹



⁸⁸ Mitchell Transcripts, *supra* note 54, at 32541.

⁸⁹ *Id.* at 31842.

⁹⁰ *Id.* at 31843.

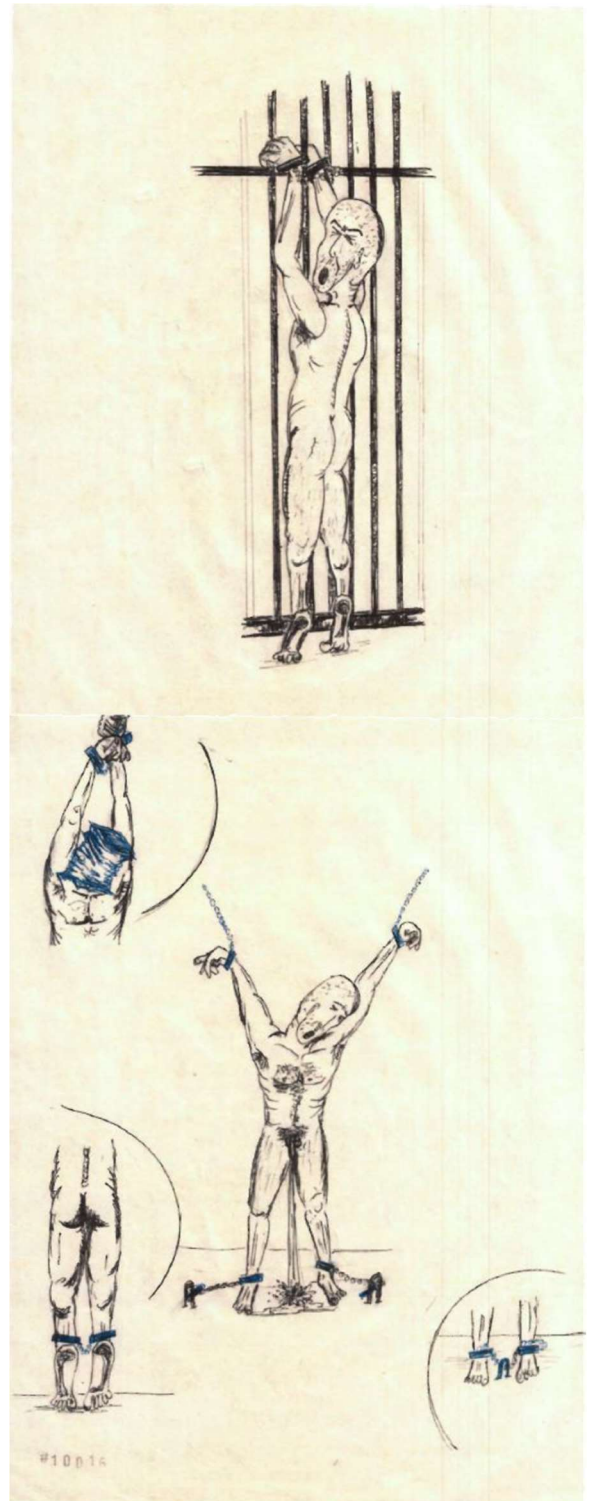
⁹¹ See Appendix, *infra*, at Drawing #2.

B. Standing Suspension

In addition to the short-shackled positions, the interrogators also subjected the prisoners to standing stress positions for “days or weeks” at a time.⁹² The exact positioning depended on the preference of his torturer that day.⁹³ Sometimes it comprised of being suspended from the ceiling by chains (as seen below), so that the detainee was forced to stand on the tips of his toes to relieve the excruciating pain placed on his shoulder joints. What never varied was the constant, cyclic nature of the abuse which left him with no other option than to defecate on himself.⁹⁴

Dr. Mitchell routinely denies that this illustration of Mr. Abu Zubaydah was a technique he taught to interrogators. When asked about such a position, Mitchell sneered, “[T]hey wouldn’t be as stretched out as yours are . . . It looks like you’re actually sort of suspended from the ceiling.”⁹⁵ He then reiterated that there were strict rules regarding how high a detainee could be suspended from the ceiling. Nevertheless, he confessed that he knows of one individual “who they had chained through that loop, and they had manacles on his arms, and he was standing there . . . his arms . . . extended over his head.”⁹⁶

Standing stress positions at other times would resemble crucifixion, with arms outstretched or extended. For example, Mr. Abu Zubaydah explains how this crucifixion caused the prisoner agonizing pain in his wrists and shoulders as he wallowed in his own defecation.⁹⁷ This torture method also caused cuts and bruises and occasional dislocation of the detainee’s shoulders from the suspension itself.⁹⁸ Mr. Abu Zubaydah further explains how the torturers “started hitting [him] hard with their hands on the abdomen, chest and back, along with slaps on the face.”⁹⁹ When the torturers finished beating the prisoner, they would raise his body and leave him to continue standing on the tips of his toes.¹⁰⁰ They might even soak him in



⁹² See Appendix, *infra*, at Drawing #3.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ Mitchell Transcripts, *supra* note 54, at 31709.

⁹⁶ *Id.* at 31843.

⁹⁷ *Id.* at 31843.

⁹⁸ *SSCI Report*, *supra* note 8, at 70.

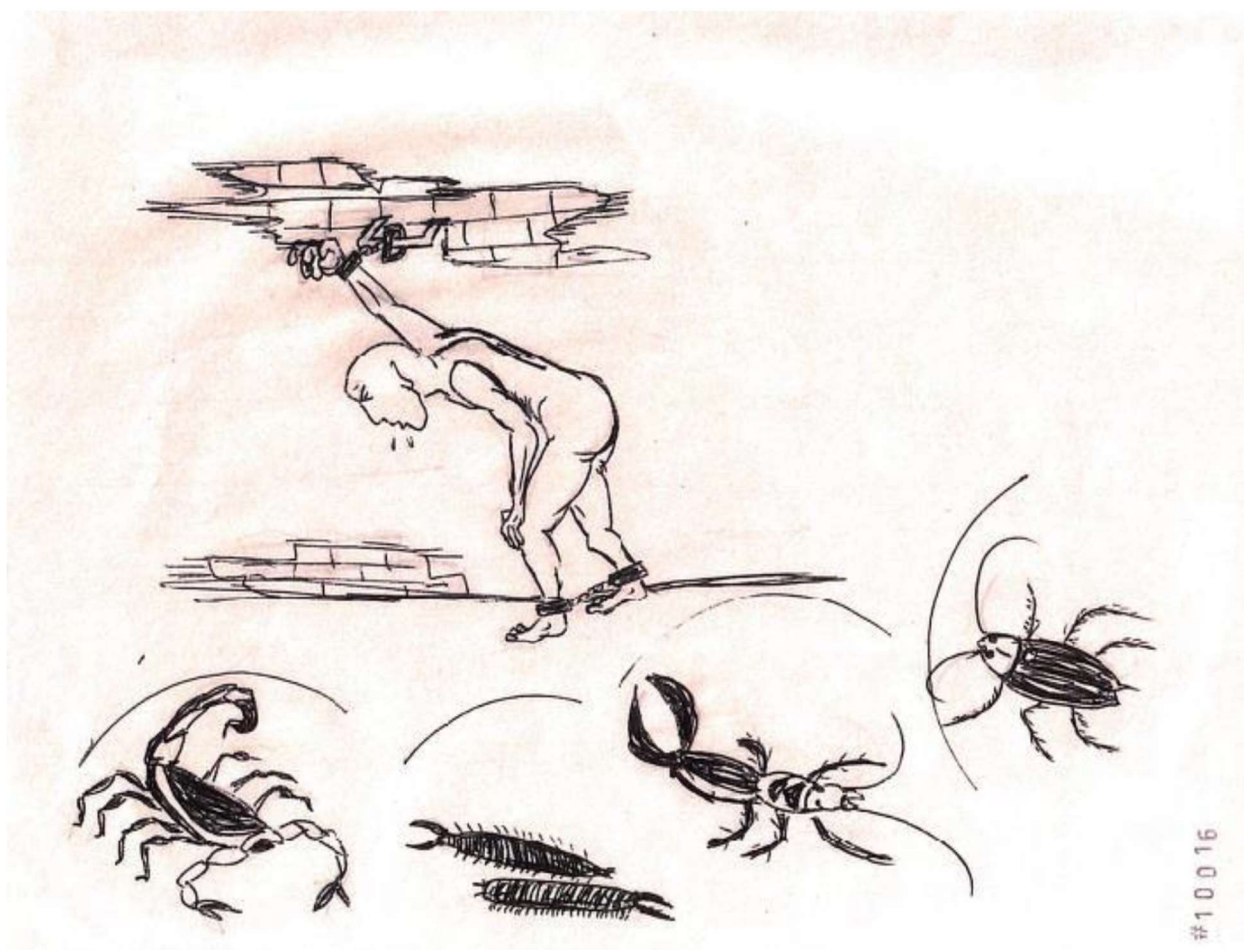
⁹⁹ *Id.*

¹⁰⁰ *Id.*

freezing water before leaving his weakened and exposed body suspended in the intentionally frigid conditions.¹⁰¹

Through Mitchell’s testimony, it is apparent that this form of torture did not end with Mr. Abu Zubaydah; al-Nashiri, too, was suspended in the same standing position for days.¹⁰² Al Nashiri’s experience even included “threats with a gun and a power drill.”¹⁰³

C. Bent Over



The interrogators would also subject the prisoners to bent over stress positions, where they could neither sit nor stand due to the height of the shackle.¹⁰⁴ While subjected to the bent over stress position, Mr. Abu Zubaydah reports that the cell would be “filled with filth and [his] waste” and sometimes with “insects, large black cockroaches, or red in very big numbers, or other scary looking insects, that are capable of stinging.”¹⁰⁵ Scorpions were a favorite and readily available method used by the interrogators to incite fear. The fear of a sting from any of the insects—let alone a scorpion—was enough to keep a detainee in constant terror.

¹⁰¹ *Id.*

¹⁰² *SSCI Report, supra* note 8, at 69.

¹⁰³ *Id.*

¹⁰⁴ *See* Appendix, *infra*, at Drawing #16.

¹⁰⁵ *Id.*

For days, the detainee was unable to sit, lay, or stand, and was persistently terrified of a lethal sting, all the while left to endure the stench of his own waste. The smell was not the worse part for a prisoner. That was the pain in his back and limbs from the position, headaches from the lack of sleep and food, and constant battle with hypothermia from the cold cell.¹⁰⁶ When this was combined with the foul smell, prisoners like Mr. Abu Zubaydah would often vomit due to the extremity of their conditions.¹⁰⁷

As was the case with all of the torture techniques, the stress position always combined new positions with the use of cold water, an air conditioner, and loud music. It was often so cold that the interrogators would wear cold weather gear.¹⁰⁸ With the protection of arctic snow coats, the interrogators would place an industrial fan on the prisoner as they doused him with cold water until he collapsed, held up only by his shackled wrists.¹⁰⁹



Another guard would come in and spray him with “very cold water on his back, belly, behind, and genitals” causing extreme pain, especially in the testicles where it felt like someone was “squeezing them hardly [sic] and repeatedly.”¹¹⁰ This method was used for “hours before the interrogation and hours after it” with the AC and music kept on between water torture sessions.¹¹¹ The heavy metal music stopped only for the interrogation.¹¹² The AC blew constantly.

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

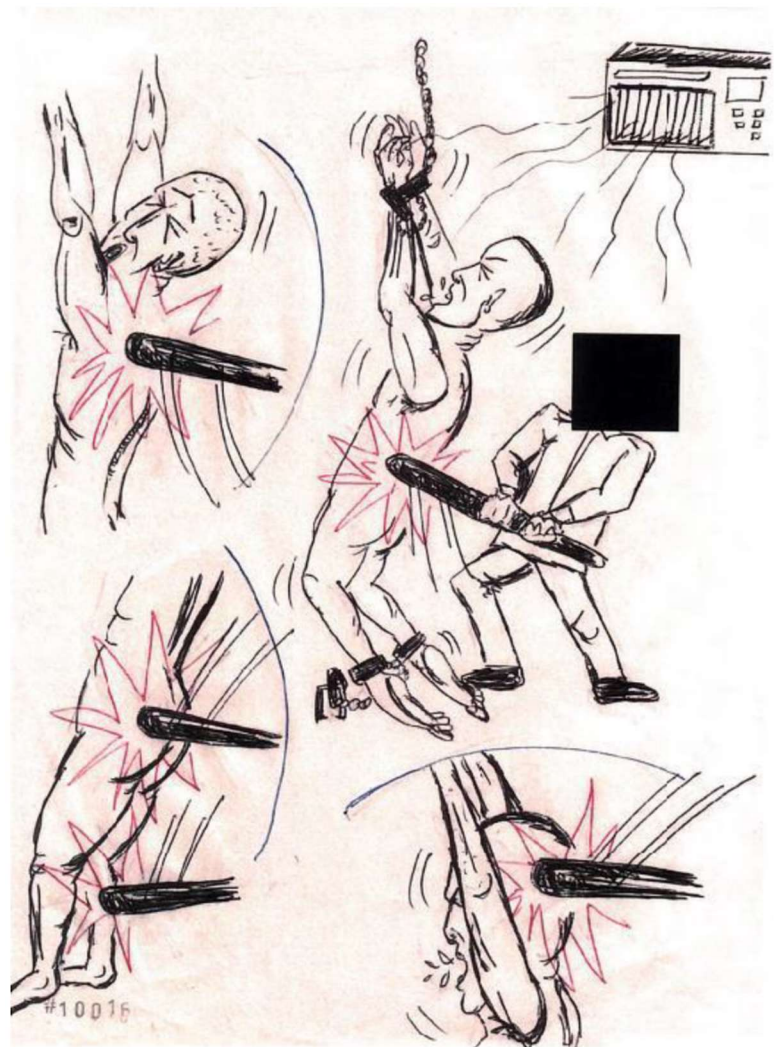
¹⁰⁹ *Id.*

¹¹⁰ See Appendix, *infra*, at Drawing # 22.

¹¹¹ See Appendix, *infra*, at Drawing #11.

¹¹² *Id.*

Sleep deprivation was a frequent consequence of stress positions, but even if the prisoner was capable of sleep, he was not allowed to attempt it. Every time he would start to fall asleep or lean forward, the interrogators would again douse him with cold water, causing him to “start screaming for a very long time from hallucinating or cry [sic] like a wounded animal or terrified baby.”¹¹³ Multiple people would then gather around with large sticks to “beat him up during the investigation[,] and [ask] him about things.” If the prisoner denied or resisted their questioning, they would beat him on the head, back, buttocks or calves.¹¹⁴ They were instructed to strike him any time he “tilt[ed] his head.”¹¹⁵



¹¹³ See Appendix, *infra*, at Drawing #13.

¹¹⁴ See Appendix, *infra*, at Drawing #14.

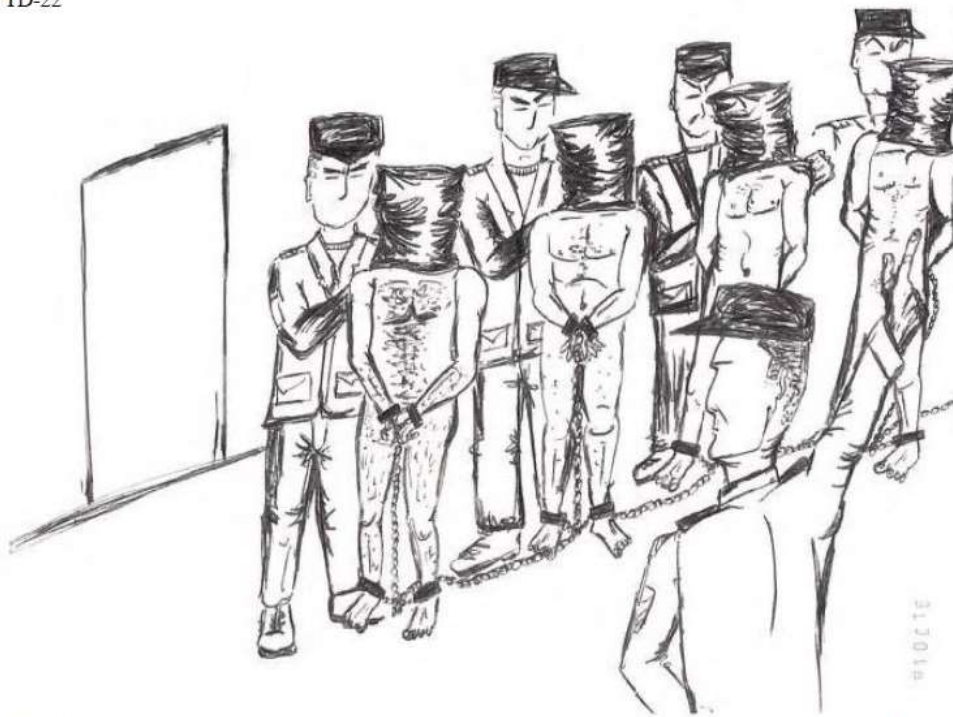
¹¹⁵ *Id.*

D. Rendition

While a practice distinct from stress positions, the rendition process involved use of stress positions. In the following drawings, Mr. Abu Zubaydah depicts the painful methods his jailers used to transport him and his fellow detainees, whether it be between facilities in different countries or within each prison itself.

This drawing shows four detainees, hooded, naked, and shackled.¹¹⁶ Their chains connect their hands to their feet and each detainee to each other. Beside each of the four detainees is one of four jailers.

TD-22



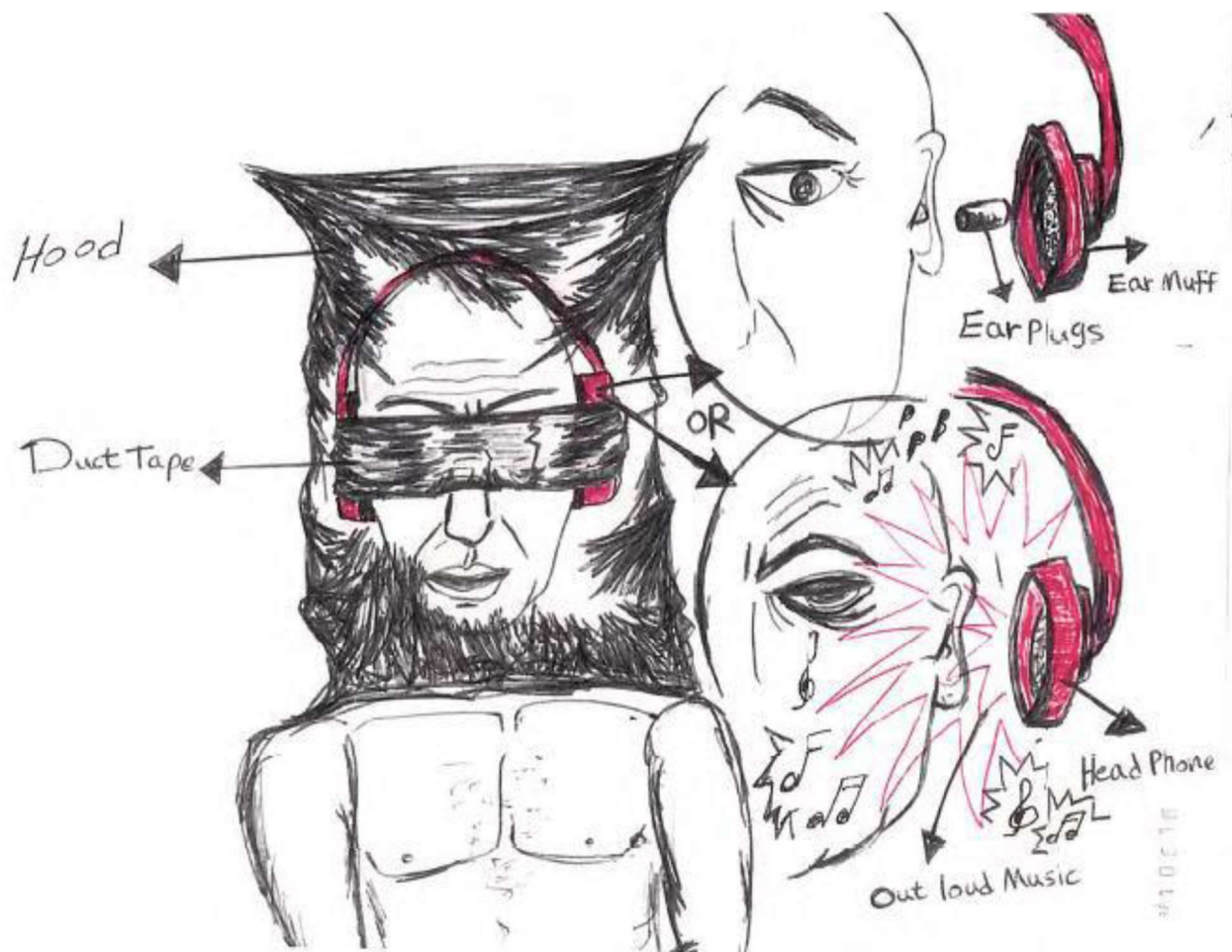
Abu Zubaydah © 2021
Licensed by Mark Dembesux, Professor of Law at Seton Hall Law School
and Chantell M. Higgins

Zayn Abu Zubaydah
Torture Drawing- 22

The drawing below shows what is going on under the hood.¹¹⁷ The detainee would have ear plugs inserted with over the ear headphones playing no sound or only the headphones playing loud, metal music. The jailers would secure the headphones with duct tape that wrapped all the way around the detainee's head.

¹¹⁶ See Appendix, *infra*, at Drawing # 22.

¹¹⁷ See Appendix, *infra*, at Drawing # 23.



The process of transportation, be it rendition to different facilities or within each prison, is frequently recounted in Abu Zubaydah's notes. Despite this process not being listed as a method of torture, Abu Zubaydah recalls it as extremely painful.¹¹⁸ The duct tape was wrapped so tightly that it scarred his face.¹¹⁹ When the prisoners like Mr. Abu Zubaydah were transported by airplane, the torturers would shackle them in painful positions for hours which inhibited their ability to relieve themselves.¹²⁰ This would result in intense bladder pain and constipation, which led his jailers to eventually put him in a diaper.¹²¹

In the drawing below, Mr. Abu Zubaydah depicts the anal cavity searches that torturers conducted virtually every time the prisoners were moved in between cells, vehicles, or prisons.¹²² These searches involved forcible anal probing with foreign objects of various sizes.¹²³ The tormentors would laugh at the detainee during this process, in what Mr. Abu Zubaydah believes

¹¹⁸ Mr. Abu Zubaydah Notes on Torture, *supra* note 2, at 109.

¹¹⁹ *Id.* at 97.

¹²⁰ *Id.* at 60, 64, 70, 71, 79, 80, 99.

¹²¹ *Id.* at 60, 61, 69, 70, 80.

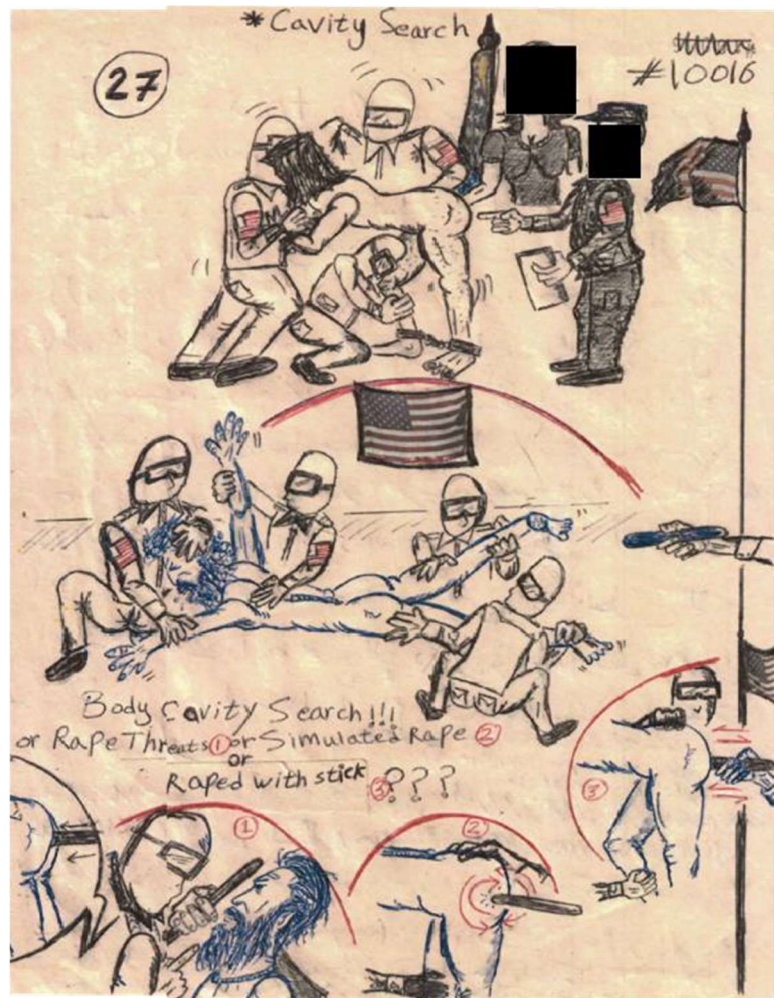
¹²² *Id.* at 70, 79, 98, 108, 111.

¹²³ *Id.*

was an intentional act of calculated humiliation. ¹²⁴ Abu Zubaydah explains that both the FBI and CIA subjected him to these searches. ¹²⁵

Mitchell "...traveled on several [rendition flights]." ¹²⁶ He testified that ear coverings—as depicted in above illustrations—"are used during rendition flights to keep the person from being able to hear what's going on around them." ¹²⁷ He claimed that objects would cover detainees' eyes "...in order to move them safely." ¹²⁸

The CIA explained this process was to create "significant apprehension in the HVD because of the enormity and suddenness of the change in environment, the uncertainty about what will happen next, and the potential dread an HVD might have of U.S. custody." ¹²⁹



¹²⁴ *Id.*

¹²⁵ *Id.*

¹²⁶ Mitchell Transcripts, *supra* note 54, at 31466.

¹²⁷ Mitchell Transcripts, *supra* note 54, at 31464.

¹²⁸ *Id.*

¹²⁹ Memorandum for Dan Levin, DOJ Command Center, Department of Justice, from Central Intelligence Agency, *Background Paper on CIA's Combined Use of Interrogation Techniques 3* (Dec. 30, 2004), https://www.thetorturedatabase.org/files/foia_subsite/pdfs/DOJOLC001126.pdf.

E. Commentary

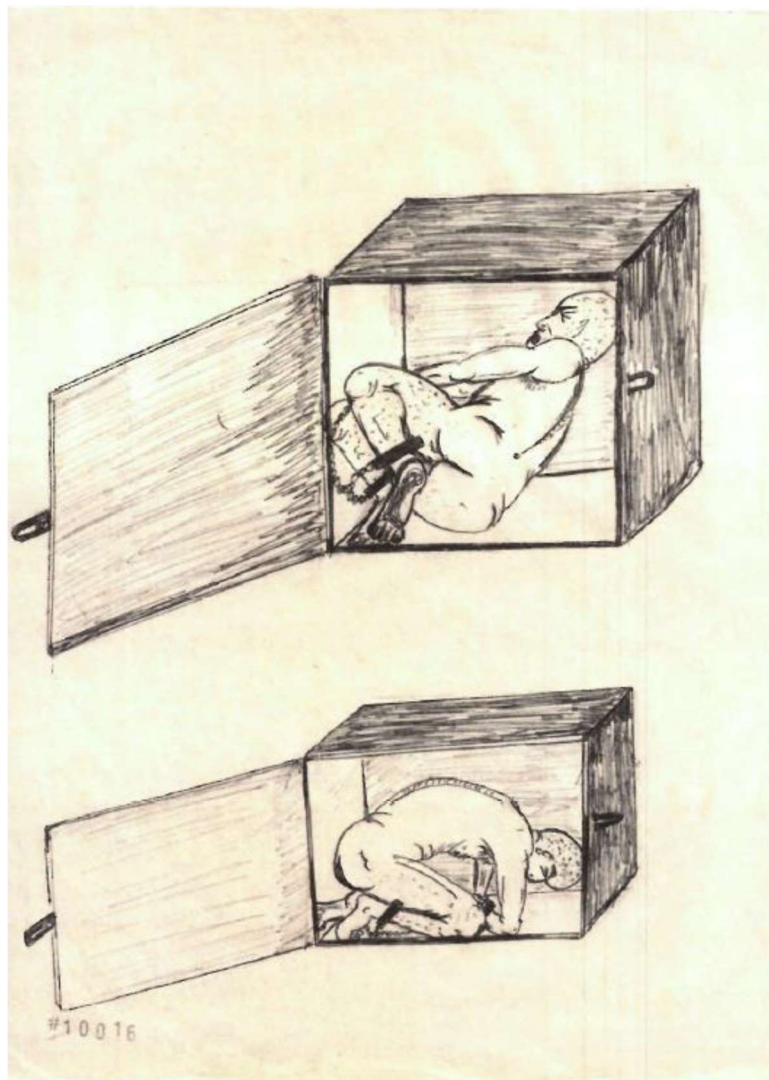
The stress positions used on Mr. Abu Zubaydah and others cause chronic debilitating pain. It causes muscular pain, nerve pain, orthopedic pain, head pain, gastro-intestinal pain, and rectal pain. The notion that these positions cause only “discomfort and not pain” is beyond the realm of reality. The intention is to inflict pain, a pain so severe and debilitating that it creates a pain memory that will forever be etched into the mind of the tortured. Physical pain can sometimes remit with treatment. Pain memories—the experience of pain that embed into our neurobiological structures—never remit. It is there forever and can be easily exacerbated or activated by a memory, a sound, a smell, or any sensory stimulation. It is a forever pain that is intertwined with the systems of the brain that control and manage emotions. For Mr. Abu Zubaydah, the simple act of sitting down can trigger an entire cascade of complex memories and feelings of severe pain from these stress positions. It never ends. It sometimes lessens, but it is a constant placeholder for his experience of being tortured.

Of all the stress positions described above, one in particular deserves special discussion—the “anal cavity search.” Of all of the euphemisms used by the US Government, this is perhaps the most depraved misrepresentation of reality. This was anal rape. The prisoners were shackled, hooded, held by masked torturers, bent over, and repeatedly raped. This was not about searching for contraband in his anus, but rather part and parcel of the architecture of the Mitchell and Jensen program. Like all other techniques, it was used to dehumanize and humiliate in order to exercise total control and domination over the victim.

Rape is always profoundly dehumanizing, but anal rape in the context of America’s torture program has an even more nefarious history. One of books used throughout the U.S. Government to “educate” members of the military, diplomats, and intelligence officers was Raphael Patai’s, “The Arab Mind” (1973). Patai’s book depicts Arab (and Muslim) men as only responding to force and humiliation due to an uncomfortable, if not fearful, disposition toward sexual matters. Edward Said (1979) and most academics since 1979 have roundly criticized—if not condemned—this overtly racist narrative. Nevertheless, this book, and the view of Arab men it depicts, remains part of a long-standing, embedded racist discourse among many in the military, the diplomatic corps, and the intelligence services. It was also part of mindset of Mitchell and Jensen and their collaborators in designing America’s torture. Rape of any person is inherently dehumanizing, degrading, painful, and humiliating, but anal rape of an Arab man is more so.

VII. CONFINEMENT

Large and small confinement boxes were often used in combination with other techniques, such as waterboarding.¹³⁰ When the prisoner was left alone, he was often left in one of two confinement boxes – “small” or “large.”¹³¹ In the large box, detainees were routinely placed in a horizontal position with their hands tied so that the box became “like a coffin waiting for burial”¹³² When placed in a vertical position, the detainee would be shackled with a very short chain such that he would be “unable to stand [except] in [a] hunchback position.”¹³³ While detainees were being tortured, the confinement box became “the actual prison where he live[d], and from which he [was] taken to be tortured with [] other methods.”¹³⁴ The “coffin” contained a bucket for a toilet, a can of drinking water, and a can of Ensure for nourishment.¹³⁵



¹³⁰ See *SSCI Report*, *supra* note 8, at 41 (discussing “rapidly progressing” interrogations of Mr. Abu Zubaydah, moving through the large box, walling, and small box, and finally culminating in waterboarding).

¹³¹ See Mitchell Transcripts, *supra* note 54, at 30361; Mitchell Transcripts, *supra* note 54.

¹³² See Appendix, *infra*, at Drawing #1.

¹³³ *Id.*

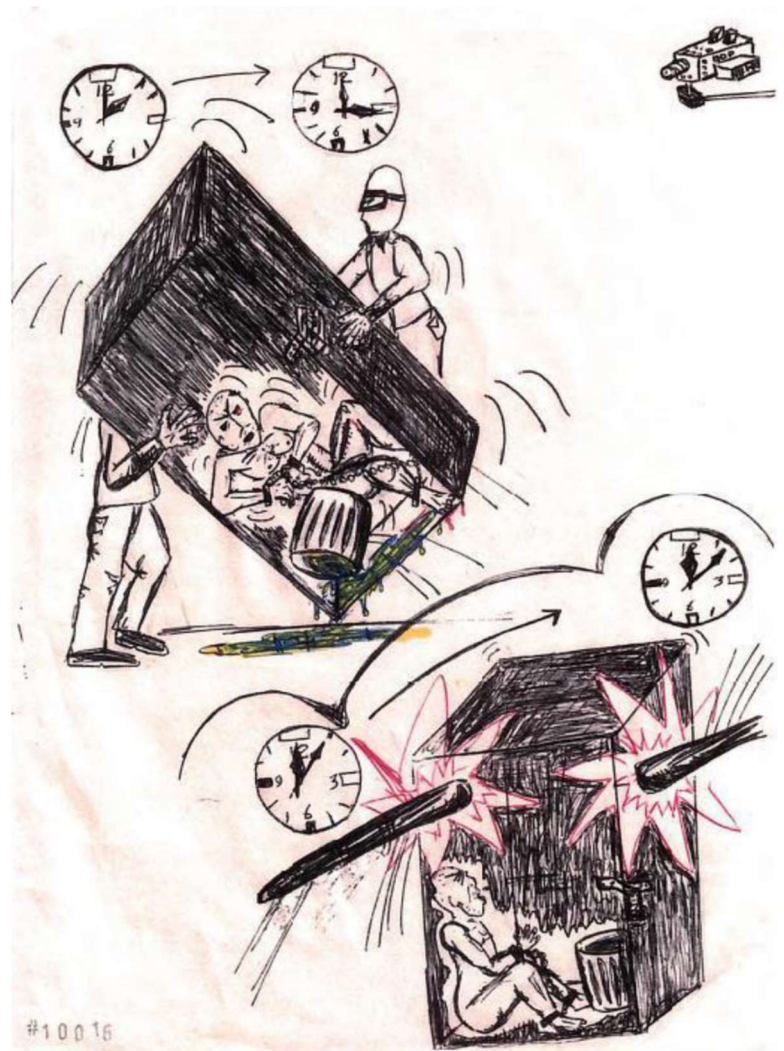
¹³⁴ *Id.*

¹³⁵ *Id.*

Every five or ten minutes, guards would bang on the outside of the box with sticks or metal objects to prevent the detainee from sleeping.¹³⁶ As the clocks ticked on and the cameras watched, the cycle continued. Torturers would often carry sticks around to beat detainees in case one dared to attempt a moment of sleep.¹³⁷ Alternatively, the guards would “forcibly shake [the box] until the detainee [fell] on the floor together with his bucket to drown in his own soiling.”¹³⁸

The small box, in contrast could “barely fit a medium size dog.”¹³⁹ Still, the prisoner would be shackled in the same manner as the large box.¹⁴⁰ After a short amount of time inside, he would feel “the bondage of [his] extremities with [his] organs,” difficulty breathing, and the pain of his head being twisted and contorted inside the box.¹⁴¹ At times, the pain was so unbearable it caused the detainee to faint.

There was another type of box, long and slender, with slots for interrogation purposes, which the torturers would place the prisoners in for two different purposes. At a glance, it would be impossible for a detainee to know whether he would be left alone locked-in the box or whether he would be subject to water torture. Eventually, “[i]f [the detainee] was restrained from the front,” he came to know that he would be left locked inside the box, facing up, for days on end, left to drown in his own waste.¹⁴² But when his hands were tied behind his back, he would know that one torturer would pour very cold water through a slot near his feet, while the interrogator questioned him through a second slot near his face. The box would slowly fill with water, rising until the water “reach[ed] his nose, mouth, and then he [would begin to move around the box in] distress while coughing [due to] drowning.”¹⁴³ As the boxes were made of wood, the water would slowly leak out, only for the cycle to repeat again, as the detainee remains “terrified of drowning all day.”¹⁴⁴



¹³⁶ See Appendix, *infra*, at Drawing #17.

¹³⁷ *Id.*

¹³⁸ See Appendix, *infra*, at Drawing #1.

¹³⁹ See Appendix, *infra*, at Drawing #8.

¹⁴⁰ *Id.*

¹⁴¹ *Id.*

¹⁴² See Appendix, *infra*, at Drawing #15.

¹⁴³ *Id.*

¹⁴⁴ *Id.*

It appears that use of confinement boxes to torture Mr. Abu Zubaydah and others was at the very least contemplated prior to their formal approval as “Enhanced Interrogation Techniques.” In April of 2002, a CIA cable described the construction of a box 85 inches long, 30 inches wide, and 20 inches deep.¹⁴⁵ In response to the timing of this cable, Mr. Mitchell expressed that he was “befuddled by the cable because [his] recollection [was that] until EITs were approved, not box was used, but this cable suggests that there was discussion about that before the EITs were approved.”

¹⁴⁵ *SSCI Report*, *supra* note 8, at 41.

VIII. PHYSICAL ASSAULTS

A. Walling

The Senate Intelligence Committee’s report defines walling as “slamming detainees against a wall.”¹⁴⁶ The CIA categorizes walling as a “coercive technique.”¹⁴⁷ In fact, the CIA felt:

“[w]alling is one of the most effective interrogation techniques because it wears down the HVD physically . . . An HVD may be walled one time (one impact with the wall) to make a point or twenty to thirty times consecutively when the interrogator requires a more significant response to a question.”¹⁴⁸

These official descriptions of walling are conveniently vague and do not describe the precise method, the potential dangers, or the intended physical effects of walling. However, Dr. Mitchell—the architect of America’s torture program—has provided some insight into the mind of a CIA torturer inflicting this abuse upon a detainee.

According to Mitchell, “there’s a technique you have to use.”¹⁴⁹ That technique includes wrapping a towel around the detainee’s neck while you “pull the person’s head forward so that the shoulders hit the wall.”¹⁵⁰ However, Mitchell warned that “you have to be careful how you do it because [from a medical standpoint] there are several things that can cause problems.”¹⁵¹ In fact, Mitchell stated that often you “would have to work to keep them from putting their head back” in order to prevent brain trauma and whiplash.¹⁵²

Other than the use of a towel, there is no evidence that the CIA attempted to limit the amount of force, or the number of impacts allowed when authorizing the walling technique. When questioned about the number of times you may slam a person into the wall, Mitchell replied, “maybe more than a dozen, less than twenty. I don’t know . . . it could be more than that.”¹⁵³ Despite the lack of discernible guidelines for walling, Mitchell admitted that “it [wa]s sometimes done incorrectly.”¹⁵⁴ When that happened, it caused severe injuries and not just the intended “disorienting” effect.¹⁵⁵

According to Mitchell, the goal of walling was to cause “the liquid in [the detainee’s] ears to swirl around a little bit” especially when “it looked like he was going to tell us something that was not addressing the question that we asked him.”¹⁵⁶ While Mitchell’s testimony helps to elucidate the CIA’s perspective on walling, it fails to capture the true experience of the individual enduring the abuse. Mr. Abu Zubaydah is one of those individuals. He relates a portion of his abuse in this illustration and provides a harrowing description of the depicted events.

¹⁴⁶ *SSCI Report*, *supra* note 8, at 3.

¹⁴⁷ Memorandum for Dan Levin, *supra* note 129, at 8.

¹⁴⁸ *Id.*

¹⁴⁹ Mitchell Transcripts, *supra* note 54, at 31311.

¹⁵⁰ *Id.*

¹⁵¹ *Id.*

¹⁵² *Id.* at 31624.

¹⁵³ *Id.* at 31314.

¹⁵⁴ *Id.*

¹⁵⁵ *Id.* at 31623.

¹⁵⁶ *Id.* at 31314-16.

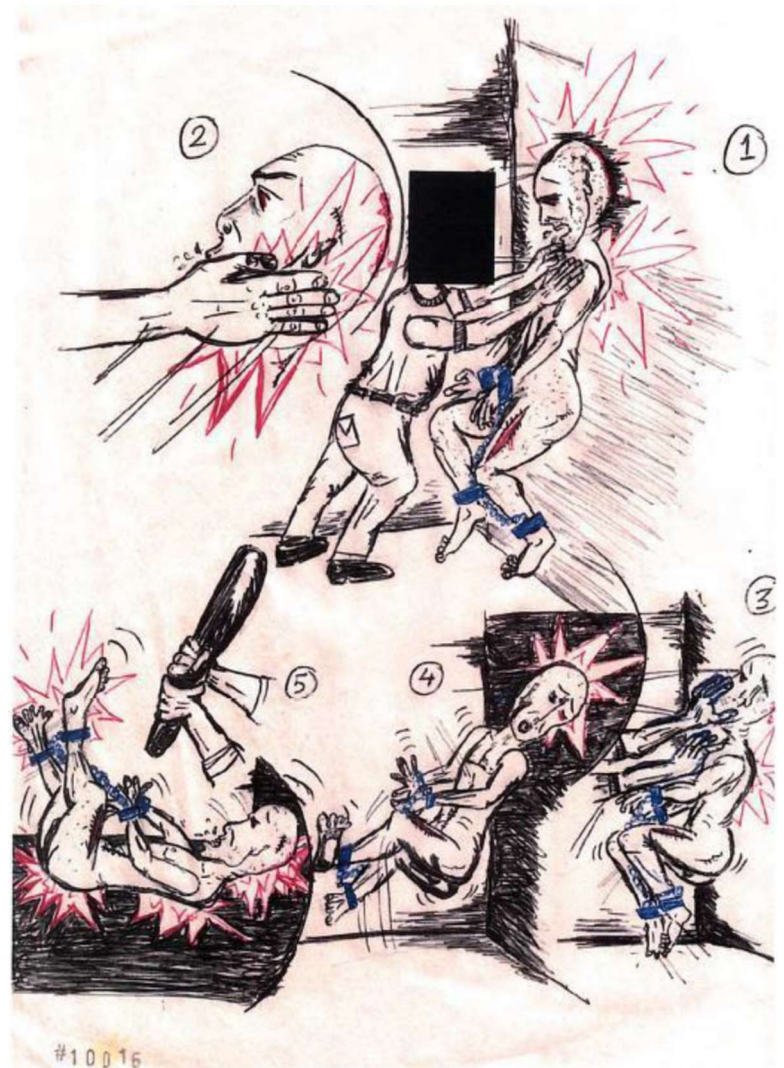
In the sketch to the right, Mr. Abu Zubaydah shows the interrogator “powerfully and violently slamming [his] head against a cement wall and repeating it until [he fell].”¹⁵⁷ Zubaydah goes on to describe how the interrogator struck his “head and back against a wooden wall attached to the cement wall with the same force, violence, and repetition.”¹⁵⁸ A redacted source from a 2007 email supports Mr. Abu Zubaydah’s description:

“[A] collar was used to slam him against a concrete wall. While we do not have a record that this occurred, one interrogator at the site at the time confirmed that this did indeed happen. For the record, a plywood ‘wall’ was immediately constructed at the site after the walling on the concrete wall.”¹⁵⁹

Although the CIA defines walling as “slamming a detainee against a wall,” the reality is even worse. Mr. Abu Zubaydah states “the difference between the concrete and wooden wall is the first causes the blood to immediately gush from the head . . . with the wooden wall the blood doesn’t gush rapidly . . . although it causes the same pain and suffering.”¹⁶⁰

As all other torture techniques, walling was not a technique used in isolation. The CIA used walling in conjunction with other torture techniques in “varying combinations, [twenty-four] hours a day” for seventeen straight days on Mr. Abu Zubaydah.¹⁶¹ He specifically remembers one incident where an interrogator wrapped a towel around his neck, dragged his naked, shackled body across the floor, and then slammed him into the concrete walls of the room.¹⁶² When describing another walling session, Mr. Abu Zubaydah writes:

“He was twisting a thick towel which was wrapped with plastic tape so it could be given the shape of a noose. He wrapped it around my neck and brutally dragged me. I fell on the floor with the bucket [of my own excrement], with all its contents that fell on me. The guards did not intervene. It was he who dragged me on the floor with that noose towel. He brutally dragged me towards the wall. I suddenly realized there was a wooden wall covering most of the original wall. Before he uttered any word, he started brutally banging me against



¹⁵⁷ See Appendix, *infra*, at Drawing #5.

¹⁵⁸ *Id.*

¹⁵⁹ *SSCI Report, supra* note 8, at 43 n.183.

¹⁶⁰ See Appendix, *infra*, at Drawing #5.

¹⁶¹ *SSCI Report, supra* note 8, at 42 n.190.

¹⁶² Mr. Abu Zubaydah Notes on Torture, *supra* note 2, at 9.

the wooden wall. I suddenly felt the same pain I felt when I was being banged against the cement wall. However, when I thought about it later, I believe that they didn't want to leave any trace of beating and banging on my body . . . Given the intensity of the banging that was strongly hitting my head I fell down on the floor with each banging. I felt for few instants that I was unable to see anything, let alone the short chains that prevented me from standing tall. And every time I fell, he would drag me with the towel which caused bleeding on my neck.”¹⁶³

While the CIA's definition of its highly prized walling technique is not inaccurate, it is wholly misleading. Walling involved “slamming detainees against a wall;” however, it also involved so much more than just that.¹⁶⁴

B. Facial Slap

In a close-up of one of Mr. Abu Zubaydah's walling illustrations, he depicts another CIA-approved technique, the facial slap.¹⁶⁵ During his walling experience, he recalls how he was “repeatedly slapped in the face.”¹⁶⁶ Mitchell stated the purpose of the facial slap for all prisoners subject to it, which he typically refers to as the insult slap, is to serve as a “reset button.”¹⁶⁷ According to CIA documents, this occurred each time Mr. Abu Zubaydah denied having information relating to al-Qaeda, which the CIA now admits he never possessed.¹⁶⁸

We have evidence of the use of the facial slap on other detainees. Mitchell, one of Mr. Abu Zubaydah's interrogators, was once reported for misusing the already abusive facial slap technique on another detainee, Abu Yasir.¹⁶⁹ Mitchell conceded that he thought “it was a reasonable thing” that he was reported by another torturer.¹⁷⁰ After all, in response to Mitchell's slap, Yasir “jumped in the air and collapsed to the ground.”¹⁷¹ Nevertheless, the complaint was investigated, and Mitchell was cleared of any wrongdoing.¹⁷² After the investigation exonerated Mitchell, he was allowed to continue in his torture of Yasir and other detainees.¹⁷³

¹⁶³ *Id.*

¹⁶⁴ *SSCI Report, supra* note 8, at 3.

¹⁶⁵ *Id.* at 36.

¹⁶⁶ *See* Appendix, *infra*, at Drawing #5.

¹⁶⁷ Mitchell Transcripts, *supra* note 54, at 31653.

¹⁶⁸ *SSCI Report, supra* note 8, at 41.

¹⁶⁹ Mitchell Transcripts, *supra* note 54, at 31591.

¹⁷⁰ *Id.* at 31599.

¹⁷¹ *Id.* at 31591.

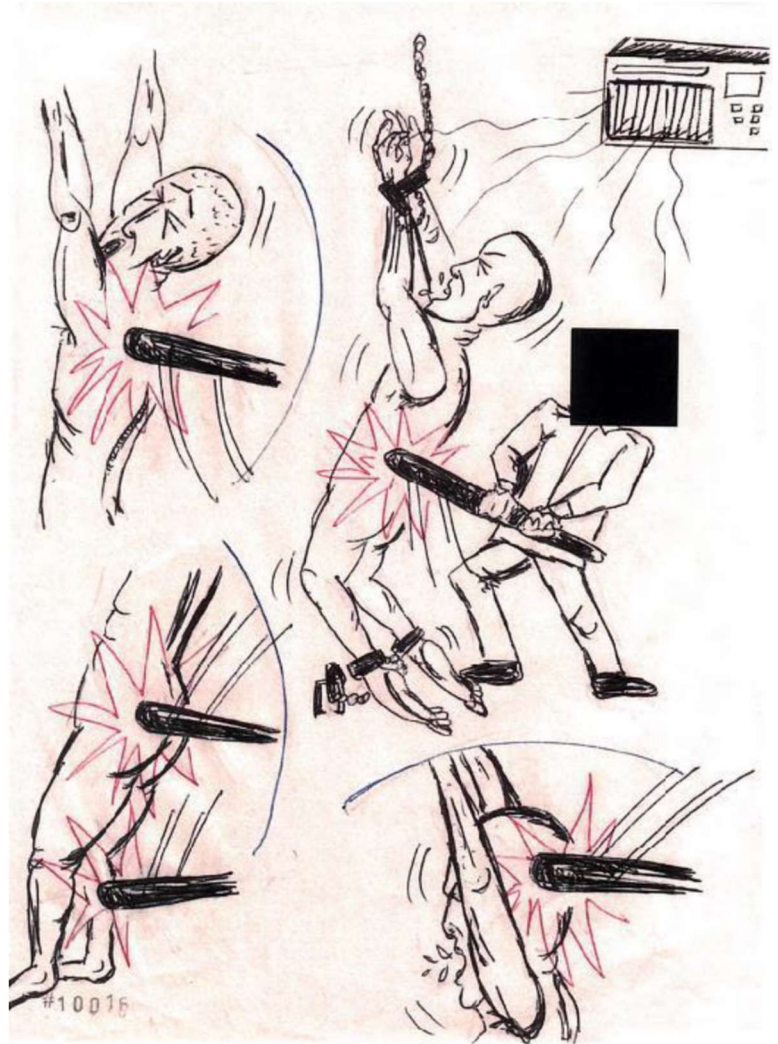
¹⁷² *Id.* at 31599.

¹⁷³ *Id.*

C. Beatings

Mr. Abu Zubaydah's illustrations bring back to life the "[u]nauthorized, improvised, inhumane, and undocumented detention and interrogation techniques" that the CIA tried so desperately to erase from existence.¹⁷⁴

In this drawing, Mr. Abu Zubaydah reflects on a particularly cruel method of abuse. He recalls how the prisoners would be "completely naked and hanged from the roof with a chain, and for very long hours, long days or weeks."¹⁷⁵ They could not even escape the physical torment by sleeping because there was "no sleep not even for one second (even if they were not trying to stop him from sleeping)."¹⁷⁶ But the reality of the situation was the torturers were trying to prevent him from sleeping, and their preferred method was the use of large wooden sticks. In this illustration, Mr. Abu Zubaydah depicts how they would "use [the sticks] to beat him up during the investigation and as[k] him about things, once he denie[d] then they [would] beat him upon the head, back, buttocks (rear-end) or calves."¹⁷⁷

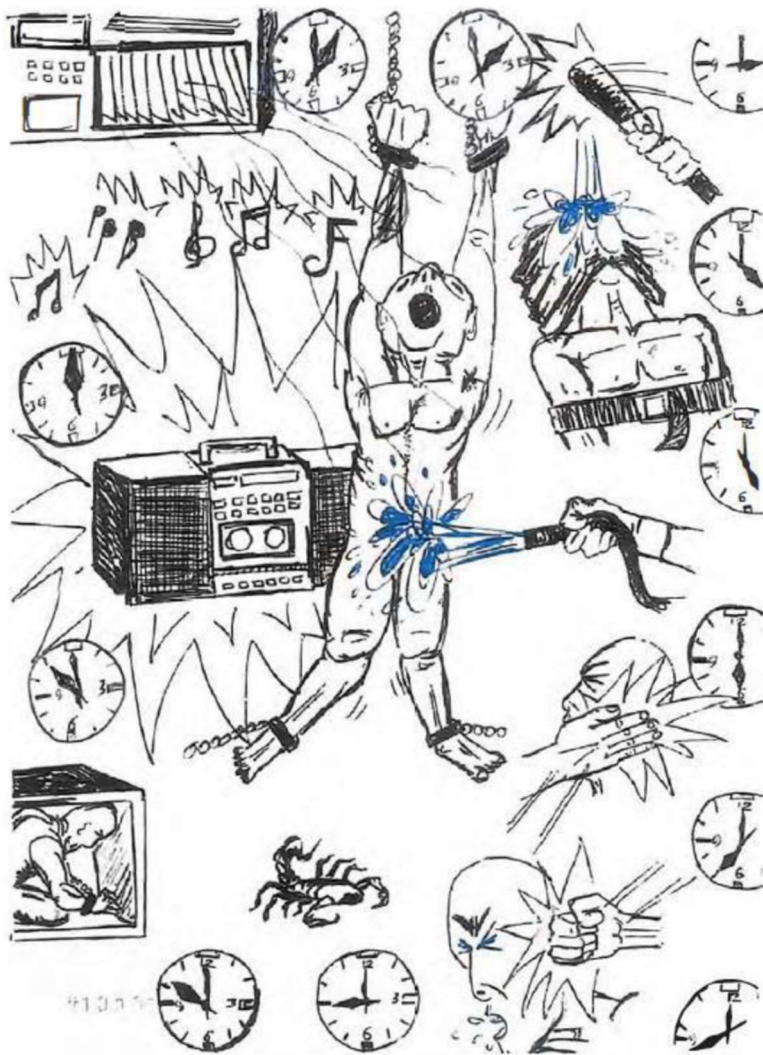


¹⁷⁴ *SSCI Report*, *supra* note 8, at 224-25.

¹⁷⁵ See Appendix, *infra*, at Drawing #14.

¹⁷⁶ *Id.*

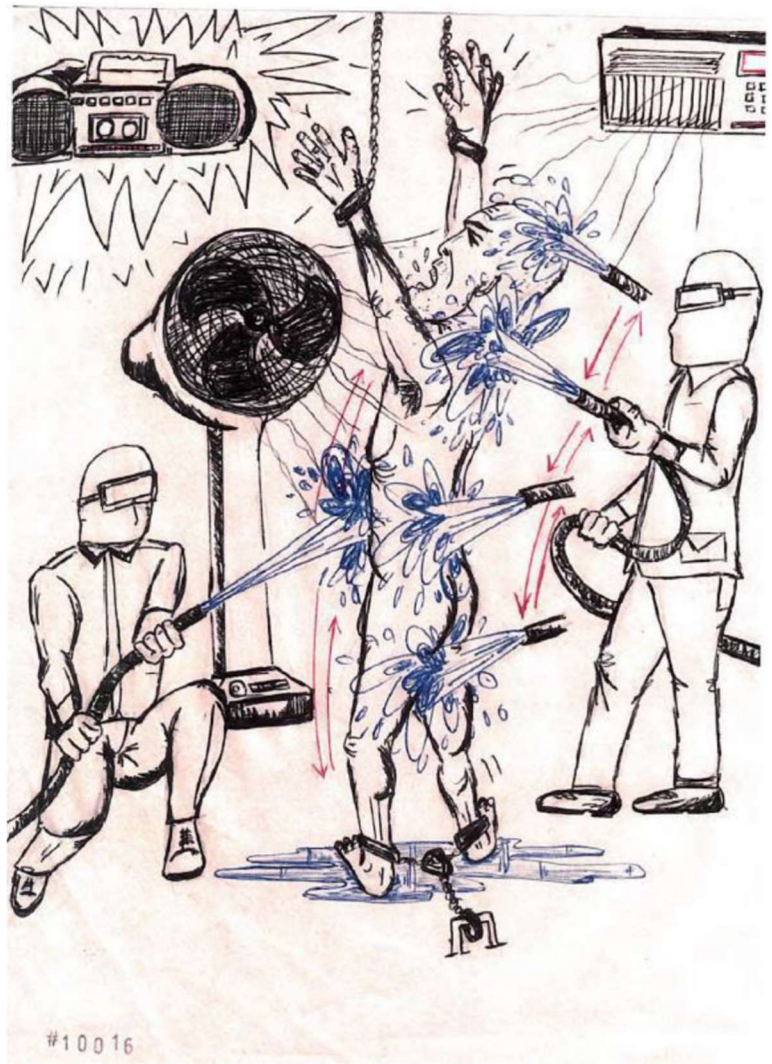
¹⁷⁷ *Id.*



These illustrations are so disturbing that one might find it difficult to spend too much time examining the finer details. In many of his drawings, Abu Zubaydah deliberately includes an air conditioner blowing frigid air onto the prisoner's shivering and shackled body. The environment in which he and others suffered these violent beatings further exacerbated the anguish he endured. In the left drawing, Mr. Abu Zubaydah shows the prisoner screaming as the guards are "hitting [him] with a stick in very cold weather, so the pain w[ould] be doubled."¹⁷⁸

¹⁷⁸ See Appendix, *infra*, at Drawing #10.

When the air conditioner was not enough to induce the desired amount of pain, the interrogators would turn on a “very strong fan, then they [would] start pouring cold water on the detainee’s head.”¹⁷⁹ Even still, this was not enough. In drawing to the right, Mr. Abu Zubaydah recalls how the guards took pressure hoses and started “shooting very cold water on his back, belly, behind, and genitals.” Depending on how the guard felt that day, he would focus on a specific area or move around a bit. When they felt particularly cruel, they would focus “on the head . . . and/or under the genitals.”¹⁸⁰



¹⁷⁹ See Appendix, *infra*, at Drawing #11.

¹⁸⁰ *Id.*

D. Commentary

These violent acts of aggression when directed to the head and neck of the detainee cause traumatic brain and cervical spinal cord injuries. The traumatic brain injuries caused by repeated walling, facial slaps, and beatings to the head cause severe cognitive impairments— impaired thinking, attention, concentration, memory and processing of sensory information necessary to function as a human being. It can also result in a very painful condition called tinnitus—ringing in the ears. The tinnitus is frequently combined with a painful sensory sensitivity, and people become extremely distraught at even low levels of sounds, light, smells, touch, and taste. Thinking, speaking, writing, and processing information become painful, difficult, and at times, impossible. Injuries to the cervical spine are as damaging and produce chronic headaches, neck pain, and difficulties moving the head.

Sometimes with treatment these debilitating symptoms can be somewhat mitigated. For Mr. Abu Zubaydah and others like him, however, mitigation is unlikely. In addition to the denial of treatment, the repeated exposure to these violent acts increases the likelihood of permanent injury. Many of the prisoners are likely to suffer from these debilitating symptoms for the remainder of their lives. Another prisoner, Abu Faraq al-Libi, suffers from complete hearing loss in one ear due to these torture techniques.¹⁸¹

The denial of treatment is only one aspect to extending the debilitating consequences of chronic torture. Mr. Abu Zubaydah, like others, have the misfortune of being repeatedly re-traumatized every time they see, hear, or remember the events of their torture. After being in the various Black-sites, individuals are typically placed in similar settings like Guantanamo Bay, where they are chronically exposed to reminders of the torture, thereby reliving their torture on a regular, if not daily, basis. The re-traumatization embeds the debilitating effects of torture more deeply into the biological and bodily fabric of people. keeping them in a state of chronic distress. The possibilities of relief, let alone rehabilitation, become remote if not impossible.

¹⁸¹ *SSCI Report*, *supra* note 8, at 147-48.

IX. SEXUAL ASSAULT, RELIGION & HUMILIATION

Of the many unapproved torture techniques the CIA used on the prisoners, among the worst were the tactics that utilized sexual assault, religion, and humiliation. These tactics included forced nudity, harm or threat to harm to genitals, and denigration of Islam, including use of the presence of women. Ultimately, the decision to far exceed the bounds of the officially approved techniques led to the simulated and actual rape of prisoners.

A. Psychological Threats

As discussed above, the intention to cause physical trauma with torture warrantes but the intention to cause psychological and emotional distress by methods used to achieve these results is worth noting. Some of these tactics can be understood as “collateral” tactics that the CIA used, as opposed to some more shocking “main” tactics, like waterboarding or walling. Constant nudity, for example, is collateral because it is an additional stressor that is used in conjunction with a “main” tactic.

Drawing #34 and the accompanying description demonstrate the important role that psychological harm played in the CIA’s and FBI’s torture regime: it is one of the few drawings where this psychological torture is the primary message Mr. Abu Zubaydah is trying to convey. Therein, a fully bearded Abu Zubaydah is strapped in a chair, conjuring up images of the torture being inflicted on a brother based on the sounds he hears. The “powerful[] and violent[]” sounds of the drill is covered up only by the screams of his fellow detainee upon whom it is supposedly being used.¹⁸² According to



Mr. Abu Zubaydah, this was only time his cell door was left open, aside from when he was about to receive torture “so [he] could hear the sound of the (power drill) and the sounds of shouting, begging, and crying in ‘horror’ of the brother who is receiving the torture.”¹⁸³ The torturers would then cease torturing the brother and come to Mr. Abu Zubaydah’s cell: “[w]hen the power drill was stopped, the interrogator and/or person who is assigned to torture me w[ould] start[] to threaten that he would do all these types of torture using the power drill with me.”¹⁸⁴

The psychological harm to Abu Zubaydah did not cease with the power drill, however. When a brother’s screams would eventually stop, it left him with inescapable worry: “one sound was starting to shout and scream in my own head, in the shape of questions which were pushing me to craziness: did they drill the brother’s head?!! Did they drill his stomach or his foot or his rear end?!! Using the power drill?!!”¹⁸⁵ As planned and desired by the torturers, the effect of these

¹⁸² See Appendix, *infra*, at Drawing #34.

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

methods were long lasting: “All these questions kept going through my mind for days and months until another day when they come back and use the same method: Threat with power drill. Then the same sounds of horror (the external) come back, and craziness sounds come back to my head with new questions: IS he the same brother?!! Didn’t he die? Didn’t they kill him? Or this is another brother different than the first one? Who is the second one? And who will be the third one? Will it be me?”

Every aspect of the detainees’ lives was controlled and set up to ensure “learned helplessness.” The humiliation and psychosis – although not as physically violent as some tactics described above, -- was an important part of this regime. And the effect of the detainees was potent: “This feeling of horror (extreme horror) could get a little bit lighter once the torture is over, but it will never end or go away from the brain, heart, body, and the soul of the person who received the torture.”¹⁸⁶

B. Nudity and Humiliation

The fact that Mr. Abu Zubaydah is naked in every single drawing demonstrates the CIA and FBI use of nudity in and of itself as part of the system of torture. Every detail of these drawings by Mr. Abu Zubaydah conveys an important piece of information about what was done to the prisoners and the way in which humiliation was a key part of the torture regime.

Constant forced nudity is no exception, although for some it may be overshadowed by the more violent tactics. It is a torture tactic hiding in plain sight in these drawings. Mr. Abu Zubaydah himself noted this: in his explanation accompanying Drawing #13 – depicting him in a stress position being doused with cold water – he described the physical torture and emphasized it occurred “while completely naked *of course*.”¹⁸⁷ (emphasis added).

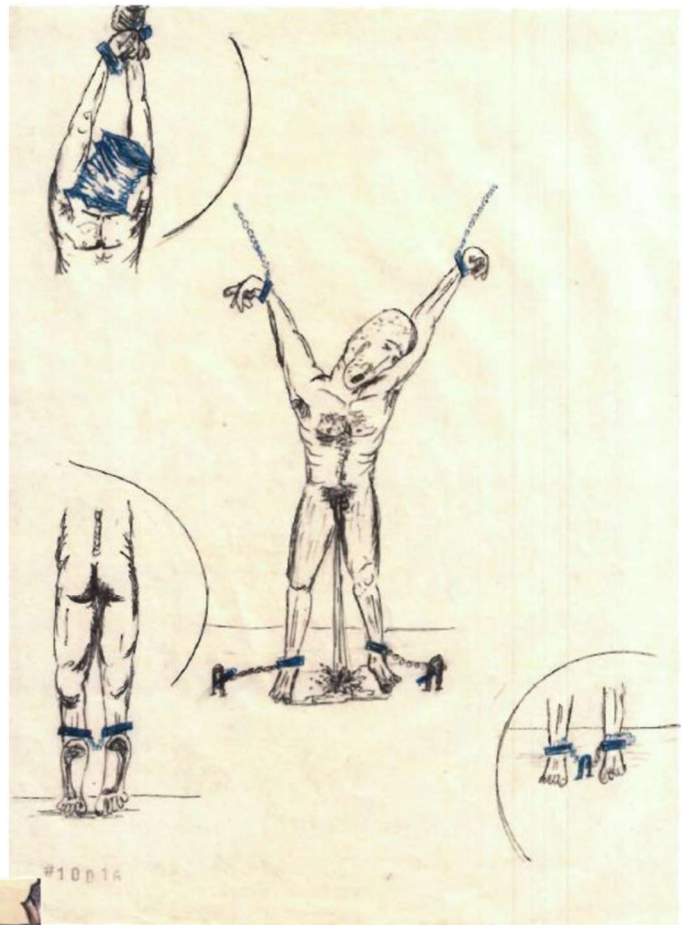


¹⁸⁶ See Appendix, *infra*, at Drawing #33.

¹⁸⁷ See Appendix, *infra*, at Drawing #13.

Mr. Abu Zubaydah fully displays the prisoner's genitals in only two drawings. In Drawing #7, the prisoner is urinating on himself, as his face reflects his anguish. Mr. Abu Zubaydah's descriptions suggest the detainee's anguish derives not just from the physical pain of stress positions, but also from the humiliation of the nudity and sexual torture, and likely even from urinating on himself as well.

Indeed, Mr. Abu Zubaydah appears to depict urinating on himself in only certain drawings, including in Drawing #32. Therein, the detainee is bent over a table, feet chained to the floor and hands chained to the table. While one guard directs and makes threats to rape the detainee, two others strike the detainee with large sticks on his back and hands to the point that he urinates on the floor.

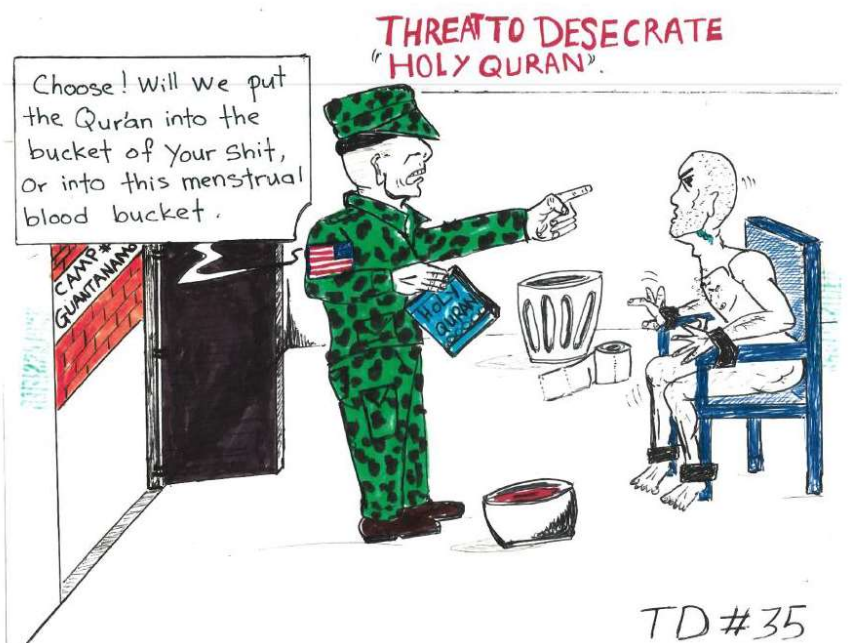


A detainee's bodily fluids were used in other ways to humiliate. In Drawing #35, a guard demands the detainee choose: a Quran will be put into a bucket of menstrual blood or the detainee's own feces.

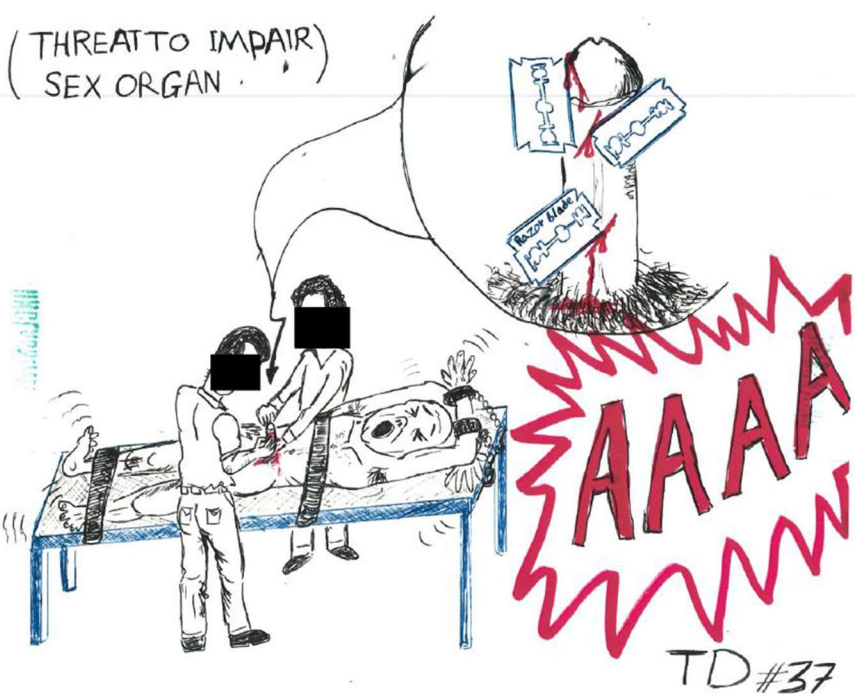
Moreover, in all other drawings where the prisoner's genitals could have been visible, Mr. Abu Zubaydah strategically placed a hand, a stream of water, waterboard table straps, or even a fig leaf. Mr. Abu Zubaydah acknowledges the fig leaves in the explanation accompanying

Drawing #25: "Because at the FBI and CIA, they didn't give me a fig (berry) leaf to cover the genitals (naked area), in the drawing I had to cover my genitals with a drawing of a leaf instead of painting myself totally naked."¹⁸⁸ (emphasis added). This drawing also contains a fig leaf, accompanied by the explanation: "NOTE: the fig leaf that covers the genitals in the drawing is an extra, does not represent the ugly truth of what occurred."¹⁸⁹

Drawing #37 combines elements of physical and sexual torture in the depiction of mutilation of the detainee's genitals. Although the drawing is titled "Threat to Impair Sex Organs," the drawing makes it clear actual impairment occurred. As the detainee is strapped down to a table, arm shackled over his head, two plain-clothes guards have their hands near his bloody penis. Mr. Abu Zubaydah included a zoomed-in drawing to depict exactly what the guards were doing: taking to his penis, drawing blood, with an alarming, red speech graphic, noting how this made the detainee scream in pain.



TD #35

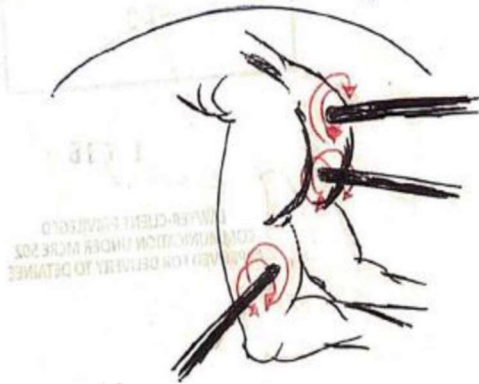


¹⁸⁸ See Appendix, *infra*, at Drawing #25.

¹⁸⁹ See Appendix, *infra*, at Drawing #25.

In the explanation accompanying this drawing, Mr. Abu Zubaydah again addresses the humiliation associated with the depiction of genitalia: “This drawing is self-explanatory, so I don’t need to further describe. *But maybe I should apologize for revealing the private parts/genitals in the drawing.* This is because I need to show the ugly truth and the dirty reality which happened to the detainees.”¹⁹⁰ (emphasis added).

RAPE THREATS

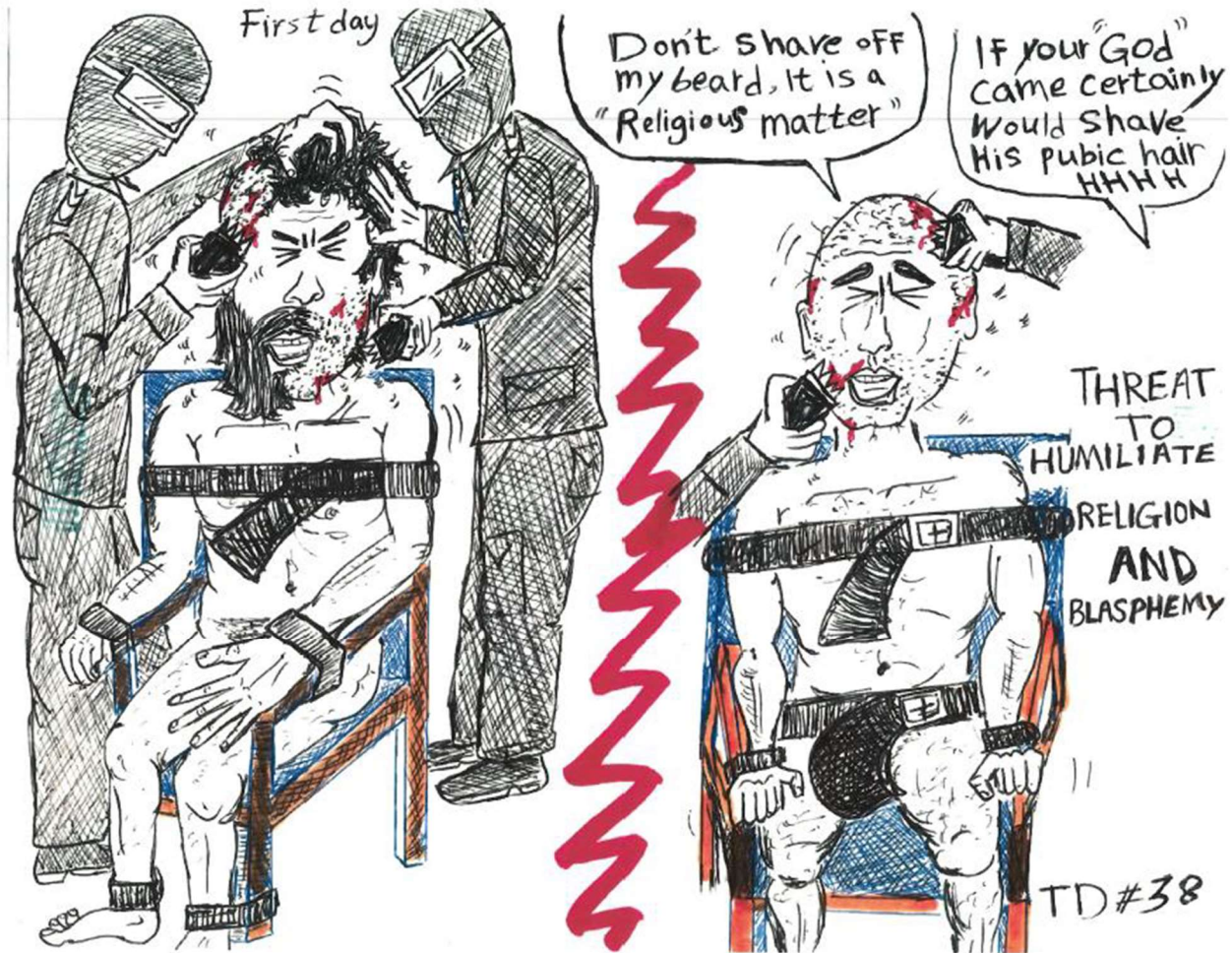


The constant nudity clearly demonstrates that humiliation was a major element in the CIA’s torture regime. This intention is demonstrated in the drawings of the cavity searches, mock/simulated rapes, and actual rapes. Although the full extent of emotional trauma caused by these acts will be discussed in depth in Section II, some elements of these photos and explanations also demonstrate the specific intent to humiliate. Drawing #9 (left) depicts the “rape threats,” where the act is simulated by pressing a stick in a circular motion near the detainee’s rear. A portion of the accompanying explanation emphasizes how humiliating this act was for the prisoner, and “the feelings [he] suffers, such as fear, pain, and embarrassment.”¹⁹¹ Mr. Abu Zubaydah uses similar language throughout his explanation for a different drawing with several depictions of cavity searches and actual rapes that prisoners such as he endured.

¹⁹⁰ See Appendix, *infra*, at Drawing #37.

¹⁹¹ See Appendix, *infra*, at Drawing #9.

C. Use of Religion



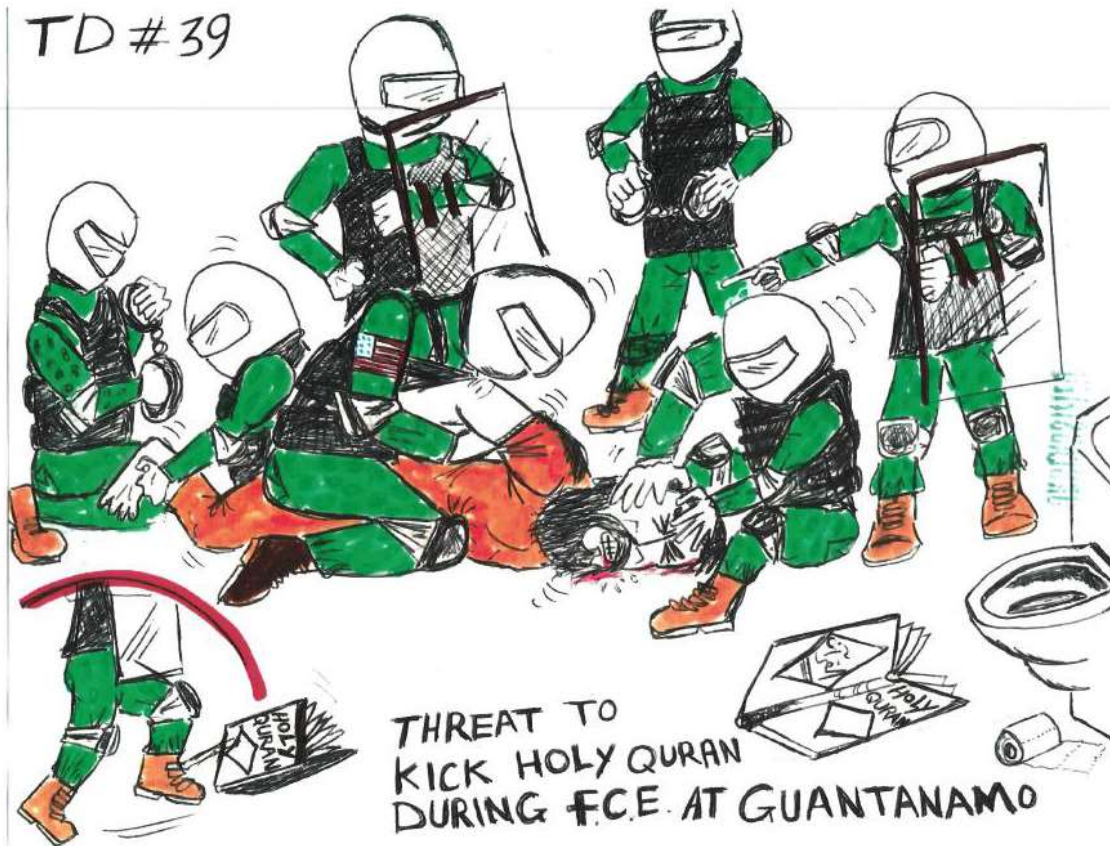
The CIA's use of forced constant nudity emphasizes another one of the more subtle ways that they would torture the prisoner; they tortured them not just as men, but as Muslim men. For example, in the left-hand side drawing in Drawing #38, depicting Mr. Abu Zubaydah's first day, he shows guards shaving his hair and beard. In the right-hand drawing, depicting him clean-shaven, he yells out "Don't shave off my beard, it is a 'religious matter.'" ¹⁹² A non-depicted guard replies, "If your 'God' came, certainly would shave his pubic hair HHHH." ¹⁹³ Mr. Abu Zubaydah aptly titled this drawing, "Threat to Humiliate Religion and Blasphemy."

The guards also weaponized cleanliness for their torture regime. Being in close proximity to one's own excrement is horrifying for any individual for any period of time. It is particularly harmful to a practicing Muslim because cleanliness an extremely important tenet of Islam; being in constant close proximity to human waste has religious implications for daily prayer and ritual purifications. Mr. Abu Zubaydah depicts a prisoner urinating on himself and lying in his own excrement, and describes other similar conditions, in many of the drawings and descriptions. ¹⁹⁴

¹⁹² See Appendix, *infra*, at Drawing #38.

¹⁹³ *Id.*

¹⁹⁴ See, e.g., Appendix, *infra*, at Drawings #12, 15, 28, 32, 36, 38.



It is evident from Mr. Abu Zubaydah’s drawings that the CIA was purposeful in its attempt to weaponize his religion through torture. This is poignantly demonstrated by Drawing 39 and Drawing 35; in both drawings, “guards at the CIA, FBI, and/or GMT0”¹⁹⁵ would make direct threats to the Quran. For example, Mr. Abu Zubaydah described how desecration of his Quran would often be a direct consequence of a Forcible Cell Extraction (FCE). During an FCE, guards would “storm[] the detainee” or would “spray a substance or gas on the face of the detainee.”¹⁹⁶ If the detainee did not put away his Quran, “[u]sually they would kick the Quran when they entered or they would step [on] it or push it back using their feet. They would push it near the bathroom (toilet).”¹⁹⁷

As explained above, Mr. Abu Zubaydah was also extremely uncomfortable with nudity in front of others.¹⁹⁸ While this was part of the humiliation element of the torture campaign, the FBI and CIA also used constant nudity to offend the prisoner’s religious values. They are deeply held beliefs, and Mr. Abu Zubaydah’s drawings and descriptions reflect how the FBI and CIA weaponized the prisoners’ values to psychologically torture them. In a drawing description, Mr. Abu Zubaydah explained that “it is forbidden in the religion of Islam to be naked *even in front of*

¹⁹⁵ See Appendix, *infra*, at Drawing #39.

¹⁹⁶ *Id.*

¹⁹⁷ *Id.*

¹⁹⁸ See e.g., Appendix, *infra*, at Drawing #28 (“NOTE: the fig leaf that covers the genitals in the drawing is an extra, does not represent the ugly truth of what occurred.”).

your brother or father (of course you can do this with wife)”¹⁹⁹ (emphasis added). Mr. Abu Zubaydah’s main interrogator Dr. Mitchell himself admitted he had personal knowledge that Muslim men are sensitive with respect to nudity.²⁰⁰

Moreover, Mitchell’s testimony reveals that a member of the team was an Islam expert or scholar. While part of this individual’s job included giving the prisoner fatwa, it is evident from that this person also appeared to inform interrogators like Mitchell about Islam.²⁰¹ The prisoners remained for many months unaware of prayer times and the direction of Mecca.

D. Presence of Women

Another crucial detail of Mr. Abu Zubaydah’s drawings is the depiction of women. Clearly emphasized in the drawings and their descriptions, the FBI and CIA used women strategically to cause severe humiliation during these interrogation sessions. It was the ultimate insult to Mr. Abu Zubaydah and prisoners like him to exacerbate the ultimate injury they already faced with around-the-clock torture.

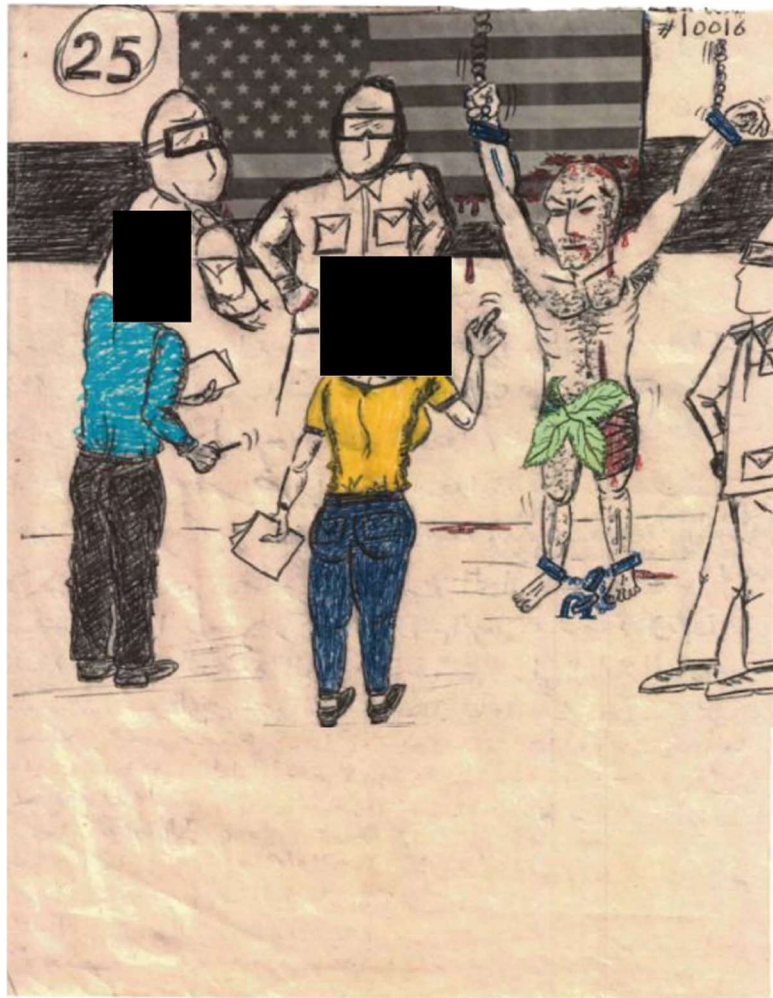
The inclusion of women in these drawings may seem like a subtle detail, also subject to being overshadowed by more gruesome depictions. But Mr. Abu Zubaydah purposely included them in the drawings—just as the CIA purposefully included them on Abu Zubaydah’s interrogation teams. For example, in the drawing below, a prisoner is being subjected to rectal hydration and feeding. In the right-hand corner of the top drawing—an almost inconspicuous detail in this gruesome scene—there is clearly a woman. She appears to be holding his foot, but in his description, Mr. Abu Zubaydah emphasizes that some of the females were ***“laughing and commenting on the operation with inappropriate or sexual comments.”***

¹⁹⁹ See Appendix, *infra*, at Drawing #21.

²⁰⁰ Mitchell Transcripts, *supra* note 54, at 31586.

²⁰¹ *Id.*

In Drawing #25, a few guards and another man observe as a woman in a yellow top points at a bloody Mr. Abu Zubaydah. Another woman is unmistakably present in Drawing #26. The drawing at the bottom of #26 shows one of the many waterboarding sessions that Mr. Abu Zubaydah and others endured. The prisoner is strapped down to the board, while a bottle of water is poured over his covered face to simulate the feeling of drowning. Two fully covered guards watch over him. In this depiction of waterboarding, he clearly emphasizes a provocatively dressed red haired woman standing over him. In the accompanying description, he writes: “[e]ven when they were waterboarding (torture), and the detainee is completely naked, they sometimes bring a female interrogator to ask questions or to just write the answers (responses).”²⁰²



Nudity in front of others was *per se* discomfoting for the prisoners, but the FBI and CIA exploited the presence of women to cause even greater embarrassment. In his explanation to Drawing #21, Mr. Abu Zubaydah expressed “embarrassment of his nakedness, in front of guards and the cameras [but] the embarrassment will increase when you notice one of the investigators or the guards dressed in black is a female who is watching him when he is cleaning, ease himself in a bucket in front of her or sleeps naked on the ground. He can hardly cover his genitals in front of her.”²⁰³

Mr. Abu Zubaydah even describes two separate instances in which bringing in women lead him to scream at his interrogators. In the explanation accompanying Drawing #25, he described an incident where female interrogators were brought in while he was naked and he “screamed at them that day, saying, ‘If you don’t want to respect me, respect this (female) interrogator...respect her feminism. Don’t be animals.’”²⁰⁴ In the explanation for Drawing #26, he described a similar incident where once a female interrogator was brought in, he “covered [his] genitals with [his] hand and [] was screaming and cursing at them for their lack of morals and their behavior.”²⁰⁵ Mr.

²⁰² See Appendix, *infra*, at Drawing #26.

²⁰³ See Appendix, *infra*, at Drawing #21.

²⁰⁴ See Appendix, *infra*, at Drawing #25.

²⁰⁵

Abu Zubaydah emphasized he was upset out of “respect [for] her feminism” and because a woman’s presence while he was nude was “inappropriate.”²⁰⁶ Dr. James Mitchell expressed a different view of Mr. Abu Zubaydah’s aversion to nudity in front of women. When asked whether a religious scholar who briefed agents on Islam at CIA sites explained to Mitchell the “relationship between men and women in the Islam faith,” Mitchell testified that he did not require an expert because he already “knew how chauvinistic they were.”²⁰⁷

The CIA’s weaponization of Mr. Abu Zubaydah’s traditional, deeply rooted religious values surrounding relations with women is one of the most significant undertones of his drawings. It is evident that the interrogators were using these women for this specific purpose; when his interrogators “would bring in a woman suddenly, if the detainee starts moving his hands spontaneously to cover his genitals, they’ll beat him...while she kept watching.” That is precisely the message Mr. Abu Zubaydah is sending by highlighting the presence of women while he was naked and tortured; he wrote “they beat me painfully...punches, slaps, and more slamming in to [sic] the wall *only for me to talk to a female interrogator while I am in this condition (naked)*” (emphasis added).²⁰⁸

The presence of women was not used only for the detainee’s humiliation; women were also used in conjunction with disrespect to a detainee’s religion. In Drawing #35, a guard forces a strapped-down prisoner to choose: “Choose! Will we put the Qur’an into the bucket of shit, or into this menstrual blood bucket.”²⁰⁹ The anguish is clear on the detainee’s face, as he appears to be reaching forward towards the holy book. While watching the Quran be placed in one’s own feces is certainly offensive, there is a certain additional element of humiliation associated with the threat of female menstrual blood.

²⁰⁶

²⁰⁷ Mitchell Transcripts, *supra* note 54, at 31586.

²⁰⁸ See Appendix, *infra*, at Drawing #26.

²⁰⁹ See Appendix, *infra*, at Drawing #35.



This is not the only drawing depicting the torture aimed at offending detainee's religious values using extreme uncleanliness. Cleanliness is extremely important in Islam, especially in relation to prayer. Before praying, a practicing Muslim will perform a sort of cleaning ritual, involving washing the hands, mouth, nose, face, arms, hair, ears, and feet. This is called "wudu," and certain things can break the state of cleanliness attained by wudu, such as defecating, urinating, farting, and sexual intercourse. Sexual intercourse requires a full wash and performance of the ritual ablution afterwards.

Mr. Abu Zubaydah depicts the prisoner urinating on himself in Drawing #7; Drawing #12; and Drawing #32. In Drawing #12, he depicts himself shackled to a chair inside of a cage, being sprayed by hose, in a room with a boombox and air conditioner blasting. He is noticeably urinating on himself, noting he is "unable to urinate but on himself (as much as he's trying to hold it, it will come out forcefully). Or it will come out as soon as they pour [sic] a very cold water on him,

because he will find himself not only, he cannot control his urinating, or what its worst. Not only because of the cold temperature of water, and weather, but of the force of pressure of the water (too).” He even described detainees wearing diapers when they were transferred between locations.²¹⁰

In Drawing #29, Mr. Abu Zubaydah depicts both rectal hydration and rectal feeding; in the accompanying explanation he describes the later consequences of the torture: “After the end of horrible feeding operation, in 15 or 30 minutes, the prisoner starts feeling a severe ache in his stomach...like his intestines are being shredded. This is followed by severe and uncontrollable diarrhea.”²¹¹ If there was any doubt that this the consequence the FBI and CIA guards sought,



Mr. Abu Zubaydah went on to write: “The guards and the interrogators took advantage of the circumstances and started asking questions while he is asking to go to the restroom. Of course this is prohibited, so he begs for them to bring a bucket and allow him to defecate in it, but they refused, and he was forced to defecate on himself.”²¹²

E. Rape Threats

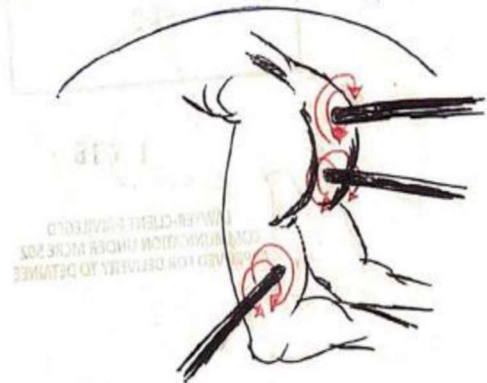
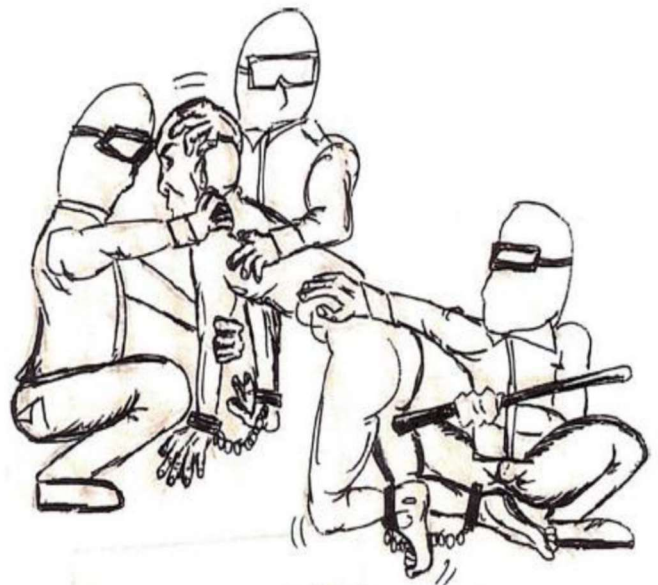
²¹⁰ See Appendix, *infra*, at Drawing #22.

²¹¹ See Appendix, *infra*, at Drawing #29.

²¹² *Id.*

Drawing #9 below, titled “Rape Threats,” is one of Mr. Abu Zubaydah’s earlier drawings, the first depiction of rape threats and mock or simulated rape. The drawing has two parts; the top drawing shows one of the prisoners, head shaved, fully shackled and on all fours, being held by three guards. Two guards are in the front, restraining him by his head and shoulders. The third guard is crouched by the prisoner’s rear, holding his lower back with one hand and pressing a stick near his anus with the other. The bottom drawing provides a close-up of the prisoner’s rear and demonstrates how the stick would be pressed in circular motions near his anus. The back of this drawing below has written on it: “(Mock)/(simulated) Rape.”

RAPE THREATS



The explanation that accompanies Drawing #32 describes just how brutal the process was: “[d]uring the threatening, they were trying to show that it is not just (cursing or a scream of an angry man using harmful words), instead with calmness or with screaming, they were threatening him with rape one or all the family females (wife, sister, daughter), even the mother.”²¹³ In the drawing, the prisoner is bent over and hand shackled to a table while two guards beat his buttocks and hands with sticks, while another man threatens him, depicted by speech bubbles. The speech bubble to the right shows one of the prisoners being raped by a blunt object, while the middle bubble shows him being raped by another man. This rape threat has three arrows pointing to the speech bubble to the left, which shows an elderly woman, a young woman, and a young girl. Mr. Abu Zubaydah writes:

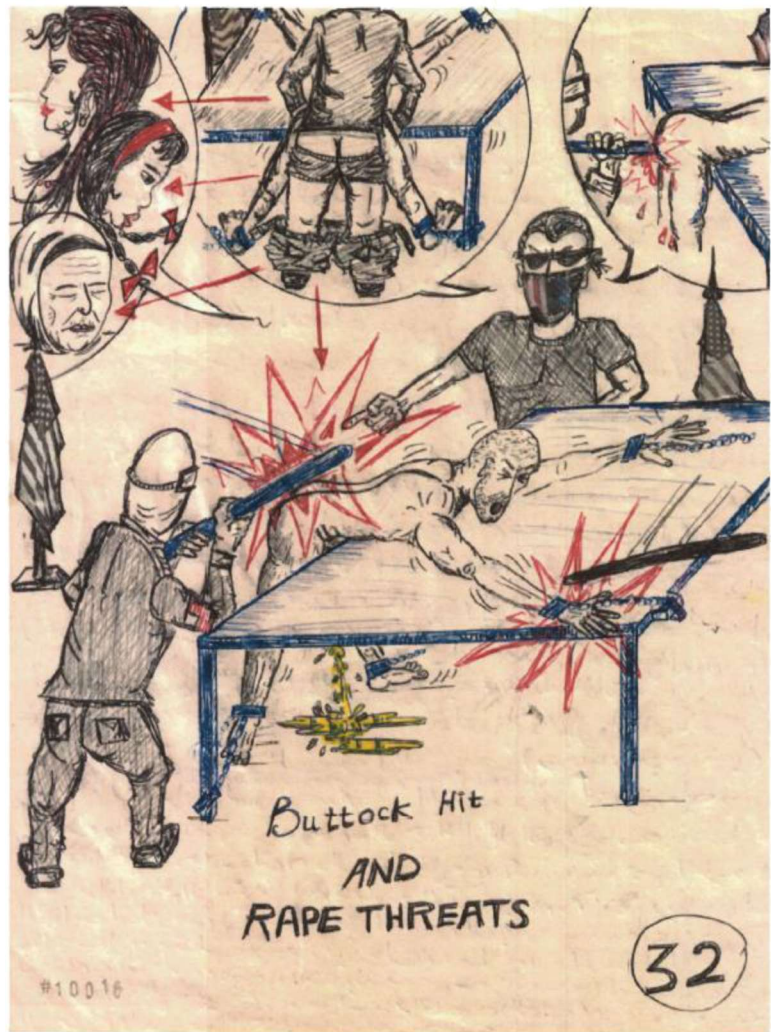
The interrogation starts by cursing and screaming then hitting the prisoner with a stick on his rear/behind (sometimes they would hit his hands or feet). Then the interrogator started threatening to put the stick in the rectums of the prisoner until it bleeds. Then the interrogator threatened to rape him or his wife or his daughter (if he had a wife or daughter) – no matter how young she is; or rape his mother- no matter how old she is.²¹⁴

²¹³ See Appendix, *infra*, at Drawing #32.

²¹⁴ *Id.*

The interrogators quickly moved from verbal threats of others to more physical threats of actual rape. “They used to drop the prisoner on the ground, and hold him in a way, as if actually someone will (sodomize) him Whenever the detainee resists, the other guards would place him back in the proper way to (do sodomy).”²¹⁵ The threats would escalate quickly, Mr. Abu Zubaydah explains: “they start using dirty sexual words describing (beauty, size, or softness) of his (behind). Then, they start (the disgrace) using their hands or some (sticks) in the sensitive areas or around the anus . . . Then they will use a stick at the size of “male penis.”²¹⁶

Although the guards would start with other objects, and “(of course, the prisoner does not see what is happening behind him), but after [the guards] feel that he knew or felt that they are using a ‘stick,’ they used to say loudly we will put this big stick or a bigger one in your (anus) to perforate it (until they bring us a condom then we ‘all’ do it).”²¹⁷ While Drawing #32 focuses mostly on threat of rape, it is the first drawing and explanation where Mr. Abu Zubaydah states that one of the prisoner’s was sodomized, not just threatened with it. Actual rape would often follow the threats “to prove to him that they are serious in doing this rape, and not just words.”²¹⁸ His interrogators desired to thoroughly humiliate the prisoners by adding insult to the already horrific injury of rape threats and rape itself. Mr. Abu Zubaydah wrote that the interrogators “used to say loudly (I will not dirty my penis with your feces), or they say (we don’t have a condom), or they say (you may have sexual diseases).”²¹⁹



²¹⁵ See Appendix, *infra*, at Drawing #9.

²¹⁶ *Id.*

²¹⁷ *Id.*

²¹⁸ *Id.*

²¹⁹ *Id.*

F. Penetration: Rectal Feeding/Hydration, Cavity Search & Rape

These drawings truly demonstrate that there was no line that the CIA was unwilling to cross when it came to the torture of the prisoners. While threats of rape to both self and others is traumatic in and of itself, Mr. Abu Zubaydah makes it clear that his interrogators actually penetrated prisoners like him in various ways.

G. Forced or Rectal Feeding/Hydration

Mr. Abu Zubaydah depicts the forced feeding process in Drawing #30 and 31. Again, he makes sure to include American flags in both, watching over the torture process. In the bottom left corner, he depicts the chair “specialized” for force feeding detainees: straps on the arms and bottom of the chair to hold down a detainee’s wrists and ankles. Another strap going along the top of the chair was used to keep his head in place. The central drawing of #31, it shows the detainee strapped down to this chair, while a tube of fluid is stuck up his nose, and two guards hold his head in place. Even when the forced feeding was completed, the prisoner would “remain[] tied up in this way for a long period of time.”²²⁰ He also specified “th[is] precise method was used in Guantanamo.”²²¹

Mr. Abu Zubaydah described the process more in depth in his description to Drawing #30:

They were tying the prisoner in a tilted chair (his hands behind his back); the guards further restrained him with their hands as they put a shirt (straight jacket. . .) on the prisoner. This shirt has a heavier cloth and inside it there are metal plates, thin but strong, organized vertically in the shirt. The metal plates forced the prisoner to stay from the neck down while he was secured to the chair specialized for this operation (depicted in Drawing 3qD). Then they start inserting plastic hose in the prisoner’s nose in a harsh way; it is very clear it was purposely severe. The prisoner felt the cutting and then immediate bleeding from the nose.

They keep inserting the hose until it reached their desired level (the throat or esophagus or the stomach...I don’t know how deep). Then, as usual, the thick liquid starts flowing. The operation would be complete in a short or long time, but the prisoner remained tied up in this way for hours after it was completed.²²²

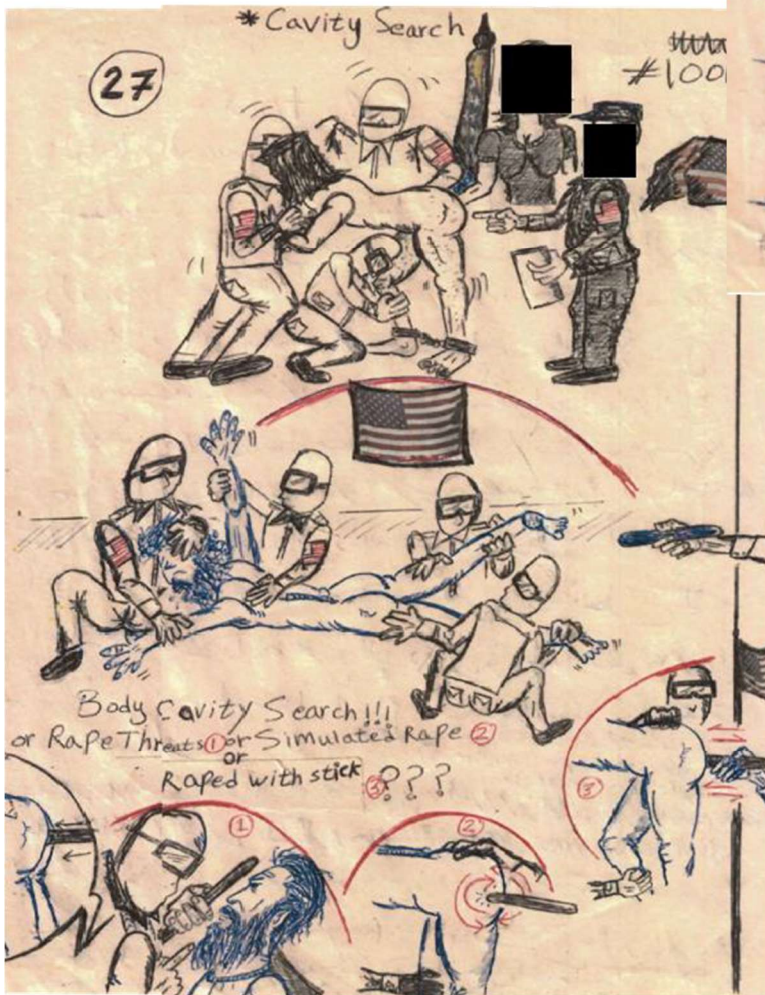
²²⁰ See Appendix, *infra*, at Drawing #31.

²²¹ *Id.*

²²² See Appendix, *infra*, at Drawing #30.

In Drawing #29, Mr. Abu Zubaydah shows a prisoner being rectally hydrated and fed. In the top part of #29, three guards hold him down while two others have inserted the tube into his anus for rectal hydration. To the far right, a woman appears to watch over the process. The bottom depiction shows rectal feeding using a mixture of beans, hummus, and water.

These acts only scratch the surface of the penetrative sexual abuse inflicted on the prisoners. Drawing #27 is perhaps the most powerfully disturbing and shocking drawing of such horrors, with three distinct parts. The top drawing is titled “Cavity Search.” It shows a hooded and shackled prisoner being bent over and held down by three interrogators; one is in the front, holding his arms the second



pushes his back down keeping him bent over, and the third is in a bizarre position, crouching down near his crotch and holding onto one of his legs. Near his rear, there is a man in a military uniform performing the cavity search, while a woman holding a paper and pointing at his anus observes. The drawing and its accompanying description emphasize how the interrogators performed these searches in such a way as to maximize the prisoner’s humiliation. One way they would do this was with the level of force used. Mr. Abu Zubaydah notes that some searches carried out “in a fast and painful, humiliating way.”²²³

²²³ See Appendix, *infra*, at Drawing #27.

Another way the CIA and FBI would achieve this was by purposefully involving women during these cavity searches. At the top of Drawing #27, Mr. Abu Zubaydah makes it abundantly clear a woman is present while someone is performing the cavity search – an already distressing procedure for the prisoners. His explanation for this drawing again suggests that women were used purposefully, especially for the cavity searches.²²⁴ Although this top drawing appears to depict a cavity search, evidenced also by the title, Mr. Abu Zubaydah explains that searches and mock or simulated rapes were not mutually exclusive; “[s]ometimes the cavity search was actually a mock/simulated rape . . . performed with a finger.”²²⁵

The middle part of the Drawing #27 shows a naked prisoner, held down by four guards beneath an American flag; a guard’s arm approaches the detainee’s rear with a blunt stick. The prisoner is dehooded, which “they used to do . . . so he can see.”²²⁶ He is also unshackled, giving him more room to clearly flail, his face twisted and spitting in pain. But Mr. Abu Zubaydah stressed that if the prisoner attempted to resist, he would be “slammed to the ground and the search was performed more violently and in a more intentional way.”²²⁷ Throughout, the guards “would point and laugh to each other;” “[t]he laughter of the guards was intentional – for humiliation and disgracing.”²²⁸

Lastly, the bottom of Drawing #27 shows a numbered progression of these sexually abusive interrogation sessions, which correspond to a numbered description. The drawing marked number 1 is paired with the title “Body Cavity Search!!! or Rape Threats,” and depicts an interrogator with his finger and the same blunt stick in the prisoner’s face, with a speech bubble depicting sodomy. The drawing marked number 2 is paired with the title “Simulated Rape,” and depicts a similar act as the rape threats or mock/simulated rape acts in Drawing #9. This drawing depicts a prisoner bent over, with one hand holding his knee while another pair of hands holds his lower back and rubs the stick in a circular motion near his anus.

The drawing marked number 3 is paired with the title “Raped with stick,” and depicts the final step of the interrogators’ process: the sodomy of a prisoner. Again, he is bent over, with one hand holding his knee while another guard presses down on his back. Beneath another American flag, another hand sodomizes the prisoner with a stick.

Symbolized by the American flags, Mr. Abu Zubaydah makes clear he and his brothers were sodomized and raped in this country’s name. One of the biggest takeaways from these drawings is not merely that the CIA and FBI brutally tortured individuals—rather, under their regime of torture, prisoners were repeatedly and violently sexually tortured, with the purpose to inflict the maximum humiliation possible: The interrogators brought in women to watch or assist with cavity searches or simulated rape” they threatened to rape the prisoners’ female family members; they laughed in the prisoners’ faces while they sodomized them with various objects.

The torture agents of the U.S. government committed against these prisoners is unspeakable. Accordingly, Mr. Abu Zubaydah posed the ultimate question to his interrogator: “[E]ven if I were truly the person you were looking for and you tortured me in his place, is it your

²²⁴ *Id.*

²²⁵ *Id.*

²²⁶ *Id.*

²²⁷ *Id.*

²²⁸ See Appendix, *infra*, at Drawing #27.

right or are your morals/religion or your countries laws permit you to threaten to rape his mother, wife or daughter to seek revenge from him?”²²⁹

²²⁹ See Appendix, *infra*, at Drawing #32.

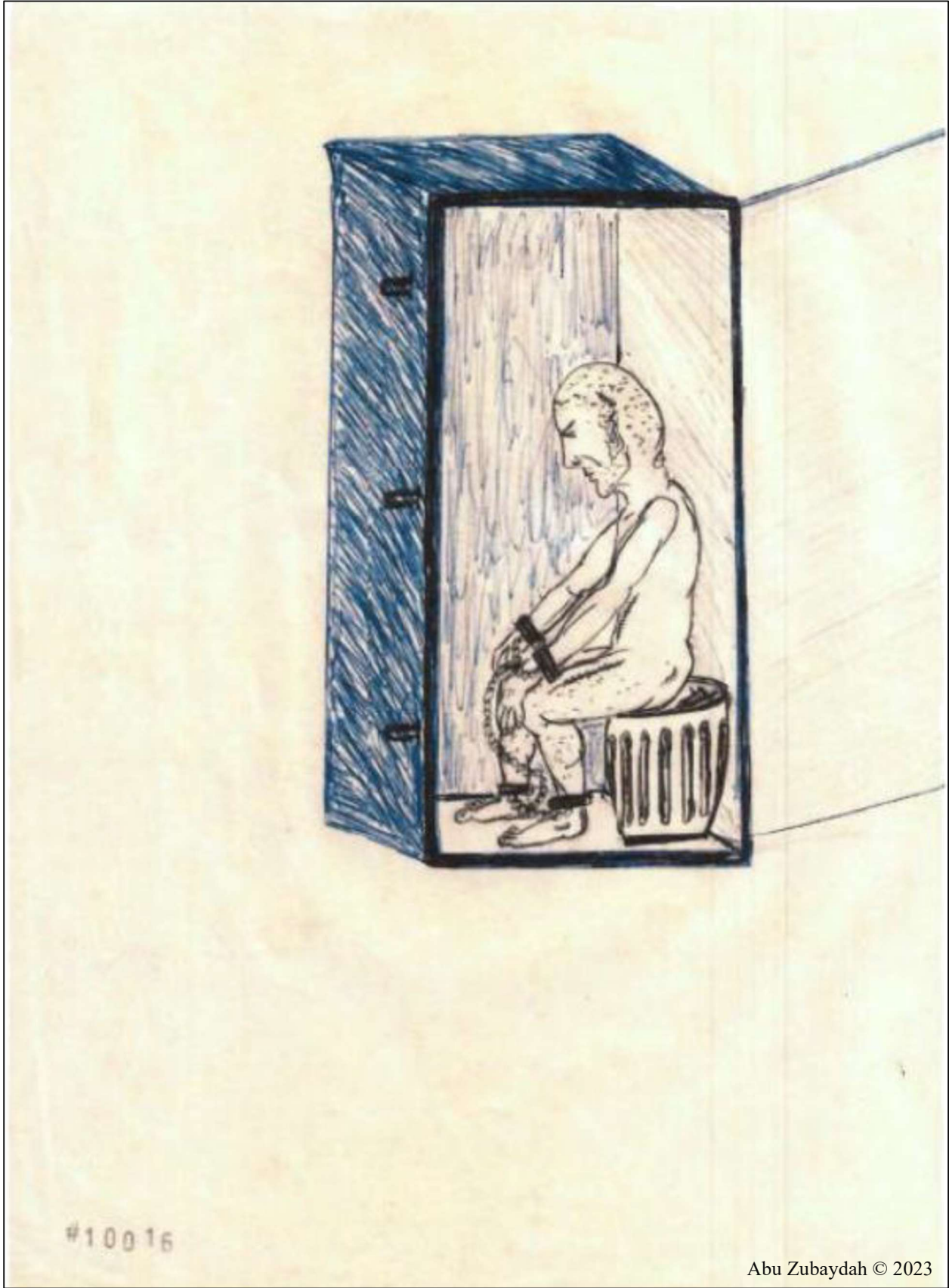
X. CONCLUSION

Not only are these drawings a powerful testament to what the CIA and FBI did in the wake of 9/11, they are the *only* evidence now. The CIA destroyed the only video evidence of detainee torture, and “justice” moves at a glacial pace in the Guantanamo Bay, Military Commission courtroom; 19 years have been wasted while Mr. Abu Zubaydah and many other GTMO prisoners have neither been charged with a crime, nor allowed to testify. The recent drawings by Mr. Abu Zubaydah pull together the many elements of torture that were used simultaneously and sequentially against the detainees. These acts are horrible and evil in and of themselves. Perhaps even worse is how the CIA devised a way to inflict severe physical trauma while simultaneously exposing the detainee to psychological trauma as well.

XI. APPENDIX – THE TORTURE DRAWINGS

Drawing #1: The Casket Box.....	63
Drawing #2.....	65
Drawing #3: Suspension	67
Drawing #4: Waterboarding Board.....	69
Drawing #5: Walling.....	70
Drawing #6.....	72
Drawing #7: Suspension	74
Drawing #8: The Confinement Box.....	76
Drawing #9: Threatening with Rape.....	78
Drawing #10: The Vortex	80
Drawing #11: Extreme Cold	82
Drawing #12.....	84
Drawing #13.....	86
Drawing #14.....	88
Drawing #15: Drowning & Waterboarding	90
Drawing #16.....	92
Drawing #17: The Vertical Box.....	93
Drawing #18.....	95
Drawing #19.....	97
Drawing #20: Waterboarding	99
Drawing #21.....	100
Drawing #22: Transporting Prisoners	102
Drawing #23.....	103
Drawing #24.....	104
Drawing #25.....	105
Drawing #26.....	107
Drawing #27: Cavity Search.....	109
Drawing #28.....	111
Drawing #29: Rectal Rehydration/Rectal Feeding	113
Drawing #30: The Force Feeding	115
Drawing #31: The Force Feeding	117
Drawing #32.....	119
Drawing #33: Threat with a Power Drill	121
Drawing #34: Threats with a Power Drill.....	122
Drawing #35: Threat to Desecrate the Holy Quran	124
Drawing #36: Stress Positions	125
Drawing #37: Threat to Impair the Sex Organ/Genitals	127
Drawing #38: Threat to Humiliate Religion and Blasphemy.....	128
Drawing #39:	129
Drawing #40.....	131

Drawing #1: The Casket Box



Drawing #1: The Casket Box (continued)

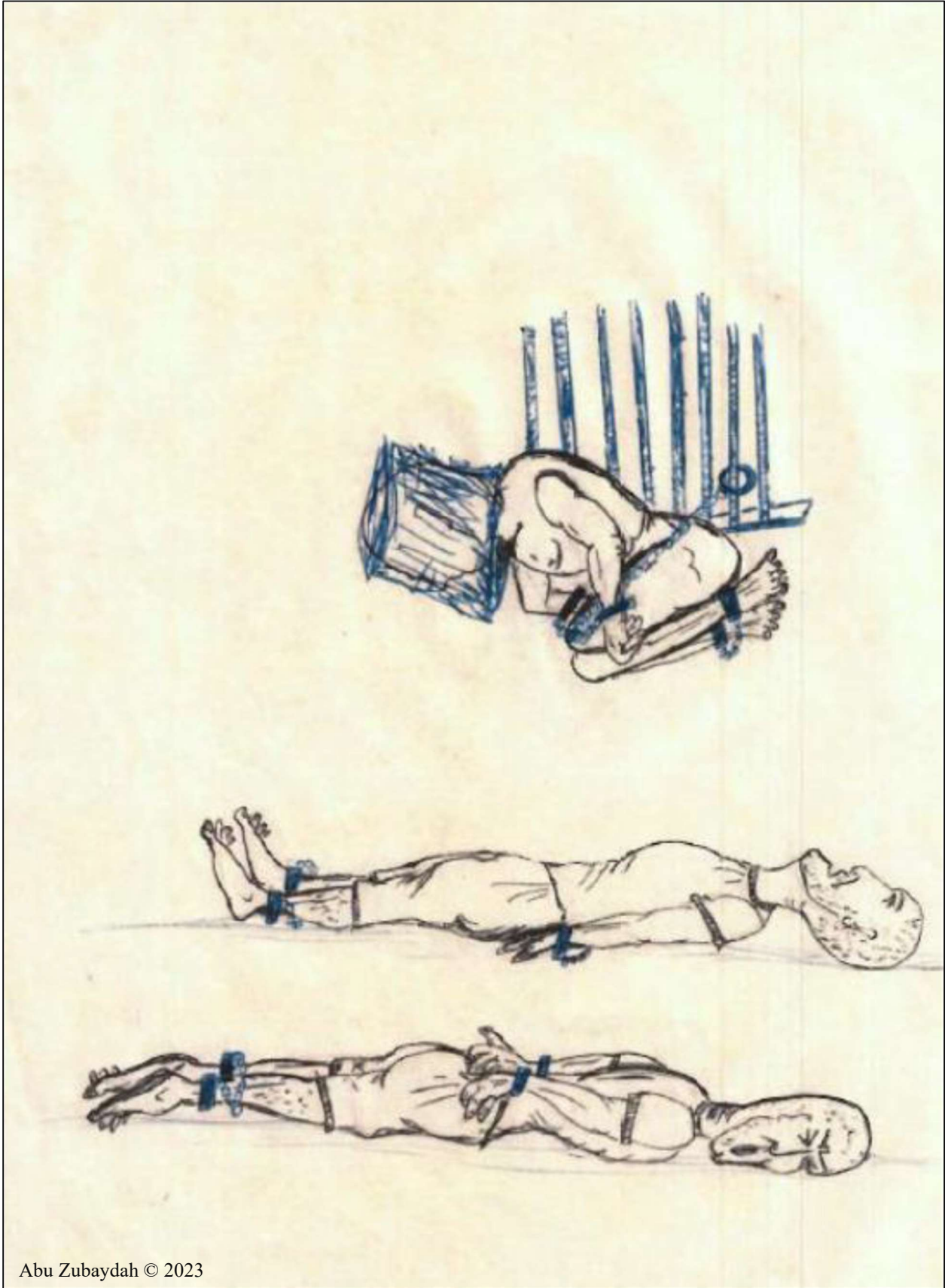
They routinely put the detainee in it in a vertical position and sometimes horizontally which would actually become like he is in a coffin waiting for burial with his hands tied behind his back or in the front.

The detainee is completely tied inside; his hands are cuffed with a very short chain in between, and also tied are his feet. There is a chain connects the cuffs of his feet with those of his hands causing the detainee to be unable to stand up but in a hunchback position.

During the torture period, this coffin was the actual prison where he lives, and from which he is taken to be tortured with the other methods. They bring him back completely broken to this coffin that has a bucket for fulfilling the need of nature (toilet), a small can of drinking water, and a can of "Ensure".

He is deprived of sleep because every 5 or 10 minutes they bang on the coffin strongly from the outside with a stick or a metal object or something of the sort where the banging reverberates loudly inside the coffin. Or they forcibly shake it until the detainee falls on the floor together with his bucket to drown in his own soiling.

Drawing #2



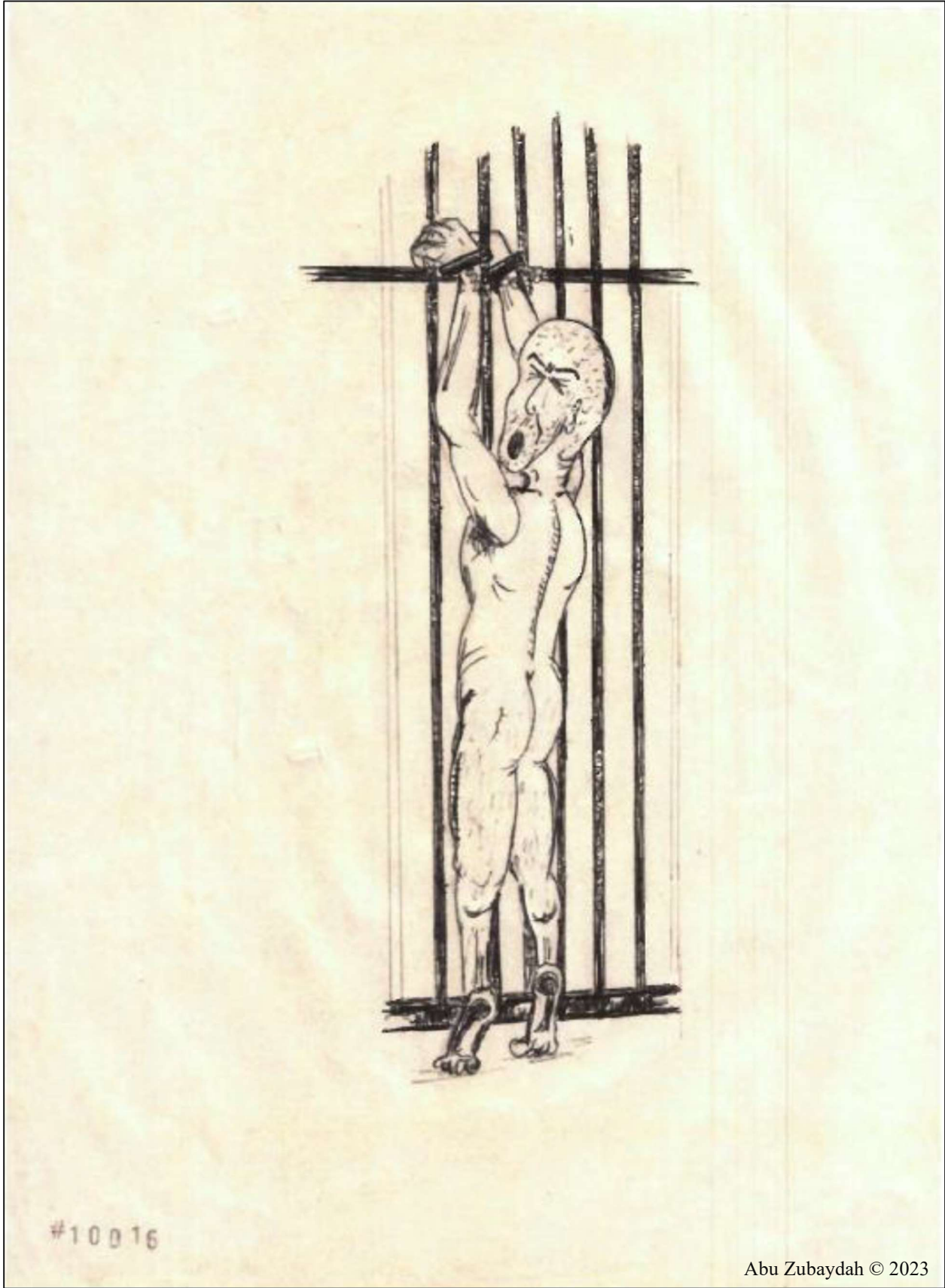
Drawing #2 (continued)

Cuffing the detainee to the bars of the prison cell, although he is initially shackled with shackles connecting the very short feet shackles to the also very short hand shackles through a short chain in between. If he moves his hands his feet move and if he extends his legs his both hands move which makes him to always be in crouched position. He remains as such for days or weeks on the cement floor of the very cold prison cell.

He is ever deprived from sleeping, or, they allow him to sleep for minutes but he gets awakened by very cold water suddenly thrown at him from a bucket to a degree he feels as if his heart is about to stop or explode from the cold temperature or the cessation of breathing, or from the shock.

The two drawings on the bottom of the page are the methods of shackling during trips from a black site to another, lasting sometimes to 30 hours, in the same shackling position even when changing aircrafts or vehicle; but on the plane, add to this position another shackle that affixes you to the floor. (Discharging bodily waste is in diapers)

Drawing #3: Suspension



Drawing #3: Suspension (continued)

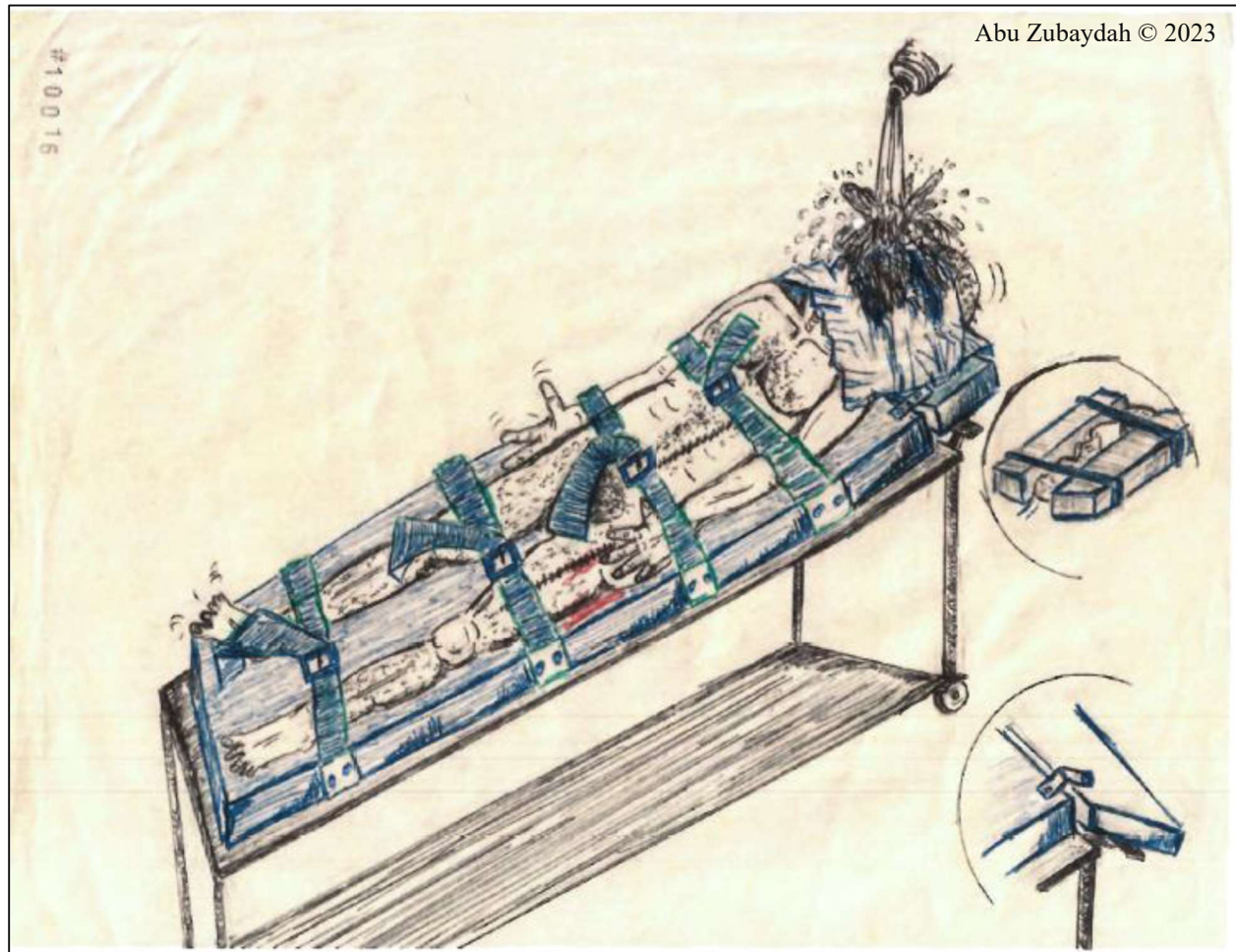
This is another method of suspension for days or weeks without fulfilling the human nature need (toilet use) except on himself in the standing position.

He would be standing on his whole feet sometimes—whole feet meaning the sole of his feet—or on his toes on other times, based on the mood of the torturer or the person in charge of the torture or interrogation.

They blow hard hits on his back and head.

They throw a bucket of very cold water on the detainee in the already very cold prison cell.

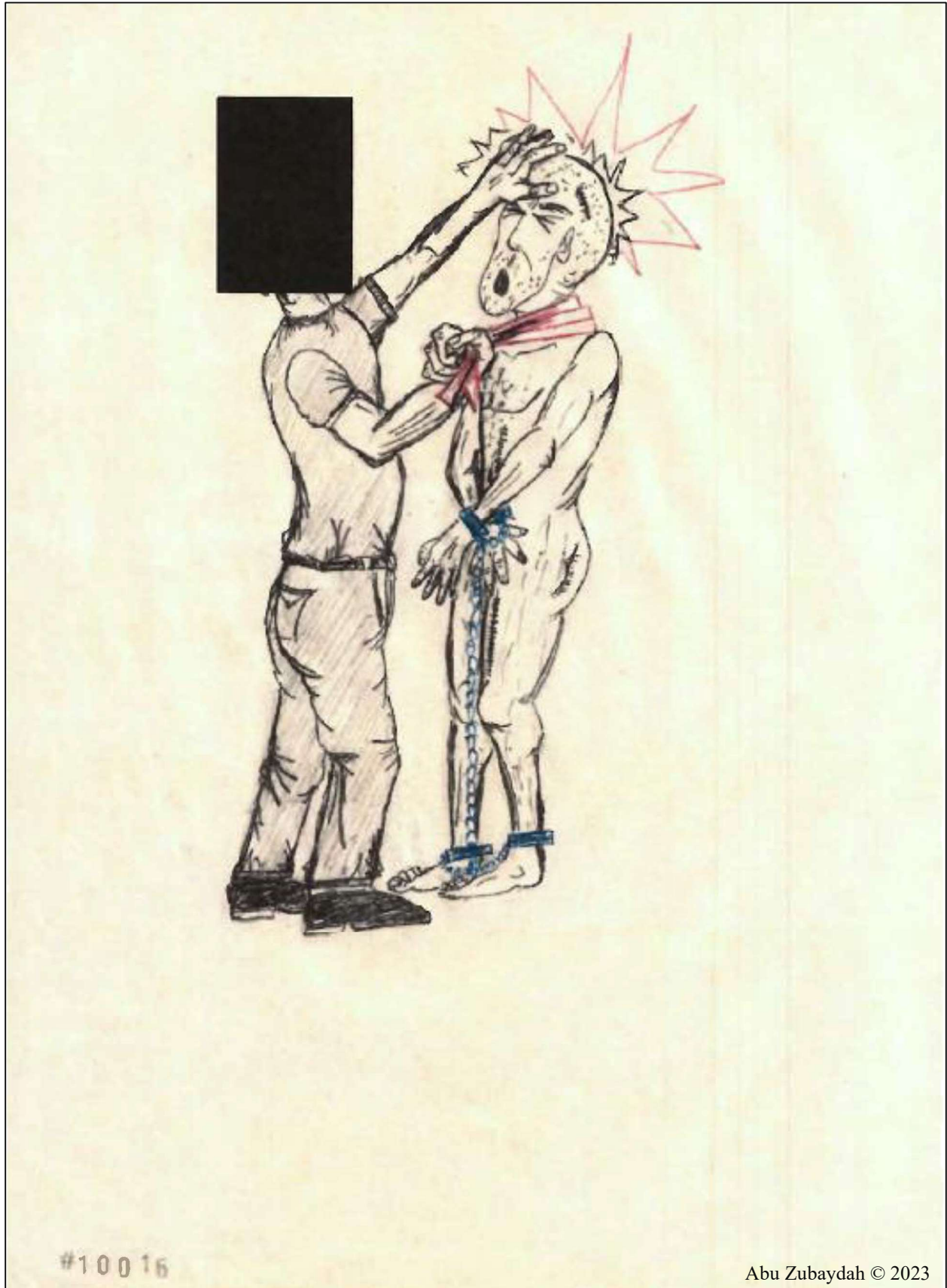
Drawing #4: Waterboarding Board



The waterboarding board is the same as the patient's stretcher or gurney that has straps to restrain the patient (in this case, the detainee) and has the two plastic pieces to firmly brace the head of the patient (detainee) to always keep the head motionless.

The difference here is: the special bed used to transport the patient (detainee here) on which a stretcher is placed, has a particular mechanism under the head of the detainee that is manually controlled. It gets depressed few degrees to lower the head of the detainee so the constantly flowing water's entry through the cloth placed on the detainee's face would become more difficult; the more degrees they depress, and eventually the detainee's head, the more and more difficult the situation becomes. Even when they remove the cloth from the detainee's face, the return to normal breathing is delayed due to the airways being filled with the trapped water. Then they repeat the same method again and again ... and in every time, the detainee feels as if he had actually died from drowning.

Drawing #5: Walling



Drawing #3: Walling (continued)

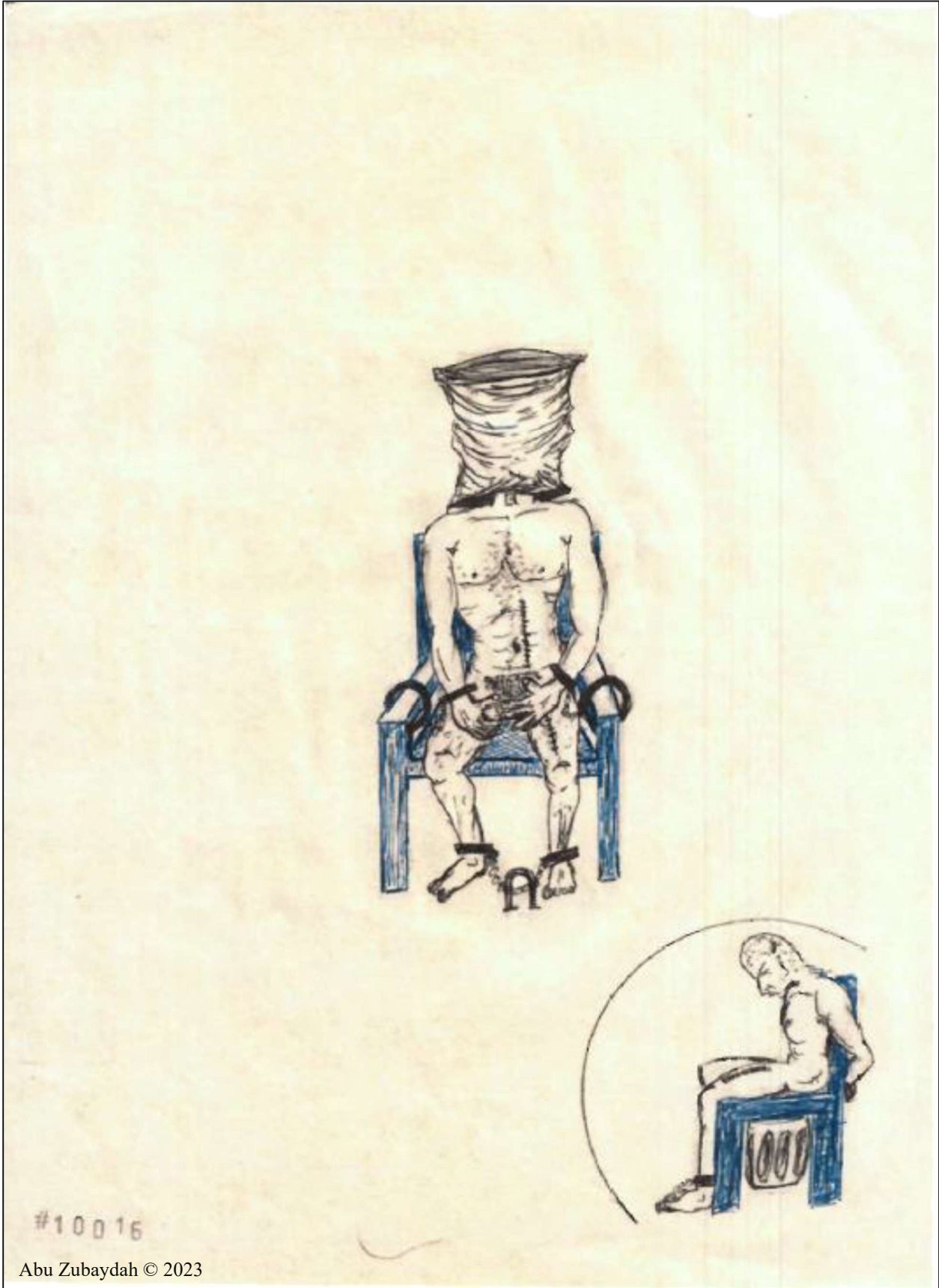
Powerfully and violently slamming the head against a cement wall, and repeating it until I fall. Then they repeat the same with my back. Later, striking the head and back against a wooden wall attached to the cement wall with the same force, violence, and repetition until falling and fainting.

The difference between the concrete and wooden wall is: the first causes the blood to immediately gush from the head. Also, the bruises on the back and shoulders are clearly visible. But with the wooden wall the blood doesn't gush rapidly when pushed against it or when the head is slammed against it causes the same pain and suffering but without a lot of clearly visible marks.

As the torturer or the interrogator speaks, the face slaps doesn't stop.

After the daily and repeated beating, a severe headache overcomes and overwhelms my head, which previously I only experienced with the first injury to my head in 1991 resulting a loss in memory, in speech, and in the ability to read and write for a specific period of time but later everything returned to almost normal level. However, after all this head beating they all came back to me once more, including the stuttering. As a result, I suffered so far more than 200 fainting cases without any torture or head beating.

Drawing #6



#10016

Abu Zubaydah © 2023

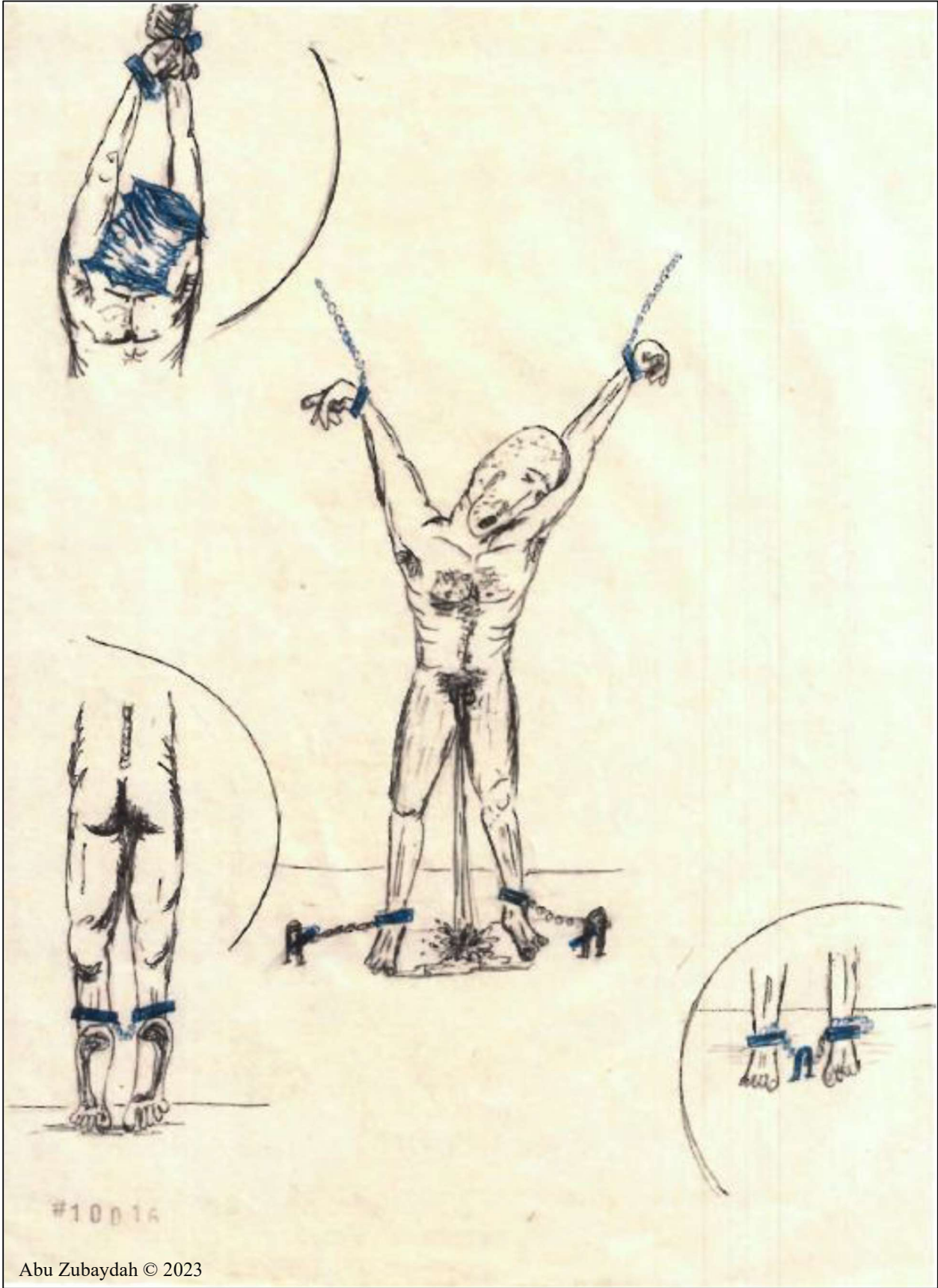
Drawing #6 (continued)

Sitting fully naked on a chair and completely shackled in a very cold temperature and totally sleep-deprived for weeks without moving even one step to use toilet.

Under the chair a bucket is placed for the purpose of discharging bodily waste that they replace only when full. My position and movement never changes to the point that I almost explode from pain in the back, neck, joints, and in the muscles of thighs and hips.

The head is always covered with a black bag except during the long and continuous interrogation. Sometimes they abruptly throw a bucket of a very cold water on the face and/or body of the detainee.

Drawing #7: Suspension



Abu Zubaydah © 2023

Drawing #7: Suspension (continued)

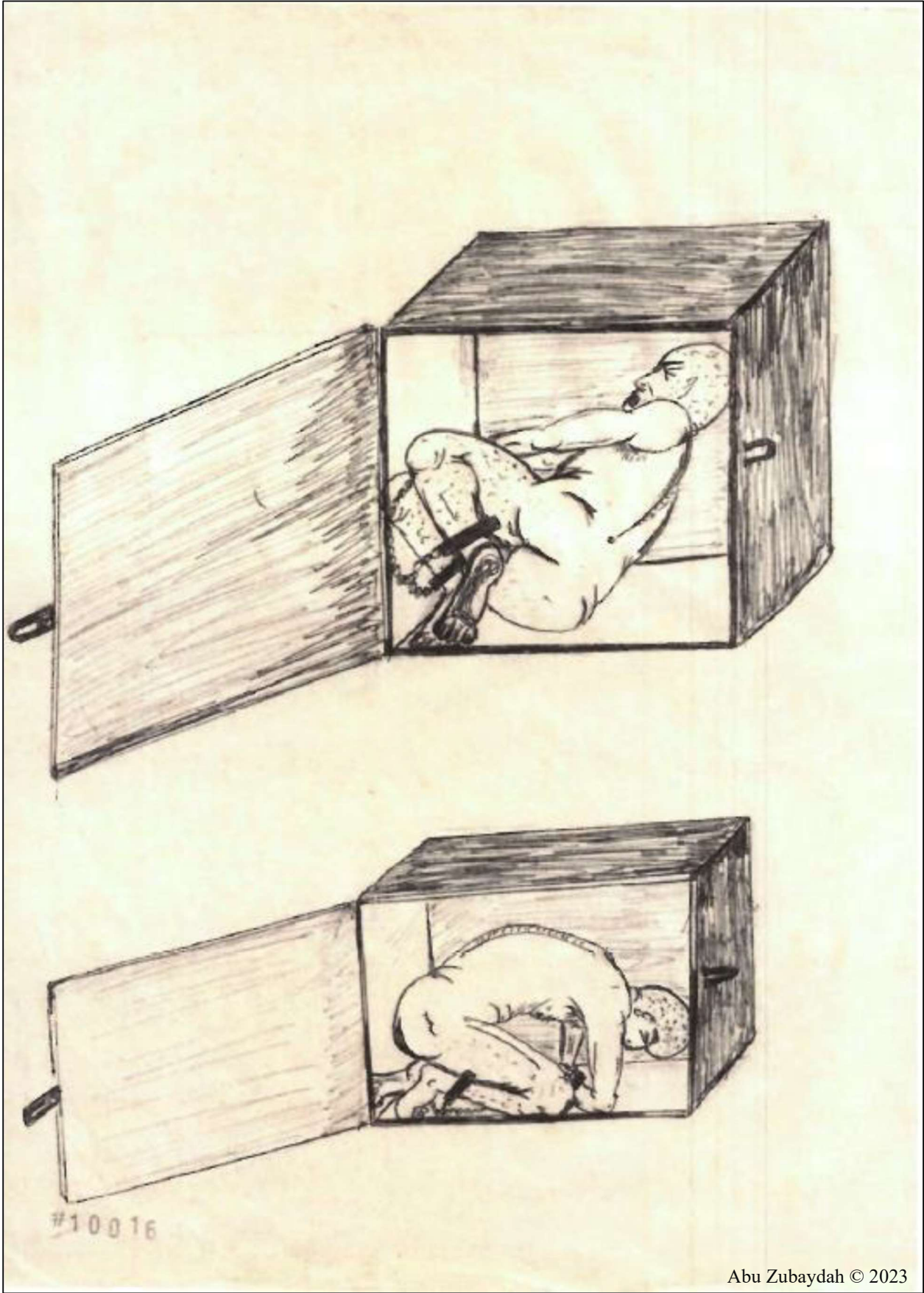
Suspension for days and/or weeks. There is no rest even for a few seconds and no opportunity to fulfill a nature need (toilet) except while in the suspended -position. No matter how he tries to suppress the natural waste discharge function for hours or days, it comes out from him uncontrollably and he remains as such for days with no cleaning, aside from the severe back and shoulders' pain. Regarding the wrists, in the first hours or the first day he would feel them severing from the rest of his body and associated with a constant pain.

While in this disgraceful condition, they start hitting him hard with their hands (concentrated punches) on the abdomen, chest and back, along with slaps on the face.

Sometimes they pull the chain or the two chains that are shackling his hands to the ceiling, raising the body of the detainee so he stands on the tip of his toes and so he stays as such for long hours.

From time to time, they throw very cold water on him in a very cold atmosphere.

Drawing #8: The Confinement Box



Drawing #8: The Confinement Box (continued)

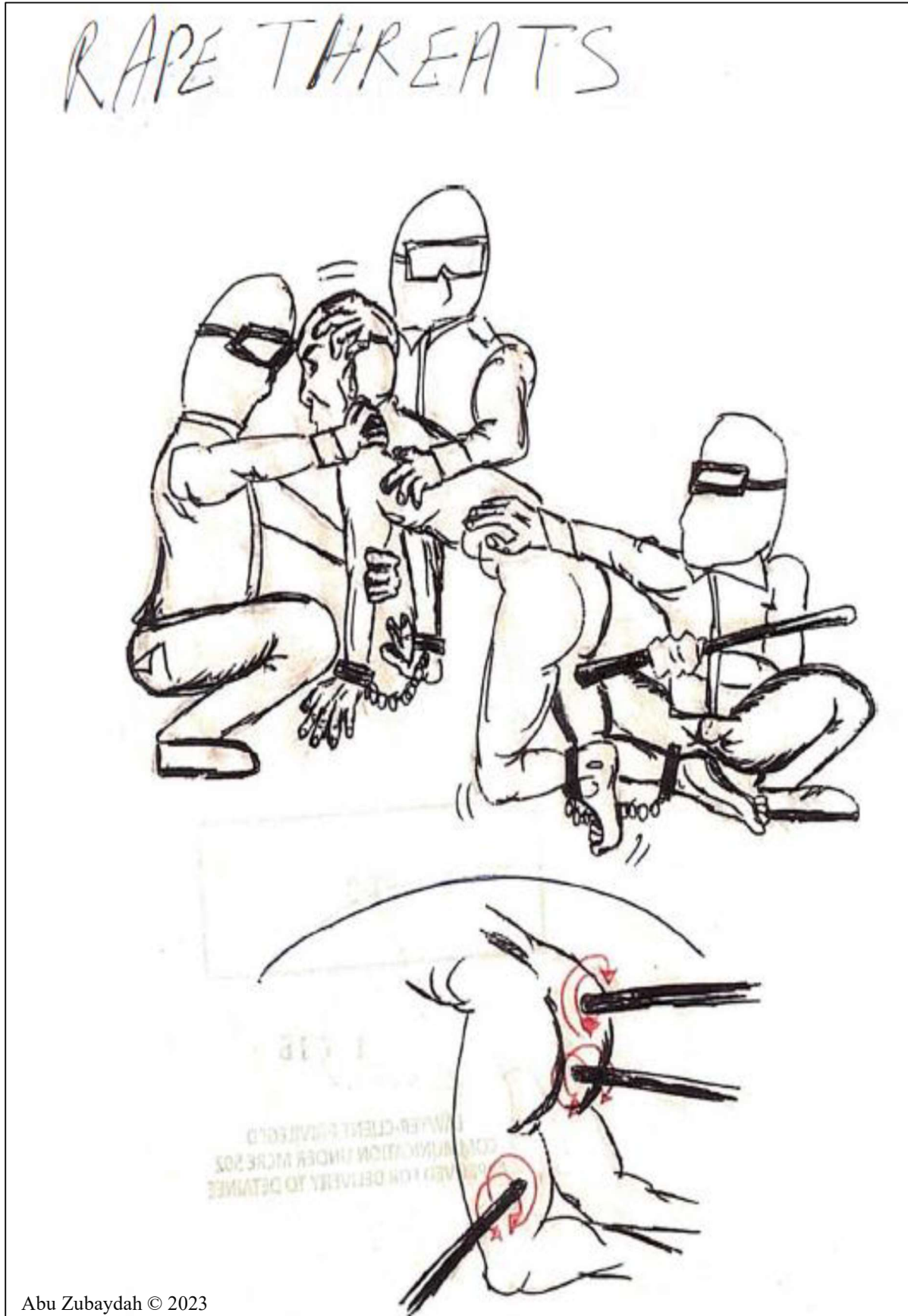
The box is small and can barely fit a medium size dog, so how can it fit an adult man even if he is slim? I was not slim in the beginning despite losing too much weight and blood due to my injury.

They would shove me inside with difficulty and they close the door. A few minutes later, I feel I am about to explode from the tightness, the bondage of my extremities with my organs, difficulties in breathing and from my head twisting. No matter how I try, I am staying in it for long hours. Sometimes I faint inside due to the severity of the tightness and pain. I think so, because I would afterward find myself stretched on the floor outside the box or thrown inside the big box (the coffin) next to the; for self-relief bucket.

They would insert me in this small box after or before the waterboarding board or the suspension.

And the detainee is completely shackled with the same short shackles.

Drawing #9: Threatening with Rape



Abu Zubaydah © 2023

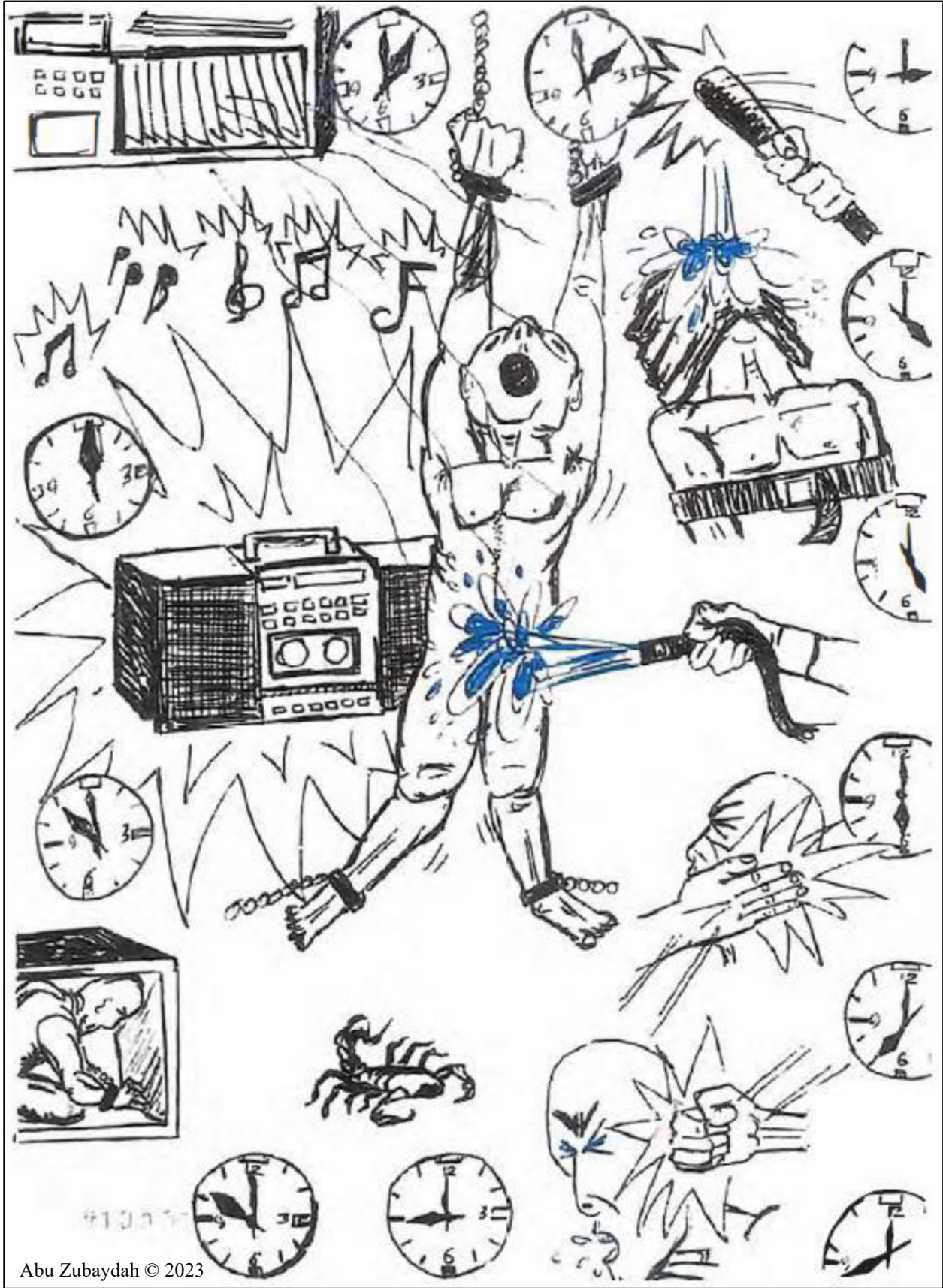
Drawing #9: Threatening with Rape (continued)

This drawing shows “the threatening with rape” (literally) against the detainee. Usually they do it after (the threatening with rape) verbally to prove to him that they are serious in doing this rape, and not just words. During the threatening, they were trying to show that it is not just (cursing or a scream of an angry man using harmful words), instead with calmness or with screaming, they were threatening him with raping one or all the family females (wife, sister, daughter), even the mother.

Then, they start threatening with rape (literally). They used to drop the prisoner on the ground, and hold him in a way, as if actually someone will (sodomize) him, and they start using dirty sexual words describing (beauty, size, or softness) of his (behind). Then, they start (the disgrace) using their hands or some (sticks) in the sensitive areas or around the anus. Whenever the detainee resists, the other guards would place him back in the proper way to (do sodomy).

Then, they will use a stick at the size of “male penis” (of course the prisoner does not see what is happening behind him), but after they feel that he knew or felt that they are using a “stick”, they used to say loudly (I will not dirty my penis with your feces), or they say (we don’t have a condom), or they say (you may have sexual diseases). So, we will put this big stick or a bigger one in your (anus) to perforate it (until they bring us a condom then we “all” do it). You can picture the feelings the prisoner suffers, such as, fear, pain, and embarrassment....etc.

Drawing #10: The Vortex

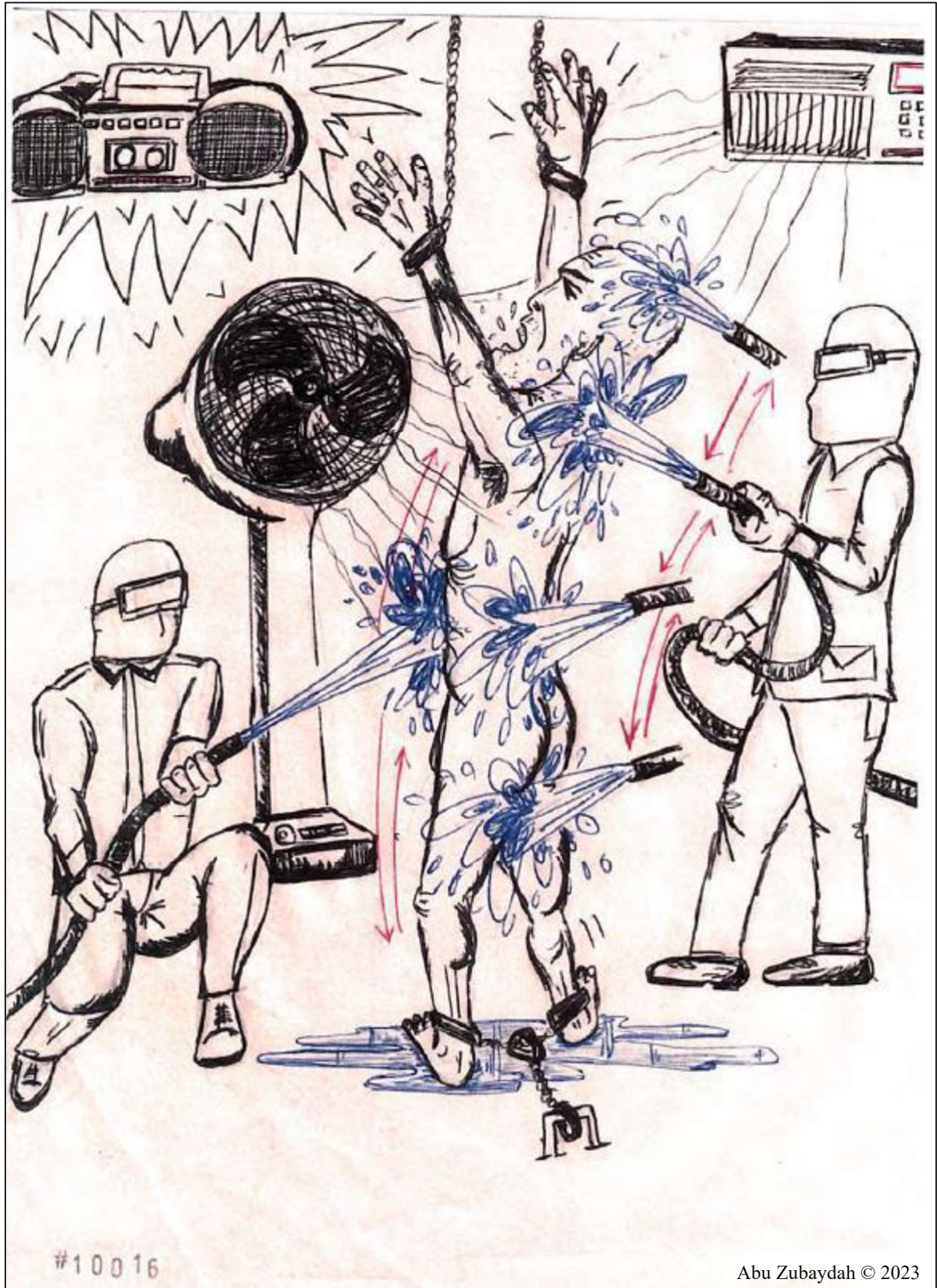


Abu Zubaydah © 2023

Drawing #10: The Vortex (continued)

This drawing shows The Vortex—the vortex of conciseness, pain, stress, hunger, and cold, etc., where they place (the detainee) in it during (24) hours every day of the intense torture, which continues for long weeks or months; as soon as they start at a certain hour, (which is 3:00 here) day or night, it does not matter because (the detainee) does not know night or day, for months (before and after the start). I started in it for example, and it was on the right side because we write from right to left. So, they use a specific torture method (in this case) hitting with a stick in a very cold weather, so the pain will be doubled, and they focus on the hitting till the prisoner almost pass out, (or even pass out for real). They wake him up roughly, then they start focusing on another torture method for an hour, (here it is an hour as an example, usually they focus on finishing this method no matter how long it takes). Then, the next hour (or the next time) they use a third method and so on until they finish all of their methods. Then, they start again with the first method for a second time, third time, and so on, for the whole day just like we said and for the whole torture duration as long as it takes. (There are two types of torture (focused) like this one), or (continuous type, for months or years such as (extreme cold and a very loud sound), very limited food, tying the feet with a very short chain, continuous threatening with going back to the focused torture in any moment.

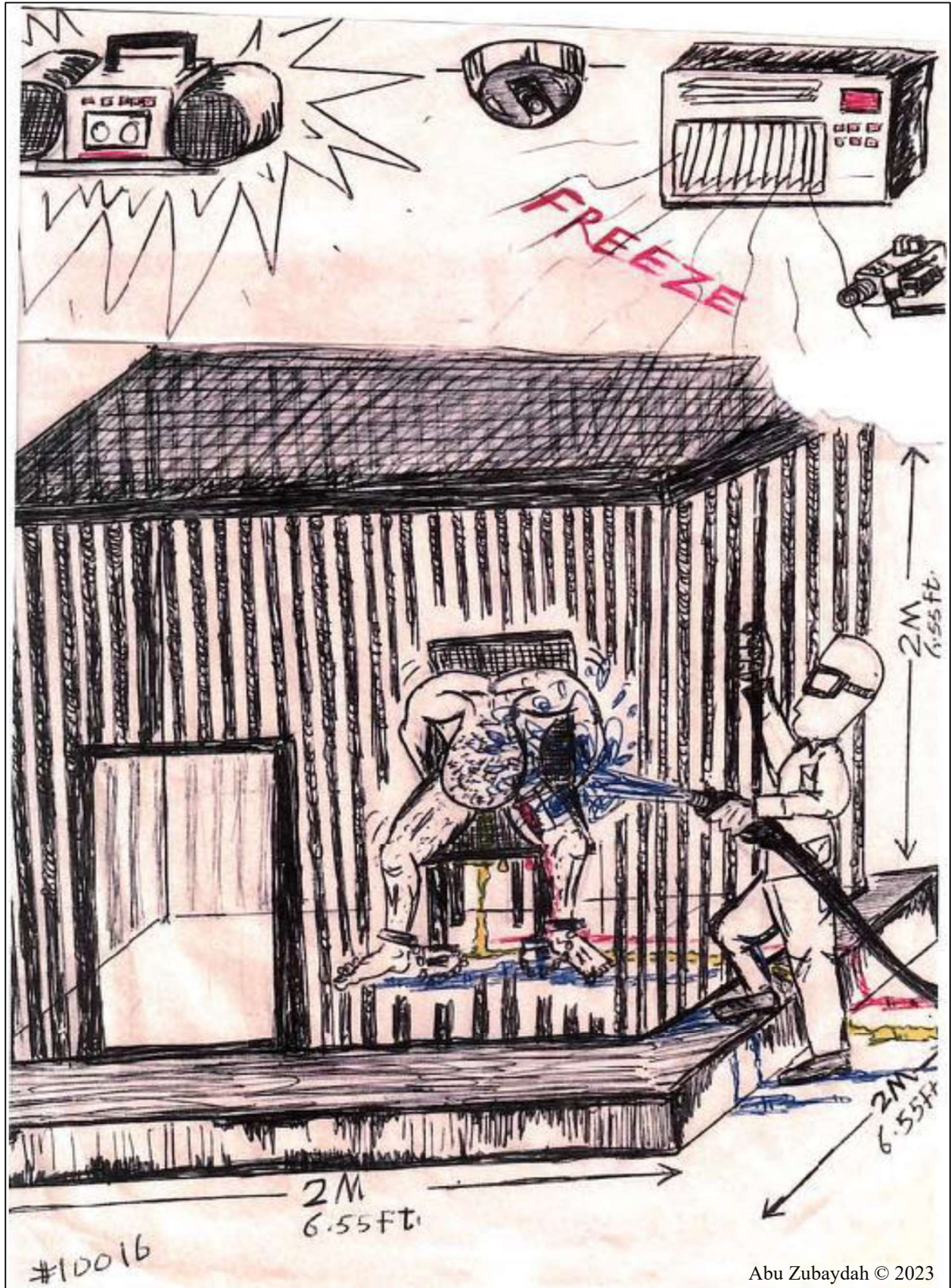
Drawing #11: Extreme Cold



Drawing #11: Extreme Cold (continued)

Using a very cold water in very cold weather (by using a very strong AC, to a degree that all of the investigators were using cloths specialized for the North Pole, as well as the guards with the black cloths were wearing the extreme cold cloths under the black attire. On top of this cold, they also used or turned on a very strong (fan), then they start pouring very cold water on the detainee's head, (that has been already shaved), for a long time until he falls down (and because he is tied up with a chain or two that make him (hang). The hands' joint pain and the pain of blood blockage force the prisoner to stand again, and they will continue pouring cold water on his head. Then, another guard comes with a water hose, and starts shooting very cold water on his back, belly, behind, and genitals, focusing on an area or moving around (they used to focus) on the head from the top, and/or under the genitals. (The pain of cooling the testicles is like someone holding them and squeezing them hardly and repeatedly). They used this method for hours (before) the interrogation and hours after it (The AC and the fan does not stop during the interrogation ... but the very loud music or the very annoying sound stops during the interrogation then it comes back after and for the whole day and the whole duration of the continuous or focused torture.

Drawing #12



Abu Zubaydah © 2023

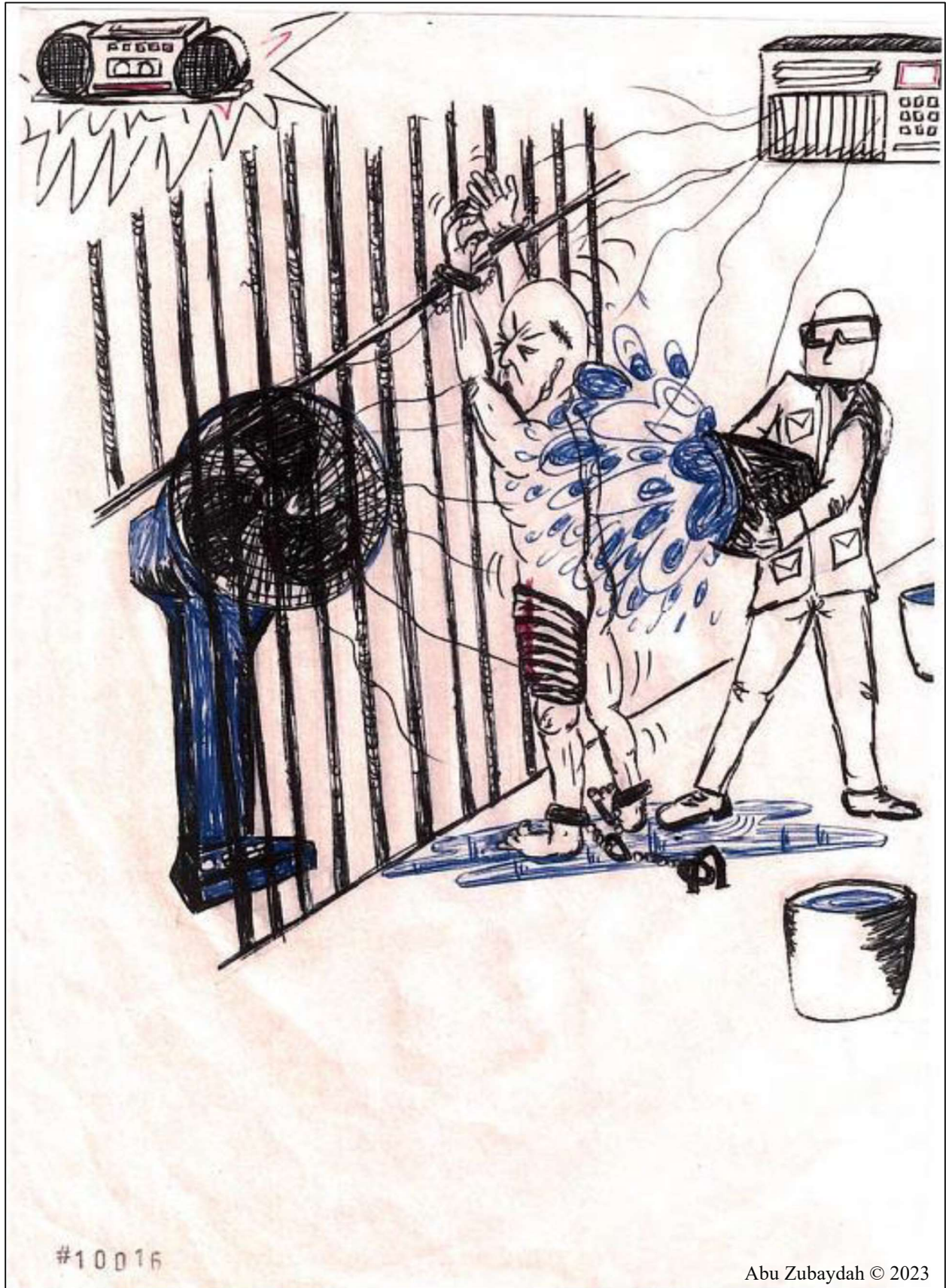
Drawing #12 (continued)

In a big cage with dimensions approximately 6.55 ft. (2 meters x 2 x 2), sometimes (or a little bigger), they used to put the detainee totally naked; tied to a chair (completely), and his hands behind his back, or tied to the floor of metal or a very cold wooden floor cage in a very cold weather (as the detainee feeling to the freezing point). He's unable to urinate but on himself (as much as he's trying to hold it, it will come out forcefully). Or it will come out as soon as they pour a very cold water on him, because he will find himself not only he cannot control his urinating, or what its worst. Not only because of the cold temperature of water, and weather, but of the force of pressure of the water (too). Focusing the water to the (head), (penis), (abdominal), wounds and injuries, if the detainee is wounded.

- Beside the extreme cold there was (the very loud noise whether in a continuous loud music, or an apparatus blowing a strong noise, like plane, or a ship engine, or something of that sort.

- That type of torturing will be used sometimes for hours, or stopping a detainee from sleeping for weeks, if his head tilted sideways off of drowsiness, or for (a second) of sleep, they'll start that method, the detainee starts showing signs of fright and panic off of (falling asleep even for a second). Because they will do that method for an (hour), or (½ hour) every time.

Drawing #13



#10016

Abu Zubaydah © 2023

Drawing #13 (continued)

This is one of the methods to hang a detainee for hours, days, or weeks (as the investigators sees).

Sometimes they'll hang him like that (to the cell bars) for hours, then bring him down on the ground or on a chair and the rough investigation starts.

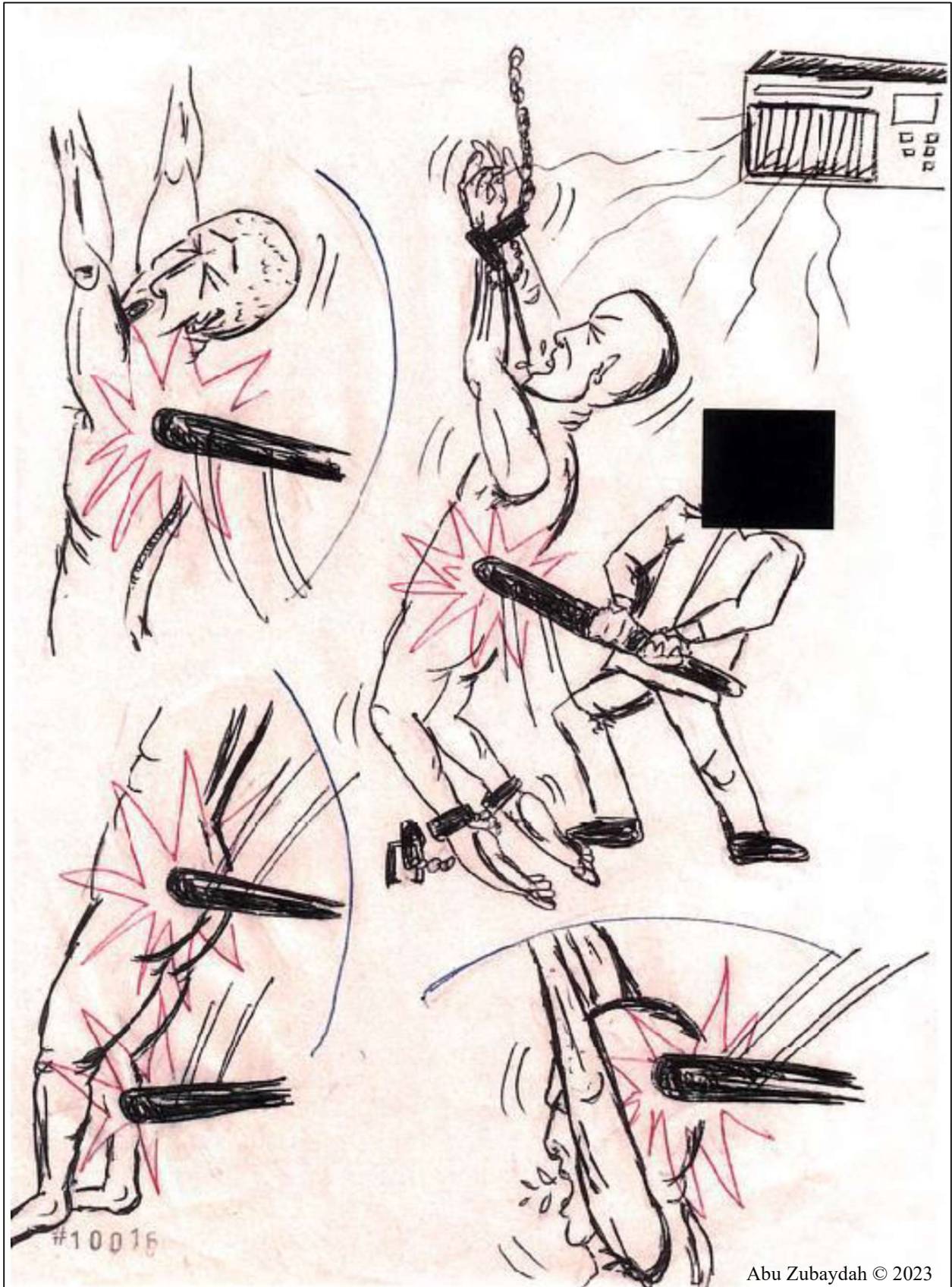
Sometimes they would leave him restrained like this for whole days, no rest not even for one second (no sleep, or food, but force him to drink very cold water, in a very cold weather, and urinate himself on the floor. Then they will bring him down to investigate on the chair or on a very cold floor, while completely naked of course.

Sometimes they would hanged him as such for long weeks, and won't bring him down not even for a second, rather the investigation will be done as he's hanged.

Every time he fell asleep for a little, with a very cold water they pour at him, and all of a sudden from a bucket (two buckets or three buckets every time).

Even if he wasn't drowsy, or lean his head off of sleepiness they will pour a very cold water on him no matter what, from behind and all of a sudden, so he start screaming for a very long time from hallucinating or cry like a wounded animal or a terrified baby.

Drawing #14



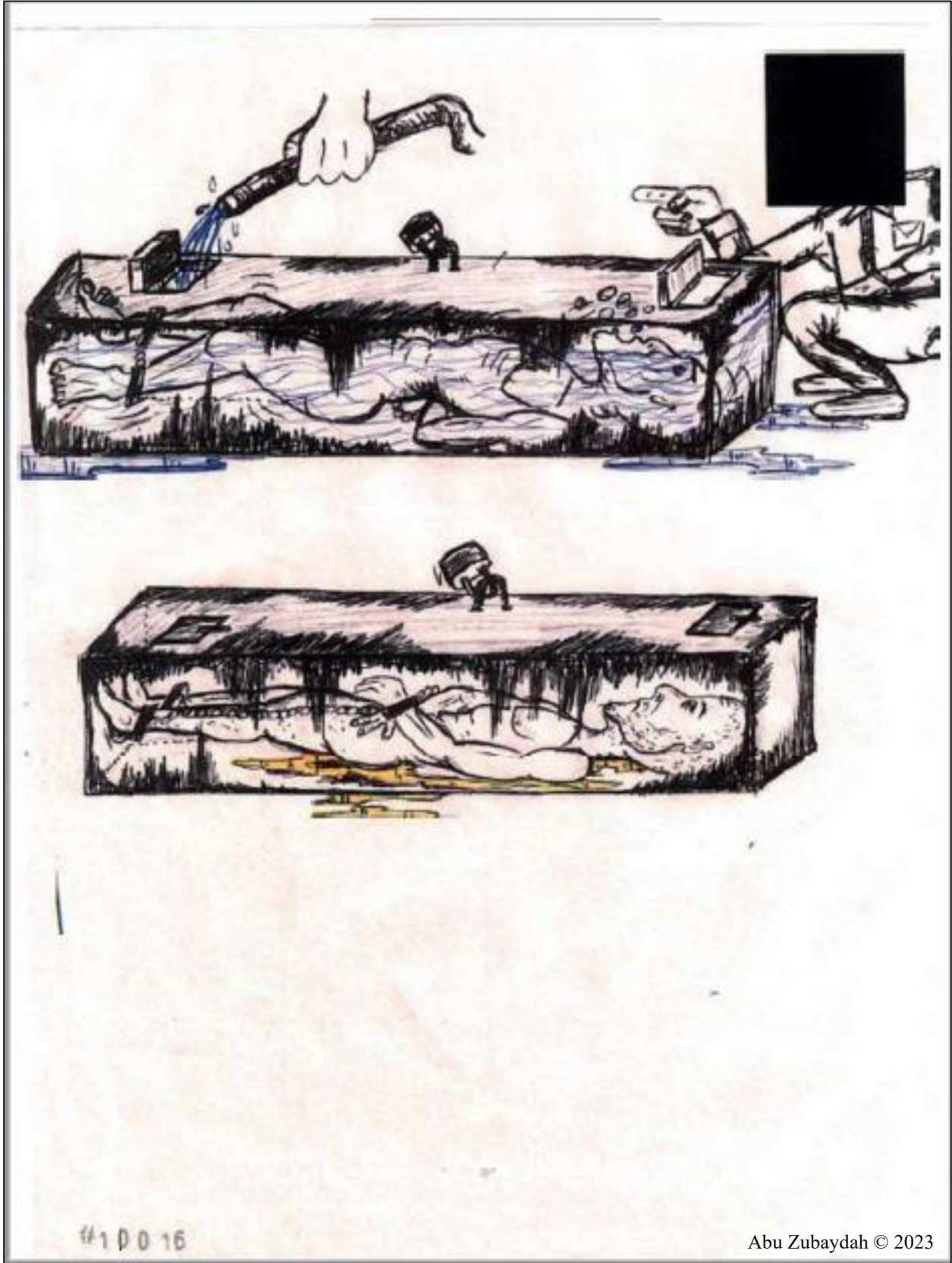
Drawing #14 (continued)

This is one of the methods (hanging the prisoners) while torturing them: In a very, very cold weather, and the detainee absolutely completely naked and hanged from the roof with a chain, and for very long hours, long days or weeks and (and his feet are tied to the floor too).

Urinate on himself, no sleep not even for one second (even if they were not trying to stop him from sleeping) because he can't sleep for a second, once he falls asleep and falls down, his hands will be tightened off of his falling body weight , then he'll correct it). But they are usually around him with a stick (they are carrying sticks), they use it to beat him up during the investigation and asking him about things, once he denies then they'll beat him up on the head, back, buttocks (rear-end) or calves.

Sometimes they focus on one area they only hit/strike on this area. After the investigators leave, the guards will stay with the stick. Once he tilts his head they will strike him a very hard one or multiple once (randomly), (as they please), or what the investigators specify to them.

Drawing #15: Drowning & Waterboarding



Drawing #15: Drowning & Waterboarding (continued)

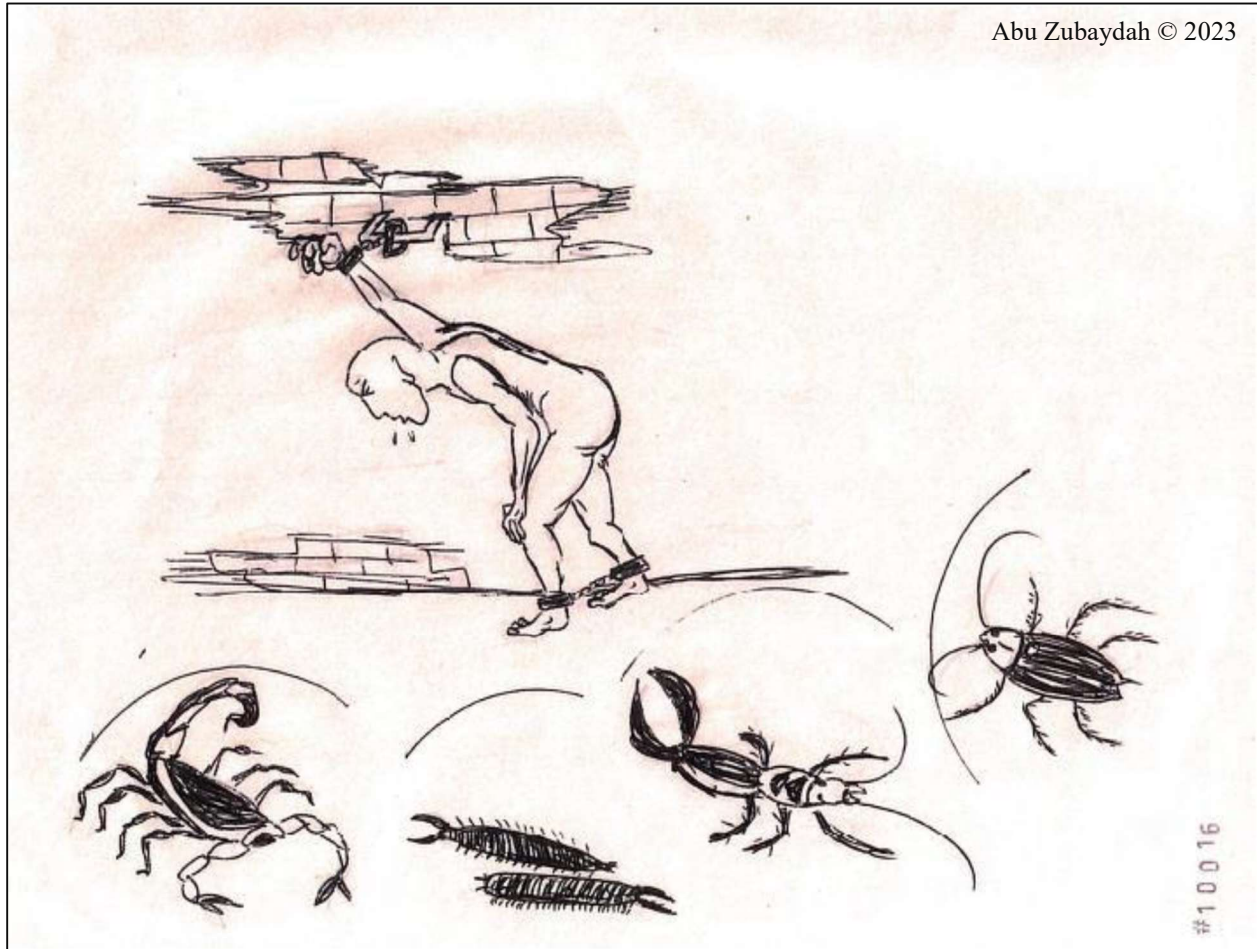
There are two methods of torture, (above) is a (drowning) method with water (water boarding). Water boarding is not only using a water and a board. In this type they put him in a wooden coffin for a long time, until he urinates on himself. Long (remaining) stay, as his hands are behind his back, he's restrained (or in the front).

If he was restrained from the front, he will stay like this for days. They ask him and leave him drowned in his waste the drawing (below).

If it was behind his back, he will know what they will do from an experience of what they did previously. Whereas they converse with him from a small hatch on the top of the (coffin), asking him of things that as soon as he denies or swears that he doesn't know it, another person starts strongly pouring very cold water, from another small hatch. Because the coffin is made of (wood the water would leak but slowly).

During this time the investigator asks him and threatens him, then leaves him, until the water reaches his nose, mouth, and then he starts to move strongly with distress while coughing off of drowning. Then, the investigator will come over again and the other person stops pouring water. The water will leak from the box, but the cycle repeats again, and he'll stay terrified of drowning all day.

Drawing #16



They used to restrain the detainee in a method, in which he can't stand straight, and can't sit for long days, (so how about laying on the ground). That is a dream, or a big hope that he didn't get in that room (cell), which filled with filth and his waste which is normal to do it on himself. Filled with insects, large black cockroaches, or red in very big numbers (intentional of course), or other scary looking insects, that are capable of stinging.

If the detainee knows what it is (harmful) or (just a scary look), but everyone knows the (scorpion), and it appears all of a sudden (one or two). Then it disappears or the detainee can't see it anymore, the detainee will remain (terrified), from any movement, (or a sting) under his bare feet. Not to mention, the backache, and limbs (very extreme) pain, his head hurts from lack of sleep, food, and extreme cold weather (or the multiple vomiting), which may be caused by the cold, or the foul odors around him.

Drawing #17: The Vertical Box

Abu Zubaydah © 2023

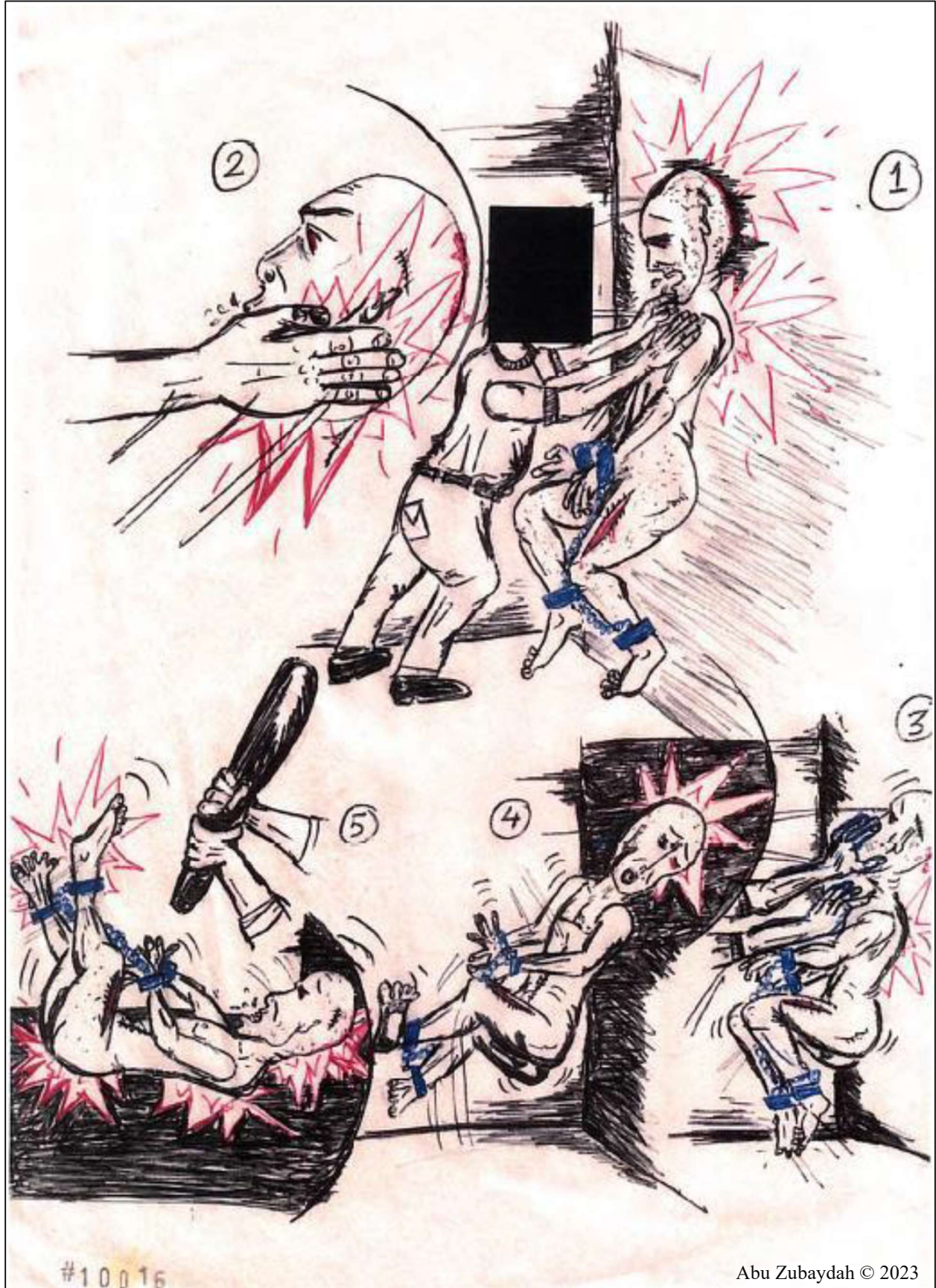


Drawing #17: The Vertical Box (continued)

Usually after using different torture methods, they throw the prisoner inside a big box (like a casket but in vertical position and not horizontal) while the prisoner is completely shackled (his hands and feet are tied together), there is a short chain between the hands and the feet which forces the prisoner to stay permanently bent no matter how he tries to be straight. Inside the vertical casket, there was a bucket to be used as a toilet with a bottle of water and an Ensure packet on it (this is all his food and drink for a whole day) or may be more, and if the prisoner tried to sleep because of fatigue, stress and psychological and physical pressure practiced on him during the torture before he is placed in the casket, he will discover that he cannot have any opportunity to sleep or rest, and after every few minutes, they will start to strongly bang on the casket many times to make sure he cannot sleep even for one second, this is done in addition to the surprises and the pounding inside the casket.

After one or two hours, they will move the whole casket (they almost turn it upside-down), so the prisoner will turn upside-down and the human waste bucket will fall on him even though he did not drink the water or “the Ensure” because it is contaminated with the urine. So, no food for him all day.

Drawing #18



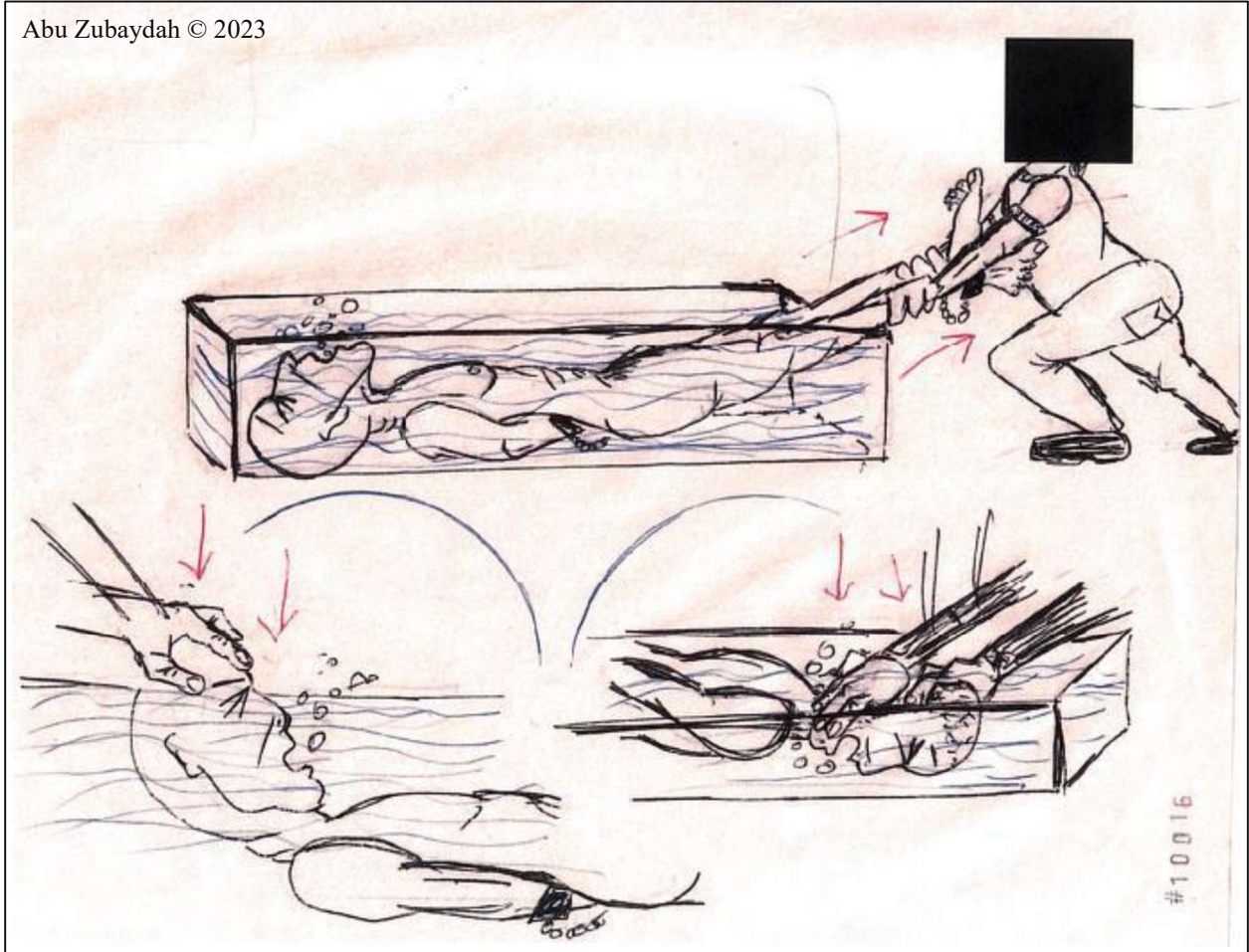
Drawing #18 (continued)

Sometimes they would use a towel wrapped with a plastic tape (Duct Tape) which they place around the prisoner's neck and they hit him against the cement or the timber wall, but in some cases they would suddenly enter the prisoner's cell and start to hit him against the wall without any towel or even gloves and they deliberately hit him strongly on the back of his head and back for many times and continue for a long time until he passes out, then they awake him with cold water and continue the beating even if he does not pass out, they will start to slap his face while they were asking him questions and verbally cursing him with obscene language and continue to beat him strongly on his head, back and buttocks until he collapses on the ground.

Sometimes they start to flog him on his feet or on the tips of his toes while they were screaming:
Are trying to resist?

Drawing #19

Abu Zubaydah © 2023



Drawing #19 (continued)

First note: Waterboarding is not the only way which they use in torture (to delude the prisoner that they are drowning him) in a small water tub which is usually used in the bathrooms of homes. They put the naked prisoner with his hands completely shackled behind his back, lay him down and start investigating him while the cold water tap is flowing over his head until it is almost drowning him and he cannot breath unless he pushes his arms behind his back so as to push his body little bit higher to have his nose or his mouth or both of them outside the water level. The prisoner will remain in this position for many hours while they are threatening him that they would reopen the water tap until he is completely drowned but they do not do this and the prisoner will continue to cough with each drop of water that goes in his respiratory tracts (mouth or nose). The prisoner would stay scared and stressed until his hands which are tied behind his back get tired, so his body and then his head would fall in the water and he continues to try to go back to his stressed position while they are laughing and screaming at him, then they would move to another level after many hours by pulling the prisoner's feet outside the tub so his head would fall in the water and he continues to gurgle until he is almost drowned so they leave his feet and the prisoner will try in the last moments to get his head out of the water (he feels he is about to die) or they would directly drown his head until he is almost dead, and then they would allow him to breath for a short time, and after this they drown his head (from the front or the back) by their hands. (immediate death is easier than the hard, slow and gradual one) This how the prisoner thinks and hopes.

Drawing #20: Waterboarding



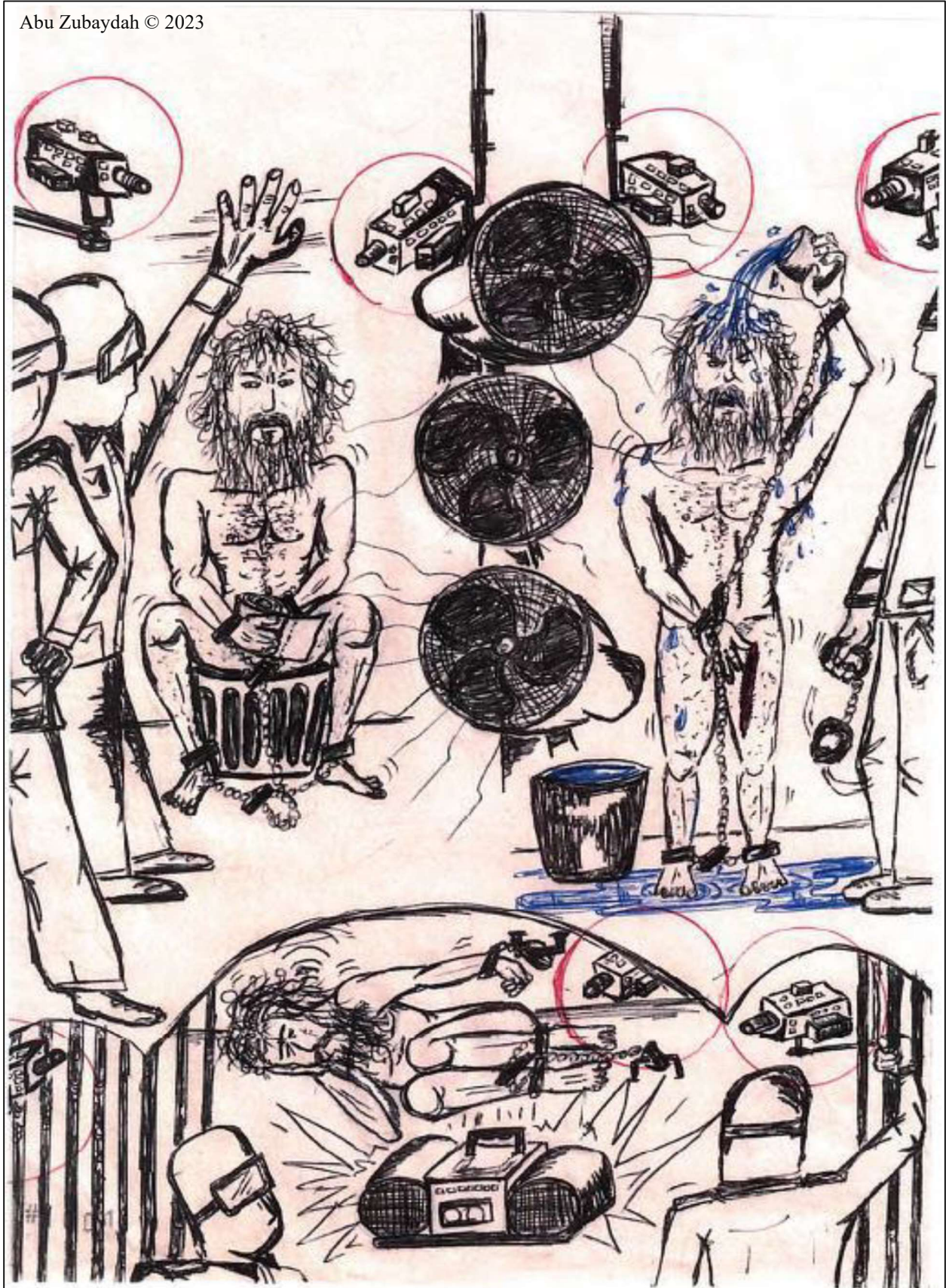
This is another method of waterboarding (to delude the prisoner that they would drown him with water), there are many ways and not only waterboarding.

This time they use the Terbal (TN: name of a fabric), a thick water-absorbing fabric which is used in making tents.

They put the naked and shackled prisoner inside this Terbal, the guards would hold the edges of the Terbal until the prisoner sinks in the vacuum which forms in the middle of the Terbal and they start pouring the very cold water on his head in the cold weather and continue pouring until the prisoner's body and head is drowned, so the prisoner will try to get his head or nose and mouth at least to breathe and they start to control the concentration of water by moving the Terbal, so if they want him to only breathe they would bend the Terbal a little so the prisoner can get his head of the water to breathe so they will start their questions, if they are convinced of what he says, they would bend the Terbal to cover him with water until he almost dies and that point they will bend the Terbal to allow him to get his head and nose out of the water so he breathes like mad. This will continue for many very tough and horrible hours. The prisoner sometimes loses control of urine (or something worse than this) so he drowns in his urine which is mixed with water and he would feel the taste of urine in his nose and mouth.

Drawing #21

Abu Zubaydah © 2023



Drawing #21 (continued)

Before and after the intensive torture, the situation of the prisoner at the CIA and the FBI is also a state of torture, only it was slow, persistent and annoying. This is one of its pictures; the severe cold weather, the very high sounds and nakedness (and there are some other methods not drawn here). If they want him to wash, they will tie his hands with a long chain, strip him of his clothing and leave him washing himself in front of them and the cameras. (in the very cold water and cold weather). The same thing happens when the prisoner wants to ease himself (in front of them and the camera).

As for sleep, he is naked and laid down on the very cold ground without a mattress or a cover (of course the pillow was a very big dream that has never been realized). They would let him sleep in cold weather, hunger, the very loud sounds and embarrassment of his nakedness in front of the guards and the cameras. He neither slept nor did not sleep (this in addition to fear, nightmares of what they have done or will do to him).

The embarrassment will increase when you notice that one of the investigators or the guards dressed in black is a female who is watching him when he is cleaning, ease himself in a bucket in front of her or sleeps naked on the ground. He can hardly cover his genitals in front of her and the male guards because it is forbidden in the religion of Islam to be naked even in front of your brother or father (of course you can do this only with your wife).

Drawing #22: Transporting Prisoners

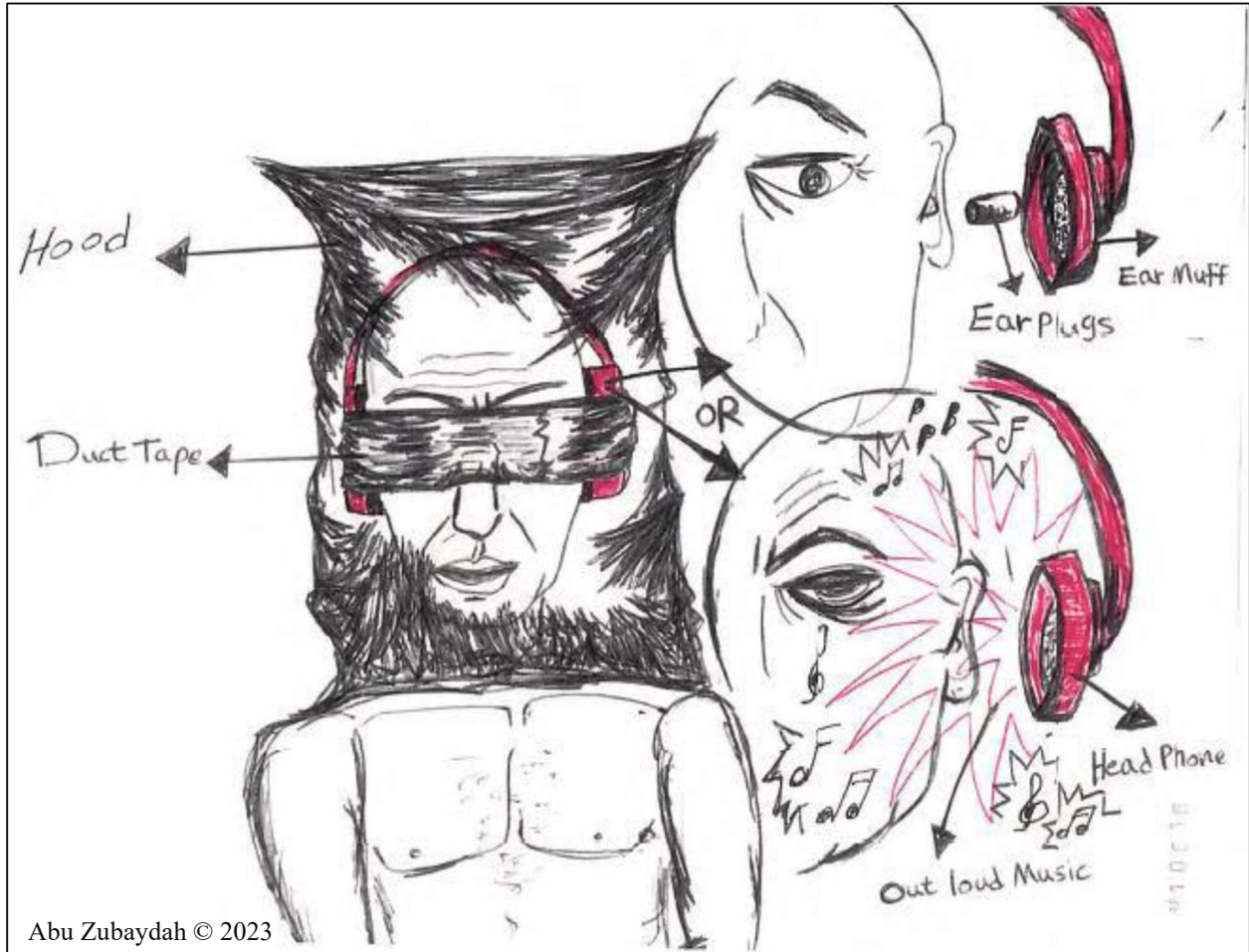


This is the method of collectively transferring the prisoners from a nearby place to another (nearby) one. Sometimes this is done individually when they transfer for a long distance from one country or prison to another, but when they transfer the prisoners from department to another while, they would be naked with their hands tied behind their backs or in the front with a short chain connecting the hand shackles with that of the feet, so the prisoner would remain bending all the time and walk like a guerrilla, and they tie all the prisoners in one chain (like slaves or animals) with their heads covered with hoods and they control their movements to the left or right by a strike or a violent action on the head, the back or the buttock.

The operation of transfer takes several hours in the very cold weather in a standing or walking position. The use of bathroom is not available and the prisoner has to be patient.

And as for the long transfer, it usually takes no less than 24 to 32 hours from the car to an airplane and then to an airplane and so forth and he is not allowed to use the bathroom, therefore they put diapers like those for children on them but with a very large size.

Drawing #23



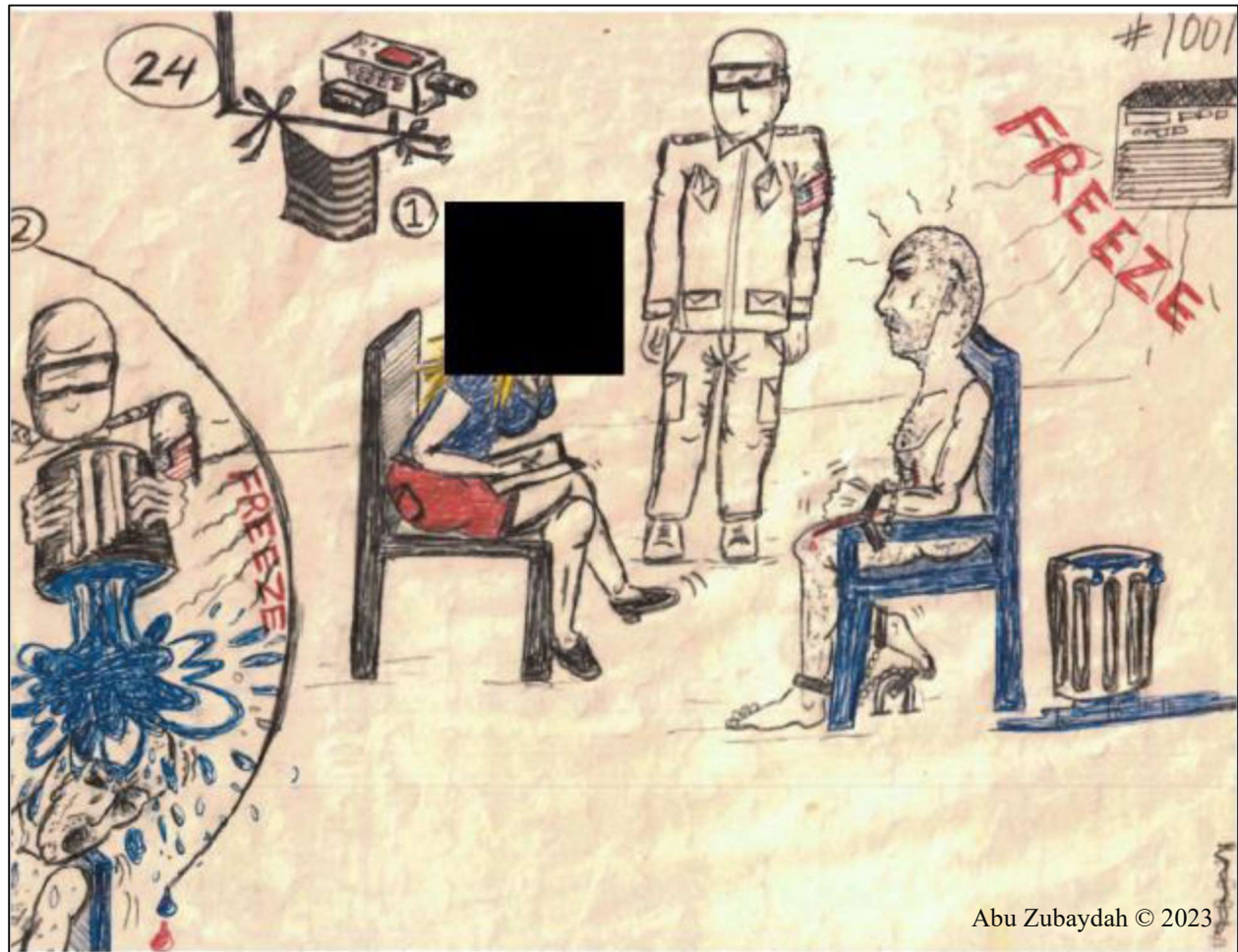
Most of the time at the FBI or the CIA when there was no certain investigation or torture, and also during the transfer from one country to another, they used to put hoods on the head of the prisoner or another place with a headphone under the hoods on the prisoner's ears and attach it on his head by a duct tape.

Sometimes these headphones happen to be just (ear muff) they strongly put inside the prisoner's ear so he cannot hear anything or see for many hours, days and sometimes for weeks as appropriate to them.

Sometimes they would put a real headphone with extremely loud music.

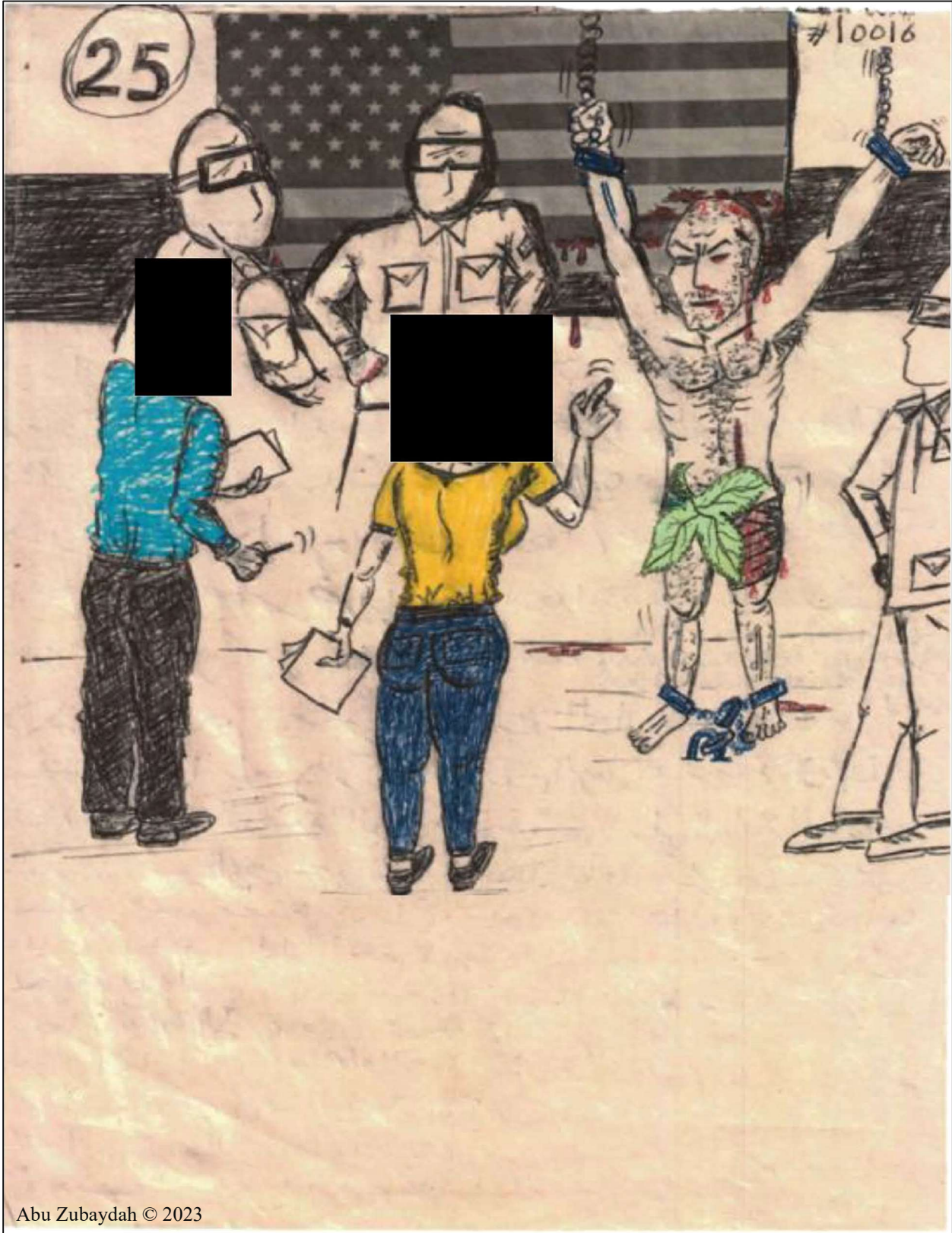
The prisoners would stay like this, as we have mentioned, for many years, days or weeks until they feel nauseous because of the pressure of sounds on their eardrum, nerves and spirit.

Drawing #24



With the CIA and FBI during the time of torture. The long sitting for continuous long weeks, sitting on the chair and I am completely naked (definitely). Very hungry. I feel frozen from the very cold weather. I almost get hallucinations because of the psychological and nerves and body pressure. Additionally caused by the loud voices all the time except during interrogation period. In addition to the sleep deprivation I feel that I'm really hallucinating. And then a woman immediately came in wearing very light clothing (like it was summer). She sat next to me and there were two men wearing very thick clothes (suitable for the North Pole)...!! I didn't move at all, not even to cover my genitals as it should be following the courtesy and religious beliefs, because really in the beginning I thought it was a (hallucination). But when they talked to me and moved me very hard, I paid attention and I moved involuntarily and I covered my genitalia completely, I shouted to them (at least give me something to cover my genitalia in front of that female...Animals. (Don't you feel ashamed of yourselves?) They only gave me a bucket of very cold water. And they poured it over my head. I couldn't speak for a period of time due to the severe shivering in my mouth and lips, and all over my body. She stayed sitting, looking, and staring waiting for me to answer her first question which I don't remember. She was waiting a half hour without any answers, then she left and she was shaking of coldness and anger. I remember that they threatened to discipline me...I told myself, "who will need this discipline?"

Drawing #25



Abu Zubaydah © 2023

Drawing #25 (continued)

Because at the FBI and CIA, they didn't give me a fig (berry) leaf to cover the genitals (naked area), in the drawing I had to cover my genitals with a drawing of a leaf instead of painting myself totally naked. I was chained and hanged so I couldn't use my hands to cover my genitals in front of the male guards. They then brought in female interrogators. I screamed at them that day, saying, "If you don't want to respect me, respect this (female) interrogator...respect her feminism. Don't be animals."

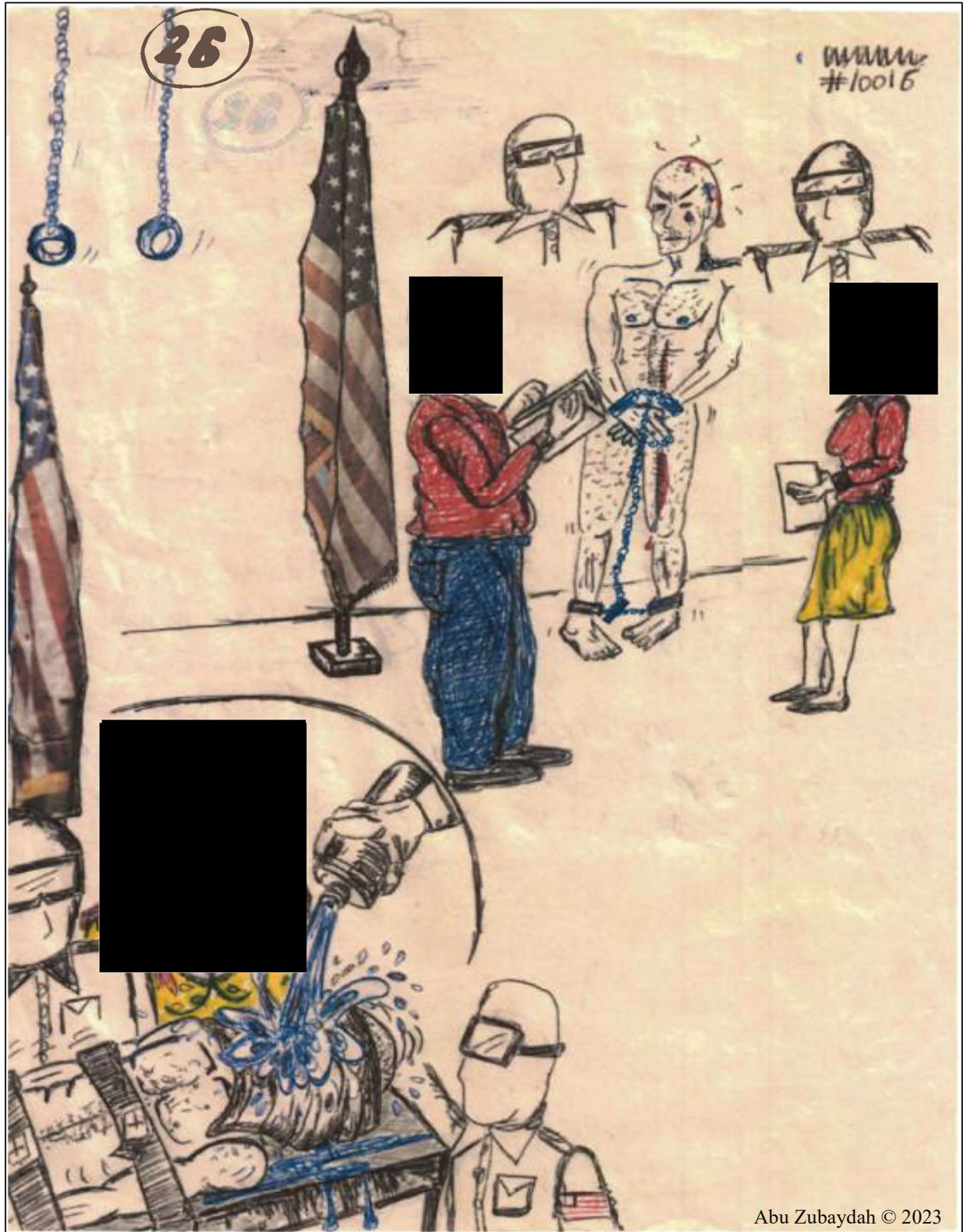
They beat me hard until it felt as if my legs had fallen off; my genitals became more exposed rather than dangle.

This drawing explains exactly the condition they put me in. The "fig leaf" in the drawing is an extra of course, which is the only thing that is not accurately portrayed of what actually happened.

My thoughts while they were beating...they made me deal with her while I am naked, she is an animal, just like them. I thought this because she agreed to come and do this inappropriate work (inappropriate for her, me, and for them). So why should I care? Because she doesn't deserve respect or concern. However, I still have the respect for her feminism that our Islamic religion orders...even with the female from the enemy's side.

I kept refusing and they kept beating me, thinking that I'm arrogant to deal with a female interrogator and for not respecting a woman, as they told me. On the contrary, I wasn't being disrespectful, I refused because I was respecting her feminism. Though, I didn't respect her as a person who agree to be part of this filthy work.

Drawing #26



Drawing #26 (continued)

After a rough round of slamming into the cement wall, then on a wooden wall, then drowning on the waterboard and stuffed in a very narrow wooden box, then put in a vertical coffin, and then...and then...etc.

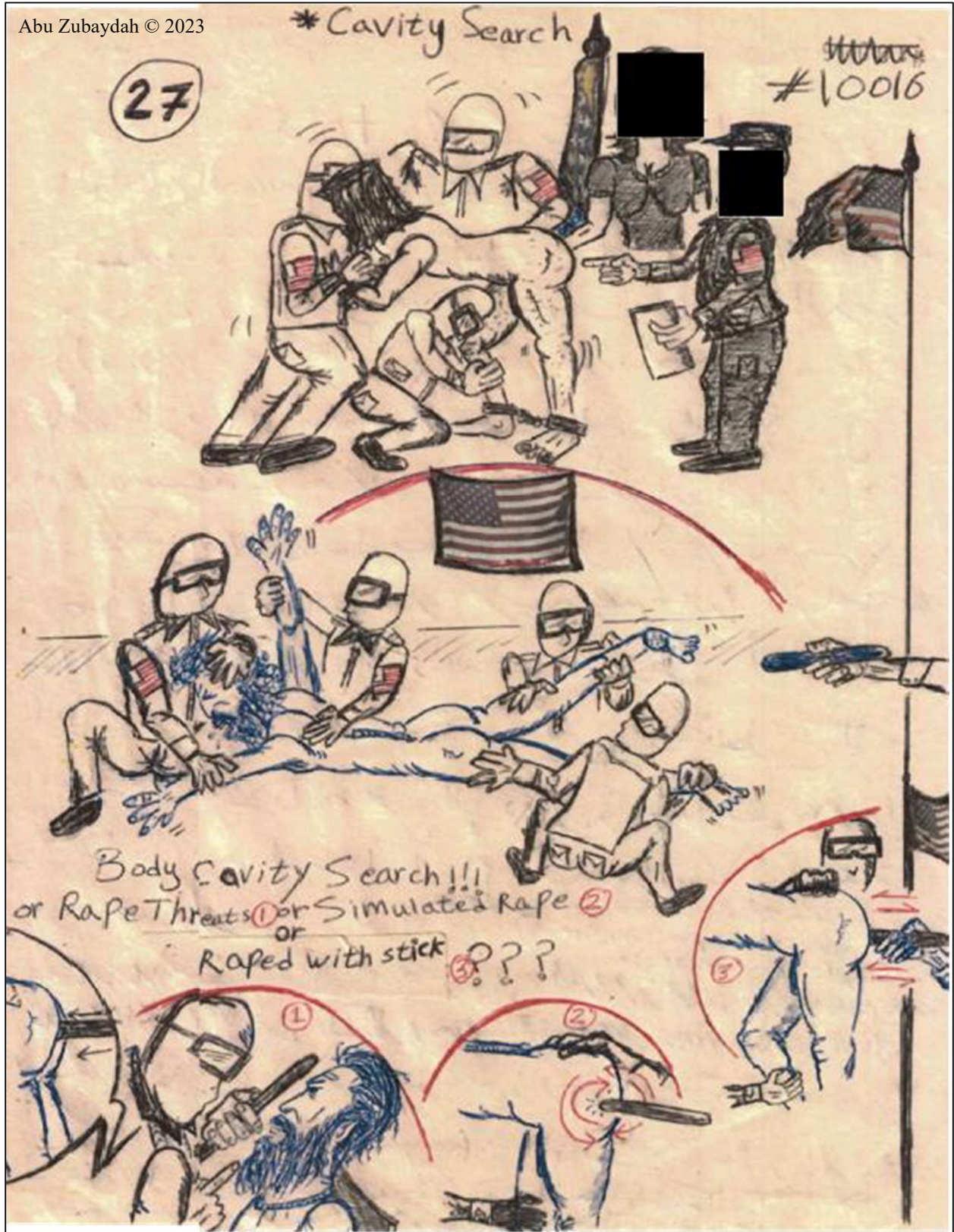
They put me in front of a wall. I expected a new round of slamming on the wall but two individuals came in, usually they are male interrogators, but one of them was a woman. I was completely naked so I covered my genitals with my hand and I was screaming and cursing at them for their lack of morals and their behavior.

But (Arabic saying- no life for wo you calling for), so they beat me painfully...punches, slaps, and more slamming in to the wall only for me to talk to a female interrogator while I am in this condition (naked).

Even when they were waterboarding (torture), and the detainee is completely naked, they sometimes bring a female interrogator to ask questions or to just write the answers (responses).

Drawing #27: Cavity Search

Abu Zubaydah © 2023



Drawing #27: Cavity Search (continued)

The FBI and CIA would increasingly perform a cavity search through the anal opening. On occasion they would insert a finger...before, during and after movement from one cell to another; or from one prison to another; or from one country to another; or from one mode of transportation to another. For example: they would perform a cavity search when I was transferred from a car to plane (or vice-versa). Sometime it was in a fast and painful, humiliating way. Sometimes it was in a very slow and more humiliating and painful way.

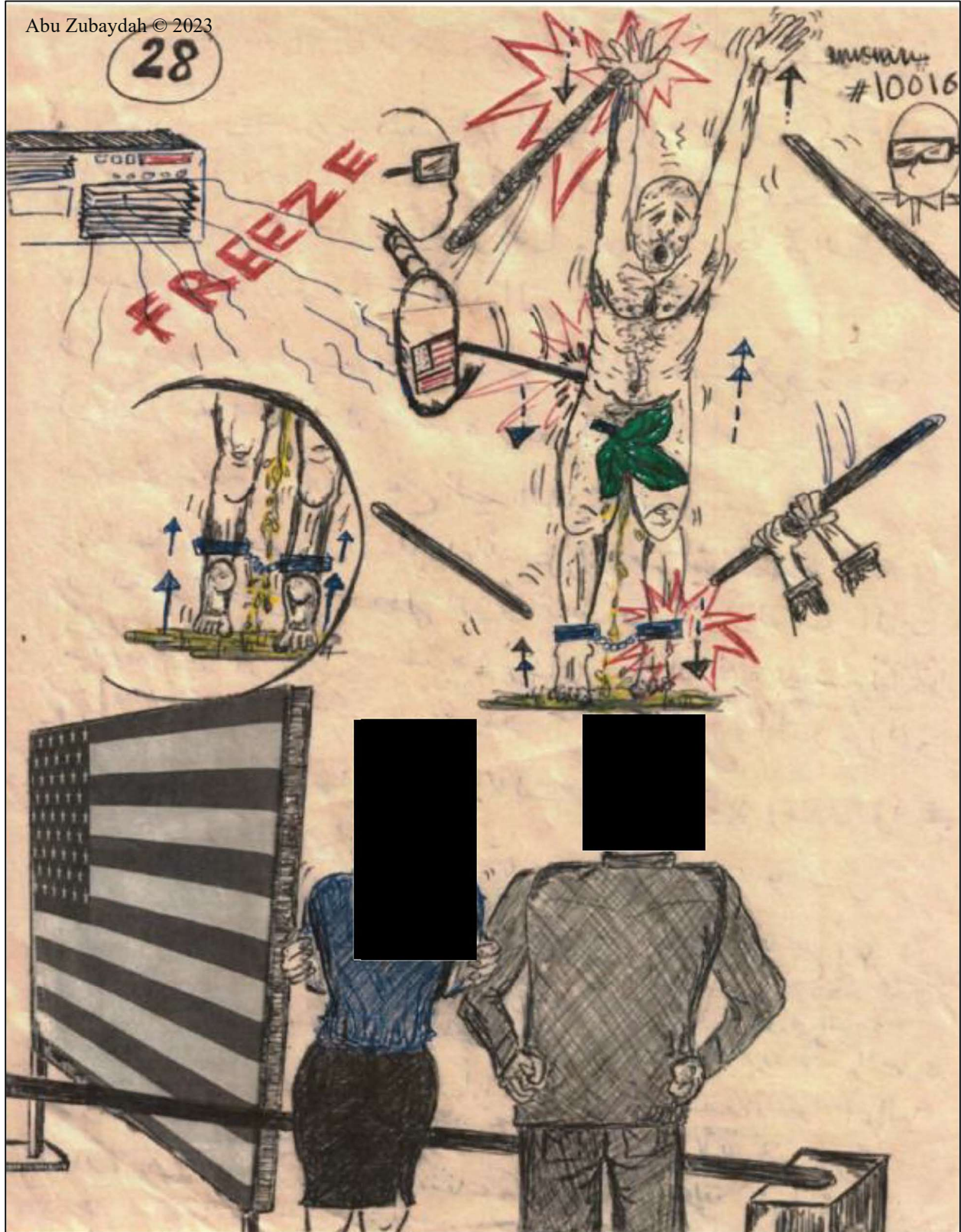
They used to do it while the detainees' head was covered with a hood or without head cover so he can see. The laughter of the guards was intentional- for humiliation and disgracing. They would point and laugh to each other or to the detainee.

Sometimes they used to do it in front of female guards or female interrogators or women in charge (supervisors or those with responsibility)

Sometimes the cavity search was actually a mock/simulated rape...performed with a finger. Sometimes, something other than a finger was used...something plastic/wooden/metal but much bigger in size than a finger. It was much more painful and disgracing.

When the detainee refused these procedures, they force it on him. The detainee was slammed to the ground and the search was performed more violently and in a more intentional humiliating way.

Drawing #28



Drawing #28 (continued)

They used to force the detainee to stand next to the wall but not to lean on it or touch it, raising both of his hands up high and not to bring them down (not for one second) or they will hit him hard on the hand that comes down. They would force him to stand on his toes and not to bring them down (or bring his body down for one second) or they will hit him violently on the foot that comes down.

If his body leaned down, even a little (out of exhaustion or nerve or muscle tension), that was caused by this posture (position) that they force him to be on for long hours. He wasn't allowed to urinate using a bathroom, instead he is forced to do it on himself. If he leaned down to relieve himself, he took the chance of getting beaten on the back or buttocks.

So, if he completely collapsed of exhaustion and fell, they beat him with sticks until he brings himself (or his hands) back up or stands on his toes once again.

Sometimes they would bring in a woman suddenly, if the detainee starts moving his hands spontaneously to cover his genitals, they'll beat him...while she kept watching.

The place, as usual, was always very cold...freezing. The sound was noisy...there was very loud music and there was a machine that makes very loud sound. The noise made it so the detainee couldn't hear anyone else...or hear himself think. He couldn't hear the loud screaming every time they beat him, or even faint moaning and groaning.

NOTE: the fig leaf that covers the genitals in the drawing is an extra, does not represent the ugly truth of what occurred.

Drawing #29: Rectal Rehydration/Rectal Feeding



Drawing #29: Rectal Rehydration/Rectal Feeding (continued)

The guards would lay the person (the prisoner) down on his face and belly (while he is naked); one of the guards sits on the prisoner's back while the other guards hold his arms and legs (extremities), even his head, to stop his movement. Then a guard comes in, in his hands there is something big, like a syringe connected to plastic hose. They would insert the end of it into the prisoner's rectum forcefully. Then the guard would push the syringe (plunger) forcefully; the liquid/paste (the material inside the syringe) is pushed into the prisoner's rectum through the hose.

The prisoner feels the force of the syringe's contents (liquid) being forced in and can also feel the coolness of the liquid/paste in his intestines. The force and strong pressure of the injection causes strong and severe pain, more so than being hit on the belly from the outside. Each time the prisoner raises his voice (shouting/screaming) from the pain being inflicted, the guards would push the prisoners head forcefully downwards until it touched the (cold) floor.

They were doing this while shouting and cursing at the prisoner. There were people nearby (some of them females) laughing and commenting on the operation and inappropriate or sexual comments.

After the end of the horrible feeding operation, in 15 or 30 minutes, the prisoner starts feeling a severe ache in his stomach...like his intestines are being shredded. This is followed by severe and uncontrollable diarrhea. The guards and the interrogators took advantage of the circumstances and started asking him questions while he is asking to go to the restroom. Of course this is prohibited, so he begs for them to bring a bucket and allow him to defecate in it, but they refused and he was forced to defecate on himself.

Drawing #30: The Force Feeding



Drawing #30: The Force Feeding (continued)

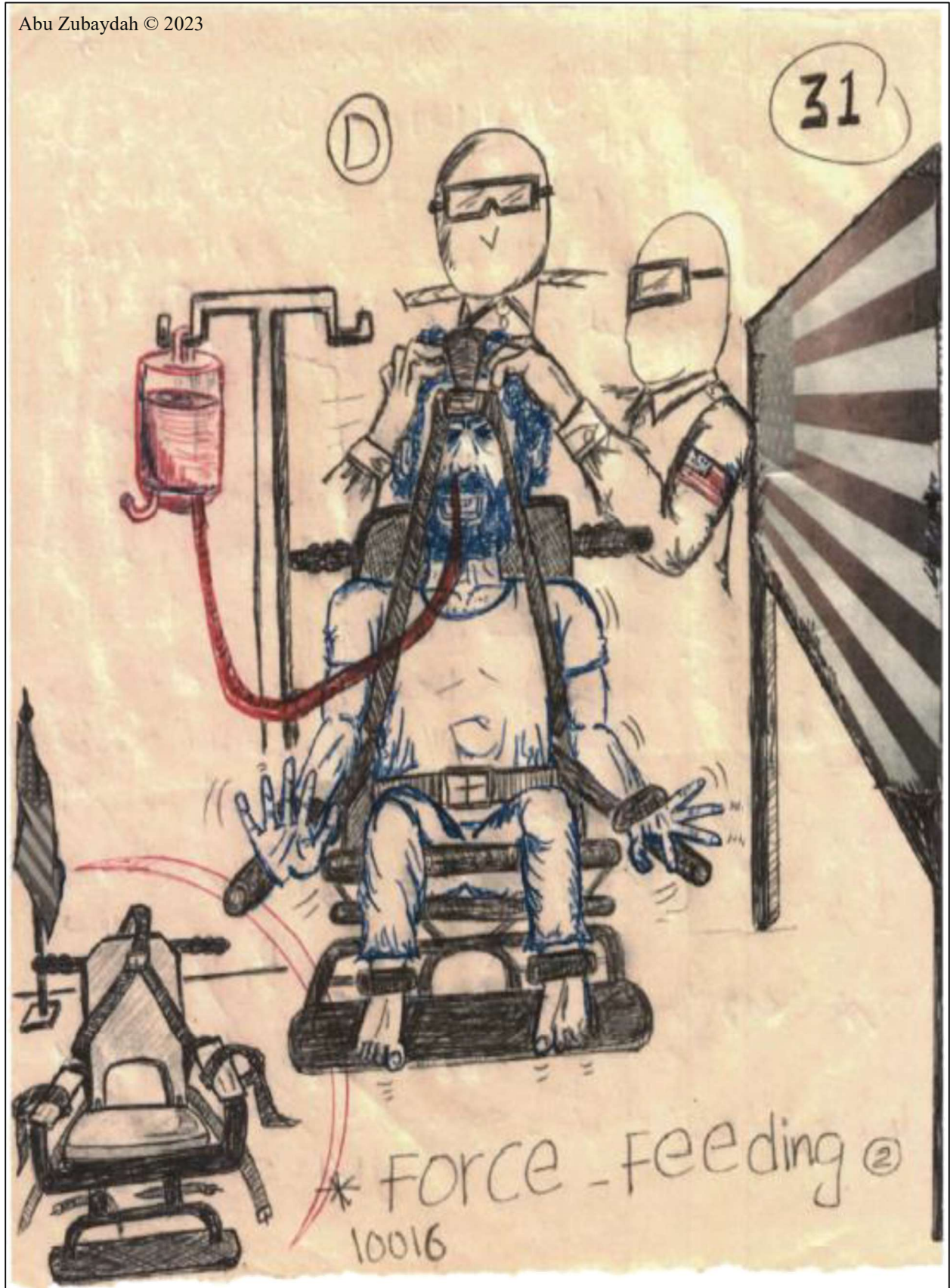
They were tying the prisoner in a tilted chair (his hands behind his back); the guards further restrained him with their hands as they put a shirt (straight jacket/a crazy person suit- the shirt with long sleeves that are connected in the back) on the prisoner. This shirt has a heavier cloth and inside it there are metal plates, thin but strong, organized vertically in the shirt. The metal plates forced the prisoner to stay from the neck down while he was secured to the chair specialized for this operation (depicted in drawing 31 D). Then they start inserting plastic hose in the prisoner's nose in a harsh way; it is very clear it was purposely severe. The prisoner felt the cutting and then immediate bleeding from the nose.

They keep inserting the hose until it reached their desired level (the throat or esophagus or the stomach...I don't know how deep). Then, as usual, the thick liquid starts flowing. The operation would be complete in a short or long time, but the prisoner remained tied up in this way for hours after it was completed.

*And like the rectal hydration/rectal feeding, they would sometimes perform this operation unnecessarily (like even if the prisoner was eating, or even when his health was poor sue to not eating). But without any notice, they would enter surprisingly and offer a water cup to the prisoner. If the prisoner apologized or said that "I just drank and am not thirsty" they would still enter and start to tie him down and prepare him for the nasal or rectal feeding. Regardless if the prisoner tries to tell them that he is ready to eat or drink, they don't want to stop and they start shouting..."Don't fight it."

Drawing #31: The Force Feeding

Abu Zubaydah © 2023



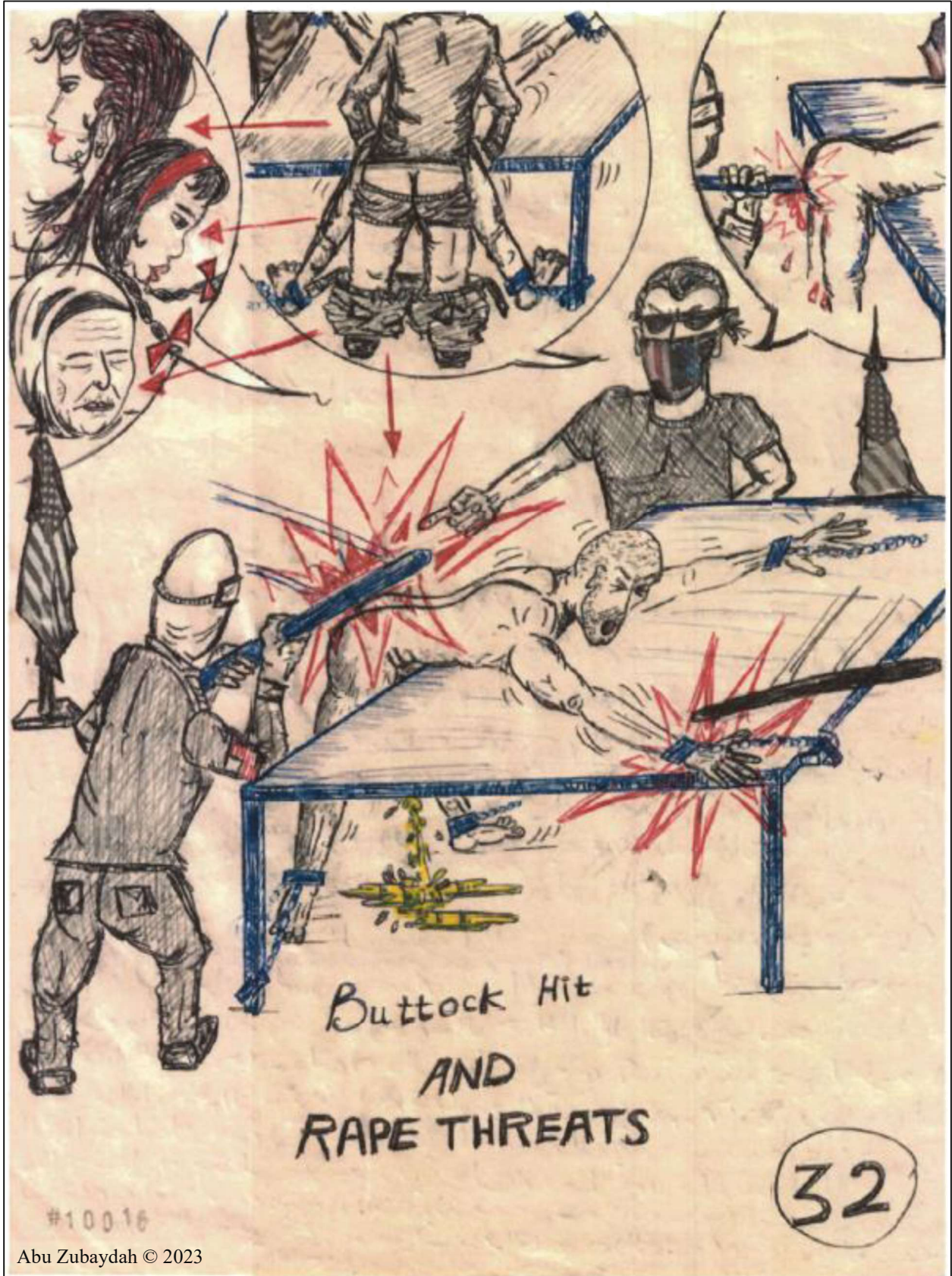
Drawing #31: The Force Feeding (continued)

This is the chair specialized for forced feeding; if this chair is not available they would use other basic methods (depicted in drawing #30 A, B, and C) which are more annoying and painful; but even feeding on this chair is very painful and annoying. Especially when he (the doctor or the person who has been ordered to feed the prisoner by force...sometimes he is not a doctor) purposely hurts the prisoner while inserting or extracting the hose quickly or when the guards purposefully tie the prisoner in a harsh way- pushing on his head, arms (extremities), belly, and chest; or when tying his hands behind his back (depicted in drawing 30 A). They tie it more tightly than necessary until the prisoner screams in pain; regardless of the pain or screaming, they would start inserting the hose in his nose.

The precise method (depicted in drawing 30 D), was used in Guantanamo.

After finishing the forced feeding, the prisoner remains tied up in this way for a long period of time.

Drawing #32



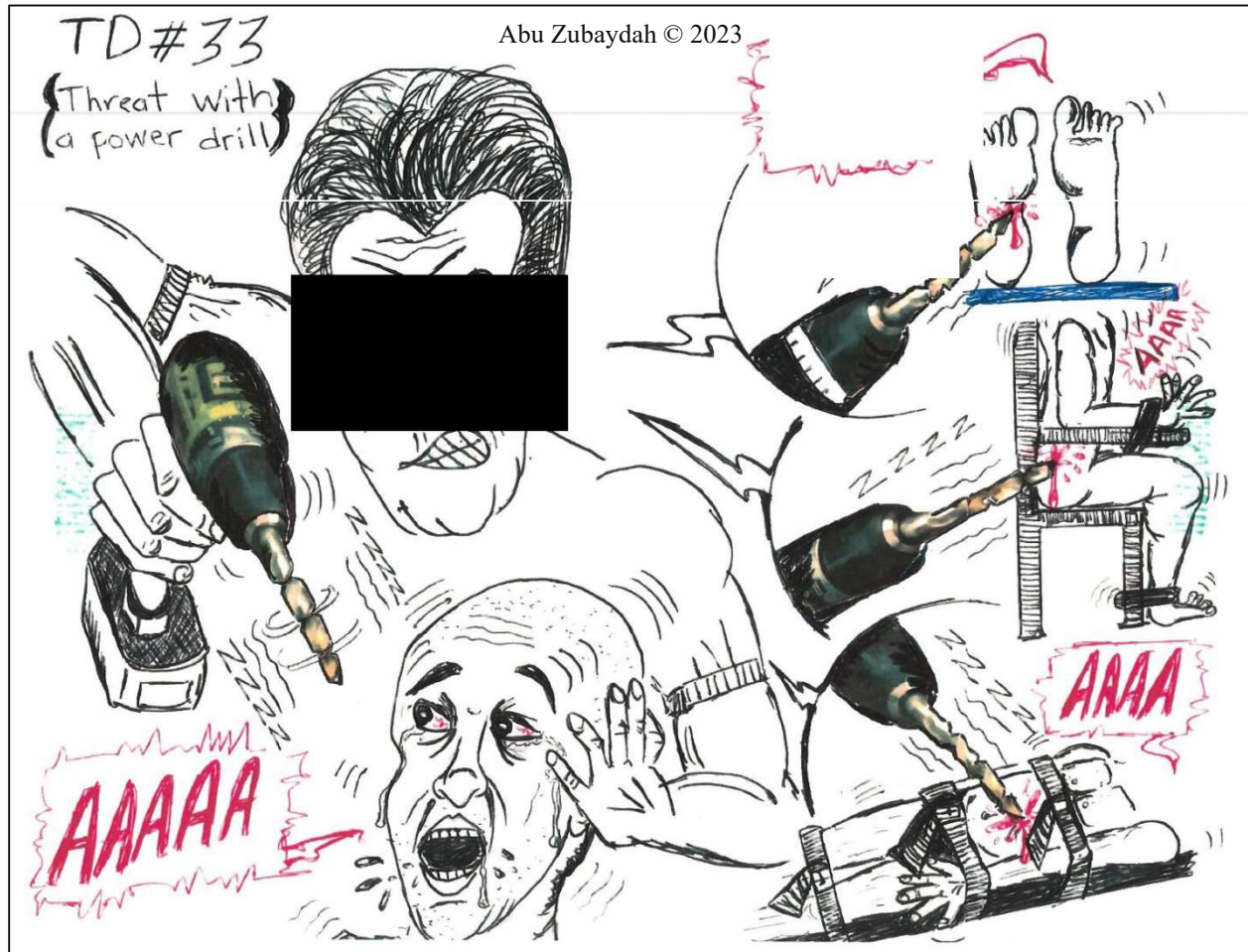
Abu Zubaydah © 2023

Drawing #32 (continued)

They used to hold the prisoner on a metal table with restraints with his upper body tilted (bent over 90 degrees) for extended hours or days; as forced to relieve or defecate on himself. (They forced him to open his mouth and they would force feed him water or feed him liquids at any time they deemed appropriate, trying to force it in before the prisoner goes unconscious.) The interrogation starts by cursing and screaming then hitting the prisoner with a stick on his rear/behind (sometimes they would hit his hands or feet). Then the interrogator started threatening to put the stick on the rectum of the prisoner until it bleeds. Then the interrogator threatened to rape him or his wife or his daughter (if he had a wife or daughter)- no matter how young she is; or rape his mother- no matter how old she is.

Sometimes, I noticed that the interrogators (when he starts working) and thinks that the procedures are not appropriate and against the law; or maybe he will be ashamed of the act in the future; or he gets afraid that he will be punished for it, he would cover a part of his face with a (US flag camouflage) handkerchief. He would wear black sunglasses over his eyes (in my mind, seemingly looking like a traditional criminal (or one who would steal a car (car-jack) would wear it)...like in the old movies. Does he try to hide behind the US flag? (Even the law in the US prohibits these actions!!) I say that because the interrogators were not covering their faces, the opposite of the guards who always cover their faces). Before I left the black sites with the CIA, I met with one of those interrogators (who came this time without covering his face.) I recognized him from his body shape, his movements, and his voice...I noticed these small things even through the sunglasses and partial facial covering he would wear. I told him that I recognized him but he didn't say anything. Instead he looked a little embarrassed. During the conversation, he told me that now they knew they crossed the line with me, especially because they knew that I was the wrong guy. So I told him, even if I were truly the person you were looking for and you tortured me in his place, is it your right or are your morals/religion or your country's laws permit you to threaten to rape his mother, wife or daughter to seek revenge from him? It is the same principle that is said and done by someone who hates the (unjust) US foreign politics; so he takes revenge from the American people (who not all agrees with these unjust politics)...both of these are wrong.

Drawing #33: Threat with a Power Drill



On page 68 of 499 and page 475 of 499 (and other pages) of the Senate Select Committee on Intelligence (SSCI) Study on CIA Detention and Interrogation Program there are a few expressions...cold...strong...official or legal, about torture (threat with a power drill) which the reader could read and pass quickly without feeling how awful, horrible, and the power, concentration “the sense of horroe” felt by the person who exposed this kind of torture (threat of using the “power drill”).

This feeling of horror (extreme horror) could get a little bit lighter once the torture is over, but it will never end or go away from the brain, heart, body, and the soul of the person who received the torture.

Drawing #34: Threats with a Power Drill



Drawing #34: Threats with a Power Drill (continued)

I myself was hearing the sound of the (power drill) moving very powerfully and violently, and no other sound could cover up its sound except the person who is receiving the torture (threat with a power drill).

They were opening the door of my cell (which I stay locked behind 24 hours a day) only when the interrogators/torturers entered. They opened the “cell” door of the person that they will torture with the (power drill), so I could hear the sound of the (power drill) and the sounds of shouting, begging, and crying in “horror” of the brother who is receiving the torture. So if they turn off the power drill after several hours, I could hear the sound of the tortured brother still shouting, begging, and crying in (horror), then I hear the sound of (the person who is doing the torture) shouting and threatening that he will use the power drill to drill the head and/or foot , and/or rear end, and/or stomach of the brother who is exposed to torture.

When the power drill was stopped, the interrogator and/or person who is assigned to torture me was starting to threaten that he would do all these types of torture using the power drill with me.

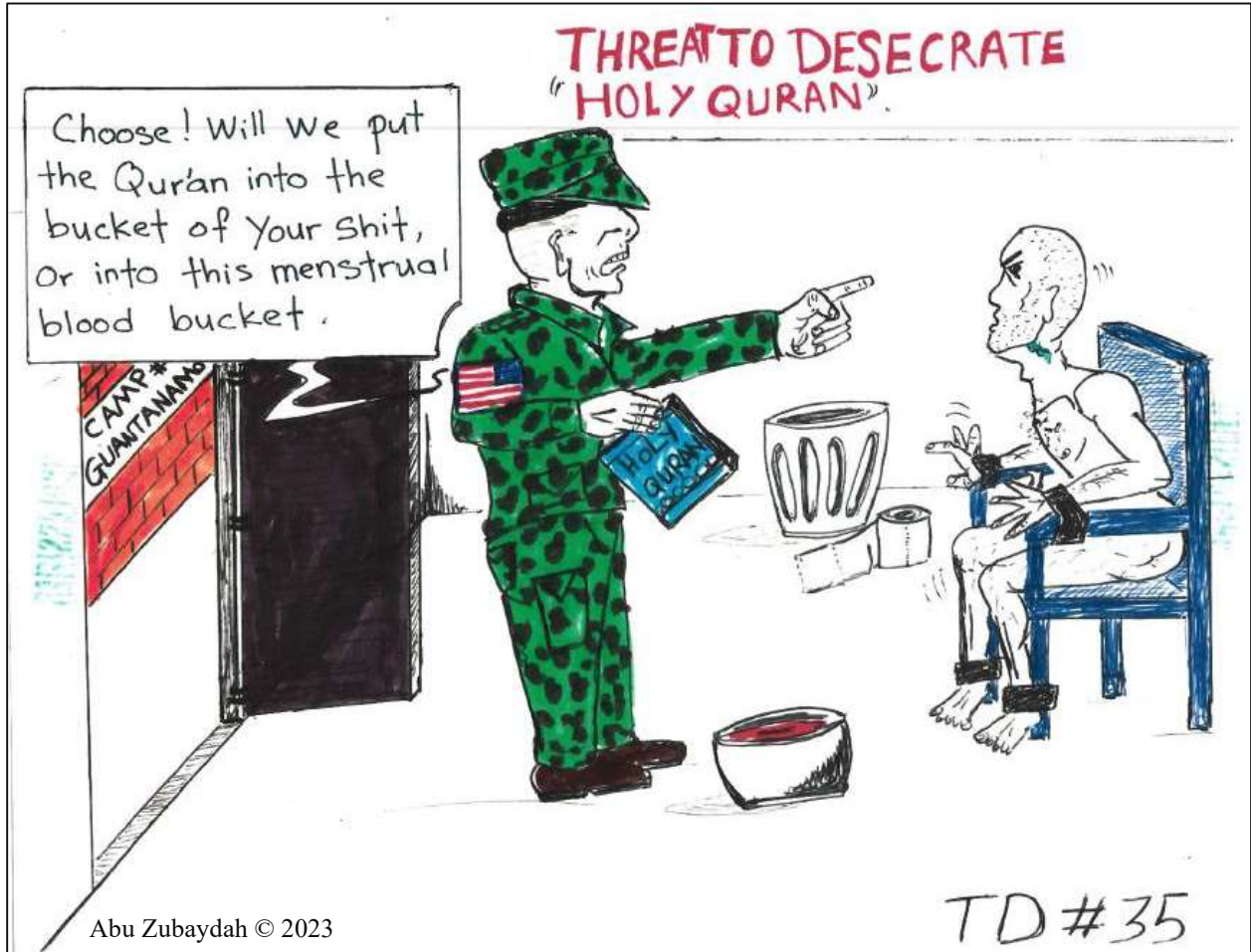
Then the power drill was started again and the brother started to shout, cry, and beg until his voice suddenly stopped without prior signs. Then the sound of the power drill stopped.

At that time only, they closed my cell door!! Then, all the sounds which could be heard by the human ears were stopped...(except the sound of my troubled breath).

But one sound was starting to shout and scream in my own head, in the shape of questions which were pushing me to craziness: did they drill the brother’s head?!! Did they drill his stomach or his foot or his rear end?!! Using the power drill?!!

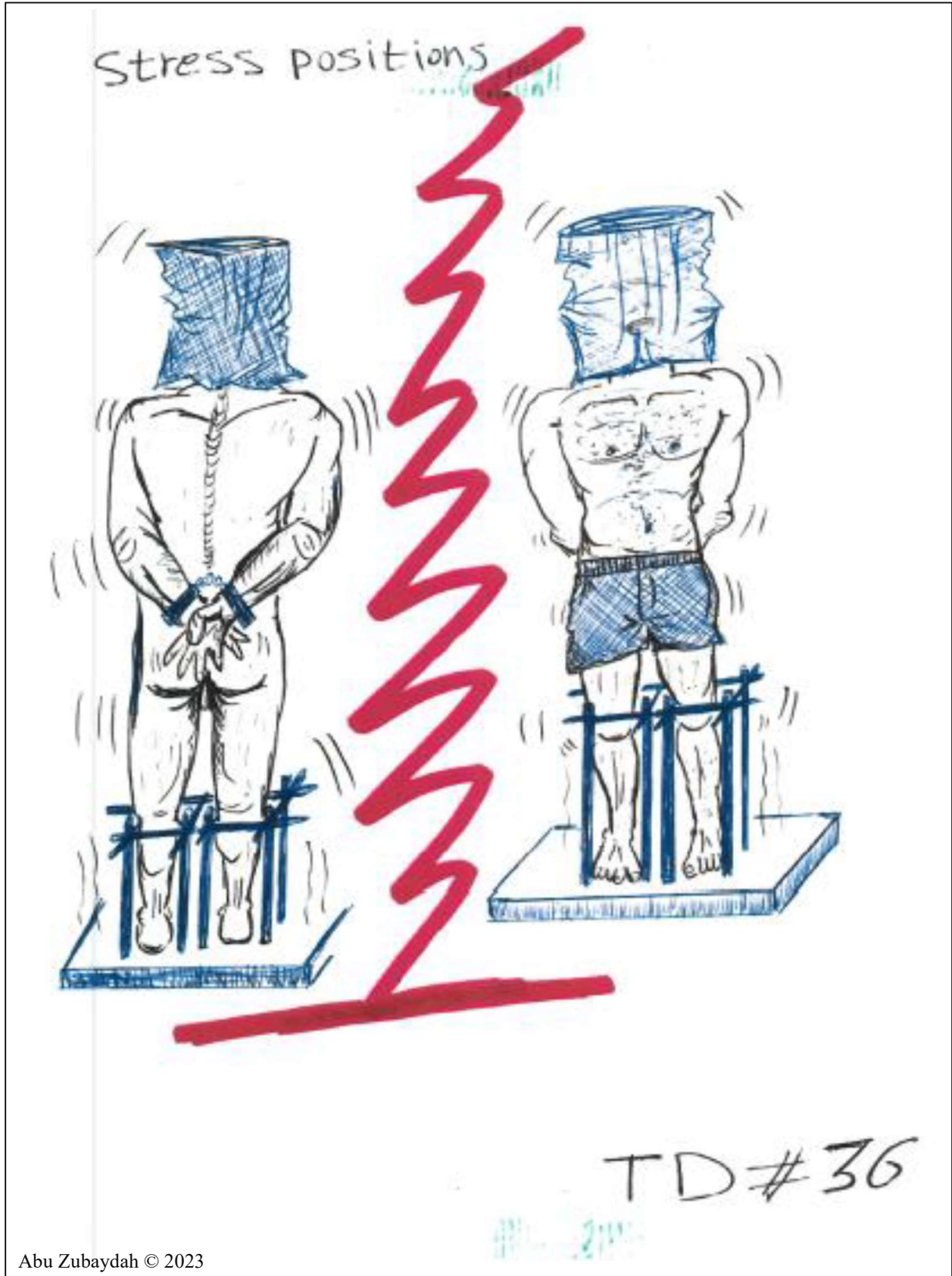
All these questions kept going through my mind for days and months until another day when they come back and use the same method: Threat with power drill. Then the same sounds of horror (the external) come back, and craziness sounds come back to my head with new questions: IS he the same brother?!! Didn’t he die? Didn’t they kill him? Or this is another brother different than the first one? Who is the second one? And who will be the third one? Will it be me?

Drawing #35: Threat to Desecrate the Holy Quran



I think the dialogue/comment inside the drawing is enough.

Drawing #36: Stress Positions



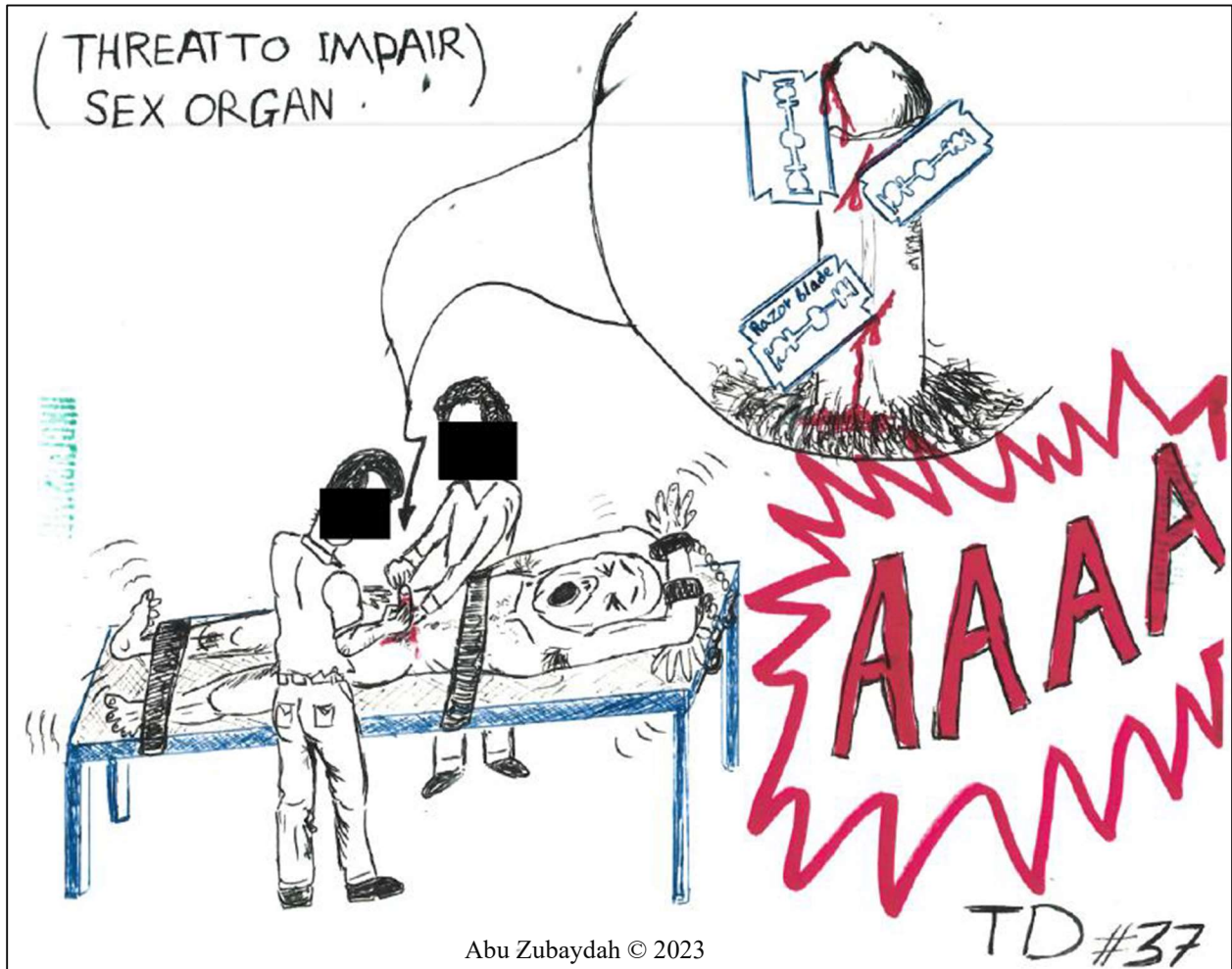
Drawing #36: Stress Positions (continued)

This stress position used by the CIA was mentioned in the SSCI CIA Study on CIA Detention and Interrogation Program (Torture Report). There are too many types of stress positions, used by the FBI, in GTMO, and in countries which tortured the detainees on behalf of the CIA. One of them is this method:

The first position: they handcuffed the detainee standing up (head covered), his hands behind his back, and fixing his legs from his feet to his knees with iron bars which completely disallows him from sitting; not even to bend his knees. He would stand like this for hours or days, urinating and defecating on himself.

The second position: here the drawing doesn't represent reality. The detainee stayed in this stress position totally naked, shivering from the cold, embarrassed hungry, fearful, tired, angry, and unable to sleep. I drew the shorts to over the private parts/genitals.

Drawing #37: Threat to Impair the Sex Organ/Genitals



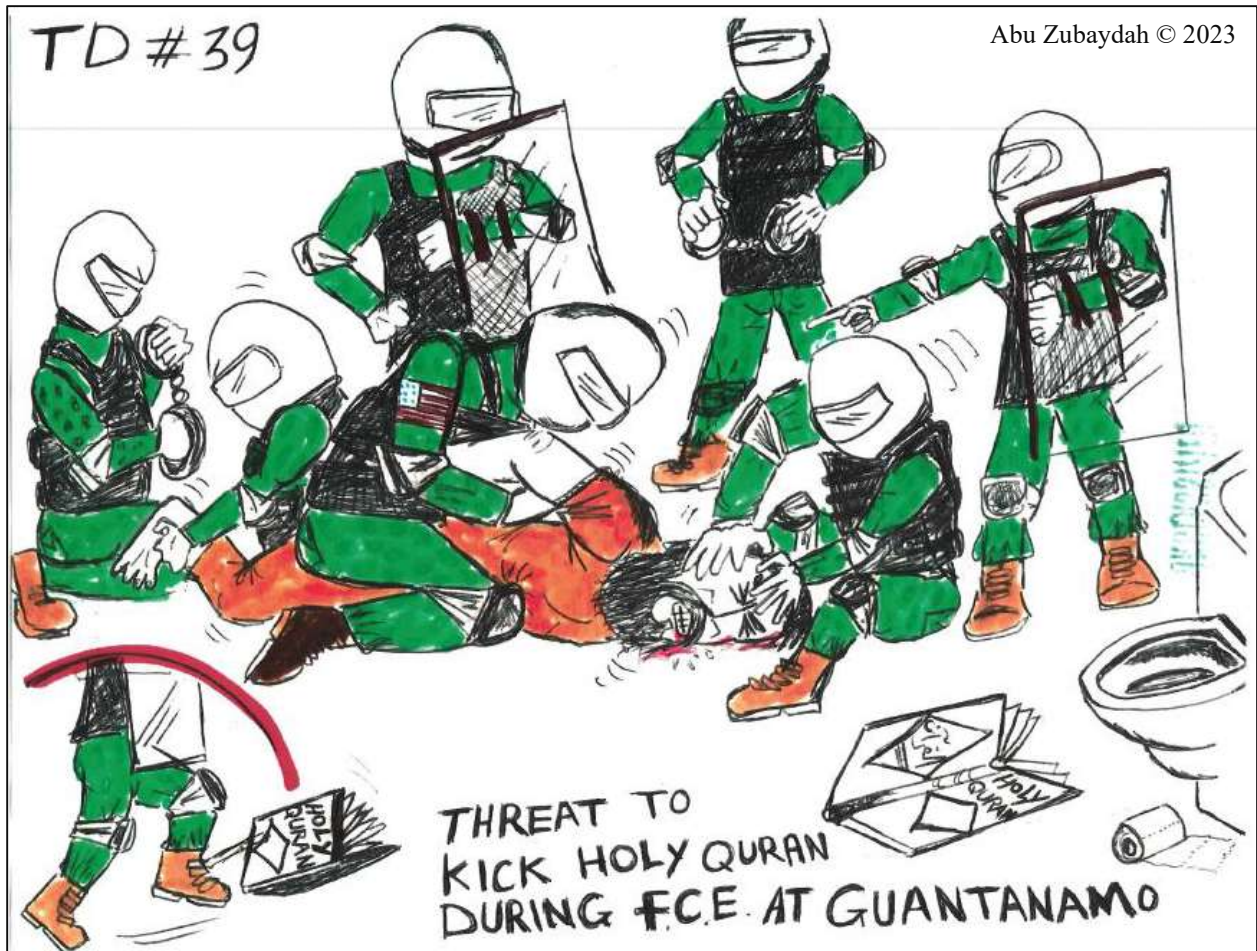
This drawing is self-explanatory, so I don't need to further describe. But maybe I should apologize for revealing the private parts/genitals in the drawing. This is because I need to show the ugly truth and the dirty reality which happened to the detainees.

Drawing #38: Threat to Humiliate Religion and Blasphemy



I think the dialogue/comment inside the drawing is enough.

Drawing #39: Threat to Kick the Holy Quran during Forcible Cell Extraction (FCE) at Guantanamo



Drawing #39: Threat to Kick the Holy Quran during Forcible Cell Extraction (FCE) at Guantanamo (continued)

Threat to kick the Holy Quran during Forcible Cell Extraction (FCE) at GTMO:

When the guards at the CIA, FBI, and/or GMTO needed to storm the detainee's cell, they brought a special team consisting of several guards.

The FCE procedure: the guards suddenly opened the door and stormed the detainee (who could be sleeping, standing, sitting, praying, or reading the Quran); they would violently lay him down on the floor and tie his hands behind his back.

Sometimes they would suddenly open the bean hole and spray a substance or gas on the face of the detainee. The gas would make the detainee tear-up.

Sometimes they would suddenly open the bean hole and start warning and threatening the detainee to put away the Quran out of their path or they would kick it after quickly opening the cell door and then storming the cell.

Usually, they would kick the Quran when they entered or they would step it or push it back using their feet. They would push it near the bathroom (toilet).

Drawing #40

Abu Zubaydah © 2023

