

Torture Victim, Held for Over Two Decades, Files Landmark Complaints Against Architects of CIA's Torture Program

New York, NY—September 18, 2023— Zayn Al-Abin Muhammad Husayn, also known as Abu Zubaydah, through his attorneys at Lewis Baach Kaufmann Middlemiss (LBKM), a globally recognized international litigation boutique, today filed a lawsuit against two former government contractors who devised an enhanced interrogation program for the Central Intelligence Agency (CIA) and then implemented it far beyond the point of torture, in violation of United States and customary international law. The complaint, [linked here](#), was filed in Federal District Court for the Eastern District of Washington, and alleges violations of the prohibitions on torture, non-consensual medical and scientific experimentation, war crimes, and arbitrary detention beginning in 2002 when Abu Zubaydah was detained and believed—erroneously—to have been associated with al Qaeda.

According to the complaint, the contractors, James Elmer Mitchell and John “Bruce” Jessen, lacked any interrogation experience in the field, and had no law enforcement, linguistic, or cultural training qualifying them for the job of interrogating terror suspects in the wake of the September 11th attacks. It details how they ignored decades of research on effective interrogation methods, devised an experimental “enhanced interrogation” program, and tortured Abu Zubaydah long after it became evident that he possessed no useful information, simply so they could refine their methods and win valuable government contracts.

“As set forth in the complaint, Mitchell and Jessen developed an amateur and misguided interrogation program that emphasized physical and psychological brutality, and implemented it against Abu Zubaydah in a grotesque effort to gain government contracts,” said Solomon Shinerock, partner at LBKM. “Not only did they fail to gain any information that benefited the United States, but they violated numerous long-standing prohibitions against torture, non-consensual medical and scientific experimentation, war crimes, and arbitrary detention.”

The complaint alleged that in March 2002, Abu Zubaydah was detained by Pakistani and CIA officials in Pakistan because—despite having no role with al Qaeda—he was erroneously believed to be the organization’s “chief of operations” and the third in command to Osama bin Laden. He was transferred to a CIA black site where, although he cooperated with FBI interrogators, he was subjected to torture—including solitary confinement, sustained sleep deprivation, repeat water boarding, walling, and painful stress positions—at the hands and under the direction of Mitchell and Jessen.

In September 2006, Abu Zubaydah was transferred to the U.S. naval base at Guantanamo Bay, where he remains today, more than two decades after his initial detention. No charges have ever been brought against him and the CIA has admitted that he had no role with al Qaeda or in the 911 attacks.

Abu Zubaydah has brought several international legal claims in recent years before international human rights courts and bodies, and the [European Court of Human Rights](#) and [UN Working Group on Arbitrary Detention](#) have established that he was a victim of torture while in CIA custody, and that his ongoing detention without charge or trial at Guantanamo is unlawful. On September 12, 2023, [Human Rights in Practice](#) and the UCLA Law Promise Institute for Human Rights submitted [a filing on his behalf to the United Nations Human Rights Committee](#) as part of the review of United States compliance with international legal obligations scheduled for October 17-18, 2023. These obligations include ensuring Abu Zubaydah is able to pursue effective remedies against those responsible for his torture and arbitrary detention before United States courts and releasing him from Guantanamo Bay without further delay.

Abu Zubaydah and his legal team are confident that these collective efforts will bring a measure of redress and accountability for the torture he survived, and reaffirm the United States commitment to important and long-standing norms governing the treatment of detainees.

The LBKM team is led by partner Solomon Shinerock and counsel Elizabeth Velez, with assistance from associates David Short and Annika Conrad and Investigative Analyst James McFayden. Abu Zubaydah is also represented in the matter by Jeffrey Finer of Finer Winn.

Human Rights in Practice is led by Prof. Helen Duffy and Prof. Hannah Garry is Executive Director of the UCLA Law Promise Institute for Human Rights, both of whom are counsel for Abu Zubaydah.

Lewis Baach Kaufmann Middlemiss pllc (LBKM) is a globally recognized litigation boutique specializing in international financial disputes, financial compliance, white collar defense and investigations, insurance and reinsurance advice and representation, cross-border commercial litigation and international human rights. It has offices in New York, Washington, D.C., and London.

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